INTRODUCTION

For over half a century Kashmir issue has been marked by irreconcilable differences and misunderstandings. The crisis in Kashmir has been the outcome of deep-rooted discontent accumulated over the past several decades. Scholars, policy makers and administrators have been writing about the factors that have led to this crisis. Amongst them, Sumantra Bose (1999) has identified both endogenous and exogenous sources of conflict in Kashmir. Endogenously, the socially heterogeneous population of Kashmir has several fundamentally different political preferences and allegiances. A major exogenous source of the Kashmir conflict is the regional conflict between India and Pakistan. Dispute over Kashmir is the single most symptom of the deep rooted animosity between India and Pakistan.¹

The state provides a very apt example of multi-level plurality on the basis of culture, religion, language and ethnicity. It consists of three divisions (Jammu, Kashmir and Ladakh) which are otherwise geographically distinct units. Jammu region is partly dominated by Hindus (especially Jammu, Kathua and parts of Udhampur district) while the Kashmir valley is dominated by Muslims. Ladakh is inhabited by Muslims and Buddhists. 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 regions. Three regions of the state namely,

Jammu, Kashmir and Ladakh have different demands from the Central Government. Most of the Kashmiri people want independence from the Indian Union to form their own nation state. The people of Jammu want to remain with India but want more regional autonomy. Ladakh demands Union Territory status within the Indian constitutional framework.

Roots of Discontent

The discontent prevailing in Jammu and Kashmir (henceforth J&K) has deep roots in its history of accession to the Indian Union. Initially the question of the state’s accession was to be decided by the people of Jammu and Kashmir through plebiscite, but later it was withdrawn. This left a deep impact on the people of Jammu and Kashmir as till now they want to decide about the future of the state and want to remain independent. The political arrangement which, emerged in the Jammu and Kashmir state after signing the Instrument of Accession, suffered a serious crisis of legitimacy. At times democratically elected leaders of the state were removed through the Central Government’s intervention and democratic movements were suppressed. The dismissal of Shiekh Abdullah, the Chief Minister of J&K at that time and the most potent advocate of the state’s autonomy, in 1953 shattered the faith of Kashmiri people. Various Presidential Orders carried out during 1953-75 in J&K further increased the political vacuum between the Centre and the state.

Sten Widmalm (1997) argues that the poor record of democracy in J&K is characterised by constant rigging of elections and by various forms of intervention by the
Central government which prevented the development of a fair and autonomous competition between political parties. M.J Akbar is of the opinion that despite institutional decay and Centre-state conflict democracy continued to work for almost a decade in the 1970s.

As long as democracy performed fairly well, violent conflict remained low. As political intervention from the Centre increased and the strength of National Conference (NC) Party declined in the decade of the 1980s the incentive to resort to violence grew. Finally this led to the widespread conflict which broke in 1990 after a rapid escalation in violence in 1989. In the name of freedom struggle many terrorist groups like Hizbollah, Hizbul Mujahideen and Harkat-ul-Ansar etc. are operating in the state. By August 1989 the spate of killings and kidnappings had increased. The ruling political elite, specially the National Conference leaders were targeted by the militants. The pressure built by the militants was so intense that the Farooq Abdullah government resigned from power in early 1990 and the Legislative Assembly of the state was also suspended. Other political parties also suspended their activities in the valley. In the situation of intense militant activity in mid-1990, the Kashmiri Pundits, who were in minority, felt threatened and migrated to Jammu and other parts of the country. A very large number of insurgents, police, para-military personnel and civilians have lost their lives since the onset of insurgency.

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Myron Weiner mentions that in poly-ethnic states political mobilization develops along ethnic lines and results in inter-ethnic tensions. The failure of governments to accommodate rising political demands within an institutional context can culminate in political violence. This theory correctly explains the nature of insurgency and roots of discontent prevailing in J&K.5

Research Objectives

This study aims to look at the political process in the Jammu and Kashmir state in its historical background to find out the factors which led to the erosion of democracy in the state. Decline of political institutions, militancy and alienation of people from the centre have been important factors resulting in the erosion of democratic process in the state. It also examines the reasons why militancy replaced politics in the period of 1990s and resulted in the outbreak of insurgency in the state. Besides political factors, socio-economic factors have also aggravated the situation. Unemployment, corruption, economic stagnation have made the youth disenchanted with the government and the system. Commercially the state continues to be backward. There is no large-scale industry as such and in spite of hydroelectric potential in the state, power shortage is an acute problem especially in winters.

I would like to explore the role of socio-economic factors in the decline of democracy in the state. Only development of political institutions cannot provide a true

democracy. Good governance, economic development and decentralisation of powers from the central to panchayat level can make democracy work in the state.

The study also intends to look at the ongoing peace process initiated at various levels in the post-Kargil period and its prospect of restoring the democratic process in the state. The discourse on the peace process has brought into focus the multi dimensional and multilayered problems of the state. It is assumed that there is conflict at two levels: conflict between India and the people of Jammu and Kashmir and the conflict between India and Pakistan. A sustainable long-term peace process is needed to resolve both these conflicts. “There have been developments in the state after nuclear tests in 1998; the 1999 Kargil war, military coup in Pakistan, changing nature of militancy inside the Kashmir, resuming the bilateral dialogue between India and Pakistan which have led to a shift in India’s policy on Kashmir issue. There have been changes in policies on Kashmir in the post-Kargil era at three levels. 6

1. Changes in India’s policy towards Kashmir.
2. Changes in the policy of separatists forces in Kashmir.
3. Changes in Pakistan’s policy towards Kashmir.”

Amitabh Mattoo outlines three elements in Indian government’s new policy initiative towards Kashmir – First to isolate the forces perpetrating violence; second, to initiate negotiations with separatists and finally to re-engage with Pakistan in a composite dialogue. There has been an initiation of dialogue with separatist forces at regional as well as at national level. The Central government has indicated its willingness to speak to any Kashmiri group or militant organization. This willingness is significant because...

6 Amitabh Mattoo “India-Pakistan and the Kashmir Issue” World Focus. 23(9) September, 2002. pp. 23-25
unlike the past no conditions were laid this time and it was not confined within the framework of the Indian Constitution. Many of the leaders of the All Party Hurriyat Conference (APHC) are now willing to have a bilateral talk with India, while earlier they were insisting on a tripartite dialogue involving Islamabad.

On 18 November 2000, India announced a unilateral ceasefire. It was argued that such a step would not only isolate forces that were perpetrating violence but would create conditions under which Kashmiri people would fight against people spreading terror and violence.

After ten years of insurgency and military struggle which has only brought economic ruin, political disarray and social impoverishment to the valley, extremists groups are now forced to think if they should continue this strategy or not. Taking advantage of the situation, the Central government had started the peace talks with extremists groups. Mr. K C. Pant was appointed as its representative to hold a broad based dialogue with all Kashmiri groups, including militant organization and Hurriyat Conference without any preconditions in 2001.

Peace process can establish political institutions, but how it is going to solve the problem of militancy and the problem of alienation of Kashmiri people from the centre will be enquired in the research.

There are problems in negotiations between the two countries. This study aims to find out the asymmetry in the nature of power structures in India and Pakistan which provides an obstruction in a desired eventual accord.
Indian government says that Kashmir is not the core issue, the issue is more about the problems in Kashmir rather than the problem of Kashmir. Whereas for the Pakistan government disputed territory of Kashmir is the core issue.

A qualitative shift occurred in international politics after the September 9/11 attack on America\textsuperscript{7} in 2001 which hardened India's policy towards Pakistan. Under international pressure India and Pakistan started peace talk, but why every time accords and agreements result in failure? What confidence building measures can be taken between India and Pakistan? These questions are probed in the proposed research.

The state assembly elections 2002 have opened a new window for peace in the troubled Jammu and Kashmir state. These elections have restored the legitimacy of the government which was lost since 1987. The 1987 assembly election, which resulted in massive victory for the NC-Congress combine, was perceived to be widely manipulated. It reinforced the prevalent feeling that Kashmiris would never get a fair deal through democratic means. NC-Congress coalition government created a sudden vacuum in opposition politics. Both anti-state government and anti-centre sentiments were deprived of a secular outlet. The rigged elections of 1987 blocked democratic outlet of discontent also.

The defeated candidates of 1987 elections formed the nucleus of the militant movement. The 1987 election results were controversial and the NC-Congress alliance got a very narrow victory in as many as eleven constituencies in the Kashmir region. In all these constituencies a significantly large number of votes were rejected. The Muslim

\textsuperscript{7} The September 11, 2001 attacks (often referred to as 9/11) consisted of a series of coordinated suicide attacks by terrorists on that date upon the United States of America.
United Front (MUF) and other opposition leaders did not accept the election results and withdrew from politics to join the secessionist and separatist forces.

Alienation in Kashmir, therefore has been the outcome of stifling of democratic space in the valley by the political vacuum that continued throughout the period of early nineties and could not be filled even in 1996 when the next assembly elections were held. The credibility of the democratic process was so eroded that the political parties and leaders became irrelevant and had to withdraw themselves from the scene. This election could not restore the credibility of democratic politics as separatist forces remained vibrant. The National Conference that formed the government with a massive majority failed to attain legitimacy. It also lacked acceptability among the common Kashmiris. Even after being elected to power, it could not restore the trust of the people. It sought to revive its politics of identity, but this politics failed to take off. The discourse of regional autonomy that it initiated in 1994, did not strike a chord with the Kashmiris.

One of the reasons for the inability of the National Conference to recover its lost ground was its continued proximity to the centre. More particularly, its association with the BJP led NDA government at the centre did not appeal to common Kashmiris. So, the people of Kashmir remained largely indifferent to its politics. The only logic of National Conference's political survival was based on the support from the centre rather than the people.

Assembly elections in 2002 attained a relatively higher degree of legitimacy not merely for procedural fairness but also for the quality of participation. One of the most crucial developments related to these elections has been a break in the hegemonic role of the National Conference within the valley due to emergence of another regional force.
People’s Democratic Party (PDP). Though democratic choices were available in 1996 elections also but this time there was a vigorous competition between PDP, NC, Congress and other parties. For the first time in Jammu and Kashmir’s political history, NC was voted out of power through the ballot box and so much so that its chief ministerial candidate Omar Abdullah lost election too. This proved that people could change their political future through a democratic manner. The outcome of the 2002 elections provided the PDP-Congress alliance in the state an opportunity to prove its credibility through good governance.

These elections have demonstrated that a large section of Jammu and Kashmir is once again willing to give democracy a chance. This is a unique situation as a very strong and determined opposition from the National Conference has emerged. This is a very promising scenario for a state where opposition was never allowed to grow.

Another question that has been addressed is whether the Indian state can provide adequate security, democratic governance and socio-economic development of the people of Jammu and Kashmir. Can the present Indian state provide satisfactory governance in Jammu and Kashmir?

Quest for peace must mean taking cognizance of different dimensions of the problem and then addressing them in the manner they deserve. Government formation in Jammu and Kashmir should not be perceived as the culmination of a process but as a beginning towards establishing peace in the state.

What are the essential pre-requisites of good governance which can be adopted by new government at state level? What are the people's priorities? How these elections are
different from previous elections? How India is going to balance the domestic as well as international front on this issue? All these questions are enquired in the research.

This generation of Kashmir is better educated and informed. They are therefore, politically aware of the denial of their political, civil and democratic rights. A political strategy that embraces the political, social and economic opinion of all sections is required.

**Review of Literature**

Scholars like Sumit Ganguly and Sumantra Bose have sought to provide a theoretical explanation of the secessionist movement of Kashmiris. Sumit Ganguly explains insurgency in Kashmir by linking the processes of political mobilisation and institutional decay. In his book “The Crisis in Kashmir” (1986), he argues that the “insurgency in Kashmir is the result of a fundamental paradox of Indian democracy. Kashmir represents both the mobilisation success and simultaneously, the institutional failure of Indian democracy...and it is in this dichotomy, the increase in political mobilisation against a background of institutional decay that best explains the origins of the secessionist insurgency”.

Sumantra Bose (1999), in his article “Kashmir: Sources of Conflict, Dimensions of Peace”, has identified both exogenous and endogenous sources of conflict in Kashmir. The major exogenous source is the regional conflict between India and Pakistan. Disputes over Kashmir is the single most important symptom of the deep rooted animosity between India and Pakistan. Endogenous source exist in the form of several

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fundamentally different political allegiances and preferences among the socially heterogeneous population of Kashmir.

Some of the scholars have linked the democratic discontent prevailing in Kashmir with external factors in an international relations framework. Ashutosh Kumar (2002) argues that Kashmir today receives the foremost attention of the advanced capitalist democracies in the world. This can be primarily explained in terms of many factors like, geo-political location of Kashmir that has always been of strategic significance. Kashmir shares common frontiers with Afghanistan, Pakistan, China and Central Asian Republic. Secondly, Kashmir dispute has made South Asia in the eyes of the West, 'the most dangerous place in the world'. Four wars and a simmering war like situation over the last five decades between India and Pakistan have been a major source of concern for the US led 'free world' involved in the global war against terrorism. Moreover global capitalist forces working for regional cooperation would welcome a peaceful solution to the Kashmir problem as it would strengthen the South Asian free trade agreement.

Navnita Chadha Behera in her recent work “Demystifying Kashmir” (2007) examines the conflict over Kashmir in the context of a political battle of statemaking between India and Pakistan, rather than an ideological Hindu-Muslim conflict. The main powers, US, Russia, China and Europe, have no direct involvement in this state. Their main concern is that Pakistan and India do not go to nuclear war.

Rajat Ganguly (2003) argues that the President Musharraf is really keen to hold meaningful talks with India aimed at finding a lasting solution to the Kashmir dispute. Such a change in policy will ultimately prove to be advantageous for Pakistan’s domestic development and international standing especially in the aftermath of September 11. In
the post September 11 scenario, US has asked Pakistan to stop all infiltration across the LoC and to respect the sanctity of the LoC in Kashmir. President Musharraf would be wise to move Pakistan away from a confrontational relationship with India over Kashmir and seek some sort of accommodation with New Delhi.

Amitabh Mattoo (2000) suggests that a new opportunity for peace exists in Kashmir. The Kargil war has helped to create this atmosphere. The government of India has taken steps to make the most of the growing Kashmir peoples’ sentiments against violence and to strengthen the constituency for peace. He argues that there are two central hurdles that stand in the way of peace in Kashmir: conflict between India and people of Jammu and Kashmir and the problems between New Delhi and Islamabad. Second, that a sustainable long term peace process would resolve both conflicts. He opines that several factors have led to the significant change in the attitude of the Government of India. One of the most important factor is the perceived shift in international public opinion since Kargil war. There were widespread dismay at Pakistan’s violation of the LoC and there was considerable support for India’s restraint at LoC. In the post Kargil period therefore, America made suggestions to New Delhi and Islamabad for carving out a more sensitive policy for the solution of the problem.

Ghulam Nabi Fai (2000) explores the possibility of peace process initiated at national and international levels. He argues that there cannot be and should not be any conditions imposed on any party other than commitment to negotiations. All parties to the dispute must get seriously engaged to reach for a final settlement. Talks can only be useful if they reflect sense of urgency and prepare the ground for step by step plan of settlement. He suggests that each party to the dispute should be ready to make some
concessions and compromises. Siraj Shah (2000) points that India and Pakistan will have to soften their attitudes and give up their ostrich like posture-vis-à-vis Kashmir. Both must acknowledge that people of Jammu and Kashmir are a principal party to the dispute and whatever solution is sought should be in accordance with the wishes and interests of the people of Jammu and Kashmir. Pakistan must help in creating conditions that allow dialogue to succeed by ending their support to all militant activities within Kashmir and across LoC.

Some scholars have provided solutions to the Kashmir problem in good governance and competitive politics through free and fair elections so that dissent can be expressed through democratic procedures. Navnita Chadha Behera (2000) examines that a new class of political leadership has emerged from the assembly elections which must now try to segregate the political and territorial dimensions of the demand for azadi and work towards safeguarding the political guides of people of Jammu and Kashmir. She mentions that the hallmark of the Jammu and Kashmir assembly elections lies in the re-establishing the legitimacy and primacy of the ballot over the bullet. She is of the opinion that current assembly elections have marked a significant point of departure. For the first time in Jammu and Kashmir’s political history, the mainstream political parties such as National Conference and Congress have contested election from a purely secular platform, on secular issues. A related challenge for the new regime is to reverse the increasing and deepening communization of polity and society of Jammu and Kashmir. Another important agenda for the PDP led government is to hold unconditional talks with the militants.
Muchkund Dubey (2002) observes that election results constitute a mandate for providing good governance. The results reflect a longing of the people for peace, safety and security. It is true he argues that state’s people will not feel safe as long as the militants continue their violent activities and Pakistan continues to support them. It is also true that for carrying on their day to day activities they want a corruption free Government and the state to cease to be an instrument of harassment, torture and oppression.

Rekha Chowdhary and Nagendra Rao (2002) highlight that one of the most crucial developments related to the recently conducted elections has been a break in the hegemonic role of the NC within the valley due to emergence of PDP. Unlike the past when no democratic choices were available to the electorate due to lack of competition, in 2002 elections there was a vigorous competition involving not only the NC and PDP but other parties also. They observe that the positive political environment that has been generated after the elections needs to be sustained. There is sufficient ground for the government of India to initiate the promised process of dialogue with different political actors including the separatists. The process of engaging the separatists at this juncture would certainly help in creating an environment in which possibility for long term peace will be ensured.

Some writers have focussed on the multi-layered and multidimensional nature of the Kashmir problem and provide solution by taking into account the aspirations of all communities in the state. In Balraj Puri’s (2002) views, a multilayered and multidimensional dialogue should be called to resolve the complex problem of the state.
Dialogue between India and Pakistan at official levels, dialogue between the centre and the state and a dialogue between three regions and intra regions is needed.

Rekha Chaudhary and Nagendra Rao (2003), contend that the divergent nature and political aspirations within the state has given rise to different levels of politics operating within the regions and sub-regions. This politics is characterised by the politicisation of multiple identities. In the last one decade or so the assertion of these identities has given rise to a sharply focussed politics at the regional and sub-regional levels. Thus aspirations of all communities should be taken into account while providing solution to the Kashmir problem.

However, these reviews do not really link the need for the peace process with the establishment of democratic procedures in the state. This study explores the historical genesis of the democratic discontent prevailing in J&K to evaluate the prospects of the ongoing peace process for the restoration of democracy in the state. In the post Kargil era, the situation in Kashmir has changed rapidly. The study examines the peace process initiated after the Kargil war and evaluates its prospects for establishing democratic institutions in the state.

Methodology

This study is based on primary and secondary sources. Primary sources include reports, records, government sources, questionnaires and interviews. It also involves empirical research in the form of field work conducted in the state of Jammu and Kashmir. Data was collected keeping in mind the representation of all age groups, income categories, level of education, religion, occupation and sex. In Jammu, camps of
migrated Kashmiri Pundits namely, Mutti and Mishri camps were also included in the survey. A stratified random sample of 150 people was taken from the Jammu region and that of 200 people was taken from the Kashmir region. Interviews were conducted with researchers, writers, academic scholars, experts and media persons. In Srinagar representatives of civil society organizations like Jammu and Kashmir Coalition of Civil Society, Indo-Global Social Service Society, Mercy Corps were also interviewed. The study takes an analytical approach towards data collected through questionnaires and interviews. Secondary sources are based on books, journals, newspapers, articles and magazines etc.

Outline of the Study

The first chapter of my thesis is related with the analysis of different perspectives on democracy. It tries to explore the link between the democratic process and its various institutions. Simultaneously, the link between democracy and peace has been explored to find out why peace process is necessary to resolve the problems of democratic discontent. Indian democracy has been scrutinized from various dimensions. I have discussed the point of view of different scholars to evaluate the success and failures of Indian democracy. The democratic discontent prevailing in Jammu and Kashmir has been explained as one of the fundamental paradox of Indian democracy, as increase in political mobilization in the absence of political institutions has resulted in insurgency in the state.

The second chapter covers the historical background of the state from signing of instrument of accession to 1996. It has been divided into three phases. The first phase is related to the close alliance of the Central government under Jawaharlal Nehru’s
leadership and Sheikh Abdullah, who was the Prime Minister of the state. The matter of Kashmir, which was taken to United Nations in 1948, has been discussed. The role of the United Nation Commission for India and Pakistan (UNCIP) to carry out the United Nation's (UN) mandate in Kashmir is analyzed. Sir Amen Dixon and Dr. Graham Frank were appointed by UN to handle the situation, but nothing could work out and the matter was left with the people of India and Pakistan to resolve it bilaterally. In the end of phase one, Sheikh Abdullah was detained by the Central government which shattered the faith of Kashmiri people.

The second phase between 1953 and 1983 was marked by the internal and external developments in the state which made things more complex. The promise of plebiscite was withdrawn by the Central government and Constitutional orders were extended to state government in Kashmir which led to the erosion of autonomy of the state. Phase three between 1983 and 1996 resulted in the growth of militant activities and militant organizations in the state. Blatant rigging of elections and time to time Presidential and Governor’s rule in the state were among the many factors, which complicated the process of establishment of democracy.

The first two chapters explore factors that gave rise to democratic discontent in the state. Chapter three is related to the post Kargil phase when dialogue and peace process was initiated in J&K to restore democratic process. This chapter explores in detail the external and internal factors which led to changes in the Kashmir policy. In the post 9/11 scenario an international consensus was emerged to tackle the problem of militancy. Secessionist forces in the state also started realizing that violent activities are
not going to solve the problem. So, dialogue initiative was taken by them and ceasefire was announced.

Assembly election in 2002 also marked a significant point of departure. There was a break in the hegemonic role of National Conference due to emergence of PDP. The elections have demonstrated that large section of the Jammu and Kashmir is once again willing to give democracy a chance. According to some experts, this is a very promising scenario for J&K where opposition was never allowed to grow. This chapter has made an assessment of the changes in policies at various levels.

The fourth chapter deals with the impact of peace process and the new Kashmir policy. This chapter attempts a critical analysis of the dialogue and peace process initiated in the state. It would try to understand the domestic and international compulsions of India and Pakistan regarding Kashmir issue. The views of politicians, media and scholars have been examined to analyze the prospects of the peace process in solving the Kashmir issue. This chapter also presents a comprehensive analysis of optimistic and apprehensive approaches towards the peace process.

As critics point out, despite several confidence building measures and agreements finalized between India and Pakistan, situation is the same today. For Pakistan, Kashmir is still the core issue and no other issue can be solved without solving the Kashmir issue and for India Kashmir is one of the issues between India and Pakistan which will be resolved with other issues. So, asymmetry in the perspectives on Kashmir issue is to be analysed to find out the solution in a broader framework. In fact a lot of domestic compulsions are involved from Pakistan's side as its government has to contain militant
forces also. Various obstructions in the negotiations between India and Pakistan are overviewed to understand the limitations of the peace process.

The fifth chapter examines the views of the Kashmiri people on the peace process. This chapter tries to find out the basic problems of Kashmiri people, their expectations from the state and Central government and their various demands. It examines the extent to which the peace process can solve the basic problems of the people of Jammu and Kashmir. It includes the findings and observations of the field work conducted in Jammu and Kashmir regions. The field work adopts a comparative approach while collecting the views of people from the Jammu and the Kashmir regions.

The overall findings and observations of the study have been summarised in the Conclusion. It also provides suggestions and recommendations that emerge out of the study to contribute towards the resolution of the Kashmir issue.