History of Kashmir is a pognant tale of poverty, hardships and humiliation and in Kashmir the river of kings has flown with a horrible force, making the whole country desolated and sordid. But in the vast desert of its political subjugation and servitude economic and abject suffering, here and there, no doubt one finds in its history rich oasis of benevolent rule, social and economic prosperity where the nightingales chant of rich culture and art of springs of communal amity and religious tolerance quench the thirst and soothe the hearts of Kashmiris.

(Somnath Wakhlu: Kashmir Today)

CHAPTER - V
Kashmiri Identity : A Sociological Perspective
Chapter 5

THE KASHMIRI IDENTITY: A SOCIOLOGICAL PERSPECTIVE

5.1 Concept of Ethnic Identity

Ethnicity is an important social phenomenon both at local and global levels. In the earliest societies, man identified himself with a particular group of people. This identification continued to develop its boundaries which became more and more rigid. The sociological term for this type of grouping is 'ethnicity'. Civilization marched forward with population increase, stimulation to social class formation, wars, migrations, creation of cities/villages, proliferation of religious beliefs and grouping in progressively larger political units. This shattered and fragmented sense of ethnicity-separateness—uniqueness—detaching one by one each of the elements which composed the once unified whole and isolating each element from the other.

Ethnic groups have a tendency to protect their identities. Such groups which enjoy majority status face less difficulties while those in minority face problems in retaining their separate identities. In such a situation dominant ethnic group begins to assert itself. Majority status provides them dominance in every field. Thus the minority ethnic groups interested in preserving their distinct identity, suffer and they develop grievances. This gives rise to the tension between two or more groups which finally culminates in the assertion of particular identities by various groups. A reference diagram for such a situation is given below:

(Ethnic identity of an American)
We find that ethnic assertion and ethnic conflicts are vibrant throughout the length and breadth of the globe. Yugoslavia, former USSR, South Africa and other countries of the world are virtually in the grip of this type of situation. At the regional level, we find the same situation. South-East Asia and South-Asian countries are virtually in the grip of this kind of trend. Afghanistan, Sri Lanka, Pakistani and Indian societies present a unique ethnographic map of this Continent. A number of ethnic groups at these and other places have resorted to extra constitutional methods and taken to armed struggle against the state/dominant groups. In some other cases, the struggle is going on amongst different groups themselves. The ethnic groups that are dominant in these countries have geared their powers to protect their distinct characteristics of their religion, culture and historical personalities to bolster of their nationalism. For example, Thailand prefers its ethnic minorities to assume their names and observe Buddhist festivals as they espouse and advocate the inclusion of their cultural symbols in the national category alongwith dominant ethnic groups. If this permissiveness is not accommodated, it leads to ethnic division wherein different groups start asserting their own identity by one or the other means. The demonstration of power of dominant ethnic groups provokes reactions from the ethnic minorities. In the absence of a proper forum—fully elected legislature, free mass media, effective political parties—they are left with little options, but to indulge in acts of sabotage. The ethnicity and ethnic assertion can well be visualised in Afghanistan where different ethnic groups have been fighting with each other. These groups are divided on the basis of language, culture, and other ethnic marks. All the groups, however, are concerned about preserving their distinct identity and cultural symbols alongwith the majority community.

Talking about India, it can be said that ethnicity operates at the level of caste, language, region and religion. In the states like Punjab, Assam, Nagaland, Mizoram etc. we find different ethnic groups engaged in fighting for assertion of their own groups in one or the other form. These ethnic groups existed here for long, however, their stress on the assertion of their group identity intensified due to political, religious, economic, cultural and social reasons. These developments gave rise to virtual war-like situations between various groups to assert their group dominance/presence.
5.1.1 Kashmiri Identity : Nature and Formation

Kashmiri Identity, as we have already discussed, is a multi-layered concept and it has got its present shape and formation through various agents and parameters. Its formation is virtually multi-dimensional. The role of different factors and dimensions in its formation is very important. What role these factors have played in formation and strengthening the concept of Kashmiri Identity?

(a) Geography:

Geographical location of the valley of Kashmir is such that it has definitely helped the valley to maintain its unique identity. In fact, the high mountain ranges, peculiar environment, weather and the shape of this valley have definitely played their part in the formation of Kashmiri Identity. In the chapter on the history of Kashmir, we find that a number of conquerors could not enter the valley because of its difficult passes and rough and tough roads. Similarly, many others perished in the extreme weather of the valley. The climatic conditions of the valley are also unique when compared with other nearest regions or places. It is virtually in contrast to the hot region of Jammu and semi-hot Pakistani Kashmir. The geographical location and the geographical features of the valley have greatly helped in the formation of its uniqueness by restricting the outside interference to a greater extent.

(b) Religion:

Mysticism has remained part and parcel of Kashmiri society from ages. In fact, the Kashmiri Identity is supposed to have been strengthened by the mystic poetry and association of Sheikh Nur Din and Lalla Ded. A Kashmiri is generally a staunch devotee and worships with great interest both in mosques and shrines (Astham). As we have already studied in the chapter on religion, many religions rather some of the greatest religions of the world have found their place in Kashmir. Any religion that did not suit the personality of Kashmiris could not make any strong base in Kashmir. We have seen that when Hinduism was at its peak here, it was replaced by Buddhism because Hinduism had become highly rigid because of different types of rituals and practices. Buddhism suited the people at that time and thus it was able to make maximum gains here. However, soon it also became somewhat difficult for the people
and Hinduism, definitely with the help of the government patronage again became religion of the majority of the people here. However, Hinduism of Kashmir is entirely different from the Hinduism being practised at other places of the world. The Hinduism of Kashmir itself revolves round the philosophy of Kashmir saivism which has monistic outlook and features. It believes in the real existence of only the absolute God in his transcendent and universal aspects. The uniqueness of Hinduism here is such that it seems a different faith than the rest of Hindus. In normal circumstances, Kashmiri Pandits (Hindus) did not intermarry with the Hindus of the other places. In fact, it has been observed that wherever the Pandits went, they established their own separate places of worship. This was evident after the mass exodus of the Hindus of Kashmir from the valley after 1990. Their customs, rituals and practices are so unique that from ages they had evolved a unique identity of their own. However, when Islam arrived in Kashmir, it made its place here due to the fact that it proved to be more easy for the locals. Secondly, the preachers of Islam did not disturb the local customs and rituals and in fact they reformed their way of preaching according to the local needs and atmosphere. Earliest missionaries like Mir Syed Ali Hamadani and others allowed the people to continue with some of the old practices of Hinduism because they understood that disturbing local practices would harm their missionary work. Asthan and Pir Parasti is an important feature of Islam in Kashmir. On the other hand, we also find that Islam made its ground in Kashmir mainly through the work done by Muslim Rishis. The name of Sheikh Nur-ur-din is at the top of this list. He basically Kashmirised the Quran and Islam and made it so easy in local dialect that people were able to grasp it easily. The religious identity (Islam) was also strengthened through poetical expression of Lal Ded whose poetic theme was never in confrontation with Sheikh Nur-ur-Din Nurrani. Sheikh's poetry has social and cultural relevance. Although he spent most of his time in caves but he urged people not to forget their home. In this connection in one of his poetical expression he says:

The company of saints I did not keep;  
Till the right moment and youth slipped by;  
Wrongly did I attach me to the world;  
Have thy play and let's go home.

Similarly, while commenting on the barriers of theological ethnocentrism he remarks:
Among the brothers of the same parents.
Why did you create a barrier?
Muslims and Hindus are one.
When will God be kind to his servants?

Sheikh's poetry apart from being highly religious also provided us a social history of Kashmir. There is hardly a verse of Nur-ud-din which has not a social, cultural and more importantly, topographical context. His poetry also expresses the cultural style of the Islamic civilization in a regional setting.

Sheikh Noor-ud-din's poetry reached universality within the framework of the Quran. Islam attained an indigenous cultural flavour in Kashmir through his preachings and poetry. It had a deep effect on the religious beliefs and practices to the extent that the people virtually forgot about the old religious beliefs and practices. His verses have proved to be a testimony to his perception and analytical mind. It is because he was an intellectual besides being a deeply religious person.

In fact, Islam got Kashmirised due to the fact that there was more influence of local culture and tradition over religion. The religious practices and rituals were modified to fit the local scenario. Islam thus carved out an independent identity inside Kashmir. In fact, the political developments here too got influenced by the Islam. We have already dealt in detail with the role of Muslims vis-a-vis the freedom struggle of Kashmir. The Islamic influence on art, architecture, crafts, poetry, Music, dress and customs is also quite evident.

(c) Politics:

While the freedom struggle of India was going on, the Muslim leadership in Jammu and Kashmir state organised against the Maharaja. On one hand, Muslims of the state mainly in the Kashmir valley were being discriminated in all sectors, on the other hand, a feeling was developing among them that the majority was being ruled by the aliens. They felt that by denying opportunities of employment etc., to the Muslims, their existence was in danger. People were attracted by the beauty of Kashmir and some of them praised it beyond imagination many ruralers and conquerers wanted to rule Kashmir. This added to a political discontent rather attraction in the minds of
people across the globe and some of them even tried or conquer it. In this regard a reference is made in the History of Hinduism:

"The kingdom of cashmere (Kashmir) may be reckoned as a terrestrial paradise. It is entirely enclosed with high mountains which separate India from Tartary's so much that there is no entrance on any side, but over rocks of prodigious heights. It consists, in manner, of one valley of surprising fertility and beauty; the air is temperate and charming, it is neither visited with scorching heat nor vicissitudes of extreme cold. A thousand little springs which issue on all sides from the mountains form there a fine river, which after watering the plains of this delightful country, falls down rocks of an astonishing height into the river Indus. The inhabitants are astonishingly handsome, and the women especially, enchantingly beautiful. The Cashmerians, moreover, are extremely ingenious, and carry the arts of civil life to high perfection. Their beauty, in short says a persian author, makes them appear to be of divine race, and their charming country furnishes them with the life of gods."

Some poets wrote poems about Kashmir describing its beauty, people, crops, flowers and other such things. The most important of all such poems was Lalla Rookh by Thomas Moore.

However, in later part, it was the role played by two non-resident Kashmiris which laid emphasis on Kashmir's unique identity and helped it to emerge as a political ideology. In the first instance, it was Dr. Sheikh Mohd Iqbal who brought Kashmir on the political map of the world. He always stressed the idea of Kashmiri Nationality. Sheikh Mohd. Abdullah was highly influenced by him and his poetry. In fact, in his political speeches, he would always quote Iqbal's verses. Later, there were patriotic poets like Gh. Mohd. Maljoor and Abdul Ahad Azad who wrote in Kashmiri, thus strengthening the ideals of Dr. Iqbal. Dr. Iqbal also laid stress on the Kashmiri intellectuals to strengthen their language and work for its enrichment. Iqbal was basically proud of his ancestral home (Kashmir) and he left no stone unturned to strengthen his ideals. Iqbal was proud of his Kashmiri origin. However, he was moved by the abject
poverty and backwardness of Kashmiris. He was a friend of the common man and upholder of equal opportunities for all, and was moved by the conditions of the Kashmiri who gave his art to idle rich:

(The body of the man whose skill weaves shawls for the rich is exposed to the cold winds of winter.)

Similarly, he describes the condition of Kashmiri peasants and the artisans:

(Iqbal was highly touched by the plight of the Kashmiri people, however, he knew the potential of the Kashmiris. He felt intuitively that before long they would make history and realise the destiny they had lost. Iqbal never questioned ability of Kashmiris to shake off age old oppression. His mission and aim was to remind Kashmiris of their strength. He wanted them to show to the world their intelligence, capabilities and strength. Dr. Iqbal’s poetry dominated the political speeches of leaders like Sheikh Mohammad Abdullah. His poetry had an appeal and feeling of belongingness. His poetry was identified with the local ethos and culture of Kashmir. Taking advantage of his ancestral past in the valley Iqbal’s poetical impact was better and stronger. It depicted the deep sense of understanding of the problems of the people and highlighted the achievements and rich contribution of the Kashmiris in various fields of life.)
Another person who is known for the contribution in this field is Jawahar Lal Nehru. From the very beginning of his political career, he showed much interest in the Kashmir politics. In fact, like Iqbal, he was proud of his ancestral connection with Kashmir. Like Iqbal, Nehru had made his place in the mind and heart of Sheikh Mohammad Abdullah, the greatest exponent of Kashmiri Identity. Nehru had great love for Kashmiri soil and he was fascinated by its beauty. His influence on Sheikh Abdullah's politics made the latter to change the name of the Muslim Conference into the National Conference. On the other hand, Nehru made Maharaja Hari Singh to accommodate Abdullah into his government after the formation of India and Pakistan. Before the independence of India, Nehru identified himself with the Kashmiri masses in such a way that he took confrontation with the Maharaja and his government and even took some steps which went against the wishes of the Congress leadership.

Yet another aspect of Kashmiri's freedom struggle which definitely helped in the formation of its unique identity was the Shawl Weavers strike in 1865 and the Silk Factory Workers revolt in 1924. This solidarity of the workers at two different phases in the history of Kashmir has its own bearing on the future of Kashmir.

In later years, poets like Abdul Ahad Azad and Gh. Ahmad Mahjoor used the local dialect to highlight the concept of Kashmiri Identity. They laid emphasis on Kashmir as a separate nation with its unique and own environment, birds and beauty. Azad's poems like 'Soom Wattan' (Our Nation), 'Taran- E- Watan' (National Song), 'Moun Wattan' (My Nation) laid more stress on the Kashmiri's separate national identity.

On the other hand, Mahjoor was more courageous and spontaneous in his poetry. Mahjoor encouraged the people to fight for their causes and interests. His poems, like Iqbal, had a direct bearing on the minds of the people. In Walo Hou Bagh Wuano he stresses the need to work for the state:

\[
\begin{align*}
Walo haa baghwano nav bahaaruk shaan
paida kar
Pholan gul gath karan bubul lithi saamaan
paida kar
\end{align*}
\]
Arise, O Gardener! And usher in the glory of a new spring. Create conditions for 'bulbuls' to hover over full-blown roses.

Dew bemoans the garden's desolation. Harassed roses have torn their garments. Infuse new life into flowers and 'bulbuls'.

Root out stinging nettle from the garden; it will harm flowers. Wave offer wave of hyacinths are coming: let them laugh.

Total immersion in the love of the motherland behoves man. If you create this faith, surely
you shall attain the goal.

Who will free you, O 'bulbul'
while you bewail in the cage?
With your own hands work out
your own salvation.

Mahjoor's poetry was more patriotic. He called upon people to fight for their freedom and rights. He calls upon them to have more and more love with their motherland which, according to him, is a force that can and will break the 'cage' and make a way for salvation. Mahjoor was a son of soil and part of the masses. Unlike Iqbal who viewed plight of the masses from a distance, Mahjoor could feel the problems himself. His understanding was more realistic and had the firsthand information.

(d) Culture

Culture and Economy have their own contributions to make in forming and maintaining the Kashmiri identity. Kashmir's style of living is basically an amalgamation of different cultures and communities which have been collecting here for centuries together. Kashmiris throughout their history have adopted different soci-cultural traits of the people who came into contact with them, but did not in any case part away with their own. As we have already discussed that Kashmir came into contact with different religions and all of them had their own peculiar culture which became part and parcel of this society. Thus, influence of religion on Kashmiri culture is too much. As already discussed in the earlier chapter, this unique culture of Kashmir continues to dominate the socio-cultural scenario of this beautiful Valley. People speak a particular language of their own, there are unique dresses and unique customs and rituals. In fact, even some religious practices are dominated by local cultural traits. We have already discussed the relationship between Kashmiri Pandits (Hindus) and Muslims, how they were dependent on each other for their various domestic jobs. This may not be seen at other places of the world. In fact, at most of the places, there is more tension between such communities than any sort of peace. Kashmiri's culture has had great influence from Sufi saints especially those belonging to Kashmir. The association of Lal Ded and Sheikh Nur-ud-din Noorani was one such example wherein their teachings were
also made part of our culture.

(e) **Economy**

The economic resources of the valley have always remained restricted to agriculture, handicrafts and small scale industry. The natural water resources, high mountains, forests and the weather conditions always favoured agriculture, horticulture and allied sectors. Although this trend still continues, however the self sufficiency which the valley was enjoying in this sector has gone. At the same time, the handicraft sector which was introduced mainly by Muslim rulers here continues to be a speciality of Kashmir. A significant number of population especially from urban areas is dependent on this sector. Tourism of late also became a sort of identification for the Kashmiri people in terms of productivity.

5.2 **Emergence and Assertion of Kashmiri Identity**

Kashmir, as we have been discussing in the earlier chapters, is unique in many ways. With a well defined and separate boundary, the valley presents a bowl type of formation. Kashmir, basically represents the political unit of Jammu and Kashmir state in India. A part of it is in Pakistan which we call Pakistani Kashmir. However, our discussion revolves round the valley of Kashmir only. The valley of Kashmir has remained an attractive spot for people belonging to different parts of the world. People came here as preachers, visitors and conquerors. Kashmir remained under the foreign rule for a very long time. In such a situation, the locals had no choice but to accept or oppose their authority. This trend created a cohesive force among the Kashmiris and they thought of a separate identity for themselves. Their plight was almost the same and they had identical problems and difficulties. There was a different situation unlike in many parts of the world. In most of the cases minority is exploited by majority. Here the majority was being exploited. Thus there emerged a consciousness to evolve a separate Identity. Assertion was always part of this whole. Colonialism, psychology of belongingness/identity, which was based on blood, customs, economic interests and refusal of alien forces to accommodate the locals in government services, helped in the emergence of Kashmiri Identity. In later stages, it was the patriotic and political poetry which strengthened it. Its uniqueness dates back to thousands of years, Kashmir basically has been a place of ideas and customs. This identity, unlike rest of the
subcontinent, not only possesses objective marks of identification but is subjectively conscious of its evolution. It is a fact that although there have been many political upheavals, the Kashmiri was always able to maintain the strong continuity and identity in different fields of life. Kashmiris also have a great love for their motherland (Mouj Kashmir). In fact, there is something special about it. This is reflected in their poetry and habit of not leaving the valley in normal circumstances. In fact, it has been seen that in very rare cases the Kashmiris settle outside their homeland. The political content to the Kashmiri Identity was added was by the poetry of people like Sheikh Mohd Iqbal and Gh. Mohd. Mahjoor who always emphasised ideology of 'Kashmiri nationality'. Later on, Sheikh Mohd. Abdullah tried to translate the dreams of Kashmiri people like of Dr. Iqbal into reality.

In the past, Kashmir society received every new creed, religion, culture and sect to enrich itself with the cultural traits, customs, knowledge of these people without throwing away its earlier acquisitions. The cultural homogeneity which was accompanied by geographical compactness made the people who had been assembling here from old times to shun their individual identities and evolve it into one (Kashmiri) Identity. Then there were language and local customs which contributed to its emergence. The National Conference (NC) led by Sheikh Mohd. Abdullah got the support on the basis of religion, region and local issues. There was definitely the awareness aspect i.e., sense of belonging. This awareness aspect grew more and more strong. The contribution of Kashmiri poets in this field again has been more fruitful.

This identity therefore is multi-layered and multidimensional. The ethnic assertion in most of the cases depends on one or many exclusive features like language, religion, caste etc. A Kashmiri can also be a Muslim.

In modern times the Kashmiri Identity is the articulation of ethnic identity. It is the creation of the Kashmiri freedom movement launched against the Maharaja in 1931. In fact this movement was not mainly directed against the Maharaja but it was the "Ethnic self consciousness and quest for survival and growth which formed the basis for the subsequent search for a political solution whereby their distinct character could be protected and furthered." (Naulakha, 1991 : 51)
It is this sum total of exclusiveness of the Kashmiri community where religion (Islam) dominates the uniqueness. Religion has all along played a vital role to uphold this peculiar identity. In fact while defending the cause of Kashmiri identity against Sikhs, Mughals, Pathans and others it was the Kashmiri Musalman who fought on all fronts. However, the concept of Kashmiri Identity, is mostly misunderstood as different people it differently. While Indians are of the view that Kashmiri Identity is the relation of Kashmir with India, the Pakistan concept is that Kashmiri Identity is incomplete without Pakistan. In Kashmir there is also confusion about the concept among people.

5.3 Complexity of Kashmiri Identity

The concept Kashmiri Identity is very complex due to the fact that there are a number of dimensions to it. Unlike some other identities where language or culture or religion or ethnic identity are the basis of identification, in this case all these factors as also some others are responsible for formation of this unique identity. However, each of this factor is not of the same nature throughout the valley and there are definitely a number of diversities at different places in a single factor. These differentiations, have made this concept very complex in nature. The extent of complexity can be judged from the fact that at one particular point of time a person possesses different identities. Thus it is a multi layered concept. A person who is a Muslim can also belong to the Sunni or Shia sect. At the same time he can be a villager or an urbanite or even belonging to a particular group having its own cultural traits. In the case of language also there are different types of dialects found at different places.

From the above discussion it has emerged that Islam is dominating the religious scenario of the valley. The last five hundred years have seen Islam in a commanding position. However, within Islam also there are different sects having their own ideology and separate religious practices. Apart from Sunnis and Shias, there are some sub groups like Ahal-E-Hadees and Jamat-E-Islami who are considered to be anti-saint and anti-shrine worshipers. On the other hand, a dominant number of people are Asthan Paraats (Shrine worshippers). The clash between these two groups has always remained there and it continues to dominate the religious scenario of the valley. Apart from this religious diversification, there are some rituals and practices clearly evident in the Kashmiri society. Cultural diversification is again an important component of the
society. There is a visible cultural diversity found among the different people belonging to various parts of the valley. We find different rituals and practices being performed by people of different places in marriage and in and out family situations. Although dress and food habits are the same throughout the valley there are definitely some changes taking place at different levels in this sphere. The impact of modern education and mass media has definitely made its mark on the culture of Kashmir.

Similarly, Kashmiri is spoken throughout the valley but some non-Kashmiri scholars have pointed out that the Kashmiri language was a linguistic marvel, which "has been preserved through so many centuries only due to the inhospitable nature (of its home) and the hostile character of its speakers." According to linguistic experts, the origin of Kashmiri lies in Dravidian, Vedic, Sindhi and other languages. In fact, some trace its origin to only one family of languages while others feel that it is a mixture of all or some of them. However, we find that Kashmiri is not the only language which is spoken in Kashmir. Along with Kashmiri, some other dialects and sub-languages like Pahadi, Gojri, Bakarwali and some others are spoken. Apart from this, Kashmiri itself has a number of dialects. The way of speaking and phonetic pattern changes from place to place. On the other hand, modern education and mass media is fast affecting the Kashmiri language. In the competitive world of education, the local mother tongue is being dominated by English and Urdu. Although people do not ignore their mother tongue, it is important to note here that most of the parents teach their children English and Urdu while very less emphasis is laid on Kashmiri. This has definitely resulted in 'linguistic decay' of their mother tongue. More emphasis laid on different languages and subjects has virtually deprived children here from learning any language properly. On the other hand, there seems to be virtually no government patronage of Kashmiri. In fact, the present government had announced the introduction of Kashmiri at the primary level education as its priority. However, even after the experts were made to prepare text books and other material for this exercise, till date the people at the helm of affairs have not been able to take such a step. Kashmiri therefore is virtually struggling for its existence.

The geographical location of Kashmir is such that the valley is an oval shaped place having high mountains on all sides. Nature seems to have created it as an isolated
place having its unique culture and social set up. However, some of the adjacent areas like Jammu, Poonch, Rajouri, Doda, and the Pakistani Kashmir are also sometimes considered to be part of Indian Kashmir. However, there are definitely a number of geographical diversities in these areas. Areas like Jammu are plain while places like Rajouri, Poonch, Doda and even some parts of the valley are hilly. There is definitely no uniformity of the area.

On the other hand, economic changes are taking place all around. As we have already discussed, Kashmir has remained dependant on agriculture, handicrafts and sericulture. Due to modernization and industrialization, there has definitely been some industrial growth in the valley. Heavy industries have not found their way into the valley. In fact, agriculture which has been the backbone of the Kashmir economy is fast going from bad to worse. Major portion of agricultural land especially in and around the urban and semi-urban areas is being used for construction purposes. Therefore, the production is touching the lowest limits with people depending for food grains and vegetables on neighbouring states. Even handicrafts are losing their ground because of highly competitive market and some frauds used by some people which have definitely affected the market here. The situation now is such that if things continue to move as they are definitely, there are chances that valley may lose its economic identification which it had been preserving for centuries together. Kashmir is virtually dependent for its all economic needs on New Delhi. In fact, some people do not rule out a virtual conspiracy on part of some quarters to shatter the Kashmir economy.

5.4 Kashmir Identity in Contemporary Context

In the recent times, the phenomenon of Kashmiri Identity became more political than it was before 1947. In fact, the influence of people like Dr. Sheikh Mohammad Iqbal, Sheikh Mohammad Abdullah and others had already made it a political entity well before India gave birth to two new nations at the time of British departure. However, the developments in 1947 completely overhauled the socio-political content of its concept.

5.4.1 Emergence of Kashmir Problem

As we have already studied, Kashmir was always an independent state. This
valley had no political relation/contact with the Bharat or Hindustan of that time. However, it was during the rule of Mughal king Akbar that Kashmir was made part of the Indian territory. Although it was brought under the direct control of the Delhi rulers, it was separately ruled by the representatives of the king. Thus its administration, defence and other organisational matters were kept virtually separate from the rest of India. During this period Kashmir lost its unique and separate identity. Later, when the Dogra king Gulab Singh 'purchased' the valley from the Britishers, it again became independent of Delhi's rule. However, during Pratap Singh's rule, the Britishers masterminded the permanent appointment of a British resident in Srinagar. This again strengthened the old ties of Delhi with Kashmir. However, the Kashmir valley along with other parts the state of Jammu and Kashmir was an independent state till 1947. When the Britishers left, they kept the future of this state hanging, thus giving birth to a tragedy which to this date remains a flash point of Asia. The two-nation theory was not applicable to this state as it was not part of the British empire. Prior to 1947, the Indian leaders were showing much interest in the politics of the state, thus preparing ground for future strategies. At the time of partition, the Britishers again amalgamated this state with rest of India. In fact, they had their own gains in keeping Kashmir as a disputed area. Around the independence of India representatives of India, Pakistan and Britishers were working round the clock to convince the people at the helm of affairs about their own gameplan. In this situation, the Indian lobby seems to have emerged as the strongest of all. In fact, Indian leadership had convinced people like Sheikh Mohammad Abdullah, the most popular Kashmiri leader, that Kashmir was more safe in India. The Maharaja, on the other hand, basically wanted this place to remain an independent state having relations with both India and Pakistan. This would have guaranteed his and his family's rule in the State. The situation for Maharaja was created in such a way that he had no option but to accept the offer of India. Immediately after the Maharaja left Srinagar for Jammu the crisis became evident. The Maharaja was made to believe that there was no option but to sign the instrument of accession with India because only then India could send its troops to fight the people who were trying to invade Kashmir. In fact, signing of this instrument of accession is the base of Kashmir problem. It was latter in 1948 that the issue was internationalised when India took the Kashmir case to the United Nation's Security Council.
5.4.2 Nature and Perceptions of the Problem

According to the complaint of the Indian government to the UN Security Council, the airlifting of Indian troops to Kashmir on October 27 was important for preventing the 'massacre of Kashmiris by tribesmen'. However, the Indian government had guaranteed that

"Once the soil of the state had been cleared of the invaders and normal conditions restored, its people would be free to decide their future by the recognised democratic method of plebiscite or referendum, which in order to ensure complete impartiality might be held under international auspices."  

However, Pakistan did not accept the accession of the Maharaja with Government of India and claimed that the accession was a fraud and had no popular mandate. Thus Pakistan continued to raise the Kashmir issue at the international fora. In fact, there were three wars between India and Pakistan over Kashmir. The first war (1947-49) ended in military stalemate, with the state of Jammu and Kashmir divided into two hostile sectors by a long officially delimited cease-fire line. The second war in 1965 also ended in military stalemate. Finally in 1971 Pakistan was defeated and they were made to accept a peace settlement. However, Pakistan continues to use every opportunity to highlight the Kashmir problem at any platform. There are various perspectives which have emerged on Kashmir problem.

5.4.2.1 Indian Perception

The official Indian perspective regarding the Kashmir problem is that the state of Jammu and Kashmir became a part of India through the instrument of accession signed by the then ruler of the state on 26 October 1947. At the time of independence, only three states did not decide about their future in time. They were Hyderabad, Junagardh and Kashmir. Hyderabad and Junagardh had Muslim rulers but Hindu subjects dominated these two states. The rulers of the Hindu dominated Hyderabad and Junagardh wanted to accede to Pakistan but they were not allowed to do so by the government of India. In fact, this principle was not applied to India at that time vis-à-vis Kashmir, the reason being that there was an attack by some armed men from some areas of Pakistan on Kashmir. Indian claim regarding this issue is that these
armed men were sent by the government of Pakistan to annex Kashmir forcibly. However, India was able to consolidate its position in Kashmir with the 'active support' of the rulers of this state. In 1954, the constituent assembly of the state headed by Bakshi Ghulam Mohammad ratified the accession of the state of Jammu and Kashmir with the union of India. This was intended to legitimise the instrument of accession, signed by Hari Singh in 1947. The Indian stand thus clearly indicates that the state of Jammu and Kashmir is part and parcel of India. After 1947, India claims that a process of national integration began between New Delhi and Kashmir. After accession, four representatives from Jammu and Kashmir joined the constituent assembly of India in June 1948. In 1951, the people elected the state constituent assembly which framed the constitution of the state in 1956. Then there were agreements in 1952 and 1975. In fact, with the introduction of central laws and rulers to this state, there is virtually total control of the central government over the state. However, at the same time, the state continues to enjoy special status under article 370 of the Indian Constitution. According to it the power of the Parliament to make laws for the J & K State shall be limited and the State was virtually given a sort of autonomy.

5.4.2.2. Pakistani Perception

Pakistan feels that the accession of Kashmir to India was masterminded by the Indian government and Maharaja Hari Singh without the knowledge of the people of the state. The episode of 1947 in which some Pakistani nationals attacked Kashmir has a different interpretation. They state that it was not the government sponsored operation but some Muslims living in the hilly areas came to the rescue of their Muslim brethren in Kashmir who were being unnecessarily victimized by the forces of the Maharaja. The government of India, according to Pakistani viewpoint, used this opportunity to take the possession of Kashmir by force. At the same time, it was India which internationalised Kashmir by taking it to the UN Security Council. "Together with Pakistan, India accepted the decision of the Security Council, contained in resolutions adopted in 1948 and again in 1949, that a free and impartial plebiscite be held to allow the people of Kashmir to exercise their right of self determination." Similarly, the then prime minister of India Pandit Jawahar Lal Nehru said in the Parliament on 12 February 1951 that "we had given our pledge to the people of Kashmir, and subsequently to the United Nations. We stood by it and we stand by it today. Let the
people of Kashmir decide."

The ratification of accession of the state to the union of India by the constituent assembly of the state of Jammu and Kashmir is not being accepted by Pakistan. Pakistan has all along been demanding for a plebiscite in Kashmir. She also wants the participation of Kashmiris in any talks on Kashmir. Pakistan is continuously highlighting the promises made by the government of India and its leaders to put more weight in its argument. In fact, most of the statements of Jawahar Lal Nehru are being quoted time and again by the Pakistani officials. One such statement says:

"If after a proper plebiscite the people of Kashmir say that they do not want to go with India, then we are committed to accept that. We will accept it though it might pain us. We will not send any army against them. We will accept that, however, hurt we might feel about it. We will change the constitution, if necessary."10

However, after 1947 much has changed in the state. At the time of the formation of India and Pakistan, the state of Jammu and Kashmir, as it was that time, was one political unit. However, at the movement, it is scattered in three countries (India, Pakistan and China). All the three have their own interests in the present geo-political scenario of the region. Thus plebiscite at the movement seems to be a far cry.

5.4.2.3 Kashmiri Perceptions

As we have already come across the facts of the Kashmir problem in our previous and present chapters, the Kashmiris have always been ignored. When we talk of Kashmir from the Kashmiri perspectives (Kashmir now means the state of Jammu and Kashmir which existed before August 15, 1947), we have to take into account aspirations of the people of all the regions, communities, religions and sects. Therefore it is very difficult to get a single Kashmiri perspective. However, the only consensus which the people of Kashmir can have is that they be asked to decide about their future. When India sent its troops to Kashmir on the 'request' of then Maharaja they promises were made that the troops sent would be pulled back as and when peace returned to the state. However, this did not happen till date. Presently, some parts of Kashmir are with China while Gilgit and Baltistan are under the direct
control of the Pakistan government. Pakistani Kashmir again is an area which matters when the question of Kashmir is there. People living in these areas possess different interests. While there are reports that some people living in Pakistani Kashmir are against the Pakistani domination, there are some people who feel comfortable if they are asked to merge with Pakistan. Similarly, there are people who would like to remain independent. Now, talking about the part of Jammu and Kashmir under Indian control, we are now aware that this part is divided into three regions of Jammu, Kashmir and Ladakh. The Jammu region, which is a Hindu dominated place, has three Muslim dominated districts who identify themselves with Kashmir. Most of the Hindus of the Jammu region feel comfortable with India and for them the problem of Kashmir stands solved. On the other hand, the Ladakh region, which is dominated by Buddhists, is more or less inclined to India. Although there is a substantial Muslim (Shia) population, they are also ethnically identified with the Buddhists of that region. In fact, the Ladakhis have been demanding a separate union territory for them in India itself. However, they have already been granted a Hill development council. We are thus left with the Kashmir region. The Kashmir valley, as we have been saying time and again, has for centuries remained a separate region vis-a-vis geography, economy, culture and social set up. With regard to the Kashmir problem there are also few unique perspectives. Most of the Kashmiris feel that the accession of Kashmir to India was temporary in 1947 and its final settlement is yet to be done. In fact, immediately after the accession signed by Maharaja some members of the National Conference and the Muslim Conference started a campaign to press for plebiscite in Kashmir. However, India was able to continue its grip over the state through the local leadership who either willingly or through pressure from New Delhi had to do what New Delhi wished. The present ruling party, the National Conference, for all practical purposes supports the accession of the state to India but most of its workers refute the same statement. This is only a political tool to keep New Delhi in good humour. The same is the case with other political parties like the Congress etc. People who are aligned with the Jamat-I-Islami and other like minded parties are declaring Kashmir to be an unsettled dispute and want it to merge with Pakistan. The emergence of the All Parties Hurriyat Conference (APHC), a conglomrate of more than 23 political, social and militant organisations has strengthened the disputed status of the state. The third force which wants Kashmir to remain independent is also active in the valley. Mostly propounded by the Jammu
and Kashmir Liberation Front, (JKLF) this concept also has good following in the valley. Finally, Kashmiri Pandits and Sikhs who are in minority are basically aligned with India. These people (mostly Kashmiri Pandits) are clear about the Kashmir problem but their idea is that they are safe in India than in other political arrangement of Kashmir. The concept of an independent state for Jammu and Kashmir was the brainchild of Maharaja Hari Singh. In fact he wanted to continue with his authority over the state with relations with both India and Pakistan. This would have guaranteed the rule of this family in the state. In fact the Standstill Agreement which the Maharaja had made with Pakistan immediately after the formation of the two nations in 1947 is an example of his perspective. Later Sheikh Mohammad Abdullah and his National Conference was also in favour of an independent state. The diplomatic tactics of Indian leaders and policy makers forced the Sheikh to change his idea but till his death he was actually in favour of an independent state. Presently the National Conference is laying more stress on regional autonomy within the frame work of the Indian constitution. The NC and other nationalist parties like the Congress, Communists and the third secular front (Janta Dal, Samajwadi Party, Santa Party, Rashtriya Jantial Dal etc) are in favour of Article 370 of the Indian Constitution. The left parties like Bhartiya Janta Party (BJP), Rashtriya Sevak Sang (RSS) Bajrang Dal, Shiv Sena, and Vishwa Hindu Parishad (VHP) want abrogation of Article 370. They are also against internal autonomy to the state. For them such a move is bound to send wrong signals to rest of the country to the extent of disintegrating the country.

5.5 Issues and Crisis of Kashmiri Identity

A number of issues and crisis have cropped up after 1947 vis-a-vis Kashmir which have affected the overall socio-psychic development of the Kashmiris.

5.5.1 Accession to India

In 1947, whether temporary or permanently, the Maharaja of that time did sign the Instrument of Accession to India. At the same time, the Instrument was having the support of the most popular political party, the National Conference and its leader Sheikh Mohammad Abdullah. On the other hand, the option left was to accede to Pakistan. The accession to India was not acceptable to most of the Muslims of the state especially to those who were living in the present Pakistani Kashmir and districts
of Rajouri and Poonch. For them the repression of Maharaja's forces would continue as he was supposed to head the state again. Similarly the overall control of the Indian government which was dominated by the Hindus was also not easily digestible to them. On the other hand, there was a feeling that even though India and Pakistan got independence from Britishers, the people of the state would experience no change. In the case of Kashmir valley, the people saw change of master only as once again their future was decided by others and they were not taken into confidence. Accession to Pakistan would again have been unacceptable to Hindus of the state as also some Muslims. For Hindus their future was more safe in India than in Pakistan. Culturally and linguistically people of the state were quite distinct from that of Pakistan. Thus accession to Pakistan would again have been problematic for the people of the state. Therefore, accession on the basis of religion was virtually impossible. As the developments in both India and Pakistan after the formation of these two independent nations have shown that religion could not prove to be a binding force in nation building. Pakistan could not retain Bangladesh with it although it was a Muslim dominated place. Similarly, the people who migrated to Pakistan after the communal riots of 1947 are still not acceptable to Pakistanis. A number of separatist movements are going on in parts of India which are being run by Hindus. There are movements going on linguistic and regional basis and religion has taken a back seat in these situations. Not only this but domination of one linguistic or regional community over the other has created more problems and religion failed to provide a cohesive force in such situations. Thus religion as a basis of accession in Jammu and Kashmir would most probably have been a failure as experience and situation have proved. On the contrary, the accession of the state to the Union of India has also virtually failed. The Govt. of India never trusted any Kashmiri Muslim as an Indian. Even the Muslims of the valley at least are not considering themselves as Indians. The central government and its agencies do not believe even those who swear by India. In our preceding chapter, we have noticed that from Sheikh Mohammad Abdullah to the present ruler Dr. Farooq Abdullah, none has been given the chit of a true nationalist. This is quite evident from the fact that no Kashmiri Muslim has so far been recruited in central intelligence agencies by the government. Disillusion on part of Kashmiri Muslims is thus quite evident. There are various reasons for the disillusionment. Apart from the politics of New Delhi, the local politicians at the helm of affairs only accumulated wealth. The central funds made their
way into only a few pockets. The bureaucracy also shifted its loyalties to the corrupt politicians. In fact, they became their agents in such crimes. In the case of employment, nepotism played a major role. Well educated and skilled people were left out while those having less qualifications were adjusted against different vacancies. In fact vacancies were created for some blue-eyed persons having political patronage. The central government remained a silent spectator on all these issues. There was no action against the guilty officers and the politicians. This created doubts among the locals that New Delhi was not taking proper care of the Kashmiris.

5.5.2 Special Status and Autonomy

Article 370 of the Constitution of India (also called 'special status' within the Indian Union) was adopted by the Parliament of India in 1949. In fact, the special status enjoyed by the state of Jammu and Kashmir after the signing of the instrument of accession by the Maharaja was virtually demolished when the government of India appointed an 'agent' for the state.\(^{11}\) When a debate started on Article 370 in the constituent assembly of India, it was N. Gopalaswamy Ayyar who justified the special status for this state saying that, "We are still entangled with the United Nations in regard to Jammu and Kashmir and it is not possible to say now when we shall be free from this entanglement unless the Kashmir problem is satisfactorily settled."\(^{12}\) Thus Article 370 at that time was not only in the interest of the people of the state of Jammu and Kashmir but was equally important for the government of India to fight the Kashmir case in the international fora. We have reproduced the exact text of the article 370 in the Appendix, however, it is important to note here that apart from assigning a separate flag and constitution to the state, it also debars the non-state subjects of this state to purchase any type of immovable property in this state.

However, changes in and introduction of some central laws to the state have already started eroding the much talked about autonomy to the state. In fact, when the matter of Article 370 was being discussed and had not been given the final shape, N. Gopalaswamy Ayyagar moved the draft Article 306-A (Article 370 in embryo as it is called) in the constituent assembly. The government of India step by step extended a number of central legislations in contrast to the agreed norms of this state. There was and even is a lot of opposition from some political parties to the autonomy and Article
370 in this state. The Sadar-I-Riyasat had been redesignated as governor and the Wazir-I-Azam, as chief minister. The jurisdiction of the Supreme Court, planning commission, Finance Commission, Election Commission, Census Commission and Comptroller and Auditor General has already been extended to the state. All these changes and developments took place with the active support of the local leadership. "Indeed for all practical purposes, the special status of Jammu and Kashmir is dead -- and the state is at par with other states in all essential respects. Today, Article 370 is an empty shell, with little or no content." Hindu fanatic parties like the Shiv Sena, RSS, Bajrang Dal and even BJP have been fighting for removal of this so-called special status to the state of Jammu and Kashmir. In fact, they consider Article 370 as one of the major causes of Kashmiri separatism and alienation from India. They view it as an issue which involves not only historical, constitutional, political, social and economic considerations of far-reaching consequences, but also psychological and emotional ones. On the other hand, the other political parties who are virtually fighting for the people of this state are not serious about their commitments. These people have their political compulsions somewhere else and the fight on Kashmir and its special status is being simply exploited. There remains nothing special about this state. This has definitely led to greater alienation of the people from the centre. It is not out of place to mention here that the government of India virtually dictates the governments of this state. Article 370, special status to the state and Autonomy are all only used by intellectuals and politicians in discussions and political lectures. The ground reality is that all these things have since been eroded. The National Conference government came back power in 1996 mainly for three reasons:

i. People believed that there would be an end to the turmoil with the participation of local leadership in the policy making and implementation;

ii. People were virtually overexhausted with the remote control rule of New Delhi for more than seven years; and

iii. The National Conference in its election manifesto declared that they would make it sure that the lost autonomy of the state would be restored at any cost.

The NC government constituted two committees to examine into the present
status of the autonomy vis-a-vis the central government and also autonomy within the regions of the state. The state autonomy committee which presented its recommendations to the government recently. Among other things the committee recommended that "all orders issued under clause (1) of Article 370 of the Constitution of India to the State whether in full or in modified form of making any change in the provisions or matters already applied by 1950 order of agreed to under Delhi Agreement, should be rescinded and the provisions or matters so applied to the State should cease to apply." The committee recommended that the state should be restored back to pre 1953 position in order to have cordial relations with the central government. However, it seems that the recommendations will remain as they are because the central government will not be in a position to accept them. It would create problems for them in the case of other states. The government here has no option but either to remain silent or raise a banner of revolt.

The other committee which was constituted under the chairmanship of the Chief Minister for recommending measures to have internal autonomy in the state has also presented its report. However, the committee became controversial due to the fact that differences between the members of the committee remained deep rooted from the very beginning. The government did not even accept the recommendations made by the working chairman of this committee. In fact at the moment two reports are available. The report presented by the working chairman Mr. Balraj Puri recommends a federal structure inside the state. His recommendations include political, cultural, financial autonomy for all the administrative constituents from region to the panchayat level. In fact his model is based on the Dr. Mehboob-ul-Haq formula of human development fame. His recommendations include the allocation of funds keeping in view the literacy rate, roads available and other such indicators of a particular block. The parallel report presented by the three members of the committee headed by the Finance Minister recommends a special "consideration may be shown for the development of the comparatively most backward and hilly areas of the State." The Committee also recommends necessary changes in the functioning of Academy of Art, Culture and Languages and constituting the Regional/Provincial or District Councils which according to the Committee will have an enormous impact on the existing administrative structures in the State.
However, it seems that both these reports are going to remain as they are. The government may constitute many more committees and commissions to look into them but the past experience shows that there is going to be no headway as has happened to earlier committee constituted for the purpose.

5.6  Kashmir Identity in the Present-Day context

We have already discussed various socio-economic aspects of Kashmiri Identity and how it maintained itself through ages. Along with this, we also reviewed the issues related to the Kashmir problem and most of its political and social dimensions. During recent years, the emergence of militancy in the valley has given a new shape to the concept of Kashmiri Identity which needs to be investigated.

5.6.1 Militancy in Kashmir

During late eighties Kashmir started witnessing the arrival of gun and gunmen. It was an unusual affair for the Kashmiris. People here could not understand what was going on. In a few months the whole valley got involved in the militant movement with gunmen showing their physical appearance and along with this bomb blasts, firing incidents and even some killings gave a new face to the movement. It became a popular movement. People started identifying themselves with the militant movement. Militants got popular support with people supporting their every action. People virtually got carried away with the new phenomenon. Militants who were demanding independence from India became the heroes of people. There was total collapse of administration. The government virtually became non-existent and law and order got crippled. The entire valley became a place of slogans and gatherings. The psychological impact of the new culture was such that more and more youth took to arms and Azadi (independence) became the goal of the majority of the population. People expected Azadi to come any time. The struggle for independence was started by the Jammu and Kashmir Liberation Front (JKLF) which had been established decades back in Pakistani Kashmir. The JKLF has a long history of struggle to its credit, which they had been carrying out as an underground movement for all these years. One of the founding members of this organisation was hanged to death in Tihar jail New Delhi by the Indian authorities in 1980.¹⁴
Immediately after this some more organised groups came to the scene with a different ideology. These groups wanted the merger of Kashmir with Pakistan. The number of these groups was increasing every day. The most prominent of this group was the Hizbul Mujahideen (HM). The HM soon grew as the most strong militant group with maximum number of recruits and strong arms and ammunition reserves. Soon after the state government led by Dr. Farooq Abdullah resigned, the state came under the rule of governor. The security was thus geared up and the 'battle' started which still continues. During last one decade people have been witnessing death, destruction and damage only. The encounters between armed militants and the security forces became a routine. The most ugly aspect of the situation was the retaliation of the security forces on unarmed civilians. The violation of human rights by different forces is a very common affair in the state. In fact, presently the whole state is engulfed in militant related activities. Human Rights violations will be discussed separately later in this chapter. Coming back to the state of militancy in the state, it is believed that the increase in the number of militant groups not only criminalised militancy but it also became an undisciplined lot. By and by every militant became his own master and did every thing as per his own wish. The HM which declared itself the militant wing of the Jammat-E-Islami became the main target of security forces, as it was the only outfit which had the support of a strong cadre based organisation. In fact, Jammat activists, some of whom were not in any way supporting the militant movement, also became the target of repression by different security agencies. The organisation is considered the most dangerous outfit by the government of India for its dedication to the cause of Islam. Some more outfits like Harkat-ul-Ansar etc again with a dedicated lot came to the field soon. This organisation had more people of non-Kashmiri origin. Most of the recruits of this organisation are foreigners. This added the element of the Pan-Islamic factor to the militant movement here. By this time, hundreds of foreign militants have died while fighting the security forces in various parts of the state. It is believed that eighty percent of the manpower of militancy in the state is foreign at the moment. These people are from Pakistani Kashmir, Pakistan, Afghanistan, Sudan, Saudi Arabia and other countries. Along with this, these people have been able to procure modern and sophisticated weapons and communication systems. The security forces of India have thus a very tough time to fight this explosive situation. The state has become a
virtual battle field with all the agencies including the regular army in the field. However, the support of people to the movement has definitely gone down. At present, people are reluctant to support the militants. There are various reasons for this trend. The first thing is that people feel tired now having sustained borne the brunt of the force for a decade now. Secondly, the criminalisation of militancy and the fear of repulsion from various agencies is another reason for this trend. The ten year long struggle only, destruction, arson, killings, rape and suffering. The locals have had enough of it and are so much fed up that they are even ready to forget Azadi now. This may not be the case with some people who still are trying to strive for separation. Most of the people simply want peace and honour to return. The situation has been such that people are not concerned about development, employment or industrialization but only about safety of their life. The role of friendlies (militants who switched their loyalties to the state), their activities and actions and then of course the counter insurgency launched by the government have definitely alienated the masses from the movement to some extent.

Talking about the perception of militancy here, it may be opined that militancy or separatism is not only a ten year old phenomenon but has been part and parcel of the society from 1947 itself. Some of the organisations like the Plebisite Front, AL-Fatha and People's League and even JKLF were active for the last fifty years but there was never such a mass involvement as has been seen in the present movement. Economic exploitation, discrimination in employment, corruption, rigging of elections, and the policy of nepotism being pursued by the local politicians are considered to be other reasons for militancy in the state apart from the reason of denial of right of self determination to the people. However, the government of India holds Pakistan responsible for supporting the militancy here. According to them, militancy in the state was envisaged according to a well-planned operation by the Pakistan's intelligence agencies. In fact, the Indian government labels Pakistan as a supporter of 'terrorism' in the state. Although Pakistan denies its involvement in this area but accepts the 'political and the diplomatic' support rendered to the movement by them. Kashmir thus has always remained a bone of contention between India and Pakistan. The relations of these two countries are virtually dependent on Kashmir. While the two countries have fought wars for Kashmir, this certainly remains the flash point for the two countries. Both the countries are virtually engaged in a war-like situation with each other. While
Pakistan blames India for not allowing the people of Kashmir to have the right of self determination, India on the other hand, blames them for forcible occupation of the Pakistani Kashmir. Simultaneously, the disturbances in Punjab, Assam, Kashmir and other parts of India are attributed to the intelligence agencies of Pakistan by India. Pakistan feels the Indian hand in the militant activities in its country. Kashmir thus determines the future relations between the two countries. It brought them to the threshold of a nuclear war and incurred maximum expenditure on defence definitely because of Kashmir. The two countries are virtually going 'mad' for Kashmir. They are spending and loosing crores of rupees daily on Sachen Glacier an ice land. In fact, Kashmir determines the defence foreign, and home affairs of these two neighbours. Although political reasons are the strongest for the militancy in Kashmir but in no one should underestimate the contribution of some other factors in helping the militancy to grow. The exploitation of Kashmiris by local politicians has put fuel to the fire. The politicians exploited religious, cultural and regional sentiments of the people from very beginning. The exploitation touched its height when the politicians in their speeches would show Pakistani flag and Pakistani salt to the poor audience. The opening of the road to Rawalpindi (Pakistan) was another aspect of emotional exploitation on part of the Kashmiri politicians. In fact, from 1947, itself as has already been reported earlier, some small militant organisations were active here. Some of these people/organisations were crushed while others were made to silent their guns by giving them various economic benefits. The present state of militancy erupted immediately after 1987 assembly elections wherein allegations of mass riging were level against the ruling party.

5.6.2 Causes of Militancy

The causes of militancy as has been discussed earlier also are both immediate as well as long term. Attributing militancy to only a particular cause will be using a wrong track. The political reasons are quite evident and they have been exploited by all the parties concerned with the Kashmir problem. The political parties here like National Conference and Congress etc., in order to remain in saddle used all means to provide wrong information to the central government and deceive the local population by exploiting their emotions.

After 1947 corruption was virtually institutionalized here. Especially during the
regime of Bakshi Ghulam Mohammad when New Delhi pumped huge money into the state almost every official used the opportunity to grab as much as possible. According to observers the policy of New Delhi was to make the forces who were opposing the accession of the state to India as redundant. It was also a virtual tirade against the popular leader Sheikh Mohammad Abdullah. However when Sheikh Abdullah came back to power after the Delhi agreement he also became part of that system. The people who became rich overnight with the corrupt practices nursed this 'institution'. The justice Ayanger commission of enquiry into the corrupt practices of Bakshi Ghulam Mohammad established the nexus of politicians - beauraucrates in corrupt practices. Along with this the political victimisation and nepotism in providing government jobs added another dimension to the cause of the birth of militancy in the state.

The central government on the other hand discriminated the local Muslims in government jobs in the central government offices. The percentage of Muslims in these establishments was virtually negligible. It was only after the migration of Kashmiri pandits and non state subjects from the valley of Kashmir that local Muslims were appointed to run the defunct banks, insurance agencies and telecommunication department.

The condition of the Indian Muslims and the communal riots which are frequent in India became another cause for the Kashmiri Muslims to get disillusioned from the Secular India. The things became worse with the demolition of the Babri Masjid at Ayodhya. It also coincided with the activities of Hindu fanatic groups like Bharatiya Janata Party, Rashtriya Sevak Sang, Shiv Sena and likes which became a sort of threat for the minorities in India. Above all these things the local youth who were ready to take gun in their hands not only got the support of arms and ammunition but also manpower from different Muslim countries like Afghanistan, Pakistan, Iran, Sudan, Saudi Arabia etc.

5.6.3 Militancy in Kashmir vis-a-vis Militancy in other states

Militancy has been continuing in Assam, Punjab, North-East and parts of Bihar, Andhra Pradesh and Tamil Nadu for a long time now. The militancy of Kashmir although being young got maximum lime-light and coverage in both print and electronic media.
Kashmir attracted human rights activists, journalists, intellectuals and policy makers from different parts of the world. This was definitely because of the disputed nature of this state. The disturbances in the state especially in the valley of Kashmir were exploited by Pakistan and some other Kashmir groups working for the 'cause of Kashmiris'. On the other hand, the militancy in other parts of India, even in Punjab was considered as an internal problem of India. Inspite of the fact that India tried its level best to brand the militancy of this place as an internal problem and simply an act of terrorism but they failed to convince the international community on this issue. In fact, it was because of the present uprising that the Kashmir issue got more and more exposure at the international scene. Militancy in other parts of India although proved to be more effective and damaging for the government forces but the same was and is being curbed more effectively. At the same time there is virtually no participation of foreign militants as is found here. The supply of arms and ammunition to the militants in this state is also far better than other places. Another important issue which differentiates the militancy of this state from that of other places of India is the popular support the militants got here. In fact, the militancy here also became a political issue and some political forces openly support the militancy. While final touches were being given to this research work the virtual battle of Kargil was in full swing. The fight which initially started between militants and the Indian Army involved not only the Indian Air Force but the Pakistan Army also. It is virtually an undeclared war which is going on between India and Pakistan. Both the countries have lost hundreds of solidiers so far. The Indian Air Force lost three war planes and a number of pilots. While the Pakistan has been able to once more internationalise the Kashmir Issue the Indian government was virtually successful in establishing the direct support of Pakistan Army to the "intruders" (Mujahideen).

5.6.3 Why Revolt in the Indian Kashmir?

Now that it is clear that if Kashmir is a disputed place, it is not only the valley of Kashmir which is disputed but it includes other parts of the Indian Kashmir, i.e Jammu and the Ladakh region and the Pakistani Kashmir also. The 'temporary accession' made by the then Maharaja was in fact applicable to other part of Kashmir also. However, the part which we call the Pakistani Kashmir was separated from the other part of Kashmir in 1947 itself after a full fledged bloody battle was fought between the Indian and the Pakistani forces. Immediately after that Pakistan government declared
the part of Kashmir under their occupation as Azad (independent). Although fully under the control of Pakistan, the Pakistani government has given a sort of independence to the Pakistani Kashmir by allowing them to have a separate president and a prime minister. On the other hand, Pakistan has always kept its option open by accepting the disputed nature of Kashmir. It is probably why that there is agitation in the Indian administered Kashmir only. One more reason for this could be that the valley of Kashmir is culturally and ethnically a separate unit which does not identify itself with its neighbours while as the part of Kashmir being governed by Pakistan has no such problem.

This part of Kashmir has also been exploited by the Central Government and the local leadership. In fact, the local leaders who have been at the helm of affairs since 1947, have mostly remained busy in collecting wealth at the cost of local people. The money sent by New Delhi has found its place in certain houses only. Corruption has been institutionalised here by these people. Nepotism and corruption have touched new heights. Alienation thus continued here from 1947 itself. Similarly, New Delhi always considered this place like a 'British Colony'. On the political front they always wanted the rulers to go by their own dictates and those who declined to comply were shown the door. Even people like Sheikh Mohammad Abdullah were not spared. New Delhi never believed Kashmiri Muslims and suspicion always dominated their ideals with regard to them. On the economic front, although crores of rupees were pumped into the valley but there is no accountability. Secondly, the valley has been made totally dependent on others with regard to the basic needs like food stuffs etc. There has been no industrial growth and encouragement to available talent. These things alienated the masses and thus revolt became the only means of expression. They found a threat to their unique identity. The local culture, language and customs have been totally ignored. In a way New Delhi has been superimposing its policies on Kashmir. Thus alienation is natural. We also saw the autonomy of the state was virtually eroded by the centre. In the name of a close relationship, the internal autonomy of the state has been eroded. Against the wishes of the people and contrary to commitments made to them, more and more central laws were extended to the state. The promises made at the time of accession and later in Delhi agreement were not implemented. Thus revolt and seperalism always found their place in Kashmir.
5.6.4 New Issues and Developments

We have already discussed the issues and problems of Kashmiri Identity. However, in the recent past, especially after the present militant movement took its root in the state, the issues of Human Rights and Pandit Migration have dominated the intellectual discussions and they have been on top of political agendas and media priority.

5.6.4.1 Migration

Migration of Kashmiris, especially Kashmiri Pandits has been a continuous process since 1947 and even before that. There are instances that Kashmiri Pandits have been migrating to other parts of India for hundreds of years due to various reasons like political, economic and even socio-cultural. After 1947, although there were never any type of communal riots in Kashmir, Kashmiri Pandits continued to acquire land in other parts of the country in general and the state in particular. This was not true of all pandits but only those who could afford to purchase the same. This trend had picked up during the last two decades. They would go to these places during winters only and come back in the beginning of summer. With the onset of militancy in the valley in the beginning of the nineties, there was definitely mass migration of Kashmiri Pandits from the valley. There are various reasons for their migration. While the government and most of the Pandits blame the militants for their migration, the local Muslims feel that it was the policy of the government to pull the pandits out of the valley so that the security forces could deal with the situation according to their will. The Kashmiri Pandits who considered themselves 'unpaid ambassadors of New Delhi' definitely felt insecure when militancy started here. Among the first victims of the militants was a judge who had sentenced JKLF leader Maqbool Bhat to death, a local BJP leader and some intelligence officers. All of them incidently were Kashmiri Pandits. On the other hand, as soon as the militancy got the popular support slogan shouting became a common phenomenon. The whole valley became virtually mad with slogan shouting processions and gatherings. The slogans which were raised were pro-Islamic, *Nur-I-Takber, Allah-o-Akbar, Pakistan Zindabad, 'we want Nizam-E-Mustafa' and other similar slogans were chanted frequently. Although they were not directed at the Pandits, they definitely made them insecure. They thought that Islamisation was going to take
the valley by storm and thus they had no place here. The minority psyche in this situation was naturally disturbed. They felt isolated from the majority community. Some Pandits were even threatened and others left the valley temporarily thinking that they would return to the valley after normalisation. However, this did not happen. At the same time, some of the Pandits stayed back in the valley and they continue to live here. During the turmoil, when thousands of people lost their lives, Kashmiri Pandits were no exception. However, there were some untoward incidents where Kashmiri Pandits were killed in groups. This further intensified the sense of insecurity among Kashmiri Pandits here. Presently they are settled in different parts of the country. However, being a close and well-knit community the Pandits maintained their distinct identity wherever they settled. Some of them entered active politics and are demanding a separate homeland inside the valley of Kashmir. They want the creation of their homeland, Panun Kashmir (Our Kashmir) to ensure that aborigins of Kashmir do not become extinct in their own land.15

5.6.4.2 Human Rights

The last ten years saw the issue of human rights in Kashmir taking become contentions throughout the world. With the start of militancy in Kashmir, the government used different means to curb it. Custodial deaths, illegal detentions, arson, loot and killings became a normal routine here during the last ten years. Although the government has been defending its forces, there have been many instances where the government punished some people who were found violating the basic human rights. International Human Rights Organisations like Amnesty International, Asia Watch and International Commission of Jurists have documented the rights violations here. Many Indians are deeply critical of the abuses of Human Rights which have been committed by the security forces in Kashmir. Indian Human Rights groups such as the People's Union for Civil Liberties (PUCL) have been busy exposing these abuses. "The frequent militancy crackdown, the inhuman torture of innocent persons, the indiscriminate shooting at people, the frequent thefts, and the occasional rapes committed by the security forces have increased the disgust and resentment of the people in the valley." The International Commission of Jurists has also criticised the militant groups for increasingly becoming violators of human rights. While concluding a report on human rights violations in Kashmir, Asia Watch, a Division of Human Rights watch, says:
"Foremost among the reasons behind the human rights crisis in Kashmir has been the government's unwillingness to take effective steps to curb abuses by its security personnel. Government officials have admitted that 'excesses' have been committed and that action has been taken against those responsible. But such action, when it has occurred, has happened rarely and has seldom included criminal prosecutions......" \(^\text{17}\)

In the vast majority of cases, members of the security forces have not been held criminally liable for abuses that include torture, rape and murder. When confronted with the evidence of abuse, the authorities have time and again attempted to show suspicion to the integrity of the witnesses, discredit the testimony of physicians, lawyers and other advocates or simply deny the charges."\(^\text{18}\) The report further says that the militant groups have continued to use their military and political power to engage in abuses against the civilian population.

"These groups have systematically violated international human rights and humanitarian law by engaging in summary executions, rape, kidnappings, threats and assaults on civilians".\(^\text{19}\)

There have been similar and even more horrible stories of human rights violations in the state. The state recently formed State Human Rights Commission, while there is already a National Human Rights Commission at the national level. However, the violations continue. In the recent past, the killings by armed unidentified gunmen have become a common phenomenon. Who is doing all this remains a mystery. However, this trend has created fear and terror among the locals. Security and safety has become the main concern of the people. The presence of militants, army, para-military forces, friendly militants and different intelligence agencies have converted this place into a war zone and murders, killings and torture have become the order of the day. The priority of the people is thus only peace and peace at any cost.

5.7 Solution

Our discussion indicates that any solution to Kashmir problem is very complex. While some parts of the state are being controlled by India, Pakistan and China directly, the Pakistani Kashmir is enjoying somewhat 'autonomous' status inside Pakistan. All
the countries involved directly or indirectly with the Kashmir problem have their own axe to grind. The people of the state who actually matter and who are really concerned about their future are virtually being ignored. Another important dimension of the problem is that the state is a multi-religious, multi-ethnic and multi-cultural place. Islam (Shias, Sunnis), Hinduism, Sikhism, Buddhism, Christianity and some other religious are being practised in the state. Kashmiri, Dogri, Punjabi, Pahadi (Gojri, Bakarwarli, Badrwal, Kishtwari etc), Ladakhi Balti and many other languages and dialects are in use in the state. It is thus very difficult for the people with vested interests to accept the supremacy of any one group in any field. One feels that even the Muslims who are in majority are in no way going to be accepted as a ruling class. In such a situation, a federal model seems to be an appropriate solution to this complex problem. The state of Jammu and Kashmir which existed before August 1947 should be restored in its original position and then asked to have its own government. However, in the present geo-political situation of this region, it seems impossible that all the countries involved will easily part with their areas. Therefore, what can be solution of Indian and Pakistani held areas of Jammu and Kashmir?

Only autonomy within the broader framework of the constitutions of the two countries looks feasible. However, within these autonomous regions there is a definite need to have internal autonomy to smaller religious/ethnic/linguistic/cultural groups to have a permanent arrangement.
REFERENCES

4. Ibid, Page 107
5. Taken from Europeans on Kashmir. Page 7 with reference to History of Hinduism (Vol 1) Page 41.
9. Ibid, Page 126
10. Taken from a speech by Ex - Prime Minister Jawaharlal Nehru to Parliament on June 26, 1952.
11. Kanwar Sir Dalip Singh was appointed as first 'agent' of the government of India after 1947.
14. Maqbool Bhat was the founder member of Jammu and Kashmir Liberation Front (JKLF). He was hanged in Tihar Jail New Delhi for an alleged offence of killing an intelligence officer.
17. The Human Rights Crisis in Kashmir (1993) by Asia Watch

18. Ibid, Page 174

19. Ibid, Page 175.