

SOUTH ASIA MONITOR

Number 149
December 09, 2010

Beyond Kashmir's Summer of Violence

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Nearly six months of regular violence in Kashmir have brought to the fore a new generation of protesters, unimpressed by the traditional separatist leadership and armed with stones—and the Internet. India's appointment of three non-politicians as "interlocutors" with the Kashmiris has raised some hopes. To get any real traction, such gestures will need to be supplemented with outreach to Pakistan, serious implementation of the interlocutors' recommendations, and stronger leadership within Kashmir.

Origins of the violence: On April 27, 2010, three young men from the Baramulla and Kupwara districts of the Kashmir valley went missing. On May 28, 2010, amid reports of fake encounters and extrajudicial killings, the bodies of three "unidentified foreign militants" killed nearly a month previously by the Indian security forces while allegedly attempting to cross the Line of Control were exhumed. They were identified as the remains of the three missing men. Following these revelations, new clashes broke out between young Kashmiri protestors and security forces. Then, on June 11, 2010, a 17-year-old boy was walking home from school when a police tear-gas shell from a nearby protest burst open his head, killing him instantly. Thereafter, with renewed fervor behind their calls for *azadi* (freedom), men and a growing number of women marched onto the streets in open defiance of the government-imposed curfew, and the valley was engulfed in violence between stone-pelting Kashmiris and gun-wielding Indian security forces. By mid-September, more than a hundred civilians had been killed, the youngest an 8-year-old boy. Thousands of civilians and security personnel had been injured, and 194 protestors, most of them students, jailed.

New Delhi's immediate response: As violence escalated, New Delhi as well as the state government in Jammu and Kashmir scrambled to come up with immediate and sustainable proposals to restore some degree of peace and order to the valley. In the first two months, the state government, under the leadership of Chief Minister Omar Abdullah, failed not only to reach out to the disgruntled constituents, but also to take charge of the situation. New Delhi also stayed on the sidelines, appearing confused and unsure, as violence continued to escalate. Appeals for peace by Chief Minister Omar Abdullah, India's Home Minister P. Chidambaram, and Prime Minister Manmohan Singh went largely unnoticed, due mainly to New Delhi's failure to implement any major on-the-ground political initiatives to pacify the angry sentiments of the Kashmiri people. The Indian government's principal response was to deploy the Indian army on the streets of Kashmir for the first time in more than a decade. This gesture has become synonymous with New Delhi's dealings with Kashmir—countering violence with more violence.

On August 10, 2010, in his first public comments on the situation in Kashmir, Prime Minister Manmohan Singh finally unveiled a fresh initiative by directly addressing the people of Kashmir. Singh's speech reached out to the angry and alienated Kashmiri youth at the forefront of the ongoing protests, asking them to "give peace a chance." With sensitivity and candor, Prime Minister Singh expressed "his great pain" at the "sorrow and the sense of loss of every mother, every father, every family and every child in Kashmir." He promised a "new beginning" that would include not only his government's readiness for a dialogue to bring out a "political solution that addresses the alienation and emotional needs of the people," but also increased employment opportunities and economic development in the state.

A new kind of uprising: Kashmir is no stranger to alienation, street protests, or violence. Its status has been disputed since shortly after the subcontinent was partitioned and India and Pakistan became independent. The decision of the then-maharaja of Kashmir to accede to India in 1947 and Pakistan's inability to evict Indian forces in the brief war that followed left India in possession of the part of the territory that both cared most about, the Vale of Kashmir, now home to around 6 million people, a majority of them Muslim. Since then, India and Pakistan have fought two more full-blown wars over this region, in 1965 and again in 1999, leaving roughly two-thirds of the former princely state under the control of India and the rest with Pakistan. In 1971, the two countries had negotiated a Line of Control that divided the parts of Kashmir administered by India and Pakistan. However, this unofficial border has always been uneasy.

In the late 1980s, the valley was engulfed in protests against New Delhi's long history of corruption, poor governance, and, more specifically, the 1987 elections in the valley, which were marred by serious allegations of fraud. What began as a local Kashmiri uprising against the state and central government soon turned into a radical insurgency, fuelled in part by militants who crossed the Line of Control with the support or at least acquiescence of the Pakistani government. The immediate response was the large-scale deployment of the Indian army near the Line of Control and the valley. The army's overwhelming presence can still be felt today.

In contrast to other periods of turbulence in the past 20 years, this one is largely homegrown, spontaneous, and separate from the various political actors who have tried to position themselves as leaders of the people of the Kashmir valley. This new generation of educated, web-savvy, stone-pelting Kashmiris, frustrated by the unresponsiveness of their political leadership, years of violence, political alienation, and lack of economic opportunities, has turned to online forums such as Facebook and YouTube to highlight their frustration. They are using social media not only to coordinate their weekly calendar of protests, but also to circulate videos that document the actions of Indian security forces. They have had some success in attracting the attention of the mainstream Indian and international media that so often ignore turbulence in the valley. These young people are strikingly different from their parents' generation in their refusal to take up guns or resort to militancy, which was the common phenomenon during the 1989 insurgency. For this generation, the weapons of choice are stones and the Internet.

Kashmiris' grievances: Today, reports in the Indian media estimate that nearly 700,000 military and paramilitary forces are stationed in the Kashmir region. The human rights record of the Indian security forces in Kashmir has been marred by arbitrary arrests, indefinite imprisonment without due process, and widespread reports of fake encounters. According to official estimates cited in the Indian press, at least 47,000 people have died in Kashmir in the past two decades, and around 10,000 are missing. However, unofficial estimates place the death toll much higher; reports in the British press cite figures of approximately 80,000. The recent discovery of thousands of unmarked graves believed to contain the remains of victims of unlawful killings in several districts across the Kashmir valley, and the Indian government's subsequent failure to investigate and prosecute the individuals responsible, is an example of the absence of accountability that fuels the anger on the streets of Kashmir.

At the heart of this unrest lie laws like the Armed Forces Special Powers Act (AFSPA) and the Public Safety Act. These statutes allow the army to arrest, detain, or shoot to kill based on mere suspicion and "enter and search without warrant any premises." These laws also grant the military immunity from prosecution. These laws apply only in "disturbed" areas, leaving Kashmiris with substantially less recourse to due process than Indians enjoy outside the state, and further erode trust between the central government and Kashmiri society.

This militarization feeds a strong sense of alienation in Kashmir. A poll published in May 2010 by Chatham House bears this out. In the districts of the Kashmir valley, more than 75 percent of respondents cited human rights abuses as one of the top problems they faced. That poll's findings on Kashmiris' attitudes toward different political proposals are also striking. More than 74 percent of respondents in those districts favored independence from India. More surprising was the small number of respondents—single-digit percentages throughout the valley and reaching the 50 percent mark only in Azad Kashmir on the Pakistan side of the Line of Control—who favored having "all of Kashmir" join Pakistan. In other words, the options favored by both India and Pakistan are deeply unpopular.

New Delhi reaches out: New Delhi's years of denial and procrastination led to several missed opportunities for major initiatives to mend the fraught relations with the people of Kashmir. Today, direct engagement and dialogue should be the key components of a peaceful resolution of the Kashmir issue.

Following Prime Minister Singh's August speech, a 39-member fact-finding mission visited Kashmir. It included political leaders representing virtually every political party and ideology. The group met several separatist figures, including hardliners such as Syed Ali Shah Geelani, long known as the most stalwartly pro-Pakistan leader among Kashmir's political activists. After the delegation's visit, on September 25, 2010, the Indian government announced an eight-point agenda for Kashmir. Delhi called for the immediate release of jailed student protestors, reopening of schools, and financial compensation for the families of more than 100 civilians killed in the recent violence. More importantly, the initiative hinted at the possibility of partial withdrawal of the military from urban areas and easing of security strictures like AFSPA, a major sore point with the Kashmiris.

The "interlocutors": In October, the government took another step toward dialogue with Kashmiris by appointing a three-member group of "interlocutors" with a brief to "evolve a consensus" on the path toward a comprehensive political solution. All three were well known in Kashmir-watching circles: journalist Dileep Padgaonkar, academician and conflict resolution scholar Radha Kumar, and Information Commissioner M. M. Ansari.

Thus far, they have had mixed results. Their initial visit to Kashmir attracted a great deal of attention. Kashmiri political figures have had mixed reactions to them. The main separatists have boycotted the interlocutors, dismissing them as "non-political" figures who do not have the political weight to effect any real change. But in the group's two visits to the state, they have met a cross-section of political and civil society representatives—from jailed students and mainstream Kashmiri politicians to incarcerated militants.

The interlocutors have made statements that deviate from the standard Indian government vocabulary for dealing with Kashmir. They have referred to Kashmir as a "dispute," for example; they have expressed the need to listen to separatist views that are unpalatable in Delhi, talked about the necessity of Pakistan's participation in a solution on Kashmir, and referred to the importance of understanding the slogan of *azadi*. This has provoked a backlash from nationalists in Delhi but has struck a chord in Kashmir.

The interlocutors have also focused on the less well-known intra-Kashmir communal issue, visiting migrant camps of displaced Kashmiri Hindus (Pandits) in Jammu to get a first-hand experience of living conditions, problems, and aspirations of the displaced community. The Pandits were driven out of the Kashmir valley en masse during the 1989 insurgency. The Hindu population in Kashmir, many of whom are still living in refugee camps, has declined precipitously from its previous level of about 10 percent of the population. Many Kashmiri Pandits support a separate homeland within Kashmir under full Indian sovereignty.

In their effort to develop a consensus, the interlocutors are attempting to facilitate an intraregional dialogue among the different regions of the state of Jammu and Kashmir. This will not be easy. However, it is an essential ingredient in an eventual settlement. The group's recommendations include expediting cases against accused protestors, permitting peaceful protests, and releasing militants and protestors against whom no serious charges have been filed. The group also recommended training security forces in mob control, identifying jobs for young men and women in central and state government offices, providing scholarships for Kashmiri students, enhancing monetary assistance to widows and orphans, tracing missing persons, and increasing monthly allowances to displaced Kashmiri Pandits. Talks on the repeal of AFSPA at least in certain areas are also gaining momentum.

The Pakistan factor: The most recent political moves involve the Indian government and the Kashmiris. A key missing piece of this initiative, however, is Pakistan, without which a permanent political solution to the Kashmir issue will be impossible.

India and Pakistan maintained an active peace process from 2004 until President Musharraf left office in 2008. During this time, a back channel established between envoys of the two countries' leaders made considerable progress in narrowing the gap between them. However, this channel came to a virtual standstill after the November 2008 attack in Mumbai. Since that attack, there have been several efforts to revive India-Pakistan talks. These have foundered on India's insistence that it cannot talk to Pakistan until those accused in the Mumbai attacks are being prosecuted, a process that Pakistan says it has engaged but that is likely to continue to move at a glacial pace.

While India has talked to Pakistan on a number of occasions in the past, and has also talked to the Kashmiris, it has never done both at the same time. Further complicating the situation is the political weakness of the Pakistani government, which raises serious questions about Pakistan's ability to move ahead politically if negotiators do achieve some kind of breakthrough.

What lies ahead: The interlocutors are the most promising of the recent Indian initiatives toward Kashmir. The history of Kashmir initiatives is not encouraging. Three challenges are especially crucial. The first, as mentioned above, is the absence of a Pakistan dimension to India's current policy. As things presently stand, spoilers based in Pakistan have every reason to try to sabotage India's efforts. India needs to reach out to Pakistan to give Pakistan a stake in success.

Second, the burden is now on Delhi to demonstrate that the interlocutors are not simply another "talk shop" and that the Indian government can deliver the needed policy changes. New Delhi needs to ensure that their recommendations are not mere cosmetic measures but serious proposals demanding immediate action and implementation.

Finally, inside the Kashmir valley, leadership is still bitterly divided. The separatist leaders need to put their energy into finding a path forward—and persuading other Kashmiris to follow.

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