CHAPTER 3

3. FORMATION OF ALL PARTIES HURRIYAT CONFERENCE

3.1 A Brief History of APHC

The 1987 election is considered to be a watershed in the political history of Kashmir. In this election, MUF (Muslim United Front) was defeated. MUF was a party which fought elections to the Assembly and thereby shall be seen as a party who had faith in democracy and rule of law though its political mobilization techniques and ideals of justice were influenced by Islamic values. This party was defeated through a centrally managed rigging of Assembly elections which led this politically conscious generation of Muslims to take up a different path of demanding their rights. The same people who contested elections and believed in constitutionalism now became the worst enemies of any false notion of democracy. In post election period, Kashmir witnessed rise of various militant outfits to fight the illegal government and in a broader sense the very fundamentals of Indian rule. Youth, who had earlier formed and campaigned for MUF, formed and joined these militant groups in thousands. As there was a complete breakdown of political process, both militant organizations and remnant political outfits of erstwhile MUF felt the need to streamline the ‘resistance movement’. An important attempt in this direction was made by the formation of ‘Tehreek-i-Hurriyat Kashmir’ (THK) by MUF veterans and other separatists like Syed Ali Geelani, Mian Abdul Qayoom, Dr. Qazi Nisar and Moulvi Abbas Ansari. Tehreek-i-Hurriyat Kashmir (THK), which came into being in 1991 had 10 constituents and was headed by Qayoom. The THK’s members were: Jama’at-i-Islami, Jammu and Kashmir Liberation Front, Muslim Conference, Islamic Student’s League, Mahaz-e-Azadi, Muslim Khavateen Markaz, Bar Association, Itehad-ul-Muslimeen, Dukhtaran-i-Milat and Jamiat-i-Ahliaedees.¹

¹ Personal interview with Mian Abdul Qayoom, President of Kashmir Bar Association, High Court, Srinagar, November 23, 2008.
All these organizations except JKLF were motivated by Islam. Some organizations were openly in favour of accession to Pakistan. Jama‘at-i-Islami’s politics was purely based on the logic of partition and favoured the accession of Kashmir to Pakistan. It has organized different religious activities under the guise of schools. Jama‘at has been at the forefront when it comes to opposition to Indian rule. Other organizations were not as organized and affective as Jama‘at. However, their political leanings were no different from that of Jama‘at. Only JKLF was a pro-freedom organization which had a clear vision of independent and a united Jammu and Kashmir.\(^2\) Their idea of Jammu and Kashmir comprised of a pre-1947 Kashmir ruled by Maharaja. Their politics was secular while showing due regard to the ethnic and cultural identities of the people. The JKLF was formed before 1987 and one of its founders Maqbool Bhat\(^3\) was hanged in Tihar Jail in 1984, on the charges of killing a CID officer.

Among the constituents of THK, the Islamic Students League also favoured accession to Pakistan. This party comprised of the youth motivated by pan-Islamic propaganda. Another organization which like ISL favored accession to Pakistan was Mahaz-i-Azadi led by Inaytullah Andrabi. This party favored such accession on the criteria of geographical contiguity and Islamic identity. The Muslim Conference led by Abdul Gani Bhatt was also in favour of accession to Pakistan and this party had a strong resemblance in ideology with Muslim Conference of Pakistan Administered Kashmir (PAK) which has been in power there for a long time.\(^4\)

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\(^2\) Ibid.,

\(^3\) Maqbool Bhat was one of the founders of JKLF and an ardent proponent of armed struggle against India. His death as well as his whole life was surrounded by many controversies as everyone has a story to tell about Maqbool Bhat. Indian state convicted him for anti-national activities and he was hanged in Tihar jail. His dead body till now has not been handed over to his relatives which creates more confusion with the verdict. Maqbool is still revered in Kashmir as one of the Martyrs who sacrificed his life for the freedom of his people and is regarded as Baba-e-Qoum (father of the nation) in Kashmir. Maqbool day is celebrated on 11th february every year in Kashmir even now with fervor and enthusiasm.

\(^4\) Personal Interview with Prof. Abdul Gani Bhat, Executive Member of APHC (M), Hurriyat Office Rajbagh, Srinagar, November 29, 2008.
Thus, THK was an amalgam of different people with same feeling to Pakistan. Except JKLF, each organization more or less favored Pakistan purely because there was a huge political and military support by Pakistan to overthrow the control of Indian state and accede this part of Kashmir to Pakistan. However, Tehreek-i-Hurriyat Kashmir could not provide a sustainable political platform to meet the growing expectations of its founding fathers and people at large, as some of its leaders were arrested and imprisoned.\(^5\) Obviously, it was liquidated and fresh attempts were made at having a broad based separatist organization and the formation of new party was just the culmination of that urge. The first such attempt was made by Mirwaiz Mohammad Umar Farooq who called a meeting of various religious, social and political organizations on December 27, 1992 at Mirwaiz Manzil, Srinagar, to launch a joint political platform.\(^6\)

A Screening Committee (SC) of eight members, under the Chairmanship of M. M. Mubarki, was appointed to look into the pros and cons of this organization. This committee put forward a report. After considering the report of the SC, the Assembly of Representatives on March 8, 1993 decided to have a common political platform under the name of ‘All Parties Hurriyat (Freedom) Conference’ (APHC). A committee was appointed to draft a constitution for the APHC which consisted of:

1. Jenab Justice (retd.) Mufti Bahaudin Farooqi, Ex-Chief Justice of J & K High Court, Chairman
2. Jenab Nazir Ahmad Ronga, Advocate, Convener
3. Jenab M. Muzaffar Jan, (retd.) District and Sessions Judge, Member
4. Jenab Mian Abdul Qayoom, Advocate, Member
5. Jenab Shabir Ahmad Siddiqi, Member
6. Jenab Firdous Aasmi, Member
7. Jenab Peer Hafizullah Mukhdoomi, Member


\(^6\) Personal interview with Mirwaiz Umar Farooq, Chairman of both, Awami Action Committee and APHC (M), Hazratbal, Srinagar, December 15, 2008.
8. Jenab Ghulam Rasool Wani, Member
9. Jenab Shahid-ul-Islam, Advocate, Member.\(^7\)

The draft constitution prepared by the Committee was considered by the Assembly of Representatives in their meeting held on July 31, 1993 and was finally approved and adopted. \(^8\)

Hence, the All Parties Hurriyat Conference (APHC) came into existence in July 1993 as a political amalgam to fill the vacuum created by the dissolution of MUF and Tehreek-i-Hurriyat. All Parties Hurriyat Conference (APHC) conglomerate constituted almost thirty political and religious organizations which resolved to harness discontent and channelize it for a political process. \(^9\)

The disparate groups that agreed to form All Parties Hurriyat Conference (APHC) on March 17, 1993 were: Awami Action Committee; Jama’at-i-Islami; Jammu and Kashmir People’s Conference; Muslim Conference; Jammu and Kashmir Liberation Front (JKLF); People’s League; Itihad-ul-Muslimeen; All Jammu and Kashmir Employee’s Confederation; Employees and Workers Confederation (Istiaq Group); Anjuman-i-Tableeg-ul-Islam; Liberation Council; Jamiat-i-Ahle Hadith; Kashmir Bazme Tawheed; Jamiat-e-Hamdania; Kashmir Bar Association; Political Conference; Tehreek-i-Hurriyat Kashmiri; Jamiat-e-Ulama-i-Islam; Anjuman-i-Auquaf-i-Jamia Masjid; Muslim Khawateen Markaz; Jammu and Kashmir Human Rights Committee; Jammu and Kashmir People’s Basic Rights (Protection) Committee; Employees and Workers Confederation (Aasmi Group); Students Islamic League; Islamic Study Circle; Auquaf Jama Masjid; Jammu and Kashmir Muslim League; Jammu and Kashmir Mahaz-i-Azadi; Mahaz-i-Islami Jammu and Kashmir; Dukhtaran-i-Milat; People’s Political Front; Khalafat-i-Islamia Jammu and Kashmir; Khawateen-e-Kashmir; and Jammu and Kashmir Muslim Auquaf Trust.


On the one hand, APHC gave a political platform to the militants to settle down their intergroup conflicts and on the other hand, it attempted to internationalize the Kashmir issue at different forums. In a very short span of time, the organization achieved a fair deal of success to create an international space for itself, owing to its popularity and the active backing it received from the Pakistan. For example, the APHC enjoys an observer’s status in the Organization of the Islamic Conference (OIC); the OIC also has a contact group on Kashmir.

The creation of APHC gave birth to too many theories about the motives of the organization. Some believed it be the handiwork of Indian Intelligence agencies to give a ‘Safety Valve’ to the secessionist forces in state, where in they can ventilate their grievances peacefully. Another version claims that the Hurriyat is a creation of the US interests in Kashmir and was formed through the efforts of a Washington-based think-tank, the United States Institute of Peace (USIP) under the then presidency of Robert Oakley, a former US ambassador to Pakistan. Certain developments do indicate that it had an active backing from US official sources, particularly the US embassy in India (when a prominent Hurriyat leader Abdul Gani Lone was injured during a security force action in the early Nineties, he was reportedly rushed to New Delhi and was visited each day by officials from the US embassy). Still some others hold that it emerged to give political platform to the militant groups and plead their case politically. Notwithstanding, the above mentioned theories about its creation, the APHC, as Victoria Shoefield had rightly pointed out, emerged to give the militants a united political platform through which they

10 Mir, Fayaz Ahmad, The Birth of Hurriyat as a Political Platform, Greater Kashmir, February 1, 2007
11 Kashmir Live, All Parties Hurriyat Conference by Tariq Bhat, see, www.expressindia.com
12 www.puja.instablogs.com
13 All Parties Hurriyat Conference (APHC), Kashmir Herald, Vol. 1, No. 12, May 2002
14 Ibid.,
15 War, Hilal Ahmad, The Great Disclosures, Secrets Unmasked, Manas Publicaions, (New Delhi, 2006) p. 294
could voice their grievances, but their constitution does not permit them to consider a solution which lay within the existing framework of Indian Union.  

3.2 Ideology, Objectives and Structure of APHC

Ideology

According to Hurriyat Conference, Jammu and Kashmir is a ‘disputed territory’ and India’s control on it is not justified. It supports the Pakistani claim that Kashmir is the ‘unfinished agenda of partition’ and needs to be solved as per aspirations of the people of Jammu and Kashmir.  Although, the various components of the Hurriyat Conference differed over whether they wanted independence or unification of the state with Pakistan, but they had at least one common objective: that the people should be given the ‘right to choose’.

The APHC had distanced itself from participating in elections affirming that the elections under the Indian Constitution would deliver no results. Its slogan was and continues to be ‘no election, no selection, only solution’ (for details see Appendix III). It seeks this solution through the grant of ‘Right to Self-Determination’ to the people of state and tirelessly reminds the Indian leadership of the promises that the first Prime Minister, Jawahar Lal Nehru had made on the floor of the Indian Parliament, that the people of Kashmir would decide their destiny through a Plebiscite- stance that the United Nations endorsed through its resolutions. It, however, time and again insisted that it cannot take part in any form of elections meant for power within the ambit of Indian Constitution. As its Constitution abides them for seeking and demanding the resolution of the dispute either through right to self-determination or a negotiated solution that may be agreed by India, Pakistan and people of Kashmir provided that such solution reflects the will of the people of Kashmir.

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18 Ibid., p. 160
and they recognize that, there are three parties of dispute namely India, Pakistan and Kashmir.

Objectives

The APHC through different techniques has mobilized people for what it calls the final settlement of the Kashmir issue.\textsuperscript{20} In an atmosphere of violence, the political space vacated by the mainstream parties was occupied by APHC.\textsuperscript{21} Ever since its formation, the objectives and Constitution of APHC has modified by only some of its members. But the objectives of the organization as contained in the original constitution of the conglomerate are as:

1. To struggle peacefully to secure for the people of Jammu and Kashmir the exercise of the right to self-determination in accordance with the UN Charter and the resolutions adopted by the UN Security Council, however, the exercise of the right to self-determination shall also include the right to independence.\textsuperscript{22}

2. To make endeavors for an alternative negotiated settlement of the Kashmir dispute amongst all the three parties to the dispute (India, Pakistan and people of the Jammu and Kashmir) under the auspices of UN or any other friendly countries, provided that such settlement reflects the will and aspirations of the people of the state.

3. To provide the ongoing struggle in the state before the nations and governments of the world in its proper perspective as being a struggle directed against the forcible and fraudulent occupation of the state by India and for the achievement of the right to self-determination of its people.

4. To make endeavors, keeping in view the Muslim Majority character of the state, for promoting the build-up of a society based on Islamic values, while safeguarding the rights and interests of the non-Muslims.

\textsuperscript{20} Mir, Fayaz Ahmad, \textit{The Birth of Hurriyat as a Political Platform}, Op. Cit.,
\textsuperscript{21} Ibid.,
\textsuperscript{22} As per the United Nations Resolutions on Kashmir, the people of Kashmir should be given the right to decide whether they want to remain with India or be a part of Pakistan.
5. To make endeavors for the achievement of any objective which may be ancillary or incidental to the objectives specified above.\textsuperscript{23}

Structure of the Organization

As per the Constitution of APHC, the structure of the organization\textsuperscript{24} is as follows:

**Executive Council:** The executive powers of the All Parties Hurriyat Conference shall be vested in the Executive Council. The Executive Council shall consist of seven members. The Executive Council shall choose one member of the Council to be the Chairman of the APHC. The Chairman shall hold the office for two years. He shall vacate his office if he ceases to be a member of the Executive Council. He may at any time resign from his office by submitting his resignation to the Executive Council.

**General Council:** It had more than 23 parties and organizations as members, including traders and employees union. While the membership of the Executive Council as per the constitution cannot be increased, the General Council can accommodate more members if deemed so or if any party or organization seeks membership.

**Quorum:** The quorum for the meeting shall be four members of the Executive Council.

**Official Spokesman:** The Executive Council may appoint one of its members to act as its official spokesman who shall, whenever it is necessary to do so, explain the official viewpoint pertaining to the All Parties Hurriyat Conference including its policies and programmes.

**Finance:** The Executive Council shall also act as the Finance Committee of the All Parties Hurriyat Conference.

\textsuperscript{23} APHC Constitution framed in 1993

3.3 Split of APHC and Efforts for Unity

The high hopes that were pinned on the ability of APHC to steer the separatist movement during the troubled times proved short lived. Towards the end of the previous century, the differences within the APHC constituents started deepening due to its inconsistent ideologies and methodologies. Ever since its formation in 1993, APHC adopted its own constitution and it was mandatory upon constituent parties to follow it in letter and spirit. Soon after its emergence the APHC suffered first setback when Shabir Shah became controversial for his meeting with Prime Minister, V. P. Singh in May 1996 and former United States ambassador in India, Frank Wisner on August 1996. He was suspended from the Executive Council for the independent stance that he had adopted in conducting private discussions. His disillusionment with the Hurriyat’s achievements stemmed from the fact that his eight-point programme for reform which he had submitted to the organization received a cold shoulder.

Thus, APHC witnessed intermittent allegations and counter allegations of constitutional violations among its factions. Victoria Schofield observed that Hurriyat was actually going through a metamorphosis in its hierarchy in 1997. The differences within the Hurriyat became more visible when Syed Ali

27 Shabir Shah’s eight point proposal is:- 1. All Constituents of Hurriyat Conference should dissolve its party activities and unite in the single Hurriyat Conference. 2. The new Hurriyat Conference will work according to its 1993 Constitution that will advocate right to Self-determination. No solution acceptable under Indian Constitution. 3. The people of Ladakh and Jammu should be given proper representation in APHC, So that it becomes broad based party. 4. Joint strategy should be worked out immediately for safe return of Kashmiri Migrant Pandits. 5. Joint public institutions should be established for the welfare of orphans, widows and oppressed people. 6. The exact relationship between the political leadership and underground militant organizations should be defined. 7. APHC should encourage democratic ways and methods whereby the intellectuals, journalists, writers and scholars feel free to explain their views and opinion on the ongoing struggle. 8. APHC should take concrete steps to create awareness about one just cause within and outside India. Those organizations which are working for the cause of Kashmir in the Pakistan or any other country will come under Hurriyat Conference.

Geelani took over the Chairmanship from the Mirwaiz Umar Farooq. Although the change of leadership was treated as a normal transition of power from one office holder to another, very soon it became evident that there was an internal wrangle after Mirwaiz Umar Farooq had offered unconditional talks to the Central Government which was, however, denied. The Hurriyat got divided at a critical juncture when the People’s Conference veteran Abdul Gani Lone developed differences with Islamists. Much to the dismay of the Islamists, he used to say, “Kashmir cannot be allowed to be used as a battle ground by those seeking the Islamic flag on the Red Fort or the White House.” Also Lone was eager to suggest that the post 9/11 world had no place for guns in Kashmir: “Guns can’t provide a solution and we should not fall into the trap of the extremist forces.” Geelani, however, turned down Lone’s plea for confining Kashmir Issue only at political level. Geelani, in order to sideline the secular elements, wanted to make Hurriyat both political as well as religious, which gave rise to clashes between them. The issue of a possible future for the state outside the sovereignty of India too has generated an internal divide with Geelani and some others openly espousing accession of Jammu and Kashmir to Pakistan and the JKLF demanding an independent status for the state.

While dissension within the amalgam is fought out in public under the façade of ideological causes, the element of individual ego clashes invariably appeared in the conflicting statements of warring leaders. The election for the Chairman in year 2000 gave rise to these ego clashes that have continued to simmer till date. The main protagonists in this clash have been Syed Ali Shah Geelani and the People’s Conference leader Abdul Gani Lone. The two have clashed over the role of foreign mercenaries in the ongoing movement and over

32 Personal interview with Syed Ali Geelani, Chairman of both Tehreek-i-Hurriyat Jammu and Kashmir and APHC (G), Senior Rokun (Member) of Jama’at-i-Islami, Hyderpora Srinagar, November 27, 2008.
the status of the crisis, with Abdul Gani Lone terming it as a political issue and Syed Ali Geelani terming it as a religious issue. Moreover, rumours persisted that APHC was also attempting to rethink its election strategy prior to September-October, 2002 election to the State Legislative Assembly. Its Executive Council was split between those who wanted to contest elections in order to prevent Farooq Abdullah or his son and heir apparent, Omar Abdullah, from perpetuating the National Conference’s tenure of office and those who were still refusing to do so because of the requirement to recognize the State’s allegiance to the Indian Union.

Although Hurriyat did not participate but the elections gave another blow when the centrist leader Abdul Gani Lone’s party (the People’s Conference) fielded proxy candidate named Sofi Ghulam Mohi-u-din, as an independent candidate from the Langate Constituency of Kupwara, in North Kashmir, during 2002 assembly election. However, People’s Conference denied the allegation and called it Sofi’s personal move and in this back drop he was expelled from the People’s Conference. APHC’s failure to act against the People’s Conference and the moderate’s unwillingness to boycott campaign against the 2002 elections incensed many elements within the conglomerate.

Syed Ali Geelani, after his release from prison, also expressed his dissatisfaction with the Hurriyat’s inability to effectively campaign against participation in the assembly election. He was also not happy with the Hurriyat’s decision, not to expel the People’s Conference representative from the Executive Council, for fielding a proxy candidate who after winning election joined the coalition government. Geelani began his assault at a meeting in Srinagar on June 28, 2002, he called upon the APHC either to mend its ways or be prepared for the emergence of a rival. "The ball is now in the court of the Hurriyat," Geelani said, "and if it expels the People's Conference at this

34 Ibid.,
35 Victoria, Schofield, Kashmir in Conflict-India, Pakistan and the Unending War, Op. Cit., p. 239
moment, we are ready to extend our support to it afresh.” The Hurriyat, however, refused to reopen the issue. These fissures within the Hurriyat Conference culminated in its formal split on September 7, 2003, when Geelani suddenly announced that 13 of the 23 members of the APHC General Council had passed a resolution of no-confidence against the then Chairman, Molvi Abbas Ansari and elected Masrat Alam of Muslim League as its new interim chief. Since September 8, 2003, the APHC has been divided into two factions, one led by Mirwaiz Umar Farooq and other by Syed Ali Shah Geelani, a former Amir of Jama’at-i-Islami. Like old city of Srinagar is considered as stronghold of Mirwaiz Umar Farooq, Baramulla district is considered as stronghold of Syed Ali Geelani. Besides, Yasin Malik of JKLF, among the first batches of youth to join militant movement in Kashmir, has refused to align with either of the Hurriyat Conferences.

Thus, Hurriyat Conference is confronted with a very serious challenge. It does not have any definite political stand. It has been suffering from inherent contradictions and has been wavering between negotiated settlements to Azadi. It has as many leaders as its constituents with no cohesive bond. The party has very weak organizational structure. It even has no district units.

Efforts for Unity

Like the Indian National Congress of pre-1947 era, the APHC has remained divided for long into Moderates and Extremists. There were ideological as well as methodological differences between the two factions. However, the two factions started operating independently even as the Mirwaiz faction of Hurriyat Conference engaged itself in a dialogue process with the

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38 *Decline of the Hurriyat and After*, The Hindu, September 25, 2003
Government of India.\footnote{Ather, Parvaiz, *Is unity among Hurriyat factions in jeopardy?*, Kashmir Times, June 26, 2005} Geelani maintains that there was no scope for bilateral talks in the constitution of All Parties Hurriyat Conference. He says that the constitution of Hurriyat Conference only allows tripartite talks, involving India, Pakistan and the genuine representatives of the aspirations of the people of Kashmir.\footnote{Personal interview with Syed Ali Geelani, Chairman of both Tehreek-i-Hurriyat Jammu and Kashmir and APHC (G), Senior Rokun (Member) of Jama’at-i-Islami, Hyderpora, Srinagar, December 15, 2009.}

It seems that the former Pakistan President, General Musharraf’s advice to Hurriyat leaders during their separate meetings with him had its impact. There were indications that the main leaders in the two factions are in a mood to unite. The suggestions made by Syed Ali Shah Geelani, to constitute Coordination Committee (CC) for working out modalities for reunification is seen as a positive development. To bring the two factions together, President of Kashmir Bar Association (KBA), Mian Abdul Qayoom played a pro-active role. He constituted a four-member team of senior lawyers and had assigned it the job of bringing the divided houses of Hurriyat together. However, the team after making efforts for six months did not succeed in its efforts.\footnote{Muhammad, Z. G., *Kashmir in War and Diplomacy*, Gulshan Books, (Srinagar 2007), pp. 139-40} In 2004 Kashmir Bar Association (KBA) as part of its renewed strategy, set up a multi-party forum under the banner of ‘*Itihadi Forces*’ (unity forces) to forge unity between divided Hurriyat, comprising of Jama’at-i-Islami, People’s League, JKL, DFP and Jamiat-i-Ahlihadees, the forum made efforts for about one year, but again the unification could not become a reality.\footnote{Personal interview with Mian Abdul Qayoom, President of Kashmir Bar Association, High Court, Srinagar, January 23, 2010.} After this, *Itihadi Forces* altogether gave up its efforts. However, at individual level Shabir Shah (President of Democratic Freedom Party) and Asiya Andrabi (Chairperson of *Dukhtaran-i-Millat*), though intermittently continued their efforts to forge unity but without any success.\footnote{Personal interview with Asiya Andrabi, Chairperson of Dukhtaran-i-Millat, Soura, Srinagar, January 23, 2010} The Pakistan High Commission in New Delhi also

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\footnote{Ather, Parvaiz, *Is unity among Hurriyat factions in jeopardy?*, Kashmir Times, June 26, 2005}
\footnote{Personal interview with Syed Ali Geelani, Chairman of both Tehreek-i-Hurriyat Jammu and Kashmir and APHC (G), Senior Rokun (Member) of Jama’at-i-Islami, Hyderpora, Srinagar, December 15, 2009.}
\footnote{Muhammad, Z. G., *Kashmir in War and Diplomacy*, Gulshan Books, (Srinagar 2007), pp. 139-40}
\footnote{Personal interview with Mian Abdul Qayoom, President of Kashmir Bar Association, High Court, Srinagar, January 23, 2010.}
\footnote{Personal interview with Asiya Andrabi, Chairperson of Dukhtaran-i-Millat, Soura, Srinagar, January 23, 2010}
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chipped in with its efforts at least twice so far, but without any positive results.\footnote{Parvaiz, Ather, Is Unity Among Hurriyat Factions in Jeopardy? Op. Cit.}

Divisions and controversies made the Hurriyat lose its mass appeal which was evident by the poor response of people to its strike calls. However, during the year 2008, the controversy of Shri Amarnath Land Row\footnote{On June 26, 2008, the State government transferred 99 acres of forest land to the Shri Amarnath Shrine Board (SASB) in Kashmir Valley Which caused demonstrations, protests in Kashmir valley against the land transfer and protests from Jammu region supporting it.} came as a blessing in disguise and reactivated both the factions of the organization. It also brought the two factions closer and the leaders were seen on a common platform for the first time after their split in 2003.\footnote{Kashmir Times, June 20, 2008} Mirwaiz along with senior separatist leaders of his group visited the Uptown Hyderpora, residence of Syed Ali Geelani, for talks about the reunification and strategy regarding the Sri Amarnath Shrine Issue which continued for over six hours. The meeting concluded that the unification should be based on three main points:

1. To solve the Kashmir issue through the right to self-determination or tripartite talks.
2. To make six member committee-three members from each faction of Hurriyat-to draft the unification plan.
3. To solve the Shrine Board issue.

The agreement was signed by six members viz Syed Ali Geelani, Mirwaiz Omar Farooq, Mohammad Ashraf Sharie, Ghulam Nabi Sumbji, Shabir Ahmad Shah and Musrat Alam Bhat.\footnote{Agreement document signed at Geelani’s residence at Hyderpora on June 19, 2008} Hurriyat Conference (M) also agreed to work under the committee constituted on Amarnath Shrine Board by Hurriyat Conference (G), which would explore legal options of the case (See Appendix IV). On the other hand, the Kashmir Bar Association was ready to join the Hurriyat if the factions unite and to work on a single platform for the resolution of Kashmir issue.\footnote{Kashmir Times, June 20, 2008} Henceforth, the two factions of Hurriyat worked under the umbrella of Coordination Committee- an amalgam of many groups
like APHC (M), APHC (G), Jammu Kashmir Liberation Front (JKLF), Traders Union, Civil Society and Kashmir Bar Association etc against land transfer, which did spearhead the movement for a long time.\textsuperscript{51} It is no wonder that the masses that were earlier disgusted with the Hurriyat rejoiced over the unity gestures and the people’s participation in the Hurriyat meetings registered an upward trend. But the honeymoon period was not to last long. The state assembly polls held in November-December 2008 again exposed the inherent ideological and personal differences of the Hurriyat leadership. More surprising was, however, the unprecedented mass participation in the elections. This was most probably for two reasons: Firstly, Hurriyat factions failed to offer a concrete programme except to perpetuate its old strategies. Secondly, people started making a difference between the short term developmental issues and the long term political goals. Therefore, they supported mainstream political parties like National Conference, People’s Democratic Party, who promised immediate solutions to day to day problems, as well as separatist leadership which lead the fight to achieve people’s right to self-determination. Thus, unless Hurriyat is able to remove its ideological and personal differences by producing a concrete common programme with a mass appeal, its lasting unity seems to be a distant dream.

3.4 Emergence of Tehreek-i-Hurriyat

Jama’at-i-Islami, which was founded by Moulana Abu Aa’la Moudoodi, emerged as an important socio-religious organization in the contemporary history of the sub-continent in general and Jammu and Kashmir in particular. The Jama’at-i-Islami Jammu and Kashmir (JIJK) was established as an independent organization in 1952. The JIJK presented itself as an organization committed to establishing an Islamic State in Kashmir based on the Islamic law, the shari’at, but using democratic means of peaceful persuasion for

\textsuperscript{51} Personal interview with Masrat Aalam, Chairman of Muslim League, Executive Member of APHC (G), Downtown, Srinagar, February 21, 2011
attaining its goals.\textsuperscript{52} This was stressed in its Constitution adopted in 1953. Article 2(c) of its Constitution lays down that, ‘the Jama’at shall use democratic and constitutional methods, while working for the reform and righteous revolution.\textsuperscript{53}

The most important and controversial issue in Kashmir politics has been the issue of accession of the state to India. The Jama’at is of opinion that Jammu and Kashmir is a disputed state. The accession of the state to India is temporary and as such subject to the ratification by the people. This condition has, the Jama’at holds, been recognized by the United Nations also. On this basis the Jama’at-i-Islami maintains that the people of Kashmir still retain the right to self-determination.\textsuperscript{54}

Up to 1997, Jama’at-Islami placed Kashmir issue on the front burner and acted as vanguard for seeking its final settlement in accordance with the UN Resolutions. In 1997, Ghulam Mohammad Bhat was elected as new \textit{Amir} (chief) of Jama’at. Bhat is considered to be the pioneer of reviewing and renewing the Jama’at’s policy over Kashmir issue. As per this, Jama’at decided to put Kashmir Issue on the second priority. During his tenure as \textit{Amir} this policy got strengthened and prevailed with the support of some members of Jama’at’s executive council.\textsuperscript{55} The other faction emerged as strong opponent of this new strategy. They called this shift ‘retreat and betrayal’ and informed about their apprehensions to executive council and other lower cadres of the organization. This opinion was spearheaded by Syed Ali Geelani, the Jama’at member and a veteran political figure of Jammu and Kashmir, who enjoys a strong sway over the cadres of Jama’at-i-Islami. In the backdrop of these developments within the Jama’at, Geelani was called back from the All Parties Hurriyat Conference (APHC) as representative of Jama’at on the reasons of

\textsuperscript{52} Sikand, Yoginder, Changing course of Kashmiri Struggle, From National Liberation to Islamist Jihad? \textit{Economic and Political Weekly}, Vol. XXXVI, No. 3, January 20, 2001
\textsuperscript{53} Ibid.,
\textsuperscript{55} Personal interview with Mohammad Ashraf Sharie, General Secretary of Tehreek-i-Hurriyat and Member of Jama’at-i-Islami, Srinagar, November 25, 2009
deteriorating health. However, Syed Ali Geelani denounced the reason of deteriorating health and stated it as the part of new thinking and shift in policy and strategy. The matter created chaos and ambiguity within the Jama’at. Later on, Jama’at reviewed its decision and sent back Geelani as its representative in All Parties Hurriyat Conference (APHC). This was an unprecedented development in the history of Jama’at which deepened the polarization within the organization. The opinion within Jama’at got divided. On the one hand, Geelani was of the view that “Jama’at must act as a vanguard in the movement aimed at solving Kashmir issue which cannot be treated as having secondary importance. If it happened, Geelani opined, it will be against the manifesto and spirit of the constitution of the Jama’at, it will be the betrayal with the huge sacrifices made by the people of the state in which Jama’at has a major share”. On the other hand, this argument couldn’t convince the other leadership of Jama’at who discarded it as the personal view of Geelani. They were of the opinion that “Kashmir issue is the concern of the whole nation and not of Jama’at only”. Jama’at, they argued, cannot afford to act as vanguard for the resolution of Kashmir issue but will act like other political, religious organizations of the state”. Jama’at came under heavy criticism from within and outside its cadre base. The issue caught limelight and was debated in local, national and international media. The change in Jama’at’s policy was described by many as the organization’s U turn on insurgency in Kashmir and the strategy for the safety of lives and property of Jama’at workers. On the other hand, Syed Ali Geelani maintained that “Jama’at is an Islamic movement and a cadre based organization. It must be clear to everyone that Islam has come to flourish whether Jama’at survives or not. Contribution of such a movement is not assessed by the escape routes it adopts and number of workers it manages

57 Personal interview with Ghulam Mohammad Bhat, Ex-Amir Jama’at-i-Islami Jammu and Kashmir, Falha-i-Aam Trust, Office Nowgam Bypass, Srinagar, July 17, 2010
58 Hussain, Sheikh Showket, Facets of Resurgent Kashmir, Kashmir Institute, (Srinagar, 2008), p. 90
to save but with reference to its adherence to the ideals for which it stands.”

Efforts to rectify the situation drew a blank. Several Executive Council (Majlis-e-Shoora) meetings were held to sort out the differences but they could not make any headway.

The differences within the Jama’at led to the creation of Tehreek-i-Hurriyat. When Nazir Ahmad Kashani was elected the new ‘Amir’ in 2003, the Executive Council of Jama’at granted permission to Syed Ali Geelani to float a separate organization in order to work for the resolution of Kashmir issue. Hence, on August 1, 2004 an agreement was signed by both the parties which read as:

1. That, Syed Ali Geelani is hereby granted permission to form an independent organization in order to work for the resolution of Kashmir issue with effective and peaceful ways and means. The status and basic Jama’at membership of Syed Ali Geelani will remain intact.
2. That, on demand Geelani Sahib will be provided some required man power, whose membership in Jama’at will remain intact.
3. That, Jama’at-i-Islami will remain a constituent of All Parties Hurriyat Conference (G) and sent its representative in it.
4. That, Tehreek-i-Hurriyat and Jama’at-i-Islami will work with cooperation and will refrain from confrontation.
5. That, in case of any confrontation, the issues and matters will be settled by mutual negotiations and comprehension.
6. That, the supporters and members of Jama’at will take part in newly formed organization, however, cannot attain any designation and post in the said organization.

This agreement was signed by fifteen Executive Council members of Jama’at-i-Islami. In the light of this agreement Syed Ali Geelani floated his own ‘Tehreek-i-Hurriyat Jammu and Kashmir’ (THJK) on August 7, 2004,

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60 The leader of the Jama’at is known as Amir
62 Agreement copy of Jama’at and Tehreek-i-Hurriyat
which also became the key constituent of his APHC (G), with support from his parent organization, Jama’at-i-Islami Jammu and Kashmir. Geelani became the first Chairman of Tehreek-i-Hurriyat and senior Jama’at member, Mohammad Ashraf Sharie of Kupwara, had been nominated its General Secretary.

The top brass and many prominent members of Tehreek-i-Hurriyat have been among Jama’at cadres. Though it was born out of Jama’at-i-Islami, it is now a separate organization with its own constitution. The fact, however, remains that both the organizations resemble in almost all aspects and are quite similar in ideology and programmas. The only difference is that Tehreek-i-Hurriyat lays full emphasis on seeking resolution of Kashmir issue, whereas Jama’at-i-Islami holds on to ‘Iqamat-i-Deen’ and at the same time advocates the speedy resolution of Kashmir dispute.

While highlighting the relations between the two organizations, Geelani clarified that ‘for the expansion of the regular organizational structure in near future the doors of the Tehreek-i-Hurriyat would remain open even for those who are/were not the activists of Jama’at-i-Islami.’63 Regarding his decision of creating a new party over the Islamist Jama’at-i-Islami, Geelani said “the need had arisen for the constitution of a purely political organization. He remarked that although Iqamat-i-Deen (establishment of Islamic system) should be the unambiguous objective of Jama’at-i-Islami but the preoccupation of the fundamentally religious organization with a host of non-political programmas was a matter of deep concern. While clarifying the relations between the Jama’at and Tehreek-i-Hurriyat, he stated that the new organization would operate as the Jama’at’s sister concern and would draw its membership from the Jama’at’s rank and file, which according to him was present in every nook and corner of the state. Furthermore, he strongly asserted that it (Tehreek-i-Hurriyat) would not be a breakaway faction” and as a new political outfit will support the political slogan (Referendum) of Hurriyat ‘G’ which aims at the resolution of Kashmir problem as per the aspirations of its people. It is worth mentioning here that Hurriyat ‘G’ aspires to see the solution of the conflict as

63 Daily Excelsior, August 8, 2004
per the resolutions passed by the United Nation’s Security Council since 1948. The organization has been emphasizing that plebiscite had been promised to the people of Jammu and Kashmir by Indian leadership which had in fact taken this matter to the UN. Being the staunch supporter of Referendum and having conceptualized the resistance movement around the UN resolutions, Geelani while highlighting the significance of UN resolutions said ‘that the UN had passed as many as 18 resolutions in the last 56 years which called for a referendum in Jammu and Kashmir.’

Struggling for Jammu and Kashmir’s freedom from India and the establishment of Nizam-i-Mustafa would be the main objectives of Geelani’s new political outfit. “Jab tak Islam ka nizam naafriz nahi hota, hamari jodujahad jaari rahe gi” (Until the rule of Islam prevails, we will continue our struggle). Needless to mention that Jama’at’s main objective is to see the establishment of Nizam-i-Mustafa, therefore, the two organizations are very intimately related to each other sharing the same goal while differing only in their modus operandi.

Organizational Structure

Tehreek-i-Hurriyat has its own constitution which was adopted in August 2004. The document comprises of 26 Articles with clauses and sub-clauses. As per the Constitution the structure of the organization is as follows:

Nomenclature: Article 1 says the organization will be known by the name of Tehreek-i-Hurriyat Jammu Kashmir.

Central and Sub-Central Structure: Article 6 says that Tehreek-i-Hurriyat will work on consultative lines and the organization will comprise of unit systems at Central, Provincial, District, Tehsil and Block level. The Central

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64 As per the United Nations Resolutions on Kashmir, the people of Kashmir should be given the right to decide whether they want to remain with India or be a part of Pakistan.

65 Personal interview with Syed Ali Geelani, Chairman of both Tehreek-i-Hurriyat Jammu and Kashmir and APHC (G), Senior Rokun (Member) of Jama’at-i-Islami, Hyderpora Srinagar, October 15, 2010

66 Constitution of Tehreek-i-Hurriyat Jammu and Kashmir Article, 2
structure would comprise of Chairman, General Secretary and an Executive Council (*Majlis-e-Shoora*).

**Chairman:** The Constitution lays down that the head of the organization would be called as ‘Chairman’ and every member would have an obligation to follow him in letter and spirit.\(^67\) The Articles 8, 9 and 10 of the THJK constitution deal with the qualification of the Chairman, procedure of his election and his responsibilities and jurisdiction respectively in detail. The chairman would be assisted by an executive council consisting of ten members,\(^68\) each holding the office for the period of three years.\(^69\) The Executive Council as per the constitution will be called *Majlis-e-Shoora*.

**Quorum:** The quorum for the meeting in the *Majlis-e-Shoura* is five members.

**Finance:** Articles 19, 20 and 21 deal with the financial system of the organization. It lays down certain resources where from the income for the *Bait-ul-Maal*\(^70\) can be collected. Moreover, the articles lay down the procedure to maintain the accounts of the promised amount to be paid by the members and the sympathizers of the organization and assistance from subordinate *Bait-ul-Maals*. The profit earned on account of publication of books, income earned from the assets of the organization, general donations, and charity is also recorded under these Articles. There is a provision for the audit and *Bait-ul-Maal* is subjected to audit every year by a professional auditor.

**Membership:** Article 5 says that every citizen of Jammu and Kashmir irrespective of sex, color, creed and language can become the member of Tehreek-i-Hurriyat; even non-Muslims can become the supporters of Tehreek-i-Hurriyat.

The organization has its own system of accountability and works on the democratic lines. There is ample scope for dissent and complaints against any

\(^{67}\) Ibid., Article 7
\(^{68}\) Ibid., Article 18 (b)
\(^{69}\) Ibid., Article 11
\(^{70}\) *Bait-ul-Maal* is an Arabic term that is translated as ‘House of Money’ or ‘House of Wealth’. It is a financial institution which is responsible for administration of taxes and distribution of revenues for public work in Islamic State.
person belonging to the organization and decisions are taken after debates and discussions.\textsuperscript{71}

The constitution is flexible and can be amended by a simple majority except Article 3 (which elaborates the faith and goals of the organization, i.e. Islam, Azadi and Unity of Ummah) and Article 4 (which reads that the course of action will be purely peaceful, political and democratic in nature) which constitute its basic structure.\textsuperscript{72}

\textbf{3.4.1 Goals and Techniques of Mobilization}

The main objective of the organization is to pursue for an Islamic system of governance (\textit{Shari’ah}) in Kashmir i.e. Islam should govern the lives of the people in political thought, socio-economic system, culture etc. The organization aims at the settlement of the Kashmir conflict through the resolutions passed by the United Nations and therefore conceptualizes the resistance movement around the doctrine of the Right to Self-determination as guaranteed by the United Nations. Thus, Tehreek-i-Hurriyat strives for freedom under the shades of Islamic beliefs and in the light of its historical perspective on the Kashmir. Tehreek-i-Hurriyat has set three goals to strive for:

a. **Islam**: That Islam is a complete way of life, source of inspirations, injunctions and principles.

b. **Freedom**: That Tehreek-i-Hurriyat considers Jammu and Kashmir a disputed territory and will seek and press for the resolution of this dispute in peaceful and democratic manner, according to aspirations of people through the right to self-determination.

c. **Unity among Ummah**: Tehreek-i-Hurriyat believes that whole Muslim \textit{Ummah} (Worldwide Muslim community) is like a single body and therefore, will strive for strengthening of unity in \textit{Ummah} on Islamic principles.\textsuperscript{73}

\textsuperscript{71} Ibid., Article 22
\textsuperscript{72} Ibid., Article 25
\textsuperscript{73} Ibid., Article 3
According to Geelani, “the creed of socialism and secularism should not touch our lives and we must be totally governed by the Quran and the Sunnah (precedent of Prophet Mohammad (SAW) and we must fight against anti-Islamic forces that come under the garb of Nationalists, Secularists, Racists, Linguistic Chauvinists and so on”. The party still rules out dialogue with New Delhi until the Parliamentary Resolution of 1995 (declaring Jammu and Kashmir an integral part of India and pledging to retrieve Azad Kashmir from Pakistan) is revoked, Armed Forces Special Powers Act (AFSPA) is repealed in the state and demilitarization from the state.  

Right from its formation, Tehreek-i-Hurriyat has emerged as a staunch Islamist organization. It aims to launch a full-fledged campaign against forces that are, what they call, hell-bent upon harming Islam and Muslims all over the world. Tehreek-i-Hurriyat uses several tools and techniques to mobilize the people of the state to achieve its objectives. Some important techniques are:

**Literature Distribution:** Tehreek-i-Hurriyat is publishing extensive literature that comprehensively deals with different dimensions of its ideology and programmes. Its founding father, Syed Ali Geelani writes in Urdu. He has written a large number of books and pamphlets explaining his programme and ideology. In order to popularize these books and pamphlets Tehreek-i-Hurriyat has adopted different tactics like they have their own Maktabs (book shops) where they sell such literature on lower rates or even distribute it free of cost. Many workers of the party voluntarily move from door to door to introduce their literature to different sections of the society. It is the literature of the party which has been responsible for bringing many people to the fold of the party. It helps THJK to become a broad based party.

**Mosques:** The leaders of Tehreek-i-Hurriyat use the mosques to propagate its ideology. They fully utilize Friday congregations to persuade the people to

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74 Personal interview with Syed Ali Geelani, Chairman of both Tehreek-i-Hurriyat Jammu and Kashmir and APHC (G), Senior Rokun (Member) of Jama’at-i-Islami, Hyderpora Srinagar, November 15, 2010
fight for their right to self-determination and follow Islam in every field of their lives.\textsuperscript{75}

**Funeral Processions:** Besides mosques, the leaders of THJK often offer *Namaz-i-Jenaz* (funeral prayers) of militants (locally known as Mujahideen) who are killed while fighting various security agencies of the state. During these gatherings the leaders frequently highlight the human rights violations by the military and paramilitary forces and the importance of right to self-determination.

** Strikes and Protests:** The other important techniques Tehreek-i-Hurriyat uses for mass mobilization are strikes and protests. According to Geelani, “Strikes and protests are the only weapons in the hands of the oppressed nation to fight against oppression and for their rights.”\textsuperscript{76} By these strikes and protests the party tries to aware the national and international community about the nature of Kashmir dispute. In 2009, the organization gave District wise strikes and demonstration calls against the land occupation by Indian Forces in different parts of the state. The programme started on October 23, 2009 from District Shopian.

**Meetings (Ijtimas):** One of the most important mobilizing methods of Tehreek-i-Hurriyat is regular *ijtimas* (meetings) which are held weekly, monthly and yearly basis at unit, *tehsil* and district levels respectively. These meetings are attended by general public and are addressed by party leaders. The party also organizes seminars, discussions and speeches in which different sections of the society are invited.

**Print and Electronic Media:** the services of both the print and the electronic media particularly local news papers and TV channels are used by the party to propagate its ideology and programmes within and outside the Valley. For this

\textsuperscript{75} Personal interview with Yasin Malik, Chairman JKLF, Maisuma, Srinagar, November 17, 2010

\textsuperscript{76} Rising Kashmir, Greater Kashmir, May 6, 2009
same purpose, Tehreek-i-Hurriyat also established its own website (http://www.jkth.org).

**Calendars:** By the year 2009, Tehreek-i-Hurriyat has come up with a calendar having references to the history of Jammu and Kashmir Dispute. These calendars also mention incidents of Human rights violations committed by Indian forces in the state. They also contain excerpts from Geelani’s addresses and writings.

**Bait-ul-Maal:** The Tehreek-i-Hurriyat derives its main income from its own treasuries (*Bait-ul-Maal*) established at every unit of the organization. These have the following sources of income:

i. *Zakat* and other charities

ii. Obligatory contributions of its members

iii. Sale of hides of the sacrificed animals on the occasion of Eid-ul-Azha

iv. The profit of the sales of their books and pamphlets.

Thus, Tehreek-i-Hurriyat was created in backdrop of the division in the Jama’at-i-Islami. It strives for establishment of Islamic order in every aspect of life. It considers Kashmir dispute as an obstacle in establishment of Islamic order and exerts every effort for the resolution of the dispute on political levels. Though the organization believes that the most comprehensive and amicable solution of this dispute lies in right to self-determination but it has consistently expressed its willingness to engage in tripartite talks meant to reach a solution to the problem. The negotiations must be, however, between India, Pakistan and the genuine representatives of the aspirations of people of Kashmir. It however, rejects all old and new proposals and roadmaps or any other out of box solution.

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77 Personal interview with Rajab Mohammad Kalwal, Member of Tehreek-i-Hurriyat, Hyderpora, Srinagar, December 15, 2010

78 Personal interview with Mohammad Ashraf Sharie, General Secretary of Tehreek-i-Hurriyat and Member of Jama’at-i-Islami, Srinagar, May 21, 2010
3.4.2 Impact on Jammu and Kashmir Politics

Tehreek-i-Hurriyat is an outgrowth of Jama’at-i-Islami as the heavy damage inflicted on Jama’at during militancy forced it to reorient its Kashmir policy. Jama’at believed that the political issues deserve exclusive attention and demand forceful and fearless articulation. Education and social arenas at the same time demand equal attention thus can’t be sacrificed for the political expediencies. The policy adopted by Jama’at made people to feel that it wanted to work on Ikhwanul Muslimin\textsuperscript{79} pattern where members of different caliber and potential are assigned work in line with their priorities without jeopardizing the functions and performance of other arenas. Some analysts believe that the formation of organizations like Islamic Study Circle and Tehreek-i-Hurriyat from parent organization (Jama’at-i-Islami) was in pursuance of the same belief. Tehreek-i-Hurriyat launched itself openly against so called ‘Indian occupation’ with the result it occupied the centre stage within the separatist camp. Tehreek-i-Hurriyat managed to gain the support of the onetime staunch supporters of Jama’at as the same were not satisfied with the new modus operandi of the Jama’at. Nevertheless, the involvement of Tehreek-i-Hurriyat, mainly with the anti-India programmes galvanized support from a huge number of youngsters in general and considerable number of Jama’at-i-Islami sympathizers in particular. This gave rise to differences and infighting within Jama’at cadres which surfaces many times. The top brass of Jama’at tries hard to prevent such tendencies. The youth from the Jama’at cadres and also outside it are more attracted towards the policies and programmes of Tehreek-i-Hurriyat more particularly with Geelani for his stand against India and mainstream politicians.\textsuperscript{80} It has played a vital role in shifting the Kashmir movement to new and young generation in last couple of years. This is considered a big achievement regarding the ongoing movement. This organization has a distinction of promoting Islamic tendencies and leanings and

\textsuperscript{79} It is an Islamist transnational movement and it is considered as the largest Islamic Political group and most influential Islamist Movement in Arab Countries. It was founded in 1928 in Egypt by school teacher named Hassan al-Banna.

\textsuperscript{80} Mustafa, Sema, Like Him or Not, Geelani Counts, Greater Kashmir, October 25, 2010
producing pro-Islamic leadership on the forefront and centre stage. It encouraged different ways of resistance like stone pelting.

3.5 Jammu Kashmir Liberation Front (JKLF)

Jammu Kashmir Liberation Front (JKLF) was formed on May 29, 1977 in London (Birmingham) by Amanullah Khan. Amanullah Khan was able to bring about rapid expansion of the organization and its branches were soon set up in Pakistan, Denmark, Holland, Saudia Arabia, UAE, Germany, France and the USA. The growth and formation of JKLF can be traced from the different organizations which had been working and were in fray since the separatist tendencies have surfaced in J&K state. Its historical antecedents could be rightly traced from a decision taken by Plebiscite Front (PF) on August 1965 which decided to form an organized guerilla organization patterned along the lines of Algerian Front De Liberation (AFDL). The organization was named as National Liberation Front (NLF). NLF became popular in J&K. It had to undergo an official Jihad for the liberation of J&K. Finally, this organization was structured, Major Amanullah was made the head of armed wing of organization, while Amanullah Khan was made head of political wing, the finance wing was headed by Mir Ahmad and Mohd Maqbool Bhat was made responsible for coordination between these bodies. The heads of these four wings together constituted NLF’s Central Committee. At the NLF’s Central Committee meeting, it was resolved that one who would like to become a member of the Organization would have to sign a membership agreement in his own blood, and take an oath to lay his life for the organization and its objectives. They also agreed on an anthem of NLF which reads as follows.

“Ek haal ek umang, guerrilla jang guerrilla jang
Azadi ka ek hi dang, guerrilla jang guerrilla jang”

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82 Ibid., p. 107
83 Ibid.,
Translation: (Our one objective one desire, guerrilla war, there is only one way to freedom, guerilla war.)

In 1965, Mohd Maqbool Bhat and some others including Major Amanullah secretly crossed into Indian administered J&K and remained underground for four months. They organized secret cells and drained locally existed workers for struggle. Maqbool Bhat and some of his workers were arrested on September 16, 1966 and several persons were also arrested from Srinagar, Hindwara, Baramullah, Sopore and Trehgam (The native place of Maqbool Bhatt). They were tried for sabotage and murder. They were tried by Special Court which held its proceedings in a jail in Srinagar where accused were lodged as an extra caution. Mr. Bhat tried to defend his actions in the armed struggle. He said:

“I could not reconcile to the new political set up brought about in Kashmir after Sheikh Abdullah’s dismissal and arrest in 1953. The Sheikh Abdullah’s successor Bakshi Gulam Mohd had much against the wishes of the average people of Kashmir, added some more laws to armory of repression. Any citizen could be detained in prison for five years. Therefore, I became a resistant rebel of the system which is not of Kashmir, not for Kashmiris and not by Kashmiris.” 85

But his arguments were rejected and on August 18, 1968, Maqbool Bhat and Khawaja Mir Ahmad was awarded death sentence while subedar Kala Khan, a member who was also arrested with Bhat, was sentenced transportation for life. Maqbool Bhat’s arrest put the NLF’s activities in J&K at risk. State government became vigilant of their activities and one can observe that government started to reckon their whereabouts, support base and their activities at national and international sphere. A number of university teachers sympathetic to NLF were also arrested. 86 The Plebiscite Front reacted to the setback faced by the Front and demanded that NLF should disband itself for making an opportunistic attempts like resorting to armed struggle at the stage when time was not ripe and the armed strategies were in infancy. 87 Maqbool

85 Schofield, Victoria, Kashmir in Conflict: India, Pakistan and the Unending War, Op. Cit., p.115
86 Noorani, A. G., Contours of Militancy, Frontline, Volume 17, Issue 20, October 13, 2000
Bhat, who was awarded death sentence by Indian Court, escaped from prison along Mir Ahmad and Ghulam Yasin.\textsuperscript{88} Due to their escape from heavily guarded jail they became famous in the valley. A cash reward of Rs. 10,000 was announced for their arrest. Government also announced that any one giving them shelter would be tried and sentenced for seven years imprisonment. But in spite of these announcements they were safely transported to Pakistan administered Kashmir.

On January 30, 1971, an Indian Airline Plane ‘Ganga’ was hijacked by the two Kashmiri youths namely Ashraf Querishi and Hashim Querishi. The plane was diverted safely to Lahore and twenty six passengers were allowed to leave and it was subsequently blown up. Maqbool Bhat came into the limelight by meeting the hijackers and claiming responsibility for the hijacking. The two Kashmiris were first treated like heroes but later were dubbed as Indian agents and subsequently arrested by the Pakistan authorities. Consequently, Pakistan argued that the hijacking was ‘sting operation’ planned by Indian intelligence.\textsuperscript{89} The direct consequence of hijacking incident was that India banned flights between the West and East Pakistan which strained relations between the two wings of Pakistan prior to the outbreak of war in the year1971. Maqbool Bhat’s dealings with the hijackers were regarded as a demonstration of his commitment to Freedom Struggle of Kashmir and no action was taken against him in Pakistan Administered Kashmir.\textsuperscript{90} In 1976, Maqbool Bhat returned to the Valley and started training and preparing the youth for the armed struggle. But he was rearrested on June 7, 1976 along with other two guerrillas Hamid Bhat and Reyaz Dar at Langate, Handwara. Maqbool Bhat was shifted to Tihar Jail (Delhi) and other two were imprisoned in the Jammu Central Jail. This time he could not manage to escape from Jail and was tried and received the

second death sentence of his life. Amanullah Khan moved to England and started mobilization in and around England. He took the charge of the Organization as General Secretary and operated from England. He decided to change the name of the organization. Amanullah Khan had narrated to Victoria Schofield, in an interview that “we changed the name of NLF, because I could not run an organization in England which had armed struggle as an objective”. Therefore, the organization was changed to Jammu Kashmir Liberation Front (JKLF).

3.5.1 Ideology

JKLF maintains the position that the issue of Jammu and Kashmir is not a ‘territorial dispute’ between India and Pakistan rather it is the question of ‘people’ of Jammu and Kashmir. JKLF did not accept Jammu & Kashmir as a constitutional or integral part of any country. “No country, group, political party, assembly has the right to determine future political or constitutional status of Jammu & Kashmir or any part of it,” holds the party. JKLF believes that only Kashmiris or their duly elected representatives have the right to decide about their future constitutional, political, social and economic system for the ‘country’ (of Jammu & Kashmir) and its relationship with the foreign countries (including India and Pakistan). For the JKLF, the best solution to the Kashmir issue is the re-unification of all parts of the divided state and offer of full sovereignty and independence with a right to become a member of United Nations.

Ideologically, JKLF was following the secular Kashmiri nationalism which is in line with the syncretic culture of Kashmir. JKLF articulated the vision of an independent state based on federal parliamentary political system consisting of the five federating units, namely Kashmir, Jammu province, Ladakh, Azad Kashmir and Gilgit & Baltistan enjoying autonomy with elected

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93 JKLF’S Document Titled as JKLF’s Mission (original)
Provincial Governments. Each province could be subdivided into districts and these districts would have their own internal arrangements. At the centre, there would be a bicameral legislature based on ‘Proportional Representation’. The constitution would provide equal social, economic and political rights to religious and ethnic minorities. A neutral foreign policy was advocated for the proposed Independent Jammu and Kashmir State on the Swiss pattern, with friendly relations with both India and Pakistan.\textsuperscript{94}

So far the socio-economic programme is concerned, JKLF strongly recommends the ‘\textit{Naya Kashmir}’ manifesto, adopted by the Jammu and Kashmir National Conference (JKNC) in the early forties which is proposed on egalitarianism and social justice. The republic envisioned by JKLF would develop economic cooperation and trade links with both India and Pakistan. They believe that Kashmir is self-sufficient. The economic potentials of Kashmir like power generation, tourism, forests, cottage industries, fruits, minerals, seri-culture and heavy skilled and unskilled manpower working abroad etc. are such that within a decade after independence, with proper planning, Kashmir can surely become the most prosperous country in the entire region.\textsuperscript{95}

\textbf{3.5.2 Aims and Objectives of JKLF}

Following are the objectives and aims of Jammu and Kashmir Liberation Front:

1. To struggle against foreign occupation, gain independence and attain an honorable position amongst free nations of the world. Struggle to establish a political and social infrastructure based on the values of democracy, public welfare and social justice in the country.

2. To evolve and practice political strategies which meet modern day demands for national liberation.


\textsuperscript{95} Khan, Amanullah, \textit{Win Win Solution for Kashmir}, http://www.jklf.org
3. To fight on all fronts, which have been declared legitimate for the subjugated nations (under alien domination) by the United Nations.

4. To provide moral and material support to Kashmiri Organizations working for complete independence of the State.

5. To project the Kashmir issue and the liberation movement as a question of national independence at the international level and to acquire support from international community and public opinion for our movement.

6. To uproot all racial, communal, regional, linguistic and class prejudices if they exist amongst any people in the state and to promote unity, friendship and equality amongst them.

7. To establish effective communication channels amongst the currently cut-off but patriotic people in the divided parts of the state.

8. To take steps to inform the Kashmiris specially the younger generation, of the historical background of the issue and the true nature and history of Liberation Movement including the geographical and historical facts and economic potentials of Jammu-Kashmir.

9. To take steps to unite and organize all the patriotic Kashmiri people wherever they may be residing under the banner of the JKLF.96

3.5.3 Split of JKLF

Yasin Malik, once a staunch supporter of armed struggle, adopted the methods and principles of non-violence as one of his motivating forces since 1994. This caused a rift between Amanullah Khan, senior leader of JKLF, and Yasin Malik which led to the split between its IAJK and PAK based wings in September 1995. Amanullah Khan based in Rawalpindi, summarily disbanded almost entire Kashmir Valley unit. Amanullah Khan justified the split by saying that “unfortunately, our organization is practically divided into two groups; our basic difference was Yasin Malik’s offer of unilateral ceasefire without informing us”. At the end of year 1995, Amanullah Khan removed Yasin Malik as President of JKLF; in return Yasin Malik expelled Amanullah

96 http://www.jklf.org
Khan as Chairman from the JKLF (Kashmir based units). Following the Khan’s announcement almost the entire JKLF organization IAJK, barring a few individuals rallied behind Yasin Malik and Hurriyat Conference recognized Malik as the legitimate leader of the JKLF movement. Many people from POK were also supportive of Malik. The significance of split was perhaps more generational than anything else. The split was only organizational whereas their ideology and objectives remained same for both the factions. The splinter group of JKLF (Yasin Malik Group) formed in 1995 came under the leadership of Yasin Malik. It was during the confinement in Agra Prison, Yasin Malik, according to him, read many books on philosophy, psychology, poetry (of Rumi, Iqbal, Faiz) and biographies of Yasir Arafat, M. A. Jinnah and Nilson Mandela. The life and achievements of Arafat, Ghandhiji, and Jinnah had greatly inspired and motivated him. When Yasin Malik was asked about why JKLF first triggered insurgency and later abandoned it? He admitted that “JKLF was the author of armed struggle in Kashmir and if today international community wants to discuss the Kashmir issue it is because of that struggle which had been started by JKLF. We resorted to unilateral ceasefire (and resultanty) today Kashmiri people have an argument before the international community”.

3.5.4 Methods of Political Mobilization

The state of Jammu and Kashmir had witnessed politics of protest and separatism earlier but it was used to be in defense of perceived threat to the identity and it generally manifested itself either in form of Hartals or demonstrations. Even some times some minor rebel groups like Al-Fatah were also formed but these could not survive for long as they failed to mobilize large

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97 Yasin Malik was born in 1966 at Maisuma, Srinagar. His quest for Freedom began in 1984 when he was at the age of 18 years, as a student leader giving sermons for freedom. In 1987 he was campaigning for Syed Mohammad Yousuf Shah of Muslim United Front in elections. But after rigging of elections he was arrested, beaten and tortured. This changed his life to such an extent that he picked up the gun and became bitter enemy of false notion of democracy rather challenged Indian sovereignty over Kashmir.

98 Greater Kashmir, August 23, 2005
scale mass-support. It was for the first time in post 1947 era, that Kashmiri Separatist movement under the banner of JKLF received a huge support from people in the 90’s. The JKLF activities can be understood in three stages:

A) Non-violent protest phase (1988)
B) Violent Uprising phase (1989-94)
C) Moderate political phase (1994 to the present)

A. Non-Violent Protest Phase

The rigged elections of 1987 led loss of faith in Indian democracy and mass resistance to the Indian rule in Kashmir (for more details see chapter second). This phase is characterized by massive protests and extensive mass mobilization which was on account of a very ‘strong wave of alienation’ doing rounds in the lives of Kashmiris. More or less similar alienation in different context was put to use by Sheikh Abdullah against a different set of actors in pre-independence era, but now was the turn of JKLF. The slogans like “Hum Kya Chahte? Azadi” (what do we want? independence) “Hai Haq Hamara Azadi” (Azadi is our right) and “Jab tak na hogi rai sumari jung hamari jari hai” (we will fight till world recognize our right to plebiscite), were echoed throughout Kashmir. JKLF flags fluttered on the houses, trees in every town and village across the Kashmir Valley. The situation became uncontrollable and India was finding it difficult to tackle the uprising owing to its mass character as workers, lawyers, engineers, school teachers, doctors, engineers, former MLA’s and Jammu and Kashmir police joined and supported the movement. In the absence of any alternative channels of collective action, the shrines and mosques emerged as the focal point of popular mobilization and resistance. The JKLF also tied to mobilize international support for Kashmir’s independence by focusing on human rights violations. Although the absence of a charismatic leadership posed little difficulty in the mass mobilization, yet JKLF received mass support during this phase.
B. Violent Uprisings (1989-94)

During this phase JKLF prominently remained focused on armed and militant activities besides massive political mobilization at the grassroot level. During this phase JKLF made a strategy which could be divided into four components; a) establishing an organizational base and devising military strategy, b) pursuit of international support, c) mobilizing popular support and d) its rationale of resorting to violence.\(^9\) The Front leaders Hamid Sheikh, Ashfaq Majid Wani, Javid Mir, and Yasin Malik forming the HAJY group, lead the JKLF in Valley. Amanullah Khan, the chairman, headed the Central Committee- the supreme policy making body- was located at Muzaffarabad. Three Sub-Committees were constituted who supervised military, political and diplomatic activities and made to operate the Front’s strategy and guidance to military operations in the J&K state. The armed strategy was devised jointly by JKLF leadership in the Valley and Muzaffarabad. Azad Kashmir (Pakistan administered Kashmir) supplied weapons, holding training camps and provided sanctuary. Amanullah Khan and Javid Mir openly admitted supply of weapons to the militant ranks in Kashmir valley from Azad Kashmir.\(^1\) Members of the Front used violence most effectively to achieve the immediate political objectives of paralyzing the state apparatus and de-legitimizing the political institutions which had appropriated the space for articulating the political aspirations of Kashmiris. They sought to defy the state authority, transfer people’s allegiance and loyalty to themselves, attack the state symbols and render every state institution that could potentially meet their political challenge dysfunctional. A series of demonstrations took place on various issues such as on the hike in power tariff and the demand for a ban on Salman Rashdie’s Satanic Verses. The systematic campaign challenged and replaced the official state symbols with an alternative calendar of public events, Bandhs were organized on Indian Independence Day and Republic Day, the Accession day 27 October, was denounced as a day of occupation, the death anniversary


\(^1\) Ibid., pp.170-171
of Maqbool Bhat was celebrated in glaring contrast to Sheikh Abdullah’s death anniversary which was observed as black day and was termed as ‘Yomi najat’ (day of deliverance). They targeted the Police, Centre Reserve Police Force (CRPF) and intelligence organizations. They sought to neutralize the police force by attacking police stations in Srinagar with impunity and killed police officers and stigmatized as traitors, hated by the society and neglected by the senior officers who did not mourn their colleague’s death nor accord any state honour.

The second step in their strategy was to neutralize the political activities. When the Lok Sabha bye-elections were to be held on November 18, 1989, Front activists gave a call for boycott elections. A large number of polling officers refused to perform duties and government school buildings used as polling stations were set on fire. A civil curfew was imposed on the polling day and a coffin was placed outside the polling booth in Baramullah with a placard which said “It is for the first man who casts his vote.” The administration did nothing. The official estimate of average voting in Anantnag and Baramullah were 2.11 and 3.47 percent respectively, although as per the reports of local media, it was 1 percent and in some polling booths no votes were casted. The people of Jammu and Kashmir felt that their pride has been restored by the militant activities of the Front. However, from the 1990’s Front began losing its leading role as the Government of India responded with iron fist and the Pakistan Government changed its policies. Consequently, by the end of the year most of the JKLF’s top leadership had either been killed or imprisoned.

C. Moderate Political Phase

The independence movement spearheaded by JKLF evoked a massive public response mainly because of the slogans of Kashmiriyat and Azadi. These slogans expressed the desire of the people of Kashmir for independence,

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101 Because JKLF was struggling for re-unification of both parts of Kashmir and for what it called complete independence of Jammu and Kashmir from both India and Pakistan. So, Pakistan tried to marginalize JKLF by promoting various other militant outfits like Hizbul Mujahideen which were in favour of accession of Kashmir to Pakistan.
identity, autonomy and dignity. With the passage of time, the local character
and secular ideology of the Front, gave way to radical jihadist outfits mainly
for Pakistan’s interest. The mushroom growth of organizations dither the
attention, attraction as well as division in support basis. The Front’s strength of
leadership was decimated by combat deaths and arrests and continued to suffer
grievously from Indian Security Forces since 1993. With the complete take-
over of the movement by pro-Pakistan groups like Hizbul Mujahideen (HM),
JKLF lost almost its military ascendancy.\textsuperscript{102} In the year 1994 Yasin Malik was
released from prison and he renounced the armed struggle and called for
unilateral ceasefire. It was a unique step which got him appreciated at the
national level but it was severely criticized by the rank and file of other
organizations and also by Pakistan. Most of the members of the Front felt that
the violent insurgency was no longer furthering the cause and decided to
proceed under Malik on the political and diplomatic fronts. This branch of
JKLF joined All Parties Hurriyat Conference (APHC) in the hope of giving
greater voice to the cause. Malik’s branch of JKLF, though aligned with
APHC, maintains the core ideology of the founding fathers of JKLF. It was
realized by JKLF that the armed phase of struggle provided very less space for
the political mobilization of the masses. During this phase JKLF tried to
reactivate its position by vigorous legacy of sacrifices.\textsuperscript{103} During its moderate
phase, Front’s political involvement entails letter writing campaigns,
memoranda, distribution of literature, strikes, fasts, protests, press conferences
and other assorted means of disseminating their aims and objectives. The Front
attends international seminars, meets with dignitaries, briefs diplomats,
corresponds with the international organizations and engages in other means of
keeping channels open to foreign Governments.

Front also involved itself in various constructive programmes on
humanitarian grounds to reactivate its organizational basis. Front organized

\begin{footnotes}
Cit., p. 165
\item[103] Bose, Sumantra, \textit{The Challenge in Kashmir: Self-Determination and a Just Peace}, Sage
Publications, (New Delhi, 1997), p.135
\end{footnotes}
blood donation camps for the victims of Gujarat earthquake in Jammu and Kashmir. Another important step was election boycott. They said that the people of Jammu and Kashmir are yet to exercise their right to self-determination; elections cannot provide an alternative to self-determination and Azadi. Thus, they continuously campaigned for boycott of elections in Kashmir, urges people not to participate in elections.

Another step taken by JKLJ was a series of peaceful demonstrations. In December 1994, a non-violent march to United Nations Organizations Office, in Srinagar, on occasion of Human Rights Day was taken. In the recent uprisings of 2008-10, JKLJ continued its protest movement in peaceful ways. It did support the Hurriyat Conference in issuing the commonly called ‘Protest Calenders’ and led protest marches from their Central Office many times in the past three years. Its leadership Yasin Malik was slapped with Public Safety Act (PSA) in all the three protest seasons and its principle pocket (Maisuma, Srinagar) has remained a fierce of street marches and demonstrations.

From the above, it is clear that the mushroom growth of militant organizations led to the formation of APHC to provide political patronage and help to various militant outfits to settle down their inter-group conflicts and to internationalize the Kashmir issue at various forums. Soon after its formation, APHC got divided into two factions one led by Mirwaiz Umar Farooq and other led by Syed Ali Geelani. There are ideological and methodological differences within the various constituents of APHC. Some constituents of it like Tehreek-i-Hurriyat demands accession to Pakistan while the main proponent of the armed struggle (JKLF) demands Azadi or independence. However, though the various components of the APHC differed whether they wanted independence or unification of the state with Pakistan but they had at least one objective; that the people should be given the “right to choose”.\(^\text{104}\)

Barring JKLJ all these parties have used religious identity for political mobilization. This has resulted in their failure to reach to other religious communities and other regions especially Jammu and Ladakh. Moreover, one

important development was also seen i.e. the departure of JKLF from armed resistance to non-violent resistance as its leader, Yasin Malik renounced armed struggle after his release from jail in 1994 and adopted Gandhian methods of non-violence and democratic ways to mobilize people of the Kashmir, Yasin Malik’s *Safr-e- Azadi*\(^\text{105}\) (journey for freedom) is one such example. After his release from jail, he claimed to have read Gandhi and was influenced by his theory of non-violence and Satyagraha.

\(^{105}\) JKLF under the leadership of Yasin Malik started *Safr-e-Azadi* (Journey for freedom) from Kokernag (Anantnag) and went across almost all the areas of Kashmir. It was an innovative method, rallies were held at various places and people were asked to plead for the inclusion of Kashmiri people in the peace process. People had been galvanized—emotionally, politically and socially by the overall motives or goals enhanced by the JKLF through this method of mass mobilization.