Military Might Versus Liberation Struggle in the Garrison State of Indian-Held Kashmir

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Abstract

While the menace of violence is known to man since ages, the Indian army and para-military forces are committing atrocities at such an unprecedented scale in the Indian-held Kashmir that has never ever been recorded in the history of independence movements. The situation in the Garrison state of Indian-held Kashmir has been simmering for the last six decades. The Indian military has carried out hundreds of brutal operations killing thousands of unarmed Kashmiris, Muslim militants and even non-Muslim Kashmiris during raids and combing operations, involving house-to-house searches. Since the security forces have been used as an instrument of terror by the Indian governments to deprive Kashmiris of their right of self-determination, the majority of Kashmiris believe that their freedom and identity can only be established if they throw off the yoke of Indian subjugation. The present state of Kashmiri struggle and independence movement did not evoke response all of a sudden. It has been preceded by a prolonged phase of discontent, discrimination, maltreatment and frustration. Thus Kashmiris' movement against Indian tyranic rule in the Garrison state has gained momentum time and again and each passing day brings fresh reports of crimes against humanity, killings, rapes and acts of structured violence in the valley. Such a perspective has generated an acrimonious debate on the future of Kashmiri people. Undoubtedly, the intense sentiments of Kashmiri Muslim consciousness, reinforced by discriminatory treatment by the Indian federation have been channelised into a secessionist outlet. This paper, therefore, attempts to investigate the contemporary phenomenon of strife between freedom struggle and Indian repression in the Indian held Kashmir. In particular, it concentrates on the thesis that the resurgence of freedom struggle is the logical outcome of the Indian military might and its "Hindu Rashtra" policy, which contains seeds of anti-Muslim posture.

Keywords: Kashmir; Garrison; Self-determination; Hindu

I. Introduction

Notwithstanding the unassailable fact that Indian culture is an admixture of several cultures, the Hindu communalists distort and falsify it. The Hindu ideologues maintain that the ancient period in Indian history was the “Golden Era”, the medieval age was the “age of decadence” and the modern era is the “age of revival” for Hinduism. This reconstruction of Hindu mindset and hegemonic perceptions have been employed as a powerful ideological tool by successive Indian governments for creating monolithic
Hindu solidarity and a Hindu-dominated society. The hindutva doctrine does not see Indian Muslims, Christians, Buddhists, Jains, Sikhs and countless ethno-linguistic distinct identities or communities as realities (Asghar, 1992). Therefore, the relations between Hindu majority and rest of the minorities have been established on antagonistic lines. The communal confrontation and the resultant violence is the aggressive articulation of the desire of Indian antagonistic communities to live apart. This selective chauvinism and an organized or systematic madness which is politically motivated and accompanied by identical means runs counter to the Gandhian vision of a liberal, secular, democratic and united society in India. The Kashmir conflict is considered to be a bitter memory of the partition of the sub-continent into Pakistan and India marked by a communal holocaust which left behind a decimated population on both sides of the great divide.

Kashmir, with its 1.5 million people, a strategic bowl surrounded by major countries of the world, has a deep sense of nationalism (Cassi, 2002). Since 1947, Kashmiris’ fate has dangled between puppet regimes and rigged elections with intervals of direct rule by the Indian Centre. Thus Kashmiris have never been allowed to rule themselves, either through the exercise of the right of self-determination as promised by Pandit Nehru, or as a “Special status state” envisaged in Article 370 of the Indian constitution (Iqra, 2007). But, despite Indian’s massive military presence and retention of the territory in violation to the U.N resolution on the future of Kashmir, the Indian governments have faced the dilemma, in continuity, of the Kashmiris challenging the writ of the Indian government either through peaceful political struggle or militancy. The Kashmiris have been denied their basic human rights and this process continues unabated to this day. The Indians have never accepted the notion of a separate homeland for the Muslims of the Sub-Continent and as such have not appreciated the voice of Kashmiris for their right of self-determination. They have not so far reconciled to the emerging reality of co-existence that enables neighbouring South-Asian countries to grow and flourish. The bias and the prejudice that developed in the Hindu mindset, in particular against the Muslims, resulted in the forceful occupation of Kashmir. Both the South Asian competitors, India and Pakistan, subjected themselves to three wars on Kashmir, and the fourth, possibly a nuclear war, cannot be ruled out. Successive governments in India, in the meanwhile, have been doing all that they could possibly do, to divert the attention of the people from Indian illegal occupation of Kashmir to other self-generated extraneous matters, thus placing the case of liberation of Kashmir in the cold storage. Kashmiris are grossly disappointed with the failure of the United Nations to implement its resolutions coupled with the inability of the world community to provide assistance in their quest for justice. They are, therefore, left with no alternative but to safeguard their rights by augmenting their indigenous struggle whatever means and making use of all available resources to overcome their predicament. It is also pertinent to note that the duality of standards on human rights being followed by the United States of America and its all out support to India in its maneuvers to suppress the liberation movement in Kashmir forced the Kashmiris to establish links with the transnational Muslim jihadi outfits.

II. Kashmiri Struggle for Liberation: A Review

Several international events and happenings stimulated the Kashmiri Muslims and enhanced their resolve to start the struggle for liberation of their homeland. However, the acts of Kashmiri struggle only began to be recorded in the 2nd quarter of the 20th century, in particular from 1931 on words, against the Dogra Raj and its dynasty which had
Omer Farooq Zain purchased the Kashmir valley from the British in 1846 in payment of a paltry run of Rs. 75 lakh in cash plus a nominal tribute to signify British paramountcy during the British Colonial Rule (Alam, 2002). Furthermore, the independence movement in the sub-continent was built and sustained on communal lines which also perpetuated the communal sentiments inside Kashmir valley and gave an opportunity to Kashmiri Muslims to express their political desires.

The constitutional position of the Indian states upon the transfer of power as enunciated by the Cabinet Mission Plan 1946, was that paramountcy was neither to be retained by the British crown nor could be it transferred to the new government (Cathey, 1999). But the British Government made it clear that the states had no choice but to opt for either India or Pakistan on the basis of religious or communal majority of the states. Nevertheless Maharaja Hari Singh toyed with the idea of joining hands with India against the wishes of the states Muslim majority. The Maharaja employed considerable force to crush the voice of Kashmiris as rebellion broke out in the Poonch area immediately after the end of the British Colonial rule. Outraged by massacres in Kashmir, Pashtun tribal warriors from Pakistan’s Frontier Province crossed the border on 21-22 October 1947 with a view to liberating it and making it join Pakistan. On 24 October, the Maharaja appealed to India for help (Babu, 2000). The two sides fought a small scale war in Kashmir during 1948 with Hari Singh’s pronouncement of Kashmiri accession to India. On January 1949 a ceasefire brokered by the United Nations came into effect by making the ceasefire line a de facto Border.

On the other hand, the Security Council resolved the holding of a plebiscite after the withdrawal of troops by both warring countries and only a handful of Indian administrators were supposed to remain to facilitate a free and fair plebiscite (Farooq, 2005). But the Kashmiris hope that the U.N.O would help them in getting Indian aggression vacated from Kashmir fell flat. The escalation of conflict continued and in 1965 another war on Kashmir broke out which again resulted in ceasefire and international mediation (Hassna, 2006). After another war on the East Pakistan crisis, the ceasefire line was renamed as the Line of Control (LOC) following the Shimla Agreement on 3 July, 1972 between India and Pakistan (Ghulam, 2006). The Shimla agreement required the settlement of the Kashmir dispute through bilateral negotiations but also argued that if the two sides could not reach an agreement, the role of mediation by other parties could not be ruled out. But the fact remains that both, bilateral negotiations and the role of world community, failed to address the Kashmir issue and in 1989, militancy emerged in the valley, getting much publicity in the global media.

Kashmiris were well aware of the changing situation in the Eastern Europe, Soviet Union and Afghanistan in 90’s. They saw the changes as evidence that boundaries could be changed. Furthermore, the international environment had a direct or indirect bearing on the situation in Kashmir. An Indian analyst observed in 90’s: “When a country like the Soviet Union has failed, despite the October revolution to create a viable multinational entity, it would be wise for us not to ignore this lesson” (David, 2004). However, the Indian attitude remained bitter as it was in the past which further deteriorated aggravated the situation in the valley. Deriving inspiration from Palestinian “intifada”, the Kashmiri struggle for freedom gained enormous momentum. The “integrationist measures” of the Indian Federation such as raids, searches, detention, torture, brutal killings and all other acts of state terrorism continued unabated under the auspices of Governor Saxena with
his characteristic “Raw” Image (Laiq, 2007). The Indian Security Forces adopted unlimited barbaric methods of terrorizing the Kashmiri populace. Indian Army using light machines guns, rockets and automatic rifles poked out from sandbagged bunkers at every intersection and bridge, thus making Srinagar a city under siege.

As a result of these brutal acts and other repressive measures, a popular insurgency and militancy for liberation began in the Garrison state of Indian-held Kashmir. Trust and reliance over India had been eroded over the years, because despite an agreement to allow Kashmir state “special autonomy”, the Indian government had been constantly interfering with its affairs rather than working with even its own puppet regimes in Kashmir. The Indian Federation always sought to promote stooges and lackeys in the government at the expense of poor Kashmiris. But with the pullout of Soviet forces from Afghanistan and the installation of a theocratic state in Iran, The Kashmiri militancy began to challenge the Indian military mighty.

The Kashmir is fought subjugation under the Mughals, the Sikhs, the Dogras and now the Indians. The deep influence of Afghan war seemed to attract Kashmiri youth which was more educated, more politically conscious and self-assertive and was in active search of human and democratic rights long denied to them. Global developments began to shape a mass movement for independence in the Indian-held Kashmir and Pakistan’s success in handling the world’s largest guerilla operation against the Soviet Union in Afghanistan led to increasing Jihadi activities for Kashmiri youth. The mushroom growth of militant outfits was a manifestation of Kashmiris’ temperament because their peaceful agitations were cruelly put down and the youth had become the prime target of the Indian Security forces, who had been granted “The Armed Forces (J & K) Special Powers” by an ordinance earlier which conferred special powers on the Indian military and para-military troops to carry out searches and destroy arms dumps, fortified positions or shelters from which armed attacks could be made (Talibm 2010). Thus the state police and military clothed with sweeping and arbitrary powers, contrary to the provisions contained in normal laws, carried out brutal actions above judicial scrutiny. These draconian laws on the statute book of J&K, deprived Kashmiri of their basic human rights.

On the other hand, the continuing rise of Hindu fundamentalism and the country-wide killing of Muslims, often with the connivance of the police and Hindu fanatic political outfits had an indirect impact on the psyche of the Kashmiri Muslim youth, who increasingly felt that their salvation lies in the secession from India. With the boycott of 1989 Lok Sabha Polls, unlike their elders who followed peaceful means, Kashmiri youth took up arms against Indian rule (Mciver, 2008). India viewed the militants as anti-national, pro-Pakistan and Muslim extremists and began one of the largest military operations in its history. That operation gave a fillip to the militant organizations in the valley. Despite their ideological diversity, the militants worked together and provided sharper teeth to the Kashmiri militancy. The response to militant call was massive. So complete was the boycott of India that an Indian political analyst commented: “The only point left to be determined about the farce that goes by the name of “Operation”………… is that whatever is claimed by the official quarters about the ongoing operation, the Kashmir movement seems to be the first step towards Balkanization” (Obraien, 2009). But nobody took that serious warning into consideration, and thus, anti-India and pro-
Pakistan Zenithal proportions. Moreover, the pullout of Soviet forces from Afghanistan led to incremental militant activities of Jihadi outfits and Muslim radicals.

The two most formidable and well-equipped militant organizations leading the Kashmir freedom struggle, the JKLF and Hizbul Mujahideen ripped the calm of Indian-held Kashmir by carrying out bomb blasts and rocket fires at installations and on the Indian security forces. Along with these two major outfits, Harkat-ul-Majahideen, Harkat-ul-Ansar, Harkat-ul-Jihad-al-Islami, Jamat-e-Islami, Islamic Student League, People’s League, Mahza-i-Azadi, Allah Tigers, Al-Badar Mujahideen, Lashkare-Tayyaba, Al-Jihad, Tehrik-e-Amal and Peoples Conference, posed great challenges to Indian security forces on both political and militant fronts (Murad, 2008). Two major alliances, Tehrik-e-Hurryat-e-Kashmir and the United Jihad Council came into existence, comprising the above stated outfits, and led the freedom struggle with a new vigor. To further improve their ranks and effect better coordination among themselves, both Kashmiri alliances extended maximum cooperation with all resistance groups. Therefore, the spurt in militant activities during the 90s has been attributed to that regrouping of alliances.

The whole of Kashmir valley was up in arms, and in particular, Kupwara districts became the hub of resistance struggle (Naraien 2008). India’s response, as stated earlier, had been brutal and massive. With the help of Central Reserve Police Force, ten hundred thousand military and para-military troops, including 435 BSF companies and crack 57th Army Division, spread throughout the valley and carried out operations on day to day basis (Sarwar, 2010). Apart from giving wide ranging powers to the security forces under the Disturbed Areas Act and Armed Forces (J&K) Special Powers Ordinance 1990, the Indian Centre had developed a “double defense mechanism” along the passes and gullies in the northwest Kashmir and the Poonch-Rajouri sectors in Jammu (Paul, 2009). Special measures were also taken in the Keren, Karnah, Tilel, Kupwara and Bandipura sectors and in Bungus Valley, Shameswari range as well. Under the “Mechanism” 1200 km area along the line of actual control having 13 passes had been strictly closed to check the infiltration of Kashmiri and Pakistani youth from across the line. Besides, dusk-to-dawn curfew along the 5-km border belt throughout the state was also imposed (Naheed, 2009). The security forces had also taken measures for floodlighting vulnerable points over the ravines and streams which provided ideal routes to the intruders during the monsoon. The forces also intensified vigil and patrolling after identifying five escape routes — Golepatan, Suchetgarh, Ramgarh, Khanna Chowk and Gokhnial in the Akhur sector on the 200 km Indo-Pak border in Jammu region. To prevent cross-border activities, Indian Army helicopters hovered almost round the clock, over LOC, especially in the Uri, Tithwal and Keran sectors (Shekhar, 2010).

The situation in the valley, however, continued to be volatile despite self-proclaimed “successes” of the Indian Federation. Independent sources and observers were of the opinion that security forces were clearly on the defensive and they didn’t have that capability to deal with such guerrilla tactics. Although the Indian security forces perpetrated the most heinous killings during the full decade of 90s, yet could not stop the freedom struggle, because the freedom fighters had a popular base which was in fact increasing day by day.
Till 2001, over 10,000 Kashmiris had been martyred, over 30000 injured and crippled, nearly 20000 were being subjected to inhuman torture in interrogation centers and about 40000 were hiding in the valley. On the other hand, the number of death toll in the security forces was alarming as more than 8000 officers, soldiers and Raw agents lost their lives with countless damage to security vehicles and installations (Robert, 2010). The loss of Kashmiris, innocent civilians and militants alike, was undoubtedly much higher in comparison with the security forces but that did not break their morale and they continued their struggle in the post 9/11 environment. However, under U.S pressure, Pakistan decided to de-radicalize the Kashmiri militancy by closing Jihadi camps and private monetary support.

III. Indo-Pak Peace Initiative on Kashmir Conflict

Perhaps the most significant progress that had ever been made for a peaceful settlement of the Kashmir dispute, was General (Rtd) Musharraf’s proposals of 2004. Although both Pakistan and India held scores of official meetings for settling the old-standing conflict since 1949, yet, they could not achieve any tangible progress. President Musharraf in an interview with Indian media proposed that Pakistan would give up its claim to Kashmir if India agreed to a four-point solution that involved: keeping the current boundaries intact and making the line of control (LOC) that divides Kashmir irrelevant, demilitarizing both sides of the LOC; developing a plan for self-governance of Kashmir; and instituting a mechanism for India and Pakistan to jointly supervise the region (Zafar, 2010). In that backdrop, the opening of a bus route across the LOC in April 2005, for the first time in over 50 years, was an important confidence – building measure and demonstrated the possibilities for lowering tensions in Kashmir through the creation of cross-border linkages and cooperation. Although India’s initial response to Musharraf’s four-point plan was positive, yet there were several obstacles to moving the peace process forward in practical terms. A major challenge was the figuring out a way to cut a swath for involving Kashmiris in the peace process.

Pakistan on its part, tried to engage a cross-section of Kashmiri leaders by inviting them to Islamabad for building a consensus. The politicians and political activists of both parts of Kashmir intended to contribute positively in the peace process and it seemed that the two sides had successfully come close to a compromise. But the secretary level discussions media interaction, people to people contact and the summit level communications ended in a deadlock with the Mumbai bombings on July 11, 2006 which killed nearly 200 people (Yousaf, 2010). Several other “terrorist acts” inside India which occurred one after another, led India to cancel the peace process and all levels of communication were closed. The Indians stressed on Pakistan the need that to take visible action in restricting operations of the extremist outfits, in particular, Lashkar-e-Tayyiba, so that the peace process could survive. Pakistan, on the other hand, denied any involvement in the terrorist acts and demanded resumption of peace talks on Kashmir. With the departure of General (Rtd) Musharraf, one way to resume peace talks was the establishment of a democratic government in Pakistan, but the Mumbai attacks proved to be fatal for any political resolve on Kashmir. To this day, Indians are playing schemingly in the cover of Mumbai events and demanding the handover of dozens of “alleged culprits” from Pakistan as a precondition for the renewal of peace talks on all contentious issues, including Kashmir.
While India and Pakistan have, so far, failed to arrive at a consensus on resolving the Kashmir dispute and India’s maximum compromise is on holding fresh round of talks at foreign secretary level either in Islamabad or Delhi, the Kashmiri leadership and political activists decided to launch a peaceful political campaign by bidding farewell to arms. The new political wave, which began in mid 2010 and is taking a toll in 2011, is a sign of Kashmiris’ unbeatable determination. Throughout the campaign, the Central government of India kept on insisting that it had given a free hand to the state government to deal with the political protests, but the state officials say they have been bypassed and Indian Military along with its intelligence outfits have dealt with the situation. In the process, 1600 peaceful Kashmiri’s have lost their lives at the hands of security forces and over 3000 injured, while 1000 are missing (Verindar, 2010). Again, the atrocities committed under the Disturbed Area Act, are going on unchecked by the Manmohan Singh’s government. Ironically, the state-sponsored violence in Kashmir is escalating, as the situation is becoming less of an international threat. Today in the “war against terrorism” environment, India and Pakistan appear “Less keen to go to war” over Kashmir then they seemed a decade back, nevertheless, it does not necessarily mean that the issue is not explosive. It continues to be a boiling cauldron with many imponderables. Another international development which is affecting the uprising and attracting global attention is the situation in the Arab World. The Kashmiri youth contends that “the U.N, E.U, Group of Seven and major countries of the world have adopted several resolutions in support of democracy and respect for human rights in the Arab countries, but why do they shy among and do not endorse the rights of the Kashmiris’ to freedom or to self-determination. There is no denying the fact that such lack of attention by powers that be in the global arena, ultimately results in militancy and armed clashes.

There are several potential solutions available, but unless the Indian mindset abandons the combative tendency, no plausible is likely to be made (Akbar, 2011). The Indians can draw some inspiration from the contemporary global models that helped satisfy the interests of all competitive forces. The Indians need to begin contemplating the hard fact that Kashmiris’ in both parts, want to attain substantial autonomy, without the right to maintain their own armed forces for the time being. For sustainable peace in the Kashmir valley, the ultra-nationalist postures of India and Pakistan will have to be abandoned, religious extremism weeded out and democratic forces given a free hand. The combined impact of all these measures will finally enable both Pakistan and India to exorcise the ghost of partition from their midst on the one hand, and provide an opportunity to Kashmiris to decide their own fate, on the other. This is important because South-Asia needs a cooperative framework not only for progress but also for mere survival. Such steps ought to be accompanied by participating in developmental projects and aid activities by both India and Pakistan in the Kashmir valley. However, if the denial of Kashmiris’ right of self-determination continues unabated, the present political struggle will ultimately converge into fostering Islamic radicalism among the people in India-held Kashmir, thus resulting in a total chaos.

IV. Conclusion

It is a known fact that India’s rigidity on Kashmir issue poses a great danger to peace and tranquility in the region. India’s outrageous manipulation of armed forces to repulse the urge for freedom is causing a heavy damage to bi-literalism in both the countries. By Reducing and eliminating the military might, would be conducive to creating a normal situation for meaningful political dialogue among the parties involved,
in particular, the Kashmiris. With the evacuation of repressive security forces from the
Indian-held Kashmir, the new environment would, in turn, enable India and Pakistan to
move on to taking pragmatic important additional steps in towards sustainable peace
process, acting prudently and steadily until the Kashmir dispute is finally resolved.
Furthermore the United Nations Organization can play a vital role once the political
normalization between India and Pakistan has begun to take shape. Very likely, a broad
interaction under the auspices of some global organization, involving consultations,
discussion and suggestions in regard to the Kashmir conflict, in which the differing points
of view, can be aired, mutually understood and resolved, would not be out of place. One
of the new realities of international politics, that India may find it useful to digest, is that
war has become a luxury which none of us can afford any longer. And it is no longer
possible to achieve rational political goals through military means. Equally so is the
recognition that all people have the right to progress and practice social, economic,
political and ideological dogma of their own choice. The universal recognition of the
principle to exercise the right of self-determination is equally applicable to the Kashmiris
and embodies one of the principle norms of political morality, which the Kashmiris are
struggling to achieve.

The argument that India can succeed in becoming more secure and more at peace
if she adheres to the wishes of the people in Kashmir carries considerable weight.
Resultantly, a regional transformation can occur in which both India and Pakistan would
cease to relate each other in terms of threat, and instead could jointly address common
national and global issues in an effective manner.

The pace and trajectory of a revolution can never be predicted, nor is the process
of transition easy. Indian Military might, on its part, will fight hard to preserve its
obnoxious oppression of the people of Jammu and Kashmir. Change may be delayed; it
cannot be deflected or denied. What is needed in the revival of the great spirit of Ibn
Khalid’s “Asabiya”, no articulately ascribed in the classical Arab Historian’s majestic
work, “Muqaddimah”, a consciousness that released inspirational energy and made oases
dwellers and nomads, world congulros!

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