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CHANGED
SECURITY
SITUATION
IN
JAMMU AND KASHMIR

The Road ahead

Abdul Hameed Khan

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**CHANGED SECURITY
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KASHMIR
THE ROAD AHEAD**

ABDUL HAMEED KHAN



INSTITUTE FOR DEFENCE
STUDIES & ANALYSES

रक्षा अध्ययन एवं विश्लेषण संस्थान

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CONTENTS

Chapter 1

Introduction.....	5
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Chapter 2

External Dimensions.....	13
--------------------------	----

Chapter 3

Internal Dynamics in J&K.....	28
-------------------------------	----

Chapter 4

J&K and Pakistan Decoupled.....	54
---------------------------------	----

Chapter 5

The Rehabilitation of Kashmiri Pandits.....	60
---	----

Chapter 6

The Way Ahead.....	66
--------------------	----

Chapter 7

Conclusion	79
------------------	----

INTRODUCTION

The situation in Kashmir changed dramatically after the elimination of the Hizbul Mujahideen (HM) terrorist commander, Burhan Wani, by Indian security forces on 8 July 2016. People in large numbers came out in the streets in violent protest against every symbol of the state. Continued protests left about a hundred dead, and more than 10,000 injured in 2016. About 500 got injured in the eyes with pellet injuries, scores of whom, the doctors feared, might lose their vision. Thousands of people, especially the young, had to be arrested by the state authorities, including some by the use of emergency provisions such as the stringent Public Safety Act (PSA).

In an unprecedented situation, almost the entire Kashmir Valley saw a prolonged shut down of more than a hundred days due to government imposed curfew as well as protest calls given by the separatists. The separatist camp itself saw a unification of its otherwise fragmented factions after several years, and sprang back into action with renewed vigour. Schools, offices, petrol pumps, mobile internet, shops, tourist facilities, public transport—all remained shut due to the protests through the greater part of the second half of 2016. The protests and agitations petered out with the onset of winter. However, restrictions on the assembly of people, telephones, and certain sections of the media continued even later, amidst sporadic incidents of violence.

The changed situation in Jammu and Kashmir (J&K) is especially intriguing because over a period of the last ten to fifteen years, the situation appeared to be steadily improving, especially since 2002. Convincing commentaries were written about the end of militancy¹

¹ Rohit Revo, 'Why militancy has failed in Kashmir', 27 April 2016, at <http://www.dailyo.in/politics/jammu-and-kashmir-militancy-azadi-pakistan-handwara-indian-army-isis-hurriyat/story/1/10298.html>, accessed 20 October 2016.

and the dawn of a new peaceful era. With an increased number of tourists flocking the state, and the high turnout of voters in several central and state elections lately, the state apparatus—including security and intelligence agencies—had started assessing the situation as being normal.² However, in a dramatically altered situation after the Burhan Wani incident, there has been a sudden increase in terrorist attacks as well as a sharp upswing in the local recruitment of militants.³ Describing the situation in Jammu and Kashmir as ‘extremely fragile’, state DGP K. Rajendra put the number of active militants in the state to be around 300⁴, a figure significantly higher than in the preceding years. Several incidents of weapon snatching and mass looting have been reported. There are also reports about the increased infiltration of militants from across the Line of Control (LoC) from Pakistan into Kashmir, as well as growing sentiment among local Kashmiris about hosting them and providing them shelter. Several Army posts, bases, and convoys were attacked. Many police and Central Armed Police Forces (CAPF) posts in South Kashmir were burnt down. From 9 July to the end November 2016, Kashmir saw an extremely disturbed law and order situation, especially in South Kashmir.

Apparently, there exist differing and completely contrasting perceptions regarding the Kashmir issue: one perceived by the Indian state; and the other by the common Kashmiri. This contrast persists due to a mix of several factors—historical, political, social and geostrategic—which have been affecting the state.

² *Annual Report 2015–16*, Ministry of Home Affairs (MHA), Government of India, p. 6, para 2.5, at [http://mha.nic.in/sites/upload_files/mha/files/AR\(E\)1516.pdf](http://mha.nic.in/sites/upload_files/mha/files/AR(E)1516.pdf), accessed 28 September 2016.

³ ‘Dozens Queuing up to Join Militant Ranks In South Kashmir’, 17 October 2016, at <https://kashmirobservers.net/2016/local-news/dozens-queing-join-militant-ranks-south-kashmir-11128>; accessed 14 November 2016.

⁴ ‘J&K situation extremely fragile; around 300 militants still active: DGP’, 6 November 2016, at <http://www.deccanherald.com/content/579640/jampk-situation-extremely-fragile-around.html>; accessed 14 November 2016.

Conflicts and intense political movements have been a feature of Kashmir's state security landscape for over eighty years. What began in 1931 as a plural nationalistic anti feudal political movement in Kashmir became a narrow Islamic militancy campaign resulting in the deaths and disappearances of nearly fifty thousand people in the last 27 odd years. It also saw an exodus of the Hindu Kashmiri Pandits, the original inhabitants of the Kashmir Valley. There were only brief intermittent periods of calm, in which some progress could be made. For example, one of the earliest and biggest land reforms of independent India was undertaken in J&K starting 1948. Kashmir also remained one of the most favourite shooting destinations for Bollywood from 1960's to the early 80's. However, it all melted away gradually.

The Kashmir story is a mix of several paradoxes, and presents several ups and downs in its plot. Kashmiris fought against Pakistani intruders in 1947; but years later, post 1989, they provided open support and shelter to Pakistani militants. Soon afterwards, there came a phase of complete withdrawal of ground support by Kashmiris to Pakistani fighters, only to see a trend reversal once again, post July 2016.

THE TWO DIMENSIONS OF THE KASHMIR CONUNDRUM

There are two dimensions to the Kashmir conundrum as seen from the Indian perspective: the external dimension, due to Pakistani involvement and its claims over the state of J&K; and the internal dimension, due to the socio-political demands of the people of J&K from the Indian state. The resolution of the problem has not been easy due to the interplay of several interconnected issues. Indian territorial defensibility, the Pakistani state argument, and Kashmiri nationalism all vie for the same space, making it an awkward a zero sum game, and preventing any clean win-win situation for the involved parties.

The external dimension has resulted in four conventional wars, several near-wars, and disquieting nuclear rattles between India and Pakistan. The extension of a proxy war by Pakistan against India through Kashmir has kept our internal security situation constantly on the boil. Besides alienating J&K from the national mainstream, it is a serious bug in India's growth story. It has been a continuous drain on the county's resources, resulting in enhanced defence expenditure. It has also become an impediment in India's proclamation of being a great world power

due to allegations of human rights violations and other social restrictions, thus undermining its otherwise flourishing democracy.

The internal dimension of J&K, on the other hand, is a complex interplay between religion and region as well as multi ethnicity/multi cultural and political issues. The state has a special status in the Indian Constitution, and has its unique identity. There are several layers of complexities in it. Protests, agitations, and shut downs demanding greater autonomy and exclusive rights have, time and again, brought the state to a standstill, and highlighted the unsettled nature of its polity.

Several attempts have been made by the Indian state for resolving the Kashmir issue, addressing both its external as well as the internal dimension. However, the problem persists. Unfortunately, between the two dimensions, it is the external dimension, which gets more weightage. Pakistani interference in Kashmir is seen by many analysts as the prime reason which keeps the Kashmiri trouble-pot on the boil. Pakistan has become almost hyphenated to promoter of militancy and the separatist movement in Kashmir. Owing to this, there is a prevailing construct about the coupling of the Kashmir issue with Pakistan.⁵ It unwittingly builds a narrative which proclaims that any attempt by India to solve its Kashmir issue internally—that is, without considering the external dimension of Pakistan—is futile. This construct suits Pakistani claims of Kashmir being central to all contentious issues between India and itself: indeed, Pakistan likes to term Kashmir as its jugular vein.⁶

By allowing this notion to perpetuate, India allows itself be tied down, letting Pakistan achieve its objective. While Pakistani control on issues

⁵ Shivam Vij, 'Five reasons why Modi's snub to Pakistan over Kashmiri Separatists is a Terrible Idea', at <http://scroll.in/article/674984/five-reasons-why-modis-snub-to-pakistan-over-kashmiri-separatists-is-a-terrible-idea>, accessed 16 February 2016.

⁶ 'Nawaz Sharif calls Kashmir as Pakistan's 'jugular vein'', at <http://indianexpress.com/article/world/neighbours/sharif-calls-kashmir-paks-jugular-vein/>, accessed 19 February 2016.

affecting Jammu and Kashmir (J&K) may have been strong at some point in time, India has successfully quarantined much of its influence. On its part, India has attempted to normalise relations with Pakistan; but these have yielded little results. In fact, the more India has tried to improve relations, the more it has been targeted by way of terrorist attacks. The multiple power centres existing in Pakistan find it convenient to target India, and yet not be pin pointed for the act. It also lets Pakistan shun its responsibility as a nation to reciprocate the peace initiatives of India, and evade charges of promoting terrorism and instability.

Some analysts believe that Pakistan will not give up on the Kashmir issue, and does not really want it resolved. It serves Pakistan well as a tool to pump up anti India sentiments in its citizens as a substitute for the void in its national identity, and the protection of its fragile nationhood.⁷ In her book, *Fighting to the End: the Pakistan Army's Way of War*, Christine Fair says that 'Pakistan's conflict with India cannot be reduced simply to resolving the Kashmir dispute. Its problems with India are much more capacious than the territorial conflict over Kashmir'.⁸ For the Pakistani Army too, the Kashmir conflict offers an excuse for perpetuating a war-like scenario to enjoy a special status, with superior privileges in Pakistani society.⁹

In such a situation, it is only prudent for India to see if the two dimensions of the Kashmir issue could be decoupled, and dealt with separately in order to solve the Kashmir problem. What needs to be examined is whether the essence of the security situation in Kashmir has changed since the onslaught of the insurgency in 1989, and whether the locus of the Kashmir issue has shifted from the domain of Pakistani

⁷ Ashok Behuria, 'State versus Nations in Pakistan', IDSA Monograph Series, No. 43, January 2015.

⁸ Christine Fair, *Fighting to the End: the Pakistan Army's Way of War*, Oxford University Press, 2014, Chapter 1.

⁹ Mohan C. Bhandari, *Solving Kashmir*, Lancer Publishers, 2006, Chapter 8, p. 295.

control to that within Kashmir—that is, to the internal issues lying within the state.

If this is indeed the case, then India should move swiftly to deal with the internal and external dimensions of the Kashmir problem *separately*—that is, from a position where India is fully in control. In other words, the internal issues of Kashmir involving the Kashmiri people can be addressed directly, *without* considering the Pakistani angle. The geostrategic aspects of the Kashmir issue involving its territory, along with other outstanding issues between India and Pakistan—not withstanding their extreme importance—must be dealt with *separately* as per its own policy.

SCOPE

The scope of this monograph is to focus on the changes in the security situation of J&K over the past 28 years (since 1989) when insurgency began in the state, with a particular emphasis on the changes over the last 10 years (since 2007)—when the situation was seen to be improving rapidly and the resolution to the conflict seemed imminent¹⁰—to the 2016 turmoil in the Valley which threw the Kashmir situation completely out of control.

OBJECTIVE

The objective of the monograph is to analyse the changing nature of the security situation in J&K which appeared to be improving ten years ago, to the state (end of 2016) where it was found seriously disturbed. It also attempts to find out reasons for the present problems in J&K and to recommend suitable measures to overcome them. It highlights how the security situation which had a predominant external dimension—almost completely controlled by Pakistan at the start of

¹⁰ Happymon Jacob, 'Living in Denial on Kashmir', *The Hindu*, 14 July 2016, at <http://www.thehindu.com/opinion/lead/happymon-jacob-on-jammu-and-kashmir-violent-clashes-living-in-denial-on-kashmir/article8845083.ece>, accessed 29 October 2016.

the insurgency—changed to the times when Pakistan could exert only limited control. It shows how, the security situation began to be characterised more by its internal dimension, and moves to analysing the present situation when the Kashmir trouble pot is on the boil again with increased Pakistani mentions.

After analyzing the extent of the convergence (or divergence) of the external and internal dimensions of the Kashmir imbroglio and its impact on the current security situation in J&K, the monograph attempts to see if the two can be decoupled. It argues that a predominant Indian focus on Pakistan leads to neglecting efforts to resolve the domestic component of the challenge. It is this neglect, it establishes, that becomes the primary reason for Pakistan gaining ground in Kashmir. The paper also points out to some missed opportunities, which if seized, could have offered resolution to some of the problems. It also dwells upon the present situation which, if not addressed assiduously, may offer advantages to Pakistan.

HYPOTHESES

- The salience of Pakistan has reduced in matters pertaining to governing the security situation in Kashmir.
- The security situation in Kashmir has changed; in that the locus of problems in Kashmir has shifted from the external dimension of Pakistan to internal issues within Kashmir.
- The decoupling of J&K from Pakistan for resolving the Kashmir issue is the prudent way forward for India.
- The resolution of the Kashmir issue lies in the internal domain, and involves the people of Kashmir.
- The disturbed internal situation in Kashmir gives space to Pakistan to create its own constituency.

METHODOLOGY

The study employs a historical-analytical method to carry out qualitative research work. Large amount of data and references have been drawn from existing literature, prominent newspaper articles/opinions,

websites, blogs, social media, and from the author's own experience of having served in J&K as an Indian Army officer for about six years. The author also conducted field work in the Kashmir Valley in the months of August 2015 and July 2016, and interacted with a cross section of society, including students of Kashmir University Political Science and Kashmir Studies Department (among others), media personnel, farmers, the civil administration, as well as police and army officials in Srinagar, Pulwama, Shopian, Tral, and Kupwara.

THE EXTERNAL DIMENSION

THE BACKGROUND

The Kashmir issue has its roots in the differing interpretations of historical events by India and Pakistan at the time of the Partition. The Partition was to be effected primarily on the basis of the Hindu and Muslim population of the state, though the decision of accession into one of the two dominions was vested with the rulers of the state. As per 1941 census, the Muslim population in J&K was 93.45 per cent in the Kashmir Valley, 61.35 in the Jammu region, and 86.7 per cent in the frontier regions of Gilgit and Laddakh.¹ However, despite the majority of the population being Muslim, Kashmir followed a very different syncretic culture and mixed religious practices. Accordingly, the identity of Kashmir was more ethnic than religious. The National Conference (NC) was the main political force in the state under the leadership of Sheikh Abdullah. It was launched as 'Muslim Conference' in 1932; but, in a deliberate decision, it converted itself to 'National Conference', and opened up for all the communities belonging to J&K. It had prominent leaders like Prem Nath Bazaz, Pandit Sudama Sidha, and Sardar Budh Singh representing the Hindu and Sikh communities.

The NC's conversion from a Muslim party to a Kashmiri party signified the deliberate shift in 'its focus from Muslims per se, to the people of Kashmir', writes Maroof Raza.² NC had launched a movement against the feudalistic rule of the Maharaja which was perceived to be favouring

¹ Balraj Puri, *Kashmir towards Insurgency*, New Delhi: Orient Longman Publisher, 1993, Chapter 2, 'The Question of Accession', footnotes, pp. 13.

² Maroof Raza, *Wars and No Peace over Kashmir*, Lancer Publishers, January 1996, Chapter 1, 'The History of Kashmir', p. 5.

only the few, and was oppressive to the masses. NC's 'Quit Kashmir' campaign paralleled the 'Quit India' movement of the Indian National Congress against the British. So, when the choice of either of the two dominions was to be made, NC preferred 'multicultural secular' India, which was closer to the identity of the similarly plural Kashmiri culture. Sheikh Abdullah saw the future of Pakistan as a country merely as providing a 'homeland' for Muslims, but in essence, also being dominated by feudalistic power politics. This is why he decided against joining Pakistan. 'That India provided sufficient democratic space to Kashmiri identity politics to express itself was a matter of utter satisfaction to the Kashmiri leadership', writes Rekha Chowdhary.³

On the other hand, Maharaja Hari Singh was not keen to join a 'secular' India, and fancied remaining independent.⁴ He was braving the NC campaign against himself, and had put Sheikh Abdullah under arrest on the charges of sedition on 20 May 1946.⁵ The Maharaja did not nominate any one from his state to join the Constituent Assembly of India, set up under the Cabinet Mission Plan, which had begun to function since December 1946. He refused to yield, despite warnings from Jawahar Lal Nehru, who was then the Vice President in the interim government, and the tallest claimant to the post of the first Prime Minister of independent India. Hari Singh was provided open support by the Muslim League to maintain his position. Liaquat Ali Khan, a leader in the Muslim League, declared that the states were free to abstain from being in the constituent assembly. Similar sentiments were echoed by Muhammad Ali Jinnah. Thus, the Kashmiri position dwindled down to either choosing one of the two dominions, or independence.⁶

³ Rekha Chowdhary, *Jammu and Kashmir: Politics of Identity and Separatism*, Routledge, 2015, Introduction, p. xiii.

⁴ Op. cit., Note 1, pp 4–5.

⁵ Daya Sagar, *J&K: A Victim of Personal Ambitions*, Prabhat Prakashan, 2015, Chapter 9, 'Sheikh Abdullah Wanted a Different Plan of Action', p. 41.

⁶ Op. cit., Note 1, p. 5.

Meanwhile in 1941, a rival group of Sheikh Abdullah, consisting of his earlier colleagues and cofounders of All India Muslim Conference (AIMC) namely Mirwaiz Yousuf Shah and Chaudhry Ghulam Abbas, had separated from the NC on leadership related tussles with Sheikh Abdullah, and had revived AIMC. The AIMC later advised the Maharaja to opt for independence, and to accede control of defence, external affairs, and communications to Pakistan. Post J&K's accession to India, the AIMC still maintained its stance of wanting the merger of J&K with Pakistan. Pakistan, thus, got a foothold in a limited Islamic constituency in Kashmir. However, the majority of Kashmiri Muslims, along with the larger Hindu community of J&K, supported the NC, as became evident in the result of the constituent assembly elections of 1951 wherein the NC won all 75 seats.⁷

At the time of partition—Kashmir signed a standstill agreement with Pakistan and had proposed a similar one with India—Pakistan tried to force the decision of accession upon J&K by cutting off communication routes and supplies to the state.⁸ This was followed by tribesmen invading from North West Frontier Province (NWFP), crossing into the state, and marching towards Srinagar, starting 22 October 1947. On 26 October 1947, Maharaja Hari Singh signed the instrument of accession, and J&K became part of India.

Pakistan contested it. This resulted in the first war between India and Pakistan. On 1 January 1949, a UN brokered cease fire came into effect, and the state was rendered split between the two countries. In days to come, Pakistan took the hostilities beyond the Kashmir issue, and tried to seek parity with India in every field and in the international arena. Failing to achieve superiority in conventional wars against India, Pakistan chose, in due course of time, the asymmetric and sub

⁷ Mayilvaganan, 'A Survey of Elections in Kashmir', at <http://www.ipcs.org/article/jammu-kashmir/a-survey-of-elections-in-kashmir-717.html>, accessed 14 March 2016.

⁸ J&K had its main supply routes coming from Pakistan during those days.

conventional warfare route to usurp Kashmir. By the late 1970s and beyond, one of its objectives was to seek revenge for Bangladesh and other perceived humiliations. Buoyed by the events of the Iranian Islamic revolution of 1979 and the success of Afghan *mujahedeen* against the Soviets in late 1980's, Pakistan stepped upon the route of Islamic Jihad to wrest Kashmir from India.

However, after the legal accession of J&K to India (and the continuing counter claims to it by Pakistan), the Kashmiri leadership got influenced by the desire to maintain a special status in order to attain a better bargaining position with both the countries. In May 1953, Sheikh Abdullah set up a committee to explore the option of independence and the feasibility of a plebiscite.⁹ By such doings, Kashmir inadvertently was converted into a battle ground for years to come.

Sheikh Abdullah was dismissed from the position of Prime Minister of J&K, and was arrested in 1953. He was kept in detention for 11 long years.¹⁰ His successor, Bakshi Ghulam Mohammad, did not have the same political acceptance among the masses. He spent most of his time trying to consolidate his position politically. In the meantime, a political movement with the name 'Plebiscite Front' was launched by Mirza Afzal Beg, a close confidant of Sheikh Abdullah. The Plebiscite Front became the first strong political front responsible for nurturing and keeping the plebiscite issue in J&K alive, with the result that it did not let the state consolidate within the identity of the nation of India. The issues so generated by the political dynamics in J&K, were sensed as an opportunity by Pakistan to wrest J&K from India. It began to extend full support to Kashmiri separatists.

Pakistani claim on Kashmir is based only on religious grounds, and so has been at some distance from ground realities. It has no cultural or

⁹ Wajahat Habibullah, *My Kashmir*, USA: United States Institute of Peace Press, 2008, Chapter 1, Backdrop, pp. 21.

¹⁰ Op. cit., Note 1, 'The Clash of Identities', Chapter 4, p. 30.

ethnic affinities with the state other than the long dead two nation theory. In spite of Kashmir being a Muslim majority state, the biggest road blocks in Pakistan's designs to usurp Kashmir have been – the difference in the practices of Kashmiri Islam from that of Islam in Pakistan; and uniqueness in Kashmir's cultural identity. Kashmir has always followed a syncretic version of Islam under the profound impact of Sufism. Its blended culture, called *Kashmiriyat*, accepted all religious faiths and respected their practices. Having identified these as a hurdle, Pakistan attempted to break the very fabric of Kashmiri culture by promoting the Saudi propagated fundamentalist *salafi-wahabi* version of Islam. Its attempt has been to achieve the exclusion of other faiths, polarize Kashmiri society, and bring about its eventual breakup.¹¹ In the latter, Pakistan was somewhat successful, having achieved the exodus of Kashmiri Hindus from the valley. Its attempt to carve out an exclusive Muslim constituency was rooted in benefiting from demographic dividends.

In spite of its robust secular foundations and democratic structures, the Indian state also did not demonstrate the nuanced handling it required.¹² To quote Wajahat Habibullah:

“the Indian government has exacerbated the Kashmir situation in several ways. Because it has accommodated the exigencies of national politics rather than wishes of Kashmiri people, the Indian government has been unable to develop and implement a workable long range policy for Kashmir. As a result, the government has continually found itself in a reactive rather than proactive position.”¹³

¹¹ Robert G. Wirsing, *Kashmir in the Shadow of War: Regional Rivalries in a Nuclear Age*, New York: M.E. Sharpe Inc, 2003, ‘The Problem of Religious Identity’, p. 158.

¹² Op. Cit., Note 9, p. 4.

¹³ Ibid.

India has been accused of seeing Kashmir only through the security prism as well as from a strategic point of view. It has always tried to have greater central control over the State.¹⁴ Some analysts even say that the centre has too often peeped into local politics and micro managed the State's affairs, including the placement of centre-pliant chief ministers.¹⁵ Noted author Balraj Puri is of the opinion that to better harmonize Kashmir with the idea of India and to achieve better administration, the centre gradually brought in constitutional amendments amidst popular opposition.¹⁶ Indeed, these have been perceived by the people of Kashmir as an infringement of their autonomy.¹⁷ The political resentment so generated was under-estimated by India. Arpita Anant avers that while this was not Pakistan generated, attempts to suppress it generated pro Pakistan sentiments.¹⁸

Thus, the two dimensions of the Kashmir issue got fully integrated with each other and, sensing an opportunity post the 1987 state elections (considered to be rigged),¹⁹ Pakistan exploited the situation. It offered support to the militant movement led by the Jammu Kashmir Liberation front (JKLF), although the JKLF objective of 'independence' was not in alignment with Pakistan's own objective of integrating Kashmir with itself. JKLF too, accepted it, and lived with it for close to about four

¹⁴ Bidisha Biswas, *Managing Conflicts in India: Policies of Coercion and Accommodation*, UK: Lexington Books 2014, 'The Intractable Case of Kashmir', p. 43.

¹⁵ Alfred Stepan, Juan J. Linz and Yogendra Yadav, *Crafting State-Nations: India and Other Multinational Democracies*, Baltimore: The John Hopkinson University Press, 2011, 'Four Indian Cases that Challenge Indian State Nation theory', pp 113.

¹⁶ Op. cit., Note 1, *The Clash of Identities*, Chapter 4, p. 31.

¹⁷ Ibid.

¹⁸ Arpita Anant, 'Kashmir and the Idea of India', at http://www.idsa.in/idsastrategiccomments/KashmirandtheIdeaofIndia_AAAnant_040908, accessed 24 February 2016.

¹⁹ Christopher Snedden, *Understanding Kashmir and Kashmiris*, Oxford University Press, 2015, p. 202.

years (1989–92), before realizing its mistake.²⁰ The internal and the external dimensions of J&K issue got so intermeshed that, till date, they give the impression of being one.

However, the signs of disconnect between the two issues were visible when Pakistan abandoned the JKLF in favour of the *Hizbul Mujahideen* (HM). Though it had Kashmiri cadres, the HM was controlled by Pakistani Intelligence Agency Inter Services Intelligence (ISI).²¹ Later, even the HM was dominated by more pro Pakistan *Lashkar-e-Taiba* (LeT). Several groups like The *Jaish-e-Mohammad* (JeM) and others were also propped up by Pakistan to achieve several tactical and strategic objectives of command and control, to destabilize India as well as to achieve ambiguity and ease of denial at the international level. The infusion of suicide bombers and foreign mercenaries after the Kargil misadventure resulted in further alienating the Kashmiris from Pakistan, while leading to a surge in casualty figures (see Chart 1, Fatalities due to Terrorist Violence).

PAKISTAN SUPPORTED TERRORISM LOSES SUPPORT IN KASHMIR

In his assessment in the 2008 South Asia Intelligence Review, Praveen Swami has deduced that gradually the Jihad sponsored by Pakistan in Kashmir was waning off.²² According to him, this was due to its diminishing cadre strength, the inability of Pakistan to support terrorism at the previous levels, the incapability of Pakistan to push terrorists across the LoC, growing infighting among the cadres, the lack of support from the common Kashmiri, and the Indian Army's better management of the security situation in J&K.

²⁰ Op. cit., Note 1, 'Reassertion of Kashmiriyat', Chapter 6, p. 67.

²¹ Ibid.

²² Praveen Swami, 'Kashmir's Waning Jihad', *South Asia Intelligence Review*, Volume 6, No. 39, 7 April, 2008, available at http://www.satp.org/satporgtp/sair/Archives/6_39.htm#assessment1, accessed 11 March 2016

Swami also concluded that 'believing that jihad has reached a dead-end, the Jamaat (e- Islami, J&K) has evidently decided to take the chance (to shun its support to armed militancy)²³ This had been primarily due to the people's rejection of the Pakistani sponsorship of terrorism as it was ignoring Kashmiri aspirations. Apparently, the religious connect which was attempted to be established with Kashmir by Pakistan, achieved little success owing to its disconnect with Kashmiri culture and identity.

The Pakistani attempt to radicalize Kashmiri society, and disguise its proxy war as *jihad*, did have some effects; but it could not make the larger Kashmiri society pro Pakistani. Kashmiris soon saw through the several assassinations of the moderates, including public figures such as Mirwaiz Mohammad Farooq (the Mirwaiz of Northern Kashmir, killed in 1990) and Qazi Nisar Ahmed (the Mirwaiz of Southern Kashmir, killed in 1994) by the HM which was controlled by the ISI.²⁴ A crowd of about one lakh turned up for the mourning of Qazi Nisar Ahmad, and shouted slogans like '*Hiẓbul Mujabideen Murdabad*' (death to HM) and '*jo chahega Pakistan usko milega Kabristan*' (anyone asking for Pakistan will be sent to the graveyard).²⁵

However, there were several Kashmiris who, in spite of the HM atrocities and the dictatorial track record of Pakistan, did associate themselves with Pakistan out of religious affiliations and other benefits. Pakistan was thus successful in creating a limited separatist constituency in Kashmir; but such elements remained in the minority.²⁶ The waning

²³ Praveen Swami, 'Kashmir: The autumn of the Jihad?' *The Hindu*, 19 February 2008, at <http://www.thehindu.com/todays-paper/tp-opinion/kashmir-the-autumn-of-the-jihad/article1204453.ece>, accessed 25 February 2016.

²⁴ Srikanta Ghosh, *Pakistan's ISI: Network of Terror in India*, India: APH Publishing, 2000, p. 247

²⁵ Sumantra Bose, *Kashmir: Roots of Conflict, Paths to Peace*, Harvard University Press, 2003, p. 132.

²⁶ *Ibid*, pp. 130–131.

wave of the separatist movement did get Pakistan worried, and it tried to prevail by infusing more weapons, funds, and a hardened foreign cadre.²⁷ However, the Indian Army's evolved response mechanism—that is, using minimum force, precision operations leading to minimum collateral damage and maintenance of high standards of human rights, thereby keeping the population on its own side—was able to round up the required ground intelligence to ensure the neutralization of the militants.

MISSED OPPORTUNITY: THE FAILED PEACE PROCESS

1999: The Initiation of the Process

Pakistani response to India's proposals for peace were dismissed all along, until the sense of a fading *jihad* prompted Pakistan's Prime Minister Nawaaz Sharif, in his second tenure (from 1997 to 1999), to be more amenable to reciprocating bilateral engagement with India.²⁸ This finally culminated in the Lahore Declaration, after Prime Minister Atal Bihari Vajpayee's path breaking Lahore bus journey. The imposed sanctions and international pressures on both the countries post the 1998 nuclear tests also catalysed the dialogue process.²⁹

Even this did not move Pakistan—particularly its military establishment—away from its Kashmir agenda.³⁰ Pakistani military tried one more time to wrest a portion of J&K by use of military force in Kargil, but failed. India did not let her forces go across the LoC due to

²⁷ Sudhir S. Bloeria, 'The J&K Peace Process: Imperatives of a Strategic Vision', at <http://www.satp.org/satporgtp/publication/faultlines/volume9/Article3.htm>; accessed 10 March 2016.

²⁸ Ashok Behuria, 'Pakistan's Approach to Kashmir since Lahore Agreement', *Strategic Analysis*, vol. 33, No 3, May 2009, 'Buildup to Lahore: Changing Political Context', pp. 433–449

²⁹ Ibid, 'Nuclear Tests of May 1998', p. 437.

³⁰ Ibid, 'From Lahore to Kargil', pp. 437–438.

nuclear rattling from Pakistan³¹—a factor which now lies heavy on the bilateral relations of the two countries as well as their attempts to solve issues between them.

Turning Point and Creation of an Opportunity

Post 9/11, there was an international paradigm shift against the tolerance of terrorism. Under threats of annihilation from US³², Pakistan made a complete u-turn against its own protégé, the *Taliban*, and had to join the US war on terror. India had, all along, been pointing out the Pakistani sponsorship of terrorist activities; but received only limited international acknowledgement of its stand. Due to the changed circumstances of the US led global war on terror (GWOT), Pakistan came under pressure to denounce terrorist activities in its territory.³³ In a calibrated response, Pakistan had to slow down its support to some terrorist organisations, and ban their activities—at least outwardly.

Elements in some of the Pakistani terrorist organisations—such as Jaish-e-Mohammad (JeM)—did not take the abandoning of *Taliban* or the withdrawal of Pakistani largesse towards themselves lightly, and turned against the Pakistani establishments itself.³⁴ They attempted to eliminate President Musharraf twice during November-December 2003.³⁵ Anti-Pakistan terrorist groups such as the *Tabrik-e-Taliban Pakistan* (TTP) got formed.

³¹ Lt. Gen. Mohinder Puri, 'Kargil was a lost opportunity to call Pakistan's nuclear bluff', *The Hindu*, January 20, 2016 at <http://www.thehindu.com/news/national/kargil-was-a-lost-opportunity-to-call-pakistans-nuclear-bluff-lt-gen-mohinder-puri/article8124494.ece>, accessed on 21 January 2016.

³² Reuters, 'Pakistani Leader Claims U.S. Threat After 9/11', 22 September 2006, *New York Times*, at <http://www.nytimes.com/2006/09/22/world/asia/22pakistan.html>, accessed 10 March 2016.

³³ Op. cit., Note 28, 'Post 9/11 Scenario', pp. 439–440.

³⁴ Praveen Swami, 'Behind Terror Attack, a Reborn Jihad Empire', 6 January 2016, *The Indian Express*, at <http://indianexpress.com/article/india/india-news-india/behind-terror-attack-a-reborn-jihad-empire/>, accessed 10 March 2016.

This became one of the turning points in the Pakistani internal security structures (along with the Lal Masjid raid of 2008, five years later). In these circumstances, Prime Minister Vajpayee's initiative of pursuing the peace process with Pakistan left it with no better option than accepting it. President Musharraf became amenable to the peace process. In the composite dialogues and under the 'confidence building measures (CBMs)' which ensued, the LoC ceasefire agreement (CFA) came about, in November 2003.³⁶ This ensured the security of the lives of people living along the LoC. It also gave India an opportunity to erect the LoC fence, which proved to be a game changer in the days ahead as it minimised the infiltration of terrorists from the Pakistan into Kashmir (see Chart 3).

Missed Opportunity

In 2008, Pakistan saw a change of President and the transition from military rule to elected civilian government. With Musharraf fading away from the political scene, the power centres in Pakistan again rendered split between the civilian government and the Army. The peace process between India and Pakistan gradually faded away too, as the subsequent Army Chiefs in Pakistan did not subscribe to Musharraf four-point formula or other initiatives and did not reciprocate to India's peace initiatives. The four-point formula of Musharraf, based upon back channel negotiations, envisaged *making boundaries irrelevant, demilitarisation, self governance, and [the creation of a] joint supervision mechanism*.³⁷ Apparently, this was more of a personal ambition of Musharraf rather a stand that had any strong institutional backing of the Pakistani establishment.³⁸ From the Indian side too,

³⁵ Ibid.

³⁶ Op. cit., Note 28, 'Joint Statement at Islamabad', p. 440.

³⁷ Satinder K. Lambah, 'Discussions between India and Pakistan on J&K: A Historical Perspective', *Kashmir and South Asia Digest*, UNESCO, Manjeet Singh Institute of Kashmir Studies, University of Kashmir, January 2015, pp. 228–33.

³⁸ Op. cit., Note 28, 'Joint Statement at Islamabad', p. 446.

after the 2008 Mumbai attacks, the peace process was not given finalization, and it came to a complete halt as terrorism cast its shadow on the bilateral relations between India and Pakistan.

Gradually, as terrorism gripped Pakistan internally, the Pakistani Army got increasingly occupied in it, and had to concentrate more towards its western borders with Afghanistan where it launched operation Zarb-e-Azb. As the United States Assistance Force (USAF) drawdown came closer in 2014, the Pakistani Army's engagements in that region increased in an effort to gain better control of Afghanistan, and to rein in terrorist organisations targeting Pakistan. This forced Pakistan to reduce its attention towards Kashmir. Gradually, the number of brutal attacks in Pakistan rose, sucking in its security apparatus deeply. In other words, Pakistan has been bitten by the very malaise it nurtured for India. Dastardly attacks—such as the one on school children in the Army Public School in Peshawar—started to shape some opinion against terror. The constituency consisting of intellectuals, lawyers, human rights activists, and liberals, though small in numbers, began to oppose Pakistani policy of outright support to terrorism in J&K.³⁹

However, after the series of attacks on Indian establishments by terrorists whose origins were traced to Pakistan, India retaliated strongly. It conducted a series of punitive strikes, including the publicly announced surgical strikes on 8 September 2016 across the line of control (LoC) on terrorist launch pads. This resulted in increased cease fire agreement violations by Pakistan and a massive retaliatory action by India, leading to a further deterioration in the usually-not-so-good India Pakistan relationship and a tense South Asian security situation.

Analysis of Pakistan's Influence on Kashmir

Pakistani control on J&K issues increased with the uprising of 1989, and remained high till 1995 /1996. But there was discernible

³⁹ Nadia Naviwala, 'Protesting against Terrorism in Pakistan', 18 February 2015, at <http://foreignpolicy.com/2015/02/18/protesting-against-terrorism-in-pakistan/>, accessed 10 March 2016.

disenchantment in the Kashmiri people vis-à-vis Pakistan and its separatist activities after this initial exposure of the 1990's. Thus, with the erosion in ground support from Kashmiris and the changed strategic situation, the Pakistani control on situation in J&K started to decline. It eventually reduced to a great extent with the creation of the Anti Obstacle Infiltration system (AIOS) or the LoC fence along the LoC (2003–08) as well as enhanced security measures undertaken by India. Beyond 2008, Pakistan could only exert limited influence through its sponsored separatist elements, networks, and terrorist cadres, which had significantly reduced in numbers and could be effectively tackled by the Indian security apparatus.

With the favourable management of the global strategic situation by India, the establishment of a robust security grid in the hinterland, infiltration denial at the LoC by Indian security forces (SF), and the rejection of the Pakistani sponsorship of terrorism by the people of Kashmir, Pakistani efforts to influence Kashmir by the use of terrorists were mostly blunted. In frustration, Pakistan violated the Cease Fire Agreement on the LoC as well as resorted to firing at the IB on several occasions. (See Chart 2) All these are evidences of its desperation to internationalise the Kashmir issue as a dispute. Terror attacks in India outside of J&K by elements associated with Pakistan also indicate its overall intention of harming larger Indian interests. They also show that Pakistani efforts in Kashmir were part of a greater conspiracy to wage proxy war against India through Kashmir. Due to this very reason, all peace process efforts by India (other than that during 2003–2006), were discarded by Pakistan on some pretext or the other.

The containment of Pakistani efforts in meddling with the security situation in Kashmir has been greatly successful by India. India has severed Pakistani ability to influence matters in Kashmir in any significant way, notwithstanding the recent waving of the Pakistani flag at protests by Kashmiri youth, which has been assessed to be an effort of the youth to vex India rather than their committed support to Pakistan. However, with the situation deteriorating in the second half of 2016 leading to the higher alienation of Kashmiris from India, there are fears that there will be greater receptivity to Pakistani interference in Kashmir once again.

Pakistani Objectives

While Pakistan has played sympathizer in the Kashmir issue, the real motives of Pakistan can be assessed to fulfil the following objectives.

- Overall Pakistan policy towards Kashmir has been driven by the agenda of revenge for all its failures to usurp Kashmir by force, and being defeated in its attempts.
- Avenge its defeat in the 1971 war by purging out Kashmir from India as India did by carving out Bangladesh from Pakistan.
- Achieve equality with India.
- Impede India's growth by forcing caution and increased expenditure on her security.
- Keep anti-India sentiments on the boil in Pakistan for consolidation of her own identity and integrity. This also helps the Pakistani Army maintain its hold on the country, besides ensuring a generosity of funds and perks for itself.
- Uphold its leverage on Kashmir for better bargains on natural resources.
- Garner Chinese support by meeting Chinese objectives of keeping India unsettled.
- Play the nuclear bogey to draw world fears, and pressurize India into a settlement on terms favourable to itself.
- Internationalize the Kashmir issue as a problem wherein a supposedly populist movement is being forcefully suppressed by India.
- Wrest Kashmir by invoking its religious affiliation with Pakistan. To ensure this, a fundamentalist Wahabi-Salafi oriented radicalization drive has been undertaken, Sufism has been attacked, and the ethnic cleansing of Hindus from Kashmir—especially from all areas north of the Chenab river—have been attempted.

- Maintain sympathetic constituencies of pro-Pakistan sympathizers and separatist elements in Kashmir.
- Suppress moderate voices. Blame elimination of moderates on Indian agencies.
- Sponsor terrorism and instigate violence. Suck as many Kashmiris into its vortex as possible, in order to spread a sense of victimhood and ensure its perpetuity.
- Seize every opportunity to promote agitations/protests in order to spread anarchy in Kashmir, and achieve Kashmiri alienation.
- Limit Indian options and tie down Indian initiatives.

None of the Pakistan objectives cited above indicates its desire to resolve the Kashmir issue. Kashmir remains only an excuse for Pakistan to interfere with India. Bashir Manzar, Editor-in-chief of the Srinagar based English daily *Kashmir Images*, feels that the Kashmir Solidarity Day (celebrated in Pakistan every year on 5 February) is ‘ritualistic’, and is meant only to address Pakistan’s domestic constituency.⁴⁰ In the interconnected world of today, it is a fact known to Kashmiris only too well. The condition of minorities living in Pakistan, and the social out casting of *Mohajirs* (Muslims who went to Pakistan from India after Partition) are glaring issues which give away the real truth behind Pakistani intentions as well as its inability to be an inclusive nation. Thus, support to the Kashmiri cause is only an excuse for Pakistan’s devilish designs to take revenge for all its ill perceived grievances. That Kashmiris are being used as fodder to Pakistani strategic ambitions is not hidden from Kashmiris.

⁴⁰ Gowhar Geelani, ‘Is pro-Pakistan sentiment in Kashmir still alive?’ 5 February 2016, at <http://www.dawn.com/news/1237193>, accessed 14 April 2016.

INTERNAL DYNAMICS IN JAMMU AND KASHMIR

The internal political dynamics of J&K has revolved around the distinct ethnic identity of its people rather than its religion. The National Conference's choice of accession to India, and rejection of Pakistan, was based on this similarity in identities. The Pakistani argument of accession of Kashmir to Pakistan based on its religious identity is therefore invalid. However, in the late 1980's and in 2016, slogans which supported Pakistan were found reverberating in Kashmir. Several such paradoxes make the J&K issue complex and need detailed examination of its internal dynamics.

SUPPORT TO INDIA: 1947

In 1947, the National Conference (NC) under the leadership of Sheikh Abdullah rejected the two nation theory, and endorsed the idea of association with India.¹ It was the Hindu Maharaja who had initially resisted becoming part of secular India (see Chapter 2 above). As Rekha Chowdhary has pointed out, there was a strong economic content too in the basis of Kashmiri identity politics.² The oppressed peasantry of Kashmir had strong grievances against the ruling elite. In the assertion of their rights, they acquired a nationalist identity. These grievances also took identity politics deep into the rural masses and the working classes. Sheikh Abdullah described the basis of relationship between National Conference and Indian National Congress as the 'Kinship of Ideals'.³ This relationship was the basis of his 'negotiated

¹ Op.cit., Note 3 of Chapter 2, Introduction, p. xii.

² Ibid, Political Economy of Kashmiri Identity Politics, Chapter 4, pp 71 – 88.

relationship' with India and the rejection of a relationship with 'feudal' Pakistan⁴. Based on this negotiation, Kashmir acquired a special status within Indian federal politics in the form of Article 370.

However, by 1952, Sheikh Abdullah began showing a changing position on the state's accession to India. He started supporting the plebiscite demand, and began discussing the possibility of an independent Kashmir with US and other foreign diplomats. Rekha Chowdhary, quoting Ajit Bhattachajea, gives reasons for this shift in his position: she sees it as deriving from his suspicion of the survivability of secularism in India post the Gandhi-Nehru period due to the strong campaign launched by right wing political parties against Article 370, duly supported by Congress.⁵ In the days ahead, Sheikh Abdullah fell out with Nehru.

1953: THE ASSERTION OF INDIAN NATIONALISM

Sheikh Abdullah's arrest and deposition as Prime Minister of J&K in May 1953 was the first strong assertion of the Indian state regarding the politics of Kashmir. Sheikh Abdullah was the most popular leader of the masses. His prolonged arrest led to sowing the seeds of resistance politics in the state. The Plebiscite Front's activities, which had the full support of Sheikh Abdullah, consolidated it further.⁶ Bakshi Gulam Mohammad, who replaced Abdullah as the Prime Minister, spent his entire energy and time in trying to be accepted by the people; but in vain. His govt brought in several developmental projects and economic reforms; but being 'Delhi controlled' was a tag which remained with him. Rekha Chowdhary points out that the 1953 –75 period de-

³ K. B. Jandial, in 'Why can't BJP give official status to Accession Day?' at <http://www.dailyexcelsior.com/why-cant-bjp-give-official-status-to-accession-day/>; accessed on 2 September 2016.

⁴ Op.cit., Note 3 of Chapter 2, Introduction, p. xiii.

⁵ Op. Cit. Note 3 of Chapter 2, 'Federal Logic, Nationalism and Kashmir Conflict', Chapter 3, pp. 56–57.

⁶ Ibid, Post 1953 Scenario, 'Background to Armed Militancy and Separatism', Chapter 2, pp. 33 – 34.

legitimised power politics, and mainstreamed resistance politics in the state. She asserts that the foundation of separatist politics, which manifested openly in 1989–90, can be located in the 1953–75 periods.⁷

1989: THE POLITICS OF VIOLENCE

The political developments of the years immediately preceding 1989 were hugely upsetting for the Kashmiri public. These developments saw the gradual build up of the grievances of the people against the centre which kept gathering mass. It started with the 1984 deposal of Farooq Abdullah as Chief Minister despite his huge electoral victory, and the installation of Ghulam Mohammad Shah in his place with Congress support. Some years later, Farooq Abdullah realised the importance of the centre's support for the smooth conduct of political business in J&K, and went in for the Farooq-Rajeev accord in 1987. However, this move was seen by the people as a sell out on the part of Farooq, and resistance continued to grow in the State.⁸ Thus, for people of Kashmir, on one side there was the grievance against the centre for its manipulations; on the other side there was a sense of betrayal from its own mainstream leadership. This suddenly removed the mantle of opposition from mainstream political players on to religious and other separatist forces.

The final blow to legitimacy of democratic and federal politics came in the form of what now is widely acknowledged as the 'rigged elections' of 1987.⁹ Popular revolt against the election results manifested itself in the form of a mass armed militancy movement. With the external support of Pakistan, the external and internal dimensions of the Kashmiri separatist movement blended together, and remained so for some years thereafter. The mass support to armed militancy snatched away public space completely from mainstream politics, and nearly legitimised armed militancy. However, only years later (towards the end of 1990's), popular response towards armed militancy changed,

⁷ Op.cit. Note 3 of Chapter 2, Introduction, p. xiii.

⁸ Ibid, 'Rise of Religion Based Politics and Muslim United Front (MUF)', Chapter 5, p. 99.

⁹ Op.cit. Note 3 of Chapter 2, p. 102.

and the politics of violence was de-legitimised again. Although the politics of separatism remained intact, this was captured by the mainstreaming political effort of the People's Democratic Party (PDP) led by Mufti Mohammad Sayeed in the form of—as some analysts have termed it¹⁰—‘soft separatism’ —which the author of this monograph would prefer to term as ‘soft coalescence’, for reasons explained subsequently in the monograph. This found support from the people. In other words, Kashmir accepted main stream politics, but not yet by eschewing the element of separatism.

PEACE PROCESS 1999–2007

After the decline of militancy in the latter part of 1990's, free, fair and peaceful State assembly elections have been conducted in J&K, with an increase in the numbers of voter participation in every successive election. The aspirations of the electorate, as in rest of the country, revolve around achieving basic tenets of the democratic freedom, liberty, development, growth, dignity, and personal safety as well as squarely demanding robust internal governance and adept administrative practices.¹¹ Along with it, Kashmiris are assertive about preserving Article 370 which still remains an emotive issue¹² as is evident in it being proclaimed by almost all leaders of the main regional political parties.¹³

¹⁰ Andrew Whitehead, ‘Kashmir Crisis comes full circle’, 1 January 2009, at http://news.bbc.co.uk/2/hi/south_asia/7806153.stm; accessed 14 April 2016.

¹¹ Air Vice Marshal (Retd.) Kapil Kak, ‘Jammu & Kashmir at the Crossroads: Challenges and Opportunities’, *Kapilkaksecurityanalyst* (Blog), July 13, 2015, at <https://kapilkaksecurityanalyst.wordpress.com/2015/07/13/jammu-kashmir-at-the-crossroads-challenges-and-opportunities/>, accessed 30 September 2016.

¹² ‘Either Article 370 will exist, or J&K won’t be a part of India, Omar Abdullah tweets’, *The Times of India*, 27 May 2014, at <http://timesofindia.indiatimes.com/india/Either-Article-370-will-exist-or-JK-wont-be-a-part-of-India-Omar-Abdullah-tweets/articleshow/35634684.cms>, accessed 9 March 2016.

¹³ “‘No Fiddling with Article 370,’ Says PDP Chief Mehbooba Mufti”, NDTV, 5 December 2015 at <http://www.ndtv.com/india-news/in-conversation-with-mehbooba-mufti-highlights-1251304>, accessed 9 March 2016.

However, with years of strife, the unique syncretic culture of J&K i.e. *Kashmiriyat*—which is the showcase of the Indian democracy—has been hit, and a schism forced upon its society. Migration, insecurity, and loss of lives have made people bitter, and a little suspicious about their future prospects.

However, Kashmiris responded positively when the Central and State governments attempted to resolve political issues, and tried to address their concerns. In the early 2000's, when Prime Minister Vajpayee enhanced the scope of solutions to be within '*insaniyat ke dayre men*' (in the ambit of humanity), rather than be dealt with in the narrow realm of security, people reciprocated with enthusiasm. The India-Pakistan peace process initiated by Prime Minister Vajpayee—which was pursued by him even in the face of grave provocations such as Kargil and Parliament attacks—became a kind of bench mark, and has since been repeatedly referred to and quoted by numerous commentators, including the Hurriyat.¹⁴ The peace process so initiated, and built upon further by Mr Mufti Mohammad Sayeed (who became Chief Minister after the 2002 elections), led to a series of fresh initiatives known as the 'healing touch'. This did tremendous good to the people's confidence and for shaping the environment towards the ushering of peace.

Renewed measures of the internal peace process and confidence building saw several small but significant changes. These included the removal of barricades from roads; the vacation of school buildings by security forces; unrestricted mobile communications; the increased accountability of security forces for the maintenance of human rights; and the disbandment / restrictions on the Special Operations Group (SOG) whose actions had become unpopular. The period also saw some progress on the 'composite dialogue' with Pakistan, resulting in the initiation of a few confidence building measures (CBMs), such as the trans LoC and International Boundary (IB) transport services for

¹⁴ 'It's time New Delhi looked Kashmir as a political issue: Mirwaiz', *The Hindu*, 4 July 2014, at <http://www.thehindu.com/opinion/interview/its-time-new-delhi-looked-kashmir-as-political-issue-mirwaiz/article6176680.ece>; accessed 25 February 2016.

people as well as for limited trade. Prime Minister Manmohan Singh, who succeeded Prime Minister Vajpayee in 2004, also took personal interest in carrying the internal peace process forward. He met the separatists, and conducted Round Table Conferences (RTCs) (2006-07) to address the internal issues comprehensively. The RTCs gave birth to the establishment of five working groups on all important issues concerning the State. Though led by eminent people and completed timely, much of the outcome of these groups could not be pursued vigorously.

2008–2013: BREAKDOWN OF INTERNAL PEACE PROCESS AND EMERGENCE OF PROTESTS/AGITATION POLITICS

The security situation changed drastically after the agitations of 2008 over allocation of 800 kanals (100 Acre) forest land to the Sri Amarnath Shrine Board.¹⁵ Following the withdrawal of support by PDP, the State government fell. Kashmiri society got polarised on religious lines, which manifested itself in the sharp divide between Jammu versus Kashmir sentiments due to demographic distribution.¹⁶

The following years, 2009 and 2010, saw even more agitations due to accusations of human rights (HR) violations.¹⁷ 112 people got killed in 2010 during numerous protests, which were characterised by heavy stone pelting by the local public (consisting mostly of youth) against the Central Reserve Police Force (CRPF) and the State Police. In retaliation both returned fire, resulting in fatalities.¹⁸

¹⁵ ‘Chronology of Amarnath agitation in J&K’, *Hindustan Times*, at <http://www.hindustantimes.com/india/chronology-of-amarnath-agitation-in-j-k/story-IHBhzF5VQAY1cftDl1svL.html>, accessed 29 February 2016.

¹⁶ ‘Rise above narrow interests in J&K’, 15 August 2008, at <http://www.tribuneindia.com/2008/20080816/main1.htm>; accessed 29 February 2016.

¹⁷ Rekha Chowdhary, ‘The Summer of Unrest’, at http://www.india-seminar.com/2011/620/620_rekha_chowdhary.htm, accessed 25 February 2016.

¹⁸ Sanjay Kak, *Until My Freedom Has Come: The New Intifada in Kashmir*, Penguin Books India, 2011, p. 31.

According to figures published in major news papers quoting Jammu and Kashmir Police data, 3500, 2000, and 700 youth were arrested on charges of stone pelting in 2010, 2011, and 2012 respectively; and 1155, 89 and 100 FIRs were registered against them. These landed them in jails.¹⁹ Several of them were disconnected from their vocations, and got further radicalised.²⁰ Later, the Government granted amnesty to 1811 youth who were arrested on charges of stone pelting in 230 cases.²¹

As S. M. Sahai, the then Inspector General of Police (IGP) Kashmir, pointed out, the agitations of 2008 to 2010 were not political as much as they were emotional manifestations of grievances and against HR issues.²² There were reports that Pakistan tried to fan the fire in that the ISI paid monetary incentives to the agitators through the All Party Hurriyat Conference (APHC).²³ In the years following 2010, the agitations could not be sustained at the scale seen in 2010. No doubt Pakistan would have always wanted their continuation; however, their lessening only goes to prove that Pakistan had only limited control over them.

To assuage the feelings of the people, the Government of India appointed an All Party Delegation headed by the Home Minister in

¹⁹ Syed Yasir, 'Nocturnal raids force youths to hide, evade arrests', 22 July 2014, at <http://www.kashmirtimes.in/newsdet.aspx?q=34431>, accessed 10 March 2016.

²⁰ Brig. Anil Gupta (Retd.), 'Battle of minds: Radicalization growing in Kashmir Valley', 1 Dec 2015, at <http://southasiamonitor.org/detail.php?type=sl&nid=14534>, accessed 10 March 2016.

²¹ Syed Yasir, 'Nocturnal raids force youths to hide, evade arrests', July 22, 2014 at <http://www.kashmirtimes.in/newsdet.aspx?q=34431>, accessed 10 March 2016.

²² Shiv Murari Sahai, Former IGP, Kashmir, in an interview to Ajai Shukla, 2 May 2012, at http://www.business-standard.com/article/economy-policy/radicalised-youth-bulge-a-problem-in-kashmir-shiv-murari-sahai-112050200027_1.html, accessed 10 March 2016.

²³ Seema Shekhawat, *Gender, Conflict and Peace in Kashmir*, Cambridge University Press, 2014, pp. 71.

September 2010, which visited the State. Its recommendations resulted in the Eight Point Political Initiatives on J&K, which included the appointment of interlocutors for continuing the dialogue process with all sections of Kashmiri society on behalf of the Government of India. The interlocutors submitted their report in 2011. The same has been listed on the Ministry of Home Affairs (MHA) web site.²⁴ The Government has informed that no decision has been taken on it as yet, and that it welcomes any 'informed debate' on its contents.²⁵

The years after 2010 saw relative peace in Kashmir, and the security situation improved considerably. The Army became extremely cautious, and its zero tolerance approach to human rights violations avoided further triggers. In fact, the 'heart's approach' method adopted by the Army in the valley came in for a lot of praise, and did tremendous good to its image as well as in assuaging the feelings of the '*awaam*' (common people). It brought in a perceived optimism in the environment. No Bandhs exclusively demanding 'azadi' were staged.

However, Bandhs have since emerged as preferred tool to protest. For the next two to three years, these were staged for highlighting deficiencies in governance as well as became attention grabbers for voicing demands for better amenities and services. People also learnt to use Bandhs as a tool to pin down the security forces. However, as these protests were staged very frequently and with huge success, separatists adopted them as their main political tool. In the years preceding the July 2016 showdown, there were protests being staged upon every encounter that the security forces initiated with the terrorists.

Panchayat elections for *balqa panchayats* (village level governing bodies) were successfully held in 2011 which saw an unprecedented 80% turnout of people despite threats from the terrorists and boycott calls from

²⁴ At <http://www.mha.nic.in/more3>, accessed 10 March 2016.

²⁵ 'No decision taken on interlocutors' report on Jammu and Kashmir: Government,' PTI, 22 July 2014 at http://articles.economictimes.indiatimes.com/2014-07-22/news/51882111_1_noted-journalist-dilip-padgaonkar-jammu-and-kashmir-academician-radha-kumar, accessed March 10, 2016.

the separatists.²⁶ The panchayats were formed successfully after a gap of 34 years. However, the Panchayati Raj bill which required (as per 73rd Constitutional Amendment Act of the country), the devolution of powers to the panchayats, was not implemented by the State government.²⁷ Thus, political empowerment at the grass root level did not fully materialise.

The internal peace process, which got stalled after 2008 Mumbai terrorist attacks, could never be reinitiated by the central government. A series of protests post the events of 2008 and 2010 dominated the internal scene of J&K, and the whole government machinery got involved only in controlling the immediate situation. On the external side, with Pakistan too, the relationship deteriorated. Starting with 2009, an increased number of cease fire violations took place across the line of control (LoC) which spilled over even to the otherwise settled International Boundary (IB). Incidents of actions by border action teams (BAT) were carried out between India and Pakistan. In January 2013, several gruesome beheadings of Indian soldiers were carried out by Pakistan sponsored teams which completely vitiated the atmosphere.²⁸

Moreover, Pakistan did not proceed on taking any action against the Mumbai terror accused, in spite of Indian government providing hard evidence. The opposition parties mounted charges on the central

²⁶ H.S. Gill, 'Local Governance in Jammu and Kashmir: Historical Perspective and Future Trends', at <http://www.claws.in/914/local-governance-in-jammu-and-kashmir-historical-perspective-and-future-trends-h-s-gill.html>, accessed 10 March 2016.

²⁷ Ibid. Because of the special status and separate constitution of J&K, the Panchayati Raj Bill and the constitutional amendments to the Indian Constitution for enacting changes in matters of local body governance, are not applicable to the State of J&K. To enact Panchayati Raj in the State, the Government of J&K enacted its own version of the Panchayati Raj Bill; however, it later failed to expand its scope which, in the case of rest of the country, was done through the 73rd constitutional amendment.

²⁸ 'India Pakistan Border Skirmishes of 2013', at https://en.wikipedia.org/wiki/2013_India%E2%80%93Pakistan_border_skirmishes, accessed 12 March 2016.

government about being soft on terror. On 9 February 2013, the central government decided to hang the Parliament attack convict, Afzal Guru, who hailed from Sopore in Kashmir. A big undercurrent of resentment was reported in the Valley over this action of the government, though large scale protests were not seen. This event eventually turned out to be the initiating point for a fresh round of agitations in the Kashmir Valley.

SITUATION AFTER 2014

The floods of 2014 saw huge devastation and human tragedy in the Kashmir Valley. The state government fell short of public expectations in its relief and rescue efforts.²⁹ State elections followed shortly after, which diverted the attention of the people. After elections, the government formation with the PDP and BJP partnership was considered to be an unusual alliance as the parties were considered diametrically opposite ideologically.³⁰ But it ushered in a new era of regional cooperation and hopes of development. It presented a truly representative government wherein the regional aspirations of the Kashmir valley as well as Jammu would be addressed. Both the parties chalked out an 'agenda of alliance' to address the concerns of both political constituencies. However, several months later, many commentators have accused the government of not having implemented the agenda of alliance.³¹ They attribute its non

²⁹ 'Clueless in Kashmir', *India Today*, 14 September 2014, at <http://indiatoday.intoday.in/story/kashmir-floods-omar-abdullah-government-rescue-operations/1/383682.html>, accessed 1 March 2016.

³⁰ Ashok Bhan, 'Forecast 2016: Jammu and Kashmir Politics and Security', 8 February 2016, at <http://www.ipcs.org/article/peace-and-conflict-database-early-warning-and-conflict-alert/forecast-2016-jammu-and-kashmir-politics-and-security-4985.html>, accessed 10 March 2016.

³¹ 'J&K: Centre, state clueless, Mehbooba must quit, says ex-interlocutor', 21 August 2016, at <http://indianexpress.com/article/india/india-news-india/kashmir-centre-state-clueless-mehbooba-must-quit-says-ex-interlocutor-2988071/>, accessed 11 September 2016.

implementation as one of the reasons of the present situation of unrest and protests that emerged after the Burhan Wani incident.

At this point of time there were reports of entry of a newer breed of home grown terrorists into the militancy domain. Soon they have outnumbered the foreign i.e. the Pakistani terrorists. The new terrorists are educated and have good communication skills. They use social media to attract other youth. They also enjoy considerable local support and sympathy. Apparently, they are short of weapons and ammunition, and are resorting to weapon snatching. Lately, the acceptance of Pakistani militants among the locals has been reported once again.

The militants' strength has risen once again after a sharp fall in 2012. The number of encounters has also increased significantly in last few months. But along with the encounters significant resistance is being faced by the security forces from the local population during the conduct of these encounters, who through protests and stone pelting try to help the terrorists escape. Although, it is logical to assume that the terrorists' numbers can never grow to the strength of the 1990's in present times due to the positive control over the situation by the security forces, however, their rise poses a threat to the establishment of complete peace in the Valley, without which no economic progress can be sustained, or normalcy return. It could also pose a threat to democratic exercises, such as the conduct of free and fair elections, which may embarrass India in the world community.

The increase in numbers during the protests, including that of youth and women, along with near total compliance of Bandh calls given by separatists, indicates a surge in popular resentment towards the status quo in the stalled peace process and sense of strong alienation among masses. While briefing the press in July 2015, Lt. Gen. Hooda, previous Army Commander Northern Command, said, '... of course, there is a sense of alienation. Let us not hide it or shut our eyes to it'.³² Numerous

³² 'Army concerned over Kashmiri youth joining terror groups', 19 Jul 2015, at <http://indianexpress.com/article/india/india-others/army-concerned-over-kashmiri-youth-joining-terror-groups/>, accessed 28February 2016.

youth have died during the protests and several have suffered grievous injuries including eye injuries from the pellet gun firings. The government initiative of all-party delegation's visit to meet the stake holders, this time, has not been successful. With the passage of time, a disquieting peace has got settled in J&K, but its perpetuity does not seem assured.

OVERALL SECURITY SITUATION: 1988–2016

Violence levels in J&K had declined sharply after the internal and external peace processes initiated in 1999 by Prime Minister Vajpayee. The optimism that had built up after the initiation of this peace process was pursued by Prime Minister Manmohan Singh till around 2007. This resulted in a demonstrable trend of a sharp decline in violence levels, cross LoC infiltrations, and Cease Fire Agreement (CFA) violations (see Charts 1–3). Fall in overall violence corresponded to the drastic fall in the ground support extended by local Kashmiris to the terrorists and separatists.³³ The CFA violations again picked up after 2009, as the peace process began to melt down.

From a high of about 4500 in 2001, the casualty figures dropped to the range of 100–200, the lowest being 117 in 2012.³⁴ From 2008 onwards, civilian casualties in terrorist violence continue to be lower than security force (SF) casualties. In 2015, civilian and security force casualties had dropped, even as more terrorists were eliminated; but in 2016, the numbers of both security forces personnel and terrorists killed have gone up sharply. Besides these terrorist related fatalities, more than 200 civilians have been killed during protests between 2010 and 2016. Thus, while terrorist related violence is down, the separatist emotion in the Kashmiri society has seen a sharp rise over the last few years, and particularly in 2016. Besides stone pelting by youth, there has been mass participation of people in strike calls given by the Unified

³³ Op. Cit., Note 22 of Chapter 2.

³⁴ Fatalities in Terrorist Violence 1988–2016, http://www.satp.org/satporgtp/countries/india/states/jandk/data_sheets/annual_casualties.htm, accessed 17 January 2016.

Separatist Camp. This has been evident in the number of closed shops, businesses, schools, and offices. There are also reports of increased local recruitment in terrorist rank and file. During a visit to Tral—the native village of Burhan Wani—in August 2015, the author was told by a local woman whose son was a terrorist, that ‘everyone in Kashmir is a militant now’. Although this was an exaggerated proclamation, it did reflect prevailing sentiments. As reported by the media, kids in their early teens were seen controlling movement on the streets. These kids were said to be even defying the calls of the Hurriyat leadership, and were reported to be acting on their own.

There is also another stream of people who, in all these years, have sought progress and a brighter future for themselves by joining the mainstream of the country. Students in large numbers are attempting to clear tough national entrance exams such as IITs and other medical colleges. Several students have cleared the civil service examinations³⁵ in recent years; some have even secured coveted top positions, and many more participated in the exclusive coaching classes organised for them by the army and civil administration during the winter vacations. Youths in large numbers have been seen turning up for recruitment rallies of the army and other security forces. However, it has been reported that several separatist elements bring pressure on students to participate in the protests. These inimical forces burnt down more than 40 school buildings during the protest period of 2016. Hurdles have been created for the progressive lot of young people by those with a separatist agenda. However, there have been encouraging reports of community tuition classes organized in several localities (which were affected by curfew), for students who could not attend regular classes.

While the situation in the Kashmir Valley improved after five months of fatigue and the coming of winter, the overall security situation in Kashmir in the second half of 2016 could certainly be described as one of the most disturbed in recent years.

³⁵ ‘Nine Jammu and Kashmir candidates, including 3 women, crack civil services’, 5 July 2015, at http://articles.economicstimes.indiatimes.com/2015-07-05/news/64112198_1_urdu-jammu-and-kashmir-north-kashmir, accessed 11 March 2016.

CHART 1
Fatalities in Terrorist Violence : 1988 – 2016
 Source : SATP (satp.org)

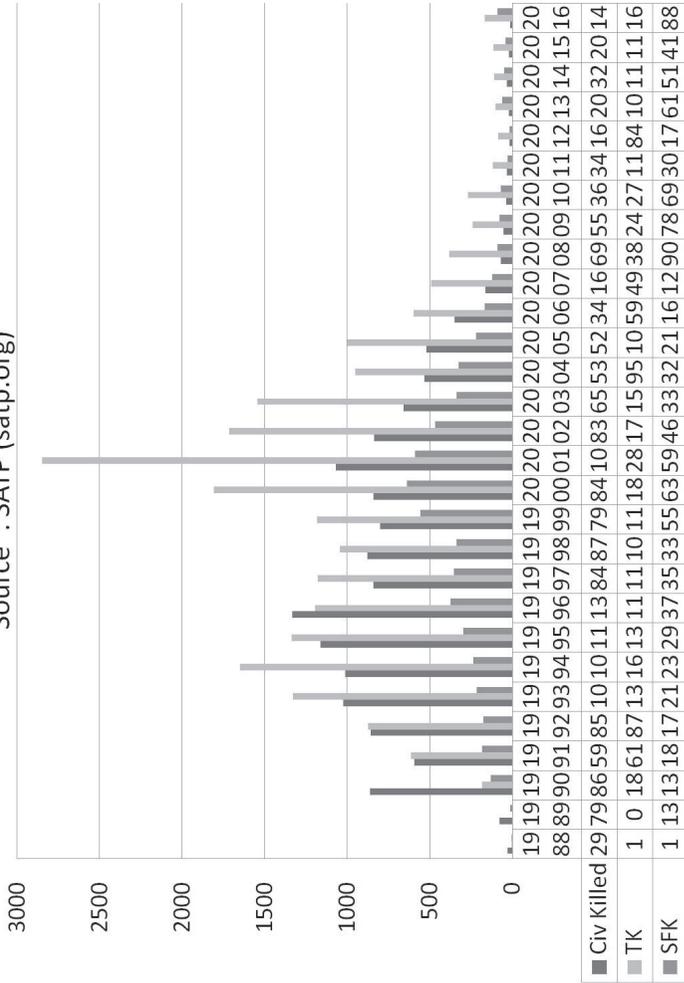
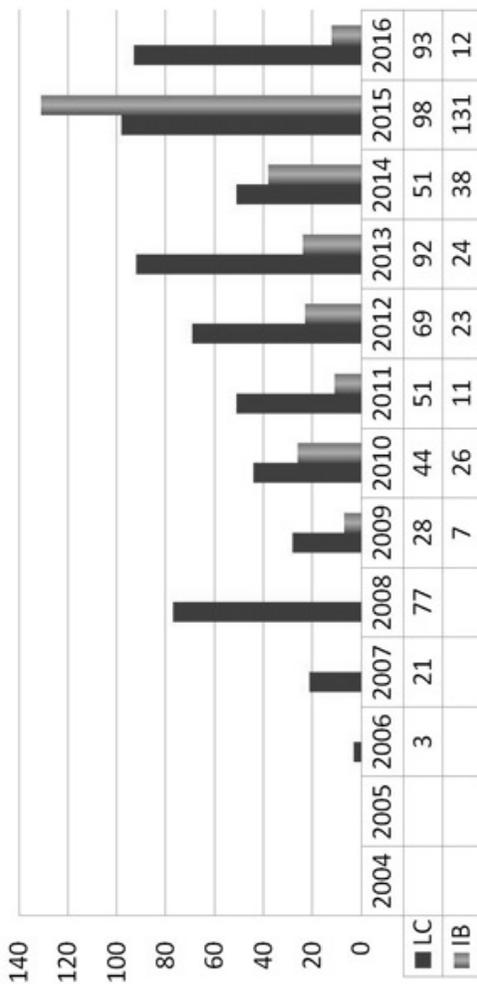


CHART 2³⁶

Cease Fire Agreement Violations on LC and IB

Source : SATP (satp.org) wef 2009 – 2016 & ET (economictimes.indiatimes.com) wef 2004 - 2008

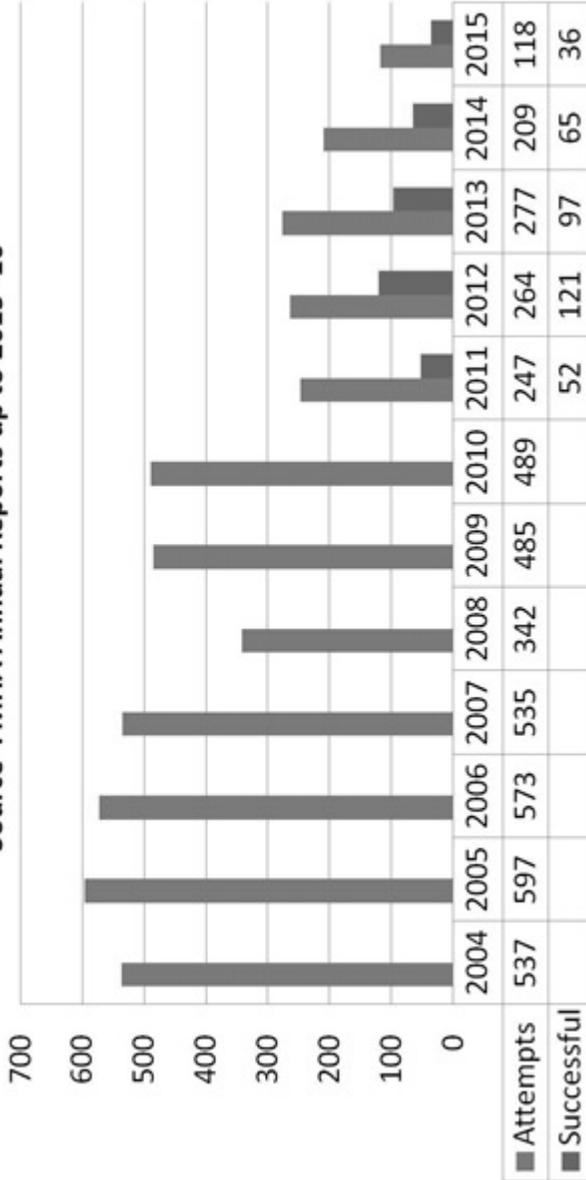


³⁶ 'J&K: 2014 records 562 ceasefire violations; highest in 11 years' at http://articles.economictimes.indiatimes.com/2014-12-28/news/57462630_1_ceasefire-violations-border-ceasefire-heavy-firing-and-shelling; and 'CFA Violations: 2009-2016' at http://www.satp.org/satporgtp/countries/india/states/jandk/data_sheets/CFAviolations.htm; accessed 11 March 2016

CHART 3

Estimated Infiltration Attempts and Successful Crossovers

Source : MHA Annual Reports up to 2015 -16



BUILD UP TO PRESENT SITUATION

The tendency of today's youth to pick up guns against the state, knowing well that their death is imminent, is worrisome. It indicates the degree of hopelessness and anguish which has gripped some sections of Kashmiri youth. The disaffection of such serious intensity has roots in all the domains affecting lives in Kashmir—political, socio-cultural, religious, and economic.³⁷

There is a sense of mistrust against main stream political parties with the realisation that they are more inclined to stay in power by compromising their principled positions rather than meeting aspirations of the people. The historical context to Kashmiri politics is replete with instances of changes in the heads of government, and opportunistic alliances providing the background to the prevailing mistrust.³⁸ In 2014 state assembly elections, the majority of the Muslims in the valley voted for PDP. However, after the PDP-BJP combine government came to power; fears of centre-controlled politics in the state came alive. A political vacuum also got created in the opposition space in the Valley after formation of the government, and the separatists became the de-facto rallying point for many.

A large numbers of young Kashmiris were jailed in 2010 for agitations and stone pelting. Many of them were again taken into preventive detentions on several occasions to ensure law and order. This led to many young people nursing grudges against the police and the security

³⁷ Kapil Kak, 'Jammu & Kashmir at the Crossroads: Challenges and Opportunities', 13 July 2015 at <https://kapilkaksecurityanalyst.wordpress.com/2015/07/13/jammu-kashmir-at-the-crossroads-challenges-and-opportunities/>; accessed 12 March 2016.

³⁸ Balraj Puri, *Kashmir towards Insurgency*, New Delhi: Orient Longman Publisher, 1993, Chapter 5, 'Beyond Democracy; the Logic of Alienation', pp 50–51.

³⁹ Fahad Shah, 'Kashmir's Young Rebels', 22 August 2015 at <http://thediplomat.com/2015/08/kashmirs-young-rebels/>; accessed 24 January 2016.

forces. Detached from their vocations, and fed with provocative narratives on the social media,³⁹ they got radicalised and joined terrorist ranks.

Unemployment too is a major reason of youth frustration. Tourism has been down in the last two years due to the disturbed security situation as well as the floods of 2014. Kashmir has limited industries and enterprises. Civic amenities are considered poor and weather conditions are harsh, leading to limited days of productive work. There are also allegations of corruption and nepotism in many government departments,⁴⁰ especially in getting jobs, leaving people frustrated and despondent.

At the socio-cultural and psychological level, the young generation of Kashmiris has seen violence and agitations all their lives. They have seen several encounters and the heavy presence of security forces, instilling a sense of fear and uneasiness in society. A large number of them suffer from psychological traumas and nurture deep grievances against security forces and the state. Several are in mental asylums or resorting to drug addiction. Increasing numbers, including women, are committing suicide.⁴¹ The increase in percentage of suicides in J&K in 2011 (over 2010) was 10.8 per cent, and in 2012 (over 2011) stood at 44.3 per cent,⁴² the second highest in the country. There are no worthy goals to be pursued and limited role models available to infuse optimism.

⁴⁰ NDTV, 'Corruption a Major Challenge in Jammu and Kashmir: Mufti Mohammed Sayeed', 6 April 2015, at <http://www.ndtv.com/india-news/corruption-a-major-challenge-in-jammu-and-kashmir-mufti-mohammed-sayeed-752653>; accessed 24 January 2016.

⁴¹ 'Government indifferent to spiralling suicides in Kashmir', *Deccan Herald*, 10 Aug 2014, at <http://www.deccanherald.com/content/424549/govt-indifferent-spiralling-suicides-kashmir.html>; accessed 24 January 2016.

⁴² 'Suicides', Chapter 2, Fig 2. 3, pp. 172 of reports of National Crime Records Bureau of 2011 and 2012, at <http://ncrb.nic.in/>; accessed 24 January 2016.

At the same time, the sustenance of life is not difficult in Kashmir. With heavy inflow of central funds and numerous subsidies/incentives, the youth is not struggling on an everyday basis to earn their daily bread. However, it is the higher motives of life which remain unfulfilled in the closed, clamped down society. Umpteen provocations and the availability of radical content in the social media, combined with the Islamic belief of attaining martyrdom serve as a strong motivating factor to pickup guns.⁴³ The *Janaza* prayers of dead terrorists attract thousands, and provide a big spiritual inspiration for the youth who see picking up of the gun as a transformational phenomenon which will change their status from being insignificant to becoming a local hero.

The 2014 September floods had devastating effect on the normal lives and businesses in the valley. The state governments' response was found inadequate. The state went in for the assembly elections within three months of the floods, affecting relief and rehabilitation. After the elections, government formation took three more months. Thereafter, a generous special financial package for J&K amounting to 80,000 crore rupees (12 billion USD), was announced by the central government in November 2015; but many felt that it was delayed given the urgency of repairing the damage caused by the floods.⁴⁴ Later, some reports indicated that even after the delayed announcement, money was not released in time to those affected.⁴⁵

⁴³ Brig. Anil Gupta (Retd.), 'Battle of minds: Radicalization growing in Kashmir Valley', 1 December 2015 at <http://southasiamonitor.org/detail.php?type=sl&nid=14534>; accessed 10 March 2016.

⁴⁴ Peerzada Ashiq, 'Congress, traders upset with J&K's flood relief package', 14 November 2015, at <http://www.thehindu.com/news/national/other-states/congress-traders-upset-with-jks-flood-relief-package/article7874514.ece>, accessed 23 January 2016.

⁴⁵ 'Authorities fail to complete flood relief distribution', 21 April 2016, at <http://www.greaterkashmir.com/news/kashmir/authorities-fail-to-complete-flood-relief-distribution/215332.html>, accessed 11 September 2016.

There were also numerous instances of in-fights between the coalition partners PDP and BJP,⁴⁶ Both were considered to be in an antithetical alliance for government formation due to their differing and opposing ideologies. The PDP's efforts to reach out to separatists and Pakistan were criticised by the BJP and its affiliate groups.⁴⁷ The overall situation led to inaction and political confrontation. With the demise of the Chief Minister Mufti Sayeed, the rift became more pronounced, and the government formation itself hung in uncertainty for three months.⁴⁸ After the formation of the government with Mehbooba Mufti as the Chief Minister, the political turmoil continued.⁴⁹

Several other controversial issues, which were not in the forefront earlier, came alive to highlight the fault lines in the state. The issue of state sovereignty gained prominence. Petitions and counter petitions were filed on issues such as the flying of state flag at par with the national flag, the beef ban, and the reversion to the post of 'Sadr-e-Riyasat' in place of the Governor. The beef issue saw violence in the state—and even inside the State Assembly. The judiciary had to step in to control the matter because of divisive opinions prevailing in the government.

The rumours regarding the government's plan to setup exclusive townships for Kashmiri migrants and the enactment of government

⁴⁶ 'J&K Deputy CM Nirmal Singh skips meet called by Mufti', 25 November 2015, at <http://indianexpress.com/article/india/india-news-india/jk-deputy-cm-nirmal-singh-skips-meet-called-by-mufti/>, accessed 23 January 2016.

⁴⁷ 'BJP's Strong Message to New Ally PDP: "Mend Your Ways or Else"', 10 March 2015, at <http://www.ndtv.com/india-news/on-separatist-masarat-alams-release-pdp-says-centre-should-have-known-745568>; accessed 23 January 2016.

⁴⁸ 'In J&K, clear Signals from the Governor', *Asian Age*, 6 February 2016, at <http://www.asianage.com/editorial/jk-clear-signals-governor-030>, accessed 12 March 2016.

⁴⁹ "'Centre needs to take steps to fulfill agenda of alliance" Mehbooba Mufti', 15 May 2016 at <http://indianexpress.com/article/india/india-news-india/centre-needs-to-take-steps-to-fulfill-agenda-of-alliance-jk-cm-mehbooba-mufti-2802349/>, accessed 11 September 2016.

industrial policy 2016—which provisioned for the grant of land on long lease to non state subjects for setting up industries—created a furore in the State. Separatists—and even main stream political parties—protested against it. It came in the midst of an already heated up atmosphere where there was a growing protest against the state government over several issues.

On the militancy front, in the last two years (2015–2016), Kashmir began seeing an increase in the recruitment of locals into terrorist cadres.⁵⁰ As per government figures, there was increased local recruitment in 2015 as compared to 2014.⁵¹ In August 2015, Lt. Gen. Subrata Saha (Corps Commander, 15 Corps), expressed concern about the increasing numbers of Kashmiri youth joining militancy. According to Lt. General Saha, ‘Several motives are being exploited by recruiters, including religious radicalisation, discontent due to personal or academic failures, links with terrorists and over-ground workers, and the desire for recognition or status’.⁵²

There have also been reports of the participation of the educated youth in this new drive. Many from affluent families and hailing from relatively urban backgrounds, opted to pick up guns and became terrorists,⁵³ thus indicating that poverty is not the reason for their choice.

⁵⁰ ‘Kashmir’s new militant tide’, *India Today*, at <http://indiatoday.intoday.in/story/kashmir-s-new-militant-tide/1/455226.html>, accessed 17 January 2016.

⁵¹ Rajya Sabha informed by Minister of State in the Ministry of Home Affairs, Shri Haribhai Parathibhai Chaudhary vide Question No 2792, on 23 December 2015, at <http://164.100.47.4/newsquestion/ShowQn.aspx>, accessed 17 January 2016.

⁵² Lt. Gen. Surata Saha, General Officer Commanding 15 Corps, ‘Increasing number of Kashmiri youth taking to militancy’, August 26, 2015, at <http://www.thehindu.com/news/national/increasing-number-of-kashmiri-youth-taking-to-militancy/article7583005.ece>, accessed 17 January 2016.

⁵³ Shashank Ranjan, ‘Shifting Profile of Militancy in Kashmir Valley’, at <http://www.claws.in/1426/shifting-profile-of-militancy-in-kashmir-valley-shashank-ranjan.html>, accessed 3 October 2015.

Aware of the impending dangers of being identified and killed, new militants, led by Burhan Wani, had adopted the method of posting their pictures and videos on social media sites in defiance of the authority of the state, and so cast a super hero image of themselves for others to emulate.⁵⁴

There have been occasional waving of the flag of the Islamic State in Iraq and Syria (ISIS or IS) or DAESH (al-Dawla al-Islamiya fi Iraq wa ash-Sham). These have been dismissed by security agencies as mere posturing, and have not been seen as carrying any significant threats.⁵⁵ However, at the same time, both Al Qaida and IS are attempting to create constituencies in J&K. A video purportedly issued by Al Qaeda's Al Zawahiri,⁵⁶ has called the Muslims of J&K to fight against Indian authorities while highlighting incidents of Gujarat, Assam and J&K. IS has also spelt out its 'Khorasan philosophy' which proposes to extend its regime to include parts of India, including J&K. Quoting from the Islamic State's in-house magazine *Dabiq*, Praveen Swami has written of the Islamic State's Khorasan wing being committed to 'expanding to Kashmir'.⁵⁷ Incidents of weapon snatching were reported along

⁵⁴ Naseer Ganai, 'Terror on WhatsApp and Facebook', 3 October 2015, at <http://www.dailymail.co.uk/indiahome/indianews/article-3259012/Militancy-2-0-Kashmir-s-new-tech-savvy-militants-enlisting-volunteers-social-media.html>; accessed 17 January 2016.

⁵⁵ 'ISIS flags in Kashmir: "more adventure and mischief than inspiration"', *Hindustan Times*, 26 December 2015, at <http://www.hindustantimes.com/india/isis-flags-in-kashmir-more-adventure-and-mischief-than-inspiration/story-ZfufsiXSszsYhNI7ZZfZxO.html>, accessed 17 January 2016.

⁵⁶ 'Al-Qaida video urges Muslims in Kashmir to wage jihad on India', at <http://www.theguardian.com/world/2014/jun/14/al-qaida-video-muslims-kashmir-jihad-india>, accessed 17 February 2015.

⁵⁷ Praveen Swami, 'Islamic State threatens to expand to Kashmir', *Indian Express*, 3 February 2016, at <http://indianexpress.com/article/india/india-news-india/islamic-state-threatens-to-expand-to-kashmir/>,

with some disenchanted policemen running away with weapons.⁵⁸ It indicated shortage of arms with the terrorists and difficulty in getting them from Pakistan.

The overall number of terrorists in the state until July 2016 was around 200.⁵⁹ By the end of 2016, it has gone up to 300.⁶⁰ This is still less than in the days when militancy was at its peak. However, the larger component of these militants has turned local; it is in the ratio of approximately 60:40, as compared to foreigners.⁶¹ This trend reversal as compared to earlier days should be a cause of concern. Post the Burhan Wani incident, there has been a likely addition of about 100 fresh local militants into terrorist cadres.

The most worrisome aspect of the current situation has been the increase in the number of disruptions and Bandhs. Also, just before the Burhan Wani incident, there was an increase in open civilian support for terrorists. Inspector General of Police (IGP), Kashmir range, Syed Javaid Mujtaba Gillani, admitted the new challenge in March 2016 by pointing out that civilians were aggressively intervening in the ongoing police and military operations.⁶² People in large numbers were taking to protests whenever

⁵⁸ 'Snatch a weapon to turn a militant: Why the new trend in J&K has security agencies in a bind', 27 January 2016, at <http://www.firstpost.com/india/snatch-a-weapon-to-turn-a-militant-why-the-new-trend-in-jk-has-security-agencies-in-a-bind-2600832.html>, accessed 17 February 2016.

⁵⁹ '74 foreign militants active in J&K', 12 November 2015, at <http://www.risingkashmir.com/news/74-foreign-militants-active-in-jk/>; accessed 17 February 2016.

⁶⁰ Op. Cit., Note 4 of Chapter 1.

⁶¹ <http://timesofindia.indiatimes.com/india/More-Kashmiri-youth-joining-militants-becoming-a-source-of-major-worry/articleshow/48416834.cms>, accessed 10 March 2016.

⁶² Peerzada Ashiq, 'Civilian protests in Kashmir help militants escape: police', 9 March 2016, at <http://www.thehindu.com/todays-paper/tp-national/civilian-protests-in-kashmir-help-militants-escape-police/article8328833.ece>, accessed 10 March 2016.

any encounter took place between security forces and terrorists. Women too were found participating in these protests in large numbers. They took to singing songs of valour, and have been reported as eulogizing terrorists in chorus by using the public address systems of local mosques.⁶³ In spite of police advisories and restrictions, many of the protestors travelled long distances to take part in the dangerous protests, risking tear gas shells and pellets.⁶⁴

The number of people attending the funeral rites of dead terrorists—including Pakistani ones—has increased. In the case of Abu Qasim (the LeT commander killed in October 2015), in spite of him being a Pakistani, the numbers at his funerals were reported to be as high as 20,000.⁶⁵ Militants were said to have fired in the air in an attempt to offer a gun salute at his grave. Funeral prayers were also held at numerous places as ‘prayers in absentia’, and people from three districts are known to have clashed with each other trying to claim a terrorist’s body for burial at their own places.⁶⁶ In contrast, the attendance at the funeral of the chief minister of J&K, Mufti Mohammad Sayeed—who died in office on 7 January 2016, and who was once an extremely popular main stream political leader—was a meagre 5,000, which included

⁶³ ‘Pampore encounter: Amid sounds of gunfire, anti-India slogans, songs praising militants’, *Indian Express*, 24 February 2016, at <http://indianexpress.com/article/india/india-news-india/pampore-encounter-amid-sounds-of-gunfire-anti-india-slogans-songs-praising-militants/>, accessed 10 March 2016.

⁶⁴ ‘J&K police issues advisory on encounters’, *Times of India*, 19 February 2016, at <http://timesofindia.indiatimes.com/city/srinagar/JK-police-issues-advisory-on-encounters/articleshow/51050373.cms>, accessed 10 March 2016.

⁶⁵ ‘LeT commander Abu Qasim’s killing: Police claim big victory, but attendance at funeral reflects sobering reality’, at <http://www.firstpost.com/india/let-leader-abu-qasims-killing-cops-claim-big-victory-but-attendance-at-funeral-reflects-sobering-reality-2489990.html>, accessed 17 January 2016. Numbers remain unverified.

⁶⁶ Ibid.

government officials and members of his Party. This factor has been attributed to the renewed disaffection towards mainstream politics.⁶⁷

Even the separatist organisations have gained more ground in the last five years and seen consolidation. From being on the brink of insignificance, they have attracted greater media attention. The disparate factions of the Hurriyat have merged. Syed Ali Shah Geelani, Chairperson of the hard liner group, has successfully reorganised his outfit by appointing 'in-charges' in all regions and at multiple levels across J&K.⁶⁸ After the protests started in July 2016, all the separatist factions have united and formed a Unified Separatist Camp.

Societal polarisation along religious lines between Jammu and the Kashmir regions is yet another manifestation of the emergence of a sensitive and complicated security scenario having political ramifications. There were protests on the issue of having a separate All India Institute of Medical Sciences (AIIMS) for Jammu when one was announced for Srinagar. The possession of state-provided weapons and ammunition by the Village Defence Committee (VDC) members in the Jammu region, 80 per cent of whom are Hindus, was another issue about which there were protests. This has serious implications in the communally charged up environment (especially in Chenab Valley region) which has seen communal riots in the past. However, both the principal parties of the government took opposite stands on the subject.

With the general perception going against the mainstream political parties in the government, and the absence of any mainstream opposition party (the NC + Congress government had been just voted out of power), has created a sudden vacuum in the opposition space. This space has been filled by the Unified Separatists Camp and the militants.

⁶⁷ 'Poor turnout at Mufti funeral worries PDP', at <http://www.thehindu.com/news/national/other-states/poor-turnout-at-mufti-mohammad-sayed-funeral-worries-pdp/article8114978.ece>, accessed 17 January 2016.

⁶⁸ 'Geelani Appoints Shabbir Shah at Number 2', *Indian Express*, 26 November 2015, at <http://indianexpress.com/article/india/india-news-india/syed-ali-shah-geelani-appoints-shabir-ahmad-shah-as-no-2/>, accessed 23 January 2016.

Burhan Wani's elimination was only a trigger to the already charged up and deteriorated law and order situation. The fact that people protested against the killing of an established and self confessed terrorist who had waged armed rebellion against the state, indicates that people in general came to accept armed militancy as a justified tool for separatist politics—a situation similar to that which existed in the late 1980' and early 1990's.

J&K AND PAKISTAN: DECOUPLED

This chapter examines the coupling of the J&K issue with Pakistan, and the extent of this linkage by taking into account the events that have affected J&K in recent past.

The basis of the Pakistani claim on Kashmir as per the two nation theory has been proved wrong with the cessation of Bangladesh from Pakistan, and also because of the fact that there are almost an equal number of Muslims in India as in Pakistan.

The plebiscite issue too is irrelevant now, as the very first condition set by the UN for conducting the plebiscite— that is, the demilitarisation of the Pakistan occupied Kashmir (PoK)—was never carried out by Pakistan. Now, with the changed demography in PoK and altered territorial boundaries of the erstwhile princely State of J&K, the issue has long turned meaningless and impractical.

As far as the geographical territories of PoK and Gilgit-Balstistan (erstwhile Northern Areas) are concerned, the Indian Parliamentary resolution of 1994 specifies them to be an integral part of India.¹ Pakistan has recently indicated that this area be made its 5th province. This move is unacceptable to India. To this extent, it links Pakistan with the J&K issue intimately. Priyanka Singh (IDSA) argues that,

“Disturbing the existing equilibrium could significantly deflate Pakistan’s Kashmir rhetoric ... ‘Gilgit Baltistan’s constitutional

¹ Parliament Resolution on Jammu and Kashmir, adopted on 22 February 1994, at http://www.satp.org/satporgtp/countries/india/document/papers/parliament_resolution_on_Jammu_and_Kashmir.htm, accessed 2 March 2016.

inclusion would not only upset the Kashmir politics, but also [be a] detriment to Pakistan's case on the region formulated over the years (of resolving J&K issue as per UN resolution).²

However, the fact that Pakistan is cogitating over a proposal shows that there is realism dawning on Pakistan regarding J&K. This subject being beyond the scope of this paper, is not dealt with any further.

Pakistan has only a limited connect with J&K on the basis of ethnicity and culture. In fact, one of the main reasons for Sheikh Abdullah resisting J&K's accession to Pakistan was the larger cultural disparity. On this score, Kashmiris have very little expectations from Pakistan. In fact, those parts in Pakistan which have different cultures and ethnicity are mostly up in arms, and want separation from Pakistan due to the biased treatment meted out to them.³ Violence against the Shias, Ahmadias, Baloochs, Muhajirs, Baltiks, Pakhtoons, etc. is a regular occurrence in Pakistan.⁴ In the connected world, Kashmiris are well aware of these facts. Pakistan gives only limited freedom to its citizens, but cleverly spreads misinformation about religious restrictions in India. Residents of PoK who came across the LoC to J&K using the trans-LoC bus services, have been reported as being aghast at the Pakistani misinformation about the Indian side of Kashmir.⁵ They were given

² Priyanka Singh, 'Gilgit Baltistan as Fifth Province: Reconciling with the Status Quo?', 4 March 2016, at http://idsa.in/idsacomments/gilgit-baltistan-as-fifth-province_psingh_040316, accessed 12 March 2016.

³ Farhan Hanif Siddiqi, *The Politics of Ethnicity in Pakistan: The Baloch, Sindhi and Mohajir Ethnic Movements*, Routledge, 2012.

⁴ Syed Kashif Ali, 'The violence against minorities in Pakistan', 29 October 2015, at <http://www.dailytimes.com.pk/opinion/29-Oct-2015/the-violence-against-minorities-in-pakistan>; accessed 12 March 2016.

⁵ Sumona Dasgupta, 'Kashmir and the India-Pakistan composite dialogue process', S. Rajaratnam School of International Studies, Singapore, 21 May 2015, at <https://www.rsis.edu.sg/wp-content/uploads/2015/05/WP291.pdf>; accessed 19 January 2016.

to believe that there was no freedom for the Muslims in J&K to pray and practice their religion. Similar dismay has been expressed by several captured Pakistani terrorists.⁶

The law and order situation in Pakistan is also known to Kashmiris where extra judicial killings, regular bomb blasts on streets, mosques, and schools are usual occurrences.⁷ Selective assassinations of even the most prominent people are not uncommon.⁸ Pakistan has not hesitated to use heavy weapons and fighter aircraft on its detractors.⁹ The 2014 Pakistan Protection Act has been questioned by several human rights organisations. This Act not only gives sweeping powers to the Army for summary trials but also the power of execution, with provisions of limited appeal and review.¹⁰

A large number of Kashmiris with whom the author interacted, came out strongly against Pakistan for poor human rights record, its revisionist policies, and the dictatorial attitude of its leaders. They are mindful of the fact that several Kashmiri moderates and revered personalities have been killed by Pakistani agencies, and that the Kashmiri interests are not central to Pakistan.¹¹ The new breed of militants from Kashmir

⁶ Ibid.

⁷ 'At least 60 killed in the blast at Shikarpur imambargah', 31 January 2015, at <http://www.dawn.com/news/1160444>; accessed 19 January 2016.

⁸ 'The assassination of Pakistan's Minister for Minorities is another alarming example of the country's radicalisation', 2 March 2011, at <http://ecrgroup.eu/news/assassination-of-pakistan%E2%80%99s-minister-for-minorities-is-another-alarming-example-of-the-country%E2%80%99s-radicalisation/>; accessed 19 January 2016.

⁹ 'Pakistan army launches "major offensive" in North Waziristan', 15 June 2014, at <http://www.bbc.com/news/world-asia-27858234>; accessed 19 January 2016.

¹⁰ Phelim Kine, 'Pakistan's dangerous anti-terrorism law', 21 July 2014, at <https://www.hrw.org/news/2014/07/21/pakistans-dangerous-anti-terrorism-law>; accessed Jan19, 2016.

¹¹ Srikanta Ghosh, *Pakistan's ISI: Network of Terror in India*, India: APH Publishing, 2000, pp. 247.

have only loose ties with Pakistan¹²—apparently mindful of the treatment meted out to JKLF militants and the Kashmiri cadre of HM. Kashmiris have suffered silently, with extremely poor treatment of the locals at the hands of the foreign terrorists (FTs) who, during the peak of militancy, forcibly took away young boys to enrol as militants, and did not spare even the female folk from exploitation.¹³

After the Burhan Wani episode, there has been surge in pro Pakistan sentiment in Kashmir. This has been so not for any great optimism in Kashmiris towards Pakistan; it is more due to intense sentiments against India, as numerous fatalities and injuries have been suffered by the people at the hands of the local police and Indian security forces in the protests. Sometimes, even Chinese flags have been waved by protestors in recent agitations; however, there is no reason to believe that there is any desire on the part of the Kashmiri people to be a part of China. These acts are, apparently, acts of desperation to seek world attention, and to pester Indian authorities. Anuradha Bhasin, Executive Editor of the Jammu based *Kashmir Times* believes, ‘Well, it is perhaps the deep anger against the Indian state and deep-rooted alienation with India’s treatment of Kashmir’ which is responsible for this action.¹⁴

However, Pakistan based terrorist groups are, once again, attempting to make inroads into Kashmir by infiltrating their cadres to carry out spectacular attacks on Indian security establishments and Army posts. These desperate means adopted by Pakistan are futile efforts to gain the approval of Kashmiris and to champion the Kashmiri cause. The Kashmir Day celebrations in Pakistan (5th February every year) is one such example. However, as Anuradha Bhasin points out, ‘Pakistan

¹² Sandeep Unnithan, ‘Kashmir’s new militant tide’, 30 July 2015, at <http://indiatoday.intoday.in/story/kashmirs-new-militant-tide/1/455226.html>; accessed 19 January 2016.

¹³ M. G. Chitkara, *Kashmir Imbroglia: Diagnosis and Remedy*, APH Publishing, 1996, pp. xxiv.

¹⁴ Gowhar Geelani, ‘Is pro-Pakistan sentiment in Kashmir still alive?’ 5 February 2016, at <http://www.dawn.com/news/1237193>, accessed 14 April 2016.

maintains that it lends moral, diplomatic and political support to the struggle of Kashmiris. However, of late, the people in Kashmir have become suspicious of Pakistan's state policy. Also, Kashmir Day has been reduced to mere symbolism.¹⁵

The 'armed militancy' component of the separatist movement does get affected by the presence of Pakistani terrorists in Kashmir. However, their sustenance largely depends on the ground support extended by common Kashmiris, which had reduced substantially over the last decade. However, due to the changed security situation today, this ground support is assessed to be high again. To that extent, the Kashmir issue gets coupled with Pakistan. Herein lies the challenge for the Indian state to address the internal domestic issues of Kashmir in order to remove grievances, and build a favourable internal situation to reduce Pakistani support.

There are an equally large number of Kashmiris who want to leave the past behind and adopt the path of peace and progress. They are participating in the electoral processes with enthusiasm, and painstakingly working hard for a better future. Several have questioned the Hurriyat in the recent past for their instigation which brings bloodshed to Kashmiris and the proxy war from Pakistan which is being played at their cost.¹⁶ Many villages have even refused to bury militant dead bodies in their villages.¹⁷ Cheering for the Pakistani teams in cricket matches was a normal thing in Kashmir earlier; but this had started to change, and on several occasions youth were seen cheering for India.¹⁸ A silent

¹⁵ Ibid.

¹⁶ Ajaz Ul Haque, Letter to Geelani', 5 December 2015, at <http://www.greaterkashmir.com/news/opinion/story/203426.html>, accessed 13 March 2016.

¹⁷ Nazir Masoodi, 'Village by the Line of Control Refuses to Bury Pampore Attackers', 24 February 2016, at <http://www.ndtv.com/india-news/village-by-the-line-of-control-refuses-to-bury-pampore-attackers-1280572>, accessed 13 March 2016.

¹⁸ Op. Cit., Note 14.

majority of peace loving people do not come out in the open to express themselves, but their delinking from Pakistan and separatists is evident.

There is little doubt that the Kashmir issue has become a major problem primarily because of Pakistan's active support to terrorism in terms of men, material, training grounds, resources, and ideology. Over a period of time, however, the Pakistan's capability to create problems in J&K is only limited to cross LoC/IB, firing, and suicidal missions which could be undertaken by infiltrating terrorists into India for sensationalism. Having a limited support base, these terrorists remain vulnerable to being reported by locals. Pakistan can still render ideological support, internationalise issues, and exploit the situation if the people of Kashmir turn towards it impulsively—to seek its support out of frustration, resentment, or from a sense of alienation from India. The pacification of all these becomes core Indian responsibility.

Any efforts to address Kashmir through the resolution of India-Pakistan relations and ignoring the internal peace process within Kashmir will turn out to be counterproductive. It is feared that due to grievances against the Indian state, Pakistan may find more acceptance amongst the masses in Kashmir.¹⁹

In such a situation, the prudent way forward for India is to address the J&K issue internally, decoupled with Pakistan. Relations with Pakistan may be dealt as a separate India-Pakistan policy.

¹⁹ Yashwant Sinha, 'Alienating Kashmiris will help Pakistan take advantage of situation', 4 March 2017, at <http://indianexpress.com/article/india/alienating-kashmiris-will-help-pakistan-take-advantage-of-situation-sinha-4554163/>, accessed 6 March 2017.

RETURN OF KASHMIRI PANDITS

The return of Kashmiri Pandits to their original native home land is a key factor in finding a lasting solution to Kashmir problem. Kashmiri Pandits are not only integral part of Kashmiri society but also the essence of *Kashmiriyat*, the melting pot of syncretic Kashmiri culture, without which the argument of Kashmir's integration with secular India remains incomplete.

EXODUS

In the late 1980s, with the onset of militancy in Jammu and Kashmir, Kashmiri Pandits were forced to migrate in large numbers from the Kashmir Valley—their homeland for centuries—to safer places like Jammu and Delhi. This was one of the biggest internal displacements in the post-Independence history of India. Their exodus followed the persecution of several of their community members at the hands of terrorist organisations who, backed by Pakistani agencies, undertook a sustained and systematic campaign to cleanse the Valley of Hindus, the main ethnic minority. The threat posed by these terror outfits drove hordes of Kashmiri Pandits to leave their houses and lands behind amidst the chaos. Several hoped that the turmoil would end soon, and they would return to their native places. However, continued hostilities prevented them from returning to the Valley, and many of them sold their properties and assets in distress, or simply gave them up as they had been either encroached upon or damaged.

RELIEF AND REHABILITATION EFFORTS BY GOVERNMENT

At present, there are a total of about 63,500 registered Kashmiri migrant families, including about 2,000 families each of Sikhs and Muslims, the remaining being Pandit families.¹ Many of these families are living in

¹ *Annual Report 2015 – 16*, Ministry of Home Affairs (MHA), Government of India, p. 11, at http://mha.nic.in/sites/upload_files/mha/files/

government-established relief camps in the Jammu region, while others have moved into rented spaces or bought their own properties. About 808 Pandit families—comprising about 3,500 persons—are still living in the Kashmir Valley as they chose not to migrate.²

The Government of India's focus on providing financial assistance/relief and other initiatives to give succour and support to the affected has been within the broad policy premise that those who have migrated will eventually return to the Valley. This has so far led to two-pronged government efforts: providing sustenance and housing in migrant camps (5,242 'two-room tenements', as in 2016)³ at four places in the Jammu region to alleviate the migrants' living conditions; and offering jobs along with living space in transit accommodations (723, as in 2016)⁴ at seven places in the Kashmir Valley (Vessu – 250, Hall – 65, Baramulla – 130, Kupwara – 60, Budgam – 200 and Anantnag – 18) to encourage their rehabilitation. Besides transit accommodation, special government packages for those who have opted to get rehabilitated in the Valley also include monetary support for the construction of new houses, compensation for the property lost, continuation of free rations, and scholarship to children. Out of the 3,000 jobs announced in 2009, around 2,000 jobs have been offered to Kashmiri migrants. 3,000 more jobs have been announced in 2015, along with the announcement of

AR(E)1516.pdf, accessed 28 September 2016. Data duly amended with the latest figures provided by the Relief and Rehabilitation Commissioner, Jammu, Government of India, as on October 10, 2016.

² Revenue Minister, J&K, Raman Bhalla on 23 March 2010 in reply to a question in the J&K Assembly in Jammu, *The Hindu*, 24 March 2010 at <http://www.thehindu.com/todays-paper/article734089.ece>, accessed 29 September 2016.

³ Details of shelters listed at *Camps*, under *facilities* at <http://jkmigrantrelief.nic.in/camps.aspx>, accessed 4 October 2016.

⁴ Figures provided by the Office of Relief and Rehabilitation Commissioner, Jammu on 10 October 2016.

the construction of 6,000 more transit accommodations in the Valley for the migrants.⁵

ACHIEVING RETURN AND AFFECTING REHABILITATION

The return and rehabilitation plans of the government have not met with any significant success. Only two families have returned under these schemes so far.⁶ Moreover, the majority of the 1,700 appointees, who were staying in the transit accommodations in the Kashmir Valley under the government rehabilitation programme, quickly moved out after the eruption of protests in July 2016, thus reflecting the instability of the rehabilitation programme.⁷

Also, the announcement of the creation of ‘composite colonies’ to facilitate the rehabilitation of the migrants by offering living spaces while simultaneously addressing their security concerns met with strong protests, and led to disturbed conditions throughout the Valley.⁸

Among the many reasons for the failure of the rehabilitation programs, the first and the most important is the sense of insecurity among Kashmiri Pandits. This has two dimensions: the fear of Pakistan sponsored terrorism; and the lack of trust between the Pandits and the local Muslim population in the Kashmir Valley. The second reason is the lack of living spaces for the Pandits to move back to their original habitats. Several have lost their land and houses. In other cases, families

⁵ ‘Cabinet Approves the Proposal to Provide State Government Jobs and Transit Accommodations in the Kashmir Valley for the Rehabilitation of Kashmiri Migrants’, Press Information Bureau, Government of India, 18 November 2015, at <http://pib.nic.in/newsite/PrintRelease.aspx?relid=131618>, accessed 4 October 2016.

⁶ Op. Cit., Note 4.

⁷ As told to the Author by Sanjay Tickko, convener Kashmiri Pandit Sangharsh Samiti (KPSS), Srinagar on October 02, 2016.

⁸ Bashaarat Masood, “Separatists’ Meet: ‘Kashmiri Pandits Welcome but Not Separate Colonies’”, *The Indian Express*, 13 June 2016, at <http://indianexpress.com/article/india/india-news-india/sainik-colony-jammu-kashmir-pandits-ali-shah-geelani-2849553/>, accessed 2 October 2016).

have grown in size, requiring more space than what they had left behind. Yet another reason for the non return of the migrants is the establishment of new in life styles and socio-economic structures by migrants in their new places of settlement, from where they would not like to be uprooted again.

Thus, a sound and durable rehabilitation programme needs to address the insecurities of the migrants and help establish a long lasting relationship with the erstwhile society to which they belonged. Foremost would be to establish peace and stability in the Kashmir Valley. Second, would be to create an atmosphere of trust between the two communities—the Kashmiri Pandits and the Kashmiri Muslims. As of now, a large section of migrants—especially those living in migrant camps—distrust the Muslims. They do not believe the claims made by Muslims about wanting to welcome the Kashmiri Pandits back in the Valley as true. Many believe that in the first place, it was a conspiracy on the part of the Muslims to have created conditions for their ouster. However, an objective study shows that it was the fear psychosis created by Pakistan promoted militant groups which led to the exodus of the Pandits.⁹ The Muslims themselves, having been intimidated, were rendered voiceless. This study finds that the majority of the common Kashmiri Muslims support the rehabilitation of the Kashmiri Pandits. However, opinions do differ about the place of rehabilitation: should they be resettled in their original locations? Or, should they be moved into specially constructed colonies in the valley?

Third, a multipronged approach needs to be undertaken to facilitate the creation of living spaces for the migrants in the Valley. For example, the creation of transit accommodation with considerably bigger living spaces for job seekers (to enable them live along with their families) under the government rehabilitation programme; monetary grants for the purchase of real estate for those migrants who intend moving into their old locations; and the creation of ‘composite colonies’ for those

⁹ Proceedings, panel discussion on “Relief and Rehabilitation of Kashmiri Migrants” held at IDSA on September 20, 2016.

not wanting to move into the old locations but still looking for safe dwellings in the Valley through due social process and the involvement of multiple stakeholders.

Thus, the decision of migrants to return to their original habitats or not to return is seen to be influenced by several factors. Prominent among them is their 'connect' with Kashmir's society, its culture, people, and places. The prospects of economic survival, growth and prosperity are also important factors. However, all of these are irrelevant if the security environment in the Valley is not perceived as conducive. The lasting rehabilitation of the migrants would be possible only if the Kashmir Valley appeared to hold more promise than their current dwelling place in terms of growth, prosperity, happiness, and a sense of overall fulfilment.¹⁰

Dr Sandeep Mawa, convenor of Jammu Kashmir Reconciliation Front (JKRF), working for the rehabilitation of the Kashmiri Pandits in their original habitats in the Valley, believes that return of Kashmiri Pandits to the Kashmir Valley is feasible.¹¹ As per him the Pandits can go back to their erstwhile neighbourhoods without any inhibitions as he believes that common Kashmiri Muslims are more than welcoming to the idea of their return. In a unique experiment, Dr Mawa arranged for 15 Kashmiri Pandit families consisting of 50 members to go from Jammu and Delhi to stay with their Muslim counterparts in Srinagar for a period of one week from 13 to 20 June 2016.¹² These families consisting of women and children stayed in the Muslim households and were given a warm welcome. He claims that this experience boosted their confidence of returning to their old neighbourhoods, into their own

¹⁰ Ibid.

¹¹ Dr Sandeep Mawa's presentation at panel discussion on "Relief and Rehabilitation of Kashmiri Migrants" held at IDSA on September 20, 2016.

¹² NDTV, 'In Kashmir Neighbourhood, An 'Experiment' To Bring Pandits Back Home', 21 June 2016 at <http://www.ndtv.com/india-news/in-kashmir-neighbourhood-an-experiment-to-bring-pandits-back-home-1421471>, accessed 23 June 2016.

houses in the Valley. According to Dr Mawa, there are about 500 more families consisting of about 1,800 persons, who had requested him for a similar exposure in the Valley, inspired by the first batch of Pandit returnees. The deteriorated security situation in the Valley has put their plans on hold but they are still confident of undertaking their long-awaited journey back to their homeland. They along with Dr Mawa believe that the key to rehabilitation is interaction between the two communities.

Given the disturbed security environment in the Valley, it is extremely difficult to achieve rehabilitation only by the provision of space for habitation or even jobs for sustenance. A people-to-people connect is seen as a strongly desirable element to build trust and sense of security among communities in society. In the absence of this, settlements would become the target of inimical elements which, in the context of the Kashmir Valley, would fail to create foolproof security perception among the inhabitants.

The rehabilitation of Kashmiri migrants also needs to be seen and projected in the larger perspective of Indian secularism and multiculturalism, which received a setback at the hands of Pakistani designs to harm India's national interests and the Kashmiri culture by bringing about the exodus of Kashmiri Pandits through terrorist activities. Today, Kashmiri Muslim society is sensitive to this blow to its secular image, and wants to make amends. The rehabilitation of Pandits in the Muslim majority Kashmir Valley is likely to set a shining example of goodwill and religious harmony. In fact, *Kashmiriyat* can set an example not only for Kashmiris themselves but for the rest of country as well as the world at large, wherein large sections of different societies are grappling with the problem of ethnic and religious friction.

THE WAY AHEAD

Finding a solution to the intricate J&K issue has been one of the biggest governance challenges of independent India. The country has tried in multiple ways to address the issue. In this, managing relations with Pakistan has been a major thrust area from the strategic perspective. Settling the unrest which is very internal to J&K has often been approached within this frame work. While the situation has been managed to a great degree, it has come at the cost of its people, and has the tendency to flare up time and again. To seek a long lasting solution, it requires up-scaling the objective from being one of conflict management to conflict resolution. This entails addressing the notion of separatism besides the militancy—an issue which cannot be tackled by military alone as it requires political steadfastness. It beckons the highest order of political will, at the levels of both the central and state governments.

While new formulae for the resolution of the issue may be endeavoured for, what is needed is a revisit of the numerous studies which have already been conducted. Several eminent persons, groups, and organizations have suggested ways and means to resolve the issue. Several working group and expert committee reports have been prepared in the recent past. Many of these carry valuable suggestions which need appropriate implementation.

For mainstreaming the State into the national stream, a number of administrative measures are required to be taken to ensure good governance. Some measures for the long term resolution of the Kashmir issue are enumerated in the following paragraphs.

DECOUPLING PAKISTAN FROM KASHMIR

For the resolution of the Kashmir issue, J&K needs to be decoupled from Pakistan. Pakistani objectives vis-à-vis India are very capacious and go beyond the resolution of the Kashmir issue. Predicating the

Kashmir issue on the resolution of India Pakistan relations is, therefore, an imprudent strategy.

Pakistan has only limited capacity to influence the Kashmir issue. In that too, it can influence only the militancy component. Even for militancy, its efficacy largely depends on the ground support of the people. The political issue of separatism in Kashmir is the larger challenge for India. Therefore, there is an urgent need to address issues internally. This is most necessary given the present situation which is fast deteriorating. The longer these internal issues lie simmering, the more Pakistan may find its interfering capabilities getting effective.

ADDRESSING KASHMIR THERAPEUTICALLY

Kashmiris are a sensitive people with peculiar psychology. Many analysts have elaborated on this aspect while suggesting solutions for Kashmir.¹ The country needs to win Kashmiri trust—the way Prime Minister Vajpayee won it. This requires assuring them of an underlying sincerity of effort, and a commitment to the resolution of the problem. It also requires overcoming and prevailing over the vested interests of various stake holders, and dealing with the vast empires of the political economy which have emerged due to the long duration of the issue in existence.

Firstly, the matter needs to be addressed therapeutically immediately. The deep trauma that the Kashmiris have suffered during the closedown phase in the second half of year 2016 requires healing. Families having that have suffered deaths require consolation. Several youth who have suffered injuries require treatment. Businesses as well as individual daily bread earners who have incurred huge losses require relaxation as well as government support to get them back on their feet. An environment of acceptance needs to be built up to address the situation immediately at hand. The onus of bringing normalcy must be the responsibility of

¹ A. S. Dulat, *Kashmir: the Vajpayee Years*, Harper Collins India, 2015, Chapter 1, Introduction, pp. xx.

the state. Only then will the sense of ownership of Kashmir by India be enforced in the perception of the Kashmiris, and the sense of an Indian nationality come to prevail.

POLITICAL MATTERS AND PERSONAL GRIEVANCES

Kashmir has always had a 'political issue' which remains to be settled. However, over a period of time, due to the prolonged duration of the movement and conflict, the injuries and losses suffered by the people have added another component to the Kashmir issue. Thus, now two issues are required to be addressed: one, the larger political issue pertaining to Kashmiri history, culture, identity and autonomy; and second, assuaging the wounds received by the people in the past 25 years of conflict. Only then will they be pacified so that they can be incorporated into the mainstream and their alienation be purged.

Political Matters

There is little doubt that the solution to the Kashmir issue will emerge from the political domain. However, the challenge is to achieve consensus in a multilayered society such as accrues in J&K. It requires regular interaction at various levels among the political players to achieve cohesion without further polarizing society. The PDP-BJP coalition could be the best answer to bridge the gap between the two important regions of the State, and needs to be supported by all to affect good governance.

There is also a requirement to afford regional parties a larger say in the coalition government² since they represent local ambitions, and play the very important role of establishing links between the people of the

² Ashok Bhan, 'Forecast 2016: Jammu and Kashmir Politics and Security', 8 February 2016 at <http://www.ipcs.org/article/peace-and-conflict-database-early-warning-and-conflict-alert/forecast-2016-jammu-and-kashmir-politics-and-security-4985.html>, accessed 10 March 2016.

state and the centre. A consensual approach to finding solutions for various tricky issues would be the best way forward. Sticking to the agenda of alliance is a safe and balanced way to move forward during these times when the state has just emerged out of much turmoil, and is limping back to normalcy. Given longer duration of peaceful times, the state is likely to catch up on the pro-India narrative which it had been building up in last ten years. Such an approach would be more effective in winning over the population and mainstreaming them rather than any forced legislations.

The rise and popularity of the PDP—a party which had practiced the policy of ‘soft separatism’ (as some analysts claim) as an alternate mainstream political answer to separatism—is a good example of how the opposition space could be captured through the democratic process. The PDP had overturned the separatist sentiment of the 90’s gradually, and was been moving towards building a robust pro Indian perception through ‘soft coalescence’ which was misperceived as ‘soft separatism’ by some. However, it got derailed due to the sudden push for nationalism which was too unsubtle. The Kashmiris found it odious, and revolted in large numbers. Therefore, the internalization process must be given time. No hard landing onto a nationalism platform must be forced or expected in the short term for ensuring the long term success of the mainstreaming of Kashmir.

The autonomy issue can be dealt by extending the same in such a way that it fulfils Kashmiri aspirations while still preserving Indian sovereignty. Tampering with Article 370 is bound to raise a conflict of interest. It symbolises the ‘negotiated relationship’ of Sheikh Abdullah with the Indian leadership, therein making Kashmir special but very much part of the larger federal structure of India. It has worked without any big problems so far, and should work in future too. The ‘fore-grounding’ of Article 370 needs to stop, and be pushed into the background so that the real issues assume centre stage. A declaration stating the maintenance of the status quo with Article 370 would serve as an assurance, and help settle down the issues.

The sense of greater autonomy and self governance could be achieved through the devolution of powers to local bodies and panchayats. It is essential to empower these bodies and other such small organisations as well as NGOs which work for the empowerment of people at the

grass root levels in promoting trade, entrepreneurship, skill development, communal harmony, arts, culture, music, and intra state regional dialogues, etc. There is need to affect the 73rd amendment to the national constitution in J&K too for the greater empowerment of grass root democracy, thereby promoting self governance. Empowering panchayats will also defang local religious leaders who emerge as the de-facto power centres in the absence of any other local leadership, and may indulge in spreading a radicalised view of religion due to their authority remaining unchallenged.

Giving space to the political opposition and nurturing its growth is not such a farfetched idea: it could channelize discontentment and make for a more mature democratic force. A credible opposition is desperately needed in Kashmir to defang the separatists and the politics of militancy.

Personal Grievances: Assuaging Wounds

The second issue of assuaging wounds requires a series of actions involving the reduction of violence to the extent possible, soft policing (such as use of non lethal means) for riot control, and the establishment of the rule of law in the remotest of areas.

There is also need for greater sensitivity by the administration and grievance redress. Cases of alleged human rights violations requiring investigation—especially the ones reported after the period of 2008 when there was a drop in militancy—need to be expedited. The guilty, if any, must be punished, and matters brought to closure. Finally, there is a need for the establishment to commiserate with people for the loss of lives. Extending an apology where due may also be a good way forward to assuage wounds, and to compensate for losses which cannot be made good anymore. On the people's side, it would require reconciliation.

DIALOGUE

While speaking to the All Party Delegation in the aftermath of the 2010 agitations, Prime Minister Manmohan Singh said, 'I recognize that the key to the problem is a political solution that addresses the alienation and emotional needs of the people. This can only be achieved

through a sustained internal and external dialogue.³ However, after the break in external dialogue links (2008), even the internal dialogues have ceased. The last meaningful interactions were carried out only by the interlocutors in 2010–11, wherein the people had shown amazing enthusiasm to the outreach of the interlocutors, and had assembled in hundreds from a wide cross section of the society to offer suggestions. In the absence of the implementation of their suggestions, further interactions have died out. These need to be revived. The interlocutors in 2010–11 could not interact with the separatists. This in a way undermined the dialogue.

For arriving at a workable solution, dialogue is the only way forward,⁴ and in this, all stake holders need to be taken aboard. After the 2016 upheaval, the hardening of positions by separatist camps towards dialogue—as is evident in the ‘All Party Delegation’s’ failure to initiate dialogue with the separatists in September 2016—must be treated as mere posturing as well a mark of protest for the non-implementation of previous dialogue outcomes. The deadlock must be broken— as was successfully done by the five member delegation led by Yashwant Sinha in October 2016.⁵ Efforts towards sustained dialogue must take into account such disruptions as also provocations from the players of the proxy war, and must build in sufficient cushions of tolerance. It needs to be understood that, in the absence of dialogue, opposing forces often resort to violence as a means to express themselves.

³ Prime Minister Manmohan Singh’s Opening Remarks at the Meeting of All Party Delegation from J&K, 10 August 2010, at <http://www.pib.nic.in/newsite/erecontent.aspx?relid=64559>; accessed 10 March 2016.

⁴ Editorial, 22 August 2016, at <http://www.hindustantimes.com/editorials/dialogue-is-the-only-way-forward-in-kashmir/story-fO0rKBbY1xUh3iDcJZ5YGP.html>, accessed 23 August 2016.

⁵ Yashwant Sinha-Led Civil Society Delegation to Kashmir Meets Hurriyat Chief, 26 October 2016, at <http://thewire.in/76193/yashwant-sinha-geelani-kashmir/>, accessed 4 November 2016.

ADMINISTRATIVE MEASURES

Various administrative measures for efficient and good governance need to be taken. These include proper utilisation of central funds, infrastructure built-up, transparency in governance and several other reform measures. Corruption being a major malaise needs to be stemmed with the help of modern practices and tools such as robust information technology (IT) expertise available. The main focus should be to energise the administration for efficient governance and revamping the hard hit areas particularly in South Kashmir and rural interiors.

The dilapidated state of the economy of J&K is a major concern. The state's GDP for the Financial Year 2014–15 retarded at the rate of (-) 1.57 per cent over the previous year, being at Rs 45,126.30 crores.⁶ This is much lower than even the occasional financial assistance that the state receives from the centre. The state's expenditure in almost all the areas is more than revenues generated. In spite of being endowed with abundant water resources, the state reels under electricity cuts and power shortage, leaving the people harassed in harsh weather conditions.

Employment is another big challenge. J&K has the third biggest proportion of government employees in the country (3,585.96 per 100,000 of population);⁷ yet it has the largest unemployed youth ratio.⁸ The output of horticulture, which is the mainstay of Kashmir, has fallen because of damaged crops due to insecticide resistant strains. It

⁶ J&K Economic Survey Part 1, Directorate of Economics & Statistics, J&K, at <http://www.ecostatjk.nic.in/ecosurvey/EcoSurvey201415vol1.pdf>; accessed on 5 March 2016.

⁷ Praveen Swami, 'Figures bust myth India's bureaucracy is "bloated"', 30 January 2012, at <http://www.thehindu.com/news/national/figures-bust-myth-indias-bureaucracy-is-bloated/article2843014.ece>; accessed on 5 March 2016.

⁸ 'J&K Has Highest Unemployed Youth in India', 23 March 2014, at <http://www.jammu-kashmir.com/archives/archives2014/kashmir20140323b.html>; accessed on 5 March 2016.

requires modern research to overcome the problem. Similarly, tourism is affected due to security concerns. Outside investments in the state can only be expected to increase, post improvement in the overall situation.

There are approximately 3,000 persons alleged to have disappeared during the peak of the insurgency,⁹ having become victims of either the operations of the security forces or the atrocities of the terrorists. However, the absence of any conclusive end to their disappearances keeps their relatives—in the thousands—looking for them all around. The ‘Association of Parents of Disappeared People’ organises solidarity meets in their memories every 10th day of each month. This keeps the wounds alive, and prevents issues from settling down. There is need to declare these missing persons as dead after due investigations. This requires the opening of a department for grievance redress in the state secretariat to formalise matters, which are otherwise being dealt with—in an ad hoc manner—by numerous NGOs and HR organisations.

A discreet project that could be undertaken is to quietly rebuild one or two districts and a few select villages to be showcased as model townships. These districts may be helped in becoming thriving centres for education, non disrupted commercial activities, and tourist hubs. The progress so achieved by the residents of such places within Kashmir could present a perceptible lesson for others to emulate, and adopt a more progressive approach.

There are a large number of administrative and good governance measures required to be undertaken. Several of these have been exhaustively covered in the reports of working groups and interlocutors, listed at the end of this paper.

⁹ ‘Government declares 2305 persons as disappeared’, at <http://www.earlytimes.in/m/newsdet.aspx?q=100319>, accessed on 5 March 2016.

YOUTH

In J&K, as in the rest of the country, there is a huge demographic bulge with about 70 per cent of Jammu and Kashmir's population estimated to be under 35.¹⁰ Many of these youth have a keen interest in doing well as is evident in school examination results and participation in competitive exams. However, the frequent Bandhs bring confinement and uncertainty about their future. Markets remain closed, and even the exams get postponed indefinitely. There is a prevailing insecurity due to raids and the number of security checks. These youth having been born and brought up in the phase of violent militancy and having seen security clamp downs and restrictions all their lives, have become psychologically hardened. They perceive things differently as compared to other young people in the country. A sense of doom and insecurity always lingers in their subconscious. They feel that many of their leaders have failed their expectations. They have grown suspicious of their leaders, and now display disregard and disobedience towards them as well as their parents.

However, as the young are generally 'quick to hope; quick to give up', the youth of J&K need to be given reliable hopes and good role models. They need to have an exposure to the outside world, and need not be discriminated against as has been reported in the last few years.¹¹ Employment opportunities need be created, with a push towards industrialisation and the promotion of entrepreneurship. Since private investment is unlikely to come forth, public sector enterprises need to be opened up in the interim. More seats could be reserved for J&K students in institutions across country. With development catching

¹⁰ Praveen Swami, 'Kashmir: youth bulge, peace deficit', at <http://www.thehindu.com/opinion/lead/kashmir-youth-bulge-peace-deficit/article602289.ece>, accessed 20 May 2015.

¹¹ 'No room for tourists from Kashmir valley in Paharganj hotels', 11 January 2016, at <http://timesofindia.indiatimes.com/city/delhi/No-room-for-tourists-from-Valley-in-Paharganj-hotels/articleshow/50524361.cms>, accessed 5 March 2016.

up, and train connectivity with rest of the country increasing, they will surely learn to hope big and live to fulfil those hopes.

RETURN AND REHABILITATION OF KASHMIRI MIGRANTS

Return and rehabilitation of Kashmiri migrants is essential to bring a lasting solution to the Kashmir issue. To effect the rehabilitation, a multipronged approach involving various stake holders needs to be adopted which caters to the security needs and living spaces for the migrants, along with and the establishment of trust between communities. Stability in the rehabilitation programme will only be achieved when both communities depose faith in a pluralistic society, and in each other. This harmony between the diverse ethnic/religious communities—which the Kashmiris call ‘Kashmiriyat’—has always been the essence of Kashmiri society. It needs to be re-invoked through programmes that seek to bridge the present gap between the two communities. The return and rehabilitation of Kashmiri migrants will not only do justice to affected migrants but also bring a sense of peace, calm, and a pluralistic culture back in society. The rehabilitation will also give a sense of satisfaction to the people of the rest of the country, and spread the message of return of normalcy in the Valley, reinvigorating tourism and having good impact for the other industries in J&K.

THE REJUVENATION OF THE POLICE FORCE

The main responsibility of the internal security situation of any state lies with its police forces. J&K police is sufficiently professional now, and adept in handling toughest of the terrorist operations. But to cater for soft policing needs, there is need to separate out the hard armed elements of the police force for dealing with the terrorists and the softer civil elements dealing with civilians. Though the armed battalions exist, in practice they remain only a bulk force of strength, without inspiring roles, training, intelligence, and leadership. The police must also be prepared to take over the majority of responsibilities from the Army in the hinterland.

The SOG operations need to be kept under check as they bring disrepute to the state, and create law and order situations. *Ikhwans* (ex militants turned pliant) too need to be kept under lawful command and control

for achieving long term peace.¹² The accounting of Intelligence funds (Track 2 money—as the locals call it) also needs to be done to the extent possible as it gives rise to rumours resulting in situations embarrassing to the state. As pointed out earlier, VDCs need to be phased out gradually with the reduction of terrorist numbers and the improvement in the security situation in the districts which have been declared terrorist free.¹³

SECURITY FORCES

The Indian Army has contributed to the peace building in J&K in the most exemplary manner. External security parameters are at their all time best in the last 25 years, though internal law and order has been disturbed lately. They have also carried out meaningful perception management through their '*sadbhavana* projects' which need to be emulated by the civil administration. Other Central Armed Police Forces (CAPF) have also acquitted themselves well, given the difficult circumstances they have to operate in. Having achieved the military objectives, there is a need to gradually reduce visibility of the Army. Lately, there have been numerous incidents wherein the army columns (while under operations) have been pelted with stones by the local population. Since there are a lesser number of terrorists remaining, the police should handle most of the operations, and Army columns could operate only as Quick Reaction Teams for major intelligence based surgical operations.

¹² Pradeep Thakur, 'Two pro-India parties floated in J&K with Army, MHA help', *Times of India*, 22 February 2011, at <http://timesofindia.indiatimes.com/india/Two-pro-India-parties-floated-in-JK-with-Army-MHA-help/articleshow/7543397.cms>, accessed 12 March 2016.

¹³ 'J&K political parties rise against VDCs', *India Today*, 21 December 2015, at <http://indiatoday.intoday.in/story/jandk-political-parties-rise-against-vdcs-after-murder-of-national-conference-leader/1/552819.html>, accessed 12 March 2016.

There is need for the Army to maintain status quo of the overall security situation, and primarily only address strategic security challenges. In hinterland operations, it must adhere to all HR norms/guidelines and not give any triggers which, in the current fragile situation, could prove to be extremely counterproductive. In J&K, even tactical level mistakes assume strategic proportions. With the huge presence of the Army in the law and order tasks, mistakes by individuals are bound to happen. Therefore, while keeping in mind the need for the protection of hinterland security installations and the lines of maintenance, the withdrawal of the Army in a phased manner from areas with low terrorist threats is recommended. However, the dilution in AFSPA is not recommended, as it is considered a mandatory requirement for the efficient functioning of the Armed Forces in their operations against terrorists.

STUDY REPORTS

Several important studies have been conducted by eminent scholars and experts on the subject, the latest being the working groups led by experts in 2007–09. These reports carry many worthy solutions. These could not be implemented properly due to various reasons. These need to be taken up for suitable action, with due modifications, where needed. The subjects of the working groups along with their chairpersons are listed below:

- Confidence-building measures across segments of society in the State (Hamid Ansari)
- Strengthening relations across the Line of Control (M. K. Rasgotra)
- Economic Development (C. Rangarajan)
- Ensuring Good Governance (N. C. Saxena)
- Strengthening relations between the State and the Centre (Saghir Ahmad)

The appropriate implementation of many of the recommendations of these studies is sorely needed.

The team of interlocutors (appointed by the Centre in 2010) came up with a comprehensive report after carrying out a detailed interaction with a cross section of the society with more than 700 delegations held in all the twenty two districts of J&K.¹⁴ The interlocutors included journalist Dileep Padgaonkar, former Information Commissioner M. M. Ansari, and academician Radha Kumar. They presented a report titled, 'A New Compact with the People of Jammu and Kashmir'. It takes into account the Centre-State relationship and the regional devolution of power. The report looks into the political, cultural, economic, and social components of the issue before suggesting a road map, and suggests ways of harmonising relations across LoC. It is a comprehensive report aimed at the 'permanent political settlement of the Kashmir problem'. It addresses three components—political, economic and socio-cultural— formed into a single package. It was submitted to the central Home Minister in October 2011. However, MHA referred to it as containing the views of the interlocutors.¹⁵ The apparent difficulty in implementing the suggestions in the reports is that of political consensus as well as apprehensions regarding their larger political impact on other parts of the country. However, the hesitation in its implementation is not helping the matter either. Many of the points recommended in the study should be picked up for implementation with due modifications, without further delay.

¹⁴ Dileep Padgaonkar, Radha Kumar, and M. M. Ansari, 'A New Compact with The People of Jammu and Kashmir', at <http://www.mha.nic.in/more3>; accessed 22 January 2016.

¹⁵ 'J&K interlocutors' report for reviewing all Central Acts', *The Hindu*, 24 May 2012, at <http://www.thehindu.com/news/national/jk-interlocutors-report-for-reviewing-all-central-acts/article3451474.ece>, accessed 23 January 2016.

CONCLUSION

The vortex of violence which arose in Kashmir as a combined result of political agitations / militant violence and the state's efforts to maintain its sovereignty, took into its grip more and more people with every passing incident. Grievances multiplied with injuries and mortalities; this resulted in more protests and the building up of more grievances, creating a vicious cycle¹. The regular lock outs and *bandhs* also blocked the march of development and prosperity in the Valley, in stark contrast to that witnessed in the rest of the country after the economic liberalisation of 1991. This left the new generation of Kashmiris largely unemployed, and seething with rage under the impression of a bias by the country.² The essential freedom which countrymen in other parts take for granted—such as security to life and property, assured career paths for children, unlawful detention, freedom from the cycle of violence, and even basic issues such as any travel without being checked—often eludes Kashmiris due to the prevailing security situation.³ The combined effect has led to desperation, and disaffection in many youth which, coupled with prevailing radicalisation available online, prompts them to pick up guns and become terrorists. Those who do not join militant ranks still nurture grievances and separatist sentiments within.

The security situation in J&K is slowly improving after the turmoil of 2016. However, while it seems quiet on the surface now, it is still somewhat grim inside. While many in Kashmir are looking forward to

¹ Shiv Murari Sahai, Former IGP, Kashmir, in an interview to Ajai Shukla, 2 May 2012, at http://www.business-standard.com/article/economy-policy/radicalised-youth-bulge-a-problem-in-kashmir-shiv-murari-sahai-112050200027_1.html, accessed 10 March 2016.

² Kapil Kak, 'Jammu & Kashmir at the Crossroads: Challenges and Opportunities' 13 July 2015, at <https://kapilkaksecurityanalyst.wordpress.com/2015/07/13/jammu-kashmir-at-the-crossroads-challenges-and-opportunities/>, accessed 12 March 2016.

³ Ibid.

peace and development, a large section of the youth and others in society are filled with anger and disillusionment. There are numerous reasons for the situation to have come to this pass. In this, Pakistani complicity has already been established in brewing trouble in Kashmir. Its non-reciprocity to India's peace initiatives continues to keep the issues unresolved. However, leaving the J&K issue dependent on the reciprocity of Pakistan comes at a huge cost to Kashmir, and the nation itself. In any case, Pakistani control over issues in Kashmir as compared to a decade ago is now limited.

In other words, the primary reason for the prevailing conundrum in J&K is essentially internal. With the situation fast deteriorating in J&K, proactive measures need to be undertaken. Decoupling J&K from Pakistan is the only prudent way forward. It means the Indian state should make a deeper and stronger compact with the people of J&K, and take ownership of resolving the Kashmir issue resolutely as its own.

The persistence of an issue like J&K which has wide ranging implications both on national security and international affairs, has potential of damaging India's image as a rising world power. It, therefore, requires to be addressed with a sense of urgency. Its resolution requires a bold political initiative which is grounded in perspective and seized with sensitivity regarding the issues. An easy way forward would be to re-initiate the process of J&K's engagement with the national mainstream by widening the scope as Prime Minister Vajpayee tried to do. And, it would require Kashmiris to impose faith in India's genuine intentions. This faith would only come by generating bonds of trust between themselves and the central government. With the government undertaking numerous measures to ensure peace, there would be a need on the part of Kashmiris to reconcile. India is taking giant steps in the direction of progress and development; its economy is poised to be within the top three economies in the world. J&K has lagged behind in the race to prosperity. It is now time that Kashmir eschews violence, shuns the path of resistance, realistically assesses political objectives for itself and its people, and catches up with rest of the country to reap broader growth dividends. More than any other force in the world, India's democratic strength and freedom could act like strong magnets to pull J&K out of the abyss, and re-position it in its rightful place as *heaven on Earth*.

The state of Jammu and Kashmir (J&K) was the scene of a full-blown insurgency in the 1990s. The situation started to improve gradually by the end of that decade and rapidly thereafter, with the initiation of peace talks between India and Pakistan and conduct of dialogue between the Government of India and stakeholders from Kashmir in the early 2000s. Incidents of violence dropped and voter turnout in elections increased significantly. But, as the peace process petered out, disturbances started to build up again. In 2016, there was a complete breakdown of law and order post the killing of Burhan Wani.

The volatile security scenario in J&K is a manifestation of Pakistan's proxy war with India, combined with the unsettled political issues of the state. Though successful initially, Pakistan eventually lost the majority support of the people of the valley as its double standards lay exposed. Kashmir looked for peace, but with the breakdown in the peace process between India and Pakistan, and with the fate of Kashmir tied to it, a lasting normalcy remained elusive. The only way forward for India, therefore, is to decouple the Kashmir issue from that of Pakistan, and address the internal aspects: Kashmir's development, unsettled political issues, healing the wounds and alienation of the youth, promptly. It must be remembered that a strong and stable J&K is an anti-traction thesis for Pakistan and the biggest tribute to the pluralist Indian society and its flourishing democracy.

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