

## **Study on the Half orphans of Kashmir**

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### **Analysis of Problem**

Half orphans of Kashmir are a bitter reality. They have been living a half life, mostly unheard and unseen in a society that is plagued with bigger tragedies. Though literally they are very much orphans (as no missing person has ever returned back alive), but still they are not treated as such. Also because of the doubt factor about their father's death, these children too are reluctant to accept their fate, which adds to their uncertainty.

The total number of such children is very hard to find. Most of the disappeared persons are in the age group of 15-40 and those who were married had small children at that time. Till date there has been no primary investigation into their exclusive lives. Going by over 2500 such missing fathers, out of the total missing persons of 9000-10,000, the number of such half orphans comes about to around 6000. Their age group also varies. Some of the children have never seen their father, as they were born after the parental disappearance.

The tragedy with these half orphans is that their number is not enough to make a mega impact. The much larger number of orphans at around 100,000 usually dwarfs their cases. With insurgency still going on, albeit at a reduced intensity, the number of orphans is increasing.

These half orphans continue to suffer on more than one count. Physically, mentally, financially, educationally, socially, they continue to be the worst sufferers.

The loss of father either by death or by enforced disappearance is a big loss for any family and if the place is like Kashmir, where family relations are very close, then the effects multiply. A father is financier, guardian, custodian, counselor and above all a protector of his family. In conflict situations like here, the importance of father weighs high. Due to violent incidents, the crisis can be just round the corner and it is here the father protects his children.

When the father goes missing it throws a family into a sea of chaos. If he is dead, the family somehow reconciles with it. But when he is missing, the family has to look for him and take along their lives also. The life of such children becomes insecure. Entire family lives in the limbo and a significant portion of their mind is

always occupied with thinking that what would have been happened to their father and where is he and in which condition.

When their father is not there, no ideal socialisation takes place. Everything is affected be it their religion, education, behaviour or attitudes. They are psychologically traumatised. These half orphans feel more pain than full orphans. They are not sure whether their father is alive or dead. There is a continuous lingering on their minds. They lose faith from everything.

These half orphans have to face identity crisis at every step of their life. As their father is missing these children can't decide whether they are orphans or not. In their earlier lives they had associated 'Missing' a short term phenomenon of a thing, but then to understand missing of their father confuses their little minds. The society on the whole usually calls them orphans but the hope of their father returning back makes them feel otherwise. They negate anything that makes the fact confirm that their father is dead.

These children, who are a bit older, are against their mothers marrying anybody else. They can't reconcile with the fact that somebody else will take their father's place. There is also another factor related to it. The seven year mandatory period of wait put by government and religion also acts as a deterrent. During the seven years wait the children grow up to adulthood and they vociferously oppose their mother's re-marriage. So usually mother's here have been found largely remaining single than marrying anyone else, due to such reasons.

What happens at their homes is that there is continuous uncertainty. They think that the next knock on their doors will be the return call of their father. Occasionally there is the discovery of some unidentified body from some place in Kashmir. Their heart beats at every such news and they fear that the unidentified body might be of their fathers. This makes them to reside in this state of shock. In February 2007, two missing persons were found to have been killed and labelled as Pakistan militants by police and army. Their graves were discovered by special investigation team of police in Ganderbal district. Some police officers were also arrested in this case. During that time it was found that hundreds of families of missing persons went to Ganderbal in the hope that their loved ones too might have been killed and buried there. Besides, dozens of protests were taken out by people in general and these families in particular to demand whereabouts of their missing kins. It happened for weeks altogether straining entire society in general and these families in particular.

These families comprising of half widows and half orphans also protest on the tenth of every month at a park in Srinagar. Such engagements take a heavy toll on the minds of these children, both physically, mentally and on account of time..

## **Effect on their health**

The lives of these half orphans are usually tension full. Most of these children have been diagnosed with one or other type of psychiatric diseases. Post Traumatic Stress Disorder (PTSD), Childhood Depression, Paternal Deprivation Syndrome and Phobic Anxiety have been found common in such children.

According to the psychiatrists they live in a continuous shock. Dr. Arshad is a psychiatrist at government psychiatric hospital in Srinagar. He has attended to many such cases of half orphans and half widows. "It is normal to be shocked at any untoward incident and then we forget that thing. But in the case of such children they can't come out of that shock and remain in this status which is called PTSD."

When their father is missing, the bond of entire family is loosened. The close knit family concept gets shattered. These children develop psychological scars. Wherever children have witnessed their father being arrested and interrogated by security agencies, they develop a phobia to the uniformed personnel. Such children are usually afraid of army men and other troopers, as they consider them enemies, who will harm them. Most of these half orphans feel insecure. They even feel insecure in their own family. They lose trust on everyone. In one such case it was found, nine year old Farooq of North Kashmir, used to fear even Sikhs or person with beards, because he had witnessed his father being arrested and interrogated in an adjacent room by bearded army men.

Almost all of these children develop some kind of health problems. Due to the scarcity of finances and time, sometimes even a smaller problem in children emerges into a bigger problem. Majority of such children suffer from Post Traumatic Stress Disorder (PTSD). Besides Hypertension, cardiac problems, anemia, mal nourished, eyes and other diseases are also found in them. Some of the diseases like hypertension and cardiac problems are associated with adults, but doctors are puzzled to see these diseases making inroads in such children. Usually their immune system is also found to be very weak.

They are also involved in the depression, trauma, and suicidal tendencies. In adolescent ages the suicidal tendencies goes on increasing and they may even be successful in committing suicide. They think that they have no future. They have no safe life, safe relation, and safe career and so on. So they go for the suicides. Their number is increasing with every passing day. Depression becomes their permanent feature.

A revengeful attitude has also been found in such half orphans. These children are highly volatile. It is because of the fact that most of the children know the culprit. They know that who has taken away their father. Most of such children have themselves witnessed their fathers being arrested by the security agencies. They want to kill them. There is high chance of these children becoming insurgents. They want others, like the children of troopers to suffer like themselves. One Shahida 38, whose husband is missing for the last seven years says that her 10 year old son often expresses his plans of revenge against troopers, who are responsible for the disappearance of his father. "Sometimes he talks so much about killing that I fear for his future and what he is upto," she said.

Some half orphans who live at orphanages share similar experiences with other orphans at these places. As in most of the cases the troopers are the primary suspects, thus all of these experiences end up increasing their anti army sentiments.

These families suffer immense difficulties while finding their missed ones. They have to move from one army camp to other and from one police station to other. Army men at these camps abuse these families on regular intervals. They deny ever arresting such persons and sometimes even physically drag them out of the place. They usually have to wait for hours altogether outside the gates of these army installations without any attention from army officials. On most of these instances the children are also accompanying their relatives to army camps. The attitude of army men and other security officials has left deep impact on their minds.

Many such families, whose relative is missing, are also occasionally raided by army and other troopers. It has been found that the army usually accuses the family itself of shielding the person (one who is missing) and demand his whereabouts. It puts them at one of the most helpless situations. On one hand they are in the pain of disappearance and on the other hand they have to bear the brunt of such situations.

### **Effect on Education**

The education of such children also suffers the most. Rarely do such children complete their education. Some have to forego their education due to financial problems and some due to migration from one place to other. In some cases, it was found that when a person goes missing, his wife and children move to their maternal families, thus abandoning their original homes. This migration happens as the family feels vulnerable in the absence of their family head. But they have to

occasionally move back to their houses in order to safeguard their property interests. So this to and fro movement hampers their education.

The primary concern of such family is to find their missing person. They move from one police station to other, from one army camp to other and so on. It takes months and years for them in this finding mission.

Another factor which leads to their drop out from education is the lack of finances. These families usually belong to low income groups and in the absence of the lone bread earner, their primary concern is to survive. The education takes a backseat as there is no money left for the fee, books and other related expenses.

A large number of such children have to work to earn their livelihood in the absence of any income source. This also makes these children to drop out from the schools.

This situation makes such children loose their interest in their education. They live their life in their own shells.

## **Government as enemy**

The government too has remained non cooperative to such families. They don't take pains in solving their problems. These children thus see government as their enemy. They don't feel any difference between their primary enemies and secondary enemies.

They see security forces as their permanent enemies. Their perception is that these security forces represent the political class or ideology or state. They cannot be their protector and thus they oppose them. They vehemently take part in the anti India marches. They want to take revenge. So they have those rebellion feelings. They are the sympathisers of the militants and some of them even join the active militant groups. For them Security men represent a political set up which they want to topple. Many such children are happy at the thought of joining insurgents and attacks Indian army, whom they conceive as eternal enemies. Such feelings can be found in girls also.

The state government usually provides financial assistance and other relief or government job to the close relatives of those who have been killed or injured in insurgency related incidents in Kashmir. But the government has no such provision of relief to family members of missing persons.

The government usually provides financial assistance to such half-widows after seven years of mandatory wait. At that point they can receive the standard relief offered to widows who have lost husbands to the insurgency; either a one-time grant of between \$1,000 and \$2,000 or a monthly pension of about \$10. But due to high corruption and uninterested government this meager amount too is not provided to such half-widows. To date the government has provided relief to 400 half-widows. Activists estimate there are between 2,000 and 2,500 such women.

If only they can prove the death of their missing relatives, then they are liable for financial assistance. The government till date has not been interested in finding these missing persons. Usually the police doesn't lodge an FIR (First Information report) or doesn't take any action even if lodge FIR. Often these children have accompanied relatives to dozens of army camps to find out any trace of their missing persons, but most often they leave disappointed. They are even abused and scolded by army men at these camps, which usually leaves mental scars over them. Often the society looks down on the girls, who visit army camps along with their relatives to find her father. They usually call them having loose character, so sometimes social pressure makes them stop search.

The government has been making different statements regarding the status of such persons and sometimes the government even denies the existence of missing persons. This attitude also makes these children see government as their enemy. They see political leaders or Security agencies as agents of this government. They vehemently participate in anti government and pro freedom demonstrations.

## **Interpersonal relations**

The interpersonal relations of such children are also highly disturbed. Even in adulthood they find it hard to live a normal life. After marriages such people are more prone to divorces.

During their initial stage they develop certain kind of expectations from relatives, friends and neighbours. Initially all of them help but then they are left to fend off to themselves. They are forced to come out to help themselves on their own. They have a negligible socialisation. At some places it has been found that relatives too are non supportive and they maintain a distance due to security, financial or other reasons. As the family is continuously being harassed by troopers, their relatives think that the security hassles might even include them. So they just sort of cut off their relations.

Most of such affected families belong to the category of least income group. As the main bread earner for the family goes missing, they are thrown in open. Hardly ever they manage to make their ends meet. They live on charities. Sometimes they

go hungry for days altogether. Kashmir is the home to hundreds of thousands of fully orphans and other destitutes and they are the primary concern of charity organisations. So the families of half orphans become a sort of secondary concern.

In some other cases it was observed that bitter property dispute arises between the families of missing persons and their relatives. Taking advantage of their helplessness in the wake of missing persons, these relatives even sometimes make forged documents or Will to occupy their property. The gullible families of missing persons, who are pre occupied with their own problems can't find enough time to deal with the situation. There have been many cases where such families have lost their legal property. In some other cases, where the half widow does not have any child, she is simply expelled from getting any share in property.

Such bitter experiences have also compelled half orphans hate their close relatives. It adds to their already lack of socialisation. It makes them drift away from society as they loose trust on everybody. The lack of proper government laws in this regard adds salt to their injuries.

The effect on girl child is no different from the male ones. The loss of their father plus continuous agony of her mother keeps such girls in the continuous lap of sorrow. It has been found that usually such girls keep themselves inside the confines of their homes. They too have limited socialisation. Being part of a religious society is also another factors which adds to their limited socialisation.

### **Child Labour**

The half orphans are highly prone to exploitation in the society. As they don't have any strong backing in the form of a father, various elements in society feel free to exploit them.

These children are compelled to work at carpet industries, automobile workshops, tea stalls and other hazardous and non hazardous workplaces. At the workplace they are exploited by the employer. They are forced to work beyond their potential. They are abused, exploited and less amount is paid to them. They take more from them than what is given to them. In the absence of proper education, majority of these children end up doing small time jobs or as laborers.

Girls too have been seen to be working at the very tender age. Most of these girls usually work at the handicraft industry. The handicraft industry in Kashmir is highly unorganized and they are known as the leading exploiters of the labours. Most of these labours, be it boys or girls, end up bearing all these inhuman conditions, as they see no other alternative to their life.

## **Financial issue**

On most occasions such families are provided aid by charity organizations but that is very small. Families residing in far off villages don't get such relief as most if the charity organizations are located in central areas.

In some cases such half orphans are admitted in orphanages. In orphanages there is a linked orphanage mentality. In these orphanages also they are not developed according to scientific manner. The orphanages have meager facilities they are non sophisticated. Though food and education is provided to them, but that hardly meets overall needs.

The lack of legal cover in their inheritance matters also increases their financial problems. As the children are small and their mother is also unable to pursue their cases, they usually end up getting nothing from their father's property.

Such families have also been exploited by some people, who promised them of finding their missing relatives in lieu of huge amount. In the hope of getting the missing person back, they end up selling every valuable things and giving huge amounts to these agents, many of whom are working with government, police or government gunmen. But they are always duped and whatever they had is lost. They can't complaint as they don't have any evidence or the person they had given money has high connections.

One Rashida Begum 65 of Kupwara, who lost her son in the similar way said, "at number of times some people, who posed themselves as some high connecting persons came to me." "They told me that we had seen your son at Tihar Jail in New Delhi and we can bring him back if only you will give us two lakh rupees," said Begum with tears. The family ended up giving little more than one lakh rupees to these people and as soon as these people got the money, they fled away with the money. "We had to sell our entire jewellery, whatever we had to give them the money, but still couldn't get anything," she said.

Such families also have to incur huge finances during their day to day expenses. They have to move places to visit army camps, police stations and meet officials for the retrieval of their missing persons.

The relatives usually help such families in the initial stage but later on everybody makes a distance. They are left on their own. This also increases the animosity of such children with their relatives in particular and society in general.

## **Degradation in Lives**

Such children have a huge baggage all through the life. They live a half personality never able to grow up. Most of their lives are spent in their struggle to find their fathers. Their life swings between the two extremes of orphan or a half orphan category. The mental scars even strain their inter personal relationship of such children. Lack of counseling also adds to their woes. They never become fully normal.

These effects linger throughout their life. There is likely possibility of high divorce rate among such people, who have grown from the status of half orphan. They never feel secure as from their childhood they never felt secure in the absence of father.

These children often recall their fantasies as to what father will say to them if he returns and finds his son a grown up boy. How will he react and how happily we will live ever after are the thoughts in their minds. They are continuously living in such illusions and see the coming back of father as the solution to all of their ills. Their longing for normal life makes them nestle in a condition which is peculiar to them. In the absence of proper help and guidance which could have erased their pains, their personality continues to grow in a different way. Their half orphan status stunts their normal growth. As there is no sight of help to them in any way, they will remain as such waiting for a fuller life.

Desperate to find support from different quarters, these children try to find support in alcohol and drugs. With the rise in the drug addicts the crime level also increases. The depression in such children also makes them prone to take up drugs and narcotics. They also become socially deviated and social delinquency in them also increases. Their tendency to go for crimes increases. First it is small crime like pick pocketing, harassment and molestation and like that. Some of them get also involved in the bigger crimes like murder and rape.

## **Government stance**

The government often changes their stances over the issue of missing persons. Their statements remain changing with regard to the status of such people. Sometimes they say that there just few people missing and sometimes they say the missing persons have gone to Pakistan administered Kashmir for guerrilla training.

Parvez Imroz who heads the Jammu kashmir Coalition of Civil Societies on February 10, 2007 said told [www.kashmirnewz.com](http://www.kashmirnewz.com) that since 18 July 2002 Chief Ministers and other lawmakers have given 21 different statements.

"Sometimes like in April 2003, then CM Mufti Mohammed Syed says 3744 persons are missing from 1990 to December 2002 whileas current CM G N Azad said on August 06, 2006 that only 108 custodial disappearances have taken place" Imroz says. "This shows the height of contradictions."

The government fears huge embarrassment if they ever agree the existence of such missing persons.

If ever they agree over their status Non Government Organisations and international human rights bodies will surely corner the government over the issue. So government keeps mum on the issue.

The government has till date been able to confirm just a fraction of cases and if ever they start to admit more cases, they will have to face the flood of such cases.

## Recommendations

- Government has no clear cut policy with regard to the welfare of such families in general and such children in particular. Government intervention at highest level is the need of hour.
- There need to be change of government priorities with regard to identification of victims. Government usually helps such families who have been victims of direct violence from militants. If they find even a single doubt about the cause of their suffering, the relief is withheld.
- The social welfare department should give some monthly financial assistance to such families to meet their needs children for their education.
- These families are usually unaware of their legal rights. A facility of legal aid should be provided to them on nominal or no charges.
- Most of these families suffer from Psychological diseases and are badly in need of medication. Psychiatric counseling should be provided to them on priority basis.
- There is a provision in state law that next kin of a person who died during government employment is provided the suitable government job. The families of missing persons should be also given such facility in case they are employees.
- These families also face immense difficulties in proceeding their case according to law. Most of the time FIR's are not registered and even if police files the report, they don't proceed into its investigation. Such lacunae have to be treated at an earnest.
- A commission or special tribunal should be constituted especially for the cases of such missing persons. This will provide a speedy and fair justice to the people.
- The religious body of Muslims should also made some provisions in their laws which have most of the times, become hindrances in continuing their normal lives. There need to be some kind of relaxation for this class of people related to half widows or half orphans.