CHAPTER 3
LIVING WITH POLITICAL VIOLENCE IN KASHMIR

This study is about children living in Kashmir – an area of immense natural beauty and resources marred by internecine political violence since 1990. The preceding chapters presented and reviewed literature on armed conflict and resilience with respect to children and the present chapter will contextualize the study by introducing the nature of armed conflict in Kashmir. This chapter presents a review of literature with an aim to understand the historical foundations of the conflict in Kashmir and its impact on children.

3.1 Political history of Kashmir before the violence

There is no dearth of literature explaining the conflict in Kashmir. Most of these books and articles have identified three main events as being responsible for pushing the balance of political behaviour in Kashmir towards violence. These three events in the history of Kashmir are: the conditions surrounding accession of Jammu and Kashmir to India, the abrogation of article 370 applicable to the state and the nature of Centre dominated political puppetry in the state that reduced democracy and electoral politics to farcical levels. These are related to each other, like everything in history usually is. Understanding these three events is integral to understanding the nature of political violence in Kashmir.

3.11 Accession to India

The state of Jammu and Kashmir came into existence in the year 1846 with the Treaty of Amritsar through which the British transferred ‘forever’ the Kashmir valley and its adjoining territories to the Maharaja Gulab Singh and his heirs (Wani, 1993, Verma,
Prior to this treaty Kashmir, Jammu and Ladakh were governed under different rulers. Under the Dogra oligarchy, the regions of Kashmir and Ladakh were treated as ‘conquered territories’ (Verma, 1994, p. 11) and were largely ignored in any development schemes. The Dogra Rajputs, Kashmiri Pandits and Punjabi Hindus wielded power over Muslims despite the latter’s numerical preponderance. In many ways the Dogra oligarchy sowed the seeds for a future political uprising among the Kashmiri Muslims the first signs of which were noticed in the communal clashes between Hindus and Muslims in 1931. These events led to formation of political identities that were divided on the communal lines with the Muslims forming All Jammu and Kashmir Muslim Conference (known as Muslim Conference) in 1932. Meanwhile the Hindus, having faced the brunt of disgruntled Kashmiri Muslims in the 1931 violence, formed an organization named Sanatan Dharam Yuvak Sabha later known as All State Kashmiri Pandits’ Conference to safeguard the interests of Hindus in the Valley. With an objective to secularize the Muslim Conference and garner mass support Sheik Abdullah, one of the most prominent leaders reconstituted the group as the National Conference (NC) in 1938. By 1940s the NC leadership cadre included religious minorities as well as Muslims despite skepticism by orthodox community members (Bose, 1997).

With the backdrop of such political stirrings a mass revolt called ‘Quit Kashmir’ was launched by the NC in 1946 to oust the Dogra oligarchy (Raina, 1995). By 1947, following India’s independence from British rule, J&K like other princely states was given an option of choosing either India or Pakistan. A mass exodus of Hindus and Sikhs into India and Muslims into Pakistan amidst gruesome violence, sexual assault, loot and arson was the hallmark of this period. The impact of such inhuman turmoil was felt even in J&K where large number of Muslims fled from the Hindu dominated Jammu region. The mutiny of Muslims against the Dogra ruler facilitated a tribal invasion in October 1947 when tribesmen from the North Western Frontier Province entered from Poonch and advanced with the support of the rebelling Muslim population and the infantry battalion. However, the situation imploded when the tribesmen took to indiscriminate loot, pillage, rape, arson and murder not discriminating between Hindus, Muslims or Sikhs, resulting into large number of deaths (Balagopal, 1996). Until then the Dogra ruler was indecisive about acceding to India, but following the tribal incursion and with the
mass mutiny of his own soldiers the then King Hari Singh appealed to India for fighting the tribesmen in exchange of signing of the instrument of accession to India. The accession of J&K to India was a result of an indecisive ruler’s attempt at saving his territories from an unruly tribal invasion, a decision motivated by desperation instead of conviction. However the accession was never complete, instead its terms and conditions created enough confusion to exploit it by every party with political interests in Kashmir.

By January 1949 a United Nations brokered ceasefire redrew the boundaries of the State yet again. India got control of almost two-thirds of Jammu and Kashmir, almost the entire Valley, most of Ladakh (except Skardu) and most of Jammu. This area retained the name of Jammu and Kashmir and was called India Occupied Kashmir by Pakistan. Whereas a large chunk of western Jammu and Poonch as well as Gilgit and Baltistan fell under Pakistan control called Azad Kashmir in Pakistan and Pakistan Occupied/Administered Kashmir in India (Bose, 1997).

![Figure 3.1 The map of Jammu and Kashmir](https://en.wikipedia.org/wiki/Image:Kashmir_map.svg)
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The instrument of accession that the Dogra ruler signed handed over only three major powers to the union of India that is Defense, Communication and External Affairs. In October 1949, a special provision in the Indian constitution, Article 306A extended such autonomy to J&K though it was to be an ‘interim system’ contingent on a plebiscite whereby the people would be able to decide their fate. The accession of J&K was thus left incomplete and open to accommodate the issue of autonomy through self determination which was the desired objective of NC and Sheikh Abdullah. However, this plebiscite by which the people of Jammu and Kashmir would be able to decide and complete the process of accession has never taken place chiefly because (Bose, 1997; Chari, Cheema and Cohen, 2003):

1. According to the UN resolutions Pakistan was to demilitarize its forces from the one-third of Kashmir (POK) that it controlled which it never did.

2. Another reason for not invoking the plebiscite is an argument that the Instrument of Accession was signed by the Maharaja and ratified by the J&K state assembly thus giving it necessary validity.

3. Finally, the participation of people of J&K in subsequent ‘democratic’ elections is cited as an expression of people’s desire to remain in India.

Thus with such an accession Jammu and Kashmir became a part of India though constitutionally it was given a special status of autonomous governance through the ratification of article 370.

3.12 Article 370 and its abrogation

Sheikh Abdullah the leader of NC was a young charismatic Kashmiri Muslim man who represented the hopes of hundreds of Kashmiris. He had a dream of seeing Kashmir as an autonomous state sharing its borders with India and Pakistan while enjoying a special status that was just short of total independence and he played a very important role in ousting the Dogra King and overseeing the accession to India. After the boundaries were redrawn a constituent assembly of J&K was formed through an election where Sheikh Abdullah’s NC won all 75 seats uncontested. Though the NC enjoyed unrivalled support in the Valley, the Praja Parishad, a Hindu nationalist group was arbitrarily prevented from participating in the polls from Jammu (Bose, 1997). The rise of
Kashmiri Muslim leadership and agrarian reforms that made land available to the plebian Muslim population tilted the balance of power towards Muslims from Hindus and Sikhs who enjoyed a privileged status during the Dogra rule (Verma, 1994).

Subsequently Sheikh Abdullah ratified Kashmir’s autonomy through the Delhi agreement and an enshrinement of Article 370 in 1952. As a result of the Delhi Accord, J&K got a separate constitution, separate flag, end of Dogra ruling dynasty to be replaced by an elected Sadar-i-Riyasat. At the same time formation of a new Muslim majority district of Doda, dismissing the Praja Parishad nominees from contesting elections and favoring a separate cult of Kashmiri nationalism as against Indian nationalism sealed by the Delhi Accord were the main reasons fomenting discontent among Hindus in Jammu (Wani, 1993). They demanded complete accession to India and their slogan of “Ek Pradhan”, “Ek Nishan”, “Ek Vidhan” (one P.M., one flag and one constitution) was a cry against the provisions of Article 370 (Verma, 1994, p. 41). The Hindus in Jammu did not share the same aspirations and some even favored a separate statehood for Jammu. The land reform measures initiated by Abdullah’s government also offended the key leaders of Ladakh who joined the protest against a Srinagar dominated administration (ibid.). Meanwhile Sheikh Abdullah emerged as a very powerful leader who did not pretend to hide his aspirations for controlling autonomous Kashmir’s political future independently with minimum interference from the Centre. This however was not acceptable to the Central government which led to a steady abrogation of the tenets of article 370 through political maneuvers which made a travesty of democracy in Kashmir and created a deep-set distrust of Indian governance in the Kashmiri Muslim mind (Bose, 1997; Prakash, 2002; Puri, 2002; Verma 1994; Wani, 1993).

**3.13 Politics in Kashmir 1953 – 1987**

The political jugglery beginning in 1953 led its way to total breakdown of people’s faith in the government by 1987. Following is a year wise break up of major events that marked the steady abrogation of article 370 through the Centre’s farcical politics in Kashmir.

**1953 – Sheikh’s arrest:** Sheikh’s arrest in 1953 was a major blow to the sentiments of Kashmiris for whom he symbolized hope entrusted with the baton of Kashmiri Muslim aspirations (Wani, 1993).
**1954 – Bakshi Ghulam Mohammad’s ministership:** During Bakshi’s tenure the president of India passed the Constitutional (Application to Jammu and Kashmir) Order empowering the government of India to legislate on all matters on the union list. This Order refuted the Delhi accord between Abdullah and Nehru. Fundamental rights and liberties of people were put under restrictions subject to suspension on ‘grounds of security’ and no judicial review of such suspensions was allowed (Bose, 1997, p. 33).

**1957 and 1958:** In 1957, a new constitution for the state was adopted and a constitutional amendment in 1958 brought the state under the aegis of Central administrative services.

**1963 – Bakshi arrested and replaced by G. M. Sadiq:** Ironically Bakshi was arrested and incarcerated in the same prison at Jammu where he had lodged Sheikh Abdullah eleven years ago. G. M. Sadiq replaced Bakshi as the next Centre backed candidate. This marked the trend of patronage politics that has been ever since used in the State to stifle political opposition (Tremblay, 1997).

**1963-1964 The Hazratbal crisis:** The sacred relic (Moe-e-Muguddas) of the Hazratbal shrine went missing leading to violent demonstrations in the Valley to be returned mysteriously on 3rd January 1964 (Bose, 1997).

**Application of Articles 356, 357, and 249:** Articles 356 and 357 empowered the central government to dismiss elected provincial governments and to assume all the legislative functions of the latter and 249 empowered the centre to legislate even on subjects on the provincial list (Bose, 1997, p. 34).

**1965 – Changing the special nomenclature:** The designation of Sadar-i-riyasat and Prime Minister were changed to Governor and Chief Minister. Moreover, the NC was instated as the Jammu and Kashmir wing of the Indian National congress (Bose, 1997).

**1965 and 1971 India-Pakistan wars:** An Indo-Pak war resulted in 1965 after Pakistani infiltrators crossed the border and entered Kashmir though this war resulted into a stalemate with each side retreating to earlier positions. The 1971 war with Pakistan resulted into formation of Bangladesh, which was formerly known as East Pakistan.

**July 2nd 1971 – Shimla Pact/Agreement:** In 1972, the Simla Agreement between Indira Gandhi and Zulfiquar Ali Butto concluded that Kashmir was a disputed territory and that both countries would respect the line of control and the issue of final settlement was to be
settled bilaterally with no outside guarantors or mediators (Bose, Mohan, Navlakha and Banerjee, 1990; Chari, Cheema and Cohen, 2003).

**1975 – Release of Sheikh Abdullah and the Kashmir Accord:** Abdullah was reinstated as the Chief Minister and his deputy (Mirza Mohammad Afzal Beg) signed the Kashmir Accord that made Jammu and Kashmir “a constituent unit” of India and the parliament was to retain power to legislate on any matter concerning the territorial integrity of the country. Quite paradoxically this agreement stipulated that J&K would continue to be governed by a much diluted Article 370!

**1977 – Election:** After what is called the first fair elections in Kashmir in 1977, Sheikh Abdullah became the state’s chief minister and served five years until his death. Farooq Abdullah succeeded his father as the chief minister and NC president bypassing Sheikh’s brother in law G.M. Shah.

**1983 – Farooq and Indira Gandhi’s fallout:** Indira Gandhi offered Farooq Abdullah an electoral alliance during the 1983 elections, which was declined by the latter. The ensuing election campaign was marred by violence and communal appeals. NC won a convincing victory in the heavily Muslim majority Valley, while Indira Gandhi’s Congress fared well in the predominantly Hindu Jammu. These elections polarized the population among communal lines for the first time since independence (Chari et al., 2003).

**1984 – Electoral/political charades:** By 1984, Jagmohan was appointed the Governor of J & K and Farooq Abdullah’s government was dismissed to be replaced by G.M. Shah amidst widespread discontent among the Muslim masses. G.M. Shah’s tenure lasted from 1984 to 1986, when communal riots against minority Hindus of the Valley led to his oust and brought the state under Governor Jagmonhan’s administration. Farooq eventually returned to power in 1986 when he paradoxically agreed to align his NC with Rajiv Gandhi’s Congress (I) party.

**1987 – A critical election rigged:** The electoral fraud in 1987 contested by NC/Congress (I) alliance and Muslim United Front (MUF) led to the defeat of MUF. This marked the beginning of dissident violence and starting from 1987, Kashmir saw the genesis of political violence, which fed on the body count of dissidents, as well as regime forces each convinced of the utilitarian justification of using violence to gain power.
Therefore, after Sheikh Abdullah’s arrest in 1953, slowly and steadily the tenets of Article 370 were broken down and the process of enforced assimilation was almost completed. During all these years the elections held in the State were well known for being rigged and results being prefabricated made quite obvious by Nehru’s oft quoted letter to Bakshi advising him to lose ‘a few seats’ to preserve the image of the world’s largest democracy in the early years of this political charade in 1962 (Bose, 2003). What was evident in Kashmir from 1953 to 1987 was the complete violation of democracy with patronage politics replacing any form of people’s choice or aspirations.

3.2 Political farce to political violence: when Kashmir imploded

Gurr (1970, p. 3) defines political violence as “…all collective attacks within a political community against the political regime, its actors – including competing political groups as well as incumbents – or its policies.” It takes many forms and it is a result of a multitude of factors. The violence becomes political because more people perceive deprivation with reference to power rather than economic or interpersonal values (Gurr, 1980). This is akin to the concept of over-politicization of society which occurs when a state controls the main economic resources and thus emerges as the centre of competitive political struggle. This also creates political insecurity along with a need to control state power to satisfy material needs. This politicization of society causes power holders and other groups trying to attain that power to resort to political violence and corruption (Tremblay, 1997). As a political phenomena it is unrelated to individual grievances but represents the discontent of an entire community which suffers from a sense of discrimination and deprivation more in terms of political power than economic benefits and thus it comes to believe that its dignity and identity are threatened (Puri, 1990a).

If one looks at political violence from Gurr’s perspective it develops in three stages starting with a generation of discontent, politicization of discontent and actualization in political violence. Discontent arising from the perception of relative deprivation is the basic instigating condition for participants in collective violence. He further explains that (p. 10):
Potential for collective violence varies jointly with the intensity of discontent, which ranges from mild dissatisfaction to rage and the proportion of its members who are intensely discontented.

The potential for political violence is a focused disposition to use or threaten violence against political actors who are held responsible by their errors of commission or omission, for depriving conditions. People are motivated by the usefulness of the violence and the normative nature of violence and are thus motivated to organize and participate in it. The magnitude of political violence is defined in terms of the proportion of a collective that participates in it, its destructiveness and its duration. This varies strongly with the scope and intensity of politicized discontent but it also depends on the regimes' high or low degree of coercive control and institutional support vis-à-vis dissidents, a point that is discussed in detail later.

Political violence refers to a relatively homogenous universe and within this some kinds tend to occur together, and the occurrences of some types preclude the occurrence of other types. Three broad forms described by Gurr (p. 11) are:

*Turmoil* – relatively spontaneous unorganized political violence with substantial popular participation includes violent political strikes, riots, political clashes and localized rebellion.

*Conspiracy* – highly organized political violence with limited participation, including political assassinations, small scale terrorism, guerrilla wars, coup d’etat and mutiny.

*Internal wars* – highly organized political violence with widespread popular participation, designed to overthrow the regime or dissolve the State and accompanied by extensive violence, including large-scale terrorism and guerrilla wars, civil wars and revolutions.

Gurr’s analysis further proposes that the possibility of the above forms of violence depends on a number of factors that can be broadly classified as relative deprivation, institutional support of dissidents and regime, regime control, distribution of dissidents and external support to dissidents. With this very brief introduction to political violence from Gurr’s perspective we explain the development of political violence in Kashmir since 1988.
3.21 Relative deprivation

Relative deprivation denotes the tension developing out of a discrepancy between the “ought” and the “is” of collective value satisfaction (Gurr, 1970, p. 23). The experience of relative deprivation goes beyond mere economic realms and frustrates social, political and psychological needs as illustrated in case of Kashmir. In Kashmir being deprived of democracy was the foundation of dissension. The political diktats levied on the state post 1953 achieved the goal of curbing people’s right to determine their own fate. An Indian civil liberties activist as quoted by Bose observes, ‘what we in India experienced for a brief period after 26 June 1975 (during Indira Gandhi’s Emergency regime), Jammu and Kashmir has suffered for …years…we cannot deny a people rights that flow out of citizenship and then expect their allegiance’ (Kannabiran 1991 as cited in Bose, 1997, p. 33).

The uncere monious treatment meted out to MUF (Muslim United Front, a coalition of political groups) contenders deprived them of their political rights, not novel phenomena but certainly one that crossed the threshold of violent revolt. MUF a confederation of radical non-secular parties gained popularity in the Valley as a result of Farooq Abdullah’s alliance with Congress that was interpreted (and rightly so) as an exchange of principles for power. Such an alliance and the open rigging in 1987 elections provided enough impetus for the newly educated, unemployed, politically frustrated youth associated with MUF to spring into action.

Thus began a movement for independence that progressively grew in proportion and violence, a movement that grew out of a politicized discontent of being deprived of rights to oppose, express, choose - a right to democracy. Aspirations of separate Kashmiri Nationalism were thwarted by political charades that repeatedly sacrificed their identity at the altar of political hegemony. Basic aspirations of development and opportunities were ignored by series of successively corrupt oligarchies. Aspirations of protesting by non-violent means were curbed by indefinite curfews (for example the 72 days curfew set during G M Shah’s regime to prevent protest demonstrations). Bose (1997, p. 35) captures the essence of discontent when he writes “Kashmiris simply wanted basic democratic rights, including representative accountable government and a voice in determining the destiny of their homeland”. However the abyss between the “ought” and
the “is” of collective value satisfaction among Kashmiris kept deepening pushing up myriad forms of politically violent dissent.

### 3.22 Institutional support of dissidents and regime

Both dissidents and the ruling regime can establish and maintain enduring social support by ensuring rewarding consequences for their followers. Gurr (1970, p. 274) proposed that “given the existence of politicized discontent, magnitudes and forms of political violence vary with the balance of institutional support between regimes and dissident organizations.” Institutional support is determined by structural characteristics of regime and dissident organizations such as, scope, cohesiveness and complexity, and organization’s capacity to provide members with value opportunities satisfactions and means for expressive protest.

Dissidents in Kashmir began with a massive institutional support getting spontaneous approval and enthusiastic support from the people of Kashmir Valley (Baba, 2002). The newly formed group of young men dedicated to liberate Jammu and Kashmir from the clutches of Government of India filled the Muslim masses with a hope for future and acted as an expressive means of protest. At the same time, the regime’s institutional support suffered a blow because of its repressive and coercive means and high level of corruption in the state’s administration. In the early periods the rebellion fed on people’s outrage with a decrepit coalition government of NC and Congress. The possibly sympathetic Kashmiri police became passive spectators of the violence and in some cases active participants (Thomas, 2000). The state government’s initial inertia allowed the political violence to assume greater control and garner undisputed support from people.

Eventually the dissident movement got divided into pro-Independence and pro-Accession (to Pakistan) groups (Wirsing, 1994). Such a divide was the beginning of inter-group clashes a condition that was well exploited by the Indian administrations. Some militant organizations also turned in and became pro-government/renegade militants such renegades were used strategically by the Indian army and security forces and this helped to weaken the movement for sometime. However the renegades alienated the mass and their success against militancy was temporary as it re-emerged with greater vengeance. The collapse of State authorities allowed the armed forces and security forces to take over the reins. Their brutal counter-insurgency methods further alienated common
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populace from the regime. Governor Jagmohan’s short tenure in 1990 marked a turning point in which the revolt was at its bloodiest. The governor’s policy of acting tough and use of repressive tactics to control the pandemonium proved to be self-defeating as it caused tremendous hardships for the inhabitants (Chari et al., 2003). Such state policies continued by the next governor Saxena helped build greater support for separation.

However the large scale support enjoyed by dissident organizations during the initial years began to wane by mid 1990 (Thomas, 2000). Many Kashmiri Muslims were feeling betrayed because the promised independence was nowhere in sight, a sight filled with inhuman brutalities in which the common person became scapegoats for the dissidents as well as the regime trying to track down suspected informers. In addition, the cause of asserting the Kashmiri identity\(^2\) was lost in Pakistan sponsored Pan-Islamic propaganda and presence of foreign Jihadis added to a sense of dissociation of the general public from the entire movement. Ironically people fighting repression had resorted to the same menace by means of ethnic cleansing\(^3\) that irrecoverably damaged the cultural ethos of the Valley, banning ‘un-Islamic’ enterprises like coffee shops and beauty parlours, forcing Muslim women to wear burqas and in general adding on to people’s sense of discontent (Women’s initiative, 2002). Weakening of institutional support for the dissidents was used by the last elected coalition State Government, which tried to win back popular mandate by its “healing touch” policy.

3.23 Institutional control

‘Force empowers its own adversaries,
It rises up its own opposition,
It engenders its own destruction’.

Roy Pearson, “The dilemma of force” (as quoted in Gurr, 1970, p. 232)

These lines capture the essence of force and counterforce. Human beings are threatened and angered by force, especially if they believe it to be unjustified or illicit; armed rebellion is born out of such threatened and angered emotions. Regime’s use of

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\(^2\) Also known as Kashmiriyat it is a composite identity that might have emerged as early as 14th century as testified in historical and social texts. It refers to a shared communality without any reference to religious differences that marked the syncretic nature of religion in the Valley (Hewitt 2003:73). This identity invoked by Sheikh Abdullah in his ‘Naya Kashmir’ manifesto was used to topple the Dogra oligarchy and then to justify Kashmir’s inclusion into the Indian dominion (Tremblay 1997).

\(^3\) Pandit as Kafir – the new secessionist movement divided the shared identity into Kashmiri Muslim and Kashmiri Hindu identities and the Pandit community became a symbol of India in Kashmir that had to be removed in order to create a ‘Nizam I Mustafa’ or an Islamic state in Kashmir (Behera 2003).
counterforce to curtail violent dissidents is based on the assumption that “the greater a regime’s capacity for force and the more severe the sanctions it imposes on dissidents the less violence they will do” (Gurr, 1970, p. 232). On the contrary this assumption is a self-defeating fallacy. The effect of a regime’s use of greater force is usually an intensification of resistance and dissidents resorting to greater force.

The birth of organized militancy post 1987 in Kashmir marked the beginning of dissident control and coercion in the Valley. Riding on popular support from the masses and external assistance the revolt changed forms from turmoil to conspiracy – riots and strikes giving way to organized and well planned terrorism. A series of explosions just before the Pakistani and Indian independence days in 1988 and flying the Pakistani flag on 14th August while black flags on 15th August the Indian Independence Day symbolized the extent of dissident control. Violence steadily increased with clashes between police and protest marches becoming a common occurrence. Militants began targeting police patrols and stations, Government and private buildings and Government officials. They also began cleansing the Valley of its minority Hindu populace making the movement exclusive to the assertion of the Kashmiri Muslim identity. General public strikes, public boycotts and open adulation of people who defied the government announced the revolt that was on its way. Meanwhile State’s control was dwindling under the leadership of a lackadaisical Chief Minister and his corrupt political machinery. Clashes between police forces and rebelling mobs added to the death toll and also to the list of martyrs for the uprising.

The kidnapping of Dr. Rubaiya Sayeed, daughter of the then Union Home Minister Mufti Mohamed Sayeed by the Jammu Kashmir Liberation Front (JKLF, a pro-independence organisation) in 1989 and her subsequent release on terms dictated by the dissidents raised the dissidents’ morale and legitimized kidnapping as a potent political weapon. This incident was crucial because it could have turned against the dissidents and cost them the mass support as kidnapping of an unmarried Muslim girl could have alienated and angered traditional Kashmiri Muslims. Instead the Indian Government’s amateurish negotiations resulted in a major political victory for the dissidents and encouraged newly emergent armed groups (Chari et al., 2003). The years 1988, ‘89 and ‘90 were marked with massive unrest with the pro independence well educated and
articulate JKLF dominating the scene till 1992 with clear support from across the border (Sebastian 1996). The dissident control was certainly poised to overrule the scattered regime control which was then reinstated by imposing Governor Jagmohan’s rule from 1990.

Infamous for his tough tactics from his previous tenure, Jagmohan’s task was to save the Valley for India, and he did so with the help of the army and two paramilitary forces whose names sent chills through the average Kashmiri Muslim: the Border Security Force (BSF) and the Central Reserve Police Force (CRPF) (Thomas, 2000). In an effort to regain the lost regime control the Governor stepped up crackdowns on militants, imposed continuous curfews and used brutal force, coercion and repression to curb the objective threat of dissidents. Jagmohan was eventually removed after five months to be replaced by Girish Saxena but with no respite in the outlandish force counterforce contest. Violence by armed forces in the valley took three major forms: firing upon processions and demonstrations; taking revenge on locals as a response to militant attacks on the Forces and mass killings, occurring during ‘crack-downs’ and custodial deaths. Such tactics were reciprocated by intensification of dissident violence egged on by Pakistan’s undeniable support.

Islamization of the movement resulted in selective killing of Pandits (also because there were more Pandits working for the Government) and eventuated into the mass exodus in 1990 (Bose, 2003). This development marked the end of a unique syncretic culture and inclusively of Kashmiriyat. Predictably the common people in Kashmir, be it Hindu, Muslim or Sikh were massacred in regime-dissident struggle to gain power. Both the warring parties were seemingly unconcerned about the shameless and ruthless violation of human rights, apparently to make a statement to each other. Torture, abuse, rape, loot, arson, killings and other such despicable means were used by both groups eroding the community as a whole. Extensive use of force by either side is likely to be dysfunctional as force is a double-edged sword and wounds all. In this case the force splintered a community, de-capacitated the movement and discredited the State in ways which are beyond repair. The present phase of election turn out looks like an indication of the Government’s institutional control but cannot be taken as an end to the feeling of
discontent that still has the potential to rekindle the simmering sentiments again and again.

### 3.24 Area under control of dissidents and external support

Gurr (1970, p. 264) observes that when “most or all the population of an area is dissident or at least neutral between the dissidents and the regime, dissidents are relatively free to organize and obtain supplies and move with relative freedom and anonymity”. Being a member of a geographically cohesive group facilitates coordination of large scale action as it provides the shield of anonymity. Moreover, availability of inaccessible terrain in which dissidents and their supporters can take refuge, arm and train their members and mount attacks against the regime is another crucial factor. Internal war is most likely if dissidents are both geographically concentrated and situated in protective terrain while external support increases their military capacity. When dissidents have bases in the border of a supportive country they can be equipped subject only to limitation of resources and international restraints on the supplying nations. Most regimes threatened by internal war also have foreign supporters, who may increase their military assistance to the regime. Consequently, foreign support is likely to be dysfunctional for terminating internal wars rather it is more likely to increase the scale of conflict to a high level and prolong it.

In Kashmir, militancy is confined to the Sunni Muslim population (Om, 2003). According to Wirsing (1994) compared to many other separatist movements the Kashmiri Muslim edition is small in scale as territorially it is confined for the most part to Kashmir Valley the smallest of the three administrative subdivisions (Ladakh and Jammu are the other two). During the first phase of militancy, the uprising spearheaded by JKLF had a unitary goal of independence from India and an assertion of the Kashmiri identity. However, Islamization of the movement and Pandit exodus in 1990 made the movement exclusively by Muslims, for the Muslims and specifically concentrated in the Valley. The movement’s intensity in the Valley was supported by it’s almost 95% Muslim population and also its proximity to POK or Azad Kashmir. The Valley’s dissidents maintained a close alliance with and drew important support from the political leadership of Azad Kashmir which served as a border base for them.
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At this juncture it is important to understand the role of external support in case of the Kashmiri Muslim uprising. It seems like the internal war conditions were being maintained by Pakistan sending in more guns and India sending in more troops, making Kashmir one of the most militarized places in the world (Thomas, 2000). Wirsing (1994) concurs that Pakistan has been supplying substantial political, diplomatic and material support to the uprising. He also mentions Pakistan’s role in training, indoctrination, arming and cross-border movement in keeping the violence alive. The base camps provide refuge and training and are also used for exfiltration and infiltration of the recruits across the LOC. The Indian army feels that there are five such ISI (Inter Services Intelligence) base camps located in Azad Kashmir (Wirsing, 1994, p. 120).

Pakistan’s motivations are quite apparent following the unjustified and disputed accession of a Muslim majority state to India in 1947 much against the wishes of Pakistan. To them India’s claim (after the wars of 1965 and 1971) to Kashmir seemed undefeatable till the emergence of a widespread and powerful Kashmiri Muslim separatist stirrings. The opportunity presented across the border was too alluring to be ignored by Pakistan. It began its role by supporting JKLF though it was pro-Independence. However, a conscious decision to curtail the popularity of pro-Independence groups seems to have guided the shift in support to the less popular but pro-Accession (to Pakistan) groups such as the Hizb-ul Mujahideen (HM) and Muslim Janbaaz force. Such favouritism divided the revolt (anyways confined to Muslims from the valley to begin with) into two separate goals and thus two different ideologies (Wirsing, 1994).

This divide weakened the whole movement as HM could never garner enough institutional support or control because it did not even represent the Kashmiri populace. HM included men sent to fight against the Soviets in Afghanistan by Pakistan. Later it became actively involved in the Valley championing the cause of pro-Accession. The tension between JKLF and Pakistan escalated in February 1992 when Pakistani forces shot dead at least twelve people and beat and arrested hundreds to break up a JKLF march from ‘Azad Kashmir’ to the ‘Indian Administered Kashmir’. In response to this almost 60,000 people gathered within Hazratbal mosque defying Indian curfew and marked a political victory for JKLF over Pakistan and its protégé HM.
Such internal dissensions caused a steady decline of the violent uprising. Eventually the dissidents forged a common ground that would provide a platform for the numerous self-proclaimed militant organization operating in the Valley, leading to the formation of All Party Hurriyat Conference (APHC) in 1994 that brought together 25 political parties and became a common forum for groups such as Ittehad-ul-Muslimeen, JKLF, People’s Conference, People’s league, Awami action committee, Jamat-e-Islami and Muslim Conference (Bose, 2003). Such a conglomeration was aimed at bridging the ideological divide that threatened to collapse the entire movement. Therefore, from a hardliner separatist ideology the trend of political violence in Kashmir began moving towards a merger. Calls for drawing borders to have an independent Kashmir began changing into inclination towards dissolving borders and opening up the Line of Control.

Unfortunately, the lack of cohesive politics was noticeable in the ideological divides that appeared in the APHC, which pulled the parties into directions other than that of self-determination or Azadi (freedom). Chowdhary (2000, p. 2602) points out that the terms of discourse have changed from that of azadi to autonomy and dialogue because of the ‘political impasse’ that Kashmir has been living in since the outbreak of militancy. She sums up the condition of a common Kashmiri as that of disillusionment against Pakistan, against militancy and even against the movement and a festering anti-India feeling. The situation at present is of uncertainty infused with immense possibilities with the Indian government’s 12 point proposal to improve ties with Pakistan and hold talks with Kashmiri separatists (Economic and Political Weekly editorial, 2003). Various Confidence Building Measures have been set into motion, with the start of bus service between Srinagar and Muzzafarabad (in POK) and the rounds of talk between the dissidents and the ministry have begun albeit amidst militant attacks. There is an air of possibilities towards restoring peace in the valley though sporadic and targeted killings of office incumbents and tourists mar the picture keeping the pot boiling. The situation demands a powerful representation of people of Kashmir (and at the same time not forget the Jammu and Ladakh regions) and the factional tensions within the APHC have to be solved out before policy level decision can be taken by either India or Pakistan.
3.25 Present political condition in Jammu and Kashmir

The turmoil is far from over; rather it has taken newer dimensions. Each election year sees an escalation of political violence that takes myriad forms in Jammu and Kashmir and 2008 being one is no different. The situation caused by the Amarnath Shrine land transfer issue that resulted in establishment of President’s rule in Jammu and Kashmir in July illustrates the present political condition. From 1990 to 1996 President’s rule was imposed on Jammu and Kashmir and then the NC headed by Sheikh Abdullah’s son Farooq Abdullah held the political reins till 2002. During those years the widespread corruption and lackadaisical attitude of the chief minister caused further disenchantment with the political machinery among the populace. The situation was bad enough to attract worldwide attention during the 2002 elections in which NC was voted out to usher in a coalition government between the PDP (People’s Democratic Party) and Congress which introduced the Common Minimum Program (CMP) that focused on issues of governance with special emphasis on the breakdown of law and order due to militancy. However, the implementation of the CMP was looked upon with scepticism because of the strains within the PDP and Congress as both had different positions on issues like engaging the militants in a dialog, disbanding the Special Operations Group and also because the PDP was a regional party and Congress a national party. The people in Kashmir Valley had very little faith in the Centre because of the protracted political farce and thus their support to the Congress part of governance was already under doubt. The first three years starting from 2002 to 2005 were governed by the PDP leader Mufti Mohammad Sayeed and was later replaced by Ghulam Nabi Azad in 2005 (www.jammu-kashmir.com).

Incidents of violence have occurred during these years though the present imbroglio surrounding the Amarnath Shrine Board land transfer issue shattered any illusions of peace and mellowing of separatist sentiments in the Kashmiri population. The land was transferred for temporary period to provide facilities to pilgrims visiting the Amarnath Shrine in May, 2008. However, widespread protest and political outcry occurred in Kashmir region because the transfer was misconstrued as a plan to settle Hindus from outside to change the demography of the state, reducing its Muslim majority (Puri, 2008). The coalition government disintegrated with the PDP withdrawing support. These events led to revocation of the land transfer on July 1st, and it was decided that the
government and not the Shri Amarnath Shrine Board (SASB) was to provide facilities to the yatris (pilgrims visiting the Amarnath shrine). This development calmed the situation in Kashmir triggering spontaneous protests in Jammu by the Shri Amarnath Yatra Sangharsh Samiti (SAYSS). Some Muslims were killed, roads leading to Kashmir from Jammu blocked and a youth immolated himself in Jammu, more protests and curfew followed. The road blockade resulted into an economic impasse with fruit traders unable to ferry their products through the only road connecting Kashmir with the rest of India. Fresh protests and pro-Independence sloganeering started in Kashmir, invoking the Tehreekh (local term for the Independence movement, call of the 1990s) at large public meetings. The situation worsened when police fired on people marching towards Muzaffarabad in POK, in which a Hurriyat leader was killed along with other people. The situation worsened after this with 22 people killed in Kashmir and a 28 days bandh and an agitation that lasted for 51 days in Jammu. The regional and political divide between Jammu and Kashmir was blatantly obvious and was a crucial aspect of the changing face of political violence in Kashmir. The Amarnath shrine board controversy was an outlet for Kashmiris to reaffirm their feelings of alienation and reassert their demand for independence (Puri, 2008). “It is just like the 1990s” is what many from Kashmir described the situation as (personal communication).

The current deprivation was not just with respect to being deprived of independence and democratic political rights felt by Kashmiri Muslims living in the Valley, but now the deprivation of Hindus living in Jammu had matured to motivate violent protests causing the first of its kind’s outburst in Jammu. The Hindus in Jammu comprise of not just Dogras who have a grudge against Kashmiri Muslims for overthrowing their King, but it also includes the angst of thousands of Kashmiri Pandit population who were displaced out of their homes in the Valley during the 1990s. This massive internal displacement resulted in a change in the cultural ethos of the entire state. Resource sharing became an issue in Jammu as Kashmiri Pandits claimed their share in the socio-economic life of Jammuites. Moreover people in Jammu felt discriminated against by what they perceive to be the Kashmiri Raj which was a result of the long standing appeasement policies of the government trying to woo Kashmiris. The fact that there has been no chief minister from Jammu yet is also another grudge (personal
communication). Hindu political parties used these feelings of deprivation to motivate violent protests in the Jammu region, while Kashmir stuck to its demand for independence yet again. The present condition vindicates the adage of “how much ever things change they remain the same”, secession, militancy or religious orthodoxy are still the outlets for Kashmiri Muslims while Jammu resorts to communalism or ultra nationalism (Puri, 2008). The illusion of peace that was setting in over the last couple of years has been shattered in Kashmir with reports of violent clashes, protests and demands for independence on the rise. However, the recent election turnout figures indicate that the nature of political ideology was definitely changing. People seem to be aligning with the system to change the system rather than abolish the system. What does this hold for the struggle for independence is anybody’s guess at present. The dream of independence remains unchanged in a Kashmiri Muslim’s mind, but the definition of independence may have changed, the ideology and identify associated with it may have evolved to mean an independence from insecurity, lack of dignity and violence. May be we are witnessing a change in the scale of violence in Kashmir, may be the violence is not local anymore, or may be it is just a phase. Whatever it is, the reality of political violence cannot be denied, and its indelible mark on the society and psyche cannot be wished away. The next section describes the nature of political violence in Kashmir.

3.3 The nature of political violence in Kashmir and its implication for children

The nature of conflict in Kashmir is such that exposure to actual armed conflict is limited but the effect is in terms of repression, loss of security, income and service access, disrupted schooling, displacement, military harassment and other forms that have an immense impact on the lives of children and their families. Though the conflict is primarily in the form of security threats from Pakistan the situation takes on ‘intra-state’ violence because internal disputes are resolved through military operations instead of dialogue, which in turn incites retaliatory action (Boyden et al., 2002.). The militants and armed forces are the main protagonists of political violence in Kashmir. Both the groups garner support from the locale population either by choice or by force. Mass protests and rallies are popular ways in which civilians express their dissatisfaction. Curfews are at
times imposed by the Government and at times are called by the separatist groups that often act as de-facto governing bodies in the Valley. The roles played by the key protagonists in political violence in Kashmir – the armed forces and the militants will be discussed next with special reference to the impact it has on the lives of civilians, a feature often termed as “collateral damage”. Such activities have been reviewed and collated in two reports – Everyone live in fear: patterns of impunity in Jammu and Kashmir by Human Rights Watch, 2006 and State of human rights in Jammu and Kashmir: 1990-2005, published in 2007 and the ensuing description is based on these two reports.

### 3.31 Role of armed forces

The army entered Kashmir in 1947 to fight the tribal incursion and then its presence has become a regular feature in the State because Jammu and Kashmir was a border state initially and then following the implosion of violence in 1990s the presence of armed forces in the state were related to security issues and counter insurgency measures. The counter insurgency measure united the armed forces into a unified regime that makes all the crucial decisions in Kashmir (Jammu and Kashmir Coalition of Civil Society, 2007). The term “armed forces” includes the regular army and paramilitary forces like Border Security Forces (BSF), Rashtriya Rifles (RR), Indo Tibetan Border Police Force (ITBF), Jammu and Kashmir Police (JKP), National Security Guards (NSG), etc. (Amnesty International, 2005). The sheer number of armed forces in Kashmir makes it the most militarized zone in the world, where according to the JKCCS report there is a soldier for every five to seven Kashmiris (2007a, p. 1). The counter insurgency methods used by the armed forces have been criticized for its disregard for human rights of people in Kashmir and in a way it has alienated Kashmiri people from India. The armed forces enjoy absolute power through the draconian Armed Forces (Jammu and Kashmir) Special Powers Act (AFSPA) that was passed in 1990. The AFSPA empowers security forces to arrest and enter property without warrant and gives the security forces power to shoot to kill in circumstances where members of the security forces are not at imminent risk. It facilitates impunity because no person can start legal action against any members of the armed forces for anything done under the Act, or
purported to be done under the Act, without permission of the Central Government (Ministry of Home Affairs, 1990).

The role of armed forces in political violence is to act on behalf of the State to curb dissension and counter insurgency, thus acts of violence to combat militants is part of political violence, however, acts of violence that affect innocent civilians encroach on their human rights. The armed forces in Kashmir have been involved in a number of such violations of human rights in the garb of counter insurgency measures.

**Killings**

Crossfire and custodial deaths are two means by which civilians are killed in the armed forces – militant battle (JKCCS, 2007). Crossfire is most damaging for civilians because armed forces fail to distinguish between civilians and militants and if civilians are killed the army terms it as “error of judgment” and “error of intention” (HRW, 2006). For example, in July 2005 three teenage boys were killed by troops without warning, their only mistake was that they had sneaked out to smoke cigarettes at night. Similarly, on February 23, 2006, soldiers in Handwara shot at a group of boys playing cricket, killing of four boys, including an 8 year old playing. Such arbitrary killings have caused a deep sense of insecurity and anger among the public.

Custodial killings are justified by the armed forces as a necessity when the captured suspected militant is a Pakistani or an important militant leader because if kept in jail they might indoctrinate other prisoners or because there is a danger of hostage-taking to secure his release (HRW, 2006). However, there have been allegations that the armed forces pick up young men and kill them claiming death of a militant. The people killed in custody have had varied profiles ranging from businessmen, students, lawyers, doctors, journalists and even housewives (JKCCS, 2007). Fake encounters coexist with custodial killings. The armed forces claim death was a result of armed encounter while families insist that people are arrested and then killed in a faked encounter in custody. There are scores of disputed cases pertaining to fake encounters and custodial killings, which family members initiate when at times their sons or daughters are arrested or when they suddenly disappear, just to return dead with signs of torture on their dead bodies (HRW, 2006).

**Disappearances**
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Enforced disappearances or disappearances refers to a phenomenon when a person is taken into custody without disclosing the reason for arrest, not producing the person before a Magistrate, not disclosing the place of detention to relatives or friends, there is no access to a lawyer, presumption of innocence is absent and there is no protection against torture or abuse. According to the Association of Parents of Disappeared Persons (ADPD) in Srinagar, the number of missing persons could be somewhere between 8000 to 10,000 affecting more than two hundred thousand relatives directly and since the new government took over in November 2002 there have been 144 cases of disappearances from different parts of the state (JKCCS, 2007). A survey of Baramulla district for 1989 – 2007 showed that 343 people disappeared during that period, out of which 81 were militants or former militants, five belonged to government forces, 11 were renegades and 246 (72%) were civilians (JKCCS, nd.). Since 1990, thousands of Habeas Corpus petitions were filed but justice is delayed and most often denied. In most cases an enquiry is made and the High Court directs the state to pay some exgratia relief or directs the police to file an FIR and complete the investigation within stipulated period (ibid.).

Disappearances of men have given rise to a group of “half widows” who are often thrown out of their marital homes along with their children. Such children either end up in orphanages, as child labours or if the woman’s paternal family is well off they are taken care of but things are never the same for such children or such women. Half widows and their children have to deal with their uncertain social status and the difficulties that arise in the absence of an earning member (ibid.). Again there are different versions explaining disappearances, with the state claiming that those who disappeared must have crossed over the border, while the families claim they were killed in custody. There are cases of erroneous reporting when the person reported disappeared had in fact gone away voluntarily to find jobs in other cities, this creates substantial controversy about the problem’s actual prevalence (HRW, 2006). The number has come down since the new government took over in 2002 and because of consistent efforts by the ADPD, but it still occurs and at times false claims of disappearances are made thus the actual extent is not known (ibid.). The state’s role in conducting investigations to
follow up such cases is crucial in bringing justice to families whose lives are affected so that the real incidents don’t get washed away under controversial claims.

**Arbitrary Detention**

Another armed forces action associated with custodial crimes and disappearance is arbitrary detention of alleged militants. According to HRW (2006) at least 4,500 alleged militants remain in jail without trial and such actions are protected by the 1978 Jammu and Kashmir Public Safety Act (PSA), a preventive detention law that permits detention of a person without trial for a period of up to two years in order to protect the public and the State. The HRW also reports that the legal requirements of the PSA are often flouted in favour of worse practices. What results is that like relatives of disappeared persons, relatives of people detained under PSA file habeas corpus and wait for their turn which takes time. However, the new government has been prompt in dealing with the issue of detention and according to the PDP chief minister in 2005, there were 1,197 persons in detention under PSA when his government took over in 2002, out of which only 376 people remained under detention on September 2005 ([www.jammu-kashmir.com](http://www.jammu-kashmir.com) archives, 2005). Arbitrary detention becomes a human rights issue when the state fails to prove the crimes, therefore in cases where there are evidences that the person detained may have committed acts of terrorism and killed innocent victims the state’s lackadaisical attitude in proving the crimes brings the system under criticism and at times results in release of people who are indeed guilty of murder.

**Forced Labour**

Forced labour is practiced in the rural areas and the villages near the Line of Control (LOC) that include carrying ammunitions to forward positions, cutting trees and timber from the forests for the Army use, to make furniture, nocturnal patrolling of highways, guard camps and act as cover in case of any attack by the militants, provide private vehicles for Army operations, etc. (JKCCS, 2007). Using civilians as human shields risks their lives and at times results in their death (Chakravarti, 2001). For example, in February, 2004, at Chitthi Bandi, Bandipore, five civilians were killed after they were used as human shields in an encounter between militants and troops. There bodies were unceremoniously dumped and no legal actions were taken (JKCCS, 2007).
Young adolescent boys have also been used as human shields to search houses exposing them to encounters and at times killing them. Not just men and adolescents, but even women and children are used for labour according to the JKCCS report. In Handwara in north Kashmir every day ten people are taken to work for the Army, if there are no male members in the family children and women are forced to work and if one remains absent on any day, the person is made to work for three consecutive days. Often the people are made to work under inhuman conditions such as the bitter cold in Kashmir resulting into their death. The army has denied allegations of forced labour and of deaths occurring during such operations. But the army “errors in judgments” compromises their credibility when they deny such allegations.

**Harassment**

The powers bestowed upon the armed forces as a result of the AFSPA results into unwanted firing, using excessive force, barging into homes searching for militants, destruction and confiscation of property (JKCCS, 2007). Harassment by the armed forces has many forms. The most common one is associated with identity cards and it is mandatory that every Kashmiri is to carry and produce it on demand. Failure to produce an identity card attracts dire consequences so possession of an I card becomes a point of vulnerability exploited by the armed forces. For example, in rural areas if people refuse to forced labour their identity cards are seized. Unnecessary questioning also accompanies such I card investigations. During the elections in 2002 voter identity cards became a huge issue which was not easy for people. The JKCCS reported that armed forces snatched identity cards from people and at times tore them in order to force them to get voter identity cards. This was despite the fact that possession of a voter identity card was optional and would not disenfranchise a person from casting her/his vote. Coercion to vote was another form of harassment during the 2002 elections. People were caught between threats of dire consequences by the militants if they vote and same threats by armed forces if they did not vote. Imams of mosques were warned of dire consequences in case people from their locality did not vote. According to an election observer, armed personnel would force people to vote and even dragged them to polling booths but on seeing the observers would hide or walk away, one jawan even hid himself in a rice husker (personal communication). Frisking is the most common form of daily harassment.
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and often such operations take hours. I witnessed several frisking operations during my stay and extensive travel in Kashmir. In such occasions which would usually occur while travelling men were asked to get off the vehicle and their I-cards checked and bodies searched, while women were given a cursory glance. Sudden cordons and crackdowns are also cause for disruption of daily life and at times of special occasions like marriage celebrations. Keeping a long beard which is required by laws of Islam is a cause for concern as many times young men are picked up and harassed if they sport the look associated with militants (Dasgupta, 2006).

Harassment of women and girls is another menace caused by the armed forces and the situation is worse in rural areas (JKCCS, 2007). Most common form is of passing comments, obscene gestures, leering at women and making them remove their veil during searches (Dewan, 2002). Kashmiri women live with armed men standing every day on the streets, barging into their homes and staring at them on the roads and it is quite natural that they do not have any neutrality in their opinion of the armed forces. The most heinous form of harassment is rape by armed forces. Kunan Poshpora comes to mind whenever one talks about rape by armed forces. On February 23, 1991, the 5th Rajputana Rifles unit of the Indian army raped over 30 women and children of this village (Dewan, 2002) though the Army has denied that any rapes took place (JKCCS, 2007a). The recorded cases of rapes are few because of fear of retaliation from the armed forces but its presence cannot be denied. The harassment of Kashmiris is not restricted to the state only as Kashmiri Muslims are often subjected to myriad forms of harassment in the rest of India, in terms of being labelled as terrorists, denied accommodation, harassed by the police and also being locked up and killed for being Kashmiri Muslims (ibid.). A young girl from Srinagar related her experiences of prejudice when she visited another city in India for a sport meet and how she was called a terrorist by people there (Dasgupta, 2006). Such incidents create a sense of alienation and anger among people and despite reconciliatory efforts by the armed forces they will never be able to dispel people’s distrust and disgust towards them in Kashmir.

Creating renegade militant groups

The state and armed forces has created a cadre of pro-India militants by arming surrendered militants and using them in their counter insurgency measures (Sawant,
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2001). This group that played a crucial role in curbing militancy during the 1990s resurfaced during the ceasefire announced in 2001 because the forces could not cordon villages or search houses so they used the renegade militants to act as their informers to unearth militant hideouts. However, the renegade militants known as *Ikhwans* who are provided impunity by the Army indulge in crimes of extortion, assault and sexual abuse of the common people becoming a source of terror especially in border areas (Chakravarti, 2001; JKCCS, 2007). The Government describes the recruitment of surrendered militants as a way to rehabilitate them but in reality they are used to do the dirty work and no actions are taken against them (www.hrw.org/campaigns/kashmir/1996/India-07.htm). Kukka Parrey the head of *Ikhwans* even contested an election through his party called the Awami League in 1997 and won an Assembly seat (Times of India, 2002). Parrey was killed by militants at Hajin in 2004 and with time the *Ikhwans* reduced in number (JKCCS, 2007). In 2002 these infamous and widely feared groups were tracked down by the police, and arrested. However, there are reports that *Ikhwani* are not history yet and that people in Islamabad, Anantnag district have begun harassing people suspected to support the separatist ideology (www.kashmirwatch.com/showkashmir).

The reason why the armed forces use violence without much thought is the impunity provided to them by the numerous laws and acts such as the Section 45 of Criminal Procedure Code of 1973 that protects any member of the armed forces from arrest by civilian authorities, Section 197(2) of the Criminal Procedure Code that blocks trial of armed forces in civilian courts, The Jammu and Kashmir Disturbed Areas Act and Armed Forces (Jammu and Kashmir) Special Powers Act of 1990 that gives complete power to the armed forces to use lethal force and arrest without warrant and prosecution is dependent on sanction of the Central Government, which is seldom given, The Jammu and Kashmir Public Safety Act, 1978 amended in 1987 and 1990 also allows for immunity from prosecution and allows detention of an individual without trial for two years. With laws and acts protecting their actions, very few armed forces remember that with great power comes even greater responsibility.

**3.32 Role of militants**
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The nature of political violence that militant groups engage in is associated with fighting the political machinery in order to gain power over political decision making and opt for independence from the current ruling regime. The reason why a section of the Kashmiri Muslim population dissented against the establishment has been discussed in the previous section. In that section we concluded that the initial violent uprising demanding independence from India bifurcated into another group demanding accession to Pakistan to achieve Pan-Islamic aspirations. Whatever the motivations, the militants were fighting for the aspirations of the common Kashmiri Muslim populace that had willingly supported the violent uprising during the 1990s and they still do in many ways despite the harsh counter insurgency techniques described before (HRW, 2006; JKCCS, 2007). However, since 1990s the common public’s support to militants has steadily reduced and quite often they are coerced to support and shelter militants (Asia Child Rights, 2003). Threats to Kashmiri passengers travelling in the newly opened bus from Srinagar to Muzaffarabad in 2005 was an example of how the guns were trained on ordinary Kashmiris, the very people they were seeking to “liberate” (Akbar, 2005).

The militants had begun abusing their power and despite their scale and frequency, their abuses were seldom documented because, according to the HRW (2006) State Human Rights Commission says it concentrates on abuses by state agencies, Pakistan, the main support system for militants is beyond the reach of NGOs and victim groups in Kashmir, there is definitely greater political sympathy for the militants’ cause than for the government and most importantly people are afraid of retaliation if they oppose militant violence (p. 118). Another reason why armed forces are blamed for the lack of security and general lack of quality of life in Kashmir is because they are ubiquitous in their uniforms, a militant hurling a grenade on a busy street is a faceless perpetrator whom nobody can distinguish from the common Kashmiri lying in the pool of her own blood. In a situation of political violence attacks against military targets are expected and do not violate international laws. However, attacks against civilians that do not discriminate between military targets and civilians, attacks on military targets causing disproportionate civilian loss of life, killing government incumbents who are not directly participating in the hostilities are unlawful. Moreover captured combatants and detained civilians must be treated humanely at all times (HRW, 2006). With this yardstick, the
militant groups would be as guilty as the armed forces in committing human rights violations. Following describes the type of political violence used by militants some of which often leaves an indelible impact on civilians.

**Use of explosives**

Militant groups have increasingly made indiscriminate use of bombs, grenades, landmines and other explosive devices, with predictable civilian casualties (HRW, 2006). Sporadic blasts of 1989 gave way to blasts becoming a common feature of Kashmiri life. There were approximately 38 explosions from January 2008 to September 2008, claiming 29 lives and injuring 166 people according to data available on the South Asia Terrorism Portal (www.satp.org). A grenade attack aimed at an army vehicle in Baramulla in June 2008 ended up injuring 7 pedestrians (www.kashmirlive.com). Explosions on busy streets, in buses, market places have claimed many lives including women and children. Tourists have also borne the burnt of explosions when grenade attacks aimed at military targets miss and end up injuring bystanders. For example, seventeen people including 7 tourists sustained splinter injuries at a grenade attack in Pahalgam on April 28, 2006 (www.indianexpress.com). The use of mines and improvised explosive devices (IED) has caused irreparable damage to the common Kashmiri. A Jammu and Kashmir Coalition of Civil Society team that had gone to monitor the 1st phase of elections in Baramulla were blown up by a mine, killing a female human rights activist, the driver and severely injuring a male human rights activist. However, on 16 October, 2007, the United Jihad Council that includes 13 armed Kashmiri groups pledged to ban the use of anti-personnel mines and the group had also condemned the use of IEDs and grenades (www.reliefweb.int/rw/RWB.NSF/db900SID).

**Targeted Killings**

Militants have killed not just military targets but civilians as well. The minority community of Kashmiri Hindus (Pandits) bore the brunt of militant violence. Since the beginning of the conflict minority groups have been specifically targeted by using threats and killings to terrorize them (www.satp.org). A day after the October 2005 earthquake that killed many thousand people, militants murdered ten Hindus in Rajouri district
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(Swami P, 2005 Terror against death frontline October 22 – November 4). In one of the worst attacks since 2000 on Hindus, 35 villagers were killed in Doda and Udhampur districts in 2006. Targeted killings of prominent members of the Pandit community and threats to the entire community were one of the main causes that resulted in the mass exodus that has changed the cultural ethos of Kashmir forever (www.jammu-kashmir.com). The problems associated with internal displacement and difficulties of living in refugee camps have become a part of collective consciousness of the Pandit community. Some have also turned radical Muslim haters, which show the kind of erosion in cultural ethos that has occurred as a result of political violence in Kashmir. The massacre of 36 Sikhs in Chattisinghpura before the then President Clinton’s visit in 2000 was the first attack on Sikhs, though there is considerable confusion surrounding who was responsible for the attacks, victims believe it was done by foreign militants (Jabbar, 2002). Many Kashmiri Muslims are worried about the growing religious divide that risks turning what has been primarily a political conflict into a religious one (HRW, 2006).

Not just the minority community the militants have targeted journalists, human rights activists, people participating in elections, political leaders, Kashmiris who help the armed forces, particularly the special police officers and members of the Village Defence Committees, suspected Kashmiri Muslim informers or those Kashmir Muslims who oppose the policies or practices of militant groups (HRW, 2006; JKCCS, 2007). Thus, targeted killings have resulted in deaths of not just religious and ethnic minorities but any one who is in the way of militants, be it a Kashmiri Muslim, Hindu or Sikh. Such widespread use of guns to kill people has gripped the common Kashmiri in a fear that makes them murmur the word “militant”.

Kidnapping and Hijacking

Kidnapping of civilians and holding them hostage has been a means to negotiate freedom of their detained colleagues from the Indian Government, to pressure rival militant organizations and also at times to extort funds from the hostages families (CCS, 2007). Beginning from the JKLF kidnapping of Rubiya Sayeed in 1991 demanding the release of five top commanders of JKLF to obtaining a release of three militant leaders in 2000 by hijacking an Indian Airlines plane to Kandahar the militants have controlled lives of common people and the Government of India (Ahmed, 2000). Even foreign
tourists have faced the consequences of kidnapping while a Norwegian tourist Hans Christian Ostro was beheaded when the Government failed to meet the demands while the fate of the rest of the group is still unknown. Local Kashmiri Muslims like the Vice Chancellor was kidnapped and killed in April 1990 along with his personal secretary and general manager of Hindustan Machine Tools (HMT) and according to the Army’s official version there are nearly 5000 cases of abductions by militants since 1990-2004 (JKCCS, 2007).

**Fidayeen Attacks**

The first Fidayeen attack or suicide attack in Kashmir occurred in August 1999 and since then there have been 78 Fidayeen attack in the Valley (JKCCS, 2007). These attacks have resulted in number of military and civilian deaths and destruction of property (South Asia Terrorism, 2007). May 2003 Fidayeen attack in Kaluchak area of Jammu region resulted in death of 36 people including 11 children and five women while nearly 48 people were injured (JKCCS, 2007).

**Threats**

When the conflict broke out in 1989, militant groups issued widespread threats to members of the Kashmiri Hindu community through loudspeakers in the mosques and in newspapers (Chhachhi, 2002). Since their exodus from the Valley there have been several attempts to resettle Pandits back in Kashmir, but presence of threat from Pro-Pakistan militant groups has dashed any hope of peaceful return and very few families are willing to take the risk(Archives, 2005). Militant groups espousing extremist Islamic ideology have issued threats to people associated with businesses they consider “unislamic”, including liquor dealers, cinema hall owner and also journalists whom they have accused of “biased” reporting (JKCCS, 2007, p. 209). Women have been threatened of dire consequences for not adopting Islamic dress codes, cable television operators, beauty salons and Internet centers have been targeted for promoting “immorality” (Dewan, 2002; HRW, 2006). While Pakistan based militant outfits have asked women to stop using mobile phone or to visit public parks The Indian Express, 2006). Common Kashmiri passengers who were booked to travel in the bus between Srinagar and Muzaffarabad in April 2005 were threatened with dire consequences, warning them that travelling in the bus would mean they would be entering their “coffin” (Ahmed, 2005).
Harassment, Torture and Rape

A Pandit staff nurse was kidnapped and raped before being killed by JKLF for informing the police about militants admitted in the hospital, similarly in 1992 militants raped a mother and daughter of a home that they had taken shelter in (JKCCS, 2007). Rape committed by security forces have been well documented however there are several reports confirming that militant groups also commit rape, in some cases to punish families believed to be informers or supporters of rival groups or the Government (HRW, 1993). Women who are raped and their children face the worst situation in Kashmir as they are usually abandoned by their families as well as society. The actual number of rape victims is higher than what is projected because the incident is hardly reported fearing the kind of social ostracism and also retaliation from the perpetrator (Dewan, 2002). There have been several reports of militants harassing locals for food, shelter and money. Apart from this militants had also resorted to throwing acid at women who did not follow the militant organization’s diktat of wearing the veil (Committee for initiative on Kashmir, 2002; JKCCS, 2007). Militant harassment also increased during the 2002 elections when people going to vote were beaten up and their voter’s identity cards destroyed. Militants have also used torture against people accused of being Government agents especially in rural areas. For example, seven people belonging to the Kashmiri Pundit community in Pulwama were punished by chopping off their noses (JKCCS, 2007).

Derailing Peace Processes

The gruesome killing of 35 Hindus in Doda and Udhampur in 2006 just two days before the Prime Minister Manmohan Singh was to meet Hurriyat Leaders was a clear indication of rising frustrations among the militants with the attempts at restoring peace in the Valley (Sadiq, 2006). Such incidents trying to undermine the Government’s efforts of Confidence Building Measures have been targeted by the militants ever since the PDP-Congress coalition came into force in 2002. On April 6, 2005, a day before the bus service between Srinagar and Muzaffarabad was due to start, the militants attacked the Tourist Reception Centre in Srinagar injuring six people and burning down part of the building (Rediff news, 2005). However, despite all efforts by the militants the bus service rolled out and ironically the abusive Indian army was deployed along the entire stretch of the route to protect the Kashmiris from militants supposedly fighting on their behalf.
Chapter 3: Living with political violence in Kashmir

(HRW, 2006). Threatening Hindus returning to the Valley, killing Sikhs and also killing a Shia religious leader (Singh, 2005) were various attempts made by militants to create a communal divide that would pose newer challenges to the already hesitant peace process within the state and beyond the borders.

The nature of political violence in Kashmir therefore, involves widespread repression of human rights and both the armed forces and militants are guilty of such atrocities. The common Kashmiri, of every religion and class bears the brunt of the protracted conflict. How long will it take to solve the “Kashmir issue” is anyone’s guess but the nature of impact it is having on the population is something that is staring at everyone’s face. One of the most vulnerable groups living in these conditions of violence, torture, repression and uncertainty is children who constitute 38% of the population in Kashmir (Census, 2001). The next section brings the focus of the discussion on the experiences of children in Kashmir and the impact such experiences are having on them.

3.4 Children in Kashmir: life in an imprisoned Paradise

Political violence has an all pervasive impact on lives of children as discussed in Chapter two. Analyzing the situation in Kashmir shows that every domain of a child’s life has been altered due to the situation. The risk accumulation model (Garmezy et al.1984) employed to understand the nature of risks that a child has to deal with in situations of armed conflict, specifies that children can cope with certain levels of risk, but accumulation of risk jeopardizes development, especially when there are no compensatory mechanisms available (Boothby, 2008). Thus the kind of impact political violence has on children depends on the entire gamut of experiences surrounding the child, be it her family, school, friends, siblings, culture or her own constructions of the social world. An ecologic approach is best to understand the life of children living with political violence. It presents an interactive framework that emphasizes community stabilization, the reduction of risks, and the strengthening of resilience in the context of armed conflict that creates a culture of violence damaging child protection and support at multiple, interacting levels (ibid.). At a macro-level armed conflict shatters social peace and social trust, contest legitimacy of institutions and government defined laws, amplifies
poverty and structural violence and damages infrastructure and institutions of child support, such as schools and health clinics (Machel, 2001). Data from various reports and studies of children in Kashmir suggest that the situation is similar in Kashmir, where political violence has affected all the major domains of life (JKCCS, 2007; HRW, 2006, Boyden, Berry, Feeny and Hart, 2002, Madhosh, 2005; Madhosh, 1996; Rashid, 2005; Masood, 2006). Resilience research has also specified that resilience is domain specific meaning that if a child is doing well in one domain it does not mean that the child will do well in other domains as well. Functioning depends on the nature of risks and protective factors and processes that translate the risk into vulnerabilities for children. We shall divide the various ecologic components into different domains to understand the impact of political violence on children in Kashmir.

**Physical – loss of life, destruction of property, migration and displacement**

**Family – disrupted family life, female headed households, orphans**

**Economic – loss of occupation of the family, exploitative child labour, victims of extortion**

**Education – lack of infrastructure, teachers, literacy rates, gendered differences**

**Health – physical injuries, psychological trauma, stress**

**Civil violations – militarization, sexual and physical abuses, repression, curtailed recreational activities**

The impact of political violence is like throwing a pebble in a pool of water it creates ripples and changes the entire water structure, which is how life is affected in Kashmir with impact in one domain having a ripple effect in another.

### 3.41 Physical domain - loss of life, destruction of property, migration and displacement

Thousands of people have paid a heavy price for the violent uprising of 1990 and its repercussions with women and children constituting the most vulnerable group. In 2004, there were a total of 1587 incidents of violence from which 74 were targeted against women and children wherein 28 were killed by firing, 3 killed in blast, 7 by slitting throat, 21 injured in firing, 11 hurt in blasts and 4 tortured (India Today September 13, 2004). More than 40,000 people have been killed in Kashmir since 1988 in which there are 14,499 civilians, 21,827 militants and 5829 security personnel (South
Asia Terrorism, 2008). The figures of people killed in Kashmir is not just a statistic but it stands for families fractured due to the death, each number has a meaning for a child in Kashmir or a child whose father/mother is posted in Kashmir. It also includes children who were killed during the violence. Child and adolescent casualties have been caused by land mines, indiscriminate firing by the armed forces and militants, while being used as human shields and also torture (JKCCS, 2007; HRW, 2006). Attacks and crossfire have also left children injured and traumatized, especially attacks around schools. For example in 2004 students were injured when a grenade was fired at an Independence Day celebration in Baramulla (The Deccan Herald, 2004). In 2005, 2 women were killed and 25 school children were severely injured by a grenade blast in front of a school in Srinagar for which no parties claimed responsibility (Greater Kashmir, 2005). Another car bomb incident in front of a school in Pulwama in 2005 claimed the lives of fourteen people including 3 children with over 100 people being injured (HRW, 2006).

Such attacks and blasts have damaged numerous properties leaving an indelible mark on the infrastructure of Kashmir (HRW, 2006). Schools that form one of the primary support systems outside the family have not been spared in Kashmir with numerous explosions and attacks occurring in and around schools causing damage and disruption. For example militants attacked and burned down the 105 year old Islamia Higher Secondary school run by a religious and education trust led by Mirwaiz Umar Farooq in 2004 (Archives, 2004). Another feature is of army occupying school buildings especially in rural areas and heavy presence of armed forces around schools creates a sense of fear among children because it makes them vulnerable to militant attacks along with the armed forces (JKCCS, 2007). Many homes have been destroyed in crossfire, encounters, and even shelling in the border areas causing displacement and migration.

Within Srinagar there is a trend of migrating to the outskirts of the main city as the downtown area is perceived to be extremely violence prone with heavy presence of armed forces and militant activities (Dasgupta, 2006). As a result of violence and especially the targeted killings of Hindus giving it a communal overtone Kashmir witnessed large scale internal displacement of Pandits. According to a report more than 50,000 people migrated out of Kashmir by the end of 1990 whereas a total of 2.5 lakh Kashmiri Pandits have been displaced out of their homes and now live in refugee camps.
in Jammu, Delhi and other parts of north India (Madhosh, 2005). Children growing up in such camps have to deal with the constraints of living a refugee life and the displacement has completely altered the socio-cultural ethos of Kashmir.

3.42 Family - disrupted family life, female headed households, orphans

The impact in the physical domain has direct effect on a child’s family life, which is supposed to be one of the most important sources of protection for children living with armed conflict (Boothby, 2008). The family is a core unit for emotional support, socialization and nurturance. However, conflict situations threaten this core unit and given the statistics of fatalities and destruction due to violence it will not be supercilious to say that not one family is unaffected by the conflict in Kashmir. Death, injury of members, displacement of family unit, economic, social and political pressures are some of the most common types of challenges that families have to deal with in Kashmir. A study by Dabla (2001) on impact of conflict situation on women and children in Kashmir shows lack of proper socialization that negatively affected the transformation of culture from one generation to another. The most crucial problems that children faced after death of their father included economic hardships (48.33 per cent), psychological setback (22 per cent), denial of love and affection (13.66 per cent), and apathy by relatives and friends (08.66 per cent).

Loss of family members and displacement affects the lives of children in many ways especially when the male head of the family is incapacitated by death, injury or unexplained disappearances. In such cases women often widows have to take on the added responsibility of fending for the household. There are approximately 25,000 widows and 50,000 orphans in the valley according to surveys conducted by an NGO Yateem foundation and University of Kashmir Sociology department (Rashid, 2005). This number is just to give an estimate, as the number must have surely increased by now. Situation of children living in female headed households in Kashmir is of concern because society is largely patriarchal and most women live their lives centred on the house and are thus ill-equipped to sustain the family by working or on the measly compensation they receive from government or non-government agencies. Thus, children in such households have to live a life of deprivation, brought up by mothers who are often suffering from psychological stress of coping with the turmoil. Most women
surveyed by Hussainsiddiqui (2004) in Srinagar suffering from PTSD and depression were widows. Often such mothers who cannot take care of their children try to place them in orphanages. The number of orphanages mushrooming in Kashmir and their waiting lists are an indication of the breakdown of family as a source of protection (based on verbal communication with the head of Yateem trust). Due to paucity of resources and huge demand the situation and facilities in orphanages are far from optimal and orphans learn to adjust to a life bereft of love and care (Dabla, 2001, JKCCS, 2007). Moreover, stigma attached to widows and family’s of slain militants is another concern because they are usually avoided by aid agencies or society for fear of suspicion and police attention. A study by Madhosh (2005) revealed starting trends among orphans who were left to fend for themselves. Adolescents took to drugs in the form of cough syrups and some girls were involved in sex work. The study also revealed that orphans were harassed by their parent’s relatives.

3.43 Economic - loss of occupation of the family, victims of extortion and exploitative child labour

The long standing conflict in Kashmir has had a direct and debilitating impact on the economy. Tourism and trade were badly hit plunging a society heavily dependent on tourism into depths of financial insecurities and despair. The Hanji community who sustain themselves through their houseboat business were particularly affected which drove them to become migrant labourers (Boyden et al. 2002). Those who migrated left behind their lands and occupation and had to live on limited aid while trying to rebuild their lives in an entirely new often alien situation. Economic disruption also led to widespread exploitation of skilled and unskilled workers as people were desperate to earn whatever amount of money they could earn. For example, the women who embroider shawls are paid a sum of fifty rupees for their work while the shawls are then sold for hundreds of rupees (Dasgupta, 2006).

Constant curfews also result in loss of working days for daily wage earners in the Valley. Border area villagers experience the worst of living in a ‘grey area’ and are subject to extortion by both the military and the militants (Boyden et al., 2002). The
direct impact of such economic hardships is an increase in child labour, which is often exploitative a phenomena most noticeable in the carpet weaving industry of Kashmir (Sharma, 1998). According to Dabla (2001) children had to take up exploitative economic sustenance responsibilities after the death of their fathers with 57% joining the handicraft sector, 7% in domestic service, 8% in automobile workshops, 9% in shops and 4% in hotels. Children who lose their earning member in the violence, most often a father, end up as cheap sources of labour. The situation is worse for “half-orphans”, whose fathers are not declared dead, just disappeared. Such children don’t get support from government officials as supporting such cases would tantamount to acknowledging the phenomenon of enforced disappearances in Kashmir (JKCCS, 2007). Some orphans also ended up giving up their schooling and engaged in physical labour that was hazardous, exploitative with no facilities of a toilet, drinking water, first aid and with low and irregular wages. Madhosh (2005) reports that they engaged in hazardous jobs like carpet weaving, farming, carpentry, transport, conductor, automobile filling service, domestic service, masonry, babysitting and sweeper.

Economic despair also made adolescents vulnerable to induction into militant groups, sometimes by force as reports claim that around 3000 boys have been abducted by alleged militants since the conflict began (South Asia Terrorism, 2006). There are reports of child soldiers being in custody in various jails as children are being used as messengers or to ferry weapons after receiving rudimentary training from militant groups and several were arrested trying to cross the border (Gupta, 2005; Indo-Asian News Service, 2004; HRW, 2006). Children are most gullible after their father’s death that plunges them in complete despair as described above. Militant groups usually exploit their feelings of unjust and channel it towards revenge mentality aimed at the state that killed their fathers (Madhosh, 2005). The trend of adolescent boys joining militant groups began in 1990s when according to a HRW (2006) interview with a former militant it wasn’t the gun that tempted him, rather the sports shoes worn by the militants was the attraction. Thus, a desire for better lifestyle along with nature of difficulties befalling orphans made them vulnerable to indoctrination into militancy. The trend of child soldiers has also made adolescents vulnerable to aggressive questioning by troops at check points and at times has led to troops opening fire at adolescents suspecting a
militant hiding among them (HRW, 2006). Thus, the ripples of vulnerability keep multiplying for children in Kashmir.

3.44 Education - lack of infrastructure, teachers, dropouts, gendered differences in literacy rates, Darul-Uloom

Schools gain vital significance during situations of conflict as they provide a sense of consistency and also distraction from the pressures in the family or society. Education is also an important source of value-formation that runs the danger of being used for propagating discrimination and prejudice. Therefore, schools can be tapped to inculcate initiatives for peace and teachers can be trained to meet mental health needs of children (take for example the public health model for intervention using the school system as the main centre for delivery in Bosnia introduced by Yule and his colleagues 1993). However, schools in Kashmir are far from becoming health intervention points. Instead, school buildings were turned into barracks for the military, 891 schools were attacked or destroyed, 2997 adult and non-formal education centres were closed since 1990 due to financial constraints and staff shortages (Madhosh, 1996). Around 10,000 registered Hindu teachers left since 1989. Strikes, curfews, threats, blasts has a direct impact on school attendance with a study reporting 71.4% children become irregular while 21.4% drops out altogether (Margoob and Khan as cited by Rashid, 2005). For example, the average school days in a year in 1989 were 210, which dropped to 60 in 1993. Moreover many children had to discontinue schooling because they were displaced due to security reasons or because they could not afford it anymore (JKCCS, 2007). For children living in border areas school days are disrupted due to shelling and also because they are forced into bonded labour (ibid.). Orphans also had to discontinue their education with 45% of the orphans studied by Madhosh (2005) being non-school going children. There was a steady drop out rate among orphans due to lack of financial assistance. However, the study reported that the dropout rates were lower in areas where NGOs were functioning. Similarly, children of migrant Kashmiri Pandit families who lived in camps were denied admission and later children educated at camp schools and
colleges were denied admissions or affiliation to mainstream Universities (Madhosh, 2005).

However, there are signs of improvement over the last few years despite frequent attacks on and around schools the enrolment rates are increasing and the literacy rate has gone up to 55.25% in 2001 from 30.64% in 1981. An interesting rise in female literacy rate is also being observed in the Valley. For example, the female literacy rate in Kupwara a border district in Kashmir has become 29% (in 2001) as compared to 5% (in 1989). The ratio of boy-girl enrolment is 50.3:49.7 which considering the 937:1000 sex ratio of the state is in favour of the girls (Masood, 2006).

One area of concern that requires investigation is the Madrassa system of education that has filled up the void left by the disruption of society and education system during the early and more violent phase of the conflict. Madrassa is an institution of learning where Islamic sciences including literary and philosophical studies are taught (Leiden E. J. Brill’s Encyclopaedia of Islam as cited by Sultanat, 2003). There are around 60 madrassas in the Valley and the reason why they need to be wary of is their Deobandi school of thought, which is the same force that feeds the Taliban in Afghanistan and the jihadi groups in Pakistan. To quote from Jaleel’s (2001) report they believe that “the freedom of women, which allows them to work in every field of life with men is the main reason for social degradation. That the safe place for women is in pardah (veil) and inside the four walls of the house. Television is the “spark of hell” responsible for moral degradation and watching it is un-Islamic and sinful. So is music, which they consider evil.” The Darul-Ulooms in the Valley house hundreds of students from poverty stricken backgrounds with an aim to reform the moral degradation of Muslims through religious education. Even without speculating any link between this system of education and militancy, it poses a critical threat to the social fibre of Kashmiri society because of its radical ideologies undermining cultural diversities and propagating regressive gender discrimination, which go against the pre-conflict syncretic nature of Islam practiced by Kashmiri Muslims. Even when children attended school, their performance was not up to the mark because of number of psychological problems such as depression and anxiety resulting from the trauma of losing a father or by experiencing some manifestation of political violence (Madhosh, 2005).
3.45 Health - physical and psychological

Physical injuries, malnutrition, lack of proper immunization and mental health problems are some of the health hazards accentuated by conflict situations. Economic hardships, unavailability of proper medication and trained personnel, general unawareness and the stress and trauma of living in a violent context shows on the health status of children. Not much data is available on the health status of children living in Kashmir though it appears that lack of proper medical attention and living under constant stress has given rise to psychological problems and heart diseases among children (Dabla, 2001). A study by Khan and Ghilzai (2002) reveals that terrorism affected adolescents and adults had a significantly poor mental health status and the impact of terrorism was greater on adolescent than on adults. Militant and State agency perpetrated violence has fractured many a lives of Kashmiri children as they sustain bystander injuries being caught in crossfire or grenade attacks on military bunkers that are often situated near schools (example the May 12th 2005 grenade attack that injured more than 20 homebound school children). Children are sometimes made soft targets by militants to ‘teach’ families a lesson for cooperating with the government (Asia Child Rights, 2003). Divisional Commissioner Khurshid Ganai, administrator of the Kashmir province places the number of children disabled in the Kashmir conflict at between 5,000 and 6,000 (as quoted by Sreedharan, 2001). Apart from being victimized, a large number of children have witnessed death and destruction including beating and molestation of close family members. Such memories are sometimes re-enacted for example the 10 year old boy who succumbed to his injuries in Kashmir as a result of being beaten up by his friends imitating ‘army interrogations’. A psychiatrist from Kashmir, Mushtaq Margoob observes changes in play activities of children with the demand of toy guns increasing (personal communication with Dr. Margoob in September, 2005). Aggression has been on the rise with increase in bullying, agitation and threats to school management to get demands fulfilled (Sunday Express, 2004; JKCCS, 2007). Lack of concentration, decreasing interest in studies, absenteeism and heightened irritation that makes ringing of school bell intolerable are some of the major complaints among school going children (JKCCS, 2007). Children are fearful and anxious especially following incidents of violence (HRW, 2006).
PTSD is prevalent in despairing rates among children as reflected by the results of a study conducted by a psychiatric hospital, which found 37 out of 103 children displaying PTSD symptoms (Margoob as quoted by Rashid, 2005). Other children who may not fit into the classic definition of PTSD suffer from far reaching effects as well (Khan as quoted by Rashid 2005). Children growing up in these situations have come to internalize violence and they perceive this abnormal situation as normal (Husain, 2002). Another alarming but expected development is the increase in drug dependency among Kashmiri youth (Madhosh, 2005). According to Dr. Margoob (quoted by Sreedharan, 2001) drug dependency could be because many children need to go out to earn their livelihood and get exposed to drugs, parents are too preoccupied with the situation themselves to notice any change in their children and emergence of Kashmir as a transit point for dope trafficking. Orphans experienced a sense of isolation, with worries about the future of their sisters and mother, depressed mood, non participation in community celebrations and lack of supportive peer relations (Madhosh, 2005). Physically also orphans were weak, more vulnerable to infectious diseases than non-orphan children and girls were found to be anaemic (ibid.). However, there is a lack of well-designed systematic studies on the plight of children living in Kashmir which makes need based psychological interventions a rarity. The question on the long-term consequences of such experiences is in need of urgent answers (Kaur, Menon and Konantambigi. 2001) and this is especially needed in Kashmir as an entire generation of children is vulnerable by the virtue of being socialized in an environment characterized by violence and insecurity.

3.46 Civil violations - militarization, sexual and physical abuses, repression, curtailed recreational activities

The presence of militant outfits and half a million Indian security forces in Kashmir in a constant state of alert for gun battle and attacks entail civil violations common among other zones of conflict. Such violations are usually in the form of human rights abuses, militarization of society, strain of life under constant vigilance, curtailed freedom of movement, harassment, intimidation, crackdowns involving searches of homes and sexual violation. The bane of civil violations in Kashmir is the Armed Forces Special Powers Act that was implemented in the state since 10th September 1990 (UNHCR, n.d.) as already described before. Young boys are usually in danger of being
picked up by the military under suspicion of having terrorist links whereas the militants also look out for easy recruits among such groups. There have also been reports of young boys being used as human shield by the armed forces, endangering their lives and at times resulting in their death (JKCCS, 2007). Young girls on the other hand live their lives under a constant threat of sexual violation given the rampant number of rapes that have taken place in many a village in Kashmir (Women’s Initiative, 2002; JKCCS, 2007). The society is also living under repression not just by security forces but also by the fundamentalist militant outfits, which impose strict rules for Kashmiri women to be covered in burqas or have acid thrown on them (Singh, 2005). The constant threat of violence makes parents anxious and they discourage children from going out of the house curtailing games and recreational activities. Families also lament the curtailments on wedding functions, ability to relax, visit friends, loss of their sense of freedom (Boyden et al., 2002).

**Conclusion**

The conflict in Kashmir had complex beginnings and it evolved to mean different things to different groups, though the basic issue still is about independence for Kashmir. This desire is like the common driving force that motivates huge public support in the Valley whenever it is perceived to be under direct attack, or whenever the people in Kashmir want to lodge a protest. It is under those circumstances that one sees open demonstrations demanding freedom from India. The nature of atrocities used by the armed forces and militants has left almost every home scarred. The available reports on the impact of violence on children in Kashmir show that children would require resilience to live in a context that generates fear, insecurity and danger. The next chapter presents how we incorporated these three broad themes – children and armed conflict, resilience and context of political violence in Kashmir, to study children’s experiences and beliefs.