

# KASHMIR

A VALLEY IN DARKNESS



KUNAL VERMA  
KITTY BHATTACHARYA

# CONTENTS

## 1

<b>DISCLAIMER</b> .....	6
<b>FOREWORD</b> .....	11
<b>UNDERSTANDING THE REGION OF JAMMU &amp; KASHMIR</b> .....	14
<i>Kashmir of Antiquity</i> .....	20
<i>Ashoka and Buddhism</i> .....	20
<i>The Shah Mir Dynasty</i> .....	22
<i>The Mughals</i> .....	24
<i>The Afghans</i> .....	25
<i>The Sikhs</i> .....	26
<i>The Dogras</i> .....	28
<i>The Sale of Kashmir</i> .....	29
<i>The Great Divide</i> .....	31
<i>Winds of Change</i> .....	34
<i>The Rising of 1931</i> .....	35
<i>The Rise of Sheikh Abdullah</i> .....	36
<i>Blueprint for a Naya Kashmir</i> .....	39
<b>1947: The Birth of Two Nations and a Dilemma</b> .....	40
<i>The Dilemma</i> .....	41
<i>A War, An Accession &amp; the Death of Monarchy</i> .....	43

<i>Epilogue</i> .....	45
<b>HOW GILGIT WAS LOST</b> .....	47
<i>A Temporary Provision?</i> .....	54
<b>1950-1977: Kashmiriyat vs Nationalism</b> ...	55
<i>Changing Dynamics: 1962, 1965, 1971</i> ....	58
<b>Beginning of the Islamization of Kashmir</b>	63
<b>Pakistan and Jihad</b> .....	66
<i>Jihad as State Motto</i> .....	67
<i>Jihad comes to Kashmir</i> .....	68
<b>Economic Development of the State</b> .....	71
<b>The 1987 Elections</b> .....	73
<b>The Kidnapping of Rubaiya Sayeed</b> .....	75
<b>Exodus of Kashmiri Pandits</b> .....	79
<b>Thereafter</b> .....	86
<b>Kunan Poshpora</b> .....	88
<b>Continued Rise of Insurgency</b> .....	90
<i>Inter-militia Clashes</i> .....	90
<i>Attacks on Security Forces</i> .....	91
<i>The Hazratbal Siege</i> .....	92
<i>Communal Attacks</i> .....	94
<i>A Change in Tack</i> .....	95
<i>Human Rights Abuses by Militants</i> .....	97
<i>Epilogue</i> .....	97

<b>The Simla Accord</b> .....	99
<b>The Siachen Conflict</b> .....	101
<b>The 1990s</b> .....	105
<b>The Vajpayee Era</b> .....	108
<i>Between Kargil &amp; Bloody Tuesday</i> .....	110
<i>Musharraf's 4-Point Formula</i> .....	112
<i>Kashmir: 2002-2004</i> .....	115
<b>The UPA Years</b> .....	117
<i>2010: Annus Horribilis</i> .....	120
<b>Kashmir Under the BJP</b> .....	124
<i>Burhan Wani</i> .....	125
<i>Kashmir: 2015-2020</i> .....	126
<i>Biting the Bullet: Abrogation of Article 370</i> .....	129
<i>Legal Implications</i> .....	132
<b>1947</b> .....	134
<b>1965</b> .....	139
<b>1971</b> .....	140
<b>Post Simla</b> .....	141
<i>The Indus Angle</i> .....	147
<i>Twin Policy on Terror</i> .....	149
<i>Conclusion</i> .....	150
<i>A Case of Identity Crisis</i> .....	152
<i>The Valley</i> .....	152

<i>Jammu</i> .....	154
<i>Ladakh</i> .....	155
<i>PoK: Azad Kashmir</i> .....	157
<i>PoK: Gilgit-Baltistan</i> .....	158
<b>PLIGHT OF THE KASHMIRIS</b> .....	160
<b>MILITANTS, TERRORISM &amp; JIHAD</b> ...	173
<i>Maqbool Bhat: The First Martyr</i> .....	173
<i>The ISI &amp; the Pakistan Army</i> .....	177
<i>The Core of Militant Organizations</i> .....	178
<i>Deoband</i> .....	180
<i>Ahle-Hadith</i> .....	181
<i>Lashkar-e-Taiba (LeT)</i> .....	182
<i>Jaish-e-Mohammed (JeM)</i> .....	185
<i>Hizb-ul-Mujahideen (HM)</i> .....	187
<i>Terror Attacks on Muslims</i> .....	188
<b>KASHMIR: MY TWO BITS</b> .....	197

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# FOREWORD

Our study, *Kashmir, A Valley in Darkness*, is a humble and unbiased attempt at trying to present Kashmir's chequered trajectory. What started as a discussion spilled over to exchange of notes over books on Kashmir we were reading at that time. When we paused, we realised there was so much we were not aware of and it struck us that there may be many like us who would like to know more. And what began as a small write-up, transitioned into copious pages of facts and even more facts! Kashmir had engulfed us.

While presenting Kashmir's story, we have tried to articulate the dreams, the disappointments, the rage and the slivers of hope that have flown through her since antiquity. The people who loved and lost Kashmir are no less enchanting, tied to her forever in spirit. We are indebted to the numerous articles, blogs, research and case studies, and books we read up along the way in trying to understand what makes Kashmir the enigma she is. Truth be said, trying to understand what has happened and is still happening in Kashmir is like working through a labyrinth. One can simply get lost in the avalanche of information available out there. The difference in viewpoints is even more

staggering. This is why we have stuck to basic core facts and have peppered our study with links to articles and research material which have guided us and will also offer the reader a chance to dig deeper if he or she is keen to know more.

In our endeavour to be succinct, we have structured our material in such a way that anyone who wants to know about what has happened in Kashmir over the years does not have to begin from Chapter 1 but can instead toggle between topics of interest. For instance, if anyone wants to read up on what contributed to the rise in insurgency in the region, can just jump to the chapter titled "*War in Kashmir*".

Kashmir's story is an evolving one but, most importantly, everyone has his or her own interpretation of it. When we began the project it almost seemed futile to travel down a road which seemed mired in contradictions when it came to opinions. To some, the Kalashnikov-strapped smiling Wani was a sun-kissed poster boy who stood for redemption. To others he was a glorified militant. When we asked a friend about why Pakistan continues to feed terrorism and cannot leave Kashmir alone, he was quick to reply that the "only real heft in this world was economic and the only real opportunity was

strategic opportunism," and that Pakistan's leadership had chosen the latter and, hence, all its policies flowed from it.

We are thus aware that whichever way one chooses to see it, the alternative and equally authentic narrative cannot and must not be buried. So, if you as a reader do not agree with us we would like to hear from you. You can email us your feedback and rebuttals, if any, at [valleyindarkness@gmail.com](mailto:valleyindarkness@gmail.com).

Like we mentioned before, ours remains a simple attempt at presenting a quick and informative glance at Kashmir's political and emotional history. We hope we have succeeded in our aim.

**Kunal Verma**  
**Kitty Bhattacharya**

# UNDERSTANDING THE REGION OF JAMMU & KASHMIR

For a vast majority of people, the word Kashmir is the moniker applied to the whole area of Jammu, Kashmir, Ladakh, the Northern provinces, including Gilgit and Baltistan, and the China-controlled areas of Shaksgam Valley and Aksai Chin. This is an error, as it trivializes the complex issues plaguing the entire region and does not enumerate the stakeholders in this area.



In the map above, one can see that the epicenter of the conflict, the Kashmir Valley, is just a small part of the state. Kashmir occupies 15,520

square kilometers of the total area of 2,22,236 square kilometers covered by the entire area of Jammu and Kashmir. Thus the situation, as of today, is that 45.7% of the area of Jammu and Kashmir is with India, 35% is with Pakistan, and 19.2% is with China.

Pakistan-occupied-Kashmir (PoK) is administratively divided into two parts: Azad Jammu and Kashmir (also called Azad Kashmir) and Gilgit-Baltistan, formerly known as the Northern Areas.

The so-called Azad Jammu and Kashmir (AJK) region is governed under the Azad Kashmir Interim Constitution Act passed in 1974. Even though AJK has a President, Prime Minister, and a Council, the governing structure is totally powerless and dependent on the Pakistani establishment for the smallest issue at hand. Very often, AJK is described as a 'constitutional enigma' with the 'trappings of a country'. Azad Kashmir is one sixth the area of Gilgit Baltistan and has a population of 40,45,366 as per the 2017 census. The majority of people in Azad Kashmir are ethnically Punjabis and not ethnic Kashmiris. They are all Muslims, except for some 4,500 Christians in the area who struggle to get residential status and property rights in AJK. The economy here is dependent largely on

farming and tourism. The northern terrain of Azad Kashmir encompasses the lower area of the Himalayas, which is to say that the mountains here are lower than the average northern Himalayan peaks.

The people of Azad Kashmir consider the Kashmir Valley as an extension of their territory and are deeply invested in the 'liberation' of the Valley. It is here that an overwhelming majority of the militants in Kashmir are trained and cross over to India across the Line of Control (LoC). Long disenchanted by Islamabad, the people of Azad Kashmir have been demonstrating against the Pakistani control of the region and have been calling for independence.

Situated at the convergence of three great mountain ranges – the Karakoram, the Himalayas, and the Hindu Kush – Gilgit-Baltistan is an important geo-strategic site. The region contains all five of the peaks higher than eight thousand metres in Pakistan (the Himalayas are the only place where peaks higher than eight thousand metres are found; there are 12 eight thousanders) and has more than 50 peaks higher than seven thousand metres. The region effectively provides Pakistan with direct and free land access to its ally China through restive Xinjiang via the Karakoram Highway. It



has an estimated population of 1.8 million people. About 40% of the people are Shia Muslims. The people from this region do not identify themselves as ethnic Kashmiris. Since Pakistan occupied the region, it has remained in constitutional limbo, which means no elections were held there until recently. The Constitution of Pakistan does not cover it under any of its provisions nor does it recognize it as a territory of Pakistan.

Shaksgam Valley and Aksai Chin, both uninhabited, are Chinese-administered territories in J&K. Aksai Chin was under Chinese control through the 1950s and was consolidated during the 1962 Indo-China war. Shaksgam Valley was 'gifted' to China by Pakistan in 1963.

Ladakh is a part of India and had been seeking the status of a Union Territory that was finally granted to it in 2019. Development in Ladakh had been neglected for long by the politicians of Jammu and Kashmir because of it being sparsely populated (most of Ladakh is a barren desert) and remotely located. It has had only two MLAs from its territory in the State Assembly (Ladakh is divided into two districts), despite it being much larger than the other two regions of Jammu and Kashmir (Ladakh occupies around 60% of the state's geographical area). The people

of Ladakh are Buddhists (46%) and Shia Muslims (54%) and do not share any of the Kashmiri ambitions for freedom. The Ladakh area has been claimed by China and Pakistan to be a part of their territory.

Jammu has a population of about 12.5 million people, which comprises 65% Hindus, 31% Muslims and 4% Sikhs. It occupies a larger area than the Kashmir Valley and is divided into 10 districts. The Dogras constitute 47% of the population. The Kashmiri cause has very limited support in Jammu as the state is largely content with being a subject of India.

The Kashmir Valley is populated by some 6.91 million people as per the 2011 census and 97% of them are Muslims, the rest being Sikhs and Hindus. Kashmir also has 10 districts.

# HISTORY OF KASHMIR

What has happened in Kashmir and what is happening in Kashmir over the last few hundred years is a consequence of different forces at play. It is very important to understand and distinguish between these forces because they are not the same. These forces are born of a chain of cause and effect of events that can be traced back a thousand years or more in time.

Kashmir has always suffered from corrupt leadership and poor administration. These are not only the woes of the present day Kashmiri but also that of the Kashmiri of antiquity. The rulers of Kashmir were famous for running away when threatened by an army that would even appear to have the strength to break through the Valley, which by no means was an easy task. Debauched rulers with no finger on the pulse of the common man, empty thrones with no sign of its occupant in the face of advancing armies, famines created by rulers who sought to bathe their greed in the blood and sweat of peasants, ministers bleeding the treasury and the people while the king swam in currents of wine and women, are replete in Kashmir's history. But we want to get on with this story and not get washed away in a tide of metaphors.

## ***Kashmir of Antiquity***

The valley of Kashmir has always been a melting pot of spiritual beliefs. Something about the energy of Kashmir lends itself to spiritual contemplation. The people of Kashmir started recording their history before any other region in India and the records date back to some 5,000 years. The Hindu text, the '*Nilamata Purana*,' may be seen as an imaginative interpretation of actual kings and alliances that existed in pre-history or as myths. It records how Kashmir was a great lake that was drained at the behest of the sage Kashyap, who was the grandson of Brahma, by cutting a rock gorge at Varahmula, which is now Baramulla today. The interesting part about this myth is that modern day geologists confirm that Kashmir was indeed a lake at the end of the Ice Age some 12,000 years ago and was drained by a gorge at Baramulla, probably created by an earthquake.

## ***Ashoka and Buddhism***

The first Indian emperor to rule Kashmir was Ashoka who founded Srinagari 20 kms from modern day Srinagar in the 3rd century B.C. Ashoka brought Buddhism to the Valley.

The Buddha had viewed Kashmir as the perfect "focal point" from which his teachings spread far and wide. Kashmir, he had said, was for meditation; Kashmir was for those who wanted to walk the spiritual path.<sup>1</sup>

The Buddhist Council held at Pataliputra sent the preacher Madhyantika to Kashmir and legend says it was he who introduced saffron cultivation in the Valley. Kanishka held the fourth Buddhist Council in Kashmir that drew 500 Buddhist and Hindu scholars from all over the region, including China, to codify Sarvastivada, the precursor to Mahayana Buddhism. Buddhism and Hinduism bloomed side by side in the Valley, although Hinduism proved to be more durable.

The 12th century scholar Kalhana's *Rajtarangini* is the chief source of most of what we know about the ancient history of Kashmir, along with some Chinese texts, and they both record Lalitaditya as the most powerful of all of the kings of Kashmir, having built a short-lived empire that included large parts of India, present-day Afghanistan and Central Asia. Lalitaditya reigned from 724-760 CE and built

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<sup>1</sup>M.J. Akbar, *Behind the Vale*

Buddhist shrines and stupas, Hindu temples, as well as the famed Sun Temple at Martand.

### *The Shah Mir Dynasty*

Islam was carried into Kashmir by Bulbul Shah, a Turkistani Sufi, in the first half of the 14th century. Sadruddin Shah was the first Muslim ruler of Kashmir in the year 1320. It is said, Rinchin, a Ladakhi prince who had taken over the throne of Kashmir, wanted to be converted into a Hindu, for a ruler must be of the same religion as the people. But the Pandits could not convert him because they could not decide which caste to place Rinchin in. The Sufi Bulbul Shah converted him to Islam at his request and Rinchin thus took the name Sadruddin Shah. He and some of the kings to follow him would be crowned with Hindu rituals conducted by the Pandits. After Rinchin, Shah Mir took the throne, founding the Shah dynasty in 1339. He was not a Kashmiri himself and his origins are ambiguous. Some believe he came from the Swat valley in the Pakistan area.

The sixth ruler of the Shah Mir dynasty was Sikandar Shah Mir who came to power in 1389. Over time, Sikandar came to be known as '*Butshikan*' or the 'Destroyer of Idols'. The title was apt, for Sikandar not only destroyed innumerable

Hindu temples but is also infamous for destroying the glorious Sun Temple at Martand. He imposed the cruel *jiziyah* tax (a tax that people had to pay for not being followers of Islam). Under his reign Hindus faced extreme discrimination, upsetting the brotherhood that had long prevailed between Muslims and Hindus. In fact, Sikandar's policies reflected the first instance of Islamic fundamentalism entrenching itself in the Valley. Historians have pointed out that by the year 1420, only 11 Hindu families remained in the Valley.<sup>2</sup>

There is some controversy as to whether these accounts of Sikandar Shah have been fabricated by Kashmiri Pandits to project themselves as a persecuted lot. It should be noted though that this account of history is one that has been gleaned from Muslim accounts. For instance, the sobriquet '*But-shikan*' was given to Sikandar Shah Mir by Muslim historians, especially those of Persia, who eulogised his campaign of destroying Hindu temples and shrines and forcible conversions as a great service to the expansion of Islam. These are recorded in *Baharistan-i-Shahi*, of unknown authorship and the *Tohfatu'l-Ahbab*, the biography of Shamsu'd-Din Araki, an Iranian of

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<sup>2</sup> M.J. Akbar, Behind the Vale

Noorbakhshiyya Sufi order who visited Kashmir twice – the last time in about 1574 AD. Both these works have been translated by K.N. Pandita and are available for the general public to read.<sup>3</sup>

Shahi Khan, who came to be known as Zainul Abidin and was revered as the greatest ruler the Valley had ever seen, mitigated the effects of his predecessors and brought a period of peace and prosperity to the Valley. He reduced but did not dispose of the *jiziya* tax. The Hindus were much more at ease under the fair rule of '*Bud Shah*' (Great King), as Zainul Abidin was known.

### ***The Mughals***

In 1586, Akbar's troops entered Srinagar, testament to the failure of Bud Shah's progeny to follow in their patriarch's footsteps and provide Kashmir with an able king. Akbar brought his famed administrative powers and relative secular leanings to the Valley, abolishing *jiziya* and enacting many other changes that were in favour of the people. The Mughals ruled through their governors and there was a period of stability till Aurangzeb took the throne. His fundamentalism brought much pain

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<sup>3</sup> From the article in The Print by Ashutosh Bhatnagar [Does Rajatarangini narrative of 5,000 yrs of Hindu history in Kashmir need challenging?](#)



to even the Shia Muslims of Kashmir. After Aurangzeb, came a number of weak rulers and a string of governors. At one point, Mahtabi Khan was made the chief theologian by Bahadur Shah, whose atrocities on Hindus and Shias made them revolt against and kill him. His son, however, had his revenge on the Shia people.

### *The Afghans*

English author Sir Walter R. Lawrence writes in his book, *The Valley of Kashmir*, that with the crumbling of the Mughal Empire, the subahs (province in the Mughal Empire, alternatively used as the term for the governor) in Kashmir began asserting authoritarian influence and control over the region. This was keenly felt during emperor Muhamad Shah's reign when Hindus faced terrible oppression; Kalashpura, 'a Hindu ward', was set ablaze and Hindus were even prohibited from wearing turbans. In the meantime, in-fighting among the subahs, who had since become independent, ensured that Kashmir slipped into political disarray. Then in 1752 AD, Kashmir fell to the conquering armies of the Pathans, who have gone down in history as "the cruelest and worst" of all its masters.

Sir Lawrence's account goes on to mention that the Pathans were merciless in the treatment of

their people, especially the Pandits and Shias. Notorious amongst them all was Assad Khan who was known for instructing his men to tie up Pandits in grass sacks and have them drowned in the Dal Lake. Oftentimes, for fun, excrement-laden pots would be placed on a Pandit's head so that Musalmans could pelt the pitcher to pieces, soaking the victims in excreta. As a reminder of past tyrannies, a locality adjoining the Dal Lake is still known as *Batta Mazar* or the 'Graveyard of Pandits'.

During the Afghan rule of about 70 years, Kashmir became a shell of what it once was. The rich and the poor were plundered alike. There were forced conversions of Hindus and the *jiziya* tax was imposed again. The irony of all this is it was the Kashmiri nobles, tired of the oppression of the Mughal governors, who had invited the Afghans to invade Kashmir.

### *The Sikhs*

Another invitation changed the course of Kashmiri history, this time to Maharaja Ranjit Singh of the Sikh Kingdom in Punjab. When Mirza Pandit Dhar and his son Birbal Dhar requested Maharaja Ranjit Singh to annex Kashmir, the Maharaja complied. In July 1819, his army marched towards Kashmir under the

leadership of Misser Diwan Chand, Raja Gulab Singh of Jammu (crowned in 1822), Sardar Hari Singh and others. A pitched battle was fought at the end of which the Afghans lay defeated, with an injured Jabar Khan (governor of Kashmir) fleeing to Kabul. With this the Afghan rule came to an end and Kashmir, after almost 500 years, again came to be governed by Hindu kings.

Maharaja Ranjit Singh or '*Sher-e-Punjab*' (Lion of Punjab) as he was popularly known, ruled over the northwest Indian subcontinent in the early 19th century. Under him, around 1808, Jammu was annexed to the Sikh Empire and in 1820, the Maharaja 'bestowed the place as a *jagir*' (a land grant given to a feudal superior in return of his military/administrative services) on Kishore Singh Jamwal, a member of the Jamwal Rajput dynasty, or Dogra clan, that ruled over Jammu.

The Dogras were a warrior class, who, to defend their land against invasions by the Greeks (under Alexander the Great), are believed to have migrated from Delhi and Awadh to the banks of the Mansar and the Siroinsar lakes. The region around these lakes stretched from the Punjab plains to the mountains in the north. The Dogras took their name from the word *Dogirath*, which

in Sanskrit means 'two lakes'.<sup>4</sup> The area under their occupation eventually merged to become Jammu.

### *The Dogras*

The Dogras gained fame under Gulab Singh, the son of Kishore Singh. Gulab Singh had joined Ranjit Singh's army in 1809 as a sepoy and rose to become a favourite general. Upon Kishore's death and in acknowledgement of Gulab's leadership, Maharaja Ranjit Singh gifted him with the hereditary title of "Raja of Jammu" in 1822.

Following Ranjit Singh's death in 1839, the British and the Sikh Empire became embroiled in two wars. Gulab Singh's deliberate neutrality led to the defeat of the Sikhs in the first Anglo-Sikh war. The Sikh empire ceded Kashmir to the victorious British East India Company as per the Treaty of Lahore signed on March 9, 1846. Just seven days later, the British rewarded Gulab Singh separately for his 'non-participation' in the war by granting him Kashmir through a sale deed, formalized under the Treaty of Amritsar.

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<sup>4</sup> M.J. Akbar, Behind the Vale

## *The Sale of Kashmir*

Under the treaty's terms, Gulab Singh 'bought' Kashmir from the British East India Company for a mere sum of 7.5 million nanak shahi (Sikh) rupees. With this, not only did the Kashmir Valley come under the Dogras, but Gulab Singh was also granted the title of independent 'Maharaja of Jammu and Kashmir'. Many Kashmiris, in retrospect, view 1846 as a 'betrayal' as they feel Kashmir was sold to a ruler they did not identify with.

After securing Kashmir, Gulab Singh followed it up with the conquest of Gilgit, having earlier captured Ladakh and Baltistan. This formally ended Sikh rule in Kashmir and marked the beginning of the Hindu Dogra rule. Gulab Singh's son, Ranbir Singh, went on to further expand his territory to include most of what is today modern-day Jammu and Kashmir.

In conclusion, one can quote Karan Singh, the son of former Jammu and Kashmir ruler, Maharaja Hari Singh, *'The unique multi-regional, multi-linguistic, multi-religious and multi-cultural state of J&K was thus the handiwork of the Dogras, who have not received*

*adequate attention or credit for this from historians'.<sup>5</sup>*

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<sup>5</sup> [Retracing the rich history of J&K, writes Karan Singh](#) in the Hindustan Times

# KASHMIR UNDER THE DOGRAS

The seeds of communalism were sown in Kashmir starting with the Shah dynasty and grew into a malaise by the time the Afghans were expelled. The Pandits had suffered various levels of discrimination and atrocities through a see-saw period of some 500 years. It comes as no surprise that the Hindus of J&K harboured a grudge for being treated as they had been. Under the Dogra rule, the Muslims got a taste of what it was like to be discriminated against. What happened next changed the course of Kashmir's history.

Gulab Singh died in 1857, but the Dogra dynasty continued to rule over the princely state of Kashmir till 1947, under the watchful eyes of the British. However, as time went by, the plight of the Kashmiris under their Hindu rulers came under criticism. In a letter to London in 1880, the then Viceroy, Lord Lytton, observed that the Kashmiri people were 'systematically oppressed and depressed', because the British had 'installed a ruler that was alien to them (the Kashmiris) in face and creed'.

*The Great Divide*

Now, there are two schools of thought when it comes to assessing the Dogras as rulers. According to some, the Dogras were successful administrators, instituted reforms, and stood for equal representation across the state. This is, however, refuted by Gawasha Nath Kaul, who in his book, *Kashmir Then And Now*, states that Muslims were not only absent in the state's civil administration but were also denied officer positions in the military.

However, the progressive reforms implemented by Maharaja Hari Singh, who ascended the throne in 1925, have drawn special praise. When Hari Singh came to power, people had great expectations from him, deeming him as an agent of change. He abolished the practice of begar (enforced labour), allowed Harijans/Dalits into temples in 1929, established 'jabri schools' which gave Muslim girls a chance at education, stopped the practices of child marriage and Sati, and promoted widow remarriage. He also opened up his court, administration, and army to appointment based on merit. The army under him included Dogras, Sikhs, Gorkhas, Pathans, Hindu and Muslims alike. However, despite good intentions, the Maharaja faltered as he was way too dependent on state officials who failed to convey the actual concerns of the people. Thus Maharaja Hari Singh remained a



disconnected ruler, oblivious to his subjects' grievances.

Some, on the other hand, believe that hundred years of Dogra rule had ruined every aspect of life of Kashmiris. According to Sir Albion Bannerji, the Foreign and Political Minister of Kashmir, who resigned on 15th March, 1929: "*Jammu and Kashmir State is labouring under many disadvantages, with a large Muhammeden population absolutely illiterate, labouring under poverty and very low economic conditions of living in the villages and practically governed like dumb driven cattle. There is no touch between the Government and the people, no suitable opportunity for representing grievances and the administrative machinery itself requires overhauling from top to bottom to bring it up to the modern conditions of efficiency. It has, at present, little or no sympathy with the people's wants and grievances.*"<sup>6</sup>

This, coupled with the feudalistic society of Kashmir (land was mainly owned by the Dogras and cultivated by Muslim peasants), the cruel practice of begar, and the oppressive tax system (everything, except water and air, was taxed)

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<sup>6</sup> [Sir Albion Banerji: J&K's Hindu Brahmin Prime Minister who engineered Muslim Uprising against the Maharaja](#) by S.N. Pandita for The Dispatch

prompted historians to view the Dogra years as a disaster.

### *Winds of Change*

Given the severe dissatisfaction, the Dogra rule began to be marked by unrest. Kashmiri Muslims saw the Maharaja's policies as anti-Muslim and pro-Hindus. Even in 1865, a peaceful protest by Kashmiri shawl weavers against rising taxes which almost killed the shawl industry (the shawl industry had reached its zenith under the Mughals and became popular in Europe in the 18th century after being popularised by Queen Victoria of England and Empress Josephine of France), was 'swiftly put down' by the Maharaja's army. Over time, polarising opinion against the Maharaja gathered pace. However, it wasn't until the 1930s when radical consciousness started shaping political opinion, with few young Muslim intellectuals forming the 'Reading Room Party' to discuss ways to end the Dogra oppression. Among them was a young Sheikh Abdullah who would rise to become the leader of the Kashmiri people.

In 1931, massive anti-Dogra campaigns were launched, with speeches and political writings urging people to rise against the autocratic rule. Mosques, shrines and open air gatherings

became meeting grounds to voice this new political consciousness which was embraced by one and all.

### ***The Rising of 1931***

But it was not until July 13, 1931, when things came to head. On that day, thousands attempted to storm the Central Srinagar jail during the court proceeding of a sedition case filed against Abdul Qadeer, a cook who served under a British officer. Qadeer, a few days earlier, had delivered a speech that exhorted Muslims to rise against their Hindu rulers. In his inflammatory speech, *Qadeer had railed: "Listen. Time has come when we have to act. Requests and memoranda will serve no purpose at this point of time. It will not end tyranny and it will not end desecration of the Quran. Stand up upon your legs and fight the tyrant rulers.' He pointed towards Raj Mahal (Palace) and said: 'Raze it to the ground.'"*<sup>7</sup>

To quell the gathering, the Maharaja's soldiers fired at the crowd and 22 protesters were killed. While some have termed the incident as anti-tyranny and not anti-Hindu per se, the truth is, things took a grim turn in the aftermath of July

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<sup>7</sup> [The mystery remains](#) by Zahir ud din for the Greater Kashmir

13, when riots (scholars have termed this as the first pre-partition riots) broke out in the Valley. Shops owned by Hindus were looted and the minority Hindu community fell prey to sectarian violence. *In fact, many see the day's events as pre-planned mayhem targeting minority Hindus, spun by British masterminds, and 'put in action by non-state actors such as Qadeer'*.<sup>8</sup>

Whatever be the version, the truth is July 13, observed as Martyr's Day by Kashmiri Muslims up till 2019 (as per an order passed by the J&K administration, July 13 was dropped as a public holiday beginning 2020) was deemed as Black Day by Kashmiri Hindus; a day when Kashmir's political narrative took a sectarian turn.

### ***The Rise of Sheikh Abdullah***

The 1931 uprising saw the emergence of Sheikh Abdullah as a popular leader of Kashmir's Muslims. In fact, Sheikh Abdullah has been the most vociferous advocate of a free Kashmir in its entire history and has had an undeniably massive influence on half a century of the Kashmir story. He projected himself as secular, someone who was in favour of an independent

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<sup>8</sup> [July 13, 1931: Not Martyrs Day but Black Day for the Hindu narrative in Jammu and Kashmir](#)  
by Manu Khajuria for The Daily O

Kashmir, and shunned Pakistan's advances of favouring accession to the Pakistan state. Yet, he was far from black and white in his political beliefs and remained ambivalent on his secular and anti-Pakistan feelings till the end.

Born into a middle-class family of shawl weavers, Abdullah's family fell into hardship following his father's death just two months before his birth. Despite hurdles, Abdullah went on to complete his higher studies and joined Srinagar's Government High School as a teacher. But with an M.Sc. under his belt (which was rare in those days), his aspirations lay elsewhere. At that time, however, it is believed prevailing bias dictated appointments to civil administration posts went to 'outsiders or technically qualified Kashmiri Pandits'. Following the rejection of his application by the Civil Service Recruitment Board, a frustrated Abdullah gave up his teaching post and joined politics. Many believe that this buried misgiving shaped Sheikh Abdullah into the man he was to become.

Popularly known as *Sher-e-Kashmir* (Lion of Kashmir), Abdullah burst onto the political scene of Kashmir demanding a *Naya* (new) Kashmir by leading the opposition to Hari Singh's rule. His fiery speeches compelled his

followers to believe in a nationalism that was determined to end the Dogra tyranny. In 1932, Sheikh Abdullah established the All Jammu and Kashmir Muslim Conference. Initially the organisation stood mainly against the Dogra rule and sought to address the issues plaguing Kashmiri Muslims. However, following his interactions with Jawaharlal Nehru, a Kashmiri Pandit and leader of the Indian National Congress (INC) party, he renamed it Jammu and Kashmir National Conference (JKNC) in 1939. The party endorsed 'Kashmiri nationalism' or '*Kashmiriyat*' (*Kashmiriyat* stood for religious, cultural and social harmony amongst all people living in Kashmir, irrespective of their religion, culture, caste, and creed. It was synonymous with the Kashmiris' sense of patriotism and pride for Kashmir) more than anything else. This stance would prove contentious in the years to come. On June 13, 1941, a few faction members of the National Conference disgruntled at the party's increasingly secular approach, revived the Muslim Conference under Chaudhry Ghulam Abbas.

Abdullah shared similar political and social ideologies with Nehru, which was unlike his relationship with Mohammad Ali Jinnah, the founder of Pakistan. Abdullah and Jinnah could never see eye to eye as the latter believed

nationhood sprung from religion. In fact, Jinnah's Two-nation Theory demanded a separate nation for Muslims. Abdullah refused to ally with Jinnah, who sought to woo him during his visit to Kashmir in 1944. That said, some believe Sheikh Abdullah rejected Jinnah *“not because of the two-nation theory, but because he feared he would be overshadowed by political personalities like Chaudhary Ghulam Abbas, whose Muslim Conference (MC) had already joined hands with Jinnah’s Muslim League. He was afraid that he wouldn’t get the prominence as undisputed leader of J&K. The split of the MC and NC virtually divided the state’s Muslims into Kashmiri Muslims led by the Sheikh and the Jammu Muslims led by Abbas.”*<sup>9</sup>

### ***Blueprint for a Naya Kashmir***

In 1944, the National Conference submitted its iconic *Naya Kashmir* or "New Kashmir" document, which was written to propose constitutional changes. While it allowed for constitutional monarchy, it also demanded progressive economic and land reforms, and freedom of speech and press, among other things.

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<sup>9</sup> [Sheikh Abdullah was not a democrat: A counter-narrative based on facts](#) by Brig Anil Gupta for South Asia Monitor

Elsewhere, following the end of World War II, Britain had decided to grant the Indian sub-continent its independence by 1948. In Kashmir too, the common man demanded a responsible government and freedom from the rule of Hari Singh. Abdullah whipped up sentiments further, when in 1946, he said: *“The tyranny of the Dogras has lacerated our souls. It is time for action....Sovereignty is not the birthright of a ruler. Every man, woman and child will shout 'Quit Kashmir'. The Kashmiri nation has expressed its will.”*<sup>10</sup>

A few weeks later the ‘Quit Kashmir’ movement was launched against the Dogra rule, an echo of the 'Quit India' movement resonating across the rest of India against British rule. Mass agitation led to the arrest of Abdullah and he was put on trial on charges of sedition. By the time Abdullah was released in September 1947, Kashmir was in the eye of a bigger storm.

## **1947: The Birth of Two Nations and a Dilemma**

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<sup>10</sup> [SHEIKH'S SPEECH: 1946 – Kashmir Newline | Leading News Portal from Kashmir| Authentic, Credible, Accurate News from Kashmir](#) in Kashmir New Line



In August 1947, Britain granted independence to India and partitioned it into Muslim-majority Pakistan and Hindu-majority India on August 14 and 15, 1947, respectively. The hastily drafted Partition Act forced millions of Hindus and Sikhs to flee to India from the newly formed Pakistan, and Muslims from India to West and East Pakistan, respectively. This exodus precipitated unprecedented sectarian carnage as Hindus and Muslims resorted to horrific killings and looting and other such horrors. In an extraordinary time such as this, there arose a predicament with regard to the princely state of Kashmir.

### *The Dilemma*

The Partition Act had offered the more than 550 independent princely states the choice to either join India or Pakistan, or remain independent. Unlike the other princely states which had readily made their choice, Hari Singh of Kashmir remained undecided, though not without reason. Though his was a Muslim-majority state, Hari Singh wasn't keen on joining Jinnah's Muslim Pakistan as a Hindu ruler. He remained indifferent to India because of his tense relations with Nehru, who was anti-monarchy. What Hari Singh desired was an independent Kashmir. Nehru, however, always

had a keen interest in Kashmir. Being a Hindu and a Kashmiri Pandit, Nehru did not want to let go of J&K.

Pakistan too wanted Kashmir for itself. It believed that an unfair Partition had deprived it of Muslim-majority Kashmir which should have come to it as a logical extension of the Two Nation Theory (which made Pakistan the new homeland for the subcontinent's Muslims). India, on the other hand, saw Kashmir's accession to India as a foregone conclusion. Under pressure from both sides and in order to buy time, the Maharaja signed a Standstill Agreement with Pakistan on August 15, 1947. India declined to sign the same and requested further discussions.

Sheikh Abdullah, who was released from prison on September 29, 1947, by then, wanted complete independence for Kashmir. The National Conference too reiterated this position. It believed that what Kashmir demanded was not merger with either Pakistan or India but power to its own people; Kashmir should not sell itself to either of the two nations.

By this time, the notion of *Kashmiriyat* in the region also rested on the belief that the interests of the Muslim-majority state would not be served by the Indian Republic and that Muslims

were at risk among Hindus. This dichotomy summarizes the beliefs of several Kashmiris even today. Many in Kashmir, on the other hand, wanted Kashmir to merge with Pakistan. Members of the Muslim Conference had already adopted the "Accession to Pakistan Resolution" in July 1947. This divide in aspirations was stark. In hindsight, the common Kashmiri then, as now, remained pawns in the hands of the powers to be.

Meanwhile, across the rest of India, communal riots raged on in the aftermath of the partition. Kashmir too came to be blighted by it. In Muzaffarabad and Mirpur, the Poonch uprising of September 1947 led to the killings of Hindus and Sikhs by Muslims. This was followed by the large-scale October massacre of Muslims in Jammu, Udhampur and other districts, forcing refugees to flee with their lives.

### *A War, An Accession & the Death of Monarchy*

With Kashmir having erupted and Hari Singh refusing to join either India or Pakistan, Pakistan decided to up the ante. In order to put pressure on the Maharaja to accede, Pakistan first orchestrated an economic blockade, followed by 'skirmishes' in Poonch, Mirpur and Sialkot. The final transgression occurred on October 22,

1947, when Pashtun and Balochi tribal *lashkars* (militia), armed, aided and funded by Pakistan's government and army, invaded Jammu and Kashmir. With the enemy at the gates and Kashmir burning and without an army, Hari Singh had no option but to seek military aid from Delhi. India agreed on one condition: Kashmir would have to accede to India. Hari Singh fled to Jammu by road and signed the Instrument of Accession on October 26, 1947. The very next day Indian troops flew into Srinagar. A fierce battle followed between the Indian army and the Pakistan-backed militia.

This grew to become the first war between India and Pakistan and continued till January 1, 1949. Nehru took the conflict to the United Nations (UN) in January 1948. The UN ordered a ceasefire following which Pakistan controlled about one-third of Kashmir while India controlled the rest. The UN instructed Pakistan to withdraw those troops that had invaded Kashmir, while India had to scale down its forces to the bare minimum to maintain law and order in the region; only on the meeting of these two conditions was Kashmir free to decide its future through a referendum. Pakistan never demilitarised, and India, citing Pakistan's case, never pared down its army in Kashmir.

## *Epilogue*

The bifurcation of Kashmir had a two-fold impact. First, Pakistan, through the use of proxy actors, was able to claim a part of Kashmir it could not have secured otherwise. Second, in the issue being internationalised at the UN, a part of Kashmir came to be termed as “disputed territory” instead of that which was rightfully a part of India.

That said, things could have turned out differently. Sardar Patel, India's first Home Minister, reportedly lamented to India's first President, Rajendra Prasad in June 1949: *“Kashmir too might have been solved but Jawaharlal did not let the troops go from Baramula to Domel (during the 1947-48 war). He sent them towards Poonch.”*<sup>11</sup> The fact that India vacillated and did not resolve the Jammu and Kashmir issue in 1948 itself was a mistake. Hop skip to 2020 and we realize the dire repercussions of a decision not taken.

Following the accession, an emergency interim government, with Sheikh Abdullah as Prime Minister, was established in Kashmir. Under pressure from Nehru and Sardar Patel, Hari

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<sup>11</sup>[VALLABHAI PATEL'S UNITED INDIA](#) by Uma Nair for the Millenium Post

Singh stepped aside and appointed his son Karan Singh as Regent of Jammu and Kashmir in 1949. Hari Singh remained the titular Maharaja of Kashmir until the monarchy was abolished in 1952.

# HOW GILGIT WAS LOST

While the First Kashmir War led to the loss of one third of Indian territory, cunning British intervention led to the annexation of Gilgit-Baltistan, part of the greater Kashmir region, by Pakistan in November 1947.

In the 19th century, both the British and the Russian Empire sought to control and influence Afghanistan, and Central and South Asia. This created distrust among the two and the fear that the two could go to war was always a possibility. Following the formation of the USSR in 1922 and Communist China raising its head, Britain found it imperative to secure all inroads into the Indian subcontinent. In this context, it looked to Gilgit in Kashmir, its northernmost outpost, as a bulwark against Soviet expansionism.

Accordingly in 1935, the Gilgit Agency was leased by the British for 60 years from the Maharaja of Jammu and Kashmir. Administered by the British, the region's security was under a British military force called the Gilgit Scouts. Fast forward to 1947 and the British were making a speedy exit but with a few minor tweaks here and there. Just fifteen days before granting the subcontinent its independence, the

British suddenly terminated its lease and returned Gilgit to the Maharaja. Hari Singh appointed a new governor to Gilgit and the British sent him two Gilgit Scout officers for assistance, one of them being Major William Alexander Brown.

Now, Britain always thought Kashmir would go to Pakistan as it was a Muslim-majority region. By itself, Britain also wanted Kashmir to go to Pakistan because its strategic location served as a strong buffer and base against the USSR. So when Hari Singh suddenly acceded to India, it upset British plans. It was of no surprise then, that as soon as the accession was announced on October 31, 1947, Major Brown revolted in Gilgit, imprisoned the Maharaja's governor, raised Pakistan's flag at his headquarters, and acceded to Pakistan on November 1. No document was signed and Pakistani forces occupied the territory on November 4. The King of England later went on to award Brown with the Member of the Order of the British Empire (MBE) in 1948, reflecting tacit approval. In 1993, Pakistan awarded Major Brown the 'Star of Pakistan' award posthumously.

An article in *India Today* neatly sums up Britain's designs when it came to Gilgit. *'The British decision was influenced by their*



*understanding of the reactions of the Arab nations with regard to the formation of Pakistan. The British did not want to antagonise the oil-rich nations by apparently taking an anti-Muslim stand at a time when the fears of Soviet communism dominated the West'.<sup>12</sup>*

Following the UN-imposed ceasefire in 1948, Pakistan now held two areas in PoK as its own: Gilgit-Baltistan and Azad Kashmir. The UN regards them as disputed territories and India continues to view the region as illegally occupied by Pakistan. In 1963, Pakistan 'gifted' China about 5,000 kilometres of Gilgit-Baltistan.

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<sup>12</sup> [Gilgit-Baltistan: Story of how region 6 times the size of PoK passed on to Pakistan](#) by Prabhash K Dutta for India Today

# KASHMIR REBORN: A CONSTITUTION, A FLAG & A PRIME MINISTER

In 2018, Prime Minister Narendra Modi had stated in the Lok Sabha that had Sardar Vallabhbhai Patel been India's first Prime Minister, *"a part of my Kashmir would not have been with Pakistan today."*

Jitendra Singh, Minister of State (MoS) for Prime Minister's Office (PMO) echoed this sentiment. An article titled *"Kashmir situation would have been different had Nehru let Patel to handle it"* and published by DNA on June 29, 2019, reported Mr. Singh saying in 2019: *"As far as Jawaharlal Nehru is concerned, it would suffice to say that had Nehru allowed his Number Two in the Cabinet and the then Home Minister, Sardar Vallabhbhai Patel, to handle Jammu and Kashmir in the same manner as he was handling the other princely states, including difficult states like Hyderabad and Junagadh, the history of not only Kashmir but the entire Indian subcontinent would have been different."*

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<sup>13</sup> DNA article [Kashmir situation would have been different had Nehru let Patel to handle it: Jitendra Singh](#)

In many ways this is an unavoidable truth. Sardar Patel had integrated 562 princely states without hiccups and a precision that had drawn admiration. But when it came to Kashmir, Nehru was adamant on handling the merger himself because he thought he "knew" the state better than anyone else. As a result of his decisions both taken and not taken, what we have now is a festering problem. Nehru's timidity over Kashmir, his "baby," is apparent when we revisit the terms of the special status he awarded to J&K.

When the time came to frame India's Constitution post-independence, Abdullah told Nehru that the demographic composition of Kashmir warranted certain constitutional safeguards to retain its identity. He wanted certain Kashmir-specific provisions to be included in the Indian Constitution which was then being drafted by the Chairman of the Constitution Drafting Committee, Dr B.R. Ambedkar. Sheikh Abdullah wanted a separate Constitution and flag for his State, and wanted the executive heads of the State to be known as Prime Minister and *Sadr-i- Riyasat*, instead of Chief Minister and Governor, as was the case in other Indian states. Nehru readily agreed but was stoutly opposed by B.R. Ambedkar, who openly said providing separate constitutional status

would *"create another layer of sovereignty within the sovereign Indian republic."* He forewarned that *"this could be highly detrimental to the unity and integrity of the Republic and give rise to separatist feelings in Kashmir."*<sup>14</sup>

Ambedkar had earlier turned down Abdullah's demands saying, *"Mr Abdullah, you want that India should defend Kashmir. You wish India should protect your borders, she should build roads in your area, she should supply you food grains, and Kashmir should get equal status as India, but you don't want India and any citizen of India to have any rights in Kashmir and Government of India should have only limited powers."*

*To give consent to this proposal would be a treacherous thing against the interests of India and I, as a Law Minister of India, will never do. I cannot betray the interests of my country."*<sup>15</sup>

But Nehru was unrelenting. He said Article 370 was a temporary measure and that the Constitutional safeguards would erode with

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<sup>14</sup> [BR Ambedkar opposed the special status for J&K. He would have agreed with its abrogation now](#) by Arjun Ram Meghwal for The Indian Express

<sup>15</sup> [Nehruvian secularism vs Ambedkar's idea of India \(IANS Exclusive\)](#) in Outlook

time, creating conditions for J&K's complete integration with India.

Finally on October 17, 1949, after much deliberation, Article 370 was incorporated in the Constitution of India. It gave:

- special status to Jammu and Kashmir which now had a separate constitution, its own flag, and its own Prime Minister.
- the Government of India the power to legislate in only three areas: defence, communications, and foreign affairs.

This Article, along with Article 35A (which flowed from Article 370), defined that Jammu and Kashmir's residents were to abide by a separate set of laws, including those related to citizenship, employment, privileges, property, and fundamental rights, as compared to citizens of other Indian states. As per Article 35A, Indian citizens from other states could not purchase land or property in Jammu & Kashmir. Only the state's "permanent residents" had the right to own and buy property in J&K.

An article titled *"Debating Article 370 is an Expression of Confidence in our Strength"* quotes Sardar Patel's views on Article 370: *"Neither Sheikh Abdullah nor Gopalaswamy is permanent. The future would depend upon the*

*strength and guts of the Indian government and if we cannot have confidence in our strength we do not deserve to exist as a nation'. "<sup>16</sup>*

If Sardar Patel had had his way, Kashmir would have gone the Hyderabad way, and history as we know it would have been different.

### ***A Temporary Provision?***

Did Nehru ever consider Article 370 a temporary provision? The answer lies in his reply in Parliament on November 27, 1963, to a question about any plan to repeal Article 370. Nehru had said: "*Article 370 is part of certain transitional provisional arrangements. It is not a permanent part of the Constitution. It is a part as long as it remains so. As a matter of fact, it has been eroded, if I may use the word, and many things have been done in the last few years which have made the relationship of Kashmir with the Union of India very close.....There is no doubt that Kashmir is fully integrated. The fact that there may be some special matters attached to it does not come in the way of integration at all '.*" <sup>17</sup>

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<sup>16</sup> Rediff article by Dr Anirban Ganguly [Debating Article 370 is an expression of confidence in our strength](#)

<sup>17</sup> [Jawaharlal Nehru's support for Jammu and Kashmir's special status](#) in The Telegraph Online

Nehru had insisted that the provision was temporary mostly to placate other members, most notably Shyama Prasad Mukherjee (Mukherjee was independent India's first Minister of Industry and Supply and had founded the Bharatiya Jana Sangh party). Mukherjee saw the provision as the "Balkanization of India" and the popularisation of Sheikh Abdullah's "three-nation theory." He had famously said "*Ek desh mein do Vidhan, do Pradhan aur do Nishan nahi chahenge*" (A single country cannot have two constitutions, two prime ministers, and two national emblems).

Going forward, Delhi extended several Presidential Orders in an attempt to further integrate Kashmir with the rest of India, with none of the provisions meeting resistance in the State. But when insurgency raised its head in the Valley in the late 80s and early 90s, J&K started demanding a new narrative for itself, and urgently.

## **1950-1977: Kashmiriyat vs Nationalism**

In September 1951 the first ever elections in Kashmir were held and the National Conference

won a landslide victory. In 1952, Article 370 was passed. But despite the alliance, cracks began to appear as Abdullah and Nehru remained divided over Kashmir's future. While Nehru had publicly stated in 1948 that the Kashmiri people should have a plebiscite to confirm their accession to India, in reality Delhi believed that the people of Kashmir had already exercised their will; the people of Kashmir had whole-heartedly voted during the 1951 elections and, moreover, the accession was ratified in 1954. This difference in stance created a rift between Nehru and Abdullah, Delhi and Kashmir.

However, it has been argued that it was not without reason that Nehru changed his mind. The changing geo-political situation of that time (lack of fair conditions in Kashmir to hold a plebiscite and the just concluded US-Pakistan military pact of 1954) had prompted Nehru to regard the plebiscite option as unviable.

With no prospect of a referendum being held, Abdullah, despite having drafted the provisions of Article 370, began holding meetings demanding more autonomy for Kashmir. Abdullah's inflammatory speeches now spoke of revoking the accession and forming an independent Kashmir. The central government



deemed him a secessionist threat, his speeches as anti-India and anti-Hindu. Speculation was rife at Delhi that he had plotted accession to Pakistan. This alarmed Nehru. Abdullah was arrested in 1953 and jailed 11 years for conspiracy against the state. Indian intelligence pointed not only at Pakistan but also at US involvement in supporting Abdullah's demands for a free Kashmir.

Following Abdullah's imprisonment, the Plebiscite Front was formed by Abdullah's 'lieutenant' Mirza Afzal Beg on August 9, 1955. It demanded his unconditional release and an independent Kashmir. Bakshi Ghulam Mohammad replaced Abdullah as the next Prime Minister of Kashmir.

During Bakshi Ghulam's 11 year tenure, J&K achieved a degree of calm. That said, while his government implemented large-scale development funded by Delhi, it became notorious for irregularities. This alienated the people of Kashmir even more. Bakshi's eagerness to toe Central policies made Delhi turn a blind eye to the rampant increase in nepotism and corruption under him. In fact, this trend was embraced by Delhi even in later times when it came to Jammu and Kashmir. As long as politicians in Kashmir did not talk about

secession and held a “pro-India” stance, New Delhi was ready to look the other way.

This flawed outlook and Delhi's appointing of puppet governments in J&K, which were not in touch with the pulse of the people, were responsible for the discontent in the State. It is safe to say that the politics of self-gratification and alienation slowly steered Kashmir towards chaos in the years to come.

### ***Changing Dynamics: 1962, 1965, 1971***

Elsewhere in Kashmir, the Chinese had already occupied the Aksai Chin region in Ladakh in 1959, an area which helped her keep a watch on Tibet. More alarming is when India lost to China in the 1962 Border War. The situation reached simmering point in 1963 when a Sino-Pak Border agreement marked China's border with PoK, and Pakistan “gifted” disputed Indian territory to China. Placed between a hostile China and Pakistan, an alarmed India began extending several provisions of the Indian Constitution to J&K (many see this as India's attempt at retaining its pincer grip on Kashmir).

Then in April 1964, Nehru suddenly dropped all charges against Sheikh Abdullah and upon his release the two of them reconciled. Abdullah

even agreed to serve as a bridge between India and Pakistan regarding the Kashmir dispute. But before this could happen, Nehru passed away in May. With a defeat behind her and the loss of a great leader, India grappled with a void.

Gauging India's vulnerability, Pakistan felt this was an opportune time to make another military attempt to capture Kashmir. Code-named Operation Gibraltar, Pakistan, in 1965, sent around 30,000 mujahideens, armed and trained by its army, to infiltrate Kashmir and stoke an insurgency there taking advantage of a restive situation. Kashmir had recently erupted due to two incidents: the missing holy relic from the Hazratbal Shrine and the re-arrest of Sheikh Abdullah after his meeting in Algiers with the Chinese Prime Minister. When the plan failed, Pakistan immediately sent Pakistani troops across the ceasefire line into Kashmir. *Shastri, who had taken over as Prime Minister, ordered Indian troops to cross into Pakistani territory. Indian guns were aimed at Lahore and Sialkot, when an alarmed Pakistan withdrew its forces.*<sup>18</sup> The UN intervened again and ordered an unconditional ceasefire. By this time, India was firm there would be no further question of holding a plebiscite in Kashmir since according

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<sup>18</sup> [Remembering Lal Bahadur Shastri's role in 1965 war](#) by Sreejit Panickar for The Daily O

to Lal Bahadur Shastri, the three general elections which were held in the State "had proved that the people of Jammu & Kashmir had accepted their place in the Indian Union."

After 1965, Pakistan-backed guerrilla groups increased their activities in the Valley. Around this time, Kashmiri separatists such as Amanullah Khan and Maqbool Bhat came together and formed another Plebiscite Front, and named its Azad Kashmir-based armed wing, the Jammu and Kashmir National Liberation Front (NLF). Their main aim was to 'free' Kashmir from Indian control.

Following the Assembly elections in 1967, the mood in Kashmir now increasingly turned from anti-India to pro-Pakistan, with Kashmiris increasingly wanting secession from India. Sheikh Abdullah, who was released in March 1968, fanned this separatist sentiment by making "contradictory statements," asserting at one place that he was ready to discuss "all possibilities" with the Indian government while also declaring that he would never bury Kashmiris' dream of "right to self-determination".

Then in 1971, India and Pakistan went to war a third time over the liberation of East Pakistan from West Pakistan. India went on to defeat

Pakistan and East Pakistan emerged as a separate, independent nation called Bangladesh. The cease-fire line in Kashmir now came to be known as the Line of Control (LoC). The India–Pakistan wars of 1965 and 1971 had a dual impact. It slowly became clear to Kashmiris that an independent Kashmir and Pakistan's "active role" in the realization of this dream seemed improbable: the Two-Nation theory had failed and Pakistan's mewling surrender to India had changed equations. With Pakistan lying dismembered, equations changed in Kashmir too. Abdullah decided to resume dialogue with New Delhi and in 1975 signed an accord with Indira Gandhi. Under it, he gave up the demand for plebiscite and demanded Kashmir be given more autonomy. Following the signing of the Indira-Sheikh accord, Abdullah came back to power as Chief Minister of Kashmir after 22 years.

Many in Kashmir saw the accord as a 'sell out' as it stood for further erosion of the State's powers. Strong resentment against Abdullah saw two bomb attacks and new political outfits (representing Kashmir's freedom cause), mushrooming in the State. In Pakistan, Zulfikar Ali Bhutto called for a national strike and the country now became more actively involved in abetting secessionists in Kashmir. In 1977, the

State Congress Party withdrew its support, ending the National Conference-Congress alliance, but Abdullah came back with a thumping victory in the 1977 Assembly elections. These elections, if nothing else, revealed that separatist forces in Kashmir at that time had a limited voice, with the pro-Pakistan Jamaat-e-Islami (JeI) party winning only a single Legislative Assembly seat.

Over time, India began trying to secularize J&K's school curricula in order to further integrate the State with the rest of the country. This was, however, seen as an attempt at saffronisation, primarily aimed at eroding the Valley's identity. Suspicions were further heightened when in 1987-88, the country's only state-owned television, Doordarshan, began airing a Hindu religious serial, the *Ramayana*.<sup>19</sup>

None of the attempts at "cultural assimilation" were taken lightly. The JeI in retaliation established a slew of madrassas (religious schools) which emphasised the embracing of Islam's tenets in order to live an ideal life. The madrassas had a far-reaching impact. Under their influence, the Valley slowly began to undergo a shift in its identity; from "Islamic to Islamist".<sup>20</sup>

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<sup>19</sup> A.H Suharwardy, Kashmir: The Incredible Freedom Fight

<sup>20</sup> Malik, Kashmir: Ethnic Conflict, International Dispute

# RISE OF MILITANCY IN KASHMIR

## Beginning of the Islamization of Kashmir

Under Abdullah, the state government assigned new Islamic names to approximately 2,500 villages. For example, Anantnag was renamed Islamabad. And Abdullah (just like he did in the 1930s), went back to delivering communal speeches. The change in his stance is even more evident when in his autobiography he likened Kashmiri Pandits to “mukhbirs” or informers of the Central Government. A public relations campaign was launched to influence the Kashmiri people through the medium of books and pamphlets that suddenly started appearing everywhere in Kashmir. Pamphlets titled “*Tragedy of Kashmir*” and “*The Conspiracy of Converting Kashmir Muslim Majority into a Minority*” (authored by an MLA) and books such as “*On Guerrilla War*” by Che Guevara and “*Kashmiris Fight for Freedom*” by Pakistani writer Muhammed Yusuf Saraf started flooding the Valley. Following Abdullah’s death in 1982, secessionist groups marked their revival. In his will, Abdullah had asked for his body to be

taken to the Arabian Sea than be buried in 'enslaved' Kashmir.<sup>21</sup>

Throughout the 1980s, the political leanings of the average Kashmiri Muslim was starkly pro-Pakistan and anti-Hindu. On October 13, 1983, the first international cricket match between India and West Indies was hosted in Kashmir. As Indian batsmen walked towards the pitch, deafening slogans of 'Pakistan Zindabad' rent the air. During lunch break, hordes of people swooped down on the ground and damaged the wicket. Indian players were booed and jeered at and pelted with various objects during fielding. Several years later, Kirti Azad, an Indian player, recollected that that particular match was 'like playing in Pakistan against Pakistan'.<sup>22</sup>

In 1984, Ghulam Mohammad Shah the brother-in-law of Farooq Abdullah and also his sworn enemy, snatched power from the National Conference and became the Chief Minister of J&K. In 1986, Shah decided to construct a large mosque, *Masjid*, within the premises of an ancient Hindu temple inside the New Civil Secretariat area in Jammu. Many people of Jammu took to the streets to protest with large demonstrations and marches against this

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<sup>21</sup> Priyanka Bakaya and Sumeet Bhatti, Kashmir Conflict: A Study of what led to the Insurgency in Kashmir Valley & Proposed Future Solutions

<sup>22</sup> Rahul Pandita, Our Moon has Blood Clots



decision. Shah on his return to Kashmir, in February 1986, told the people “*Islam khatrey me hai*” (Islam is in danger). This is said to have provoked the riots that broke out in Anantnag immediately after that. *The Calcutta Telegraph* reported that 129 Pandits' houses were looted, burnt or damaged, along with 16 temples, nine shops, two paddy stores and two cowsheds. The Vijeshwari temple built by Ashoka was one of those destroyed. Some surmised that it was Mufti Mohammad Sayeed who orchestrated these events, because Anantnag was his constituency. The Shah government was dismissed by the Governor, Jagmohan, after the riots.

Inadvertently, Doordarshan also became a medium of inspiring Islamic fundamentalist sentiments through its broadcast of the Afghan War. The Muslims in Kashmir saw the Taliban in Afghanistan fight the mighty power of the Soviets and drew inspiration. The impact of this was serious. In fact, government sources say that there was an order issued to Doordarshan not to present these scenes to the Kashmiri audience.

## **Pakistan and Jihad**

According to American political scientist C. Christine Fair, the problem with Pakistan is that ever since its creation in 1947 it has been an 'insecure' nation. The other problem with Pakistan is that the Pakistani Army sees itself as the defender of the state's 'Islamic' identity. Both these stances have locked Pakistan in battle with India.

Pakistan sees its acceptance of the status quo in Kashmir and failure to resist India's growing supremacy in the region tantamount to the erosion of the Islamic state of Pakistan. Caught in an existential war so to speak, to Pakistan, defeat is not losing to India but failing to rise and strike again. Pakistan and the term jihad are synonymous. General Pervez Musharaff famously pointed out that jihad should not be mistaken for terrorism, for jihadis are "freedom fighters", reiterating the fact that jihad represents Pakistan's core state ideology.

Most believe that jihad in Pakistan was spawned in the 1980s following Pakistan's war against the Soviet's occupation of Afghanistan. But the truth is, Pakistan's support to non-state actors to fight proxy wars goes back to 1947 when it sent tribal militia to invade and capture Kashmir. This was

followed by Pakistan's Field Marshal Ayub Khan's call for jihad to be waged against India in 1965, supported by Zulfikar Ali Bhutto who wanted nothing less than a "1000-year war". The year 1971 saw Pakistan sending troops of mujahideens to bring East Pakistani insurgents under its control. This apart, Pakistan has also deployed Islamist militants in Afghanistan as early as the late 1950s to further its foreign policy in that country. It is safe to say that Pakistan, forever 'disgruntled by an unfair Partition' and its 1971 loss of East Pakistan, has used jihad to further its foreign and security policy.

### ***Jihad as State Motto***

One of the most well-known army chiefs of Pakistan was General Zia-ul-Haq. General Zia took over as the Army Chief on March 1, 1976 and soon after became President of Pakistan following a military coup in 1977. It was under his reign, that Pakistan's political and military narrative took a dynamic turn, altering the region's history going forward. The former USSR had a long-standing interest in Afghanistan and had installed a proxy Communist regime in 1978 that caused a wide-scale uprising in Afghanistan. The USSR finally invaded Afghanistan on December 24, 1979.

This had a ripple effect in Pakistan when General Zia undertook a campaign of the Islamization of Pakistan to inspire his people to rise against the Russian occupation. It was he who changed the motto of the Pakistan Army to “*imaan, taqwa, jihad fi sabilillah*, (meaning Faith, Piety, Jihad in the path of Allah) from the original national motto “*ittehad, yaqeen aur tanzeem*” (unity, faith, and discipline). General Zia organized and armed the Taliban jihadists with the \$3.2 billion he received from the USA for this very purpose.

Many Islamist organisations precipitated from this jihadi formula. Madrassas were created to institutionalize Islamic education throughout Pakistan. Among them were two Islamist militant organizations called the Lashkar-e-Taiba (Army of the Pure) and Jaish-e-Mohammed (Mohammad’s Army. It was founded in 2000, sprouting from the same jihadi seed planted two decades before). These two organizations were formed out of the nexus between the Pakistan Army, religious political leaders and criminals spurred by the Afghan jihad.

***Jihad comes to Kashmir***

Once Russia withdrew from Afghanistan in 1989, Lashkar-e-Taiba and other militant groups were rebels without a cause and they turned their attention to the jihad of Muslims in Kashmir.

These Islamic organizations have been ably assisted by Pakistan's Inter-Services-Intelligence (ISI), that has provided training, and logistical, monetary and intelligence support. Kashmir has been a major agenda of the Pakistan Army and politicians. In fact, right since 1947, when the nation of Pakistan was formed and it invaded Kashmir, the Pakistan Army and government have viewed the acquisition of Jammu and Kashmir and Ladakh as central to their military and foreign policy plans as evidenced by the wars they waged against India in 1947, 1965 and 1999.

It deserves to be mentioned here that the democracy that the Pakistani army serves up to its citizens as a kind of a greenhouse to sustain the delicate illusion of democracy is controlled, nurtured and then harvested by them. It is in the Pakistan Army and its stakeholder's interest for a continued state of war to exist between India and Pakistan, so that they can continue to skim off money through their established channels of corruption.

Besides the elected government and the Army, there exists a third entity, the militants and jihadis, who aren't necessarily subordinate to the Army that created and armed them. They have an agenda of their own and some of the jihadi organisations are completely independent and want to impose their own brand of Islam in Pakistan too. The terrorist attacks in Pakistan over the last many years are testament to this fact. The government may be in charge of the basic administration of the land but it has very limited powers in anything else. In short, Pakistan is "an army with a country instead of a country with an army".

As Soumyadipta Banerjee states in "*Pakistan is desperately poor. Its army is rich beyond belief. How come?*" (25 March, 2019, *Daily O*): "...not much has been written about how the army completely broke the backbone of Pakistan's economy — and established themselves as the largest and most profitable business empire in Pakistan."<sup>23</sup>

According to Banerjee, Pakistan's Army currently owns some of the largest (more than 50) business enterprises across Pakistan, selling anything from biscuits and sanitary napkins to

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<sup>23</sup> Daily O article [Pakistan is desperately poor. Its army is rich beyond belief. How come?](#)

power and fertilisers. A majority of these business entities are 'run in the name of charitable organisations' and are directly operated by Pakistan's senior army generals.

Over time, it served the interest of the millionaire army generals to create a permanent state of threat to the Pakistani state and Kashmir has proven to be a useful device in that sense.

## **Economic Development of the State**

Kashmir did not bloom as an autonomous State, from the point of view of the life of the common man. The people of India funded Kashmir's four 5 year plans from 1950 through to 1970 with aids and grants that provided Kashmir little impetus to employ its own resources for economic growth. Kashmir is land scarce and labour abundant. Less than 30% of its land is tillable. Kashmir has developed into the lowest taxed state in India. In the 1970s the Indian government adopted a 30% grants and 70% loan scheme, under which Kashmir's debt ballooned and a significant portion of its tax collections went in furnishing its debt.

Private companies did not invest in Kashmir as non-Kashmiri Indians and corporations were not allowed ownership of property in Kashmir. Whatever little industry that did emerge in the 1950s was promoted by the State and was inefficient and quickly lapsed into loss-making units. The State Government could not produce sustainable large-scale industry. The Kashmiri looked towards the State Government for employment of which the government had very limited vacancies.

All the above resulted in large scale unemployment and poverty. Kashmiris, who had educated themselves in India and abroad, had no opportunities for themselves within the State. This was compounded by the corruption that existed in the State Government perpetuated by the politicians and the bureaucrats. The Government of India was fairly lax in being provided statements and audits of the money that was received by the self-serving elite of Kashmir, emboldening them to run rampant with India's money. In fact, there existed a nexus between the elite, bureaucracy and business class who took money from the Centre to keep Kashmir free of secessionists. Moreover, Urdu (the language of the elite), which was the State language, allowed only the elite to land plum government jobs and secure university



education. This alienated the ordinary Kashmiri from those in power even more.

Powerless to do anything, the unemployed youth found a voice in the Pakistan-sponsored jihadis and Kashmiri secessionists, readily taking up arms to voice their angst.

## **The 1987 Elections**

Farooq Abdullah came to power in Kashmir in 1983 riding on a sympathy wave following the death of his father, Sheikh Abdullah. Along with him, the candidates of Jamaat-e-Islami, People's League and the People's Conference, all pro-Pakistan parties, contested the elections. Abdul Ghani Lone, leader of the People's Conference, was elected to the Legislature.

In January 1984, a crude bomb exploded while Farooq Abdullah was taking the Republic Day salute. A wave of protests followed and was accompanied by a host of arrests. In June 1984, Jagmohan, the Governor of Kashmir, dismissed the Farooq government. He was replaced by Ghulam Mohammad Shah, Farooq's brother-in-law and political enemy, who won over a dozen or so National Conference MLAs to join his

Awami National Conference. The dismissal of Farooq Abdullah, the first CM of Kashmir who openly called himself an ‘Indian’ and the swearing in of Shah as the new CM without a floor test in the Assembly, sent a message to Kashmiris: *“Kashmir has been reminded that no matter how much it belongs to the mainstream of India, no matter how often its chief minister asserts he is Indian, it will always be special, always be suspect.”*<sup>24</sup>

Shah’s government did not last long and was dismissed by Jagmohan in 1986. It was followed by a Farooq Abdullah-Rajiv Gandhi alliance that lasted for a short while. Fresh elections were held in 1987. These elections were marred by incidents of rigging, mainly in Srinagar, though the accusations from the Opposition portrayed it to be much bigger than it was. Srinagar though was the center of Kashmiri politics. The National Conference and Congress alliance won 66 of the 75 assembly seats. This was followed by protests by the Opposition parties, which had formed a coalition known as the Muslim United Front. The protesting Opposition leaders and workers were arrested, jailed and subjected to torture under the Public Safety Act (PSA). Among these were Yusuf Shah and Yasin Malik who, upon their release, crossed over the border

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<sup>24</sup> Tavleen Singh, “Kashmir: A Tragedy of Errors”

and formed the Hizbul Mujahideen and the Valley wing of the Jammu and Kashmir Liberation Front (JKLF). It is worthy to note that previous attempts by Pakistan-sponsored agents to recruit people for the Kashmir jihad had been largely unsuccessful till these elections. The rigging of the elections effectively did the job for Pakistan's ISI, in giving them fresh recruits for the Jihad Machine.

Later, Farooq Abdullah said in an interview that he did not deny that the elections were rigged but he wasn't the one responsible for the rigging, putting the blame on Rajiv Gandhi. Whoever did the rigging set into motion events that would have repercussions far beyond the scope of the elections and Kashmir itself.

## **The Kidnapping of Rubaiya Sayeed**

On December 2, 1989, V.P. Singh was sworn in as Prime Minister, along with Mufti Mohammad Sayeed as his Home Minister. Just five days later, on December 8, the Jammu and Kashmir Liberation Front kidnapped the 23 year-old Rubaiya Sayeed, the Home Minister's daughter. People of the Valley were shocked at the

audacious move by the JKLF and sympathy poured in for Sayeed.

In a conversation with *The Sunday Guardian* on August 31, 2019, Governor of Kerala, Arif Mohammad Khan, who at that time was Cabinet Minister in the same government, said that the V. P. Singh government was pressurizing the then Jammu and Kashmir Chief Minister Farooq Abdullah to give in to the terrorists' demands and release their comrades in exchange of Rubaiya Sayeed. Abdullah, though, was totally against the idea and warned the Centre about the same as he believed doing so would provide a fillip to terrorism in the state. He was of the firm belief that the terrorists would not harm Rubaiya as it would alienate public support. The father of one of the kidnapers had even reassured the State Government that no harm would come to her but despite this Mufti Mohammad Sayeed did the unthinkable. He "established contact" with the kidnapers through Justice M.L. Bhatt who then leaked the news to them that Delhi was ready to release the five terrorists as demanded.

Mr. Khan goes on to say that the Home Minister's statement right after Rubaiya Sayeed's release that the Kashmir issue would now be dealt as top priority, sent the wrong message to terrorists. It basically told them that if they

kidnapped “a few more people, then you will receive more attention.” Mr. Khan said that this incident brought to light the inherent “cracks in our resolve to deal with terrorism” and projected the government as a “soft state,” given to compromise.

*“In their zeal to secure the release of Rubaiya Sayeed, they were ready to go to any extent... .. Also, those five terrorists were released before Rubiya Sayeed was released... I refuse to believe that Mufti, who himself was not only a Kashmiri but in Kashmiri politics since his adult days, was not aware of the Kashmiri ethos (of not hurting a girl). Therefore, I have my doubts—why did Mufti behave in this manner .....?”<sup>25</sup>*

The words of Mr. Arif Mohammad speak volumes. The incident showed militant groups that the Indian Government was vulnerable and could be arm twisted. More than that, this showed the possibility of politicians and militants joining hands for their self-interest. The events had built up an impression in the mind of the Kashmiris that they were just days away from freedom from India. Mufti Mohammad Sayeed has been accused by several fronts of

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<sup>25</sup> “[Then Home Minister Mufti Sayeed protected terrorists in Kashmir](#)” by Joyeeta Basy & Navtan Kumar for The Sunday Guardian

encouraging separatist movements and violence in Kashmir. In fact, it is generally believed that the events surrounding the kidnapping of Rubaiya Sayeed set the tone for the Kashmiri Pandit genocide that was to follow in 1990.

Sayeed, on his part, meanwhile tried to compensate for this debacle by adopting a counter-insurgency policy as per which President's rule was proclaimed in J&K.

# THE WAR IN KASHMIR

## Exodus of Kashmiri Pandits

The collective consciousness of the Muslim people in Kashmir had been agitated against the Pandits who were their neighbours, friends, teachers and doctors. The events preceding 1990 had contributed significantly to the Kashmiri Muslims' mood. A timeline of some of the key events are as follows:

The year 1989 began with massive demonstrations against Salman Rushdie's (a Kashmiri Muslim) *Satanic Verses*, a book that was seen to be anti-Islamic.

February 15, 1989: Police in Srinagar opened fire on crowds protesting the opening of the disputed Babri Masjid in Uttar Pradesh. Around the same time, there were Hindu–Muslim clashes in Jammu, sparked by Chief Minister Ghulam Mohammad Shah's decision to allot two rooms for Muslim prayer in the Jammu Civil Secretariat, abutting a temple. Indefinite curfew was clamped on several towns in the State, earning Shah the dubious sobriquet '*Gul-e-Curfew*' or "curfew blossom."

March 14, 1989: A bomb blast claimed the first Pandit casualty, a woman called Prabhavati from Nawagari, Chadoora in Budgam district. According to police records, Prabhavati was killed at Hari Singh High Street. Her killers remained untraced.

May 12, 1989: Five tourists were injured in an attack on their bus. Two people were killed when a mob attacked a police station.

June 23, 1989: Pamphlets were distributed in Srinagar serving an ultimatum to Muslim women by Hazb-i-Islami to comply with 'Islamic' standards within two days or face action. Pandit women were to place a tilak on their forehead for identification.

September 14, 1989: Political activist and BJP member Tika Lal Taploo is killed by armed men who invaded his house and shot him.

November 4, 1989: Retired judge, Neelkanth Ganjoo, who had sentenced Maqbool Bhat to death in a murder case, is waylaid by three men on Hari Singh Street, in the heart of Srinagar, and shot at close range. His body remains there untouched for 15 minutes, until the police arrive and take his body away.



December 8, 1989: Rubaiya Sayeed is kidnapped.

December 13, 1989: Rubaiya Sayeed is set free two hours *after* five militants are released in exchange for her freedom.

January 4, 1990: Srinagar-based newspaper *Aftab* released a message, threatening all Hindus to leave Kashmir immediately, sourcing it to the militant organization Hizbul Mujahideen.

January 18 & 19, 1990: During the night, blackouts took place in the Kashmir Valley where electricity was cut except in mosques which broadcast divisive and inflammatory messages, asking for a purge of Kashmiri Hindus.

January 19, 1990: Jagmohan is sent by New Delhi to take charge as Governor. Farooq Abdullah resigns as CM as he had promised to if Jagmohan was made Governor. It is possible that the appointment of Jagmohan was engineered by Mufti Mohammad Sayeed to topple the Abdullah Government.

January 21, 1990: The Indian paramilitary troops of the Central Reserve Police Force (CRPF) open fire on a group of Kashmiri protesters. Twenty civilians were killed in what is termed as

the Gawkadal massacre, named after the Gawkadal bridge in Srinagar, Kashmir. The protestors were voicing their displeasure against the raids being conducted on Kashmiri people, sanctioned by the Governor, Jagmohan, to root out militant elements. Unofficial toll is put at 52 with over 250 injured. This incident stoked the fire of Muslim sentiments in Kashmir and acted as a catalyst for the ethnic cleansing that followed.

January 25, 1990: Four unarmed personnel of the Indian Air Force are gunned down.

February 2, 1990: Satish Tikoo, a young Hindu social-worker is murdered near his own house in Habba Kadal, Srinagar.

February 13, 1990: Lassa Kaul, Station Director of Srinagar Doordarshan, is shot dead.

April 14, 1990: Another Srinagar based newspaper named *Al-safa* republished the same warning published previously. The newspaper did not claim ownership of the statement and subsequently issued a clarification. Walls were pasted with threatening messages to all Kashmiris to harshly follow the Islamic rules which included abidance by the Islamic dress code, a prohibition on alcohol, cinemas, and

video parlours and strict restrictions on Kashmiri women. Unknown masked men with Kalashnikovs forced people to reset their time to Pakistan Standard Time. Office buildings, shops, and establishments were coloured green as a sign of Islamist rule. Shops, factories, temples and homes of Kashmiri Hindus were burned or destroyed. Threatening posters were posted on doors of Hindus asking them to leave Kashmir immediately.

April 28, 1990: Bhushan Lal Raina is murdered with a sharp pointed iron rod that pierced his skull. He begged to be given a quick merciful death with a bullet. Instead he was tortured to death.

April 29, 1990: Sarwanand Kaul Premi, a veteran Kashmiri poet, is gruesomely murdered. Several intelligence operatives are assassinated over the course of a few months.

May 21, 1990: Mirwaiz Maulvi Mohammad Farooq is killed by militants inside his own house. The “Mirwaiz” is the most important religious authority in Srinagar and is a hereditary title. Farooq favoured an independent Kashmir and supported movements like the JKLF that stood for a free Kashmir. He fell out with the Hizbul Mujahideen, which desired the accession

of Kashmir to Pakistan. Upon hearing of the attack, the people of Srinagar poured out onto the streets, with their wrath directed at the Hizbul Mujahideen which was suspected of the attack. Upon news of his death, the crowd snatched his body from the hospital and headed towards the downtown area of Srinagar where curfew had been imposed. The Islamia College lay on their route, which housed the 69th CRPF battalion. The security forces there panicked at seeing a massive crowd approaching them and opened fire. There were varying accounts of the exact death toll. Faced with a deteriorating human rights situation and a political crisis, the government needed to conduct a reliable inquiry and hold the guilty accountable at the earliest. Under pressure from New Delhi, Jagmohan stepped down as Governor but this was not enough. *"If those with direct responsibility for the killings had also been held accountable, confidence within the community may have been restored to some degree."*<sup>26</sup>

December 1992: Hriday Nath Wanchoo, a trade union leader and human rights activist, is murdered with separatist, Ashiq Hussain Faktoo, being convicted of the murder.

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<sup>26</sup> "Everyone Lives in Fear" September 2006, Human Rights Watch <https://www.hrw.org/reports/2006/india0906/>

## **Official figures say only 219 Pandits were killed in the Valley.**

Figures vary, but it is estimated that anywhere from 200,000 to 400,000 Kashmiri Pandits ran away from the Valley to escape being murdered by the very people who were their friends, neighbours and colleagues. They left their belongings, their property and spirits behind as they ran for their lives, never to return again. Later, property agents went out to seek these Pandits to legally purchase their properties at throw away prices. Most of the Pandits needed the money for survival, as they had lost their jobs and livelihood and reluctantly agreed to the deal. What is not on record here are the rapes, abject humiliation and violence perpetrated on the Pandits.

Rahul Pandita's "*Our Moon has Blood Clots*" shares a shocking insight into what actually transpired with Girja Tiku. According to a senior commander of the Hizbul Mujahideen, Girja, upon being abducted, had been blindfolded and then gangraped by four men in a moving taxi. She, however, had happened to recognize the voice of one of her abductors. Scared they would be identified, her abductors then took her to a wood-processing unit where they sawed her alive.

The Government and people of India did very little to address the needs of these people and the Pandits became refugees in their own country and a number of them had their existence confined to refugee camps in Jammu, Delhi and other parts of the country, as very little aid was forthcoming.

## **Thereafter**

In the early 1990s, Islamic militants and Indian security forces controlled the Valley. While there were around 10,000 to 15,000 militia; the army, paramilitary and police put together stood at “several hundred thousand.” Militants regularly clashed with Indian forces and the numbers went up from 390 in 1988 to 2,154 in 1989 and to 4,971 by 1992. The figures remained at the upper end of 4,000s till 1996. Schools, university campuses were marked by the presence of security forces. In the period between 1993 and 1994, schools were open for only 93 days and a mere 140 days in 1994-95. Srinagar lay under a twin curfew; security forces dominated Srinagar's city centre and government residential areas while militants (mainly members of the JKLF) lay claim over the interiors of Srinagar and villages lying to the

south of Kashmir. The number of civilian deaths (due to crossfire and/or terrorist attacks) continued to increase; from 29 in 1988 to 862 in 1991. It crossed the 1,000-per year mark post 1991.<sup>27</sup>

The Army began systematic searches of entire villages, a practice that continues till today. Based on intel inputs received on militant movement and that of arms and ammunition, the military cordons off an entire village and all residents are herded together. Soldiers then search each and every house, turning them upside down and inside out. This is mostly done at night and sometimes the process is repeated several times. The process may take from a few hours to an entire day or night, during which the village dwellers are kept in sight of the soldiers. Most of the soldiers don't speak Kashmiri, are usually rough in their behaviour, and there are no lady army personnel accompanying them. Reports of enforced disappearances and human rights violations soon started pouring in.

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<sup>27</sup> Radha Kumar, *Paradise at War: A Political History of Kashmir*

# **Kunan Poshpora**

In what is termed as the 'Kunan Poshpora Incident,' on the night of February 23, 1991, armed personnel of the 4 Rajputana Rifles of the Indian Army is said to have allegedly gang raped at least 23 women in Kunan and Poshpora, twin villages in north Kashmir's remote Kupwara district during a search-and-cordon operation. Some allege the actual number stood at 40 or even higher.

*The New York Times* had quoted the residents of the Kunan Poshpora neighborhood as saying that militants had fired on security forces nearby, which prompted the search operation by the forces.

Much of what happened in Kunan Poshpora still remains a mystery. Inquiry into the incident has only resulted in conflicting reports with the case presently being heard at the Supreme Court.

While the Army has consistently denied the allegations, Kunan Poshpora nevertheless remains a blot in India's history since the incident is the only time the Indian Army has been accused of "mass sexual violence."



*A survivor tells the authors, “Three army men caught hold of me and 8-10 army men raped me in turns. They had huge battery torches with them and they used them to see my naked body, while making lewd remarks.”<sup>28</sup>*

Several inquiries and investigations were held. One such inquiry on March 17, by Chief Justice of High Court J&K, Mufti Baha-ud-Din Farooqi, interviewed 53 women and concluded that there had been lapses in police procedures and no investigation had been conducted by the police at all, as the officer-in-charge had been on leave. The Press Council of India conducted interviews of all the aggrieved women three months after the incident at the behest of the Government of India and found contradicting statements given by the alleged victims, rendering their accusations as baseless.

In 2013, a writ petition was filed in the J&K High Court claiming that 30 women had been raped. The charges have not been proved and the case lingers on to this date.

In the aftermath of the incident, the women and their families who had come forth with the accusations were ostracized by the villagers in

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<sup>28</sup> [Kunan Poshpora: A forgotten mass-rape case of 2 Kashmir villages](#) by Abhishek Saha for the Hindustan Times

the locality and some of the young girls reported being taunted at school. Families of the victims have claimed it became difficult finding a groom for the girls after the incident.

## **Continued Rise of Insurgency**

Presented below is a fact and event sheet, enumerating key incidents and trends as militancy continued to rise through the 1990s.

### ***Inter-militia Clashes***

Beginning 1991, incidences of inter-militia clashes mounted from 80 in 1991 to 139 in 1992. The guerrilla fighters were not only fighting the police and Indian soldiers but were also fighting each other, which came at a huge cost for their sponsors, leading to the formation of the All Parties Hurriyat Conference (APHC) in 1993, led by the 19 year old Mirwaiz Umar. The coalition brought together the Jamaat-e-Islami, Awami Action Committee, People's League, Ittehad-ul-Muslimeen, Muslim Conference, JKLF, and the People's Conference, the so-called heavy weights.

## *Attacks on Security Forces*

The table below depicts attacks on security forces and the resultant casualties.

<b>ATTACKS</b>	<b>1989</b>	<b>1992</b>	<b>1993</b>
<i>Attacks on Forces</i>	<i>Below 50</i>	<i>3,000 +</i>	
<i>Security Forces Killed</i>	<i>13</i>		<i>216</i>
<i>Guerillas Killed</i>	<i>0</i>	<i>873</i>	<i>1,328</i>

In January 1993, when JKLF men killed a trooper following an attack on a BSF patrol in the Sopore market area, the BSF, in retaliation, opened fire killing more than 50 civilians. It was claimed that shops were destroyed in a fire allegedly set off by the BSF. The BSF asserts that the fire was caused by explosives (belonging to militants) catching fire which then spread to the market. Following this, a compensation of Rs 100,000 was awarded to each of the families of civilians who perished in Sopore, and an enquiry

was ordered into the incident. The final report was never made public, but it led to the suspension of several BSF troops.<sup>29</sup>

### *The Hazratbal Siege*

The Hazratbal Shrine in Srinagar was taken over by JKLF militants in October 1993. A standoff occurred with the Indian Army, which surrounded the shrine. The Narasimha Rao administration at the Centre did not initiate a storming of the Hazratbal Shrine as it was afraid of provoking the public. The siege continued for 15 days after which the 40-odd militants occupying the shrine were allowed to leave. The media massacred the Rao administration for its handling of the siege, during which the militants were provided food and a phone line through which they communicated with the media, securing international attention. Within days of the siege, the Hurriyat Conference called for an end to the siege and there were civilian protests held against it. On the eighth day of the siege (October 22), protesters numbering between 10,000 and 15,000 assembled in the courtyard of the Jamia Masjid of Bijbehara. From there they marched through the town demanding an end to the Hazratbal siege. When they reached the

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<sup>29</sup> Radha Kumar, *Paradise at War: A Political History of Kashmir*

Srinagar–Jammu National Highway, the crowd of thousands was confronted by a “large contingent of the BSF” which allegedly then blocked the street and started firing indiscriminately. At least 48 people were killed and more than 200 injured.

*Human Rights Watch* reported an eyewitness to the incident: "The people had gathered on the National Highway which passes through Bijbehara town. It was like this even then, narrow, with shops on both sides of the road. There were thousands of people shouting slogans. But it was peaceful.... The BSF just opened fire without any warning. It was terrible. There were so many people lying on the ground. Others were running in panic.... This road, this very road, was full of blood."<sup>30</sup>

The incident came to be known as the Bijbehara Massacre.

A little over a thousand civilians were killed in 1994. By 1996, the figure was over 1,300. The number of security forces killed similarly rose from 236 in 1994 to 387 in 1996. The year 1995 saw the highest number of trained guerrillas coming into the Valley from across the border;

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<sup>30</sup> Human Rights Watch, September 2006 [Patterns of Impunity in Jammu and Kashmir | HRW](#)

even conservative estimates put the figure at 1,000 a month.

### ***Communal Attacks***

Violence continued to rise in the Pir Panjal region of Jammu and the Valley, continuing the communal trend noticed earlier with a series of terrorist attacks on Hindus through 1998.

Incidentally, three of the four attacks took place in Jammu while one occurred in Ganderbal district in the Valley, home turf of the Abdullahs.

- On January 26, 1998, 23 Pandits were killed in Ganderbal's Wandhama village.
- On April 18, 26 Hindus were fatally shot in Parankote village of Udhampur district.
- On June 19, a Hindu wedding party was attacked, leaving 26 dead in Chapnari village of the Doda district.

Due to the conflict, Hindu deaths went up from 64 in 1997 to 159 in 1998. Muslim deaths fell marginally from 717 in 1997 to 678 in 1998. Around the same time, the Hízbul Mujahideen killed 35 Hindus in the neighbouring Chamba

district (bordering Himachal Pradesh) in August 1998. (*Radha Kumar, Paradise at War: A Political History of Kashmir*)

### ***A Change in Tack***

In a change in tack, Kashmiri political parties and their members began to be targeted by militants. Armed encounters between foreign fighters and Indian troops increased while those between local guerrillas and Indian troops decreased. As compared to 72 state and ancillary police killed by armed groups in 1997, 82 personnel were killed in 1998, including 50 police officers, 22 special Police Officers (counter-insurgency) and 10 members of Village Defence Committees. The number of foreign fighters killed also shot up between 1997 and 1998, from 197 to 319, while the number of local guerrillas killed fell from 878 to 680. The communal trend noted in 1997-98, with armed groups seeking to divide Muslims from Hindus and Sikhs in the Pir Panjal region, also continued.

There were six mass murders of Hindus in 1999, in Poonch, Doda, Rajouri, Udhampur and Anantnag, with 52 killed. In Anantnag, the BJP candidate's seven-year-old son was kidnapped and released after the family paid a ransom of Rs 250,000. Militant groups have always

vehemently condemned political parties that contest elections in Jammu and Kashmir, labelling them as “Indian agents.” Before every election the modus operandi is the same; they call for a boycott of elections, bomb polling booths, attack election personnel and kill party workers. The State Assembly elections in 2002 witnessed the killings of approximately 48 political leaders and workers. About 50 polling stations were attacked. *Saiful Islam, a leader of the Hizb-ul-Mujahideen, issued a threat: “Those participating in the elections are traitors and action against them will be taken after the elections are over.”*<sup>31</sup>

There is a familiar pattern here that has continued to this day. Every time a popular militant is captured or killed in an encounter or several militants are killed in crossfire or a civilian is killed in crossfire, there are processions and demonstrations and clashes with the police or the Army. Many of these demonstrations turn violent and civilian and police/Army lives are lost. This further antagonizes the public and a curfew/lockdown is imposed that is not received well.

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<sup>31</sup> Human Rights Watch [https://www.hrw.org/reports/2006/india0906/7.htm#\\_Toc144362298](https://www.hrw.org/reports/2006/india0906/7.htm#_Toc144362298)



## ***Human Rights Abuses by Militants***

What is not mentioned above are the human rights abuses by militants. There have been many reports of rape of women and the forceful recruitment of men by insurgents. Families of employees of the Kashmir police are always at danger. Men and women involved with politics are perennial targets. A large chunk of the militants in Kashmir have been of foreign origin, namely from Pakistan, Afghanistan and nationals from other countries who have come to wage jihad.

*“These people can kill anyone at any time. Earlier, the militants were our own people, so if there was some problem, we could go and sort it out with the family or send a message. Now, who knows who they are or what they want.... I dare not complain or my other sons will die too.”*<sup>32</sup> —  
*Human Rights Watch* interview with the mother of a man killed by militants.

## ***Epilogue***

*“By the end of 1990, many members of the JKLF had begun to come under attack from the Hizb-ul-Mujahideen. But even if they joined*

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<sup>32</sup> Human Rights Watch [https://www.hrw.org/reports/2006/india0906/7.htm#\\_Toc144362296](https://www.hrw.org/reports/2006/india0906/7.htm#_Toc144362296)

*organizations such as Hizb-ul Mujahideen, most Kashmiri militants were essentially secular nationalists seeking the liberation of Jammu and Kashmir from Indian rule. Kashmiri-speaking, they were also culturally and linguistically distinct from the peoples of Azad Kashmir. Most had little or no idea what Azad Kashmir was beyond a vague awareness that it was “Azad” (free) under Pakistani control and would be the logical base from which to take on the Indian state. At the time, Kashmiris held Pakistan in higher regard than India.”<sup>33</sup>*

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<sup>33</sup> Human Rights Watch [https://www.hrw.org/reports/2006/india0906/7.htm#\\_Toc144362298](https://www.hrw.org/reports/2006/india0906/7.htm#_Toc144362298)

# **KASHMIR, INDIA & PAKISTAN**

Bilateral security talks between India and Pakistan have always walked a tightrope, forever oscillating between breakthrough and collapse in the blink of an eye. It thus behoves us to understand what transpired between India and Pakistan on the diplomatic stage and how the leaders of both nations have played their parts with regard to the Kashmir dispute.

## **The Simla Accord**

A good point to start would be July 2, 1972 and the Simla Accord, signed between Prime Ministers Indira Gandhi and Zulfikar Bhutto to negotiate the withdrawal of Indian troops from Pakistani territory at the end of the third war between these nations and the release of 93,000 Pakistani soldiers that India had as prisoners. The war had bifurcated Pakistan into two nations, Pakistan and Bangladesh. India played a significant part in the training of Bangladeshi forces and in providing support, a fact that Pakistan has reiterated on multiple platforms when questioned about its role in Kashmir. Indira Gandhi had invited Bhutto and his team to visit Shimla to negotiate, among other issues, their stance on Kashmir.

If one reads the relatively brief document of the accord, there is absolutely nothing that Pakistan had to do except to adhere to some ethical guidelines.<sup>34</sup> The most significant take away from this agreement was that India and Pakistan would resolve their disputes bilaterally as opposed to having the United Nations mediate between them. This is a stance that India has stuck to, not reporting border violations and the conflict in Kashmir to the UN. Pakistan though has not adhered to this clause.

At one point the talks were looking as if they were reaching a stalemate. Inder Malhotra in the article "*Collapse of the Shimla Accord*" (*The Indian Express*, June 9, 2014) writes that after arduous and endless negotiations between the two leaders, Gandhi finally told P.N. Haksar (Gandhi's leading foreign policy advisor) and P.N. Dhar (one of her closest advisors) that Bhutto had given her his word that he would "gradually" ensure that the LoC became a permanent border, but he "just could not put it in writing." The agreement stated that the two sides would respect the LoC "without prejudice to the recognised position of either side." Bhutto, of course, as history shows, reneged on his promise

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<sup>34</sup> Ministry of External Affairs <https://mea.gov.in/in-focus-article.htm?19005/Simla+Agreement+July+2+1972>

to Gandhi. Pakistan has gone on to maintain that no promise was ever made to India by Bhutto.

Inder Malhotra goes on to state that P.N. Dhar's articles written in 2005 shed much light as to what exactly transpired at Shimla. *"He quoted Bhutto's exact words to Gandhi: 'Aap mujh par bharosa keejiye (please trust me)' and so on. Immediately, there was an avalanche of disdainful denials from across the border. One Pakistani writer, after praising Bhutto's "diplomatic artistry", wrote: 'Face it Mr. Dhar, even if we accept what you say, Mr. Bhutto fooled your prime minister'."*<sup>35</sup>

If the LOC was seen as the international border, things may have played out differently for both the countries because till date Pakistan considers Kashmir a part of its territory and almost all the border skirmishes between India and Pakistan continue to happen in Kashmir.

## **The Siachen Conflict**

The 1980s was a period when Pakistan was occupied with Afghanistan. The significant

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<sup>35</sup> Indian Express Inder Malhotra 9 June, 2014 <https://indianexpress.com/article/opinion/columns/the-collapse-of-the-shimla-accord/>

event during this time was the battle over Siachen glacier in the Ladakh region of J&K.

The Siachen glacier acts as a demarker: it defines the boundaries between Central Asia and the Indian subcontinent, delinks Pakistan from China, while the Saltoro Ridge situated within it separates PoK and China. The strategic importance of Siachen cannot be overstated; "whoever controls the glacier can monitor troops deployment and movement on the other two countries." It has allowed India to keep a close watch on Gilgit and Baltistan. If Pakistan were to capture Siachen, it would present India with a security threat from two fronts: one from the west in Ladakh and the other from Aksai Chin (the area administered by China) in the east. Siachen also allows India to closely monitor China's activities in the region following Beijing's heavy investment in road and rail infrastructure in the Shaksgam area.

*The Economic Times* estimated the cost of maintaining the approximately 5,000 soldiers posted there on the glacier at Rs 5 crore per day in November 2019.

The 1972 Simla Agreement had delineated India-Pakistan's border as the Line of Control.

However, the boundary line was “specified” to only a point called NJ 9842. Beyond this point it would proceed “north to the glaciers.” There was no controversy over the region for a while (even though nothing was specifically mentioned who owned what) but then in the 1970s and 1980s several mountaineering expeditions, armed with permits from the Government of Pakistan, began scaling high peaks in the Siachen area from the Pakistani side. Alarmed at the increasing number of expeditions, Indian Army Col Narinder Bull Kumar, in early 1981, voiced his concerns to his superiors upon which the Indian Army asked him to “map the entire region.” Back in Rawalpindi, Pakistan, India's military expeditions to Siachen prompted the Pakistan government to promptly hatch a plan to claim Siachen and occupy it before India did. It launched Operation Ababeel but made a tactical error; Pakistan ordered its Arctic-mountaineering gear from the same London-based supplier who also happened to supply India. When India received intelligence inputs about Pakistan's UK shopping extravaganza, it hurriedly sent its men to Siachen under the covert Operation Meghdoot in April 1984. *“Indian troops reached the glacier a week earlier than Pakistan. By the time Pakistan soldiers reached the region, India had already*

*got control of the glacier and the adjacent Saltoro ridge, using Col Kumar's maps.”<sup>36</sup>*

There were constant tussles in that region, with Pakistan not being able to come to terms with India's occupation of the glacier. The costs, as mentioned before, were high and this was on General Zia-ul-Haq's mind, who was already feeling the heat from Europe and US over Pakistan's nuclear tests in 1986. He approached the Crown Prince of Jordan to speak to Indian Prime Minister Rajiv Gandhi. Rajiv Gandhi immediately agreed. Backchannel talks ensued where reduction of troops in Siachen was agreed upon. The talks between the Foreign Secretaries of both nations were to continue and India was to broach the issue of Kashmir and establish the Line of Control as the final borders, settling the dispute between both countries. The day the issue was to be discussed, Zia-ul-Haq was killed in a plane crash. A civilian government, headed by Benazir Bhutto, took over soon after.

*“When the Indian authorities made efforts to pick up the threads of the covert operations, they were told that no such operation was ever carried out and there was not a single paper on*

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<sup>36</sup> [“Siachen: All you should know about the world's costliest battlefield”](#) by The Economic Times



*Pakistan records which would testify to its existence,' Verma concluded.*"<sup>37</sup>(Verma was head of the Indian Intelligence Agency, RAW).

## The 1990s

Two young Prime Ministers were at the helm in both these countries in the late 1980s and much was expected of them. Things began with good intentions being expressed.

On June 17, 1989, the Indian and Pakistani Defence Secretaries issued a joint statement that declared that both nations would strive towards "a comprehensive settlement, based on redeployment of forces to reduce the chance of conflict, avoidance of the use of force and the determination of future positions on the ground so as to conform with the Shimla Agreement and to ensure durable peace in the Siachen area."<sup>38</sup>

Nothing much came of this as Benazir Bhutto's government was soon dismissed. This was to be the trend of talks between the two countries. Both suffered from weak governments and constant changes in leaders. Backchannel talks

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<sup>37</sup> Radha Kumar "Paradise At War"

<sup>38</sup> [Why Siachen must be demilitarised](#) from The Hindu

continued with the Narasimha Rao government that next came to power in 1991. Then the 1993 Bombay blasts happened and changed many things.

The series of 13 explosions on March 12, 1993 was planned by Dawood Ibrahim, the Pakistan-based underworld boss and India's "most wanted" fugitive who also had his name prominently featured on the most wanted lists of the US and Interpol. Dawood was aided by Tiger Memon, a trusted associate. The bombings were financed by Indian smugglers settled in the UAE with the active involvement of Pakistan's ISI agency. Many terrorists trained in ammunition and explosives handling in Pakistan, with the bulk of them being recruited from Dubai.

Following the December 6, 1992, destruction of the Babri Masjid in Ayodhya by right wing Hindu fanatics, widespread riots gripped Mumbai. There were allegations of the police colluding with rioters in which certain minority-inhabited areas were targeted. The planners thus managed to rope in disgruntled Muslim youths who would travel to Dubai, then to Pakistan to receive training, and then come back to India to actually execute the attacks.

Later that year when Rao and then Pakistani Prime Minister Nawaz Sharif met in Dhaka, Sharif promised to extradite Dawood to India, a promise that never materialized.

Benazir Bhutto, who was once again Prime Minister of Pakistan after the ouster of the Nawaz Sharif government in 1993, announced that Pakistan now did not *“’favour a plebiscite as they could lose if the option of independence was given to the people of Kashmir’.*”<sup>39</sup> This confirmed *“what the people suspected all along - that Pakistan was using them and may not, when the crunch comes, support the azadi movement.”*<sup>40</sup>

By now, Pakistani aid to the militants was estimated at \$3 million per month and the ISI was spending to the tune of Rs 50,000 to Rs 100,000 per agent in J&K.

In 1994, Narasimha Rao visited the United States and met the American President, Bill Clinton. He convinced Clinton to support bilateral talks between India and Pakistan under the Simla Agreement, though Clinton had been sympathetic to Pakistan. This was viewed as a diplomatic coup by Rao, though the turnaround

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<sup>39</sup> [A calculated gamble - Special Report News - Issue Date: Jun 15, 1994](#)

<sup>40</sup> [A calculated gamble - Special Report News - Issue Date: Jun 15, 1994](#)

had been effected by India opening its borders to US industry through Rao's liberalisation programme.

Talks continued under the brief reigns of Deve Gowda and I.K. Gujral, setting the stage for what was to follow next.

## **The Vajpayee Era**

Some scholars are of the opinion that Nehru was the last Prime Minister to understand Kashmiri sentiments until Vajpayee took charge in the late 1990s. Despite his sympathy for the people of Kashmir and a great desire to resolve the situation, Vajpayee could not fulfill his policy.

Atal Bihari Vajpayee became India's PM after the BJP formed a coalition government in 1998. From the start, Vajpayee wanted peace between India and Pakistan and in Kashmir, a goal that he would actively work towards. His slogan of "*Kashmiriyat, Insaniyat, Jamhooriyat,*" (inclusivity, humanity and democracy) changed the pitch of Delhi's narrative regarding Kashmir.

The Vajpayee government's first act was to conduct a nuclear test. Pakistan soon followed suit. The USA slapped sanctions on both India

and Pakistan. Despite this inauspicious start, during the 2000s both countries came closest to a solution regarding the Kashmir problem. What came to the fore was that the dual government system in Pakistan, where the people's elected government and that of the Army (that held most of the power in the country), would not allow any such agreement or intention, expressed by either side, to stand. The Pakistan Army carves its existence out of hatred and hostility towards India, without which it would be redundant.

Then on February 19, 1999, history was written. Upon Nawaz Sharif's invitation, Vajpayee crossed the Attari–Wagah border in Punjab by taking a bus from Delhi to Lahore, Pakistan. The Delhi-Lahore bus service was begun to smoothen ties between the two nations and its people.

*"Vajpayee's discussions with Nawaz Sharif, led to the Lahore Declaration of 1999, where both countries pledged to a peaceful resolution of bilateral disputes. This included Kashmir, as well as promises that the two sides would engage in bilateral consultations on security concepts, nuclear doctrines, and avoidance of conflicts, the report adds."<sup>41</sup>*

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<sup>41</sup> ["Vajpayee Sahab Can Win Elections in Pakistan: Nawaz Sharif in 1999"](#) in The Quint

It is notable that the three generals of Pakistan, of which Musharraf was one, did not greet Vajpayee at the border and did not salute him.

However, just months after Vajpayee's visit, the Pakistan Army in a secret operation sent its troops to invade Kargil in Jammu and Kashmir. It led to the Kargil War which Pakistan lost.

### ***Between Kargil & Bloody Tuesday***

General Pervez Musharaff had already been working on plans to infiltrate India when Vajpayee was crossing the border over to Pakistan. India managed to quell the Kargil incursion and Sharif was ousted in a military coup, putting Musharaff in charge.

Later on December 24, 1999, IC-814, an Indian Airlines flight was hijacked from Kathmandu. The plane was taken to Islamabad and then to Kabul. Three terrorists were released in exchange for the safety of the passengers on the plane. One of the terrorists released was Maulana Masood Azhar, who would go on to form the Jaish-e-Mohammed in 2000, the organization that would attack the Indian Parliament in 2001, and to whom Pakistan continues to offer shelter.

There were also talks with the Hurriyat in 1999 for holding elections. The Hurriyat wanted the elections to be held under the watch of the UN, to ensure a free and fair process.

On July 24, 2000, Abdul Majid Dar, a leader of the Hizbul Mujahideen, called for a ceasefire in Kashmir. He was keen on talks with Delhi as he wanted militancy to end; a path that he felt had thrown ordinary Kashmiris in the face of guns and violence. Vajpayee reached out immediately and talks began. The Hurriyat, however, took offence on not being part of the process. On the other side of the border, Pakistani media lashed out at the ceasefire, despite it being seconded by the Azad Kashmir-based commander Sayeed Salahudeen. Sayeed later withdrew his consent. In the process, Dar was later accused of having ties with the Research and Analysis Wing (RAW) and the Intelligence Bureau (IB) of India. This accusation divided the Hizbul group. In 2003, Dar was assassinated by the ISI, according to A.S. Dulat, former head of RAW. (*A.S. Dulat, Kashmir: The Vajpayee Years*)

On August 1, 2000, the Lashkar-e-Taiba killed 30 pilgrims in Pahalgam who were on their way to Amarnath. On August 2, seven residents and 19 migrant labourers from Bihar and Madhya Pradesh were massacred in Anantnag. In

Kupwara, five people of an informer family were killed. In Jammu's Doda district 22 people were killed and in Kishtwar eight people from a village were massacred. Over 80 people were killed in what came to be called 'Bloody Tuesday', shattering the ceasefire that had been called by Majid Dar.

The above described events inform us about the fractious nature of the militants. The different militant groups were and are at odds with each other and it is very difficult to carry forward talks with one without offending the others. Then there is Pakistan throwing a spanner in the wheel of any peace process initiated.

### ***Musharraf's 4-Point Formula***

Despite Vajpayee's disappointment and sense of betrayal over Kargil, he was willing to give peace another chance. Two years after the Kargil War, he invited Musharaff, now President of Pakistan, to the famous Agra Summit in July 2001. The most significant outcome was the presentation of the '4 Point Formula' by Musharraf, who facing increasing global isolation, was also keen on dialogue. The 'formula' was as follows:



1. Demilitarization or phased withdrawal of troops.
2. There would be no change of borders of Kashmir. However, people of Jammu & Kashmir would be allowed to move freely across the Line of Control.
3. Self-governance without independence.
4. A joint supervision mechanism in Jammu and Kashmir involving India, Pakistan and Kashmir.

Despite best intentions, Delhi and Islamabad failed to agree on a solution. Years later, Musharraf commented that India “backtracked” at the last moment even though a draft resolution was ready to be signed. *“I was told that the Indian Cabinet had refused to give its nod,” Musharraf had said at an event in 2004.”*

But according to Former Pakistan Foreign Minister, Khurshid Mahmud Kasuri, the one man who stood in the way of the summit becoming a success was Syed Ali Shah Geelani, the separatist leader. *Kasuri wrote in his book, “He (Geelani) described President Musharraf’s four-point agenda as vague, and criticised the President’s statement on UNSC resolutions’ relevance to Kashmir.”*

However, according to former Research and Analysis Wing (RAW) Chief, A.S. Dulat it was the Deputy Prime Minister L.K. Advani who posed as the main roadblock. According to Dulat, Advani was both the architect and destroyer of the summit. *"The Advani of Delhi and the Advani of Agra were different," Dulat said in an interview to Rediff, "He raked up the issue of Dawood Ibrahim at a dinner hosted for visiting Pakistan President Pervez Musharraf on the eve of the Agra Summit. Musharraf was taken aback and told Advani, 'Let us at least go to Agra'."*<sup>42</sup>

The Agra Summit was the closest the two nations had ever come to a resolution on Kashmir. Had the summit been a success, the destinies of both the nations would have played out very differently.

On January 11, 2001, Musharraf had made a historic address to his nation, declaring that Pakistan would no longer allow its soil to be used for terrorism, after which he arrested some 2,000 Islamic militia members and closed 300 of their offices. But in the long run, one realises that this was just optics and nothing really changed. Following that declaration, 9/11

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<sup>42</sup> ["When Vajpayee and Musharraf 'Almost Resolved' the Kashmir Dispute"](#) by Uday Singh Rana in News 18

happened and then later in December that year there was an attack by five terrorists on the Indian Parliament. Pakistan became a key ally of USA in the war against terrorism.

### ***Kashmir: 2002-2004***

May 21, 2002, saw the murder of Abdul Ghani Lone by Pakistan-backed militants. Lone was a Hurriyat leader who wanted foreign jihadis out of Kashmir and peace in the Valley. He had been a politician most of his life, who believed that the movement in Kashmir was not a religious but a political movement. At this point, the foreign jihadis who did not belong to India or Kashmir, far outnumbered the jihadis that actually belonged to Kashmir.

A.S. Dulat writes in *Kashmir: The Vajpayee Years* that Lone was tired of Kashmiris getting killed. This came across during a tea party held by Musharraf for Hurriyat leaders in New Delhi, just before his Agra Summit with Prime Minister Vajpayee in July 2001. At the party, Lone had voiced his concerns and is "*supposed to have said: 'We're tired, we're exhausted, we can't carry on like this. You're only getting Kashmiris killed.'* To which Geelani objected. '*We're not tired, we will never be tired,*' he said. *Everyone*

*stared at Geelani, and what he was implying: that Kashmiris should continue to get killed."*<sup>43</sup>

Vajpayee approached Pakistan for a final time in 2003 to make some tangible progress on peace between the two nations. Considerable progress was made. An attempt was made on Musharraf's life by Islamic guerrillas in December 2003. In 2004, a ceasefire was called on the border of India and Pakistan. Musharraf made a statement that no territory in Pakistan and under its control would be used for terrorist activities against India. There were talks of improving trade between the two nations.

This was the ground laid by the Vajpayee government that lost the elections in 2004. A lot of effort was made from India's end (despite several betrayals) to ensure that the two nations could find a solution. Dialogues had been opened in Kashmir with militant groups to try and find a solution and to end the insurgency. Now it remained for the following UPA government to make something out of the foundation laid out for them.

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<sup>43</sup> Book Excerpt: "Would you also like to take us over and occupy our lands?": A Kashmiri who questioned both sides", The Scroll.in, May 21, 2017 [Abdul Ghani Lone dreamt up the idea of Hurriyat – but paid the price for defying Pakistan's ISI](#)

# The UPA Years

Prime Minister Manmohan Singh and Musharraf met on the sidelines of the 2004 UN General Council after which they reiterated their commitment to working towards peace. Singh visited Kashmir and appealed for Kashmiri support and advice in a peace process.

In February, 2005, a bus service between Muzaffarabad and Srinagar was started as a symbol of this peace process. Hurriyat, JKLF and other dissident leaders were invited to the inauguration of the bus service but they refused on not having been involved in this initiative. Within 10 days of the launch, Musharraf visited Delhi to watch a cricket match. There were talks of improving trade between India and Pakistan.

In June 2005, a Hurriyat delegation along with JKLF's Yasin Malik visited Pakistan-administered Kashmir to appeal for an end to violence. There were mixed reactions on both sides, with sharp rebuke from the BJP for Singh, for allowing the Hurriyat to cross the border.

Late 2005, after a couple of rounds of talks with the Hurriyat, Singh withdrew 40,000 troops from civilian areas in the Valley and for the first time violence fell below pre-1990 levels; from a high

of 4,011 in 2001 to a low of 121 by 2012. The trend showed violence continued to steadily decline.

Then on October 29, 2005, the Delhi bombings occurred in India, killing 62 people and injuring at least 210 others in three explosions. The bombings came only two days before the important festival of Diwali, which is celebrated by Hindus, Sikhs, and Jains.

On July 11, 2006, six serial bomb blasts happened on local trains in Mumbai killing some 209 people and injuring over 700.

Despite this, the peace process continued between India, Pakistan, and the dissident groups in Kashmir over 2004-07. Musharraf continued his rhetoric of peace while there were terrorist attacks in Delhi, Mumbai, Bangalore, Coimbatore and finally on the *Samjhauta Express*. Following these, Musharraf was faced with terrorist attacks within Pakistan and he put the peace process on the backburner.

In the summer of 2008 a dispute arose over the handover of a parcel of land to a Hindu trust to manage the Amarnath yatra. Local residents feared that the handover would usurp their livelihood. Six people were killed and 100

injured when police fired into a crowd in Srinagar protesting the transfer of land. When the government decided to reverse the transfer of land, riots erupted among the people of Jammu and the unrest lasted for some 61 days.

On November 26, 2008, terrorists of the LeT (Lashkar-e-Taiba), trained in Pakistan, attacked Mumbai, targeting the iconic Taj Mahal hotel at the Gateway, among others. The Pakistan Minister of Information, Sherry Rehman, admitted publicly that Kasab, one of the terrorists, was a Pakistani and soon lost her job under pressure from the Pakistani Army.

Pakistan did very little to condemn the perpetrators. This wasn't unexpected since the terrorists had been inspired and briefed by Hafiz Saeed himself, the head of LeT (it later renamed itself as Jamaat-ud-Dawa), and had received training from the best of the Pakistani Army. What it did do, in the face of international and Indian pressure, was to shutdown Jamaat-ud-Dawa's offices and place Hafiz Saeed under house arrest briefly. Saeed was released in June 2009 and he continues to be a revered social and political figure in Pakistan. (*Shivshankar Menon, Choices: Inside The Making of Indian Foreign Policy*)

Meanwhile in Kashmir, Wahhabi mosques and madrassas had mushroomed across the Valley; from less than two dozen in 1990 to over 700 in 2009.

### ***2010: Annus Horribilis***

At the end of April 2010, Rashtriya Rifle troops stationed at Machil, Kashmir, announced that it had killed three Pakistani infiltrators. Further investigation revealed that these men were not infiltrators but belonged to the nearby Nadihal village and had been killed in a fake encounter. The three were a part of a plot to claim money from the Indian Government that was handing out rewards for intercepting militants. The young men, who were daily wage earners, had been lured with the offer of jobs by a counter-insurgent and former special police officer of Baramulla district, Bashir Ahmad Lone.

This incident unleashed hell in Kashmir. Everything fell apart, including the channels with the dissident groups. There were strikes and protests. The strike led to clashes in Srinagar, in which a seventeen year old passerby, Tufail Mattoo, was killed on 11 June. He was hit by an unexploded tear gas shell. In the meantime, the Chief Minister could not make up his mind about whether the police or the CRPF should



handle the protests. A lot of ensuing chaos was engineered by the Tehreek-e-Hurriyat. Masrat Alam was the face of this organisation, issuing protest calendars for the public to follow.

Sensing the chaos, the State and Central Governments imposed a curfew in Srinagar and across a few towns in the Valley in August, which the locals defied. As the curfew stretched from one and then to two months, Kashmiris began to face shortages of essential commodities; from milk to vegetables to baby food, everything was running scarce. Then in the same month, protests by locals transitioned into a cry that Islam and Muslims were in danger when on the ninth anniversary of the September 11 attacks on the Twin Towers in the US, an American cleric burnt a copy of the Quran. Angry protesters went on the rampage, attacking Christian schools and churches, and destroying government buildings. In Poonch, when police tried to stop the burning down of a missionary school, protesters set ablaze police vehicles and the offices of the sub-divisional magistrate, the Forest Department, and the Block Development.

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Though stone pelting had occurred before, this was the first time the stone thrower became a

symbol of resistance to the Indian rule and the stone became the symbol of the Kashmiri plight. The CRPF and the police, who had been involved in a blame game amongst themselves, were not prepared for this new onslaught. As per government figures, 110 Kashmiris were killed, 537 civilians were injured along with 1,274 CRPF troops and 2,747 state police personnel in 2010.

The three personnel of the Rajputana Rifles who had been court martialed for their involvement in the incident and had been convicted to life imprisonment by the civilian court, had their sentences suspended by the Armed Forces Tribunal on July 28, 2017. It should be noted that over 100 courts martial of troops have happened in the last 20 years or so.

Attempts at defusing the situation continued under the Home Minister, Chidambaram. The local support for guerillas had been declining. By the end of 2010 and early 2011, some 3,000 stone-pelters were released from custody and the number of police bunkers were reduced.

Radha Kumar, who was appointed as one of the three interlocutors in Kashmir, studied the situation and concluded that the people were looking for: release of young stone-throwers,

easing restrictions on movement, addressing the aspirations of the youth, and putting in place a responsive and effective public grievance redressal machinery.

But challenges continued to remain. Any kind of activity in the Valley was impossible. A proposal for a literary festival was shot down by people expressing their disapproval through the Internet. “Holding such a festival would dovetail with the state’s concerted attempt to portray that all is normal in Kashmir,” a group of Kashmiri intelligentsia wrote in an open letter, whose signatories included acclaimed Kashmiri novelists Basharat Peer and Mirza Waheed, filmmaker Sanjay Kak and journalist Muzamil Jaleel.

Sports was a casualty too. A football academy set up by Argentinian coach Juan Marcos Troia in Srinagar in 2007 with a grant from the Brazilian government, had to be shut down as he was forced to leave after receiving a series of anonymous death threats and his dogs being killed. He had trained former stone-throwers and sons of former guerrillas. Bishan Singh Bedi, one of Indian cricket’s most famous bowlers, had a similar experience—this time at the hands of the famously corrupt State Cricket Administration.

# **Kashmir Under the BJP**

Things started off well when Narendra Modi invited the Pakistan Prime Minister, Nawaz Sharif, for his swearing-in in 2014. There was great hope for change with the BJP coming to power with a sweeping majority. But the BJP's "Hindutva agenda" brought many issues with it.

In September 2014, the region of Jammu and Kashmir suffered catastrophic floods across several of its districts caused by torrential rainfall. Termed a natural disaster, it left 450 dead and over 300,000 displaced, compounding the problems that the Kashmiris faced and bringing down spirits.

Next, the issue of cow slaughter that was banned by the BJP brought problems in many states, including J&K. In September 2015, Jammu and Kashmir legislators came to blows over the issue. The Islamist campaigner, Asiya Andrabi, slaughtered a cow as an act of defiance and MLA Rashid similarly hosted a "beef dinner." This happened in states like Kerala too that were in open defiance of the law.

## ***Burhan Wani***

The Kashmir conflict escalated further after 2015. The PDP formed a government with the BJP in J&K after the 2015 elections, to the chagrin of the Kashmiri people. Then came the death of Mufti Mohammad Sayeed, who had the pulse of the people more than Omar Abdullah, Farooq Abdullah's son. There was no dialogue between the government and the separatists. Then came the killing of Burhan Wani on July 8, 2016.

Burhan Wani was born to an educated and well-to-do Kashmiri family in Tral. A class topper who loved cricket, he was supposedly “driven to take up arms” at the age of 15, after he, his brother and a friend were stopped and beaten up by army personnel “for no reason.” Promising to avenge the incident, Wani ran away from home and joined the Hizbul Mujahideen. Quickly rising in rank to become a Hizbul commander, Wani bloomed to become the poster boy of militancy. His viral social media messages and videos acquired cult status and urged the youth of Kashmir to fight against Indian oppression by picking up the gun. Suddenly militancy in Kashmir had a name and a face. India saw Wani as a terrorist and a security threat, but to the

radicalized youth of Kashmir, he was the legitimate voice of change.

For the first time, local dissidents outnumbered foreign fighters. And for the first time in the history of the Kashmir conflict, civilians attacked security forces from the rear when they conducted cordon and search operations, allowing guerrillas to escape. The people had taken sides.

The very next day, 11 protesters were killed and over 120 persons, including 96 security personnel, were injured, as violent street protests erupted across the Kashmir Valley. On July 17, the Centre rushed 2,000 additional troops to Kashmir. The final death toll went up to 30 in various incidents around the country.

### ***Kashmir: 2015-2020***

Following Wani's killing during an anti-insurgency operation, the Valley erupted. Local militancy received a fillip with the Multi-Agency Centre (responsible for sharing intelligence outputs) outlining a disturbing trend: the number of local militant recruits in the Valley had risen from 63 in 2014 to 128 in 2017. What followed was a face-off: as more youths

joined militant groups, the government increased its anti-insurgency operations.

What is more, civilians were now increasingly starting to intervene during gunfights between militants and security forces, escalating casualties (civilian death toll was 51 and 50 in 2017 and 2018, respectively). Army Chief Bipin Rawat's response was sharp. He said civilians who came to the aid of militants during gunfights would face "harsh action" and be deemed "anti-nationals" and "overground workers of militants." The period continued to be marked by protests, strikes, cries for azadi, and increasing ceasefire violations. Then on September 28, 2016, in a sharp message to Pakistan and with the domestic (Kashmir) audience in mind, the Modi government conducted "surgical strikes" against militant launchpads across the LoC in PoK. Despite this show of strength and intention, in Kashmir, ceasefire violations continued to soar; from 583 in 2014 to 1,432 in 2018.

In 2017, Modi softened his stance when during his Independence Day speech he offered to solve the conflict in Kashmir not through bullets but with love and by "embracing" Kashmiris. He also appealed to terrorists to engage in mainstream dialogue with the Centre. "You have

every right to make your voices heard in the Indian democracy," he said.

Accordingly, in October 2017, Dineshwar Sharma (former Director of the Intelligence Bureau) was appointed the Centre's interlocutor to hold dialogue with "all stakeholders" in Kashmir. But *"..the scope of Sharma's engagement was circumscribed. The Centre announced that he was to hold dialogue to understand the "legitimate aspirations" of the people. It soon became clear that these aspirations did not extend even to demands for greater autonomy, let alone "azadi."*<sup>45</sup>

In May 2018, a ceasefire was announced on the occasion of the holy month of Ramzan. When militant attacks on security forces continued unabated, the ceasefire was called off. The conflict worsened when in January 2018 an eight-year-old Muslim Bakerwal (Bakerwals are a nomadic tribe) girl was allegedly kidnapped, raped and then murdered by seven Hindu men in Jammu's Kathua district. What was worse, several BJP leaders participated in rallies defending the accused, drawing justified protests across the country.

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<sup>45</sup> Scroll.in article [Modi government's Kashmir policy: Militancy and mass protests saw a huge jump](#)



After the ceasefire ended things took a different turn in the state. The BJP left the coalition and J&K was put under Governor's rule. Following the collapse of the State government, rival regional parties scrambled together to prop up make-shift alliances in a bid to form government. In November, the National Conference and the People's Democratic Party joined hands with the Congress, upon which the BJP backed the People's Conference party. Against this backdrop of horse trading and the possibility of unstable governments coming to power, Governor Satya Pal Malik suddenly dissolved the Assembly.

### ***Biting the Bullet: Abrogation of Article 370***

The early days of August 2019 foreshadowed change. Schools and colleges were hurriedly shut, communication networks such as telephone and internet connections were disabled, the Amarnath yatra was cancelled citing a terror plot against pilgrims, local political and separatist leaders were put under preventive custody, and 50,000 additional Indian troops were urgently deployed in the state. J&K was put under lockdown. What followed was a historical correction.

At the time of writing this article, June 2020, Jammu and Kashmir is a Union Territory, with Ladakh no longer a part of the State but a separate Union Territory all together. All the major politicians who were placed under house arrest for many months have only recently started being released. Phone and communication services have been limited and data services negligible. National and international media have condemned this blackout and curbing of fundamental rights in Kashmir.

Jammu and Kashmir has lost its autonomy that it enjoyed for many years. On August 5, 2019, the Government of India issued a constitutional order superseding the 1954 order, and making all the provisions of the Indian Constitution applicable to Jammu and Kashmir based on the resolution passed in both houses of India's Parliament with 2/3rd majority. Amit Shah, the Home Minister, promised that the Union Territory will return to having an elected government soon. The BJP has always viewed J&K as a part of India and its abrogation was a part of its election manifesto. Even the talks the Home Ministry tried to initiate with separatist groups in Kashmir since 2015 were to be 'under the aegis of the Indian Constitution', which is a part of the reason why dialogue has stalled.

As Amit Shah told the Parliament *"..only a few families had gained from Article 370 and not the people of Jammu and Kashmir.' He also blamed the Article for the deaths in the State due to militancy—more than 45,000 since 1989—and said it was creating doubts over the State's relations with India. 'We are rectifying a historical blunder.'"*<sup>46</sup>

The correction of a blunder, however, goes back to the time when the BJP and the People's Democratic Party formed a coalition government in J&K in 2015. It was the coming together of two parties with two very different ideologies; one was far right while the other had "soft separatist leanings". Given their differences, certain BJP leaders had misgivings over the alliance. But Shah and his core team in J&K crafted the alliance as it felt the time was ripe for the BJP to be directly involved in the politics of the state. It also felt a coalition would help to "discredit" the Hurriyat and highlight the "mal-governance of mainstream political parties" which had indulged in disruptive dynastic politics for years to the detriment of the people. When on June 19, 2018 the alliance came to an end (the decision followed a meeting chaired by then BJP president Amit Shah), the BJP was

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<sup>46</sup> The Week article by Namrata Biji Ahuja And Pratul Sharma [Article 370: Path to abrogation](#)

criticized for having failed in its objective with regard to J&K. However, BJP insiders reveal that this was the first instance when Shah's policy on Kashmir "had tasted success."

The Economic Times wrote, *"The credibility of J&K's 'mainstream' political parties in the state has hit rock bottom. While the separatist leadership has long been exposed for what it is — venal, self-serving puppets of Pakistan — it is the 'mainstream' political actors in the erstwhile State, whose ineffective and corrupt mal-governance has hollowed J&K out of any positive aspirations."*<sup>47</sup>

### ***Legal Implications***

The legality of the abrogation is also under question, with many journalists, legal experts crying 'foul'. Article 370 itself has been diluted over the years. The original Article gave the State of J&K near absolute autonomy, with Kashmir having its own constitution, flag, and allowing people dual citizenship, among other things. But over the years, the Article has been diluted, with at least 45 amendments being made. This has allowed India increasing say in

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<sup>47</sup> ["Kashmir Article 370: Will revoking special status be good for Kashmir, India?"](#) in The Economic Times

the administration of the state to which the Kashmiri people protest on several occasions. So it may be argued that not much of the original Article remains anyways.

That said, the withdrawal of 370 is questionable for a number of reasons and the reader will find “[Kashmir Article 370: Will revoking special status be good for Kashmir, India?](#)” in *The Economic Times* explaining the same.

Needless to say, the matter is complex and has many legal dimensions to it that need to be analyzed. It is being processed in the Supreme Court as the abrogation of Article 370 has been challenged by many organisations.

# THE UN AND KASHMIR

## 1947

Following Pakistan's invasion of Kashmir which prolonged to become the First Kashmir War in 1947, India took the Kashmir issue to the United Nations on January 1, 1948. Thus, the "The India-Pakistan Question" was created at the United Nations Security Council (UNSC). India termed Pakistan's assisting tribal militia as a hostile act and accused it of committing atrocities in Kashmir. Pakistan denied India's charges, questioned the accession, and charged India with committing genocide in the Valley. The UN immediately imposed a ceasefire, set up a Commission for India and Pakistan (UNCIP) to help resolve the dispute, and hammered out the following:

- A. Pakistan was to first withdraw from Jammu and Kashmir tribesmen and Pakistani nationals "not normally resident therein who have entered the State for the purpose of fighting" (UNSC 1948) and had to also stop "furnishing of material aid to those fighting in the State."

B. India would have to withdraw and gradually reduce its own forces to the minimum strength required to maintain law and order.

C. Finally, when both of these conditions were met, Kashmir could hold a plebiscite under guidelines framed by the Commission.

India and Pakistan failed to agree citing the following:

- The Indian government considered Jammu and Kashmir to be part of India following the accession.
- The Pakistan government held that the Maharaja's Standstill Agreement with Pakistan prevented it from entering into agreements with India and thus the accession was illegal; it asserted the “tribal invasion” and Azad Kashmir movement were indigenous in nature and not sponsored by Pakistan.

The decision of the UNSC to impose a ceasefire without first ensuring Pakistan’s withdrawal from the area it had captured was wrong. In allowing Pakistan to retain disputed territory

even when a solution was being processed, derailed the very terms under which a plebiscite could be held.

The UNSC next sent four representatives to India and Pakistan in succession to find a solution that both nations could agree to — General McNaughton (1949), Sir Owen Dixon (1950), Loy Henderson (1951) and Dr Frank Graham (1951).

**A.G.L. McNaughton:** In December 1949, the Canadian president of the UNSC, General A.G.L. McNaughton, proposed that:

1. Pakistan and India should withdraw their regular forces simultaneously (excluding those Indian forces needed to maintain law and order),
2. Azad Kashmir forces, Kashmir State forces, and the militia had to be demobilized, and
3. Administration of the Northern Areas would remain under local authorities but under UN supervision while the region demilitarised, after which a plebiscite could be held.



Pakistan accepted the suggestions, but India rejected them saying that:

- a) Pakistani forces needed to first unconditionally withdraw from the region, and
- b) Disbandment of Pakistan-administered Kashmir troops was needed before a plebiscite could be held.

**Sir Owen Dixon:** The UNCIP next appointed Sir Owen Dixon, an Australian jurist and diplomat, to resolve the conflict. Sir Dixon suggested that while the plebiscite was being put in place, the entire state of Jammu and Kashmir should be governed by a:

- Coalition government, or by a
- Neutral administrative body, or by an
- Executive formed of representatives from the United Nations.

When this was rejected, he went on to propose the trifurcation of the state:

- Jammu and Ladakh would go to India,
- Azad Kashmir and Northern Areas to Pakistan, and

- A plebiscite would be held in the Kashmir Valley.

He proposed to redraw the boundaries of Kashmir on religious lines, where river Chenab would serve as the border. But the plan was flawed: Hindu-Muslim segregation along the Chenab would cause displacement of as many as 800,000 people and also lead to violence. The recommendations were rejected by India.

Sir Dixon next suggested a plebiscite be held only in the Kashmir Valley following its demilitarisation, to be conducted by a body of UN officials. This proposal was rejected by Pakistan. Sir Dixon's last suggestion that the Prime Ministers of the two countries meet with him to hammer out a solution was again turned down. Having realized India and Pakistan would never reach an amicable solution, Sir Dixon left India in August 1950.

**Frank Graham:** Frank Graham was appointed as mediator in 1951. He proposed the following:

- Reaffirmation of the ceasefire line;
- Mutual agreement between India and Pakistan against making provocative

statements, and that Kashmir's future would be decided by a plebiscite;

- Steady demilitarisation in both regions.

But Graham was unable to secure a solution that both nations agreed to. *"Given the unviability of its proposals, the UN soon bowed out of the political quagmire, leaving an unhealed wound on the body-politic: the Security Council resolutions affirming that the future of the state should be decided by its denizens."*<sup>48</sup>

In 1951, India and Pakistan signed the Karachi Agreement and established a ceasefire line to be supervised by UN military observers. The UNCIP was terminated and the United Nations Military Observer Group in India and Pakistan (UNMOGIP) was set up to report ceasefire violations.

## 1965

The second war between India and Pakistan broke out in early 1965, when Pakistan sent regular and irregular troops disguised as indigenous fighters to Kashmir in hopes of igniting a civil war there. India retaliated and

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<sup>48</sup> [War of Words Between India and Pakistan at the United Nations](#) The Independent International Political Research Center

military hostilities broke out along the ceasefire line.

On September 4, 1965, the Security Council called for an “unconditional” ceasefire that came into effect from September 22. While India readily agreed, Pakistan was reluctant. Both countries then signed the Tashkent Agreement in 1966, presided over by the UN, the United States and the Soviet Union. Under the agreement, India and Pakistan agreed to surrender conquered territories and ‘retreat to the ceasefire line of 1949.’”

## **1971**

Peace was short lived. In 1971, a third war broke out between Pakistan and India, this time over the liberation of East Pakistan, which later came to be called Bangladesh. The Security Council passed Resolution 307 on December 21, 1971, but by then a unilateral ceasefire had been declared. As per the UN resolution, both the nations' armies had to retreat to the old ceasefire positions.

On July 2, 1972, Prime Minister Indira Gandhi and President Zulfikar Ali Bhutto signed the historic Simla Agreement and the ceasefire line became the Line of Control (LoC). The

agreement stated that the two nations would resolve their differences through bilateral negotiations or “by any other peaceful means mutually agreed upon between them.” India agreed to return 93,000 prisoners of war it had captured from Pakistan. In return, Bhutto “gave his word” that upon his return to Pakistan he would make the LoC, that cut Kashmir into half, into an international boundary. Bhutto never kept his word. If he had, the relationship between India and Pakistan would have been very different.

## **Post Simla**

Following the 1971 war, India stopped turning to the UN on Kashmir. The Indian government announced that it would no longer report cross-border firings to UNMOGIP. It had become clear to India that the UN had decided to overlook Pakistan’s repeated transgressions since 1947. India has not reported any ceasefire violations since 1972. Pakistan, however, continues to do so.

# KASHMIR, CHINA AND PAKISTAN

*"Poor Kashmir, it lies in the Himalayan ramparts where the borders of India, Pakistan and China rub together. Reality mocks its beauty. There is no escaping the permeating melancholy of a land that lies under the gun."* writes Trevor Fishlock in *"Kashmir, a Tragic Feud."* (January 13, 2002, *The Baltimore Sun*)

Nothing can be further than the truth. Since the 1990s, China and Pakistan have teamed up with each other to counter India's growing hegemony in the region. Over the years, *"China has sought to limit India's response by entering into territorial agreement with Pakistan, issuing selective criticism of and support to terrorism, and building infrastructure in occupied territories."*<sup>49</sup>

Below is a timeline of events that explains the Indo-China-Pak scenario with regard to Kashmir:

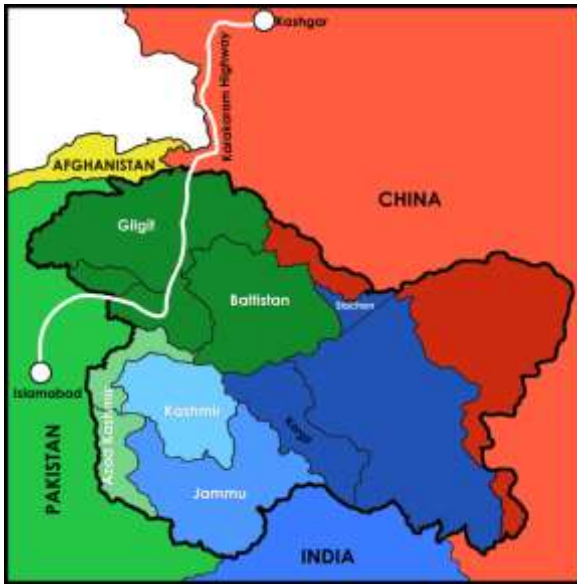
- Indo-China relations first went downhill when India decided to offer asylum to the Tibetan spiritual leader, the Dalai Lama, in

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<sup>49</sup> [Revisiting China's Kashmir policy | ORF](#) from orfonline.org

the late 1950s. China had already captured Aksai Chin during the 1950s and consolidated its position over the region following its win in the 1962 India-China war.

- In 1963, Pakistan handed about 5,000 sq km of land in the Trans-Karakoram tract, (or Shaksgam tract, a disputed area), to China to end border disputes and ensure that the Kashmir problem was not just limited to Pakistan and India.
- Following the border agreement, China began constructing the Karakoram Highway from Kashgar (in the restive Xinjiang province) to Abbottabad in Pakistan along with Chinese and Pakistani engineers.



- India declared the border agreement as illegal and objected to the highway's construction.
- By 1963, China, which until 1962 was neutral on Kashmir, now began openly supporting Pakistan's claim on it. It even highlighted the issue at the UN.
- Throughout the 1960s, 1970s and 1980s China desired the Kashmir issue be settled in Pakistan's favour because it would help China gain strategic foothold in the region.
- In the latter part of the 1980s, China, however, changed its stand on Kashmir from pro-Pakistan to neutral: it needed



India for trade and Pakistan as a strategic base. It carried this stance well into the 1990s and 2000s.

- Meanwhile, it continued to invest heavily in Pakistan because it always wanted an opening in the Indian Ocean through Pakistan's Gwadar Port.
- To reach Gwadar, China would have to cut through Pakistan's restive Balochistan province and build a route that snaked through Pakistan-occupied Kashmir. Accordingly in 2015, it announced The China Pakistan Economic Corridor (CPEC) with an initial investment plan of \$46 billion.
- The cost of the CPEC now stands over \$62 billion as China continues to pump money to build mammoth transport infrastructure, feeder roads, railway lines and oil and gas pipelines that cut through PoK.
- Once completed, the trade corridor will connect Xinjiang to the Arabian Sea, helping China consolidate its control over PoK and the Shaksgam Valley. Experts see China intent on converting Gwadar into an economic hub and military base.



- China has posted its troops along with Pakistan Army's Special Forces along the Corridor to safeguard its projects. In 2017, China announced that the CPEC was part of its Belt and Road Initiative (BRI). India protested, saying the corridor passes through disputed territory.
- The presence of China's People's Liberation Army (PLA) in PoK to its northeast and Aksai Chin in the northwest has heightened security concerns for India.
- The construction of CPEC has thus made China a 'third stakeholder' in Kashmir. The success of the CPEC hinges on Pakistan's

occupation of the Northern Areas of Kashmir.

### ***The Indus Angle***

Apart from differing political stances, Kashmir is of vital importance to India, Pakistan and China because it is home to the Himalayan glaciers and freshwater rivers. The Indus rivers are the primary source of water and energy for India and Pakistan, without which both nations will face mammoth energy shortages and dismal economic growth, amongst other things. Despite the signing of the Indus Waters Treaty in 1960, India and Pakistan continue to harbour water fears because of challenges associated with accelerated global warming and population growth, and the fact that both are massively energy and water deficient. Against this alarmist backdrop, Pakistan's core fear is that India may divert the water it needs for irrigation (the mainstay of its agrarian economy) and initiate a water war going forward (all the rivers either originate or flow through India). With water being the new oil, it has become imperative for both India and Pakistan to try and control it. Thus the fight for Kashmir gains a more layered significance.

When it comes to China the situation is equally precarious. Maroof Raza writes in "*Water, status, territorial depth: How LAC intrusions fit into larger Chinese strategic designs*" (June 09, 2020, The Times of India), "*China is forever looking for more water resources in the Ladakh region, as the Indus river system originates from Tibet and goes via Ladakh to Pakistan's northern areas (that we call PoK). The Chinese agenda is to have access to abundance of water to manufacture microchips. Silicon wafers require lots of pure water (10,000 litres for a 30 cm wafer) to produce, and it is the waters of the Indus river system that China wants from Pakistan.*"<sup>50</sup>

In 2019, China imported more than \$300 billion worth of semiconductor microchips from the US, Japan and Taiwan. Raza notes that China is adamant on reducing its dependence on foreign manufacturers by manufacturing chips in-house. This desire for self-sufficiency can be attained by harnessing the fresh waters of the Indus and its rivers and by melting the numerous glaciers in Shaksgam valley.

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<sup>50</sup> "[Water, status, territorial depth: How LAC intrusions fit into larger Chinese strategic designs](#)" by Maroof Raza for The Times Of India

Gaining control over Indus and its waters is thus central to China, for the very future of its microchip industry depends on it.

### ***Twin Policy on Terror***

Though China has clamped down on Muslims inside its own border, it has maintained a non-committal stance on cross-border terrorism funded and supported by Pakistan. This dual policy on terror is not without reason.

The Chinese are worried that Islamic extremists in the Afghanistan-Pakistan region will influence its Uyghur Muslim population in Xinjiang province and to counter this, has amplified its presence in PoK. It has not only increased counter-terror initiatives but has also “enlisted strategic support” from Pakistan-based terror outfits to safeguard its strategic/economic interests. China’s soft policy with regards to terrorists along the CPEC corridor is a sharp departure from its decision to detain thousands of Uyghur Muslims within its own borders. The reason it offers is that it is forced to do so to counter “terrorism.” And when it comes to Pakistan-sponsored terrorism in Kashmir, Beijing has conveniently looked the other way. China remains the only Permanent-5 nation of

the UNSC that has a non-committal stance on the issue.<sup>51</sup>

## ***Conclusion***

Following India's decision to abrogate Article 370 in August 2019, China's pro-Pakistan stance is clear when it referred to Kashmir as a "disputed territory" and added that India's changing the status quo had challenged China and Pakistan's "sovereign interests" in the region.

Recent tensions between India and China have escalated further due to the corona virus pandemic, the world's anti-China stance, and the United States' strategic affinity for India. Many see China's muscle-flexing as an attempt to project India's subordinate status in the region.

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<sup>51</sup>[Revisiting China's Kashmir policy | ORF](#) by Parjanya Bhatt for [orfonline.org](#)

# WHAT DO KASHMIRIS WANT?

The path to resolving the dispute in Kashmir has never been simple. Given that the conflict is simply not about India and Pakistan anymore, but involves the diverse Jammu, Kashmir, Azad Kashmir, and Gilgit-Baltistan regions which come bridled with different aspirations, it appears unlikely that any solution can be quickly reached.

Sandwiched between the devil and the deep blue sea are the people of Kashmir themselves. But here again lies a dilemma. The problem is, when we ask what Kashmiris want, we get diverse answers. For instance, the common outcome of any poll conducted in J&K shows that the majority of people in Muslim-majority Kashmir want complete freedom from India, while only a small percent want a complete merger with Pakistan. These views differ from Hindu-majority Jammu, or till a while back from Buddhist-majority Ladakh (it became a separate Union Territory in 2019), which instead sought union with India. The Kashmiris of Pakistan-administered Azad Kashmir seek independence, while those of Gilgit-Baltistan see themselves as illegally occupied.

## *A Case of Identity Crisis*

The biggest problem is that what Kashmiris want has come to imply what the *people of the Valley want*. Nothing can be further than the truth. The fact of the matter is in seeking to resolve the conflict, the aspirations of Jammu-ites, Kashmiri Pandits, and earlier the Ladakhis, have been completely brushed aside. Even worse, forgotten.

Kashmir is trapped by history. Bunched together through conquests, annexations, bestowment of jagirs, and sale deeds, Jammu and Kashmir from the very start is a forced amalgamation of diverse regions and people who never had anything in common to begin with. It is therefore not surprising that when we think of the plight of Kashmiris we are forced to reflect simultaneously on the demand for azadi in the Valley, the longing of Kashmiri Pandits to return to their homes, Jammu-ites seeking further integration with India, and Punjabi Muslims of Gilgit-Baltistan and Azad Kashmir seeking further independence. So what have we? A quagmire.

## *The Valley*



In the Valley, many Kashmiris have transitioned from staging protests and stone-pelting to embracing militancy mainly due to two reasons: propaganda and a fear that their religious ideology and identity are at stake. Kashmiris see India's policies as anti-Kashmir, anti-Muslim, and the army, police, and paramilitary forces as ruthless forces of repression and oppression. Azadi is the core call, evermore so with Pakistan always playing the religion card. But the thing is, in the Valley, azadi means different things to different people. It swings from some wanting an independent Kashmir, to others wanting to join Pakistan, with some seeking more autonomy and demilitarisation, and with still others wanting the establishment of an Islamic Caliphate.

To summarize, locals want freedom no matter what, even if it means they have no roadmap of the way forward *after* they get what they want. That said, locals do not seek freedom for entire J&K but only for Kashmir, underscoring the fact that they have never regarded the region as a single entity or even identified themselves with the rest of India or Kashmiri Hindus. To the people of the Valley, Kashmir *is* the Valley.

Kashmiri Pandits, who were driven out of the Valley in a mass exodus, reiterate this alienation

when they say that the hallowed "Kashmiriyat" never existed in the Valley, for otherwise they wouldn't have been murdered and raped in their own backyards. If we peek into history, 1990 was not the first time Kashmiri Hindus had been pushed out of the Valley. Since ancient times, they were asked to leave the Valley seven times. So, what do Kashmiri Hindus, who have been living in exile for the last 30 years, want? Justice and, of course, to return to their homes in the Valley. Most Pandits welcome the revocation of Article 370 and Article 35 A. Kashmiri Pandits want nothing else but to be able to live as Indians in Kashmir without fear.

And this is how the Valley remains divided.

### *Jammu*

Jammu used to be the seat of the Dogra rulers. Having supported Hari Singh's accession to India, the people of Jammu have always wanted merger with India and a "dispensation" that treated all three regions (Kashmir, Jammu, and earlier Ladakh) equally across all platforms.

In essence, Jammu-ites want to "emerge out of the shadow of Kashmir's over-politicisation." This is but natural because the insurgency in Kashmir has always ensured the Centre's attention lay on the Valley alone. Most view the

perennial socio-economic-political breach between the Jammu and Kashmir regions stemming from different religious ideologies, when the truth is Jammu never figured in the State or Centre's scheme of things. Commissions such as the Gajendragadkar Commission (1968), the Wazir Commission (1983), and the Singhal Committee (1999) have acknowledged that successive governments in Kashmir gave a raw deal to both Jammu and Ladakh, resulting in their neglect. *"The inequity manifests in the continuously sub-optimal allocation towards development of Jammu's tourism, infrastructure, education facilities and overall representation in various state platforms."*<sup>52</sup> The bottom line was Jammu-ites were always asked to bury their interests for the "larger cause" of keeping Kashmir with India. Different political parties before elections have promised justice to the region but nothing has changed at the ground level. Kashmiris of Jammu want the "delinking" of their fate from the Valley.

## ***Ladakh***

Tucked away in a remote region, the only aspiration of the Ladakhis from the very start was access to basic amenities. When the Centre

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<sup>52</sup> [Neglected Jammu](#) by Bhopinder Singh for The Deccan Chronicle

declared Ladakh as a separate Union Territory in 2019, Ladakhis were overjoyed to get their identity back. Once a kingdom, Ladakh was relegated to a mere district under the state of J&K. It had no say on how things should be run, always subject to the narrative being played out in the restive Valley. Until a few years back, only two Assembly members from the region were part of the 80 or so members of the Jammu-Kashmir Assembly. And this was despite Ladakh being larger than Kashmir and Jammu put together. Urdu, a language alien to the region, was dumped on schools, police, and courts alike.

Ladakhis have also long complained that Article 370 only granted benefits to the Valley and did nothing to serve the interests of Jammu-ites or Ladakhis. They were discriminated against when it came to jobs and central allotments. Nothing could be done without the consent of the State which was flushed with corrupt politicians. All welfare and development funds from Delhi remained with the Valley, while Ladakh remained undeveloped. When development officials did come to visit the region, they would arrive *"prepared actually for the Valley or for Jammu. They would come for a two-year tenure and they just didn't understand Ladakh. The first year would go in trying to understand the place*

*and the second in preparing to leave it. So, it would be misplaced, half-hearted development,"* reflects Sonam Wangchuk, an iconic Indian educationist, in the article *"With Article 370, Ladakh was treated like Kashmir's colony: We were forced to use Urdu. Our welfare became a joke"*<sup>53</sup>

The alienation between the two regions was stressed even more when policies drawn for Ladakh proved irrelevant. Now, with the change in status, Ladakhis hope that the money meant for them will now stay with them. To quote Mr. Wangchuk again from *DailyO*, *"You cannot imagine the meaning of this to a people who live very far away. But who want to be close."*<sup>54</sup>

### ***PoK: Azad Kashmir***

In Pok, a new voice is gaining traction. While admitting there exists a close affinity for the Pakistani Army and Pakistani people, people ultimately seek independence in the region. Tired of being pawns in the hands of India and Pakistan, the people of Azad Kashmir seek a Constituent Assembly, the area's unification with Gilgit-Baltistan, demilitarization in both

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<sup>53</sup> Daily O article [With Article 370, Ladakh was treated like Kashmir's colony: We were forced to use Urdu. Our welfare became a joke](#)

<sup>54</sup> Daily O article [With Article 370, Ladakh was treated like Kashmir's colony: We were forced to use Urdu. Our welfare became a joke](#)

Pakistan-occupied Kashmir and J&K, and an UN-held referendum. The demand for independence is not without reason. Azad Kashmir is a resource-rich region, but due to Pakistan's policies the region remains underdeveloped. People have no jobs and lack access to basic facilities like healthcare and education.

Pakistan is determined to curb the movement and has adopted a hardened security stance. Pro-independence demonstrators have been termed by the Pakistani Army as “Indian agents.”

### ***PoK: Gilgit-Baltistan***

The people of Gilgit-Baltistan regard themselves as Indians, they see their land as legally belonging to India, and assert that Pakistan has no claim over it. Since Pakistan has occupied the region, it has not been recognized by their Constitution and the people of this area have been unable to vote since 1947. Pakistan has recently been accused of committing human rights abuses on the people, which has prompted them to appeal to the UN as recently as February 2020.

Pakistan's role in the region has raised concerns. It is estimated that about 70 per cent of the

population are Shias while about only 30 per cent are Sunnis. Since the time of Zia-ul-Haq, the Pakistan government has tried to "alter the sectarian balance in the region." In 1988, hordes of Sunni extremists were dispatched to the region to brutally combat and subdue the Shia demand for a separate Shia state. This triggered "sectarian conflict" in the region which continues unabated.

Mr. Senge Sering, activist and director of Institute for Gilgit-Baltistan Studies, has gone on to state: "*Legally and technically, we are Indian citizens. We've always been Indian citizens and that is why Pakistan can never grant us constitutional rights. We have binding documents to prove that we are Indian citizens.*"<sup>55</sup>

Pakistan is making swift "demographic changes" in Gilgit-Baltistan to absorb the region with the rest of Pakistan and all opposition is being ruthlessly put down by the military.

To come back to the question, what is it that Kashmiris want, the answer is freedom...albeit from different yokes.

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<sup>55</sup> [People of Gilgit-Baltistan are Indians, Pakistan has no right there, says activist Senge Sering](#) by Geeta Mohan for India Today

# PLIGHT OF THE KASHMIRIS

To counter insurgency in the Valley, all military action in Jammu & Kashmir is governed by the Armed Forces (Special Powers) Act (AFSPA). Enacted in 1958, it has long been considered unconstitutional. According to Kashmiris, the Draconian AFSPA has destroyed lives by the thousands because it can target “just anyone.” Haunted by killings, torture, forced disappearances, illegal detentions, and senseless destruction of property, Kashmiris constantly live in fear.

Here is a quick look at why AFSPA is controversial:

- The Act is ambiguous over what it means by "disturbed area." The declaration of any area as 'disturbed' under Section 3 "remains the prerogative" of the State's Governor or Delhi.
- Section 4(a) of the Act states that even a non-commissioned junior officer can order his troops to shoot to kill "if he is of the opinion that it is necessary to do so for maintenance of public order.”



- Section 4(b) allows the military to destroy "any" property from which armed attacks "are likely to be made" or which has served as a hide-out for people "wanted for any offense." This has led to the destruction of innumerable homes and other buildings in the State, even as collateral damage.
- Section 4(c) allows military personnel to arrest without warrant, with whatever "force as may be necessary," any person against whom "a reasonable suspicion exists that he is about to commit a cognizable offence."
- Section 4(d) allows the entry and search, minus a warrant, of premises, to make arrests as allowed under Section 4 Â©, or to recover any person "believed to be wrongfully restrained or confined," or any property "reasonably suspected" to be stolen property, or any arms or explosives "believed to be unlawfully kept in such premises."
- Section 5 states that, "any person arrested and taken into custody under this Act shall be made over to the office in charge of the nearest police station with the least

possible delays." This rule has been violated umpteen times.

- Section 6 exempts army personnel from prosecution, stating, "No prosecution, suit or legal proceeding shall be instituted, except with the previous sanction of the Central Government, against any person in respect of anything done or purported to be done in exercise of powers conferred by this Act."

Stories run rife about how Indian troops barge into and ransack houses without a warrant and even beat people up on the back of mere suspicion or 'inputs'. Often, without giving any explanation, armed personnel are known to take over a house while its inhabitants watch in terror as the forces rummage through their personal belongings. Locals remain in fear that they could become victims of a fake encounter and be dismissed as foreign militants. The powers the armed forces carry under AFSPA worry Kashmiris, for they know that if needed, security forces can kill based on mere suspicion and get away with it. Human rights activists have consistently asserted that the Act violates Fundamental Rights.

The International People's Tribunal on Human Rights and Justice in Indian-administered Kashmir (IPTK), a local NGO, holds the mirror up to us when it points out that extrajudicial killings and torture are part of normal occurrences in the Valley. What is worse, western organisations shy away from raising a protest as they want to keep their relations with New Delhi intact. The IPTK claims that the presence of the Indian Army in Kashmir between the years 1989 and 2009 led to more than 70,000 deaths. It asserts that these killings were a result of the armed forces occupation, are regarded as 'acts of service' by officers and when verified, result in promotion and cash rewards. The one million military and paramilitary units in Kashmir continue to guard the Valley with impunity, and in doing so, Delhi has ensured conflict rages in the region ceaselessly.<sup>56</sup>

India continues to deny the same.

Another Act, The Public Safety Act (PSA), 1978, of Jammu and Kashmir is also a source of grief to locals. Under the law, anyone can be arrested and detained without a warrant, specific charges, "prevent him or her from acting in any

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<sup>56</sup> Humra Quraishi, Kashmir: The Unending Tragedy

matter that is prejudicial to the security of the state or the maintenance of the public order." Under the act, a person can be held two years without a trial and need not be produced before a court. Since the 1990s, the PSA has been used extensively to book people, *"including separatists, their supporters and voices of dissent. In fact, there has not been a single year since the 90s when the number of detentions under the PSA has come down to two digits."*<sup>57</sup>

Kashmiris have continued to suffer because of it, with human rights activists terming the law as undemocratic since it denies legal aid to a detainee. What is worse, earlier, detainees under the Public Safety Act could not be sent to prisons outside Jammu and Kashmir. This changed in July 2018, when the state administration scrapped the clause. After August 5, 2019 the civil society report has noted that nearly 37.4% of the detainees in PSA related cases are lodged in jails across India.

Apart from the above two Draconian Acts, Kashmiris continue to endure killings, forced disappearances, and damage to property due to terrorist activities by militants.

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<sup>57</sup>[How the Public Safety Act Continues to Haunt Kashmir](#) by Mudasir Ahmad for The Wire

Living under the shadow of the gun, Kashmiris  
are stuck in no man's land.

# GLOBAL AND ISLAMIC FUNDING OF MILITANCY

Infrastructure and resources are the legs of any terror group if it wishes to operate; be it to buy arms and ammunitions, train its recruits or carry out terror attacks. This is where finances play a crucial role.

When it comes to global Islamic funding of militancy in Kashmir, the list runs deep. Foremost on the list is Pakistan. Journalist Stephen Schwartz has noted that several terrorist groups are "backed by senior officers in the Pakistani army, the country's Inter-Services Intelligence (ISI) establishment and other armed bodies of the state." The ISI gets its funds from the sale of drugs that its own agents sell abroad and those acquired from the Taliban. In fact, the unholy nexus between the ISI and the Afghan Taliban holds a place of pride.

The Taliban is the proxy of the Pakistan Deep State. The Afghan President, Ashraf Ghani, in 2018 declared that the "centre of Taliban terrorism is in Pakistan." In other words, the Taliban serves as the ISI's handle through which it sponsors terrorism. "Opium, taxes and extortion" are the chief instruments through

which the Taliban makes money- \$200m a year as of 2019. Poppy in Afghanistan grows mostly in lands controlled by the Taliban which earns money via taxes it imposes on its production. It collects 10% "cultivation tax" from opium farmers, a significant chunk from laboratories which cook opium into heroin, and another hefty sum from traffickers who smuggle the drugs to Europe and the US. The profits earned is then channeled through Pakistan and routed through various Islamic philanthropic groups to various Indian Islamic terror organizations. ISI has sleeper cells in various parts of the country which on receiving these funds hand it over to terror groups to carry out their militant activities in Kashmir. Money is also routed through hawala channels to terrorist organizations for carrying out their operations.

It is believed that the yearly expenditure of the ISI towards terrorist organizations stands between \$125-250 million, and includes "salaries, cash incentives for high-risk operations and retainers for guides, porters and informers."

Another major source of funding separatist and militant activities in J&K is the sophisticated network between terrorists and organised crime. Money made from diverting exploits through trafficking of arms and ammunition, drugs and

counterfeiting, ends up with terrorist groups. Under the ISI's bidding, Khalistani terror outfits, based out of Pakistan, regularly smuggle weapons and drugs into India's Punjab to support Kashmiri extremists.<sup>58</sup> Narcotics are smuggled into India from Pakistan in various ways; sometimes by hiding it in sacks of rock salt. The process is carried out through a network of 'importers, customs agents, and transporters' while the operation is financed by international hawala channels.

Charities are another important source of terror funding. For instance, Lashkar-e-Taiba (LeT) and its Pakistan-based political wing, the Jamaat-ud-Dawa, use funds collected by their charity outfit, the Falah-e-Insaniyat Foundation, to carry out their missions. The Pakistani diaspora in the Middle East, England and elsewhere around the world and even Pakistani businessmen contribute in millions to charities seeking to fund jihad. There are collection tills in shops around Pakistan for the ordinary man to contribute money to the "freedom cause" in Kashmir.

In recent times, both Saudi Arabia and the UAE have endorsed India on the Kashmir issue. In

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<sup>58</sup> Zee News [Exclusive: How drugs and Khalistan movement are intermingled; Germany new base for ISI-sponsored Khalistan operations](#)



fact, it was recently revealed that terror mastermind, Masood Azhar, during his trip to the UK to collect funds for Kashmiri militants (he collected Rs 15 lakhs in Pakistani currency from various mosques) got a "very poor response" from Saudi Arabia and other Arab nations who were not sympathetic to the "Kashmir cause." That said, it is untrue that both these nations are not keen on Kashmir.<sup>59</sup>

On the contrary, there appears to be a new kind of religious proxy war taking place which has raised hackles among military officials in Kashmir: the worrisome rise in the number of opulent mosques and madrassas controlled by Wahhabi groups in Kashmir; all funded by oil money from Saudi and the Gulf nations. The number of Wahhabi-controlled mosques has increased by leaps and bounds in the last 10-15 years, almost doubling from about 1,000 to about 2,000.

These mosques and seminaries promote Wahhabism in the Valley, which has been Saudi Arabia's practiced faith for over 200 years. It "insists on a literal interpretation of the Quran" and considers all those who don't believe and practice it, as infidels. As a result of this

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<sup>59</sup> India Today article "[Masood Azhar travelled to UK, Gulf, Africa to collect funds for Kashmiri militants](#)"

influence, young Kashmiris instead of seeking 'azadi' are now fighting for the establishment of an Islamic Caliphate in Kashmir.

*"If a traditional mosque comes up in two to three years, the funding for these Wahhabi controlled mosques is such that they are completed within six months and with lot of investment to attract the youngsters who can be potential recruits for terrorists in the future," the sources said.* <sup>60</sup>

Ahle Hadith mosques are considered to be more radical than Sufi shrines. Its followers grow beards, wear skull caps and don pants which end slightly above the ankle.

As opposed to Saudi Arabia, Turkey and Iran view the Kashmiri cause as nationalist instead of religious. Turkey's President, Erdogan, who seeks to emerge as a Pan-Islamic leader and build closer ties with Pakistan, has made it his political agenda "to claim our righteous causes, especially Palestine, Cyprus and Kashmir." He recently likened Kashmir to the Turkish struggle for Gallipoli during World War I, when he said, "It was Canakkale yesterday, and it is Kashmir today. There is no difference."

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<sup>60</sup> India Today article by Ajit Kumar Dubey "[Jammu and Kashmir: Wahabi-controlled mosques on the rise, security forces tightening vigil](#)"

Iran has always stayed away from the proxy war waged by Pakistan in India. However, in a rare departure, its Supreme leader Ayatollah Khamenei recently tweeted, *"We're concerned about Muslims' situation in Kashmir. We have good relations with India, but we expect the Indian government to adopt a just policy towards the noble people of Kashmir and prevent the oppression & bullying of Muslims in this region."*<sup>61</sup>

In 2017, Khamenei had compared Kashmir to Bahrain and Yemen, asking the Muslim world to "support people of these regions." Iran's government also believes that "Muslims of Kashmir must be able to use their legal rights and interests to be able to live in peace." This is not surprising given the strong religious connect between Shias in J&K and Kargil with Iran. Many Shia Muslims in Kashmir regard the Ayatollah as "their boss." Shia leaders in Srinagar have long confirmed that people and institutions in Iran fund activities in Kashmir. To them it is "not Iran's money," but "religious money distributed for religious purposes." With Iran's help, the Shias of Kargil have instituted the Imam Khomeini Memorial Trust, a

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<sup>61</sup> Article in The Week by Mandira Nayar "[Iran's Ayatollah Khamenei says India should stop massacre of Muslims](#)"

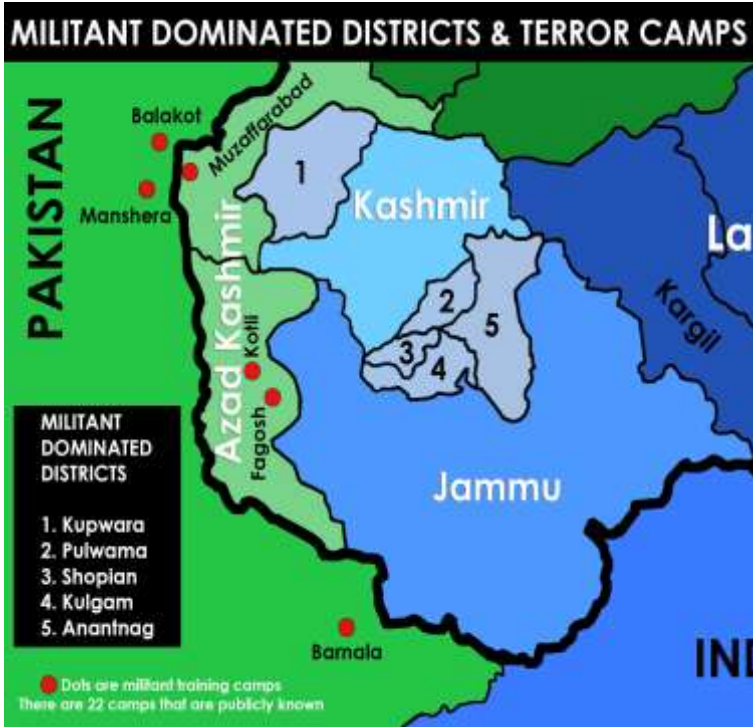
"politically influential" outfit, which keeps Indian officials worried.

Malaysia too continues to ally with Pakistan, having provided shelter to Zakir Naik (the extremist Indian Islamic preacher alleged to be the mastermind behind the Sri Lanka Easter blasts in 2019) on Pakistan's request. Pakistan channels funds for Naik through Qatar and Turkey, while Naik continues to operate multiple Qatari accounts to collect the same. But with improving trade ties between Malaysia and Delhi in recent times, it remains to be seen what the final equation between the two nations will be.

Kashmir is thus the epicentre for a "global race for influence." It remains to be seen how this plays out: either as armed proxy conflicts or arming of separatists in the region.

Meanwhile, the latest edition of *Nawai Afghan Jihad*, the online publication of al-Qaeda in the Indian Subcontinent (AQIS), stated that it plans to rename itself *Nawai Ghazwa-e-Hind*, asserting the terrorist group's decision to focus on India, especially Kashmir.

# MILITANTS, TERRORISM & JIHAD



## *Maqbool Bhat: The First Martyr*

Maqbool Bhat was born into a peasant family in Jammu and Kashmir's Trehgam village in 1938. It has been reported certain events seemed to have spurred a young Bhat onto the path he was to later take in life. In 1945-46, the jagirdar or feudal lord issued an order to raid his village as the peasants had failed to pay their dues

following a dismal harvest. The villagers pleaded with the jagirdar to spare them but he was unrelenting. When all else failed and the jagirdar was about to leave after ordering his men to forcefully collect grains, the village children were told to lie down in front of his motorcar. The villagers begged the jagirdar either to "stop the further collection of grains or crush the starved and naked children under his car." Bhat had happened to be one of those children.

While Bhat was doing his BA, he became the head of the student wing of the Plebiscite Front, a separatist group seeking an independent Kashmir. On April 29, 1958, Sheikh Abdullah was arrested again and there was a crackdown on separatist groups in Kashmir. Maqbool, to evade arrest, ran across the border to Pakistan, where he would get an MA degree, marry twice and enter politics.

On April 25, 1965, Bhat and his brothers in arms founded the Jammu Kashmir Plebiscite Front (JKPF) in PoK, with Bhat officiating as its public secretary. JKPF was the first pro-Kashmir political outfit which carried weightage in PoK, and with time, several pro-independence groups sprung out of it. But he soon became aware that mere political separatism had its limitations. So

in 1977, he, along with Amanullah Khan, founded the Jammu Kashmir Liberation Front (JKLF). This organisation aimed to lead an armed struggle from the front.

In a bid to internationalise the Kashmir conflict, he masterminded the hijacking of an Indian Airlines plane on January 30, 1971. Flight 101 'Ganga,' (which was flying from Srinagar to Jammu) was hijacked to Lahore, its passengers and crew released, and then subsequently blown up. This incident led New Delhi to promptly issue a ban on all Pakistani flights operating within the Indian airspace. The move later on directly impeded Pakistan's efforts during the 1971 war when Pakistani military was unable to fly its troops into East Pakistan. At the end of the war, Pakistan lay split in half, and the new nation state of Bangladesh came into being.<sup>62</sup>

Maqbool moved back to J&K in 1976 and within a few weeks he was captured by the Indian forces. In 1978, the Supreme Court restored a death sentence previously declared against him and he was moved to Tihar Jail.

In early February 1984, the Assistant Commissioner of the Indian Consulate in Birmingham, England, Ravinder Mhatre, was

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<sup>62</sup> Radha Kumar, *Paradise at War: A Political History of Kashmir*

kidnapped and a demand of one million pounds and the release of Maqbool Bhat along with nine other Kashmiris within 24 hours was placed. This demand was not met as there was simply not enough time to react and Mhatre was assassinated. As a reaction, India hanged Maqbool.

*"The reaction in Kashmir was immediate. In Butt's (Bhat's) home village, Trehgam in Kupwara district, shopkeepers downed shutters for a fortnight. In Anantnag, 'a group of youngsters, tears welling from their eyes, went round schools, banks and government offices, requesting the authorities to close down', said India Today. Downtown Srinagar was deserted. 'The convoluted phraseology of the years of the plebiscite movement was back again in the tea-shops, the coffeehouses and the street squares.' The Indian government and Farooq, said Lone, had made Butt 'the first martyr on the question of Kashmir's accession.' Overnight, a police officer told India Today, guerrillas who were 'not even known to their neighbours' became household names in the valley.<sup>63</sup>*

The separatists in the Valley needed a hero and a martyr to eulogize and to inspire the people to rally against India and they got one in Maqbool

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<sup>63</sup> Sumit Mitra, "Jammu & Kashmir: Tremors of Tension", India Today, 29 February 1984



Bhat. The guerrillas, henceforth, became heroes and martyrs of the Kashmiri cause.

### *The ISI & the Pakistan Army*

Militants, the Pakistan Inter-Services Intelligence (ISI) and the Pakistan Army have an intrinsic connection. The ISI consists primarily of serving military officers drawn on secondment from the three service branches of the Pakistan Armed Forces (Army, Air Force, and Navy) and hence the name "Inter-Services." However, the agency also recruits many civilians. The ISI is the premier intelligence agency of Pakistan, operationally responsible for gathering, processing, and analyzing national security information from around the world.

Pakistan, like many other nations, has been seeking control in the power structures of its neighbour, one of them being Afghanistan. The ISI had been covertly running military intelligence programmes in Afghanistan before it was invaded by the Soviet Union in 1979. Since then it has been creating and providing support to the different militant groups it spawns, in conjunction with the Pakistan Army. After the Soviets withdrew from Afghanistan, the ISI helped create and arm the Taliban till 9/11, when they withdrew support from the Taliban. But this

was just the narrative fed to the public and the Taliban continued to be harboured within Pakistan.

A NATO study conducted in 2012 based on interrogations of 4,000 captured Al Qaeda and Taliban militants revealed that the ISI offered safe havens to the Taliban, tracked their movements, and arrested anyone who appeared to be uncooperative. It is widely believed that the Al- Qaeda still operates camps in western Pakistan where foreign militants continue to be trained in terror operations.<sup>64</sup>

### ***The Core of Militant Organizations***

At the core of every militant organization that emanates from Pakistan is a conservative, hardline and extreme interpretation of Islamic philosophy, mainly Deoband, Ahle-Hadith and Jamaat-e-Islami, which is the driving force of all militants. They are all different movements of the Sunni sect of Islam (the sect followed by 87%-90% Muslims of the world) that have their origins in north India and they all bear similarity with Wahhabism (an Islamic movement from Saudi Arabia) and each other. The militant groups are distinguished from each other by the

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<sup>64</sup> From the study paper published by The European Foundation for South Asian Studies (EFSAS), "[Pakistan Army and terrorism: An Unholy Alliance](#)"

school of Islamic philosophy that they follow. At the heart of every militant group is an Islamic preacher who motivates them and guides them in their jihad. This preacher almost never actively participates in militant activities.

Some of the beliefs that these groups hold, and that may or may not be shared among them, are:

- Women should not be educated and should be subjugated to the men in the family.
- Song and dance and films and other forms of entertainment should be banned.
- Clothes should conform to Islamic standards that include beards for men and burkhas for women.
- Sharia should be instituted. Sharia is Islamic law, where the penalty for theft is the cutting off of hands, stoning for adultery and taking the life of the person abandoning Islam.
- Economic markets based on capitalism and banking systems based on the giving and taking of interest should be shut down.

*According to survey findings<sup>65</sup>, most Muslims believe Sharia is the revealed word of God rather than a body of law developed by men based on the word of God. Muslims also tend to*

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<sup>65</sup> [Muslim Beliefs About Sharia | Pew Research Center](#)

*believe Sharia has only one, true understanding, but this opinion is far from universal; in some countries, substantial minorities of Muslims believe Sharia should be open to multiple interpretations.*

## ***Deoband***

The Deobandi interpretation holds that a Muslim's first loyalty is to his religion and only then to the country of which he is a citizen or a resident; secondly, that Muslims recognise only the religious frontiers of their Ummah (community of Muslims) and not the national frontiers; thirdly, that they have a sacred right and obligation to go to any country to wage jihad to protect the Muslims of that country. The Deobandi movement in Sunni Islam, was founded in response to British colonial rule in India and later hardened in Pakistan into bitter opposition to what its members views as the country's neo-colonial elite. The Islamic Deobandi militants share the Taliban's restrictive view of women, and regard Pakistan's minority Shia as non-Muslim. They seek a pure leader, or Amir, to recreate Pakistani society according to the egalitarian model of Islam's early days under the Prophet Mohammed. President Musharraf himself, is a Deobandi, actually born in the city in India, from where the school took its name.

The Taliban and Jaish-e-Mohammad (responsible for the 2001 Parliament attacks and the 2019 Pulwama attack) are a Deoband militant organization.

### ***Ahle-Hadith***

Ahle-Hadith, meaning the people of Hadith, is a religious movement that emerged in northern India in the mid-nineteenth century. Hadith refers to what Muslims believe to be a record of the words, actions, and the silent approval of the Islamic prophet Muhammad. They regard the Quran, sunnah (traditions and practices of the Prophet Mohammad), and hadith as the sole sources of religious authority and oppose everything introduced in Islam after the earliest times. Ahle-Hadith followers believe that the zahir (literal, apparent) meaning of the Quran and the hadith has sole authority in matters of faith and that the use of rational disputation is forbidden even if it verifies the truth. Like other Islamic movements, the Ahle Hadith are distinguished by certain common features and beliefs. The men tend to have a particular style of untrimmed beards and wear trousers that end a few inches above the ankle. The Lashkar-e-Taiba (responsible for the 2008 Mumbai attacks) is an Ahle-Hadith militant organization.

Fresh recruits are first indoctrinated in the Islamic philosophy, which continues after their military training starts. There are six stages to a jihadi's training, with the final two stages teaching how to craft explosives and making them familiar with military weapons like tanks, canons and heavy weapons reserved depending on resources and necessity of certain operations.

### ***Lashkar-e-Taiba (LeT)***

LeT (or Army of the Righteous) is the most well-known Ahl-e-Hadith terror group operating in Pakistan and Kashmir. Founded in the Kunar province of Afghanistan, it is the militant wing of a religious organization, Markaz Dawa-ul-Irshad which was formed in the 1980s by Hafiz Muhammad Saeed, Zafar Iqbal, and Abdullah Azzam. LeT, which began its terror activities in Kashmir in the early 1990s, consists of thousands of members from Pakistan, PoK, Indian-administered J&K, and also fighters who had taken part in the Afghan war. It runs 2,200 offices nationwide and roughly 24 camps which train fighters to infiltrate and launch attacks across the Line of Control (LoC) into Kashmir.

*“Jihad also includes the right to avenge the loss of any land once under Muslim rule, including countries such as Spain. Therefore, Hafiz Saeed not only wants to unite Kashmir with Pakistan,*

*but he also wants to see Pakistan become part of a Global Islamic State*”<sup>66</sup>

Hafiz Saeed of the Lashkar was the driving force of his organization and was a “close partner” of Osama bin Laden in the late 1980s, a time when bin Laden saw Kashmir as a potential theatre for Al Qaeda operations. Thirty six of Saeed’s family members were killed in the India-Pakistan Partition riots of 1947. He’s called *hafiz* because he memorized the [Quran](#) by heart during his childhood, a time during which he was already enthusiastic about the verses on jihad. A major early influence on his life and ideology was his maternal uncle, and later father-in-law, Hafiz Abdullah Bahawalpuri, who was a famed theologian belonging to the Ahle Hadith, who held that democracy was incompatible with Islam (which alienated him from Maulana Maududi's Jamaat-e-Islami) and argued "that only in jihad does one offer one’s life in the way of Allah, which elevates it to a higher plane than merely fulfilling other religious responsibilities such as saying prayers and paying zakat, also entailing sacrifices and adjustments, but not at the scale evident in jihad." He "considered shahadat (martyrdom) to be the crux of jihad."

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<sup>66</sup> The True Face of Jihadis, by Amir Mir. (From the study paper published by The European Foundation for South Asian Studies (EFSAS), "Pakistan Army and terrorism; An Unholy Alliance")

Hafiz Saeed has networked with successive Pakistan Governments and has been a guest at many Army functions through the years. Saeed founded an Islamic Seminary in 1990 for which he got \$2,00,000 from bin Laden as seed money. Pakistan's Punjab Government, under the Sharif Brothers, gifted him 200 acres at Murikde near Lahore.

The Lashkar specifically considers Christians, Jews and Hindus as its enemies. However, India remains its prime area of focus with regards to jihad. Its prime aim is to *"bring back the era of Mughal rule. We can once again subjugate the Hindus like our forefathers."*<sup>67</sup>

In 1999, following the Kargil War, Saeed had declared *"today I announce the break-up of India, Inshallah (God willing). We will not rest until the whole of India is dissolved into Pakistan."*<sup>68</sup>

A major source of Saeed's funds include Saudi Arabia, the UAE (which has a sizable Pakistani diaspora) and Kuwait. Domestically, Lashkar raises millions through the sale of hides collected from Eid sacrifices. They also run collection boxes in shops across Pakistan.

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<sup>67</sup>['Destruction' of India vision of Hafiz Saeed: expert](#)

<sup>68</sup>[Hafiz Saeed, Pakistani Extremist with a \\$10 Million Price on his Head, Is al Qaeda's Ally](#)



## ***Jaish-e-Mohammed (JeM)***

JeM was formed by Maulana Masood Azhar in January 2000 and consists of several hundred heavily armed fighters. Azhar used to be an influential leader of Harkat-ul-Mujahideen (HuM). Azhar formed JeM to bring fresh life into jihad by consciously avoiding the schisms that plagued other jihadi groups. JeM espouses a pan-Islamic ideology that is primarily anti-West and anti-Jew and its main objective is to unite Indian-administered Kashmir with Pakistan and to be able to govern Pakistan under Sharia law.

Members of the JeM were believed to be behind the attack on the Kashmir Legislative Assembly on October 1, 2001. Both JeM and the LeT have been accused of having masterminded the attack on the Indian Parliament on December 13, 2001, which left nine dead. JeM was also listed as being one of the militant groups responsible for the assassination attempt on President Musharraf in late 2003 after officials tracked down phone numbers saved on the suicide bomber's cell phone. One of its leaders, Omar Saeed Sheikh, was sentenced to death for the murder of American journalist Daniel Pearl in 2001. JeM's posse of fighters includes not only Pakistanis and Kashmiris, but also Afghans and Arab veterans from the Afghan war. Maulana Azhar was reportedly extended funds by the ISI, the

Taliban, and several other Sunni groups based in Pakistan when he set up JeM.<sup>69</sup>

Azhar was born in Bahawalpur, Punjab, in 1968. His father, Allah Bakhsh Shabbir, was the headmaster of a government-run school. Azhar studied at the Jamia Uloom ul Islamia Banuri Town in Karachi.

*A great motivator but physically unfit, Azhar learned to use Kalashnikov and Zokai machine guns in Afghanistan but failed the arduous 40-day military training. That, and his subsequent injury in the Soviet-Afghan war led to his appointment as the head of Harkat's department of motivation.*<sup>70</sup>

Azhar was caught in Kashmir, where he had gone to address militants in February 1994. Azhar was released in 1999, when the Air India flight IC-814 was hijacked and the hijackers demanded Azhar and two other terrorists be released.

In 2000, Afaq Ahmad, a shy 17-year-old and a Class 12 dropout from downtown Srinagar, blew himself up when he drove an explosives-laden car into the Badami Bagh gate of the 15 Corps HQ. The Valley came face to face with the first

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<sup>69</sup> From the study paper published by The European Foundation for South Asian Studies (EFSAS), "Pakistan Army and terrorism; An Unholy Alliance"

<sup>70</sup> [From teacher to a terrorist mastermind: The astonishing story of JeM chief Masood Azhar - World News](#)

instance of a suicide bomber, a technique which not only announced a change in tack in militancy in the Valley but also the arrival of the Jaish-e-Mohammed, formed by Azhar weeks after his release.

The Lashkar-e-Taiba and Jaish-e-Mohammed are responsible for 90% of the cross border attacks on India.

### ***Hizb-ul-Mujahideen (HM)***

Hizb-ul-Mujahideen was set up in 1989 by Muhammad Ahsan Dar, a former school teacher from Kashmir. Dar's main aim was to unite Indian-administered Kashmir with Pakistan and establish an Islamic Caliphate in the region. HM's activities are funded by the Jamaat-e-Islami (a political group based out of Pakistan) and it also believes in JI's ideology. This association between the two outfits enabled HM militants to undergo weapons training in Afghan camps until the Taliban ran over the region. HM is at present led by Syed Salahuddin and the group reflects ethnic Kashmiris and Pakistanis of non-Kashmiri origin, who remain affiliated with Jamaat-e-Islami. "Much of the group's literature and teachings justify a nearly perpetual state of jihad and interpret all Muslim territory as subject to Muslim re-conquest in the broadest terms".<sup>71</sup>

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<sup>71</sup> 'The Ideologies of South Asian Jihadi Groups', by Husain Haqqani

According to Pakistani officials, HM is said to control up to 60% of the mujahideens in Kashmir and has had the Lashkar-e-Taiba as its ally since 1997. Reports suggest that HM often works in tandem with other terror groups. This is because its ethnic Kashmiri members provide local information and knowledge to the large number of Pakistani and foreign militants of other groups. Hizbul-Mujahideen has been organized according to strict military lines. Indian security forces and politicians in Kashmir are its main targets; it is one of the few militant groups to have killed prominent Indian security personnel. It uses two of its sub-wings - Islami Jamiat-e-Tulaba and Jamiat-e-Tulaba-e-Arabia - to recruit students from across universities and JI-linked madrassas. Despite its leading position, splits are rife within HM over differences in tactical and personal ideologies.<sup>72</sup>

### ***Terror Attacks on Muslims***

Militant groups across the Islamic world are not content with fighting only the infidels (non-Muslims). Islam finds expression in many sects that vary in their ideology and interpretation of the Quranic texts. Hardliners among the groups like the Wahhabis and Deobandis consider the

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<sup>72</sup> From the study paper published by The European Foundation for South Asian Studies (EFSAS), "Pakistan Army and terrorism: An Unholy Alliance"

people who do not follow their interpretation of Islam as infidels too, so they consider other Muslims as their enemies who must be exterminated. Within Pakistan itself, there have been a number of attacks by terrorists belonging to the different organizations that ironically have their genesis in Pakistan.

*Renowned Pakistani writer Khaled Ahmed points to the irony: “Within Sunni Islam, the Deobandis and the Barelvis are not found anywhere outside India and Pakistan. The creation of these two sects was one of the masterstrokes of the Raj in its divide-and-rule policy.” He says the Deobandi school took roots in India in 1866 as a reaction to the overthrow of Muslim rule by the British. It was the Deobandi-Wahhabi alliance, says Rehman, which pressured President Gen Zia-ul-Haq to declare the Ahmadis as non-Muslims. At a stroke of the pen, thus, a Muslim sect was clubbed with other religious minorities. Under the Constitution, they can’t call themselves Muslim or even describe their place of worship as a mosque.*<sup>73</sup>

On July 1, 2010, two suicide bombers attacked the shrine of Sufi saint Hazrat Data Ganj Baksh in Lahore, killing 50 people. The Taliban was

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<sup>73</sup>[Just Who Is Not A Kafir?](#) By Amir Mir for The Outlook

blamed for this attack. The Taliban belong to the Deobandi school, that is opposed to the idea of Muslims worshipping at shrines, among other things. It was the Deobandi-Wahhabi alliance, which pressured President Gen Zia-ul-Haq to declare the Ahmadis as non-Muslims in Pakistan. On May 28, 2010, 94 people were killed in attacks on two Ahmadiya mosques. A school in Peshawar was attacked on 16th December, 2014 and at least 135 school children were murdered by the Pakistan Taliban. This happened because the Pakistan Army had been trying to shut down their operations within the country.

Reports reveal there were close to 370 terror attacks in Pakistan in 2019, killing 518 people. The corresponding figures in India are a fraction of what they are in Pakistan. The jihadi apparatus is not only destroying nations of other religions, it is also destroying people who claim fealty to the same lord as theirs.

# RISE OF THE STONE PELTERS

Stone pelting first began in Palestine in the early 1990s when pelters came out in hordes to oppose the Israeli Army. In Kashmir, stone pelting went back to 1931, when people stoned the Maharaja's army during the uprising. But that was a one-off occurrence. It was only in 2008-09 that stone pelting became the weapon of choice against Indian Armed forces following the Amarnath land transfer order and the Shopian alleged rape and murder case. The Palestinian-type intifada (intifada in Arabic means "shaking off" and in English can mean "uprising") gained significant prominence in 2010 and has gone on unabated ever since the death of Burhan Wani in 2016. Stone pelters are called "Sangbaaz" in Kashmiri, while the action of pelting stones is called "kanni jung." In 2017, the publicity office of Pakistan's Army dedicated an anthem, titled "Sangbaaz," to stone-pelters, The lyrics talk of how Indian forces shoot rubber bullets at pelters to blind them (*"You can snatch out our eyes, but you cannot snatch our dreams"*).

Interestingly, stone pelting has a religious and symbolic connection. It imitates the annual ritual of 'rami al-jamarat' or 'Stoning of the Devil' practiced by Muslims during their Hajj (pilgrimage) to the holy cities of Mecca and

Medina in Saudi Arabia. Pilgrims throw pebbles at, or "stone," three walls called the jamarat in Medina. This imitates Prophet Abraham's original Hajj when he stoned three pillars representing the Devil. Similarly, in Kashmir, stone pelters regard Indian security forces as the "devil" and re-enact the rami-al-jamarat. The act of stoning is also mentioned in Hadiths (sayings and actions attributed to the Prophet Muhammad).

During Omar Abdullah's term as Chief Minister, a government survey showed that of approximately 200 stone-pelters, over 60% came from families where both parents were illiterate or had quit education during middle-school. With schools frequently shut, the youth naturally got swept up by political propaganda. Lack of employment and economic opportunities for children with incomplete educational backgrounds and an overall bleak future plunged many into depression. Caught in a sad and vicious cycle, young men channelled their despair into the act of stone pelting; an anger which if not given vent to, would otherwise seek to consume them.<sup>74</sup>

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<sup>74</sup> Radha Kumar, *Paradise at War: A Political History of Kashmir*



This rage is understandable. And this very rage erupts and directly targets security forces when innocents die at the hands of the Army and paramilitary. Teenage boys, some even as young as 10 or 12 years old, are not scared to die. Their defiant slogans, while pelting stones, remain "*azadi*" (freedom) or "*maaro ya mar jao*" (kill or die), provoking an even harsher response from security forces. And the harsher the retaliation by the police and forces, the greater is the obsession for *azadi* and to die or kill for their cause. Even the frustration of the educated Kashmiri youth (many of whom have taken to stone pelting) cannot be muffled, given that they are fed with empty assurances about how they are Indian citizens and are yet 'shut out' of the discourse pursued by India. With communication lines still being only intermittently available, the youth of Kashmir, both the educated and those radicalized, feel "their sense of participation" in the larger Indian political narrative has been "sharply reduced."

In 2019, there were 1,999 cases of stone pelting, of which 1,193 took place after the Centre scrapped Article 370 and bifurcated the state into Union Territories. Locals reason that political disconnect of the Valley from the country, and anger towards the atrocities committed by the special forces, have forced pelters to embrace

this form of "gunless" protest. Kamaljit Kaur Sandhu states in an article for *India Today* that when children aged between six to nine years old were asked about stone pelting, one of the kids proudly declared, *"Yes, I have pelted stones."* *On being asked why, the crowd behind the kids prompts them to say, "Because of excesses of forces."* *On prodding on what excesses are faced, another voice from the crowd prompts, and the kids repeat, "because my brother Zahid has been killed."*<sup>75</sup>

However, many stone pelters and petrol bomb throwers do so for money or other basic needs for a paltry sum of Rs. 6,000-7,000 a month. These protesters are paid by Over Ground Workers (people who help militants with funds, logistical support/shelter and other infrastructure) who instruct them how to launch attacks on security forces (according to Intelligence Bureau reports, the ISI, in 2016, channeled Rs 800 crores to separatists, through illegal routes). Peer pressure is another big factor and has contributed to young boys, mainly school and college-going kids or dropouts, to end up as paid pelters.

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<sup>75</sup> Kamaljit Kaur Sandhu in the article "Cycle of violence in Kashmir: Spike in civilian deaths, injuries to security forces in Valley" (*India Today*, March 29, 2017)

The role of social media in motivating and organizing stone pelters has been paramount since the death of Burhan Wani, who himself had acquired the status of 'the darling of the people' through his social media posts. Even today, Kashmiris have used the social media platform to gather global support for their cause. Security forces have responded by cutting the Valley off from the Internet as and when they sense an agitation. Since the abrogation of Article 370, data services have been intermittent.

When pelted by angry mobs, security forces in turn are forced to retaliate (by using pellets, rubber bullets, tear gas shells, etc ;) which often lead to horrific injuries. The army, police come "prepared for anti-terror operations" but instead get pelted by stone throwers leading to injuries and deaths. Many personnel, who have spent over two decades in the service, assert that they don't want to fight their own people and fail to understand why civilians are against the security forces.

Kamaljit Kaur Sandhu of the *India Today* goes on to make a further observation: "*Imtiaz Nazeer, a resident of Ganderbal, Kashmir joined the CRPF in 2013. His heart is in Kashmir and his soul in the CRPF. He says, "Being in the force, we realize that it is difficult to deal with*

*stone-pelters. But we are trained to show restraint." Another soldier Fareed Khan from West Bengal says, "We are hurt physically but what hurts is our own people abetting terrorists hindering operations against them."*

The CRPF has reported the maximum injuries to its men due to mob violence.

The fact that young Kashmiri youths have picked up ordinary rocks and stones to protest against armed government forces, "represents a conscious transition to an unarmed mass movement, one that poses a moral challenge to New Delhi's military domination over the region" according to Kashmiri journalist, Parvaiz Bukhari. A sort of David versus Goliath scenario, so to speak. The Indian government, however, views stone pelting, often unprovoked in numerous instances, as "gunless terrorism," aimed at causing unrest in Kashmir.

## **KASHMIR: MY TWO BITS**

Most of my life I have been confused about Kashmir. As a school kid I barely ever read the newspaper. The first time I went to Kashmir was when I was four years old in 1980. I have very cute pictures from those days. My mom used to tell me how the people there would talk of India as a foreign country.

The first time I had a proper conversation with a Kashmiri was in college. I went to an engineering college in Bangalore where I met Kashmiri Muslims and Pandits. The Pandit friend told me how they had to abandon their home because they were threatened by militants. The rumour about this one Muslim guy in the hostel was that he had an elder brother who was a militant. And after that I dropped the topic from my consciousness. I didn't care. I was young and there were many other things to explore.

Then in 2008 I chanced upon a documentary on Kashmir. It told me about the countless cases of rape, torture, disappearances of men, and the endless searches of their property the people of Kashmir had to endure at the hands of the Indian

Army. I was enraged. How could my country do this to its own people? It was grossly unfair for people to be subjected to this. I felt sorry for the Kashmiris. Then later that year Mumbai was attacked by Pakistani forces. Apparently, they were also responsible for the problems in Kashmir.

I continued with my relative ignorance of Kashmir. It wasn't affecting my life in any way really. In 2014, I made friends with a documentary filmmaker. She would go on to win a National Award for her film on Kashmir. We were catching up at her place, along with her Kashmiri Muslim friend. I asked them what the scene was with Kashmir. They both broke into an almost practiced speech about how Kashmir was illegally occupied by India. I don't remember much of the content. Then I asked them about Kashmiri Pandits. Why were they thrown out? To which they both pounced on me and said "because the Pandits had all the jobs and land and money and the Muslims needed it." Somehow, through the haze, I kind of remember being confused as to how that justified murder, rape and rendering hundreds of thousands of people homeless but at that moment I was afraid of my high being murdered by those two militant women and chose discretion over valour.

Then in 2018 I visited Kashmir for a second time. My mom was very worried that her 41 year old son would be unsafe in a place prone to random violence. So I asked a friend of mine to have me put up at the Army Base next to the airport and I was driven around in an Army officer's car. I called up my old college friend (the Kashmiri Pandit from college) who told me not to worry and that I was safe as long I was not with anyone from the police or the army. I gulped. At that very moment I was getting into the army vehicle that could not be more conspicuous with flags and paint. The driver was from Kerala and told me all the nice wooden houses that were built around Srinagar were made using money received as aid from India as well as money from Pakistan.

I was walking in the lanes adjoining the Hazratbal Shrine when an elderly Muslim gentleman, with a beard and a skull cap and sitting on a chair, said something to me in Kashmiri. I did not understand him and politely asked him what he was saying. He asked me where I was from. I said from India, to which he appeared offended. I thought I had been waylaid by a 'Free Kashmir' fundamentalist. He told me that if I was Indian then I should know the Kashmiri way of saying hello. Then it dawned on me that the man was being friendly. I

apologized to him and asked him to teach me the Kashmiri greeting. He did and then spontaneously gave me a hug as I said bye. This completely disarmed me.

As I had landed in Srinagar, my first experience was that of departmental stores, where I needed to buy essentials for the week-long 'Great Lakes Trek' that I was to embark on in a few days' time. These stores were run by people wearing what I call the 'Srinagar Scowl.' If I went up to a lady manning a store (they were always ladies who would manage the inventory and assist the shoppers) to ask where an item was to be found, I would always be answered with a pointing finger and an expressionless face. At first I thought it was because Srinagar was conservative. But it turned out this was the preferred method of communication in Srinagar for an Indian even at the famous *Ahdoos* restaurant, where I half expected the waiter to point me towards the kitchen when I placed my order. In January 2020, I encountered a Kashmiri couple on a tour bus in Da Nang, Vietnam. I could recognize them from a mile away because they wore the 'Srinagar Scowl.' So the old gentleman at Hazratbal was rather unexpected. What was also unexpected were the young men in their late teens who stopped me as I was clicking photos of the Shrine and exclaiming that



they had never been clicked on a DSLR before. They made me take a few photos of them and also had me search for them on Facebook so that I could add them as a friend and send them the photos later. All of this happened in an unreal fashion, with me barely saying a few words and receiving full instructions on what to do. This happened twice in the span of fifteen minutes with two different groups. I did as I was told, sending them the photos once I was back home in Lucknow. Then it struck me that maybe there was a sinister game afoot and these teen kids might be terror agents, tracking people outside Kashmir and so I removed them from my friend list. In hindsight, maybe I was a wee bit paranoid.

One of the evenings in Srinagar, I had a few drinks with a high ranking Army officer. At one point I asked him what the Kashmir conflict was all about. He called out to his orderly to fetch a map. On that map he showed me the rivers that flowed through Kashmir and into Pakistan. "Water," he said, "that's what the game is about. And other than that ..." he lowered his voice in his own house, "...it's a war over faith."

As it turned out the scowl was limited to Srinagar. My next stop was Sonamarg where I walked to the Thajiwas Glacier. There were two

young men in their early twenties who were the only other people there besides me. They requested me to take a photo of them, a routine I had got used to, and in turn they took a few pictures of me. Then they started chatting with me. They were Kashmiri boys who worked in Jammu as electricians. They were genuinely friendly and took me for tea at the only dhaba at the glacier. As we parted ways, they took my number. For months I would get occasional video calls from one of them who wanted to know “What’s up?”

He wasn't the only one to do that though. Mushtaq, who was working at the hotel where I was staying befriended me and promptly made me his Facebook friend. It basically started with me seeing him in a T-shirt while I was all bundled up in warm clothes and my paternal instincts kicking in and nagging the guy, who I had never met before, to wear something warm or he would catch a cold in the single digit temperature. He still messages me once in a while and we both faithfully like each other's pictures on Facebook.

About five days later, miles away from Sonamarg on the Great Lakes Trail, I was wondering if I would live to see the end of the trek and was comforted to see that of the group

of some 17 random people who had signed up for the trek, at least three others were going to die with me. High altitude trekking at the speed at which we were going can be taxing on the body. At the end of the first day of the trek, I was doing some photography when a twenty something Kashmiri gentleman started a conversation with me. His father had sent him on the trail to look out for some land that they had in this hard-to-reach area. He had completed his graduation in Philosophy and wanted to have a conversation with some “educated” people, being forced to hang out with “uneducated” shepherds on this trail. He remarked on how sad it was that so many problems were being created between Kashmir and India and that he frankly did not believe in any hostility. That young man’s words and his constant smile really touched me.

At three different points during the trek, we had to stop at army check posts and show our IDs. These were not posts by the road. These were posts on a trail that only shepherds followed. At one vague location, that took five days of walking to reach, we reached a large post with a permanent brick hut. One of the many army men at that place was particularly chatty and was asking us to play a cricket match with them. Then he walked up to our guide, Abdul, a fair

Kashmiri man probably in his late twenties, and told him to shave his long Islamic beard or someone from the army would mistake him for a terrorist at night and shoot him. The exchange had a school ground bully feel to it and Abdul just kept looking at the ground and kept on smiling. On the last day of the trek, Abdul carried my bag for me because I was struggling with a bad back.

A few days later I was on the road from Srinagar on my way to Gulmarg in a cab that I had hired. The driver seemed friendly. I decided to take a chance and asked him about the Kashmiris' fight for freedom. And then I asked him about the Pandits. Why did they chase them away? I still cannot forget the answer. "Sir, they had all the money and land so we chased them away and took it from them." I was stunned at his candidness. Later on I was told by a friend, who had stayed at the Khyber Hotel in Srinagar that the staff there had told her that the Pandits did not actually belong to Kashmir so they were chased away.

Pehalgam was my last stop in my two-and-a-half-weeks Kashmir trip. It was mandatory to visit Aru Valley or be branded a loser. I didn't see myself as a loser at that point in time so I took a cab to Aru Valley. I was given one hour

to look around by the driver and then we would have to head back. It was the beginning of September and the skies were still cloudy. It started raining and I found my driver was not in the designated parking area. I went looking for him in the wee little town and found him chilling at a *chai* (tea) shop. I got drenched. When I got back to the hotel, I told the hotel staff who had arranged for the driver about what had happened. They called the driver and blasted him for being irresponsible for treating a guest like that.

After my trip, I was a bit confused about Kashmir. The people there, at least the ones who were not from Srinagar, were very nice and friendly. Yet there was this raging issue of freedom that had everyone in the area up in flames and most people in India wondering what their problem was and why they couldn't be at peace with being Indians. So for my sake I had to dig deeper and find out for myself.

The root of the problem lies in the deep communal divide. The Kashmiri is a Muslim. There used to be Hindus too but they were chased away because they wanted a homogenous lot. The seeds of communalism were sown some 650 years ago, during the Shah dynasty. From then on, Hindus were discriminated against and

even Shia Muslims were not spared, depending on who took the throne. Then the tides turned with the arrival of a Sikh ruler, Ranjit Singh. Muslims suffered what the Pandits had endured for hundreds of years. Things did not change with Gulab Singh and his dynasty of Dogras for the next hundred years. The people saw the rulers as anti-Muslims, which they probably were to varying degrees. This served to strengthen the Muslim identity and since the time of the Partition of India, the Kashmiri Muslims identified with Pakistan and the Hindus with India. This identity was further reinforced in the 1980s leading to the exodus of Kashmiri Pandits and the Islamization of Kashmir. Till date, it is not easy to find a shop selling alcohol in Srinagar as it is un-Islamic. It is clear to me that the Kashmiri people, all of whom were Hindus once, see Kashmir as a Muslim province. It is also clear to me that this view is not really subscribed to by the majority. The people of Kashmir are human beings first and they recognize this fact. The angry, vociferous, propaganda-filled lot compels the rest to project themselves as Muslims first. And India is to be held accountable for a part of this anger and freedom movement.

Nehru never gave the Kashmiris a chance to express themselves through the franchise set up

for them under Article 370, though at all forums he kept on saying that the Kashmiris needed to decide for themselves if they wanted to be a part of India or not. All the elections were rigged till 1979 and only pro-India parties were allowed to stand for elections. Corruption was sewn into the blanket of self-governance, as Nehru allowed Bakshi, the first proper Chief Minister, to do as he pleased while Nehru kept diluting Article 370; something India continued to do until 2019, when the Article was scrapped altogether.

Today, ex-Chief Ministers Farooq and Omar Abdullah, father and son, are being investigated for corruption and no Kashmiri doubts for a moment that they are guilty. This is because India helped foster a culture of corruption much as it did with its own self. Nehru from the start was obsessed with Kashmir, for some reason; maybe because he was a Kashmiri Pandit himself. But then he had never really lived there so it defies logic. He handled all Kashmir related matters himself. Rightfully it should have been handled by the Home Minister. Nehru himself rode into the leadership of the country, riding on Gandhiji's back and his own pedigree and education, so he probably thought nothing of installing leaders of his choice as he did with Kashmir. Maybe if Kashmir had good and honest governance, the people wouldn't be such

a disgruntled lot. However, all this can be termed as conjecture at best.

What is very real is the influence of Pakistan. They justify their involvement in Kashmir and systematic promotion of terrorism as jihad and a freedom struggle. That would not be such a tough pill to swallow if all of Pakistan-occupied Kashmir was not equally dissatisfied with the Pakistan Government, so as to approach the United Nations with the human right abuses there. Even they want an Azad Kashmir, one free from the tyranny of Pakistan. This brings me to the moot point. Pakistan's only reason to claim Kashmir is because its population is Muslim. This is strange because it does not account for the suffering of the people of Gilgit and Baltistan, a large percentage of who are Shias and, hence, not the brand of Islam that Pakistan endorses. There has been conflict between the Shias of Gilgit-Baltistan and the Sunnis who have arrived from Pakistan. Very few of the militants are fighting for an Independent Kashmir; Kashmir as a separate country. Most of them want Kashmir to be a part of Pakistan and want to convert India into an Islamic state. It is difficult to call a militant a freedom fighter under these circumstances.



I personally don't endorse the Islam front. And Kashmir has a strong Islamic case to it. The exodus of the Kashmiri Pandits was a sin that they cannot be absolved of, no matter what argument is presented. 'Kashmiriyat', the culture under which people of different faiths coexist, is long dead. I personally feel that the Constitution of a nation should stand higher than any religion. A country should not be defined by the religion that people follow. I probably sound silly because I belong to a country that is obsessed with religion. The people of India are hyper sensitive when it comes to their religion and it takes barely more than a sneeze to 'hurt' someone's religious sentiments. I recall once seeing a debate on one of the news channels years back. A Christian priest sat on the stage, offended about something someone had said about Christ and the whole affair had been organised to discuss how 'hurt' the priest was feeling. At one point, a young Muslim lady, wearing a burkha with her face uncovered, took the mike and asked the priest why was he so offended because lots of people say many hurtful things against Islam, but her faith was not so fragile that it could be shaken by what people said. The priest really did not know what to say to the young lady. For me, that lady is an icon of what the attitude of Indians should be. India, for whatever its shortcomings may be on this front,

with the minorities in the nation feeling that they are not being treated fairly and equitably, still upholds an ideal of secularism that is worth striving for.

Kashmiris claims they have their own culture and their own way of living. I say take a good look at India, where every few hundred kilometres people have their own culture and their own way of living. After finishing his engineering in Bangalore, a batchmate of mine went to Chennai to work at a software company. He was a Punjabi. One day he went to the neighbourhood *kirana* (grocery) shop to buy some *paneer* (cottage cheese). “You want paneer? Go to your bloody North India and buy paneer.” This is what the shopkeeper told him. I lived in Bangalore for five years while doing my engineering. I faced numerous incidents of discrimination by teachers and local people alike. The brand new KFC there was stoned by a local organization for not conforming to Karnataka and its culture. But I don’t hate Bangalore or its people because I know they are nice people. Screwed up stuff does happen sometimes. Despite the Tamil pride in its language and culture and that of the Kannadigas and the Andhraites and the Malayalis, we have still forged a republic together. Same is to be

said of the eastern states, where each state has its own unique identity and culture.

Another dimension to this Kashmir issue is that it pertains to only the Kashmir Valley. Locals never cared about the people of Ladakh or those of Jammu. Their identity is contained within this small area. Everyone else is an outsider; especially, if you are a Hindu and, doubly so, if you belong to India.

So what is it that the Kashmiris pride so much about their culture that they feel they cannot be a part of the diverse cultures of India? I am afraid the answer for that may lie with how they have been treated since 1990. It's the chicken and the egg story. True, the Kashmiris through sponsorship from Pakistan participated in militant or terrorist activities and so the army moved in. But since then the people there have suffered and are suffering a life punctuated with fear, defiance and guns. I do believe with all my heart that India did try and carry out a genuine dialogue with the people from 1999 to 2012 to try and end militancy. Even after that attempts have been made to have a meaningful dialogue. Unfortunately, with so many stakeholders in the mix - the militant groups (many of whom are at odds with each other), the Government of the state, the people of Kashmir, the Indian

Government and Pakistan - it only takes one screw up from one of the involved parties to ruin a peace process. If a certain militant group wants a ceasefire, another group will shoot it down. If India and Pakistan are talking it out, then a Pakistan-based militant group will perpetrate an act of terrorism. Things might be going well and suddenly a lapse on the part of the army or some corrupt army personnel will destroy the peace. Attaining peace in Kashmir is akin to learning to walk on eggshells.

Why doesn't India just give up Kashmir? That is a question that may be asked of Pakistan too. And it is a difficult one because the Indian Republic is very finely balanced with certain regions wanting autonomy or independence. Kashmir is not the only one. It might send a wrong message out to the rest, if India was to give up Kashmir. And with the ever changing dynamics of the power structure in South Asia, who knows what will happen? Could an independent Kashmir be invaded by Pakistan or China? Pakistan struggles with its own issues with Balochistan, where the people want independence. Who is to say what will happen to the tiny Vale of Kashmir, which will certainly not be able to survive without aid from its neighbouring country, as the area lacks a number of resources. For Kashmir to exist as an

independent country, it will need the power dynamics in the region to be at equilibrium.

So how do we resolve the issue? I really don't know. I have read many books that offer different solutions. One by Christopher Snedden offers many possible scenarios depending on the different possibilities that may play out. There are contingent on a number of 'what ifs.' What if China decided to do this or what if the people in Azad Kashmir decided to do that or what if the military in Pakistan was disabled? I will not dwell on those because it's an exercise in permutations and combinations. What I see far more possible is that for India to reach some kind of resolution with the Kashmiri people and to provide them with such a favourable environment within their land that Kashmiris are content with being a part of India.

The current Government has put an end to dialogue and has imposed a lockdown on Kashmir that seems like the opposite of what we want to achieve. Maybe it thinks it can flush out militants altogether during this Draconian curfew that the area has seen since 2019. A part of what must be on its mind would be to try something different as previous methods of talks have not helped. It stands to reason that even

curbing of whatever freedom Kashmiris had, will be provoking them to pick up arms.

What I say is, as an Indian I would like Kashmir to be a part of India. Also as an Indian, I would like Kashmiris themselves to *want* to be a part of India. As an Indian, I don't want the people to suffer as they have, whatever be the reasons. My friend Mushtaq of Sonamarg had put up an anti-India meme on Facebook and I wrote to him scolding him and launching into a rant about how he should come to Lucknow and see Hindus and Muslims living in peace. His reply was very short: “Yes, sir. It is a war like situation here, sir.” There is no way sitting at home, wherever you are, for you to understand what the people there are going through. And as an Indian I hope what I have written, will make you understand Kashmir a little bit better.

**Kunal Verma**