

Impact of Terrorism in Jammu and Kashmir: A Socio-legal Study

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ABSTRACT

Imposing fear either by the way of using force or with intention to inflict pain is termed as terrorism. Opting such anti-social act by people often termed as terrorists. It has become a global disease found in almost every society. There is hardly any country which is not threatened by it. Their activities may either be small or large in operation, but the motive behind each is to defeat the peace. Several other issues related to it are there as in relation to Politics, Social integrity, Trade, Globalization, Employment, Education, Disturbance in financial market, Violation of human rights, Uncertainty of Constitutional machinery, Social and geographical infrastructural development, etc.. Right from the post-independence time the whole Jammu and Kashmir is facing this serious threat, comparatively much more in the valley. Here it is an attempt to study the socio-legal impact of terrorism in the Jammu and Kashmir, an integral part of Union of India.

1. Introduction

Terrorism could be understood as the use of violence or force or threat so as to create fear among the people. The persons whether individual, group or any organization performing such activities are termed as terrorists. Terrorism is a world-wide problem which is a threat to almost every country. Last few decades have faced its dynamic and worst consequences. Every society all over the world is facing this issue. Terrorism is carried out by the groups, termed as terrorist groups, which use almost same ideologies and ways to strategize their aims and objectives, such as political goal, religious goal, etc. The activities practiced by these groups as a result effects many aspects of an individual, society and of nation also in the whole world. Due to such practices, acts and doings, the researchers are attracted now days towards the issues related to it and to perform the studies for the understanding, reasons, consequences and needs to be resorted to overcome this huge problem. Their activities may either be small or large in operation, but the motive behind each is to defeat the peace. It can be political, social, nuclear, cyber, religious and many more. In 2005 it was analyzed that terrorism can be defined as the “harassment, destruction, suicide attack and killing of innocent people.” It further affects other aspects also of the residents of the state, damages the authoritative infrastructure and weakens the social order (Chachar et al., 2005). It effects the economy of the state also which ultimately targets the economic growth of the state (Barth et al., 2006). A wide number of jurists, researchers, academicians, authors, politicians etc. have defined it in their own understandings. Almost every nation in the world is facing the problem of terrorism. This problem is not confined to any single issue. It affects several other issues related to the politics, social integrity, education, trade, globalization, employment, etc. Here it is an attempt to study the effects of terrorism in the State of Jammu and Kashmir, an integral part of Union of India. Right from the post-independence time the whole state of the Jammu and Kashmir is facing this serious threat, comparatively much more in the valley. Terrorism can be defined as the state of ultimate fear and apprehensions

which have effects on the individuals of the society and usually result into destruction as well as the uncertainty if the society (Akçay and Çelenay, 2012).

It has various faces but to show only few. The terror groups act most of the time nowadays hiding behind the name of politics, religion, etc. Terrorism is no doubt regarded as the most violent threat against the state. Sometime it is being based on religious ground while most of the time it has the foundation of the political motive. Threat, terror and fear are being used as the tools of the terrorism so as to widen its scope and increase its impact whether physically or psychologically. Therefore its ultimate object is to sway the pressure on the authorities in order to achieve their goals which cannot be achieved by ordinary means (Stibli, 2010).

In 2017 it was covered by the Economic times that for objective of curbing terrorism, several actions are taken which affects the tourism and a downfall in visiting of tourists is seen in recent. Such actions creates unrest and in consequence the numerical figures come down. As explained by the president of Kashmir Hotel and Restaurant Owners Federation, Javed Burza, the political dilemma is worsening the situation day by day. It is after the killing of the militant Burhan Wani, the situation had taken an unfortunate turn that now the valley people are forced to look into other business and employment opportunities for their survival (Irfan, 2017).

It is observation of International monetary fund. (2016). How has September 11 influenced the global economy, that the 9-11 attack in United States costs about the loss of between 50 to 53 billion US dollars. In 2004 also a study gave the conclusion that to prevent such terrorist activities, such policies must be enacted that should aim the target in curbing terrorism as such terror activities when exercised the Financial market of the state gets effected (Johnston and Nedelescu, 2006).

Another study in 2010 also propounded that due to the terror attacks the stock market also get effected. Due to the

attacks on the market, the capital and the infrastructure, both are targeted, due to which there is a negative effect on the stock market (Karolyi and Martell, 2010).

In 2005 in the study, the researcher has attempted to analyze the position of human rights in the state of Jammu and Kashmir. The researcher observed that there is a huge amount of Human rights violations which is degrading the situation of Kashmir and making it more and more sensitized matter. Another thing which is seen here is that irrespective of peace initiatives provided by the Government of India such as packages, grants, etc. which are provided so as to gain the confidence among the people of Kashmir failed. This resulted in disturbance of the situation even more (Shamim, 2005).

A study done in 2008, critically observed the evil resultant impact of terrorism specifically on tourism (Llorca-Vivero, 2008). A study in 2002 shows that the tourism is affected from the acts of terrorism. The study conducted in Israel shows that terrorism affects the tourism to a huge extend. Whenever there is a terrorist attack, there is a reduction in tourists (Fleischer and Buccola, 2002).

Terrorism Impact on different sectors such as, Financial(On earnings, Recourse utilization, Tourism, Investments, Internal security, etc.), Socio-Political (Nation`s Representation regionally as well as internationally, Functioning of state, Infrastructural development, Increase in unemployment, Increase in poverty, etc.), Psychological effects Mental Health issues, Social illness, Physical abuse due to mental instability, etc.) (Saleh, 2003).

UNHC report on situation of Human Rights in Kashmir provided the position and situation of Human Rights in Kashmir clearly shows the international interest to curb the problem of terrorism, subject to the condition that basic human rights should not being violated. Although a strong reply have been given to this report on behalf of the Indian Government but the violations are presented in a large number. The unrest in valley right from 2016 after the killing of Highbul Mujahidin Commander, Bhuran Wani by the Indian forces, the Indian army with the local armed forces of the state are trying to control the situation in the valley. In the report the UNHC observed that with such operations and attempts to curb the terrorism as well to control the terror affected areas, a huge amount of human rights

violations are being practiced from last 2 years. Such unrest is not only reflecting the human rights violation but also the fundamental rights violations which includes the sexual violence, civilian casualties, displacement of valley people, excessive use of force, torture, disappearances, restriction of freedom of expression, violation of right to education, employment degradation, diminishing of livelihood, etc. (United Nations High Commissioner for Human Rights Report, 2018).

At the present time the internet shutdown in Kashmir since August 5th, 2019, has led to a gradual rise in joblessness. Several Mobile outlet employees in the Valley have not even received their salary as sales have dropped by almost 90 per cent. Mobile sales in Kashmir has dropped by almost 90 per cent in Kashmir. Around 8,000 people are employed in different mobile brand shops across Kashmir. Kashmir has been put on a blacklist by Samsung and Sai Showkat Ahmad Dar, a salesman at a mobile phone outlet at Residency Road in Srinagar said he has to either quit or seek a transfer. The lone breadwinner for a family of four said he has not received his salary of Rs. 14,000 after Article 370 was revoke by the Centre on August 5. One of the reasons our salaries have not been released is because we haven't been able to mark our attendance online due to the internet blockade (Coverage by India today on Kashmir internet shutdown spurs joblessness, mobile outlet employees feel pinch, 2019).

2. Socio-legal impact of terrorism

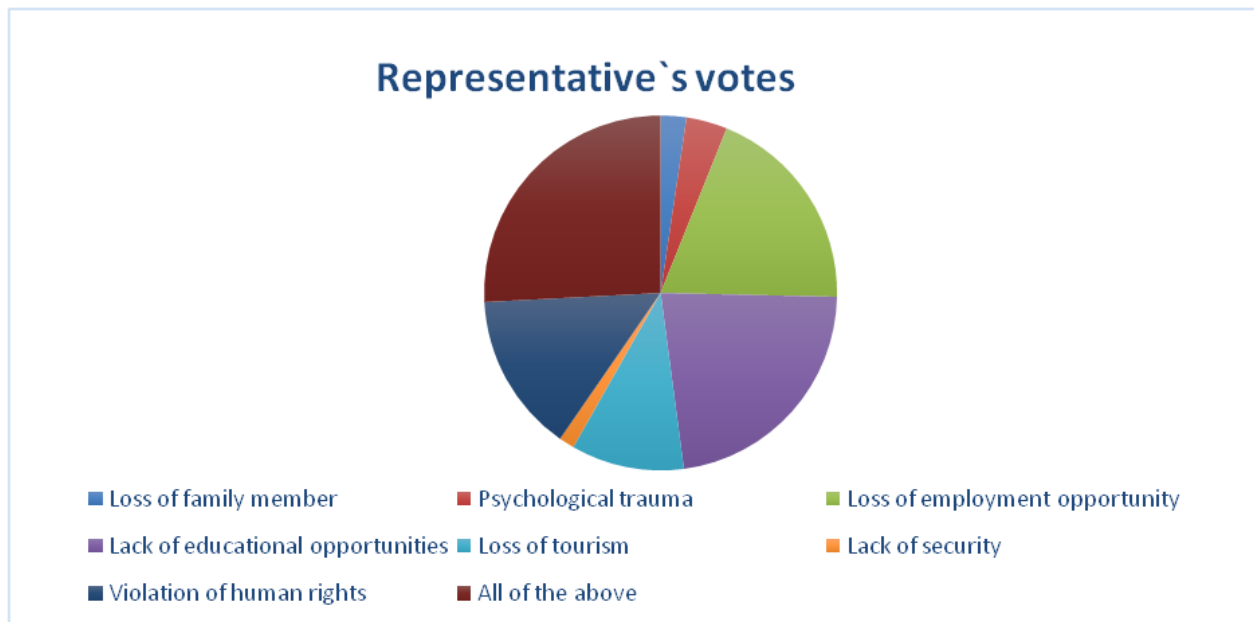
The above review of literature provide for the situation of the people of J&K specifically in Kashmir valley as the degraded one. The researcher has opted partially both the approached, i.e., doctrinal and non-doctrinal. For the non-doctrinal approach by the way of questionnaire, the researcher have collected the first hand data by which the field situation can be analyzed. The representatives chosen by the researcher are the among the common people from three districts of the Kashmir valley specifically from the districts named Bandipora, Kupwara and Baramulla (sharing border with line of control) on the basis of simple random sampling.

Obtaining the firsthand knowledge from the representatives, several questions were asked and particularly on the impact of the terrorism it is observed that from the acting of the terrorism activities the common people are affected. It could be understood by the following table:

S. No.	After-effects	Representative`s votes
1	Loss of family member /friend /relative/ colleague	8.3%
2	Psychological trauma	13.3%
3	Loss of employment opportunity	68.3%
4	Lack of educational opportunities	80%
5	Loss of tourism	36.6%
6	Lack of security	5%
7	Violation of human rights	51.6%
8	All of the above	91.6%

It is analyzed that almost every aspect of the common people is hampered by the activities of terrorism. Particularly taking into consideration the employment opportunities and

educational opportunities are the most affected aspects as compared to other aspects.



3. Conclusion

To conclude the findings, it is observed and put forwarded that

- The act of terrorism in reality hampers almost every aspect of a human life.
- Not only had this, with every step of research a new definition of terrorism developed.
- Several factors are responsible for the emergence and further development of terrorism. These are:
 - Political factors
 - Social factors
 - Economic factors
 - Regional factors
 - Religion factors
- With every act of terrorism, a new form of terrorism is emerging.
- Restrictions from the government to curb it is unfortunately resulting in creation of new form of terrorism named indirect state-sponsored terrorism, which is yet to be researched.

- Whether it is the psychological trauma or loss of educational opportunities or any other things, terrorism positively affects every aspect of the life in every sphere. It is seen as an evil in the society.
- Not only this the development of the UT of Jammu and Kashmir is somehow stopped not as of in the present time but also when the present UT was having the status of a Statehood.
- Particularly from the 90's when various policies were adopted to curb such huge increase in terrorism have degraded the status of people, resulting to lack of fulfillment of the guaranteeing of the rights of citizens as well as individuals.
- As we know no right is absolute still curbing any of such right due to any un-lawful act makes the citizens as well as individuals and persons in-capable of exercising their rights. Even after the abrogation of Article 370 by the Union Parliament on 5th of August, 2019, which have created a transparent wall between the applicability of union laws over the state to their fullest, still the situation is not in control.

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