The Kashmir conflict in all its manifestations can be contextualized in terms of a number of issues such as the issue of identity and self-determination, the issue of centre-state relations, an issue of regional conflict between India and Pakistan, and the issues of militancy and insurgency. Being sensitive to all these issues this study began by exploring the democratic discontent prevailing in the state of Jammu and Kashmir and traced its roots in the historical genesis of the state. It then also evaluates the prospects of the ongoing peace process in the post-Kargil era to restore the erosion of democracy in the state.

Decline of political institutions, militancy and alienation of people from the centre have been important factors which led to the erosion of democracy in the state.

At times democratically elected leaders of the region were removed through the Central government’s intervention and democratic movements were suppressed. Democratic institutions were never allowed to grow in a free and fair way. Various scholars have mentioned that there have been constant rigging of elections in the state which prevented the development of autonomous and fair political competition between political parties. Common people gradually started loosing faith in leadership. Due to gradual extension of presidential orders to the state, a kind of resentment developed among the people that their right to autonomy has been taken away by the central government.
Kashmir was acceded to India under extraordinary circumstances. When it was invaded by Pakistani raiders, Maharaja Hari Singh, the ruler of J&K at that time, signed the instrument of accession with Indian government. Initially it was decided that the question of state's accession should be settled by a reference to the people and so, subsequently the issue was referred to the United Nations. Peaceful solution of the Kashmir problem could not come out in United Nations as prior conditions of holding a plebiscite could not be held. Pt. Nehru withdrew the offer of plebiscite as Pakistan never demilitarized areas under its control which was the prior condition of holding the plebiscite.

The historical circumstance under which Kashmir was acceded to India has till today deep impact on the psyche of Kashmiri people. According to the findings of the field work conducted as a part of this study, majority of the people even today want to have freedom to make decisions about their state. They believe that Kashmir with its own independent history has a distinct identity and they should be given the right to maintain that identity independently.

The J&K state is characterized by multi-level plurality on the basis of culture, religion, language and ethnicity. Such plurality has its impact on the political perceptions and responses. The divergent nature of political aspirations within the state has given rise to different levels of politics operating within the Jammu, Kashmir and Ladakh regions. There are diverse demands from different regions of the state related to governance, autonomy, development and political participation. However, these demands remain unaddressed by successive Central and state governments resulting in a feeling of discontentment among the Kashmiri people. An important exogenous source of this
discontentment is the regional conflict between India and Pakistan over J&K. Militant groups like Hizbollah, Hizbul Mujahideen, Harkat-ul-Ansar, Laskar-i-Toiba, Al Badr and Jaish-i-Mohammed receiving support from Pakistan have been a constant source of tension and conflict in J&K.

The Kargil war between India and Pakistan in 1999 was an apparent manifestation of the interference of Pakistan in J&K. In the post-Kargil era there has been a change in the perception of the important actors involved in the Kashmir issue namely, Indian government, Pakistani government and militant groups. The Indian government's new policy initiative towards Kashmir aimed at isolating the forces perpetrating violence, initiating negotiations with separatists and re-engaging with Pakistan in a composite dialogue. The peace process has been started by the Indian government at the regional, national and the international level. Pakistani government for the first time spoke of 'maximum self governance' as the key to resolve the Kashmir issue and perceived that a solution of the Kashmir issue was possible in a bilateral framework. The Kargil crisis had a paradoxical impact on the secessionist movement in the valley. Pakistani withdrawal from Kargil under international pressure had a profoundly demoralising effect on the militants. It confirmed the fear of the militants' that Pakistan did not have the political will to take on India on the Kashmir issue.

As we have already discussed in previous chapters that dialogue and peace processes are necessary in conflict ridden situations so that democratic norms can be established to preserve civil liberties of the individuals and the group. To restore democratic norms sustainable peace environment is necessary to provide effective communications, consultations and negotiations at different levels and between the major
stake holders. So peace process in Jammu & Kashmir have been started to restrain discontentment prevailing among the different sections of the society. Peace process will be an effective channel to express the aspirations of the multi religious and multi ethnic society of Jammu and Kashmir state. The most challenging aspect of the peace process is to think beyond the narrow conceptions of self determination, nationalism and ideology. The challenge for political leaders engaged in the peace process is to segregate the political and territorial dimensions of the demand for self determination and work towards safeguarding the political rights of the people of Jammu and Kashmir. It is essential for various local, national and international players to lend their support to a sustained dialogue on Kashmir in order to find out a mutually acceptable and negotiated solution to the conflict.

A remarkable shift in the state politics of J&K was brought about in the post-Kargil era by the 2002 state assembly elections. It was much more competitive than any election before. For the first time in the electoral history of the state all the three regions of the state had real and intense party competition. The most crucial development related to the 2002 election was a break in the hegemonic role of the National Conference within the valley due to the emergence of another regional force, the People’s Democratic Party (PDP). On the whole, the 2002 elections have introduced a new era of competitive politics, especially in the region of Kashmir. It has given a sense of participation to the people which they never had in earlier elections. This shows that people still want to adopt democratic means for the solution of their problems and secessionist movement has failed to mobilize people for self-determination. The challenge for the political leadership

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in Kashmir today is to segregate the political and territorial dimensions of the demand for azadi and work towards safeguarding the political rights of the people of Jammu and Kashmir.

The peace process initiated by central government has evoked different reactions from different regions of the state. In Jammu, majority of the people support the peace process initiated by the Central government. However, people from the Kashmir valley have a lot of reservations on the peace process. Jammu people are in favour of the Indian government’s imitative to have a dialogue with Pakistan and separatist leaders while the Kashmiri’s are of the opinion that views of various sections of the state have not been taken into account in peace process. They feel representatives of all ethnic groups should participate in the talk process then only the process can become meaningful.

In the opinion of Kashmiris there is a lack of sincerity in peace process from both India and Pakistan side. Kashmiri people’s views and their aspirations come at the third place after India and Pakistan. To make dialogue and peace process effective, all communities and sections of the state should be represented and their demands should be channelised to know what actually they want from the peace process.

As Rekha Chowdhary\(^2\) mentions that Kashmir problem is a multilayered and multidimensional problem. There are many actors involved in this, so to make peace process effective, it is needed that all actors are involved in the talk. Peace process should reach at the grass root level. People still feel that peace process has not made any difference on their lives. For them it is a part of politics and talks are going on at an elite level without considering the problems of common Kashmiris.

\(^2\) Interview with Prof. Rekha Chowdhary, Head of Dept. of Political Science, Jammu University on 3.7.2006.
There should be a trilateral dialogue between India, Pakistan and Kashmiri people. During the field work it was found that Kashmiris want both India and Pakistan to leave their rigid attitudes regarding Kashmir issue. POK and India occupied Kashmir should be united and there should be more and more interaction between both sides. Later Kashmiris should be given a chance to decide about their future. Kashmiri’s civil society views should be taken into account. There was a constant emphasis that pro-Pakistani factions of the APHC should also be included in the talk. Jammu people also keep the same opinion about peace process that it should reach to the grass root level and people of J&K should be involved in the peace process.

They also feel that several times these type of initiatives have been taken by government but nothing concrete has happened, so there is a need of sincerity in peace process. For Jammu people broadly, peace process should incorporate all sections of the society and it should actually do something for the welfare of the people. For them government should take up the agenda of development of the state in solving the crisis of J&K.

For Kashmiri people, peace process can never be effective, unless it involves the Kashmiri people and ultimately give them a chance for self determination. For them, more than development agenda, it should be headed towards granting the right to Kashmiris for their future determination. For them, question of ‘azadi’ comes before any peace process. So discontent prevailing among people is due to lack of participation of people in governance, lack of performance of government and its inability to protect civilian rights and liberties, holding of free and fair election and lack of grass root level
of democracy. In a sustainable peace environment democratic institutions can be established in the state to curtail democratic discontent.

**Recommendations**

The starting point to resolve the problems would be to view the conflict from the people’s perspective and not simply as a territorial dispute. Though this is also true that in the post-Kargil era, both sides have shown quite flexibility in their conservative attitudes towards Kashmir, but there is a need to focus on the sentiments of Jammu and Kashmir people.

Both India and Pakistan need to rethink their Kashmir strategy. Both sides have learnt by 1947 and 1965 wars that the Kashmir issue can’t be resolved militarily. Navnita Chadha Behera\(^3\) correctly suggests that there should be empowerment of people in the peripheral regions. A bottom-up decision making process should be institutionalized and panchayats should be empowered for developmental plans.

Since J&K is a multiethnic state, so social and political interests of all the communities should be taken into account. In fact a minority commission in the state analogous to the National minorities commission should be created. There is a need to give them autonomy for self governance. There regions of the state, Jammu, Kashmir and Ladakh should be given regional autonomy to manage their own affairs.

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Withdrawal of security forces is also required. To check the human rights violations, Human rights commission should be appointed by the government so that the suffering of common people can be curbed.

Social and economic grievances of the Kashmiris should be addressed up to some extent. Development of economy is a big issue. State has many unemployed people due to lack of industrialization. There is a need of private sector to play a role in the development of the state. Tourism, leather and horticulture industries should be given a boost to flourish. State keeps facing the shortage of power since starting, so there is a need to utilize the hydel power of the state which has been started by the central government.

Employment generated industries should be installed as due to lack of employment and repression of local dissent youth of the state will be forced to take the path of secession.

Rehabilitation of militants was also promised by the government but no concrete steps were taken in this regard. Similarly rehabilitation and return of Kashmir pandits to the valley should be given a serious thought.

Non-government organizations, social institutions, community leaders and grass root workers should play a positive role in solving the social problems of the state and thus filling the gap between Kashmiris and other Indians.

To make peace process successful it is necessary to take into account the basic problems of the Kashmiri people and then proceed further. All communities and sections demands should be taken care and there is a need to create a political system that allows a
healthy social, cultural and political space for the Kashmiris to grow and to help them in protecting their interests.

A new chapter has begun in the history of Jammu and Kashmir with the beginning of the peace process in the post-Kargil era. Major changes have taken place in the approach adopted by India, Pakistan and the separatist forces towards the Kashmir issue. With the rise of new political parties like Peoples' Democratic Party in the 2002 elections a new era of competitive politics has been ushered in the state. It has given a sense of participation to the people that they never had in earlier elections. However, restoration of democracy in the state can be ensured only by involving all sections of the people of J&K in the peace process.