CHAPTER 2

2. GROWTH OF MILITANCY: AN ANALYSIS OF HISTORICAL-POLITICO FACTORS

Kashmir’s accession to India has been controversial as it occurred in special circumstances. As shown in the first chapter, it was India who took it to international mediation through UN and India’s first Prime Minister (Jawaharlal Nehru) promised to solve this dispute and integrate amicably Kashmir through the democratic technique of plebiscite. However, after living many years in peace, the Kashmiri movement took an unfortunate turn in late 1980s- armed resistance began which resulted in huge violence, killings and destruction- Here, at this juncture various questions arise, such as why after 40 years of living within India, the people of Kashmir rose against the sovereignty of India in the state? If they wanted to secede, why did they help to repel invaders in 1947 whose ostensible mission was to liberate them? Why did the movement turn violent? What were the factors responsible for the outbreak of armed resistance? What was the role of Indian State? etc., it is never easy to answer these obvious questions and many scholars have continuously tried to grapple with these questions and look for answers.

Sumit Ganguly, a noted scholar, traces the alienation of Kashmiris from the period of accession of Jammu and Kashmir to the outbreaks of insurgency and argues that the continuous shrinking of democratic spaces and the vacuum left by Secular National Conference (NC) led to the ethno-religious mobilization in the late 1980s. Ganguly shows in his work that the situation in Kashmir from 1962 to 1965 was almost like the situation in late 1980s but still mobilization didn’t take place in 1960s. The presence of Sheikh Abdullah in the picture of Kashmir politics was a big factor till 1980s which prevented any other voice to be raised. Death of Sheikh in 1982 and inexperience of Farooq Abdullah created a space for other forces to capitalize and one such forces were the young and radical militant groups like Jammu and Kashmir Liberation Front (JKLF), which became an attraction for most of the youth at
that time. Also the strong centralizing tendency of Indian Prime Ministers after Jawahar Lal Nehru, be they Indira Gandhi or Rajiv Gandhi, led them to look at very movement for greater autonomy as a possible secessionist movement. This led Indira Gandhi to have strong and tough administrators like Jagmohan Malhotra, to be appointed as Governor in J&K only to prevent rising of any secessionist voice.¹

2.1 Erosion of Autonomy

The Instrument of Accession which formed the basis of Jammu and Kashmir’s relationship with India accorded the state a special status, which was not granted to other former princely states. Legally, India’s jurisdiction only extended to external affairs, defense and communications (the three areas agreed in the Instrument of Accession, for further details see Appendix I). This special status was ratified by inclusion of an Article in the Indian Constitution, drafted first as Article 306-A and then finalized as Article 370.² Article 370 restricted Indian Parliament’s legislative power with regard to Jammu and Kashmir to external affairs, defense and communications. Other provisions of the Indian Constitution could be extended to the state only prior to the concurrence of the State Government and subject to ratification by the Constituent Assembly. Article 370 was the only article deals with the constitutional relationship of the Jammu and Kashmir State with the Indian Union. Thus, Kashmir was allowed to have its own constitution, flag, and political titles such as Wazir-i-Azam (Prime Minister) instead of Chief Minister for the elected head of the government and Sadar-i-Riyasat instead of Governor for the head of the state.³

Soon after Article 370 found place in the Constitution of India, a great hue and cry was raised against the special status accorded to Jammu and

Kashmir by the forces of communalism, reaction and other anti-autonomy forces in India and in the Jammu province of the State itself. The main contention of these forces was that Article 370 should immediately be repealed and Jammu and Kashmir be brought to the level of equality, in its constitutional relationship of Indian Union, with the rest of the country. These forces urged upon the total merger of the state with the Union of India. This sort of political behavior on their part gave a rude shock to the people in general and their leader Sheikh Mohammad Abdullah in particular, who was mainly responsible to have supported the accession of the State to the Indian Union. Sheikh Abdullah criticized the stand of those whose contention was to apply the Indian Constitution to the state in toto as ‘unrealistic, childish and savouring of lunacy’. He resisted every move or attempt which aimed at undoing with the autonomy of the state. Thus, controversy over the centre-state relations in the due course of time assumed various dimensions. However, the government of India and Jammu and Kashmir agreed to hold a meeting for the settlement of differences regarding the centre-state relations on July 24, 1952 in Delhi. As a result of the meeting, the representatives of both the governments signed an agreement called ‘Delhi Agreement’ (See Appendix II). However, this agreement could not satisfy the government of India’s hunger for wrenching more and more powers from the state. Sheikh Abdullah, the main stumbling block in the way of closer constitutional integration of the state with the union of India and the staunch defender of the state’s autonomy was, finally, removed from the seat of power and put behind the bars. After the dismissal of Sheikh Abdullah, Bakhshi Ghulam Mohammad was installed as the Prime Minister of the state. He followed centre’s line of action. Much integration took place during his tenure. In 1954, the Constituent Assembly formally ratified the accession of the state of Jammu and Kashmir which was

intended to legitimize the Instrument of Accession, signed by Hari Singh in 1947. This measure was also meant to end all discussions on plebiscite.\textsuperscript{6}

Thus, the erosion of autonomy soon began after the Delhi Agreement rather Delhi Agreement was itself a great blow to autonomy as several provisions of Indian Constitution like Articles 52, 352, Union flag etc were applied to the state. In 1954, the Constitution (Application to Jammu and Kashmir) Order 1954 was issued by the President of India extending the centre’s jurisdiction to all subjects under the Union list and the residuary powers. In 1958, through a constitutional amendment Jammu and Kashmir was brought under the purview of central administrative agencies. Economic enterprises and banks were staffed by non-Muslims from outside the state. In 1960, the jurisdiction of the Election Commission of India and the Supreme Court extended to the state. In 1964-65, Articles 356 and 357 of the Indian Constitution were made applicable to Jammu and Kashmir. These provisions empowered the central government to dismiss state government and intervene in the affairs of the state.\textsuperscript{7}

The other constitutional changes struck by the Sixth Constitutional Amendment Act 1965 related to the change of the Title ‘\textit{Sadar-i-Riyasat}’ to “Governor” and that of the ‘\textit{Prime Minister}’ to the ‘Chief Minister’ and of bringing the Judges of High Court of Jammu and Kashmir at par with the Judges of High Courts in other States of India. The same Amendment Act also brought the State employees at par with the employees of other States of India in matters of promotion, demotion, dismissal, etc. The Act further introduced the direct elections of the members of the Lok Sabha from the State and extended various other Central Labour Laws to the State. Thus, it can be said that though Article 370 remained on the Statute book but its substance was considerably deleted. All this was done with the approval and participation of local political leaders/elites.

While this process of closer integration of the State was very much lauded and appreciated by forces of anti-autonomy, there was mounting discontent in the Valley against these measures and moves of constitutional integration of the State with Centre. Plebiscite Front (PF) President, Afzal Beig and Awami Action Committee (AAC) Chief, Maulvi Mohammad Farooq gave a joint call to observe a protest day in Kashmir on January 15, 1965 against ‘unconstitutional and undemocratic measures adopted by India to grab Kashmir completely.’

Thus, the erosion of State’s special status given under the Article 370 through various means like extension of Central Laws through Presidential Orders, induction of more bureaucrats from Central Services such as IAS and IPS in state administration, bringing the State’s Independent Election Commission under the Election Commission of India, inculcated in the minds of Kashmiris fear of losing their separate Kashmiri identity. Kashmiris had historically resisted any attempt to threaten their identity in any form. They did not forgive even their co-religionists, the Mughals, for invading Kashmir and thus, threatening their identity (Kashmiriyat). Thus, the measures which were supposed to bring about integration of Kashmir with Union of India, served as seeds of alienation and isolation among the Kashmiris.

2.2 Failure of Democratic Process

One of the important causes of militancy in Kashmir is the denial of democracy to the people of Jammu & Kashmir. The electoral history of Kashmir was one of rigging, fraud, manipulation and other mal-practices. In all the three elections of 1951, 1957 and 1962 there was widespread misuse of official machinery. In this regard, P. N. Bazaz writes

“On all the three occasions the government machinery was completely and unhesitatingly used in support of the ruling party, opponents were disqualified on frivolous grounds, the few dauntless candidates who dared to stand for the contest were mercilessly beaten or kidnapped ‘peace brigade’ men were employed to intimidate voters and whenever strong arm methods failed, the ballot boxes were

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tempered with enabling polling officers to declare the victory of the NC party men.”^{10} In a letter of March 1962, Pt. Nehru wrote to Bakshi, “It would strengthen your position much more if you lost a few seats to bonafide opponents.”^{11}

Democratically elected leaders were removed through central intervention like Sheikh Abdullah was dismissed and put behind the bars on 1953 and Bakhshi Ghulam Mohammad was installed as Prime Minister of Jammu and Kashmir. This political act introduced a tradition of imposing a man of Delhi Darbar on the people of Jammu and Kashmir, which was in complete negation of democratic traditions. This tradition continued for many years in the state. It is generally believed that this tradition proved one dominant factor in convincing the people of Jammu & Kashmir that the Government of India will never allow democracy to function in the state and thus, feeling of alienation started gaining weight in the Kashmir.^{12} In a sensitive border State, democracy was indispensible but national integration was given more preference over democracy in the border state. Balraj Puri, an expert on Kashmir politics, quotes Nehru’s words in his book, “We have gambled at the international stage on Kashmir, We can’t afford to lose it. At the movement we are there at the point of bayonet. Till things improve democracy and morality can wait.”^{13} Opposition parties were threatened and intimidated, Bakhshi Ghulam Mohammad had created a personalized structure of power and assumed the leadership of the cabinet, legislature and party. He raised a ‘Peace Brigade’ which performed the duty of intimidating and threatening his adversaries.^14

The Indian government used its own laws to vindicate its corrupt actions in the State, Articles 356 and 357 of the Indian Constitution “empowers the centre to dismiss elected governments of India’s states in the event of a breakdown of law and order and to assume their legislative mandate” On

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multiple occasions Indian government misused these articles, declared democratically-elected governments void and installed governments that were sympathetic to its interests like on July 2, 1984, Farooq Abdullah, the then Chief Minister of state, was told by the new Governor Jagmohan that his party had lost its majority in the State following the defection of 13 Members of the Legislative Assembly (MLAs), 12 belonging to the NC and one independent. The democratic traditions require that the question of loss of confidence should always be tested on the floor of the house, however, the Governor neither asked the outgoing Chief Minister to prove his majority in the house nor dissolved the Assembly to order fresh elections which was the constitutional procedure. The puppet government of G.M. Shah was installed after engineering a split in the NC by the Congress. All the defectors were made ministers in the Shah government. Jagmohan was specially called in to do the job as the outgoing Governor B. K. Nehru refused to perform this unholy act.

The toppling of a duly elected government not only stultified the democratic process but also hurt regional aspirations of the Kashmiris. Destabilization of Farooq Abdullah’s government had caused strong resentment among the people of Kashmir against the central government. It spread a wave of protest, people cried ‘Jagmohan, hai hai’ (Jagmohan down, down). The people felt betrayed. As Mir Qasim wrote, “Mr. Jagmohan’s unconstitutional act was another nail in the coffin of the Kashmiris faith in Indian democracy and law.” The clock has been put back thirty years.’ Said, Tavleen Singh, “Kashmir has been reminded that no matter how much it feels that it belongs to the mainstream of India, no matter how often its chief minister asserts that he is Indian, it will always be special, always be suspect.”

Thus, the legitimate rights of people to elect their representatives, to have free and fair elections, frequent changes of Chief Ministers, Governor

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rule, toppling of elected government and most importantly central intervention dramatically eroded democracy in Kashmir.

Besides erosion of special status and denial of democracy, economic underdevelopment, poverty, unemployment, lack of good governance, regional tensions and incitement of Pakistan are the chief stimulants that played upon the minds of Kashmiris to seek independence from India. However, the most important factor is the existence of separatist movement ever since from 1947. The above mentioned factors only enhanced the separatist movement. As shown in the first chapter, Jammu and Kashmir is a historical problem. There were manipulations and negotiations to solve this dispute but Indian Union did not succeed completely to address the proper historical context of the problem. It resorted to nation building techniques to integrate Kashmir. In opposition to India’s integrationist policies certain sections of People of Jammu and Kashmir resisted from the beginning.

2.3 Separatist Movement
2.3.1 Plebiscite Front

Secessionist sentiment remained alive in Kashmir ever since 1947. The period between 1953 and 1975 constitutes one of the most crucial phases of Kashmir history, as it was during this period that Sheikh Mohammad Abdullah, who earlier paved way for Kashmir’s accession to India and became its main advocate, opted for an extreme step by launching the Plebiscite Front (PF) (Mahaz-e-Rai-Shumari) to oppose the accession.18

After Delhi Agreement, Sheikh Mohammad Abdullah showed interest in independence of Kashmir and it was not well taken by the Union government and Sheikh Abdullah was dismissed and arrested on August 9, 1953 on the charges that he has become a tool of foreign conspiracies designed to undermine Kashmir’s ties with India.19 Mirza Mohammad Afzal Beig, close

colleague of Sheikh Abdullah, launched Plebiscite Front (PF) on August 9, 1955 exactly two years after Sheikh Abdullah’s dismissal and detention. Plebiscite Front sought respect for civil liberties, an inclusive political system and above all, the resolution of the Self-determination question through a referendum under the auspices of United Nations or through an India-Pakistan peace process with the participation of Jammu and Kashmir’s diverse political forces.\(^\text{20}\) The Plebiscite Front described the Indian Army as the army of occupation,\(^\text{21}\) and considered Kashmir’s accession to India temporary. Sheikh Mohammad Abdullah did not formally join the Plebiscite Front but acted as its patron\(^\text{22}\), campaigning across the Valley for the Front’s slogan ‘the Right to Self-determination.’\(^\text{23}\)

Towards the close of year 1963 on December 26, whole Valley was shocked to know that the Holy Relic of Prophet Mohammad (S.A.W) was stolen from the Hazratbal Shrine in Srinagar. After intense public agitation the Relic was restored to its place on January 9, 1964. The Holy Relic movement of 1963 provided an opportunity to the Plebiscite Front to remain in limelight in Kashmir Politics as the party forged an alliance with the Action Committee (AC) of Molvi Farooq to lead the people of Valley.\(^\text{24}\)

On February 5, 1965, Sheikh Abdullah along with Begum Abdullah and Mohammad Afzal Beig, left for a tour of Europe and West Asia including a pilgrimage to Mecca. However, the Government of India took offence at his meeting with the Chinese Prime Minister, Chou En-Lai at Algiers where they both happened to be on a visit at the same time. The Indian government threatened to cancel his passport if he did not return immediately. He and Beig were arrested as soon as they landed in Delhi on May 8, 1965. In Kashmir a wave of anger swept across the whole Valley against the action taken by

Government of India against Kashmiri leaders. Throughout Valley reaction was widespread and violent, preceded by strong wave of repression and arrest of number of leaders and workers of the Plebiscite Front. However, the space was fulfilled by the student community who got involved in freedom movement in a big way. A whole new generation of youth inspired by the slogans of the Plebiscite Front got involved in the struggle for Right to Self-determination. In this way Sheikh Mohammad Abdullah and the Front had created such a mass uprising that moved beyond the control of those who had initiated it.

The Jammu and Kashmir Plebiscite Front which had spearheaded a separatist movement for about two decades became the first casualty as a result of the Indira-Abdullah Accord 1975. After the Accord, Sheikh Mohammad Abdullah assumed the power and dissolved the ‘Plebiscite Front’ (precondition of Accord laid by New Delhi) on July 5, 1975 and merged it into the newly revived National Conference which in the changed context adopted the pro-accession policy for which the Sheikh Abdullah had to face accusations in Kashmir Valley.

2.3.2 Action Committee

The year 1964 was the beginning of profound changes in the political scenario of Jammu and Kashmir. The theft of Holy Relic preserved at Hazratbal Shrine at Srinagar, sent a wave of deep indignation throughout the state and caused widespread dismay and resentment among the people. The episode became one of the most crucial moments in Kashmir politics and history. Separatists and secessionist sentiments received a new lease of life and

26 Hindustan Times, June 20, 1967
28 Indira-Abdullah Accord was signed between the leader of National Conference, Sheikh Abdullah and Indira Gandhi, Prime Minister of India, in 1975. The Accord recognized accession as final and provided for a review of laws enacted with respect to Kashmir after Abdullah’s dismissal, with the condition to receive Delhi’s assent. This Accord also led Sheikh Abdullah’s assumption of office of Chief Minister of the State.
a climate of hostility against India resurfaced.\textsuperscript{29} The Holy Relic Committee (HRC) presided by Mirwaiz Molvi Mohammad Farooq, was jointly formed by Muslim clerics and separatist parties for restoration of the Holy Relic.\textsuperscript{30} The agitation started spontaneously without any particular leadership and any organization orchestrating it. It was Mr. J. N. Sadhu (then working as correspondent with the Daily Indian Express)\textsuperscript{31} who actually suggested that newsman should write that the agitation was being spearheaded by an Action Committee. When this news appeared in New Delhi newspapers, the people in Kashmir owned the name of ‘Action Committee’ (AC).\textsuperscript{32} Thus, the Holy Relic Committee was converted into Action Committee (AC).

The Action Committee (AC) established its branches in all parts of the Valley outside Srinagar and became a ‘coalition of opposition parties’. It contained elements from the Plebiscite Front and the followers of Mirwaiz Molvi Farooq. The Political Conference headed by Ghulam Mohi-ud-din Karra also lent its support to the Committee.\textsuperscript{33}

Taking the full advantage of the unrest, the Action Committee (AC) oriented the mass sentiment into an anti-India feeling. In this way the dormant mass aspiration for the right to self-determination got further galvanized.\textsuperscript{34}

The Action Committee under the leadership of Mirwaiz Farooq gained ground and succeeded in bringing concerted action of masses on the streets of the Valley. The mounting discontent that government of India witnessed in the Valley convinced them to reorient their Kashmir policy.\textsuperscript{35} Sheikh Abdullah was set free and was allowed to visit Pakistan along with Mirza Afzal Beig and Moulana Syed Masoodi. They proceeded to Pakistan with Mr. Nehru’s proposal for confederation between India, Pakistan and Kashmir, which the

\textsuperscript{32} Ibid., p. 87
\textsuperscript{33} Giyasu-ud-Din, Peer, \textit{Understanding the Kashmir Insurgency}, Op. Cit., p. 93
\textsuperscript{34} Ibid., p. 36
President of Pakistan, Mohammad Ayub Khan plainly rejected.\textsuperscript{36} However, shortly after his return from Pakistan in June 1964, Sheikh Mohammad Abdullah and his colleagues realized the importance of a political stage, the need to revitalize the party (Plebiscite Front) and took back the initiative from the Action Committee which had captured the political platform during and after Holy Relic Movement.\textsuperscript{37} These people even refused to recognize the Action Committee as an independent political platform organized for the right to self-determination and plebiscite in Kashmir. It was considered imperative by these people to curtail the influence of Mirwaiz and he was asked to “limit his activities to religious affairs”, as he was not only gaining popularity among the masses but was openly interpreting the right to self-determination as accession to Pakistan.\textsuperscript{38} This was not liked by Sheikh Mohammad Abdullah and his associates and consequently, it resulted into the split in the Action Committee. Moulvi Farooq announced setting up a separate political party with ‘Awami Action Committee’ (AAC) as its name in the month of June 1964, which also laid stress on the right to self-determination to the people of Kashmir.\textsuperscript{39} The Holy Relic Action Committee leaders were surprised over it and Molvi Farooq was accused of causing discord among Muslims by floating his separate organization.\textsuperscript{40}

\textsuperscript{37} Patriot, June 16, 1964
\textsuperscript{38} The Times of India, August 6, 1964
\textsuperscript{40} Bhat, Sonaullah, \textit{Kashmir in Flames}, Op. Cit., p. 103
2.3.3 Jama’at-i-Islami

After the partition of the Indian sub-continent, the Kashmir chapter of the Jama’at-i-Islami severed its ties with its Pakistan as well as Indian units. The decision was necessitated by the disputed nature of the state of Jammu and Kashmir.

The Jama’at like other political parties, offers a well thought out socio-economic and political programme. A study of its election manifestos reveals that the Jama’at stands committed to play a forceful and fearless oppositional role in the Assembly till it has assumed the power to rule, to play an effective oppositional role in the Assembly with a view to end the political uncertainty in the state and to ensure the preservation of its identity, to expose all such conspiracies in and outside the Assembly as would dangerously and unconstitutionally, be practiced to convert the majority character of the state into minority one and oppose any such measure as will permit the settlement of non-state subjects in the state, to present its constructive suggestions for the purpose of bringing about good relations between India and Pakistan and in this respect, pursue both the countries to settle down all their disputes amicably for ensuring a peaceful future, to continue its efforts to make Jammu and Kashmir a welfare state and to strongly oppose all such measures as will damage the character and injure the faith of the people thereof. The Jama’at pledges to organize the people of the state against all evils such as the manufacture of wine and its sale, unethical programmes of radio, television and cinema, bhung cultivation, unsound educational curriculum, obscene literature and a system of co-education and co-employment. Thus, Jama’at-I-

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41 It is a movement launched by Syed Abu Ala Maudodi in 1941, had influenced modern Muslims in the sub-continent and Jammu and Kashmir is no exception in this regard. In Jammu and Kashmir it was established in 1942 at Shopian by Moulvi Ghulam Ahmad Ahrar in collaboration with other likeminded persons (like Pir Saad-ud-Din, Qari Saif-u-Din, Dr. G. H Rasool and Syed Mohammad Shafi). After the partition, like the Jama’at-i-Islami Pakistan and Jama’at-i-Islami Hind, Jama’at-i-Islami Jammu and Kashmir came into existence with separate heads and constitution, Quoted, Malhotra, Jagmohan., *My Frozen Turbulence in Kashmir*, Allied Publishers, (New Delhi, 1991), pp. 176-177


The most important and controversial issue in the politics of Jammu and Kashmir has been the issue of accession of the state with the Indian Union. Jama’at-i-Islami, the largest cadre based socio-religious political organization of the state, is of the opinion that the issue of the future status of the State is yet to be resolved in accordance with the commitments made by the Government of India with the people of the state and the relevant resolutions of the United Nations.43 The party maintains that State’s accession with India was temporary and conditional and the final decision has to be made by the people of Jammu and Kashmir through an internationally monitored Plebiscite. Accordingly, it maintains that the people of Kashmir must be given the opportunity to exercise right to self-determination through which they will decide either to continue with India or accede with Pakistan and thus, resolve the issue for all times.44 However, the party is silent over the option of ‘Complete Independence’ as pleaded by another organization, Jammu Kashmir Liberation Front (JKLF).

In 1975, the Jama’at-i-Islami Jammu and Kashmir (JIJK) strongly condemned the Indira-Abdullah Accord, arguing that this was a gross violation of the U.N. resolutions. It argued that India had no right, according to international law, to bury the issue of the disputed status of Jammu and Kashmir by signing a pact with a single individual. Instead, it said that only solution to the issue was to take into account the wishes of the people of the state. Jama’at which is basically an Islamist organization that had been working in social, educational, and religious fields began to take active part in Kashmir politics before the 1975 Accord. Jama’at adopted the democratic way of seceding from the Indian Union and therefore, resorted to participation in elections. In the Assembly elections of 1971 Jama’at candidates won (5) seats out of twenty two (22) it contested.45

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During emergency in 1975, the Jama’at-i-Islami was declared a banned organization. Its offices were sealed, its leaders incarcerated and a large number of schools (with approximately 550 teachers and 25000 students) were forcibly closed down on the grounds of spreading communal hatred and practicing anti-national activities, the charge Jama’at vehemently denied and contested. The ban on Jama’at-i-Islami was lifted two years later, when in 1977 Janta Party came into power at the Centre. Following this, the Jama’at-i-Islami once again geared its efforts, holding large public meetings all over the state and brought a large number of people under its influence.  

Jama’at continued to take part in the State Assembly and Parliamentary elections to highlight the Kashmir issue. Within and outside the Assembly its members repeatedly raised the question of disputed status of Jammu and Kashmir, asserting that India had failed to abide by its promises made to the international community and the people of Jammu and Kashmir to hold a plebiscite in the disputed territory. For instance Syed Ali Geelani (member of Jama’at-i-Islami) in the State Legislative Assembly speaking on the Governor’s address on September 12, 1977 categorically stated that “accession of Kashmir to India made in 1947, under extra-ordinary circumstances was temporary and provisional”. During a public meeting organized by the workers of the party in the main Chowk of Baramulla on July 1984, the two leaders of the party Syed Ali Geelani and Ghulam Mohammad Shafi challenged the accession of the State with the Union of India and declared the accession as disputed. They demanded that the future of Jammu and Kashmir should be determined in the light of resolutions passed by the United Nations from time to time. The press statements of the Islamist organization as well as the public pronouncements of its leaders suggest that the organization has taken a stand that it wants “peaceful settlement of Kashmir dispute”. The

46 Jan, Tarikh; Sarvar, Ghulam, Kashmir Problem-Change and Response, , Institute of Policy Studies, (Islamabad ,1990), p. 317
organization also wants as its leaders assert, to see both Pakistan and India as free, prosperous and peaceful neighboring nations.\textsuperscript{50}

\subsection*{2.3.4 Al-Fatah}

Al-Fatah (AF), Kashmir’s first guerrilla organization, commenced its activities in 1965.\textsuperscript{51} By 1969, it had become state wide covert organization with a well-planned strategy of economic and militant subversion to undermine the Indian authority in the state.\textsuperscript{52} It started its guerrilla activities for the “freedom of Kashmir” and for this the youth were trained at the organizations hide outs like the one at Barsu (a village located fourteen miles south-east of Srinagar).\textsuperscript{53}

The main organizer and leader of Al-Fatah was Ghulam Rasool Zerger. The other prominent members were Nazir Ahmad Wani, Fazl-ul-Haq Qureshi, Dr. Farooq Ahmad Bhatt, Farooq Rehmani, Dr. Abdul Alla, Abdul Hai Baderwahi, Hamidullah Bhat, Nissar Mir, Shaban Vakil and G.A.Naikoo. Mohammad Altaf Khan (Alias Azam Inquilabi) also joined the group on later stage. The group secured the support of some young men for its cause notable amongst them was Mian Sarwar who, on his own, had earlier set up an organization called Students Revolutionary Council.\textsuperscript{54} Before the emergence of Al-Fatah, Kashmiris had not tested covert activities or guerrilla warfare against the rule of New Delhi. Al-Fatah was an expression of disappointment of youth with the political leadership of Kashmir at that time. They were inspired by revolutionary movements of Hungary and Cuba. The much publicized adventures of the Cuban revolutionary, Che-Guevara\textsuperscript{55} seem to have a great influence on the organization of the Al-Fatah, particularly its leader Zerger.

\textsuperscript{55} He was born in Rosario in Argentine. He was a doctor by profession, but he decided to join the Cuba Revolution. In 1965 he became a guerrilla leader of Bolvivia (Spanish)
Al-Fatah had formulated three phase strategy: firstly, recruitment and training; secondly, commission of violent crisis in order to subvert law and order and lastly, espionage to collect information about military dispositions, movements of troops and artillery, strategic military roads and secret military documents. Key members of Al-Fatah were carefully trained and furnished with regular guidance, funds, arms and explosives from Pakistan. Before undertaking any operation they were first to establish a secure base where they could meet without fear of detection and where they could lie low after an operation. The members were given code names and many of them were not aware of the real identity of each other.

During the 1970s Kashmir Students Federation, Youngman’s League and some other student organizations were associated with the Al-Fatah. Thus, plebiscite movement was spearheaded by Kashmiri youth who organized themselves under Al-Fatah, Jammu and Kashmir Students and Youngman’s League to fight for the right to self-determination. The manifestos of these organizations included reference to the U.N Resolutions on Kashmir, Lord Mountbatten’s assurance and Jawaharlal Nehru’s promises for holding plebiscite in Kashmir. Al-Fatah reportedly was responsible for the three major incidents of militancy in Kashmir, namely attacking and killing of constable Charan Dass of Border Security Force (BSF) at Nawakadal Bridge in February, dacoity on April 1970 at Tehsil Education Office, Pulwama from which about 72000 were looted and Hazratbal bank dacoity on January 1971, during the course of which rupees 97000 were reportedly looted. Al-Fatah by its activities wanted to create a popular support for any large scale insurgency against the New Delhi’s rule in Kashmir. However, the organization was busted and its members apprehended. Headquarter of the group, which was located in a safe house in Barsu, Pulwama, was also raided by police. Subsequently, police arrested many people who were told to be associated with

the organization. They included two magistrates, three doctors and six professors.\textsuperscript{61}

2.3.5 People’s League

Amidst the protests against ‘Beig-Parthasarthi dialogue’\textsuperscript{62} the government arrested large number of political activists including Shabir Shah and S. Hamid (the then General Secretary and the President of Young Men’s League respectively) on October 3, 1974 and were detained in Central Jail Srinagar till 25 October 1974.\textsuperscript{63} In Jail, Shabir Shah met Nazir Ahmad Wani (AL-Fatah) and Fazl-ul-Haq Qureshi (Al-Fatah), Abdul Majid Pathan (Youth League), Altaf Khan Alias Azam Inqilabi (Students Islamic League), G.Q.Hagroo and others, all of whom decided to merge their identities into one common platform. All these groups were against the accession of Kashmir with India. As a result of it, they managed to form Jammu and Kashmir People’s League in collaboration with pro-Pakistan youth groups like Young Men’s League (Student Wing of Plebiscite Front), Students Youth League (pro-Molvi Farooq Group) and Islamic Student Organization.\textsuperscript{64} On October 3, 1974, Fazl-ul-Haq Qureshi was named its chairman (became the first president of People’s League) and Abdul Majeed Bhat as its General Secretary.\textsuperscript{65} The Jammu and Kashmir People’s League branded the dialogue as a malicious design to sell the innocent Kashmiris for petty selfish gains. Its workers decided to continue their struggle for the right to self-determination. People’s

\textsuperscript{62} The dialogue between Mirza Afzal Beig on behalf of Jammu and Kashmir and G. Parthasarthi on behalf of Government of India was contested by many Separatist Parties in Kashmir, which finally led to the Kashmir Accord 1975. It is also known as Indira-Abdullah Accord and Beg-Parthasarthi Accord. This accord concealed that the Instrument of Accession as ratified by the Jammu and Kashmir Assembly under Bakshi Ghulam Mohmmad was no longer subject to challenge. It is believed that 1975 Accord became public one year before it was signed, so, it was challenged by various separatist Parties in Kashmir that India has no right to bury the issue by signing a pact with a single individual.
\textsuperscript{63} Personal interview with Fazal-ul-Haq Querishi, Executive Member of APHC (M), Hurriyat Office, Rajbagh, Srinagar, June 22, 2009
League which comprised of pro-independence and pro-Pakistan leaders was formed just one year before ‘Accord 1975’ which had become public before it was signed. It is believed that ‘Accord 1975’ compelled many pro-freedom leaders to converge on the umbrella of People’s League (PL). Commented on the situation, a PL member and veteran pro-freedom activist, Late Fazl-ul-Haq, (Executive member of a Mirwaiz faction of APHC) told this researcher that “the PL decided to fight against accession of Kashmir with India after people of Kashmir were disappointed by the Sheikh Mohammad Abdullah’s treason”.

In fact, the People’s League played a vital role in mobilizing the Kashmiri youth against the ‘Kashmir Accord’ or ‘Indira-Abdullah Accord’. The efforts of People’s League resulted into protests and demonstrations at many places in Kashmir against the Accord.66 During 1979-88 the leadership of Jammu and Kashmir People’s League passed to younger people like Shabir Shah, Farooq Rehmani, Mukhtar Ahmad Waza and Intiyaz Ahmad. The League had been opposed to any negotiation with the Government of India without the inclusion of Pakistan as the third party in the issue. In 1979, it constituted a war cell with the purpose to pursue the plan of ‘liberating Kashmir within three years’. In the first year the youth had to be recruited, in the second year arms training were to be given for launching guerrilla warfare and in the third year the organization had decided to wage a liberation struggle.67

However, a senior league leader, Shabir Shah was arrested from Anantnag in 1976. With the result, the war cell plan was dumped. Shabir Shah was released in 1978. He along with other leaders of the People’s League revitalized his organization, motivated the youth and extended its influence to Pulwama, Tral, Sopore, Doda, Bandipora, Srinagar and Budgam area of the state.68

66 Personal interview with Fazal-ul-Haq Querishi, Executive Member of APHC (M), Hurriyat Office, Rajbagh, Srinagar, June 22, 2009
68 Ibid.,
In 1981, *Islami Jamiat-e-Talba* (IJT), the student wing of Jama’at-i-Islami, was founded by Sheikh Tajamm-ul-Islam. The main objective of the *Talba* was to free the State of Jammu and Kashmir from Indian occupation or dominance. In order to achieve this political goal, the *Talba* believes that Islam is the answer to the Kashmir issue. In other words, only an Islamic revolution for islamization of the state as a sovereign entity could resolve the long standing dispute between India and Pakistan. Thus, the establishment of an Islamic order in Kashmir being the political goal of the *Talba* can be realized under the guidance of Islamic ideology. In this sense, it may not be incorrect to say that like the Jama’at, the *Talba* also makes religion as the basis of its politics.

In 1981, *Islami Jamiat-e-Talba* planned to hold an International Islamic Conference in Srinagar. The People’s League declared its support to the IJT’s plan to organize the event in Srinagar. The Government, however, did not allow the conduct of the event and arrested leadership and several activists of the IJT.

In the early March of 1982, the People’s League launched an anti-liquor campaign in south Kashmir district of Anantnag. The campaign gained mass support in the area forcing the people associated with the business to close down the shops. The government swung into action and arrested Shabir Shah and other political activists associated with the League. In October 1983, when an international cricket match was scheduled between the West Indies and India in Srinagar, People’s League and Islami Jamiat-e-Talba decided to stop the match and created disturbances both within and outside the playground on October 13, 1983. They argued that ‘the state of Jammu and Kashmir was not an integral part of India and hence no international event could be held in the disputed territory’.

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70 Ibid.
From time to time, People’s League took many steps to keep the disputed character of the J&K state alive. It, along with other secessionist groups, also called on the voters to boycott the Parliamentary elections of 1989. The turnout of voters in the Valley, according to an official report, remained only 4%.  

2.4 Muslim United Front (MUF) and Election 1987

After the 1975 Accord, the political scenario of Kashmir changed altogether. During the 1980s anti-India feelings were steadily reinforced and organizations like Jama’at-i-Islami and People’s League emerged as dominant forces to reckon with. On the other hand, Mrs. Indira Gandhi was assassinated in 1984 by her bodyguard and Rajiv Gandhi became the Prime Minister after his mother’s assassination. Rajiv made a policy to accommodate regional forces, not only in Kashmir but also in the Punjab and Assam. Rajiv Gandhi offered a Congress-NC alliance. Farooq Abdullah, who had previously rejected Mrs. Gandhi’s offer of an alliance, accepted the offer and was appointed as Chief Minister in National Conference-Congress coalition government. The Assembly election was scheduled for the following year. However, overnight Farooq was transformed from hero to traitor in the Kashmiri mind, writes Tavleen Singh, “People could not understand how a man who had been treated the way he was by Delhi, and especially by the Gandhi family, could now be crawling to them for accords and alliances.” He was charged with betraying his father’s fifty year legacy of pride, says M J Akbar, it (alliance) created a vacuum where the National Conference had existed and extremists stepped into that vacuum.

Amongst those who entered the political vacuum were the collection of political parties which have organized themselves under the banner of Muslim United Front (MUF) which was formally launched in Srinagar on the first day of ‘Muharram’ (first month of Islamic calendar) in September 1986 avowedly

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72 Sumantra, Bose, Kashmir-Roots of Conflict, Paths to Peace, Op. Cit., p. 96
for protecting the political and religious rights of Muslim community in the state.\textsuperscript{75} The main objective of MUF was to fight the NC-Congress alliance in the polls.\textsuperscript{76} For both NC and MUF, polls had assumed a sort of a character of a referendum for their respective political positions.\textsuperscript{77}

Muslim United Front (MUF) was an improvised ‘ad hoc bloc’ of diverse groups with ‘no real unifying ideology, consisting of ‘educated youth, illiterate, working-class people and farmers who express their anger at Abdullah’s family rule, government corruption and lack of economic development.’\textsuperscript{78} The major fundamental groups which came together under the banner of the MUF were Jama’at-i-Islami, the Ummat-i-Islami led by Qazi Nisar and Molvi Abass Ansari’s Anjuman-i-Ithed-ul-Muslimeen. Other constituents of the MUF were Islamic Study Circle, Muslim Education Trust, Muslim Welfare Society, Islami Jamiat-i-Talba, Idara-i-Tahqiqat. Kashmir youth formed the bulk of its cadre, many of them from rich peasantry or orchard-owing classes and prosperous business groups.\textsuperscript{79} It was an alliance of pro-freedom organizations and the Jama’at-i-Islami enjoyed the dominant position in it. As the assembly elections of 1987 approached, some more groups including the People’s Conference of Abdul Gani Lone and the Awami National Conference of Gulam Mohammad Shah also joined the MUF. Pertinent to mention that the Mirwaiz Molvi Farooq of Awami Action Committee was not the part of MUF as he had entered into an accord with Dr. Farooq Abdullah (popularly known as Double Farooq Accord) in previous elections. It is widely believed that the Accord persisted even during these elections.

The popularity of MUF increased in the Valley and the election symbol allotted to it -Ink-pot and Pen- became catch word in every family. Yasin Malik, an MUF activist and now the JKLF chief says, ‘the MUF ideology was

\textsuperscript{76} Bose, Sumantra, \textit{Kashmir-Roots of Conflict, Paths to Peace}, Op. Cit., p. 45
\textsuperscript{78} Bose,Sumantra, \textit{Kashmir-Roots of Conflict, Paths to Peace}, Op. Cit., p. 48
discussed in every home and every nook and corner of the state. The streets were flooded with the display of green flags of the Front.\textsuperscript{80} About the popularity of MUF, Khem Lata Wakhloo, a prominent NC member from the Pandit community of Kashmir says that, ‘in 1987 there was only one voice on the lips of the people, that in a democracy we would bring the party of our choice to power, a party that will meet the aspirations of the people and heed their grievances’.\textsuperscript{81}

When the election was held on March 23, 1987, there was nearly 75% participation, the highest ever recorded in the state, with nearly 80% overall voting in the Valley.\textsuperscript{82} However, elections held were alleged massively rigged. In constituencies where elections were manipulated, the polling agents of the opposition candidates were arrested and beaten up not only by the police but also by the National Conference candidates.\textsuperscript{83} In these elections the National Conference won 38 seats and its coalition partner Congress 28, Bhartiya Janata Party 2, and Independent 4, the MUF won only 4 seats and secured 30% of the total votes polled. In fact, there was a general consensus in the bureaucracy and intelligence agencies that National Conference-Congress resorted to large scale rigging.\textsuperscript{84} An eyewitness report published in popular national magazine suggested that various practices of manipulation were used during the voting and subsequent counting process. These include “rigging and strong-arm tactics all over the Valley,” ‘entire ballet boxes (being) pre-stamped in favour of NC’, ‘massive booth-capturing by NC gangs, numerous citizens ‘simply not being allowed to vote’, and to government nominated supervisors ‘stopping the counting as soon as they saw opposition candidates taking lead’. Meanwhile, the administration worked blatantly in favour of the NC-Congress alliance’,

\textsuperscript{80} Personal interview with Yasin Malik, Chairman JKLF, Srinagar, April 21, 2009
\textsuperscript{82} Schofield, Victoria, \textit{Kashmir in Conflict-India, Pakistan and Unending War}, Op. Cit., p. 137
\textsuperscript{84} The Times of India, January 10, 1990
and the police refused to listen to any complaint’.85 The report on the elections also states that it was openly rigged. Tavleen Singh writes that ‘the rigging was blatant’, in the constituency of Handwara, for instance, Abdul Gani Lone’s traditional bastion, as soon as counting began on March 26, Lone’s counting agents were thrown out of the counting station by the police.’86 Commenting on the rigging of elections, I. K. Gujral, (who later on became Prime Minister of India) said, it was surprising to hear one of the Congress ministers saying, that “what is wrong in rigging when the secessionists have to be kept out in the national interest” 87

The large scale rigging in 1987 elections has been regarded as the breaking point in the Kashmir’s relation with the union of India. Dr. Qazi Nisar, a MUF leader said, “I believe in Indian constitution. How long can people like us keep getting votes by exploiting Islam? We have to prove that we can do something concrete, but this kind of thing simply makes people lose faith in the constitution”.88 Similarly, Abdul Gani Lone, the chairman of People’s Conference, a pro-Indian party turned to separatist camp after formation of MUF, questioned in despair, ‘If people are not allowed to vote, where will their venom go but into expression of anti-national sentiment’.89 The common Kashmiri reaction was reflected by a shocked Srinagar lawyer and MUF voter, who said, ‘I don’t even pray regularly but….If you take my vote away, I lose all faith in Indian democracy.’90

It was not the first time elections were rigged in Jammu and Kashmir. The reason why 1987 elections have that much impact on the minds of Kashmiris is that in those elections newly constituted Muslim United Front (MUF) had made a serious bid to capture power through popular vote. The

85 Badhar, Inderjit, A Tarnished Triumph, India Today, Volume XII, Number 7, April 15, 1987, pp. 76-78
87 The Times of India, October 13, 1986
89 Ibid.,
90 Bose, Sumantra, Kashmir-Roots of Conflict, Paths to Peace, Op. Cit., p. 94
Kashmiris perceived the denial of their right to fair and free election as the final humiliation.\textsuperscript{91}

Although, MUF lost the election they gained a lot of public sympathy for their cause. People believed that Rajiv Gandhi, the then Prime Minister, and Farooq Abdullah worked together to betray their verdict by resorting to such a massive rigging. As the anger against the rigging mounted, people began to identify bad administration, corruption in the system and eventually the rigging in the elections as a direct consequence of New Delhi’s unbridled powers to intervene in the affairs of the state. Let down in the mass rigging in the elections, the people began to question the effects of accession to India on the society of Kashmir. \textsuperscript{92}

Immediately after winning the elections, the coalition government used different coercive methods to suppress their political opponents especially those having some connections with the MUF. Almost all the candidates of the MUF who were ‘defeated’ were arrested along with their prominent supporters soon after the results were declared. Some of them were arrested right inside the counting halls and were beaten up publicly by the police and National Conference candidates jointly.\textsuperscript{93} Thus, manipulation of the election disappointed the Kashmiris, says Mir Abdul Aziz, ‘we were trying to change the political framework by democratic and peaceful methods, but we have failed in this, therefore we should take up guns’.\textsuperscript{94} Abdul Gani Lone who lost the 1987 elections and became a leading member of the separatist movement till his death drew the following conclusions from the elections;

“It was this that motivated the young generation to say ‘to hell with the democratic process and all that this is about and they said ‘let us go for the armed struggle’. It was the flash point. The thought was there, the motivation was there, the urge was there, the demand was there and the opposition was there. The situation became ripe and the elections provided a flash point.”\textsuperscript{95}

\textsuperscript{91} Tikku, M. K., \textit{Genesis of the Problem}, Hindustan Times, August 13, 1991
\textsuperscript{92} Wakhlu, Khemlata; Wakhlu, O.N., \textit{Kashmir Behind the White Curtain}, Op. Cit., p.323
\textsuperscript{94} Schofield, Victoria, \textit{Kashmir in Conflict-India, Pakistan and Unending War}, Op. Cit., p. 138
2.5 Eruption of Militancy

Post 1987 elections witnessed a radically changed political landscape of Kashmir. *Bandhs*, marches, protests, boycotts and shutdowns, anti-India slogans gained ascendancy. A generation of youth that felt disillusioned with the democratic system took recourse to guns. The young generation used to say that “the bullets will deliver where the ballot had failed, slaves have no right to vote in the democratic set-up of India and we were left with no option but to pick up the guns”.96 The most momentous incident in Kashmir history is the eruption of militancy in early 1990s. Eruption of militancy was catalyzed and inspired also by events in Afghanistan and Punjab. Success of Afghan *Mujahideen* against the Soviet Union emboldened Kashmiris to go for guerrilla warfare. There is a wide consensus now in the literature and even among Kashmiri politicians and commentators that the seeds of insurgency were sown in 1987 in the main prison of the Kashmir Valley-Srinagar Central Jail- where hundreds of political activists and leaders of the Muslim United Front(MUF) were languishing in the aftermath of March 1987 State Assembly Elections. According to one author, the first generation of Kashmiri militants was created in the police stations, interrogation centers and jails.97 Many MUF leaders who contested or campaigned in 1987 election became the Chiefs and senior Commanders of various militant outfits. For instance, Mohammad Yousuf Shah (the defeated MLA from Amira Kadal constituency) became Syed Salah-u-Din. Today he heads Kashmir’s largest and long surviving militant outfit, *Hizb-ul-Mujahideen* (HM). He is also Supreme Commander of United Jihad Council (UJC), a Muzaffarabad based conglomerate of various militant outfits that are active in this part of Kashmir. Mohammad Yasin Malik, who campaigned for MUF candidates in 1987, became the Chief of Jammu and Kashmir Liberation Front (JKLF).

Initially, the militancy was an indigenous underground movement led by JKLF. It soon developed into a mass movement for *Azadi* (Independence).

97 Ibid., p. 47
Later non-Kashmiri militants, mostly *Mujahideen* who were disengaged from Afghanistan after Russian withdrawal, also began to arrive in Kashmir. Their involvement added a new dimension to the Kashmir problem, turning it into what they called a global *Jihad*\(^98\) (religious holy war of Muslims). However, the important development that took place in the early nineties was that the movement split along two ideological lines: one pressing for independence like JKLF and the other demanding accession to Pakistan like *Hizbul Mujahideen* (HM).\(^99\)

In the aftermath of the 1987 elections, militant groups dominated the centre stage of the separatist movement. In order to remain relevant amidst the popularity of gun in Kashmir, almost all the contemporary political parties sought to justify the use of violence to achieve targets. Families and peer groups competed for the chance to cross over to other side of the border for arms training. Children would carry placards with slogans like ‘*Mujahidin Quom Zinda Bad*’ jotted on them. A new vocabulary of violence depicted militants as ‘freedom fighters’ and security forces as ‘occupational forces.’ Curfews were described as ‘Martial Law’ and Martyr’s graveyards became ‘places of pilgrimages’ called *Kabar-i-Shaheed*.\(^100\)

In this context, it would be unreal to hold that the militancy in Kashmir is the result of infiltration of secessionists engineered by Pakistan. No doubt, Pakistan trained infiltrators are there but they are not only troublemakers. There is something more in it. The seeds of militancy in Kashmir were sown in the very beginning, the manner in which the Dogras ruled the state and subjected the Muslims to repression, depression and exploitation, the manner in which Maharaja signed the Instrument of Accession with India, the empty promise of Plebiscite, erosion of powers enshrined in Article 370 of the Constitution of India which gives Jammu and Kashmir a special status, the

\(^{98}\) The literal meaning of Jihad is ‘to struggle’ or ‘to strive’, but now it is more associated with violent Islamist struggles. Jihadi (plural Jihadis) refers to Islami militants engaged in a violent struggle that is set in religious geography rather than nationalistic one and has pan-Islamic goals.


\(^{100}\) Ibid., p. 150
manner in which subsequent elections to Parliament and State Assembly were held, and politics of convenience and corruption, paved the way for a steady growth and development of militancy in the Valley. However, the most important factor for the rise of militancy is the presence of separatist tendencies. The growth of such tendencies took place during the crucial years of Sheikh Mohammad Abdullah, when he was sacked from power in 1953. Sheikh’s removal was followed by the growth of secessionist groups like Plebiscite Front, JKLF, People’s League and Al-Fatah etc. However, the sentiment of separatism was in dormant till 1987. The rigged election of 1987 provided the spark needed to stir up the flames of the armed revolt in the state. It is surprising, that such stalwarts like Nehru and Indira Gandhi failed to inspire confidence among the people of Kashmir, in spite of their Kashmiri origin. Disgusted, majority of the Kashmiri youth crossed over the border to get training in the use of arms and ammunition in order to wage a war against the authority which in their opinion had no legitimacy to rule over them. They did not realize that Pakistan is no friend of theirs and the irony is that, neither the Union Government nor the State Government could prevent them from falling into Pakistan’s trap.