CHAPTER VI

Kashmir Problem and Cross Border Terrorism

Violence in the state of Jammu and Kashmir has been a imperative part of the political scene since 1947, but terrorism as we see there today is of recent origin. The Kashmir issue between India and Pakistan is the direct consequences of the partition of India. The ruler of the princely state approaching India for help the latter example on signing the instrument of accession and thereafter India’s verdict to take the issue to the united nations not only complex the issue but had also led to its internationalisation. Since then Kashmir had not only remained a source of conflict in South Asia but has also been straddling between the competing nationalism of India and Pakistan. The strategic significance of state, bordering Afghanistan, Tajikistan and China was not lost on either India or Pakistan, though the Pakistani claim to the state rests primarily on the reality that the majority of the population is the state is Muslim. According to the past as well as the current strategic thinking in Pakistan, its annexation is absolutely very important for its national Security. Major general Akbar Khan, who played a key role in the Pakistani invasion in 1947-48, had this to say about the strategic importance of Kashmir. “One glance at the map we enough to show that Pakistani military security would be seriously jeopardise if Indian troops came to be stationed along kashmiris border...we would be permanently uncovered to a hazard of such magnitude that our independence would never be reality”. For India to the retention of the border state is necessary for its survival as a secular democracy, and not just because the Maharaja was a Hindu and as acceded to India by signing instrument of accession Nehru, in a letter to the British Prime Minister Clement Attlee on 25 October 1947 wrote, “kashmiri northern Frontiers, as you are aware, are in common with those of three countries - Afghanistan, the USSR and China. Security of Kashmir is vital to the security of India, especially since part of the
southern boundary of Kashmir and India is common helping Kashmir, therefore is an obligation of national interest to India.” The Pakistani’s aggression on Jammu and Kashmir in 1947, the state lost its quest for a separate national identity and there by its sovereign territorial nationalism. Some parts of Jammu and Kashmir were captured by Pakistan where as the others became parts of India, because the latter came to their rescue only after Maharaja Hari Singh signed the instrument of accession with Indian union on October 26, 1947.¹

6.1 Rise of Militancy and Terrorism

Mounting disillusionment with the functioning of the government and the political system had led to the widespread scepticism with respect to the rule of law and the constitutional process. The situation in the state started deteriorating very fast from the beginning of 1988. The terrorist now ordered bandhs, imposed people’s curfew and brought all transport operation in the valley to a standstill at their will. By now more than five hundred people had lost their lives. The pro-Pakistan elements were getting more and more aggressive. On the night of 31 July 1988, there were two bomb blasts in Srinagar city. On 4 August 1988, a time bomb was found at lakhinpur. It was getting before it could do any damage. On 12 August an explosive device planted in an Auto Rickshaw went off in the main bazaar of Jammu. But the pro-Pakistan elements displayed the real strength on 14 August the day of Pakistani’s Independence by hosting a number of green flags in downtown Srinagar. On 15 August on Indias Independence Day, they flew flags. Apparently the explosions were more to rest the reaction of the government and to incite the people against the government, than to cause any damage to life and property. On 16 August a procession

shooting anti Indian slogans clashed with the police at Nallahmar road. In the police firing, there were one person killed and others fifty were injured.²

It is in the above backdrop that the Kashmiri situation has to be seen. “For well over 18 months.” Inder Malhotra says, “Secessionists and terrorists activities had been hold the Kashmir valley to ransom, plunging it into an orgy of violence, arson, kidnapping murder and mayhem.”³ The Muslim fundamentalists in the state simultaneously started an Islamic movement. Earlier, during the last few decades, the ordinary Kashmiri had become accustomed to a kind of latent to in streets. By December, 1989 the ordinary Kashmiri “has not just been a witness; he has also been a participant in protest movement, and increasingly with a new spirit of defiance.”⁴

Gupta quotes an exasperated central reserve police force official, a veteran of many pitched battles with mobs in Punjab, Gujarat and Assam who told, “In the past you fired one shot in the air and they disappeared. Today you kill one demonstrator, then a second and yet a mob keeps coming at you. Finally you withdraw.”⁵ “He quotes another senior official who said, “That People have lost their fear. This is a defiant new breed of kashmiri.”⁶ In the first night of January 1990 the Kashmiri valley was totally paralysed. Either there were curfews or militant- sponsored hartals which disrupted normal life. There were twenty persons killed in military firing, and various injured and government buildings and offices were burn by bomb blasts. There were militants killed seven police officials in this period.⁷

On January 25 two gun-wielding scooter-borne terrorists shot dead four Indian air force when they were waiting for a bus on Barzullah Srinagar road during relaxation of curfew period. Besides 18 families of air man were thrown

². Ibid pp 55-57.
⁴. Ibid
⁵. Ibid
⁶. Ibid
out of their houses by landlords in Srinagar following intimidation of violence by militants.  

Singh reported that in Srinagar city and various other towns, mobs thronged mosques violating curfew during the night and raised slogans till early morning. He reports that “...radio Pakistan broadcasts monitored here (Srinagar) urged the people to extend wholehearted support to the Kashmiri Liberation Front. Examples of Romania, Azerbaijan and some others countries, were dictatorships have given way to popular governments, now are being cited to urge the people to follow in their footsteps and exercise their right to choose their own government.”

Gupta reports that the first night of January, 1990 often “mobs challenged the gun, defying police man to fire at them. In seems that chillingly reminiscent of the video clips of Palestinian demonstrators teasing Israeli troopers in the west bank, angry mobs led by women and children spilled in to streets beckoning policemen fire. Police man withdrew a little, fired in the air and yet the mob kept coming, chanting ‘Indian dogs go back’ and ‘Azadi ka Matlab kya, La Illahaillallah,’

Gupta reporters, “often the children and women only provided a human shield for armed militants as Havildar Kameshwar Chaudhuri of the Central Reserve Police Forces 25th battalion discovered too late last week in (in January 1990). Leading a posse of troopers persuading a mob formed predominantly of women to come back to their homes, he was suddenly hit in the neck by a single shot from a pistol. The other soldiers only realised what was happening when they saw a stream of blood flowing down the back of Chaudhuri’s head as the crumpled. In retaliatory firing a demonstrator was killed by the sniper has achieved his purpose. As news of his killing spread, the jawans grew tenser.

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8. Ibid
10. Ibid
Trigger-happy troops mean more deaths which is exactly what the militants want. Every new ‘martyr’ means a Namaz-e-Janaza (funeral prayer) from the Mohall’s mosque which inevitably results in an angry mob resulting in more firings, more martyrs and more mobs.\(^\text{11}\)

Gupta reports further that, “independence has forever been a popular thinking in Kashmir. But the root of the current problem is the total annihilation of the old-fashioned, ballot-oriented political leadership, not even the supposed extremists of 1987 like Qazi Nisar and Abdul Ghani Lone seems to matter any longer in the valley.”\(^\text{12}\) They feel they are not relevant at all and that they “are all up, against an idea which is supported by the gun and believed by the people”\(^\text{13}\) asserts Ghulam Mohd Shah a former Chief Minister.

The alienation of the Kashmiri has reached a new high. Zahoor the youngest brother of Maqbool Butt hanged for a murder of a policeman) is so despondent he is ready to die as “one has to die someday anyway”. “What happened to them”, he says, “who trusted Indian promises and voted the last time.” Shoaib Mohammed Shah, his cousin, says, “Indians even cannot call us anti national. We have no nationality as yet, how can we be anti-national. We have not nationality as yet, how can we be anti-national.\(^\text{14}\) In this situation the centre could have fought the co-operation of farooq Abdullah. The problem is farooq is no longer treated as their leader by the Kashmiri. He is the person who openly supports the states accession to India, but of what use in such a situation?

Some of the key politicians of Pakistan, including Benazir’s tormentor Nawaz Sharif, are of Kashmiri origin. Hence, their emotional appeal is more effective. It has an ethnic appeal. The role of Pakistan militancy in Kashmir is

\(^{11}\) Ibid
\(^{12}\) Ibid
\(^{13}\) Ibid
\(^{14}\) Ibid
nefariously vital. Gupta reports that “fresh recruits to the militant cause are escorted across the border by Jammu Kashmir Liberation Front guides who know the ingress routes along the border. Once in Pakistan controlled area, the youths are whisked away to safe houses of Jammu Kashmir Liberation Front campaigners and Pakistani Intelligence men. They are then, indoctrinated, trained in elementary subversion-the use of fire arms and explosives-for three to four weeks and sent back...no kashmiri militant or sympathiser denies the Pakistani link. The kashmiri militants are highly motivated and still reasonably chaste unlike some militant organisations in Punjab which has taken to large-scale crime and extortion.”

On 8 December 1989, Jammu Kashmir liberation front activists have kidnapping daughter of Mufti Mohammad Sayeed’s a medical student when she was returning home in Srinagar. Mufti Sayeed’s daughter has no security attached to her, and till the kidnappers rang up a local newspaper’s office about their demands for her release no one not even her family members knew anything about his kidnapping. Such an event had not taken place earlier in the state any everyone was taken by surprise. She was released on December 14, 1989 by the Kashmiri Liberation Front (KLF) after securing the release of exchange of five militants. The kidnapping became a watershed in the history of terrorism and secessionist movement in the state.

For two days after the release of five Jammu and Kashmir Liberation Front militants in exchange for Rubayyas Jubilant crowds hoisted. The flags and raised-anti India slogans “at that time seven people men died in police firing. The toll reached 14 after imposition of the curfew.”

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15. Ibid
6.2 Jammu and Kashmir Liberation Front Manifesto

The Jammu and Kashmir Liberation Front spearheaded the movement in the initial years with the demand for “Azadi”. There are various other groups also came at that time. The Jammu and Kashmir Liberation Front manifesto is categoric about its complete Independence for Jammu and Kashmir; a type of ‘Islamic Revolution’, safeguarding the rights of the minorities and prescribed in the Koran and Sunnah; an economy of ‘Islamic Socialism’; and non-aligned foreign policy. Pakistan based leader of Jammu and Kashmir Liberation Front Amanullah khan directed most of its operations. Pakistan never in favour of independence went along with Amanullah for its own reasons but it also promoted Hizb-ul-Mujahideen a pro Pakistan group which was in favour of accession to Pakistan.\(^{19}\)

Gupta reports that there are a lot of ideological differences between groups like the Jammu and Kashmir Liberation Front which is reasonably secular and socialist-and on the slogans of “kashmiri Banega Khudmukhtar” (Kashmiri will be Independent) –and some of the more obsessive groups that are believed in revolutionary Islam and the slogan of “Kashmir Banega Pakistan”.\(^{20}\)

It appears as if Iran hasd exported its so-called “Islamic Revolution” to Kashmir. Reports noted journalist kuldip Nayar (January 8, 1990) “the new diktat of the militants in Kashmir is that women cannot be photographed of their

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18. A Statement in Rajaya Sabha, reported in India Today (Voices) January 31, 1990, p 14
pictures displayed... Muslim women will have to observe pardah while the non-Muslim women will wear a mark on their forehead.\textsuperscript{21}

Neither Air Marshal nor khan, the head of the Fundamentalist Militant group Allah Tigers owing allegiance to the gulabaden hekmatyar group of Afghan guerrillas claim that fifty percent of the authority in Kashmir is already in the hands of the fundamentalist and asks the Indian government to “better roll up your holdalls and leave with grace.” Around mid-January 1990, have walked into the bars of hotels, ransacked by furniture and liquor stock in front of the guards, Cinema halls and video parlours have also closed down. Shopkeepers even dumped loads of playing cards proclaimed as un-Islamic.\textsuperscript{22} It appears to be a close parallel to what happened during the Iranian fundamentalist revolution of the 80’s.

\textbf{6.3 ECONOMIC CAUSES}

Economic reasons cannot be ignored as causes of discontent. Says Abdus Samad Kotru, the patriarch of the state’s tourism industry, “the 60 percent of Kashmir’s who depend on tourism, the only formula for survival is to beg, steal, or borrow and pray for the grace of god.”\textsuperscript{23} however, the rich have found a way to exploit the crisis to their advantage. Home Minister Mufti Mohd. Sayeed spoke of the need for a package of economic measures to redress the accumulated grievances of the people of Kashmir. This package included, “providing regular supply of electricity to kashmir, relief to farmers in the valley who were affected by the recent drought the damaged 70 per cent of the crop, and compensation not only to farmers thus affected but also to those involved in the tourism industry because of setback to tourism in the last two years. In an exclusive interview of the times of India on board the flight from Bombay to New Delhi on January 22, 1990 Mufti charged the earlier state

\textsuperscript{22} Ibid
government of recruiting only “favourites” on an ad hoc basis and of not caring to fill vacancies. He said, “Now, steps would be taken to fill up 6,000 vacancies in government departments. About 2,000 youth would be recruited in the state CRPF for which funds had been sanctioned. The recruits would go to the centre to be established for training.” He raised the question that, “if the telephone instrument producing unit in Rae Bareli could have 10,000 to 15,000 workers, why was it that a similar unit set up in Kashmir in 1965 continued with a staff of just 50.” And he said that the condition essential prompt attention and added that “Kashmir was ideal for setting up electronic industries and this would be encouraged. “He also spoke of setting up food processing units for utilizing appeals and other fruits which otherwise went waste. Artisans and makers of beautiful Kashmiri handicrafts, he said, would be enabled to secure loans from financial institutions and assistance for marketing their produce. He also felt that the right to work promise included in the NF manifesto could be implemented in Kashmir without much difficult because of the smaller size of the population and it did not involve much of a smaller size of a population and it did not involve much of a financial burden. The scope for encouraging small and cottage industries could then be exploited.

He added that since Kashmir was the only place where the Leave Travel Concession (LTC) was not provided, he would ensure this facility immediately. This would contribute towards cultural and emotional integration as Kashmiri would then be able to see India with its unity in diversity. He also talked about waiving off loans of farmers up to RS 10,000 and seeking the help to the Railway Minister, Mr. George Fernandez, to start a cost and feasibility survey of a rail link between Uddampur and Srinagar.  

This shows the carelessness of both the former state government and the central government in not paying attention to the economic growth of Kashmir.

Subsidies alone will not do. The creation of viable economic infrastructure should have been attempted long ago. It seems that the economic grievances (poverty and unemployment) of the Kashmiri youth have found a misguided solace in fundamentalism and separatism. An empty mind, as we know, is the devil’s workshop and evils are in abundant supply both within the borders as well as outside to lure the Kashmiri youth to the dreams of a false paradise. The faulty handling of the Kashmiri problem is thus, a major cause of the present turmoil.

6.4 A GOGENT ANALYSIS

Balraj Puri raises two questions about Kashmiri militancy and violence and answers them. The first question is; how could members of a docile, timed and non-martial community take to arms? Puri thinks that the answer is that Kashmiri do find in terrorism an answer to perpetual taunts and ridicule about their character. Gun shorts herald their initiation to marital status and hence provide them with an enormous thrill.

The second question is; how could a community favoured with lavish central aid be so ungrateful? Puri answers the second question by asserting that money cannot be a substitute for the satisfaction political urges. It can also provoke a people if they suspect the motives of their aid givers. “Further, aid becomes counter-productive if the manner in which it is spent causes corruption and economic and political distortions”. Puri emphasis the ethnic identity of Kashmir he says partition of the country they perceived a threat to their Kashmiri identity from Pakistan....and sought Indian armed help to defend their right of self-discrimination... the eulogistic references to Indo-kashmir friendship by Kashmir leaders of that period underlined the separatism of the Kashmiri identity.”

25. Ibid
Puri thinks that, “the attempts by the centre to persuade the state to conform to a uniform pattern created the first strains in the centre-state relations.

Although India accommodated the Kashmiri nationalist sentiments by providing political autonomy through the instrument of special status under Article 370 but the process of its erosion was also set in motion simultaneously. Kashmiris recent the theft of the autonomy that was guaranteed to them. Article 370 is the only provision of the constitution which embodies a centre state accord.

It was the agitation of the Jammu praja parishad, backed by the Bhartiya Jan singh, for abrogation of Article 370 that more than anything else shook the faith of Kashmiri Muslims about the security of their identity within India. By that time the Muslim aspect of Kashmiri Muslim identity, too had asserted itself. But as there was a leader like Sheikh Abdullah to articulate and symbolise the alienation of Kashmiri Muslims, their ideological umbilical cord with the rest of India was not cut. And it was possible to win him back in 1975 for a settlement within Indian union with a renewed assurance that Article 370 would be kept intact, though they remained bitter over the erosion in the content of the article during his term of wilderness.”

There has been a contradiction in the professed climes of India, Pakistan and Kashmir. If India is committed to secularism and democracy, why should it keep Kashmir Muslims by force? If Pakistan is committed to Muslim nationalism, why should it care about the consequences of its Kashmiri policy for millions of Indian Muslims? If Kashmiri leaders have been committed to secularism, why they have vacillated on the issue of full accession to India, even after India literally protected Kashmiri from Pakistan arms attempted in two wars.

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Yet another issue that caused the alienation of the Kashmiri Muslims is the lack of outlets for their discontent. “Before the Rajiv - Farooq accord of 1986, the congress was the channel of discontent against the state government while the national conference channelized discontent against the centre. As the two parties formed a coalition government, both types of discontent were diverted to communal and secessionist outlets. The lack of democratic tradition- further tradition, civil liberties and free elections-in the name of national interest- further forced the popular discontent to seek outlets outside the political system... further, the faith of kashmiris in democratic methods was shattered because the elections of 1987 were widely perceived to be rigged.”

Unfortunately, the centre (with the exception of the Janta Government of 1977-79 and the present NF Government) has always imposed a government of the choice on the Kashmiri, no matter unpopular, corrupt and unpopular it might have been. One party government was made the norm and loyalty to the country. Demand for democratic and human rights and protest against corruption and administrative injustice was treated as treason. Puri rightly thinks that, “it was the vacuum created by the collapse of politics through normal means-party system, elections, civil liberties-that terrorism, which is the politics through other means, sought to fill. Of course, the training facilities and supply of arms by Pakistan made its task easier.”

The solution of the Kashmir problem requires the understanding of the above factors.

6.5 Absence of Political Forces

Chandan Mitra thinks that the total absence of political forces in Kashmir apart from National Conference has raised the present problem. “The national parties have taken little or no interest in kashmir affairs... as a result, today we

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27. Ibid
28. Ibid
are faced with a situation in which the law and order agencies of the state are in direct confrontation with an avowedly secessionist, armed organisation, the Jammu and Kashmir Liberation Front (JKLF)... in Kashmir there are no democratic political forces at present apart from whatever is left of the once powerful national conference.”  

Mitra thinks that it is the fall-out of pan-Islamic fundamentalism, especially of Iran. He thinks that a great deal of responsibility lies on organisation like the BJP “to prevent the linkage of unrest in the valley with communal tensions in the rest of the country.”  

There seems to be substance in Mitra’s assertion. Communal assertion strikes in Bihar or U.P. are likely to further strengthen fundamentalism and secession among the Kashmiri. Hence it is vitally important to defuse communal conflicts all over India by peaceful negotiations.

Matters have come to such a past that Ali Mohammad Sagar, a Minister of the Farooq government said that, “limiting of Jammu and Kashmiris secession to the Indian union to the pre-1953 position with only three subjects-defence, foreign affairs and communications - being the concern of the union government and the rest the preserve of the state, could become the basis of talks with subversives.”

6.6 Background of the Terrorists

Anti-Indian sentiments in the Kashmir valley have mounted to a high pitch by the end of 1989. From all accounts the secessionist had managed to bring the administrative machinery to a standstill the mass mobilisation of the population against the state governments and the marked deterioration of law and order and completely demoralised the state apparatus. According to the study undertaken by Brigadier Arjun Ray, the average Kashmiri militant is driven more by unemployment and political frustration than by religious

30. Ibid
fanaticism, and the movement for independence is sustained not so much by ideological reasons as by the deep-seated desire for revenge against the “tormentors” and “oppressors”. One Ahmad Ganai volunteered to join the terrorist group because he found terrorism “emotionally and financially gratifying’, it vested him with power and grave relief from oppression. He chose the course adopting by his friends and peers. Most of them talked about corruption, the rich having got richer and they having been denied their dues. They followed their peers in a particular group.

Ninety-five percent of the thirty one militants interviewed by the researchers for the study were not even matriculates: only six of them held jobs before they opted for militancy and most of them came from large families. That had no qualms about committing cold-blooded murders. As a matter of fact, “they quite enjoyed the state of blood”.

According to the study, “frustration with the political system headed by the former Chief Minister Farooq Abdullah, economic backwardness and the feeling of oppression were the motivating factors for even the better-known militants, who were now important leaders”. Javed Mir Alias Nalka was a plumber by profession. He later becomes the commander - in - chief of the JKLF. Twenty two of the thirty one militants had taken to terrorism as a profession and were not afraid to die. Three of them wanted to go back to terrorism through they had suffered gunshot wounds. They have developed emotional bonds with the militants in the group which were stronger than their own families. Power of the gun attracted 70 percent of the 31 interviewed. All of them were below thirty years of age, fifteen of them were less than twenty years old, thirty one of them were categorised as hard-core.

Harkat-ul-Ansar again announced a ban on the Annual Amaranth Yatra in August 1995. Massive security arrangements had to be made to foil their many
attempts to disrupt it. A government official was killed and some pilgrims injured in the bomb blasts at pehalgam and chandanwari. A record number of pilgrims visited the shrine as compared to the last few years. This time militants did not completely succeed in persuading the local traders, pony-wallahs, and other concerned with the pilgrimage, not to offer their services to the pilgrims. This was yet another proof of the militants losing support among the people.\textsuperscript{32}

The law and order machinery and if anything become more lethargic and intelligence organised continued to be moribund. There was a marked erosion of a secular Kashmiri personality and a Muslim identity with fundamentalist overtones started emerging rapidly.

The six year long proxy war appears to be entering a critical phase, with New Delhi making determined bid to revive the political process and hold Assembly elections, and Pakistan pulling out all stops to torpedo it. In spite of some major set-backs, the situation on the ground is showing signs of turning around. The level of terrorist violence continues to be high, but the militants are under pressure from the security forces. With the militants losing some public support and increasing demoralisation among their cadres, one should not be surprised if they commit some sensational terrorist acts of terrorism in an effort to maintain the tempo of violence in the state. On March 1, 1990, the firings of the army jawans near Rawalpura and Zakura not too far from Srinagar, there are seventeen unarmed processionists were killed. Against the monthly average of 300 incidents, there were 635 incidents during May and 400 in the first two weeks of June 1995. The casualty figures also shot up more sharply; 354 during May and 236 in two weeks of June 1995. It was alleged that the huge procession had attacked an army school bus and in the incident the processionists were accused of trying to snatch away guns from army individual from duty. The Pakistani rulers, embroiled in their internal problems, are getting more desperate

\textsuperscript{32} \textit{Indian Today}, December 11, 1994.
to convert into a success story of their fundamentalist Islamic jihad. If 1994 there are the highest number of killing, abductions, and attacks on the security forces, the situation is no better in 1995. In the first week of 1995, eight hundred twenty persons were killed in terrorism-related incidents. There were 592 attacks on the Army forces in the three months from February to June 1995. In the first five months of 1995, there were 172 incidents of mine-blasts in which 35 security forces personal were killed. Besides, in the ground attacks during this period, 18 persons including two security forces personal were killed and fifty of them injured.\textsuperscript{33}

6.7 Kashmiri Identity, Islamic Fundamentalism and Terrorism

When insurgency came to the force in 1989, it was not based on Islamic religious identity but on kashmiriyat or secular Kashmiri ethnic identity shared by the regions Buddhists, Muslims, Hindus and others. Organisations that reflected this composite identity Jammu Kashmir Liberation Front (JKLF) along with the Ansar-Ul-Islam spearheaded the movement initially. They aimed to foment disaffection amongst the masses and shake the foundations of the state governments through terrorist attacks and violent protest and agitations. As the motivation of Azadi was not strong enough to mobilise the masses, it was necessary to give a religious gloss to the movement. This would, it was hoped give the struggle a pan-Islamic charter and extra-territorial dimension.

However, in the 1990s the argument that Kashmiri identity is nothing but an Islamic religious identity gained credence. It does not mean that the religious dimension manifested itself suddenly and gained credibility. The identity of kashmiriyat faded from the political scene in the 1990s. The death of Sheikh Abdullah and decline of National Conference provided the space of Islamic parties such as MUF, with their religious interpretation of Kashmiri identity, to make their presence felt.

A nine member executive was formed to supervise propaganda formulate plans and oversee implementation. To emphasise the Muslim character of the movement assemblies and conferences were held in mosques. Weapons, bullets, bombs were already being underground in the valley; these were brought over the Line of control from Pakistan occupied Kashmir through difficult and remote passes. The Islamic pretensions of the movement touched a sympathetic chord in the heart of the Kashmiri Muslims including those in Pakistan Occupied Kashmir and foreign countries\(^{34}\).

The Jammu and Kashmir Liberation Front spearheaded the movement and was a dominant force with substantial support among the Kashmiri Muslims when Kashmiri ethnic nationalism expressed itself in a virulent form in 1989. The JKLF propounded the establishment of a free democratic, secular nation - state based on Kashmiri ethnic identity. However, the growth of Islamic fundamentalism in Pakistan, the principal benefactor of the militancy of Kashmir, altered secular’s dimension of Kashmiri identity. Hizbullah Islamic Jamhoori had also come to light in 1989. After the killing of two CRPF jawans on 31 July 1989 apart from the JKLFL, Hizbullah Islamic Jamhoori also issued a statement saying that the attacks on the security forces would continue till India conceded independence to Kashmir. The rise of Islamic fundamentalism in Pakistan in 1990s can be traced back to the events that resulted from the invasion of soviet troops of Afghanistan in 1979. Soviet intervention in Afghanistan also resulted in the exodus of millions of Afghan refugees, which erased the boundary between Afghanistan and Pakistan. In the early 1980s various religious parties in Pakistan such as the Ulema-e-Islam, a Pakistani Deobandi political party used the war set up hundreds of madrasses in

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Pakistanis pushtum belt, offering Afghan refugees and young Pakistani free education, food, shelter and military training.\(^{35}\)

These Deobandi madrasses however were run by barely literate mullahs untutored in the original reformist Deobandi agenda. Moreover, Saudi funds and scholarships brought them closer to ultra conservative wahhabism.\(^{36}\) The Pakistan state promoted these madrasses in order to garner sustain for his law and to engage troops for the anti-soviet war in Afghanistan.\(^{37}\)

However, in spite of its clams of Islamic universalism, the islamization general Zia project was based on narrow Sunni interpretations of Islamic law. With huge funds coming from wealthy Pakistani industrialists at home and abroad, Persian Gulf states and Saudi Arabia, Pakistan witnessed the proliferation of Sunni madrasses with students from various countries. For instance, khudamudeen madrasses trained students from Afghanistan, Myanmar, Nepal, Yemen, Bangladesh, mangoli and Kuwait were nearly half of their students at Darul Uloom haqqauma madrasses were also from Afghanistan, Uzebakestan, Tajikistan, Russia and Turkey.\(^{38}\) The spread of these madrasses in the context of the Afghan war resulted in the militarisation of various religious organisations in Pakistan. Approximately 10-15 percent of madrasses in Pakistan encourage their students to fulfil their ‘spiritual’ obligations by fighting the Hindus in Kashmir or carrying out Jihad in Afghanistan.\(^{39}\)

By showing the cause of Jihad, many Islamic organisations in Pakistan thrive on donations given by wealthy Pakistanis and the Arabs all over the world.\(^{40}\) Therefore continuation of hostilities in Kashmir provides many Islamic organisations the means of substance and a source of employment. A part from

\(^{36}\) Ibid
\(^{40}\) Ibid p 120
the direct support of the Pakistani government to militancy in Kashmir, various Islamic organisations and political parties in Pakistan such as the Jamait-e-Islami, sponsored militancy in Kashmir in cooperation with Pakistan’s Intelligence agencies.41

With various religious parties and organisations in Pakistan working closely with Pakistan’s armed forces in fostering militant groups in Kashmir, JKLF, fell out of the Pakistan’s patronage list as it goals of establishment of secular democratic nation-state were as complete variance with the goals of Pakistan’s Islamic parties and organisations. As a result, sponsorship to militancy in Kashmir was extended to various Islamic militant groups such as Hiz-bul Mujahidin (HM), which is militant wing of Jamait-e-Islami J and K (JIJK). Organisations such as HM and JIJK do not see the fight in J&k as a struggle for Kashmiri independence but rather portray it as war between the Muslims and Hindus community as a whole. The withdrawl of Soviet Union from Afghanistan and the formation of independent central Asian republic were consistently displayed by Islamic militant groups leading to the perception that the formation of Islamic caliphate would not be a formidable challenge, thereby strengthening the Islamic fundamentalist organisation in Kashmir.42 Further the use of violent means to silence the moderate voices in kashmir and the active support from the Pakistani government and various organisations resulted in the establishment of the HM version of kashmiri struggle as a dominant discourse by the mid-1990s the growth of Islamic fundamentalism in Pakistan and the close relationship between Islamic militant groups and religious parties in Pakistan provided the Islamic militant group in kashmir with a constant flow of personal from various countries to carry out their agenda. According to Indian government estimates, 40 percent of militants in J &K are from Pakistan and

Afghanistan and many Afghan war veterans are fighting in Kashmir. On the other hand, organisations such as, JKLF not only lost patronage across the border and had a limited area of recruitment, i.e, Kashmir. Consequently organisations such as JKLF along with its organisations for establishing a secular independent Kashmir were pushed into the margins of the struggle so much so they were compelled to adopt non-violent means-for survival.

The marginalisation of organisation such as the JKLF and the rise of Islamic militant groups gave impetus to the attempts aimed at giving an Islamic orientation of Kashmiri identity. One of the striking manifestations and the tragic outcome of the islam orientation of Kashmiri identity was the attacks non Kashmiri pundits and fight of thousands Kashmiri pundits from Kashmir in the early 1990s to escape the attacks of the Islamic militant groups. Islam, not kashmiriyat and accession to Pakistan not independence were the rallying points of the Islamic parties such as JIJK. Pakistani islami militants in Kashmir organisations such as HM, Al-Badr and Lashker-e-Taiba aggressively contest the idea of the Kashmiri state and argue that Kashmiri independence of Kashmiri is merely a stepping-stone for the establishment of Islamic caliphate. The concept of Islamic caliphate, popularised by the Jamait-e-Islami Pakistan (JIP), an Islamic party in Pakistan was adopted by Islamic militant groups operating in Kashmir reflecting complete congruence of goals between them. For instance, HM in a press release in 1992 stated: “Our aim is the establishment of an Islamic caliphate the world over. We do not believe in the ideological or geographical boundaries... the demand of the self-determination was distorting the image of the ongoing struggle for the establishment of Islamic caliphate.”

45. Ibid p 220
caliphate. Any other solution, except the merger of Kashmir with Pakistan would be deemed as a sell out.  

The recent events in the Kashmir valley symbolise the crux of India-Pakistan conflict. Even since 1947, after Pakistan sponsored the tribal invasion of Kashmir the issue has been kept alive by Pakistan’s successive rulers. Pakistan argument for Kashmir flows out of the prepetition two nation theory i.e, since India and Pakistan are divided on the basis of religion, Kashmir being a Muslim majority state should have gone to Pakistan. The present upsurge in the valley is not a sudden awakening among the Kashmiri people to join Pakistan, at a time when several ethnic groups in Pakistan want to concede with it. The fundamentalist movement in Kashmir is a part of a general revivalist resurgence in several Muslim countries. the Jammat-I-Islami in kashmiri, which is not a part of the general Indian Jammat-I-Islam with encouragement from Pakistan, has succeeded in detecting the fundamentalist movement towards a movement of secession from India and accession to Pakistan. Pakistan has found this situation favourable to its long desired objective. It has been extending moral and material support to the militants. Benazir governments strategy seems to be that faced with the prolonged insurgency in Jammu and Kashmir, the minority government in Delhi would be forced to negotiate with Pakistan. The Janta Dal government on its part has not been able to tackle the unrest in the valley. On the contrary it has brought grist to militants will be isolating the national conference-congress government of Dr. Farooq Abdullah.

6.8 As in 1993 JM Stated

“The slogan that the future of Kashmiri would be decided by Kashmiri has given rise to an evil which was distorting the Islamic identity of the present movement and reducing it to a mere democratic movement.”

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The above statement amply demonstrates that Kashmiri right to self-determination (with an option choosing an independent Kashmir) on the basis of which militant movement started in Kashmir, was denounced by the Islamic militant organisation such as HM. In consonance with the Islamic orientation to Kashmir identity, the militant organisation started implementing various measures such as banning all forms of public entertainment, Islamic code of conduct for women, compulsory attendance in morning prayers and establishment of Darul Sharia—the central authority for adjudication of disputes according to sharia laws.\(^{49}\) By the late 1990s the establishment of Islamic caliphate become the primary goal of various militant organisations. Militancy started to spread to from the Kashmir valley to Muslims majority regions of Jammu such as poonch, Rajuari and Dooda.\(^{50}\) And with characterisation of the ongoing struggle in Kashmir as one between believers of Islam and non-believers, Islamic militants increasing targeted the civilian Hindu population in the Jammu region. As Johan Blank notes, approximately 90 attacks were carried out on the civilian population in Dooda region in 1988.\(^{51}\) Due to the complete support of Pakistan armed forces, Islamic militants in Kashmir increased the fire power and started carrying out large-scale operations culminating in the kargil war in 1999. In 1999, Islamic militants along with the Pakistan army occupied strategic position in the kargil region. Owing to the successful Indian military operations and pressure from the international community, Pakistan withdrew its forces. However the Islamic militant organisations were reluctant to obey the withdrawal proposals as they saw it as betrayal of their Jihad and started a new means of violent attacks in Kashmir such as the suicide attacks.\(^{52}\)

\(^{48}\) Ibid p 45  
\(^{49}\) Ibid p 43-45.  
\(^{51}\) Ibid  
\(^{52}\) Sikand, Yoginder, Op. cit, p 224.
The kargil war was symptomatic of the transformation of Kashmiri identity and the nature of militancy in Kashmir. Condemning the withdrawal of militants and Pakistan forces from kargil, most of the militant leaders in Kashmir stated that liberation of Kashmir alone was not their objective; rather it was establishment of the Islamic caliphate through pursuance of Jihad was their final goal. Thus the growth of Islamic militant organisations attempts at altering cultural attributes and imposition of sharia, growing salience of ‘Jihad’ and relegation of demand for right to self determination on to the margins of the militant movement amply demonstrated the transformation of kashmiri identity based on cultural sensibilities of Hindu, Muslim and other religious groups into an identity that is solely based on religion.

6.9 Contemporary Scenario

The nuclearization of South Asia and 9/11 happenings have changed the geo-political and the geo-strategic scenario for both the India and Pakistan on the issue of Kashmir. For Pakistan now, it has become very difficult to sustain material and moral support for terrorist organisations which are fighting for the cause for the independent Kashmir because of the increasingly international pressures in general and from the United States of America, in particular. The US war on terrorism and Pakistan as a front line state has put the latter in a situation of catch twenty-two because what Pakistan has been supporting in Kashmir valley is also terrorism. Of course Pakistan tried to justify its support to the terrorist groups in Kashmir valley by saying that they are freedom fighters who are fighting for the cause of Kashmiris. But the increasing international pressure and the changing geo-political global, Asian and South situation forced both India and Pakistan to engage each other in dialogue on the issue of Kashmir. The process of globalisation has not only undermined the idea of nationalism by de-territorialising it but it has also adversely affected the idea of state sovereignty. In a globalised world, the nation and nationalism have
transcended the sovereign territorial boundaries. Since globalisation is promoting free trade at a regional and global level across the national borders, India and Pakistan also assumed cross border trade with much fanfare from poonch (Jammu) and Uri (kashmir) with areas in Pakistan - Occupied Kashmir with areas in Pakistan occupied kashmir on October 21, 2008. It established the centuries old commercial ties between Kashmir valley and the Sindh valley that had come to an abrupt end in 1947. Notwithstanding difficulties, the trade between the two parts of Kashmir went on smoothly for one year but started declining in November 2009 as the governments of India and Pakistan placed restrictions on some items that had given a fillip to trade.53

Under the peace process, both parties to the dispute have made a departure from their stated positions on Kashmir. Now, India has been negotiating the issue of Kashmir with Pakistan, on the one hand and with the Kashmiri separatists groups and mainstreams parties, on the other hand. It indicates a shift in India’s Kashmir policy because earlier, it was not ready to negotiate with Pakistan on this issue rather it used to argue that it is the internal problem of India. Besides this, it was aimed at Kashmiri complete integration with the Indian union like other states but now a consensus has been emerging on giving more autonomy to Kashmir. Earlier, the National Democratic Alliance (NDA) dispensation and how the United Progressive Alliance (UPA) government is ready to give more autonomy to kashmir and a soft border to Pakistan so that the people from this side of the LOC can go and meet their relations on the other side and vice - versa.54

The Prime Minister of India, Manmohan Singh has made India’s position clear by arguing, that short of secession and redrawing of boundaries, it is prepared for anything. Pakistan has exhausted all the options, ranging combat to diplomacy to make Kashmir an integral part of its territoriality. Pakistan has had

a military strategy for Kashmir but not a political one except to try to embarrass India an international forums. It has tried to wrest Kashmir away from India by using force several times, and more recently it has used proxy war and militants to force India to come to the negotiating table.\textsuperscript{55} Pakistan has also made a departure from its stated position from Kashmir, where in it used to argue for the right to self-determination for the Kashmiri. Now its Kashmir policy says that the Kashmir issued should be resolved to the satisfaction of India, Pakistan and Kashmiri at large. However, Pakistan is neither prepared to convert the LOC into a permanent international border nor ready to make it soft.\textsuperscript{56}

During his visit to India on April 18, 2005, the then president of Pakistan, Pervez Musharaf discussed the issue on Kashmir with the Prime Minister of India, Manmohan Singh and stated that one-on-one dialogue was most productive. Pervez Musharaf stated that: We talk about Kashmir in depth. We together agreed that we have to resolve the dispute and those we needed to find a solution “outside the box”. The Prime Minister did say that he could not agree to any redrawing of borders while he said he could not agree to accept the line of control as permanent. We had to find a solution satisfactory to both sides and to the people of Kashmiri especially.\textsuperscript{57}

Pervez Musharaf proposed the four points proposal, which includes; phased demilitarisation of Jammu and Kashmir borders; joint supervision mechanism of Jammu and kashmir involving India, Pakistan and kashmir.\textsuperscript{58} Now, Pakistan is arguing for the lesser objective that is proposal of joint control of India and Pakistan over Jammu and Kashmir. As Pakistan has not been able to change the territorial status of kashmir, therefore, it started arguing for the lesser objective on kashmir because the changed agendas of Pakistani’s kashmir policy is that as its impossible to make kashmir a part of its territory one should

\textsuperscript{56} Ibid, p 70
\textsuperscript{58} Bahadur, “India’s Pakistan policy”, p 59
make kashmir an area wherein a penetration of Pakistan can become easy. However, the joint territorial control over Kashmir is neither feasible nor possible, given hostility of two neighbours.

Although there is change in the position of India and Pakistan on the issue of Kashmir but still both have incompatible positions on the issues of Kashmir. India believes that peace is the pre-requisite to discuss a sensitive issue like Kashmir, while the latter argues that peace cannot be achieved till the Kashmir issue is resolved. The expectations of both parties from the peace process are quite divergent. Pakistan wants to resolve the tough issue of Kashmir at the initial stage of the peace process, but India believes that the environment is not conducive to resolve the sensitive issue of kashmir-rather, there is need to transform the conflict in the valley from within and without by providing more autonomy and making the LOC, a soft border respectively. Pakistan argues that what is required on the issue of Kashmir is not the conflict management but the conflict resolution.59 The nationalist discourse, whether India or Pakistan, with its core values of sovereignty and sacred and inviolable territorial borders, makes it difficult to arrive at a creative political solution for a complex problem such as Kashmir.60

The challenge for political leaders, engaged in the peace process, is to segregate the political and territorial dimensions of the demand for self-determination and work toward safeguarding the political rights of the people of Jammu and Kashmir. A territorial vision of the rights of self-determination is entirely the wrong point of departure.61

61. Ibid p 242
6.10 De - Institutionalization and Rise of Terrorism

In trying to understand the decay of democratic institutions it is imperative to look into the context into these institutions took root. In September 1947, Sheikh Abdullah was released from prison and the Maharaja invited Sheikh Abdullah to form an interim government. On 27 October 1947 the Indian government accepted the Maharaja’s desire to accede to India, with a promise that the accession would be settled by referring it to the people of Kashmir. On 1 January 1948, with Pakistan troops inside Kashmir, India took the Kashmir issue to the UN Security Council. The promise of plebiscite and reference to Security Council continued the uncertainty over the state of Jammu and Kashmir (J & K). It was during the period of uncertainty that Abdullah took the reins of administration collapsed during the 1947’s turbulent days and Abdullah supplanted it by his party national conference. The distinction between political party and government got erased and they become synonymous. Abdullah extended the same framework to Jammu and Ladakh, where the national conference had a weak organisational network. With the absence of clearly defined constitutional powers, national conference workers functioned without any checks and balances. Abdullah conducted the administration in an authoritarian fashion and he allowed little dissent. With a party-state organisational framework, Abdullah implemented his part Manifesto Naya Kashmir, which Promised Land to the tiller without giving any compensation to the land lord? The attempts to impose a monolithic political system which has evolved under special circumstances in the valley on the Jammu and Ladakh regions provoked stiff resistance and became an additional cause of regional tension in Jammu and Kashmir.

62 Naya Kashmir was a blueprint of the National Conference to build a new society, economy and polity. Riyaz Punjabi, Kashmiri: the bruised identity, in Raju G.C. Thomas (Ed), perspectives on Kashmir; the roots of conflict in South Asia Colorado; west view press 1990, p139
63 Puri, Balraj, “Kashmir towards Insurgency”, Orient Longman, Delhi, 1995, p 44
The reason is not hard to seek. In 1972, Sheikh Abdullah, who was interned in Delhi, was not allowed to participate in the elections which were rigged. In 1977, Sheikh Abdullah’s national conference fought the elections in 1983; the national conference participated in the elections under the leadership of his Son, Dr. Farooq Abdullah. In each case the national conference fought against the ruling party at the centre, the Janta party and the congress (I) respectively. The Kashmiri has a party which they could call their own. The state autonomy was guaranteed by 370 of the constitution. When this autonomy was undermined and the national conference leader, Farooq Abdullah was forced to share power with the congress one (I) in 1986, he lost his credibility. The 1987 elections were rigged. The disillusioned young supporters of the opposition Muslim United Front, many of whom were election workers of the MUF, became militants. Disillusioned with the ballot, they took to the bullet. The story of Kashmir is the long one. Sheikh Abdullah accord with Smt. Indira Gandhi in 1975 provides a good starting for this purpose.

Under the accord article 370 was accepted as the provision governing Kashmir’s membership of the Indian union. Sheikh Abdullah’s ple for return to the status quo as on August 8, 1953, when he was dismissed from the post of Chief Minister of Kashmir, was accepted to a limited extent only. He became the Chief Minister of the state as head of the national conference government, supported by the congress (I). This marked a complete defeat for Pakistan’s policy of advocating plebiscite. The plebiscite front headed by Mirza Afzal Begs was dissolved. The national conference was revived. But Smt. Gandhi has other planned. She wanted the party to secure power through the national conference.64

In 1951, with the plebiscite appearing as a distant reality Abdullah organise elections to the constituent assembly of Jammu and Kashmir. The

64 Speech Delivered by Sri Ramakrishna Hedge on September 14th, 1992, at the Bangalore Social Science Forum, National College Basavanagudi Bangalore-560 004.
national conference under his leadership won all 75 seats unopposed, and in Jammu were the national conference had week organisational structure, the Hindu national group parja parishad was not allowed to contest the 1951 elections.65

Even as the regional tensions were brewing within Jammu and Kashmir, Abdullah’s authoritarian leadership resulted in discontent among certain sections of the national conference. The discontent assumed the form of pro-Pakistani sentiments in the absence of a secular opposition party and lack of support from political parties outside Kashmir. National leaders felt that the presence of an opposition party in Kashmir would be detrimental to national interests as long as it remained a subject of international dispute. Even Nehru maintained that nothing should be done to weaken Abdullah as India’s Kashmir party revolved around him.66

Contrary to their beliefs too much centralisation of power in the hands of Abdullah and denial regional autonomy created intra-regional conflict sowed the seeds of communal and secessionist politics in the state.

In early 1953, the parja parishad launched a nation-wide agitation for complete integration of the state of the Jammu and Kashmir with India. In order to stem the growth of karra and sufficiently provoked by the praja parishad, Abdullah started emphasising the distinct Kashmiri identity and argued that accession of Kashmir to India was not final.67 Abdullah was arrested in 1953 and Bakshi Ghulam Mohammad was installed as the new Prime Minister.68 This marked the beginning of active intervention of the centre in the affairs of the state. The government of India in the 1954 passed a constitutional amendment act.

68. Ibid
which empowered the central government to legislate all matters, mentioned in the union list.\textsuperscript{69}

The charade of unopposed elections continued even after the 1951 elections in which the national conference won all 75 seats unopposed: in 1975 contest took place only for 41 seats, mostly in Jammu; in 1967 elections the unopposed return of congress candidates in 22 out of 42 constituencies in the valley was censured by the rejection of 118 nomination papers.\textsuperscript{70} Thus in reality the autonomous nature of article 370 was never forced. Application of articles 356, 357 and 249 in Jammu and Kashmir in 1964 led to discontent when the plebiscite front, which came into existence immediately after Abdullah arrest in 1953, decided to contest elections. The fear that an opposition party, would not in the interest of the nation led by banning of the plebiscite front. Moreover in the ensuing election congress colluded with the communal party called Jamaat-e-Islami. It was the first occasion when Jamait received constitutional recognition and political legitimacy in Kashmir as congress won 75 seats and 5 by Jammu.\textsuperscript{71} For almost two decades after independence many opportunities for emergence of a functioning opposition party were squandered.\textsuperscript{72}

After the 1971 war, India emerged as a dominant power in South Asia. Pakistan got bifurcated and conceded the Kashmir issue as a bilateral issue. Realising the impossibility of plebiscite in a changed scenario, Abdullah gave up his demand for self-determination. Abdullah was released and was reinstated as Chief Minister of J&K and his deputy Mira Afzal signed the Delhi agreement.\textsuperscript{73}

\textsuperscript{69} Punjabi, Riyaz, Op. cit, p 141.  
\textsuperscript{71} Puri, Balraj, Op. cit, p 50  
\textsuperscript{72} Punjabi, Riyaz, Op. cit, p 142.  
\textsuperscript{73} Ibid p 143
According to James Manor, in India, the unparallel heterogeneity and tendency of most people to shift their preoccupations from one identity to another result in tensions not becoming concentrated along single fault-line.\textsuperscript{74}

The presence of democratic politics with strong institutions such as functioning political parties facilitates in shifting in loyalties from one identity to another. In the case of Kashmiri a single fault line did emerge due to the absence of democratic politics and institutions required to carry such politics. While grappling with community conflicts Amrita Basu and Atul Kohli observe that the growth of community conflicts has coincided with a deinstitutionalization of the Indian state and the normative and organisational pillars of the post-independence Indian state-secularism, socialism and democracy of Nehruvian type, as well as the congress party and civil and political bureaucracies have weakened.\textsuperscript{75}

This was more so in the case of Kashmir. After the initial spurt of socialism, which was seem in implementation of land reforms, socialism did not make much progress in Kashmir. As a result, disparities between rich and poor increased. Democracy faltered due to lack of functioning opposition. Communal politics replaced secular politics. The organisational structure of the national conference was not democratic. Principles of federalism were by the large ignored. The growing nexus between politicians, bureaucrats and businessman resulted in the decay of both civil and political bureaucratic. With immediate political gains becoming paramount,, with the federal structure coming under increasing stress due to decaying of existing party, and increasing misuse of article 356 culminated in de-institutionalization in the context of increasing political mobilization. Consequently perception about ethnic discrimination replaced the cross-cutting cleavages with a single fault line in 1989. The result-

\textsuperscript{74} Manor, James, “Ethnicity and Politics in India”, International Affairs, Vol. 72, No. 3, July 1996, pp 459-475.
the transformation of Kashmiri ethnic identity into Kashmiri ethnic nationalism expressing itself in a most virulent form.

6.11 Phases of Militancy in Kashmir

The secessionist movement in Kashmir had its genesis in the situations obtaining in early 1988 as a result of a combination of factors, both internal and external. The internal factors included intensification of activities of the secessionist and anti-national forces following tactical alliance of Jamait-e-Islami (JEI), J&K with the secessionist forces in the valley as also intensification of the pro-Islam content of the secessionist movement and increasing exploitation of religion. The external forces included the aid and front (JKLF) after the return of Amanullah khan from Britain in December 1986, and the growing involvement of the Intelligence Agencies of Pakistan in army training in Kashmir youths as also induction of arms and explosives in the valley. Random bomb blasts heralded the launching of an armed struggle. Prolonged bandhs and agitation around Independence Day and the trouble created. The year 1988 essentially remained a stage of preparation group with all secessionist groups in Kashmir coordinating their activities. A qualitative change was observed since the begning of 1989. Use of sophisticated fire arms and more extensive use of explosives almost wholly imported from Pakistan, transformed the situation. Selective explosions were used to create an atmosphere of terror and panic, infiltration of pak-trained youths gained momentum. The year 1989 also saw a number of agitations by various secessionist groups. The kidnapping of Rubiya Sayeed daughter of the Home Minister of India Mufti Mohammad Sayeed on December 2, 1989 was the one incident which succeeded in focusing the attention of the nation of the militancy in Jammu and Kashmir. It was the one of the most daring acts, successfully enacted by JKLF militants and cleared demonstrated that terrorism had resurfaced in the valley in a big way. Rubiya was released after six days in
custody in exchange for the release of five militants in jails. In the symbolic launchings of terrorism and mass agitation and all targeted selected represented authority of the Indian union and non Kashmiri elements. Throughout 1989 the terrorist continued to attack selected targeted and police mob clashes took large number of lives. The attacks on public figures and police officers and a large number of bomb blasts further eroded the credibility of the government. Simultaneously the reformist movement since mid-1989 led by JEI (J&K) and its front organisations like Hizb-e-Islami and Hizb-e-Mujahedeen provided increasing Islamic and communal content to the movement. This was accompanied by selective killings of procession political activists, personal of police/security agencies and attack on government establishments. A new dimension was added by way of killing members of the minority community (Hindus, which was against the long standing traditions of the kashmir militants. the sharp ascendancy in fundamentalist trust of the secessionist movement which distinct communal underpinning caused panic among the non-Muslims in the valley and hastened the pace of migration which acquired the form of mass exodus by February 1990 end. Around 30,000 families of Hindus and Sikhs (2000) migrated from the valley to safe havens in Jammu and other places in the country till March 1990 end.

After the promulgation of governor’s rule on Jan. 19, 1990, when the state government started asserting itself resulting in police firing and deaths followed by prolonged period of curfew. The secessionist changed their stance and started resorting to the tactics of mass participation in relatively peaceful demonstrations and congregations in order to demonstrate their hold over the people. The Islamic undertones of the subversion also became increasingly apparent with mosques starting to play a leading role in the mass mobilisation and organisation of the movement. The militants in the meanwhile continued
their selective violence, assassinating government servants, persons belong in to religious minorities and intelligence officials.\textsuperscript{76}

Cross border terrorism has been a byword in the lexicon of India’s security for over various years. It came into prominence during the Punjab based militancy and terrorism in the eighties, with the sponsorship that Pakistan extended to such terror activities. However, it matured as Pakistan withdrew its hand from Punjab and extended it to Jammu and Kashmir where a more serious situation arose in 1990. Over the last twenty-five years, the term has come to be associated with a range of activities all over India, in which Pakistan has assiduously extended its support to the various anti-national groups in India’s heartland, extended to even the southern Indian states and north east India using Bangladesh as the base for the latter. In central India, most of the sponsored terrorist activity has come from the ISI bases in Nepal. Such activity has been sponsored through an exploitation of the disaffected elements of the minority community. However, cross border terrorism assumed the proportions of proxy war through the sponsorship of the separatist movement in J&K where violence has been calibrated by Pakistan to achieve long – term planned goals of blood loss India by “a thousand cuts”, wrestling the state of J&K and promoting disintegrative trends all over India.

A few aspects of CBT as an element of irregular warfare need to be known. It is a war of deceit and opportunity with denial at the core of the concept. It is usually a war by the weak, shrewd and clever and includes activities across the spectrum of irregular warfare. Usually associated with the use of violence, it also encompasses aspect such a counterfeit currency, gunrunning, narcotics, media manipulation and even cyber terrorism. It is a great conflict initiator but as conflict situations pronged and the handlers of CBT feel more and more empowered, they tend to become the obstacles to

conflict resolution. CBT cannot be an effective finisher in a sponsored campaign to achieve certain ends.

With regard to India’s problems with CBT, the armed forces, central armed central police forces, and intelligence agencies have done a marvellous job in securing India. The fact that there has been no major terrorist strikes since 26/11 and that the number of terrorists in J&K is dwindling, are measures of the success of the Indian state. Pakistan as a weaker and once defeated and divided nation chose to use CBT as the ideal means of asymmetric warfare to firstly wreak revenge for the past and secondly, attempt to weaken Indias hold over J&K through a proxy war employing all methods of irregular warfare. These include terrorism and subversion. While India has engaged Pakistan’s proxy for twenty five years and more and sees the ups and downs of such an internal conflict, it has successfully stemmed the offensive and taken the situation over the hill. However, India needs to understand the current situation in the large dimensions of conflict management. Fighting such conflicts cannot resolve the problem in your favour if only the kinetic realm is adhered to. Much more needs to be done for conflict, resolution, as succinctly stated in theories of conflict management, CBT is a subset of internal conflict brought on the proxy war and needs a fresh look to nudge the counter campaign beyond the static situation at which it is stuck.77

The secessionist movement in Kashmir is largely an outburst against the lack of economic development, unemployment opportunities and exploitation. It is an outcry against misrule, nepotism, corruption and denial of democratic aspirations through electoral malpractices such as mass rigging during elections. It is an outburst against economic and social domination by the Kashmiri pundit’s minority and the ruling class. (Economic and administrative domination by a minority community has always ended in bloodshed. The

examples of Jews in Europe, Bengali Hindus in East Bengal before partition, Bengalis in Assam, and Tamils in Sri Lanka are there for all to see). The desire for secession is akin to a negative vote against the ruling party. The wise people of Kashmir are well aware that there lot under the rule of Pakistan is unlikely to be any better than under India. But for the movement any alternative to the present government seems better. The desire for secession was fanned by constant propaganda from across the border. It also received a great fillip from the madarasa education system in the state which at village level, is in the hands of fanatical Muslim clergy who have succeeded in indoctrinating the youth against India and their domination by Hindus.

On the military side the militants are fragmented. There are a number of major militant groups and a large number of minor ones. The main militant Organisation is the Jammu and Kashmir Liberation Front (JKLF), the Hiz-bul Mujahedeen, The Muslim Janbaz Forces etc. They are provided with every possible assistance by Pakistan and have sanctuaries and training camps in Pakistan Occupied Kashmir. The local militants have been strengthened by the induction of foreign mercenaries from Afghanistan, and Pakistan. According to the intelligence reports, there are approximately 25,000 foreign mercenaries in Kashmir. Most of them were fighting against the Russians in Afghanistan and were rendered unemployed by the Russian withdrawl. Some are, of course, the agents of Pakistani ISI. They are battle-hardened, well trained in the use of explosives.78

There is no denying the fact that the cause of secession has considerable appeal in the Kashmir. This is particularly so among the post-partition generation which has not seen the atrocities committed by the Pakistani raiders 1947-1948 and which has been successfully indoctrinated by the Muslim clergy in their schools. They largely illiterate people of Jammu and Kashmir also

generally unaware of the anarchy which exist in most provinces of Pakistan, its economic condition, the political nepotism and rampant corruption which also prevailed in that country. The long-drawn struggle and the extortion and atrocities by militants have taken its toll and the initial favour has died down to a large extent. The people are tired of being dominated by the gun and lack of economic activity. The appeal in the cause can be graded as six points on a ten-point scale in favour of the militants. On the side of the Indian government it can be said that it has no intention of allowing Kashmir to secede. The will of the government can thus be graded as 10 points.

There is also no denying the fact that the militant movement in Jammu and Kashmir enjoyed considerable if not total, popular support. The people of the region are weary of the shadow of the gun which has brought nothing but sorrow in their lives. This was amply demonstrated by the percentage of votes cast during the Lok Sabha elections held in May 1966. The security forces, on the other hand, have learnt some important lessons. After an initial experiment with state-terror, the security forces grew more disciplined and considerate. They have tried to avoid antagonising the people to the extent possible and won some back support of the population. If the press to be believed, even some militant organisations are supporting the security forces. Under the circumstances, popular support is assessed as in favour of the militants and 6 in favour of the security forces.  

The next determinants to be considered in military efficiency the militant have not proved to be well trained, determined and motivated fighters like the LTTE. There are very few instances of determined resistance to security forces, or taking of cyanide capsules in the face of capture. However, the induction of a large number of battle-hardened foreign mercenaries provided much needed leadership at the squad level. Though well equipped, there is no indication that

79. Ibid p 38
the militants are capable of holding any bases within the country. On the other hand, there is a very sizable presence of Indian army in the state. They are backed by an equally large contingent of Para-military forces, like BSF, CRPF, and the newly raised Rashtriya Rifles. The army and paramilitary forces are reasonably well-equipped and trained for this kind of warfare. The military efficiency is thus assessed as 5 in favour of the militants and 8 in favour of the security forces.\(^{80}\)

The kinds of militancy, trans-border terrorism, impelled by religious Jihad, are an extra-ordinary phenomenon in the Kashmir valley. Several militant outfits, inspired by religious fanaticism from outside the country have jumped into the fray. Importantly, many are veterans of war having sufficient experience of sabotage, subversion and blood curdling activities. They get specialised training, abundant supply of sophisticated arms and ammunitions, plentiful resources from a neighbouring country who was been sponsoring terrorism with vengeance. In addition, the outlaws get support and encouragement from a sizeable local populace, who often provides them safe so joins. Areas of operation are suitable for building sanctuaries and adding recruits to enrich the rank and file. In fact, several pro-Pakistani militant outfits are active. A few are identified as, Hizb-ul-Mujahedeen, Afghan Mujahidin, Al-Umar-Mujahedeen, Al-Jihad, Jammu and Kashmir Islamic Student’s League, Jammu and Kashmir Liberation Front.

Mujahedeen, identity themselves as the holy warriors fight for the cause for the Islam. Mujahedeen are ready for supreme sacrifice for a holy religious cause. Rank and file of the Mujahedeen is enriched by a volunteer from Algeria, Sudan, Egypt, Lebanon, and Middle East, Afghanistan. Majority of them are war veterans are well trained in guerrilla warfare. Many are participated in

\(^{80}\). Ibid p 40
Afghan war and earned sufficient experience in guerrilla tactics, use of latest assault weapons, high grade explosives etc.

Islamic fundamentalist organisations active all over the world feel that Islam is in danger in Kashmir and therefore, it is essential to strengthen the Jihad or holy war. The fundamentalist leaders collect fund in Europe, Canada and America to help the holy warriors and pray for their success. Incidentally, a large number of fundamentalist militant organisations operate in U.S enjoying tax free status, in the grab of religious and humanitarian agencies. Ironically, the west including U.S, considers the religious fundamentalist terrorism, which has been gaining brazenness of global terrorism, as isolated incidents till recently. It is considered a foolish act on the part of a band of fanatics and therefore, it does not constitute a part of larger conspiracy.  

6.12 Economic Sanctions, Aggression and Accession

The partition of India left Kashmir only dependent on Lahore and Karachi for business transactions. The state was not well connected by road ways for trade activities with the partitioned India. This made Kashmir dependent on Pakistan for all essential requirements, like food grains, kerosene, petrol and other edible items. It was the most vital reason for Maharaja to sign an immediate stand-still agreement with Pakistan. The agreement clearly maintained that Pakistan will continue to supply to essentials to the state.

But, in sheer violation on the agreement, Pakistan government, halted supply to essential items to Kashmir in the pretext of unavailability of transportation, while sufficient transport for available for carrying invaders from the North-West Frontier Province (NWFP) to Kashmir on 22, October 1947. The inhuman and coercive attitude of Pakistan towards Kashmir adversely affected

81. Saha, Dr. B. P. "Trans-Border Terrorism: Internationalization of Kashmir Triangle"]; Har-Anand Publications 364-A Chirag Delhi New Delhi, 1996, pp70-91
administration of the state government. The following lines of the telegram from the Prime Minister H.C. Kak of Kashmir addressed to the governor general of Pakistan bears the testimony of the then prevailing situation in the state. Ever since August 15, 1947 in spite of agreement to observe stand-still agreement, increasing difficulties have been felt not only with regard to supplies from west Punjab, of petrol, oil, food, salt, sugar and cloth, but also in the working of the postal systems which has been most detrimental. Saving banks accounts refused to be operated. Postal certificates not cashed and cheques by branches of west Punjab were not honoured.84

The situation further worsened when on 22 October 1947 Pakistan launched an armed attack on Kashmir and penetrated up to Baramullah in the vicinity of Srinagar.85 Forces of the Maharaja were not in a position to dispel Pakistani aggression which was in the form of guerrilla warfare. They indulged in looting, arson and plunder of Kashmir. The Maharaja perused the Pakistani authorities through envoys and gave assurance of peaceful accession to avoid incursion. This fact was revealed by a prominent member of national conference, M. Sadiq. He confessed that before the invasion, the party deputed him to peruse Pakistan government to respect the right to self-discrimination of the Kashmiri people and abide by the sovereign will on the question of accession to either of the dominions. But he found it of no use as Pakistani leaders were unwilling to let the Kashmir issue be decided by a reference.86 In sheer disregard, Pakistan army along with NWFP tribals launched armed attack to grab Kashmir by force.

The first tribal force that numbered 2,000 passed through Abbottabad in trucked fully equipped with arms and ammunition which could not have come from the limited means of tribal factories and workshops. Most of the war

86. Gupta, Sisir, “kashmir; a study in India-Pakistan Relations”, Asia publishing House, New Delhi, 1966, p 108
equipments were supplied through Pakistanis Muslim league offices. A separate cell called Kashmir fund was set up to meet expenditure for the expenditure for this invasion.\(^{87}\) Kurshid Ahmad, P.S Jinnah had been deputed to supervise the situation, but was caught by the Indian army at Srinagar, and sent back to Pakistan.\(^{88}\)

It was under these circumstances that the Maharaja of Jammu and Kashmir in confidence with the national conference leader, Sheikh Abdullah, sought assistance for India. It is relevant to note here that the accession of Kashmir to India was not the pre-condition for the secure operation in Kashmir at the crucial hour. India did not ask the Maharaja to accede to India\(^ {89}\) and until the major raids began, India made no move towards Kashmir.\(^{90}\)

### 6.13 Clash of Objective

Before analysing the various instruments used by Pakistan to conquer Jammu and Kashmir, it could be said that Pakistanis policy clashes with the aspirations of the Kashmiri people. Pakistan government portrays itself as sympathiser of Kashmiri brethren. But as a matter of fact there is clash of objective between the government of Pakistan and aspirations of the Kashmiri people.

Jammu and Kashmir Liberation Front (JKLF) is the main group fighting for the liberation of the state; they have made it clear that independence is their goal. They neither want to be part of India nor of Pakistan, nor are determined to maintain their own identity.\(^{91}\) It is because of this passion that government of Pakistan has lost confidence in JKLF. The Pakistan government with the support of Kashmiri militants in Pak Occupied Kashmir (POK) organised agitation against JKLF. They successfully created separate groups that toted


\(^{89}\) Ibid, p 377


Pakistani line of approach. Hizb-ul-Mujahedeen, Ikwane Muslimeen etc are among those splinter groups that aim to join Pakistan. These groups receive overwhelm support from the Pakistani government while the JKLF had to bear the brunt of officials and intelligence agencies of Pakistan. These facts came into light in “operation vikram”, this counter-terrorism by the Indian army during 1980s. The successful anti-military campaign in northern Kashmir reveals that there is growing rift between Kashmiri terrorist groups and their supporters in Pakistan.92 The pro-Pakistan Hizb-ul-Mujahedeen for instance alleged JKLF of being in league with the Indian government. It accused and claimed to have evidence to prove that the JKLF is responsible for killing of Hizb-Ul-Mujahidin members in the valley.93 Its leaders Amanullah khan, accused that the government of Pakistan is trying to ban JKLF by declaring it as a terrorist group.94 Further, in an interview, he clarified that the Nawaz Sharief governments accuses him of being terrorist because JKLF does not toe their ideological lines.95

The bitterness in relationship between the two friendly hands against the India is mainly because of JKLF aims for independence whereas Pakistan is thrust is to conquer the state. The Pakistan government has no consideration for independence for Kashmir, though the Sharief government did refer to a third option i.e, independence for Kashmir.96 But this, haphazard statement does not have reasoning. It was just a design of Nawaz Sharief to restrain defiant mood of the JKLF. The government of Pakistan and JKLF were at logger-sheards when the security of Pakistan had to clash with the latter in the first week of February, 1992, while trying to cross the LOC. Ten people were in the clash and there was pressure on Nawaz Sharief to resolve this problem. It was under this situation that Nawaz Sharief floated the idea of third option. Otherwise, there is

92. Interview in Times of India, 12 January 1992, Bombay, p 10
no agenda in Pakistan politics that can guarantee independence to Jammu and Kashmir. It is obvious that Pakistan’s only objective in Jammu and Kashmir is territorial, i.e, to acquire the state from India. The following section thus highlights Pakistan efforts in the past to win the state through conventional means.

6.14 Efforts to Conquer Jammu and Kashmir through Conventional Means

Pakistan has used all acceptable foreign policy investments to conquer Jammu and Kashmir. These are:

- Through political process,
- Through warfare, through international organisation,
- Through diplomacy and propaganda, and
- Through foreign aids.

6.14.1 Through Political Process

The political process of accession of Jammu and Kashmir to Pakistan started as soon as British government transferred power to the two dominions.

Jinnah sent delegates to Srinagar to woo the Maharaja for peaceful accession of Jammu and Kashmir to Pakistan. One of the most famous among the delegates was Major Shah, the secretary for Jinnah of military affairs. Jinnah sent shah to convince the Maharaja that his status and privileges will be maintained and assured that the Maharaja should not be alarmed by the emergence of national conference of sheikh Abdullah.97

Thus the political negotiations began way back in 1947 it, which resulted in stand-still agreement between the government of Pakistan and the Maharaja

of Jammu and Kashmir. The Maharaja also gave assurance to the leaders of Pakistan that the fate of Kashmir would be decided only after ascertaining will of the people as agreed upon by the two signatures. So long it is not done; the state will not accede to either of the dominions. These efforts could be defined use of political process by Pakistan to acquire Jammu and Kashmir.

6.14.2 Through Warfare

It is used as an ultimate instrument to achieve foreign policy goals but in case of Kashmir Pakistan decided to use it in very begging. Three attempts were made to Pakistan to win Kashmir through warfare.

6.15 Attempt in 1948

Vexed with neutrality and dilemma of the Maharaja, Pakistan government launched massive attack on Jammu and Kashmir. The military attack came under the pretext of freedom struggle, and their modus operandi was hit-n-run border tactics.

The tribals of NWFP were organised at different places under the command of Pakistanis army personal that deliberately proceed on leave. On 22 October 1947 these tribals armed with modern weapons like bran guns, sten guns, heavy mortals, anti-tank rifles and an unlimited supply of ammunitions were brought to Muzzaffarabad in 300 Lorries under the command of major General Akbar Khan who was nicknamed General Tariq. The operation started with loot, plunder and arson leaving behind a mound of destruction wherever they passed through. The Pakistani raiders reached Baramullah, a town in the vicinity of Srinagar.98 The scene of plunder and arson was so horrifying that local Muslim population along with the Indian army raised was cry against Pakistan. They openly declared Pakistan as aggressor and applauded Sheikh Abdullah for accession of the state to India. Some of the most widely used

slogans during this period were- hamlawar hoshiyar, hum Kashmiri hain taiyar (aggressor, beware. We Kashmiri are prepared) and Sher-e-Kashmir ki kya Irshad, Hindu Muslim Sikh Ittehad (the call of the sheer-e-kashmir is unity amongst Hindu, Muslim and Sikh).  

The forces of Maharaja however were too weak to challenge the armed aggression. The Maharaja thus had no option but to seek support from India troops, air dashed to Srinagar to rescue the state from further pillage. The armed forces of both the countries not got involved in a long war of attraction in Jammu and Kashmir until the UN intervened in January in 1948. Cease-fire was declared and temporarily war came to an end, but not before Pakistan has already captured 83,294 square kilometres territory of the state. Instead of pushing Pakistani troops back to the pre-raid position, an arbitrary Cease Fire Line (CFL) was declared which left approximately half of the state territory under the occupation of Pakistan.

Thus, Pakistan had been successful in its mission to grab a portion of the state through warfare. Almost half of the state territory has gone to Pakistan as it is obvious from table 5.  

Table 1

<table>
<thead>
<tr>
<th>Territory of Jammu and Kashmir</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Area</td>
</tr>
<tr>
<td>Under Pak Occupation</td>
</tr>
<tr>
<td>Given to China by Pakistan</td>
</tr>
<tr>
<td>Occupied by China</td>
</tr>
</tbody>
</table>

CHAPTER-VI

Notwithstanding, the fact is that the occupied territory s apart of the Indian union under jurisdiction of Pakistan government for all practical purpose and CFL is accepted as a boundary line between India and Pakistan and is declared line of control (LOC).

6.16 Attempt in 1965

It seems that India’s military debacle in operations against china in 1962 renewed hopes of Pakistan to settle the Kashmir issue through force. The Pakistani leadership assumed that India was demoralised and its army would not be able to defend Jammu and Kashmir successfully. An ingenuous plan starting with army infiltration to create an upsurge in Jammu and Kashmir and tie down Indian army reserves. The period between and 1948-1965, witnessed major strategic alignment of forces in the world powers. The strategic move that brought land mark changes in India’s foreign policy agenda was 1962 Chinesase attack. It was the begning of strategic change in the political equation among nation states in South Asia. Loss of Indian Territory to China in 1962 wars and sudden alignment in Sino-pak relations let down India. Pakistan after having judged the weakness of the Indian army in 1962, once again took cudgel against Indians claim on Jammu and Kashmir.

With the help of defence supplies from the west and after having China into confidence, Pakistan was set for a war with India, where as Indian army after the massive set back in 1962, war, were unaware of war footing defence preparation cross the Indo-pak border. Armed with 2.5 billion dollar worth of tanks, jet fighters and other weapons from the U.S Pakistan launched attack on India in April1965 in the Runn of Kutch.\footnote{101. Kaul, B.M, "Confrontation with Pakistan", Op.cit, p 113}
This war finished with signing of an accord of arbitration in the run of Kutch on 30 June 1965. This accord gave India a false impression and Indian forces relapsed into peace time postures.\textsuperscript{102}

While Pakistan armed forces were not merely reorganised, but a new force named Al Mujahidin was formed in addition to the existing strength.

The creation of Al Mujahidin Forces was exclusively targeted to conquer Kashmir. It comprises of Kashmiri recruits from POK. A division of those forces called AL Burq was created to carry subversive activities in the valley. The recruit was trained in POK by Chinese instructor in the art of sabotage and espionage\textsuperscript{103} clearly defining Pakistani design in Jammu and Kashmir. Thus Pakistani invasion of Kashmir in 1965 was aimed at two directions – subversion and conventional war, General Kaul elaborates in the following lines: about 10,000 infiltration who were fully armed Pakistani soldiers in civilian dress under the command of Major General Akhtar Hussain Mullick, GOC 12 divisions slipped across the 470 miles long cease fire line on 5th August through many gaps and trials. The infiltrations had eight commands with names like Gibraltar, Gaznavi and Salaluddin, each of eight companies of 110 men training in guerrilla warfare were commanded by regular army officers. They were equipped with light automatic weapons and excellent wireless communication. Their aim, apart from sabotage was to indoctrinate the Kashmiri to revolt against India.\textsuperscript{104}

However, the design of Pakistan could not succeed. Kashmiri did not get swayed by the war cry of rebellion and the objective of Pakistan to achieve Kashmir by subversion was defeated in 1965. The reason for this defeat, according to Pakistani General Musa, was in appropriate in time and inadequate proration. He believed that their plan of action was not even appraised

\textsuperscript{102} Ibid p 23
\textsuperscript{103} Ibid p 113
\textsuperscript{104} Ibid, p 23-24.
to the pro-Pakistani elements in the valley. He held General Akhtar Hussain Mullick, commander of Azad Kashmir troops, responsible for the untimely action. He believed that General Mullick pressurised the government to exploit the turbulent situation created by the arrest of Sheikh Abdullah and Mirza Afzal Beg in the valley.  

When they failed to create conditions favourable to their interest in the Kashmir valley, they turned towards Chamb Jaurean Sector in Akhnoor and Jammu region. The operation was code named “Operation Grand Slam” and the attack was launched on 1 September 1965. Pakistan forces reached Jaurean to capture Akhnoor along the river Chamb. Their plan was to cut the line of communication from Jammu to poonch and occupy the Jammu Srinagar highway.  

This attempt too was defeated and Pakistani forces could not advance beyond the CFL. Thus, their bid to capture Jammu and Kashmir failed once again. The Tashkent agreement which brought about the ceasefire restored the status quo ante to pre-war positions even in Jammu and Kashmir.

6.17 Attempt in 1971

The third attempt to conquer Jammu and Kashmir by warfare was in 1971, when the forces of both the countries were engaged in war for the Liberation of Bangladesh, the then east Pakistan. The defeat of the Pakistani army and the subsequent partition of Pakistan had a traumatic effect on public opinion on Pakistan. Pakistan was dismembered not by what India had done but by what was done by its own armed forced against the Muslim population in East Pakistan. In 1971 Pakistan was on the defensive in Jammu and Kashmir. Surprisingly our commanders took no advantage of the situation to recapture in 1965, except in the kargil sector. Pakistan has no chance to wining their war because India had joined hands with the Mukti Bahini General Yahya Khan, the

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then president and army dictator of Pakistan was fully aware that they were fighting a lost battle. In order to compensate those losses, he decided to capture a sizable portion of Jammu and Kashmir in the western front.\textsuperscript{107}

The Indian military was hailed by Bengali Muslims as liberation armed forces while the Pakistani army became the occupation army. It was proved once more by religious bonds were not enough to keep people together. It was Pakistani non-Bengali Muslim army which was accused of committing atrocities against Bengali Muslims.

As a preparatory measure, Pakistan frequently violated CFL, i.e, LOC by deliberately sending spies and agents from POK. The seized the territory by deceit and occupying vacant land, sending villagers, hurriedly building thatched huts, tilling and cultivating and ultimately claimed as their territory.\textsuperscript{108}

It was followed by attack on air field and raider installation on Srinagar on 3\textsuperscript{rd} December 1971. the POK battalions infiltrated into the Indian Territory and fought with the Indian forces. This strategy was also aimed to capture bases in Kashmir. The plan was to isolate towns and cut roads through which Indian troops could counter-attack.\textsuperscript{109}

But all these attempts were frustrated by the Indian forces as information from various forces had alerted the army well in advance. The army camps in Jammu and Kashmir were flooded with information that there was large scale movement of Pakistani troops in Muzzaffarabad and other bordering areas.\textsuperscript{110}

Meanwhile, Pakistan lost the war in Bangladesh, and on 16 December 1971, General Niaz signed the instrument of surrender. The humiliating defeat of Pakistan forces in the Bangladesh war led to the end of war in Jammu and

\textsuperscript{107} Candeth, K.P, "The Western Front: The Indo-Pak War", Allied Publishers, New Delhi, 1984, p 64.
\textsuperscript{108} Ibid p 37
\textsuperscript{109} Ibid
\textsuperscript{110} Ibid

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Kashmir as well. And thus, once again Pakistan failed to acquire the state through warfare.

6.18 Limited War in Kargil, 1999

The kargil episode necessities a period of introspection in Pakistan. It is the network of militant religious freedom fighters extending from the Taliban to Lashker-e-Tayebea to Osama bin Laden that seems to have already some of Pakistani old friends to the dangerous path adopted by its feudal-military complex. After understanding the hard core reality that jihad and unconventional warfare against India could not liberate Kashmir the Pakistan army decided to take greater risk in establishing the conflict. After Bangladesh war India and Pakistan signed Shimla Agreement in 1972. It was agreed that both the countries with respect LOC. But with the help of Afghan Mujahedeen’s, Pakistan army often ventured into crossing the LOC to capture Jammu and Kashmir. However, no serious incursion took place until January 1999. While India for looking for a peaceful relationship with Pakistan after 1998 nuclear test, in 1999, troops of Pakistani northern light infantry in the grab of Kashmir militants crossed the line of control and occupied strategic mountain peaks in Mushkoh valley Drass, Kargil and Batalik sectors of Ladakh.

After releasing the gravity of the situation, Atal Bihari Vajpayee’s government unleashed India’s artillery and air force to bombard the enemy posts in kargil. By mobilising his armed forces into a high state of alert and concentrating its naval power in the Arabian Sea, India signalled that it was fully prepared for a full scale war. In six weeks of warfare, 700 Pakistani died. Indian soldiers proved their bravery and skill when they captured the tiger hill, the most vital point of Pakistan, on 4 July 1999 and finally pushed them back to Pakistan. The Pakistan government realised the miscalculation of ISI and army. Nawaz Sharief rushed the Washington for help and finally agreed to retreat his
forces but only when they almost pushed back by the Indian forces after heavy causality from both sides. As a matter of fact 1999 adventure would go down in the history of the Indian sub continent, as for the first time, Pakistan was isolated and condemned by international community including by China, traditional friend of Pakistan. Thus, once again Pakistan failed to achieve its objective in Jammu and Kashmir in limited war with India in 1999.111

6.19 Terrorism: an Ultimate Instrument

After having tried all the above mentioned acceptable means to achieve to foreign policy goals, Pakistan did succeed in partial takeover of the state which is known as Azad Kashmir. But its goals to acquire the entire state could not be accomplished till date.

The change of equation in Indo-pak relations from 1954 onwards, signing of Shimla Agreements in 1972, the disintegration of the Soviet Union in 1991, end of cold war, and defeat in the limited war of kargil in 1999, does not indicate that Pakistan would ever achieve Kashmir, through conventional achievements in foreign policy. The two nations resolved to implement the Shimla Agreement. The issue agreed upon, however, remained on paper. The clauses that adversely affected Pakistanis’ objective in Kashmir were denounced without any reservations to the commitments made at Shimla. The violation of this agreement was inevitable. Except for the resumption of their communication facilities and repatriation of POWs, none of the clause of the Shimla Agreement was implemented by the Pakistanis government.

Pakistan maintained low profile for couple of years after the Shimla Agreement. It did not intervene in Jammu and Kashmir aggressively. But as soon as the POWs were repatriated by April 1974, Pakistanis attitude towards India changed.

Meanwhile, Indian politics entered into a face of instability which directly affected the Kashmir problem. The large scale rigging in the 1987 Assembly election of Jammu and Kashmir was the flash point that put the central government in the dock. The people of Kashmir were disgusted and the government of India was losing credibility. There was an outburst of mass anxiety. People now starting thinking that the government does not care for people’s rights in Kashmir and installs puppet government which does not represent masses. The popular sentiments mounted high against India, which was precipitated by negligence of the central government. Jagmohan rightly points out that, “it is not Kalasnikov that kills, it is also the indifference casualness and negligence that destroy without being visible”.

The turbulent situation in the valley gave Pakistan an opportunity to exploit the political turmoil to pursuit to realisation of its foreign policy goal. In total violation of the Shimla Agreement, Pakistan indulged in massive propaganda through mass media; and encouraged disgruntled youth of the valley for terrorist activities. The unemployed youth population of the valley was lured in the hazardous profession. They were trained in subversion and made self-styled commander of general of different militant outfits. The Pakistan authorities, however, could not receive enthusiastic support from the masses until 1980.

It is only when the government of India appeared to have lost the credentials that Pakistan government geared its machinery to alienate the Muslim population of Jammu and Kashmir from India. The ongoing political movement was hence forth giving communal gloss. The political grievances of people were covered by Islamic cloak. Religious propaganda was disseminated which has far reaching impact on youth population of the valley. The young

school dropouts and unemployed graduates were turned on by the violent course of action. They were not merely preached to fight for Islam and become martyr, but also gave opportunity to work as professionals on wages. Both these factors become alchemist for terrorism in Kashmir valley. Pakistan was now poised for sponsoring terrorism in the valley to conquer Jammu and Kashmir through terrorism. The following section analyses Pakistanis design to alienate the state from India.

6.20 The Operation Topac

The export of terrorism across the border is not an easy task to be carried out by normal government machinery. A member of the UN is answerable for its indulgence in unconventional warfare if proved guilty.

General Zia was conscious of this international obligation. Hence set an agenda and formulation a long perspective plan that could serve the objective of Pakistan in Jammu and Kashmir without damaging its credentials in international forum.

Inspired by Topac, Amin, an Inca prince who fought non-conventional war against Spanish ruke in 18th century Uruguay, Gen Zia implemented an idea which is defined by the Indian defence analyst as “Operation Topac”.113 It is the controversial code name as there is no official prove to substantiate the argument. But the history of Tupac Amin and what happened in the valley and Kashmir if analyzed thoroughly, a conclusion could be derived that Zia-ul-Haq toed Tupac Amin’s line of approach in a very systematic way in Kashmir against the government of India. The aim of this operation was to wrest Jammu and Kashmir from India. Zia believed that what Pakistan cannot achieve

through wars in 1948, 1965 and 1971 could be achieved through subversion, force and religious fanatics.\textsuperscript{114}

The action, plan, as proposed was to be implemented in three phases; the first phase was directed towards insurgency against to disrupt the government machinery. The idea was to siege the state from within but avoided imposition from central rule. This mission was partly successful in the sense that the state government collapsed, but the enforcement of central rule could not be avoided, which went against the Pakistani design.

The second phase was to exert pressure on the Siachen, kargil and Rajuari-Poonch sectors so that concentration of the Indian army is outside the main valley. They could not get the breakthrough in this strategy because the Indian army maintained strong hold in the state except for some intelligence lapses in kargil-Drass sector.

The third phase was preparation for the Liberation of Kashmir valley from India. In order to gain overwhelming support from the Kashmiri people, it was also proposed that after the Liberation, steps will be taken to the establishment of an independent Islamic state. The word ‘Independent’ was added purposely to ensure active participation of the local people.

The implementation of this plan was entrusted to different intelligences in Pakistan which provide infrastructure facilities for terrorism in Jammu and Kashmir. Before analysing sources of infrastructure, it is relent to present list of terrorism related incidents of crime in the state, which clearly shows that, to a great extent, Pakistan successfully implemented “Operation Topac”.

The figures from 1981 to 1989 clearly show a continuous increase in number of crimes. Though, because of unavailability of information, it is difficult to conform, whether these incidents of crime were directed related to

\textsuperscript{114} Ibid, pp 406-407
terrorism in the valley or are crimes of ordinary nature. It is understood that most of the incidents of crime that took place during 1980-1990 were terrorism related crimes. It was the period when Pakistan was actively abetting terrorism in the state.\textsuperscript{115}

<table>
<thead>
<tr>
<th>S. No</th>
<th>Year</th>
<th>Total Incident of Crime</th>
<th>Murder</th>
<th>Attempt to Murder</th>
<th>Kidnapping</th>
<th>Dacoity</th>
<th>Under Tada</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>1980</td>
<td>-</td>
<td>100</td>
<td>7</td>
<td>473</td>
<td>13</td>
<td>-</td>
</tr>
<tr>
<td>2.</td>
<td>1981</td>
<td>15,973</td>
<td>90</td>
<td>7</td>
<td>475</td>
<td>10</td>
<td>-</td>
</tr>
<tr>
<td>3.</td>
<td>1982</td>
<td>15,223</td>
<td>91</td>
<td>10</td>
<td>449</td>
<td>10</td>
<td>-</td>
</tr>
<tr>
<td>4.</td>
<td>1983</td>
<td>17,139</td>
<td>103</td>
<td>8</td>
<td>461</td>
<td>33</td>
<td>-</td>
</tr>
<tr>
<td>5.</td>
<td>1984</td>
<td>17,022</td>
<td>120</td>
<td>9</td>
<td>458</td>
<td>25</td>
<td>-</td>
</tr>
<tr>
<td>6.</td>
<td>1985</td>
<td>19,440</td>
<td>121</td>
<td>9</td>
<td>544</td>
<td>6</td>
<td>-</td>
</tr>
<tr>
<td>7.</td>
<td>1986</td>
<td>19,055</td>
<td>87</td>
<td>9</td>
<td>509</td>
<td>-</td>
<td>-</td>
</tr>
<tr>
<td>8.</td>
<td>1987</td>
<td>19,158</td>
<td>102</td>
<td>12</td>
<td>517</td>
<td>18</td>
<td>-</td>
</tr>
<tr>
<td>9.</td>
<td>1988</td>
<td>19,868</td>
<td>11</td>
<td>368</td>
<td>525</td>
<td>17</td>
<td>36</td>
</tr>
<tr>
<td>10.</td>
<td>1989</td>
<td>21,442</td>
<td>119</td>
<td>505</td>
<td>532</td>
<td>17</td>
<td>163</td>
</tr>
<tr>
<td>11.</td>
<td>1990</td>
<td>15,047</td>
<td>546</td>
<td>454</td>
<td>347</td>
<td>211498</td>
<td></td>
</tr>
</tbody>
</table>


The table shows that the number of incidents of crime increased in accept in 1990. The decrease in the total number of crime in 1990 is because of approximately ten times increase in crime under TADA, which was enforced in 1987. Other incidents of crime decreased because of concentration were more towards terrorist activities than crime of general nature.

\textsuperscript{115} \textit{Terrorist Activities Disruptive Act (TADA) came into existence in 1985. But the statistics under TADA could be made available only in 1988. Crimes unlikely to be associated with Pak. Sponsored terrorism has been excluded from Different heads of crimes in the chart.}
CHAPTER-VI

Problems of Cross-Border Terrorism in India

This figure is manifestation of the reign of terror unleashed by Pakistan in the Kashmir valley. It is thus, significant to highlight infrastructure facilities provided to militants in Kashmir, which mainly through come from Pakistan’s intelligence agencies.116

6.21 Sources of Infrastructure for Terrorism in Jammu and Kashmir

6.21.1 Inter Service Intelligence (ISI)

There are a various numbers of terrorist organisations presently working in Jammu and Kashmir. Jammu and Kashmir liberation front along with supporting outfits however remain the basic organisations which has long term plans for attaining for independence from India. Various Reports suggest that there are as many as 29 groups functioning in Jammu and Kashmir. ISI is empowered to deal with both internal and external matters. Inter service agency had play a double which makes ISI an important agency to establish links between the Pakistan government and the Kashmir terrorism. The ISI is given discretionary power to deal with affairs related to terrorism in India. Political coordination and control are two major issues that come within the discretionary power of ISI. The task of ISI is to formulate policy in consultation with militant’s outfits. Numerically, it is not clear how many terrorist groups are active in valley sources confirm that approximately 20 groups are operating in the state. Some of these could be identified as.

1. JKLJ
2. Jamat-e-Islami
3. Hiz-bul Mujahideen
4. Students Liberation Front
5. Islamic Students League
6. Peoples League

7. Islamic Jamaat-e-Toiba
8. The Muslim Janbaz Force
9. Allah Tigers
10. Lashker-I-Toiba

The first eight groups were banned in the valley on 16 April 1990, under the state criminal law enactment act. Rest are operating from Pakistan. They are received policy direction from the ISI.

The second important task of the ISI is co-ordination, which is Muslim subversion. The Co-ordination is essential to maintain connection between the actors and perpetrators. The ISI keeps constant vigil on activities of militants and civilian government, and accordingly maintains co-ordination. It also coordinates between the suppliers of arms, weapons and terrorist groups. The kind of weapon to be sold, mode of payment and delivery of the goods are negotiated directly under the aegis of the ISI. It is relevant to note in this context that rockets, light and heavy guns, have a controlled supply and are meant for specialised groups only.\(^{117}\)

The terrorists and militants functioning inside Kashmir valley are Homo Fighters of a kind who have been motivated and sponsored for an armed struggle for outside. These groups have been trained and indoctrinated in Pok and take all directives from their necessitating good communication network and courier services. Last, but no least significant is the co-ordination amongst various terrorist groups active in the valley. There are innumerable splinter groups that operate simultaneously. There activities are under vigilance of intelligence agencies of India. Terrorist could become victims of their own design in the hands of India armed forces. This risk is well taken care by the ISI in coordination with FIU. They safeguard interest groups by maintaining co-

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ordination and warning them in advance about movements of the Indian intelligence and the BSF personals.

The third important task assigned to the ISI is that of control. While providing logistic support, the sponsoring country cannot afford to endanger its own security. Thus overall control of terrorist activities becomes essential. Militants if left undeterred can pose threat to Pakistan government itself; and thus their activities are mentioned by the ISI. However, role of the ISI in abetting terrorism is more prominent in Jammu and Kashmir. It is the Field Intelligence Unit (FIU) which carries subversion in Jammu and Kashmir. Its contribution is analysed in the following section.

6.21.2. Field Intelligence Unit (FIU)

The Field Intelligence Unit is the most important Pakistanis intelligence unit which provides infrastructure facilities for terrorism in Jammu and Kashmir. From its bases in Pakistan Occupied Kashmir the Field Intelligence Unit provides logistic support and training to create unrest in Kashmir. The FIU’s first and foremost assigned duty is to form special groups for carrying acts of terror in Jammu and Kashmir. The recruitment of members for this special task force is done by FIU because of being on field duty. FIU keeps direct contact with the incoming refugees.

This direct contact keeps FIU members abreast of individual potentiality and crusading zeal. ISI does not have direct with people crossing the border. It functions from behind the scene. Thus FIU is empowered to take independent decision on the matters of recruitment. The Pakistani agents belonging to FUI are on the record of having abducted 85 villagers from karni village (Indian side) on 28 August in 1991 in poonch, and inducted them in terrorist group. The zone is vulnerable for forced recruitment as LOC runs in the direction where 60 percent of the houses lie within the Pakistani boundary, 30 per cent in India and
10 percent the disputed territory. This situation is favourable for FIU. They force youth of the village to join terrorist group by threatening peace of their family and given financial support. Abdul Hamid Gani, a twenty year old teacher of kupwara district revealed that he was picked up when his brother did not pay a ransom of Rs. 20,000. By using such coercive methods, FIU creates a special task force.

After the creation of task force, the next phase is to train the recruits. Most of the militants crossing of the Kashmir valley do not have necessary background for militancy and are as innocent as school boys. Some of them get actually opportunity to see weapons for the first time in their lives. Training thus becomes an important aspect for sponsored terrorism. These facilities are provided by FIU in different camps set up in POK under command of regular Pakistan army officers. It needs to be emphasised that only training facilities, not training per se is provided by the FIU.

The most crucial task, however allotted to FUI is to provide information for safe transit. Special border contact groups have been created for this purpose. These contact groups are operating both within and beyond the territory of Pakistan. In co-ordination with the Pakistani border rangers. The FUI plays the most active role in export of weapons and terrorist across the border in Jammu and Kashmir. Besides these regular operations of FUI for providing support and transits, Pakistan armed forces give cover up military operation for safe infiltrations of terrorists in the valley, for instance, they frequently Indian outposts and civilian locations in the state during August and September 1991. It is part of their tactics to divert attention of the state forces in

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the kargil sector from the tightly guarded mountain passes in Uri and kupwara sector routes.\textsuperscript{121}

\textsuperscript{121} \textit{Indian Express}, 29 October 1991.