Chapter V

SUMMARY AND CONCLUSIONS
After the eruption of militancy in Kashmir, the relations between India and Pakistan reached to the lowest ebb. The situation worsened to the extent that it became a cause of serious concern for the entire international community. The belligerent postures adopted by both India and Pakistan on the happenings in Kashmir have brought them to the brink of a nuclear catastrophe. In view of this dangerous situation, it seems quite clear that a slightest provocation from either side may well blast the entire South Asia any time. In understanding this dangerous phenomenon as a whole, first the growth of militancy in Kashmir and then its impact on Indo-Pak relations needs a comprehensive but careful analysis. This study is a modest attempt to meet this challenge.

The eruption of militancy in Kashmir was not a sudden outburst, but the cumulative result of various twists and turns in the state’s politics since long. Therefore, to understand the background of militancy in Kashmir, it is imperative to analyse and examine the major historical, socio-economic and political characteristics of the state under study.

Geo-politically Kashmir holds a pivotal position in the state. Enclosed by high mountain ranges from 10,000 Sq. feet to 18,000 Sq. feet high, ‘Kashmir is the largest valley in the lap of the largest mountains in the world’. Geographically, it belongs to that part of Central Asia which at one time was ‘the clearing house of several separate civilisations’. The distinct cultural identity of Kashmir has its roots in the region’s unique geography and history. Only when there was a strong rule at Delhi, did Kashmir remain part of Indian sub-continent, otherwise, she had lived a life beyond her ramparts of mountains. However, Kashmir’s isolation has always failed to prevent
successive waves of invaders from laying claim to the region. The present state of Jammu and Kashmir was created after the second Anglo-Sikh war, when British forces sold Kashmir to Maharaja Gulab Singh (ruling prince of neighbouring region of Jammu) for a paltry- sum of Rs 7.5 million in 1846. The humiliating bargain was concluded by virtue of an agreement called the Treaty of Amritsar.

The Dogra rule which lasted for about 100 years, (1846-1947) was highly exploitative for the Muslims who constituted more than 77% of the total population. They were treated as second class citizens and there was no social, political and even religious liberty for them. The Jagirdari (feudal) system, the system of revenue taxation, the corrupt administration, the beggar (forced labour) system, the large-scale discrimination in government jobs and above all the denial of basic human essentialities to the Muslims of the state, reduced their socio-economic and political conditions from bad to worse.

The inhuman treatment towards the bulk of the population of the state was necessarily to create some revolutionary feelings among the people. Finally in 1931, the growing dissatisfaction of the Kashmiri people burst into flame. It was the first occasion that Dogra authority had been challenged spontaneously by the common people and as many as twenty one had died in the firing. In October 1932, a group of young Kashmiri Muslims most of whom were educated and highly politicized formed a political organization known as All Jammu and Kashmir Muslim Conference. Sheikh Mohammad Abdullah and Choudhary Ghulam Abass were elected its President and General Secretary respectively. The ultimate purpose of the formation of Muslim Conference was to protect and safeguard the interests of the Muslim population who were largely discriminated by the oppressive Dogra rule. The organization also adopted the flag of the Muslim League and from 1932-39 played an important role in Kashmir politics especially in its fight for the protection of the social, political, economic and religious rights of the Muslim community in the state.

In 1939, the Jammu and Kashmir Muslim Conference was converted into All Jammu and Kashmir National Conference and its doors were opened to all
communities irrespective of their religion. But as soon as Sheikh Mohammad Abdullah began to draw closer to Indian National Congress, differences cropped up as some of his party members felt that he was going against the policy of maintaining distance from both the Indian National Congress and All India Muslim League as accepted at the time of conversion of the party in 1939. It was in this atmosphere of conflict that Jammu leader of the party Choudhary Ghulam Abass revived the Muslim Conference in 1941, with the full support of Mirwaiz Moulvi Mohammad Yousuf Shah. Thus the freedom movement of Kashmir got divided into two hostile groups and both of them adopted the parallel lines which never met again. This division in the political platform of the Kashmiri people had a far-reaching repercussions which finally made the Kashmiri nation to pay a highest price.

The origin of Kashmir’s current crisis lies in the sub-continent’s partition in 1947. The indecision of Maharaja (the then ruler) to accede to either of the two dominions India or Pakistan by 14 August 1947, because of his own ambitions to declare independence for the state, the communal violence throughout the sub-continent and its impact on the state of Jammu and Kashmir, the tribal invasion, the conditional accession of the state with the Union of India and finally the Indo-Pak war of 1947-48, resulted in the division of the state into Indian administered Kashmir with an area of 2,22,236 sq.kms. and Pakistan administered Kashmir with an areas of 1,03,338 sq.kms.

The accession of the state with the Union of India did not end the uncertainty over the final status of Jammu and Kashmir mainly for three reasons. First, the accession was subject to a reference to the people of the state, second the issue of the future of the state was internationalized as it was referred to the United Nations Security Council for a peaceful settlement (on January 1, 1948, India filed the petition in the Security Council under section 35 chapter VI which related to the ‘Pacific Settlement of Disputes’ and not under chapter VII of the same section which deals with the ‘Acts of Aggression’) and third, in both Tashkent and Shimla Agreements, it was agreed by both the parties that Kashmir issue constitutes a dispute and therefore,
should be resolved amicably. Thus the future of the state of Jammu and Kashmir was left wide open.

As a consequence of the special circumstances in which Kashmir acceded, article 370 was incorporated into the Indian constitution. Under this article, the government of India was entitled to exercise a limited control over the state of Jammu and Kashmir confined to defence, communication and foreign affairs. But the Hindu communal forces especially from Jammu region of the state launched a massive agitation against this special status under the banner of the Praja Parishad Party. They demanded that the article 370 should be completely abrogated and the state of Jammu and Kashmir be brought close to India at par with other states that constituted Indian union. These developments certainly shook the foundation of the nationalist traditions in the state and for a moment Sheikh Mohammad Abdullah expressed his doubts over the accession of the state with India. His increasingly pro-independence political views ultimately alienated him from Nehru, leading to his arrest in 1953 and installation of Bakshi Ghulam Mohammad as new Prime Minister of Jammu and Kashmir.

Immediately after the arrest of Sheikh Mohammad Abdullah, the state of Jammu and Kashmir began to be run almost in conformity with the centre’s directions. A large number of integrative measures were taken by the central government in connivance with the state government which marked the end of the state’s special status and brought it under the direct control of central government like any other Indian state except in certain fields. On the other hand, the political reaction to all these developments was also coming by the supporters of Sheikh Mohammad Abdullah. After Sheikh’s arrest, Mirza Mohammad Afzal Beig formed an organization ‘War Council’ which challenged the validity of the accession of the state to India. It was in 1955, that Mirza Mohammad Afzal Beig, on the advice of Sheikh Mohammad Abdullah converted this ‘War Council’ into Plebiscite Front. The basic objective of the Plebiscite Front was to press for holding a free and fair plebiscite under United Nations auspices. Frustrated with the lack of progress on the political
front, the first militant organization the Jammu and Kashmir Liberation Front (JKLF) was launched in 1964, which embarked on a campaign to push for independence. When in 1971, the Plebiscite Front was banned, another militant organization Alfatah also came to light (although it was established much earlier).

Though, the Kashmir Accord was signed in 1975, but this accord could not mark the end of the separatist feelings in the state which had been promoted by the Plebiscite Front during its 20 years of political existence. When one looks at the history of Plebiscite Front from 1955-1975, the roots of the militancy are clearly seen in this organization. The Plebiscite Front leadership was either author of many, a militant group in the state or patronized them.

After the Kashmir Accord, Sheikh Mohammad Abdullah took over as Chief Minister of the state. His relations with the central government strained further. He was never a good administrator in his last years. After his death, his son Dr. Farooq Abdullah became Chief Minister. Unlike his father, he was knowing little about politics. Unhappy with Farooq Abdullah, the Congress Party replaced him by supporting G.M.Shah in 1984. With the fall of G.M.Shah’s government, the centre imposed Governor’s rule on the state.

The 1986 alliances between Congress Party and the National Conference succeeded in stripping — a large portion of Kashmir’s traditional political opposition of its legitimacy. The National Conference and Congress party coalition was seen by many a betrayal of Kashmiri interests. Charges of widespread corruption within the National Conference party also contributed to disillusionment with the Farooq Abdullah. A new opposition party Muslim United Front (MUF) with the support of different politico-religious groups of the state came into existence. The approach of MUF attracted a large number of people particularly the Muslim youth of the Kashmir valley who felt that the victory of the MUF would mark the end of the corruption, nepotism, unemployment and poverty which had been going on unabated for the last 40 years. People largely believed that under the new government of MUF those who are found guilty would be punished.
But Jammu and Kashmir is the only state of India where the centre with the exception of Janata Party government (1977-79), has always imposed government of its choice though unpopular, inefficient, corrupt and repressive it may be. Same things were repeated during the assembly elections of 1987. There is a wide spread perception of a massive rigging and such allegations had some sound basis. In constituencies were elections were manipulated, the poling agents of the opposition candidates were arrested and beaten up not only by the police but also by the National Conference candidates. The elections of 1987 marked a watershed in Kashmir politics. Widespread irregularities in the vote count and mass arrests of MUF candidates in the elections aftermath fueled popular disillusionment with the electoral politics. A look at the intelligence agencies list of A and B category extremists in 1990, shows that nearly all young men on the wanted list were guarding ballet boxes of MUF (as campaign volunteers) in 1987 assembly elections. Syed Salah-ud-Din the present Supreme Commander of Hizb-ul-Mujahideen and also the Chairman of the Jihad Council, also contested the assembly elections from a Srinagar constituency. (In fact this was his third foray.)

Besides the denial of the democracy, Kashmir has also suffered because of the economic neglect. People are very poor as compared to many of the Indian states in spite of the fact that state of Jammu and Kashmir is having a considerable wealth of natural resources. But due to the lack of technical know-how and center's apathy, these resources are not explored and utilized properly. The lack of infrastructure and industries have left government as the only agency to provide jobs to thousands of young men coming out of universities and other institutions of higher learning. The problem of educated unemployed youth became more and more grave as it was never addressed properly. The state has also suffered from a chronic misappropriation of funds and other means of corruption by politicians and bureaucrats.

The new developments both at national as well as international level also left some impact on the mental make-up of Kashmiri youth. The aggressive rise of Hindu communalism and the country-wide communal riots, the Buddhist agitation in Ladakh
and their social boycott towards the Muslims particularly of that region, the situation in neighbouring state of Punjab, the situation of Afghanistan, Iranian revolution, the changing situation in the Eastern Europe and in the erstwhile Soviet Union, have had a tremendous impact on the psyche of the young Kashmiri Muslims. It were these young Kashmiri Muslims who increasingly felt that their salvation lies in secession from India and they finally decided to resort to armed struggle to press their demands. Pakistan which was always in search of an opportunity to play some “decisive” role in Kashmir dispute and also to take revenge of the damage inflicted upon her by India during the 1971 war, provided arms and assistance to these alienated young Kashmiri Muslims and this finally gave rise to armed militancy in the state of Jammu and Kashmir.

This armed militancy in Kashmir assumed dangerous dimensions. After its eruption, the state witnessed a complete break-down of administrative machinery and virtually no government was functioning. The state came under the complete ‘governance’ of either militants or Indian security forces. All pro-Indian political parties became dormant in the valley. Many of their leaders either fled the valley or announced retirement or dissociation from politics. Some of them took a pro-militant stand. A large number of Kashmiris particularly from the Pandith community migrated from Kashmir. The separatist forces floated their own political organization known as All Parties Hurriyat Conference (APHC). As a consequence of large scale violence, thousands of people (30,384 according to the official sources and about 80,000 according to the separatist forces up to the end of 2001) were killed and innumerable turned physically disabled. The economy of the state received a big jolt. Not only property worth billions of rupees got destroyed during the encounters, but also every source of income was badly effected. Besides this, Rs. 5,000 crores are spend every year to combat the militancy. This has brought further trouble for the population of the state. A large scale human rights violations in Kashmir as documented by different human rights organisations became a serious issue. The fighting between different militant groups on the politico-ideological issues and finally an intensive battle between the “pro-movement and pro-government” militants
also caused a great damage to the life and property of Kashmiri people. A number of Indian security personals were also killed during encounters with the militants.

The uprising in Kashmir presents the first serious possibility of altering the political status-quo in South Asia since the emergence of Bangladesh. Both India and Pakistan began to fight on political, diplomatic and even military fronts. The relations between these two neighbouring countries started to worsen immediately as soon as they began to blame each other for the happenings in Kashmir. India charged Pakistan with "financing, arming, training, abetting and encouraging militancy in Kashmir". While denying the Indian charges Pakistan said that the uprising in Kashmir is entirely "indigenous and spontaneous" and that the Indian charges of Pakistani interference are both "self-serving and misleading". Pakistan reiterated its commitment to political, moral and diplomatic support and said that "Pakistan cannot remain a silent spectator to the sufferings of Kashmiri people". Blaming India for the large scale "human rights violations" Pakistan asked the international community to "pressurize India to desist from the use of force and allow the people of Kashmir to exercise their inalienable right to self determination as promised in the UN resolutions".

Charging Pakistan with exporting "terrorism", India described it as the "biggest patron of human rights violations in the Indian state of Jammu and Kashmir". Rejecting Islamabad's demand for the right to self-determination in Kashmir, New Delhi said. "self-determination cannot be applied to territories that are a part of sovereign and independent states". India requested the international community to declare Pakistan a "terrorist state as the later is openly involved in promoting and encouraging terrorism not only in Kashmir but in other parts of India as well".

The representatives of India and Pakistan started to fight in different international foras in order to score points over each other. The intermittent skirmishes on borders of the two countries became order of the day. The issuance of threats and counter threats by the ruling elite of the two countries gave rise to mutual
fears and suspicions and this finally led to a vicious circle of competitive militarization between India and Pakistan. It has not only diverted their scarce resources from developing the fullest potential of their economy and utilizing them to combat poverty, unemployment, illiteracy, hunger and disease of their teeming millions, it also led India and Pakistan towards an endless arms race and both are spending more than 16 billion US dollars on maintaining and strengthening their war machinery. Besides the development of the missiles of latest technology, both India and Pakistan also detonated their nuclear devices in May 1998 and thus brought further trouble for their poor population. Instead of getting the status of a nuclear weapons state, both the counties were brought under the purview of serious economic sanctions which worsened further their already fragile economies.

In order to ease the international pressure by reducing the level of tension between themselves, the Foreign Secretary level talks were held from time to time. The Prime Ministers of the two countries also met severally formally or informally, but these talks always ended with a deadlock as both the parties remained adamant on their respective claims over Kashmir. India’s officially stated position has been that “there is nothing to discuss on Kashmir. It is an integral part of India. What is to be discussed, is the trade, cultural and civil society links”. But Pakistan insisted that “India continues to occupy Kashmir illegally”. So what is important is that Kashmir should be discussed first and the other things are of tertiary importance. On the other hand All Parties Hurriyat Conference (APHC), a joint conglomerate of 23 separatist organizations always opposed bilateral negotiations and said that “without the involvement of the Kashmiri people, the fate of the Kashmiris cannot be decided”. So they insisted on trilateral talks. Thus the stalemate continued.

To break the ice, prime Minister of India Atal Behari Vajpayee visited Pakistan by bus on 21 February 1999. He was received by Pakistani Prime Minister Nawaz Sharif with great enthusiasm. This was called an historical march as it was expected that the visit will mark the beginning of a new era of Indo-Pak amity. On 22 February, the two Prime Ministers signed what is called the Lahore Declaration. Both
of them agreed to intensify all efforts to resolve all outstanding issues including the issue of Jammu and Kashmir through peaceful talks. But Lahore Declaration was followed by Kargil conflict in the same year. When India launched a major offensive to evict the intruders who according to it were enjoying the backing of Pakistani armed forces, Pakistan also put its defense forces on high alert and this way the tension between the two countries reached to a dangerous point of escalation. The two countries also asked their naval and air forces to remain ready for meeting any eventuality. Nuclear threats were also exchanged. But the danger was finally averted when US President Bill Clinton intervened and pressurised Pakistani Prime Minister Nawaz Sharif to ask the intruders to withdraw and in return assured him of taking “personal interest in the resolution of Kashmir issue”. Although Kargil conflict came to an end but it proved very much expensive for both India and Pakistan in terms of men and material. It also gave a big blow to the peace process between the two countries. Inside Kashmir it gave rise to a fresh crop of militancy who later on resorted to fidayeen (suicide) attacks. These suicide attacks resulted in the total deterioration of Indo-Pak relations and brought them to the brink of a nuclear catastrophe.

After the hijacking of Indian Airline plane IC 814, indo-Pak relations went further sliding down. Prime Minister Atal Behari Vajpayee called upon the world to declare Pakistan a terrorist state and urged US to take the initiative in this matter. The military government in Pakistan led by General Parvez Musharaf rejected India’s allegation of Pakistani involvement in the hijacking episode. Ever since Musharaf took over as chief Executive, he repeatedly expressed his willingness to talk to India, but India always reiterated its demand that Pakistan must first end the cross-border terrorism.

Under some domestic and international compulsions, the two countries agreed again to start the bilateral talks. General Pervez Musharaf now the President of Pakistan was received in India with an unprecedented warmth on 14 July 2001. Prime Minister Vajpayee and President Musharaf held a two days parleys at Agra from 15 to
16 July. But again wide differences surfaced on the issue of Kashmir between the two countries resulting in the failure of Agra summit. Thus the problem continued as it was.

At domestic level, India also took some steps to try to solve the discontent of the Kashmiri people within the framework of Indian union. On November 19, 2000, the Prime Minister of India announced a unilateral ceasefire in Jammu and Kashmir which lasted almost for six months. This ceasefire initiative was turned down by the militants and therefore, it failed to make any change anywhere other than borders. The government of India also sent K.C. Panth as its representative to hold a broad-based dialogue with different Kashmiri groups especially the separatist forces but except some leaders of Democratic Freedom Party, almost all the separatist forces refused to talk to Panth. Therefore, the mission failed without yielding any concrete results.

After the terrorist attacks on America on September 11, 2001, the entire international scenario changed and terrorism was described as a serious threat against world peace. In order to fight this menace, an American led coalition was formed with which Pakistan also joined its hands. While America and its allies were busy in their war against "terror" in Afghanistan, a group of five terrorists launched a suicide attack on Indian Parliament. India blamed Pakistan based Jehadi groups, Lashkar-e-Taiba and Jaish-i-Mohammad for the attack and described it as an attack on the heart of Indian democracy. The government of India adopted a highly bellicose posture vis-à-vis Pakistan. Besides taking some tough diplomatic measures, India deployed her armed forces on the entire 3310 km. long frontier with Pakistan. Pakistan on the other side responded similarly. Both sides also mobilized their navies and placed their air force on high alert. The tension mounted very high and this gave rise to a wide-spread speculation and debate on the possibility of a nuclear war. Pakistan asked for the joint probe of the attack while as India rejected the offer and asked to extradite the twenty criminals hiding in Pakistan. The international community took a serious note of the fluid situation and asked the concerned parties to exercise restraint. It was only after
Musharaf’s historic speech to the nation on January 12, 2002 and his subsequent action against the Jehadi forces and fundamentalist elements that the level of tension was reduced a bit but the situation continued to remain volatile as more than one million troops have been in an eye-ball to eye-ball position.

Hardly a few months had passed, another suicide attack was launched on Kalouchak military camp in Jammu. Again India blamed that the attackers had come from Pakistan and were enjoying the backing of Pakistan’s ISI. Pakistan as usual rejected the allegation of its involvement. This time some political leaders and military officials openly insisted on military action against “terrorist camps in Pakistan”. Pakistan threatened to retaliate equally and even didn’t rule out the use of nuclear weapons. This became a matter of concern for the whole world. India demanded complete end of cross-border terrorism and in the first instance made the use of what is called the “coercive diplomacy”. International opinion favoured India and Pakistan came under severe pressure. Finally the commitment made by General Pervez Musharaf to “permanently” stop infiltration of Jehadi militants across the Line of Control in Kashmir, and the ‘calibrated’ but tiny, steps announced by new Delhi in reciprocation, have at least helped to evade the war.

Thus in the light of the aforementioned facts, it can be safely conferred that Kashmir issue is hanging like a naked sword over the heads of both India and Pakistan. The danger cannot be averted unless Kashmir issue is resolved through peaceful means. The ruling elite in both India and Pakistan should understand that the path of confrontation which they have choosed on the issue of Kashmir, will yield nothing useful for their countries except large scale destruction. They should try to understand a lesson that the French and Germans, who fought the bloodiest battles in the first half of the twentieth century, have become partners in the European Community. There is even no travel and economic restrictions between them now. The pathetic war in Vietnam has also come to an end. So has the racial confrontation in South Africa. But the Indo-Pak conflict on Kashmir has been going on for more than half a century and during the last few years when militancy was launched in
Kashmir, the conflict assumed more dangerous dimensions. Therefore, a good sense should prevail among leaders of both India and Pakistan so that they work for the restoration of peaceful negotiations.

Unfortunately both India and Pakistan view the Kashmir problem as a territorial dispute between the two countries. Primarily it is the problem of people of Kashmir and has to be solved in accordance with their wishes. It is often said that bilateral talks so far have failed to find a solution to the dispute of Kashmir. But bilateral talks cannot be faulted, the reason that the issue of Kashmir remains unresolved is that the people who are the main party have been ignored. The two countries should first agree to have bilateral talks and a process of talks with the genuine representatives of the people can be started simultaneously. Both India and Pakistan should allow the people of Jammu and Kashmir from all its regions and areas and on both sides of the LoC with their divergent aspirations, to start a process of dialogue among themselves and then with India and Pakistan. Both countries should view the Kashmir problem with an open mind, instead of pursuing the beaten track. The slogans like Kashmir being integral part of India or lifeline for Pakistan only foreclose any solution in accordance with the wishes of the people. There can be many options for the people of the state and it should be left to them as to what kind of solution they envisage, while the majority’s views cannot be ignored any solution on the basis of majoritarianism, without taking into account the views of the minority, cannot be just, realistic and lasting one.

In any case brinkmanship is no answer to the problem. The mere policy of bullet for bullet as applied by the government of India in case of Kashmir will yield nothing concrete. It can help to curb the militancy and militancy related incidents to a great extent, but the issues which gave rise to militancy in Kashmir cannot be resolved with this policy. Unless and until these issues are settled-down amicably, the end of militancy in total cannot be guaranteed. Therefore, dialogue is the only way out of the impasse and any such talks must be without any conditions and inhibitions. Instead of looking for external forces to come to their rescue, the people of Kashmir
and the government of India as well as Pakistan should with a firm and sincere determination redeem to settle this festering issue with their own strength, once and for all.