

# “We Need a Surgeon’s Knife, not a Butcher’s...”

## The Tragedy of Kashmir

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*This is not an investigative report on the situation in Kashmir. I am merely sharing my impressions after talking to a range of political leaders, sympathisers of various political parties, some ordinary citizens, leading journalists, lawyers and a few officials in Kashmir during my visit to the Valley in early December 1997. I have quoted extensively from those whose version seemed fairly reliable and attention worthy but most of them did not want to be named for obvious reasons. However, I was touched by the openness with which they shared their experiences with me, trusting me with information that could land them in serious trouble. I do not claim to have cross checked on each fact because in today’s Kashmir it is very hard to verify charges and counter-charges being traded between various groups. This is my political assesment of the situation rather than an objective fact finding report.*

ACCORDING to knowledgeable estimates, our government is believed to be spending nearly Rs. 2,000 crore a year towards the army operations and related activities to fight insurgency in Kashmir. At least 3 lakh troops have been deployed in the Valley, including those on the Line of Actual Control.

Our politicians, bureaucrats and influential members of the intelligentsia never tire of chanting the *mantra* that Kashmir is an integral part of India and that they will do all they can to ensure it stays that way.

However, this concern seldom goes beyond emotional harangues and xenophobic flag waving. It doesn’t even extend to a desire for accurate, reliable and regular information on the situation in Kashmir. How else does one explain the fact that reports of stray murders of employers by their domestic servants in South Delhi get far more attention and space in our national dailies than the continued death toll

of about 250 people a month in Jammu and Kashmir? (I arrived at this approximate figure by counting the number of killings reported in *The Kashmir Times* for the months of October and November 1997). Casualties suffered include militants, personnel of the armed forces and ordinary citizens.

The press wakes up with a start only when terrorists do something as sensational as the gunning down of 23 Kashmiri Pandits in one village alone as happened on January 26, 1998. Our supposedly “free press” has been only too willing to take the version of the government and security forces as facts and to publish *sarkari* releases as reportage. As a member of the Editor’s Guild, I have been for years witness to this supine surrender by some of the most prominent people in our newspaper establishment. For instance, during the height of the secessionist movement in Kashmir when the state was put under army rule, all the

national newspapers withdrew their correspondents from the strife torn valley and dutifully published government supplied press handouts from Jammu and printed those as “news reports” of happenings in Kashmir.

Their excuse was that the prevalence of terrorism made it unsafe for journalists to move around in violence prone areas — quite forgetting that serious journalists the world over cover even real war zones and areas littered with land mines as in Afghanistan. Abandoning Kashmir to the care of the armed forces is to treat it as not part of India.

### Fed on Sarkari News

Most national papers rely on local Kashmiri journalists who are hired as low paid stringers rather than post full-fledged correspondents for feeding occasional news stories to them.

The quality and reliability of most press reports on Kashmir can be

gauged from the fact that even when the Editor's Guild sent a special team to investigate the situation in Kashmir after the Charar-e-Sharif incident in 1995, the editors stayed as the guests of the governor (who is an ex-army general), met mostly army and other officials, travelled in cars provided by the governor and expected people to come and talk to them in the Raj Bhavan, the governor's office. This "invitation" was declined not only by pro-Azadi Kashmiri Muslims but also by noted human rights activists like Balraj Puri who expected the editors not to behave like government representatives. On return the editors reported with injured innocence that important Kashmiri leaders refused to come to meet them. To them it was proof of their unreasonable, anti-India stance.

When it was pointed out to them that those involved in conflict with the government had good reason to doubt their bonafides as independent journalists, they responded with naive outrage that their credentials need not be doubted on account of such minor details. They do not seem to be aware that it is a standard journalistic practice in all those countries where the press takes its job somewhat seriously that journalists do not accept government or any other form of hospitality which can compromise their independence. If this is how our stalwarts of journalism have conducted themselves, one can well imagine what poor support and guidance have been provided to ordinary stringers and reporters left to cover the actual field of combat.

Many reporters admit to practising systematic self-censorship in order to keep their jobs for they have learnt from experience that most newspaper bosses want carefully

doctored and sanitised versions of what is happening in Kashmir. Moreover, they are afraid of the consequences of telling the truth considering that they are functioning under the threat of gunfire from so many quarters in the Valley. Most of what we get by way of news in the national press are handouts supplied by the army or other government officials.

### Militants on Defensive

The installation of the Farooq Abdullah government through the 1996 elections during which a sizeable number of eligible voters turned out to vote despite threats from terrorists and boycott of the election by the All Party Hurriyat Conference was indeed an important breakthrough. The army did play a role in pressuring people to go and vote. But most independent observers reported that there was no intimidation inside the polling booths. The turnout was higher in villages — the over all state average being a respectable of 66 per cent. However, the distancing of important political streams in the Valley from

the electoral process and the continued scepticism of a sizeable section of the population about the legitimacy of the whole exercise ought to be a cause of serious concern.

This is not to deny that militants are now fighting a defensive battle. More than 8,000 militants have been killed in the last few years. Pro-secession outfits, like Jammu and Kashmir Liberation Front (JKLF) which fired the minds of the Kashmiri people with militant zeal by their espousal of *azadi* and even combined their initial violent politics with mass support, are in disarray. Most of their leading cadres have either been killed in encounters or put behind bars. The few who are out lack the means and wherewithal to carry on an armed revolt because Pakistan has withdrawn its support to pro-*azadi* groups and instead is arming pro-Pakistani groups like Hizbul Mujaheddin and is aiding foreign militants. The few active members from the JKLF led by Yasin Malik who are resorting to overground politics of *dharnas*, *morchas* and protest demonstrations have failed to create



Search and Cordon: Baderwaha, Doda

a viable organisational structure to further their political ends. Joining the All Party Hurriyat Conference, dominated as it is by Jama'iti Islami and other pro-Pakistani elements was in itself an admission that the JKLF has lost steam and strength to act independently to pursue its own cause. Even those who continue to be sympathisers of the JKLF admit that it is alive only "as an idea", not as a viable political organisation.

People in the Valley are through with their romance with the militants because many of them turned extortionists and do not hesitate to use violence and other criminal acts to get money, shelter and whatever else they need for carrying out their operations.

The pro-Pakistani terrorist outfits like Hizbul Mujahiddin and the terrorists sent by Pakistan's ISI never enjoyed the kind of mass support JKLF once had. In recent months they have been further marginalised and have suffered heavy casualties. There is an all pervasive disillusionment with terrorism in Kashmir and consequently, the army has gained an upper hand in most areas. Yet, there is little to rejoice about in Kashmir and much to worry about.

Terrorism has not been stamped out even though the leaders who initiated the early phase of militancy in Kashmir have either been killed or demobilised. Most important, the complexion of militancy has undergone a serious change. It is no longer an urban phenomenon. It has shifted to forest areas and remote villages areas and, therefore, become harder to combat. And what is worse, foreign militants have come to dominate the terrorist brigades.

Both the erstwhile Kashmiri militants as well as their sympathisers admit that the new foreign militants -

Afghanis, Sudanese and Egyptians - are far more determined and far more deadly in their operations. In contrast, the local militants were never so vicious in their operations. They mostly targeted the armed forces, selected politicians and government officials. The culture of the gun is very recent for the Kashmiri people and hence, their fighting power was limited. Consequently, they suffered heavy casualties. However, the foreign militants fight to the finish. In recent times they have started using mostly remote control explosives and landmines so that they are not usually around to take the retaliatory firing.

The relative slowdown of violent incidents in Srinagar and other major towns and the fact that shops are remaining open for longer hours is, therefore, not an adequate indicator of a return to normalcy. These days encounters between the armed forces and terrorists in the countryside last for hours — sometimes for a day or two. It frequently happens that when the army goes to nab them after a tip off, and puts together a heavy cordon, the terrorists still manage to get away after inflicting serious loss of life on the armed forces.

For example, on November 9, the army received information about militants hiding in a particular house in Nowgam village near Verinag in Anantnag district. The troops of the 5th Battalion of the Rashtriya Rifles cordoned off the house and the entire area. But all the militants broke out of the army cordon after killing three security men including an army captain and escaped. In another case on the November 13 in Khargund village of upwara district, the army raided a hideout. The well armed militants killed three soldiers and again broke through the cordon

without any casualties on their side. The army is reported to have recovered just one AK56 rifle in this encounter. Such incidents are becoming more frequent.

### **Ham Handed Operations**

In one sense the army's task should be simpler because the foreign terrorists are far easier to identify and isolate, unlike the Kashmiri terrorists who easily merge with the population and enjoyed popular support for some years. However, because of the army's ham handed, often brutal functioning and lack of respect for local sentiment, more often than not, they end up turning the local population against themselves while carrying out anti-terrorist operations. (*A more detailed account of the nature of anti-insurgency operations by our security forces appears in the next issue of Manushi*).

I personally witnessed the fallout of one such operation during my recent visit to the Valley. According to newspaper reports, on November 29, the army laid seige at Pethkote village in the Beerwa area of Budgam district where six foreign and two local militants of Hizbul Mujaheddin were reported to have attacked a patrolling party of the 34th Rashtriya Rifles (see *The Indian Express*; Jammu edition) Nov 29. When reinforcements were rushed to the site, there was heavy firing from both sides. One army jawan died in the first volley of fire. However, all the militants escaped unharmed. But three young men of the village were reported killed during the crossfire between the army and terrorists, and the villagers blamed the security forces for the death of their young men.

I reached the village a day after these men were shot dead and a bare

half hour before they were to be buried. A couple of thousand people, at least half of them women, had gathered from neighbouring villages to condole the death of these three men: Ali Mohammad Mir, Ghulam Mohiuddin and Ghulam Mohammad - all in their early 20s and recently married. Two of them happened to be among the very few educated men of this very poor village with a low literacy rate. Mohiuddin had a B.Ed degree - a rare accomplishment for that village. He was a school teacher. Of the other two, one was a shawl maker, the other a carpet weaver. All these three men were the primary earners of their families. Mir was the only child of his very poor widowed and sick mother. She, along with his widow, were left totally bereft of any means of support after his death.

This is how they described the incidents: "The men of the Rashtriya Rifles cracked down on our village on Jumma day - Friday, the 28th of November, around noon time — when most working men were out. Women, children and all those men who work in the village itself were rounded up and made to stand for hours in the open ground outside the residential area of the village. No one got even a glass of water to drink while the combing operations were on. As is their wont, they pulled out everybody from their houses and collected us all in an open ground for what is termed a parade — a euphemism to carry out search operations. Such crackdowns have become routine events for most villages."

Over the years, I have found that people in Kashmir rarely get so angry and outraged if genuine militants are picked up or killed in battle by the army as they do when innocents are made victims as it seems to have happened in this case. From among

the villagers brought out for the "parade", the three young men were handpicked along with some others for search operations. They were made to accompany one of the search parties which went into the village. These three men were sent as an advance party into the house where the militants were believed to be hiding. This is another routine procedure followed by the security forces so that locals get to face the first volley of fire from hiding militants and the army reduces its own risks.

As it got dark, villagers heard sounds of heavy firing from the interior area of their village but they were not allowed to go there, even though one of the young men who was injured in the firing was crying for help. He had been hit by a bullet in the arm. But the army did not provide any medical aid to him, though that could have easily saved his life. Instead, they let him bleed for hours in the slushy mud in the village lane. He was taken to hospital a good five hours after he was injured by which time the excessive blood loss he had suffered made it too late

for him to be saved. Two others had already died. Their relatives begged the army to be allowed to remove their dead bodies from the slush and at least cover them with a cloth. But the army refused. In fact, they are alleged to have threatened to shoot anyone who dared go near those dead bodies which lay uncovered in the open practically all night. The villagers alleged that the army men let the militants escape because "they are afraid of them" and instead killed the three innocent young men out of sheer frustration. I asked the army P.R.O. in Srinagar for his version but he could tell me no more than what had appeared in the army's press release.

People alleged that the injured man told them before he died that the soldiers even kicked the dead bodies as well as him as he lay bleeding after he was injured. These senseless cruelties are the kind that turned the wrath of the villagers against the army rather than against the terrorists who had caused this particular crackdown.

The villagers also accused the army of taking away 20 sacks full of



**Army men with 5 Afghan mercenaries killed in a forest area of Budgam, Dec. 8, 96 Photo: PTI**

walnuts from some houses they had gone to search as well as all the chicken and geese they could lay their hands on, which they slaughtered and ate that night. In many other such raids, the security forces are often accused of looting and stealing whatever of value they can lay their hands on (see my earlier report in **Manushi** No. 83). But in this case the property loss was not that high - possibly because most families in this village are very poor. Many of the men I interviewed kept emphasising that this area was so poverty ridden that most people could not afford to be concerned with anything other than making ends meet. Issues like *azadi* were something that only "leaders" could handle; they simply wanted to make their living in peace.

They admitted that one of their fellow villagers had joined the terrorist brigades of Hizbul Mujaheddin (HM). The army keeps coming to the village to track him down. About a year ago, they had even destroyed his house. Thereafter, his entire family left the village without giving anybody an idea of their whereabouts. But the army has kept the heat on this village leading to a great deal of harassment of even those who are not in any way involved with militancy.

Another thing disturbing the villagers was the requirement that four or five men of the village have to routinely report once a week at the army camp where they are detained for hours - not just for questioning but also to do menial tasks like fetching firewood from the forest for the soldiers. Consequently, these poor men lose a day's wages each time they go to report. Young men from neighbouring villages narrated stories of the kind of torture they had personally been subjected to by the soldiers.

The local Haji tried to convert the occasion into a political meeting - goading the men present to shout political slogans like: "What do we want? *Azadi*; "Our slogan of struggle! *Allaho Akbar!*" and abusing the army as tyrants and murderers, but the fathers of two of the murdered men stopped the slogan shouting group saying this was an occasion for reciting of prayers rather than political sloganeering. At this the slogan shouting did stop.

Several knowledgeable journalists reported that in the few areas where the army had responsible area commanders who did not allow their men to run amok and kept a check over human rights abuses, the tide was turning against the militants and the army has begun getting better information and cooperation from the local people. The few army officers I talked to admitted that the conduct of the officers-in-charge influenced to a large extent the response of the local population. I was told how the atmosphere changed swiftly in a militancy prone area when the army major in charge of that area refrained from mindless retaliation after a jeep containing an army officer and some *jawans* was blown up by a landmine planted by militants. They even had an idea of the likely culprits but they acted with restraint. Within a short period the local population on their own began to provide the army information required to nab terrorists. Most non-partisan observers say that in recent times, there has been a marked improvement in the functioning of the army. Several *jawans* and officers have been court martialed, some arrested and of disciplinary actions have been taken by the army authorities. This has brought about relatively greater discipline among the army men.

However, in areas where the commanding officers are corrupt and insensitive, the soldiers behave like an occupation army in enemy territory and that too with low professional skills and without a properly worked out code of conduct. This is even more true of Border Security Force (BSF), paramilitary forces like CRPF and the J&K police, especially their Special Task Force. For instance, on November 12, the Defence ministry spokesman claimed in a written statement that one of their *jawans* rescued a school boy, Imran Khan, at Anantnag who had been kidnapped and detained for ransom by the members of Special Operation Group. On November 26, BSF's helper in counter insurgency operations in Budgam district and two members of the Field Intelligence Unit were arrested for a similar kidnapping cum extortion incident. (Daily Excelsior, November 27, 1997) Arrests on fabricated charges in order to extort money are frequent occurrences all over the Valley.

### **Going Beyond Jingoism**

Most educated, politically minded people in India look at Kashmiris as traitors who are trying to split the nation and cause another partition of India. Without presenting a brief for the secessionist movement in Kashmir, I think we really need to go beyond jingoism to understand the circumstances that went into creating the mindset and desire for *azadi* from India.

To begin with, the Indian government failed to honour the promise of plebiscite in Kashmir given at the time of accession. In the first few years after the joining of Kashmir with India, the public opinion was such that the plebiscite result was highly likely to go in India's favour. That is why Pakistan kept

evading the plebiscite thinking it would lose its control over the Pak-Occupied part of the Kashmir. After 1953, when Nehru put Sheikh Abdullah under arrest, the Indian government began to feel nervous and back tracked on its commitment. This emboldened Pakistan to launch a propaganda offensive against Kashmir's accession to India while the Indian government a shoddy job of defending its position which is certainly stronger than that of Pakistan. What is worse, it did all it could to alienate Kashmiris through authoritarian misgovernance.

When people feel angry with the policy of rulers in the rest of India, they try to influence their behaviour by voting out politicians they don't like, by agitating and protesting against officials who harass them, by taking recourse to law courts to bring the wrongdoers to book. But these basic avenues of dissent have never been available in Kashmir which was territorially made a part of India but not allowed to be part of Indian democracy. Not surprisingly, the anti-government sentiment gets translated into anti-India sentiment.

The Congress party routinely rigged elections. It is well known, though not well acknowledged that popularly elected National Conference governments were sacked and puppet chief ministers installed every time the Nehru-Indira dynasty felt they lost control in the state. People in Kashmir talk of Moraji Desai with a great deal of respect for having ensured at least one free and fair election there when he was prime minister. He put his foot down against his own party which wanted to follow in the footsteps of the Congress party and rig the election; instead, he gave Kashmiris their first real taste of democracy. But with the return of Indira Gandhi things were back to usual. "Mrs

Gandhi was the greatest anti-national" is an oft heard sentiment in Kashmir. She and her son Rajiv pushed Kashmiris to the wall.

Several people recounted to me the heady days of the early 1980s when Farooq Abdullah was trying to bring Kashmir into the national mainstream by making common cause with non-Congress parties in India. Many of these parties felt as vulnerable vis-a-vis the Indira Congress because she had perfected the art of toppling non-Congress governments so that she could rule India like an imperial queen sitting in her Delhi *darbar*. People talked with great anguish about the way Indira Gandhi sacked Farooq Abdullah shortly after he held a major public rally in Iqbal Park in Srinagar in 1983 attended by a whole galaxy of Indian leaders from various non-Congress parties announcing the creation of a common platform to fight against over centralisation of power at the cost of the regional governments. To quote a leading citizen of Srinagar: "For the first time we heard the nationalist song '*Sare jahan se acchha Hindustan Hamara*' with nearly 30,000 people come to hear a whole spectrum of Indian leaders. However, the whole mood turned sour and anti-India as soon as Farooq was sacked."

As in Punjab in its Khalistan phase, anti-India sentiment in Kashmir is basically an anti-Congress, anti-Centre and anti-army sentiment. However, unlike Punjab which has known other phases, army high-handedness, authoritarianism and political intrigues of the Congress party and the Central government, especially our wily Home Ministry, are the only faces of India most Kashmiris have seen. Therefore, the Kashmiri dissatisfaction against the Central government comes to acquire an anti-India sentiment. In matters of corruption and mismanagement, states like Bihar and U.P compete well with J&K. However, while many people in the rest of the country have been successfully brainwashed into accepting India's poverty and mismanagement as an inescapable reality, the Kashmiris find it harder to accept the mess around them since their leaders have fed them on the hope that there is an escape route.

### A Heaven on Earth?

Kashmir is a uniquely blessed land. The beauty of its landscape has inspired poets to describe it as a virtual heaven on earth. It is one of the few places in the world where the people are as physically beautiful as



Hurriyat leaders on a dharna in New Delhi, Dec 10, 1996 Photo: PTI

the land they inhabit. The Valley is also extremely fertile and grows not just the usual crops like rice and lentils but also exotic fruits and prized spices in abundance. To top it all its people are among the most creative in crafts - the carpets they weave, the shawls they embroider, the wood carvings they specialise in, the precious stones they fashion along with a whole range of other cottage crafts have the potential of making Kashmir a wealthy place. The money that Kashmir could earn from tourism alone would help take much of the rest of India out of its dire poverty.

Yet, what is the reality? For all their industry, in most villages the majority lives poorly though Kashmiris are much better off than people in most parts of rural India. The infra-structure in the Valley, as in the rest of India, is abysmal. Despite the fact that the Himalayan rivers provide enormous potential for hydro-electric power, most Kashmiri villages have no electricity and even those areas that have been electrified, including Srinagar experience prolonged power cuts every day. The Central government has over the years pumped in a lot of money as special grants to J&K but most of it has been siphoned off by corrupt officials and politicians rather than invested in development work. Even though education is supposed to be free up to college level, most *sarkari* schools don't function at all. For all its beauty, tourism is grossly underdeveloped in Kashmir. There is no modern industry worth the name in the Valley - not even such a basic one as fruit processing - something that could dramatically enhance farm incomes. Primary health care, water supply, and other civic amenities are as bad as they could be. Add to all this the mismanagement of its natural resources. The forests are

disappearing. Most rivers and lakes are hopelessly polluted. Srinagar in most parts looks like a slum. The Jhelum river that flows through it resembles a sewer. The lakes in the city, including the famous Dal lake, are filthy from pollution. There is an over all collapse of administration.

Kashmiris are immensely proud of their land and are convinced that Kashmir could be as rich as Switzerland, if only they were "free" to manage their own affairs. Since virtually every second family in the Valley is connected, directly or indirectly, with the international market through tourism or their much sought after crafts, they see themselves able to make much better connection with prosperous parts of the world and have direct international flights land in Srinagar if only India with its corrupt polity, restrictive economy and general mismanagement would get off their backs.

In addition, security forces only too often behave like an occupation army routinely subjecting the local people to indignities, harassment, arbitrary arrests, torture and even illegal killings. All this does not provide a fertile ground for creating loyal citizens of the Indian empire.

### **Let Down by Their Own**

However, the tragedy of Kashmir is in large part due to the fact that its leaders of all shades and hues have reduced the idea of *azadi* to an empty slogan. Apart from exploiting its emotional appeal, they have failed to put any content into the idea of "self determination". For a section of the leaders, *azadi* simply means the right to join Pakistan - a country which is in a greater mess than India, a country whose ruling elite are even more corrupt and stupider than those of India. But even for those who are

for an "independent Kashmir" it is hard to engage them in a dialogue as to the kind of a society they want to build. For example, what will be the place of non-Muslim groups in it, the Buddhists of Ladakh and the Dogras and Punjabis of Jammu region, the Gujjars and numerous other ethnic groups inhabiting the state? What political system will they have to allow for appropriate representation of minorities and regions with a different ethnic composition than is present in the Valley? What steps will they take to restore the ecological health of their portion of the Himalayan region? And so on. Even their own followers admit that their leader have never gone beyond slogans to seriously address themselves to such questions.

Furthermore, they have failed to carry the people of Jammu and Ladakh region with them because they too lack sufficient appreciation for the aspirations of other ethnic groups and the need to carry out decentralisation of power within the state as well. This failure makes it easy for the Central government to play a divide and rule game.

The crisis of leadership is not a new phenomenon. Even though Sheikh Abdullah carried out radical land reforms in the state before anywhere else in India and fought for genuine federalism before this became a key issue of tension for every regional party in India, today even his erstwhile followers are questioning his political wisdom. He too did not allow a free and fair election in 1951 when he commanded widespread support. Thanks to his intimidatory factories, National Conference won the election virtually unopposed.

As one of the committed, longstanding supporters of the National Conference told me: "Even

Sheikh Abdullah had no political vision. He knew how to collect crowds, arouse their emotions and keep them hooked on to him by the sheer force of his personality. But he didn't know what to do with them. Nor did he have any vision of what *azadi* would actually embody. The worst thing he did was *not* to allow Kashmiris to feel settled. He should have made a final settlement either way — in favour of India or Pakistan. One time death is better than dying everyday. To have kept stroking the emotional fires of a whole people for so long was indeed irresponsible because they were encouraged to dwell in a zone of uncertainty fuelled by exaggerated, flamboyant hope.”

Consequently, Kashmiris have become a politically, though not culturally, very uprooted people.

### **Genuine Politics Lacking**

One of the most common complaints in the Kashmir valley is that New Delhi has never allowed genuine politics to take shape in the state. An important reason for the political impasse in Kashmir is that most of the political leaders in Kashmir are believed to have been propped up by intelligence agencies — Indian as well as Pakistani. Sometimes the same man is suspected of being paid by both. As is often the case, different wings of intelligence (IB, RAW and others) vie with each other for influence by backing rival leaders and undercutting each others' operatives. Consequently, the level of mistrust and cynicism about politicians runs much deeper in Kashmir than elsewhere. People in other states also see politicians as unreliable and corrupt, but they are at least seen as acting on their own behalf. But in Kashmir, no one knows at whose behest which leader is talking. As

Shujat Bukhari, a correspondent with *The Hindu*, puts it: “No leader can claim any ideology. Therefore, there is no question of ideological differences between them.” Yet each one is ready to undercut the other.

Even when they are together on a supposedly common platform like the Hurriyat, they are often undermining each other. For instance, many of those I spoke to were extremely puzzled and sceptical that the widely respected leader Mirwaiz Omar Farooq has been installed as the figure-head of the All Party Hurriyat Conference. The Hurriyat is today dominated by Jamaite- Islami leaders who are alleged to have gotten Omar's father Mirwaiz Maulvi Farooq murdered in 1990 as part of a strategy to destroy all leaders who had an independent political base. Similarly, Kashmiris openly smirk at the anti-India, pro-secessionist rhetoric of Abdul Ghani Lone whose own daughter practises as a lawyer at the Supreme Court of India in New Delhi. Supposedly “reformed” militant leader Kuka Parrey has openly alleged that many

MLAs and ministers in the National Conference are acting at the behest of Pakistani intelligence agencies. The credentials of many of the top secessionist leaders are put in further doubt because they depend on the very same Indian state to provide them armed security against which they are waging a war of secession.

Nobody knows who is using who in this cynical and murderous game. In order to counter their weak credentials, most politicians tend to indulge in exaggerated, over-blown rhetoric trying to outdo each other in anti-India and *azadi* sloganeering, which sullies their image still further. The result is there for all to see - a very peaceable people with no tradition of violence feel angry and estranged enough to give rise to a brutal and bloody secessionist upsurge.

People close to Farooq Abdullah allege that both Indian and Pakistani intelligence agencies are pumping in monetary and other support to bolster the position of leaders who are opposed to the National Conference. Given that mindset, the



**Omar Farooq listening to complaints** Photo: *India Today*



Farooq Abdullah government behaves as though it is under siege and is, therefore, extremely suspicious of and hostile to all forms of opposition to it — including legitimate democratic dissent. Not that there has been much of a tradition of allowing any kind of legitimate opposition in Kashmir.

Sheikh Abdullah himself was very dictatorial, and allowed no space for any legitimate democratic challenge to his power base. He could not even tolerate the opposition parties fighting elections against his party. In turn, Nehru treated him with equal authoritarianism and kept him in jail for long years, accusing his old friend and comrade of conspiring with foreign powers to secede from India. However, he was never actually brought to trial.

Today, Hurriyat and other opposition leaders accuse Farooq of being an “agent of New Delhi” while Farooq accuses them of being Pakistani agents. Some others in his government think they are puppets in the hands of Indian intelligence agencies out to undermine the National Conference.

Every now and then, state and central government agencies routinely indulge in selective leaks about Kashmiri leaders receiving huge amounts of money from Pakistan and other hostile countries, but these reports are seldom followed up with any determined action.

### **Sarkari Militants**

Still more dangerous is the game our intelligence agencies and paramilitary forces are playing through some of the surrendered terrorists. Each agency has inducted some of the captured terrorists to carry out counter insurgency operations for

them and has provided them with arms as well. Various paramilitary forces are now even inducting them officially in its ranks. On February 5, 1998, 88 “reformed” militants formally joined the BSF with Farooq Abdullah presiding over the much publicised ceremony. Another 174 are undergoing training at the STC in counter insurgency operation. About 400 others are undergoing training with the CRPF. (*The Hindustan Times*, February 6, 1998)

Recently 936 *sarkari* militants threatened to return to anti-India insurgency if the government failed to fulfill its promises made to them at the time of surrender. Their leader Javed Shah admitted that many of them were resorting to extortion because they were not being paid enough. (*Daily Excelsior*, November 27, 1997).

Groups like those led by Kuka Parrey had come to be hated earlier for their bloodthirsty crimes while fighting against the government. Now with state backing they have become even more murderous and blood-sucking, causing a great deal of resentment and hatred for a government which has let loose these criminals with its full backing.

As if that weren't bad enough, in recent months the BJP, as a part of its desperate bid to expand its electoral base, has entered into an alliance with Kuka Parrey and other such groups of surrendered militants-turned-*sarkari* terrorists. BJP leaders hope to make political inroads into the Kashmir Valley through such discredited people.

It is noteworthy that while BJP's unprincipled alliances with other discredited parties and groups such as Jayalalitha's AIADMK has come in for a lot of flak, no notice has been taken of this far more sinister alliance. It is yet another proof that even the

intelligentsia and influential opinion makers in this country use an altogether different moral yardstick for Kashmir. Acts and policies that would be considered politically condemnable in the rest of the country are seen as perfectly justifiable in Kashmir.

Such cynical policies only add to the scepticism and mistrust of Kashmiris. That is why there is a widespread feeling in Kashmir that unless the Indian government, allows genuine politics to take place and real leaders to emerge, the Kashmir problem cannot be resolved. Unless people have leaders they can trust, the anti-India sentiment will keep festering like a sore and can take explosive forms any moment even though the secessionists may seem to be on the downswing for the time being.

### **Absence of Healing Touch**

The absence of any humanitarian response from the rest of India has made reconciliation more difficult. During these years of militancy, thousands of children have been orphaned, numerous women raped by security forces, many families ruined and numerous women have become destitutes after the killings of the men of their families at the hands of terrorists or the Indian security forces. Numerous men have been disabled by torture while in custody. A large proportion of these are innocent people who were not involved in any terrorist activity.

Relations between different communities heal much faster when there are people who can act as effective bridges of communication between them - especially in times of crisis and strain. For example, after the anti-Sikh riots of 1984 and the subsequent period of a militant Khalistani movement in Punjab, even

at the height of Sikh estrangement, everyday relations between the Sikhs and Hindus in Punjab did not break down. Moreover, many non-Sikhs were involved in providing relief after those massacres as well as demanding punishment of those guilty of masterminding the riots and communal conflict in Punjab and elsewhere. This helped heal some of the Sikh wounds and marginalised the politics of Khalistani terrorism.

But as far as Kashmir is concerned, people in the rest of the country have by and large remained indifferent to the suffering of the Kashmiri people throughout this period. To quote Muzammal Jalil, the Srinagar based correspondent of a national daily; "To my mind, a very important lapse has been the lack of any humanitarian work. A whole generation of children are growing brutalised by the gun culture. Witnessing the daily humiliation the army subjects people to, and seeing brutal killings of their near and dear ones, has left deep scars, especially on children. No one has bothered to heal these young people. Some of my generation of young people took to the gun to fight for their political rights. If we let the scars remain unhealed, there is likely to be a whole generation who will take to the gun simply to earn a living. They see very little hope and few options for a dignified life here."

Even during normal times, Kashmiri Muslims have very little interaction with people from other parts of India except those few who come as traders of Kashmiri carpets, shawls and other crafts. This group did retain its business linkages even at the height of militancy. In fact, their connections got further strengthened because all businesses collapsed in the Valley. Therefore, many of them came and set up

business establishments and bought property in Delhi and other big cities of India.

It is fortunate that they were not openly attacked or hounded by non-Muslims. But they have had to put up with a great deal of police harassment and extortion. They are all treated as potential terrorists. Even those who rent or sell their properties charge far more exorbitant prices knowing their vulnerability. There is little attempt to mix with them socially because even in their neighbourhoods they are viewed with fear. Kashmiri Muslims do not have family and kinship contacts even with Muslims of other ethnic groups in India. They are consequently not attached emotionally to the rest of India. Therefore, the harassment they face gets further channeled into an anti-India sentiment.

Several people in Srinagar posed this question: "Have Indians ever tried creating a vested interest among Kashmiris to support India? What stake have you given us to be part of the Indian Union? Even the most talented of Kashmiri Muslims

don't get jobs in the rest of India because of obvious discrimination. Look at the way educated Biharis have flooded Delhi and the central services. But you will hardly ever find Kashmiri Muslims either in the Central Services or even employed in the Indian private sector - not those who were targeted here by secessionists for being pro-India. Had there been a substantial number of educated people who had a real stake in being connected to India, the estrangement level could never have gone so out of control". In their anger, they forget how crucial are Kashmir's business and trade links with the rest of the country. Also that the policy of the erstwhile Maharaja has been continued whereby no one from outside the state of J&K is allowed to be recruited in government jobs — not even those of peons and clerks. Earlier the Kashmiri Hindus dominated state services. Now the Kashmiri Muslims have come to be preponderant.

### **No Real Redressal**

Barring a microscopically small handful of human rights activists in



**Bodies of 16 militants killed in an encounter with security forces Photo: UNI**

India, who carry very little influence in determining policy, no one has cared to redress even the legitimate grievances of the Kashmiris, let alone build real bridges of communication to help work out a viable, meaningful solution. For instance, the Hurriyat leaders have been campaigning to get independent investigations into alleged killings of 292 people in custody — many of them of innocent citizens — between January 1997 to October 1997. Many more such murders are alleged to have taken place since then. The Farooq government had announced soon after coming to power that grievance redressal committees would be set up to look into allegations of human rights abuses. However, up to now no such mechanism has been put into operation even in the state capital, leave alone in every district.

The National Human Rights Commission (NHRC) has also ignored violations in Kashmir. In addition, the State government seems to be obstructing the involvement of NHRC. For instance, it is mandatory for every Deputy Commissioner and Superintendent of Police in the country to inform the NHRC about every case of custodial death taking place in the area of their jurisdiction within 24 hours. But the NHRC is not getting any reports from the J&K administration.

Private citizens from Kashmir who have approached the Commission with concrete complaints have not received any response from it. An additional handicap of the Commission is that the NHRC Act prohibits them from investigating complaints against the army.

Some cases have come before the courts in recent years. The Bar Association President told me that nearly 200 Habeas Corpus petitions (HCPs) had been filed on behalf of

people who had “disappeared” after being taken into custody. The actual number of such missing people is believed to be higher. (*More details will be available in the report published in the next issue*) Security forces frequently abduct people without following any formal procedure of arrest. Those abducted are either killed or left maimed for life from brutal torture.

I briefly witnessed one such trial in Srinagar during my visit. A BSF *jawan* had come as an accused in a HCP case. He and his colleagues had been charged with abduction of 19-year-old Mushtaq Ahmed from Ali Kadal in Srinagar. Mushtaq was allegedly tortured and killed in custody. But the BSF gave out the story that he had “disappeared” while they were taking him to identify a militant hideout. According to their version, they were fired upon by the militants and as they were busy in retaliatory firing, Mushtaq “escaped”.

At this hearing the BSF *jawan* who was under cross examination was trembling with fear and was unable to come up with even a half serious defence. By his nervous answers, even when there was no one intimidating him, he seemed to be indicting himself more strongly than the petitioner’s lawyer could have.

The army has investigated a few instances of abuse and in a small number of cases disciplinary action has been taken. But the proportion of those left uninvestigated is alarmingly high and are, therefore, becoming like festering sores.

### **Self Harming Approach**

JKLF leader Yasin Malik has been repeatedly pleading with human rights groups to independently investigate these killings. But even after a few of these cases were investigated by a group of human rights activists

nothing came of it because the Abdullah government is not willing to raise these issues with the army and thereby jeopardise its own tenure. When I talked to the Chief Secretary of the J&K government, Ashok Jaitley, his response was:

❑ The Hurriyat leaders exaggerate, you cannot take their charges as facts.

❑ There are bound to be human rights abuses in such a situation.

Government spokesmen only too often justify and defend such murderous behaviour using the plea that this is a proxy war with Pakistan and that terrorists do not observe any restraint either, and they are no less brutal in their killing operations. “If you cannot ensure that police function lawfully in the capital of India which has the highest number of deaths in police custody,” I was told, “how can you expect the army to behave with restraint when they are fighting an armed secessionist movement?”

The fact that the Pakistani establishment faces hardly any internal challenge or even international criticism for its unscrupulous and murderous role of trying to turn Kashmir into another Afghanistan, makes the Indian establishment particularly intolerant of even legitimate criticism. They are not off the mark in believing that critiques of Indian policy by human rights activists get to be used by Pakistan and other vested interests for India bashing in international fora. However, it is very self harming to make our Kashmir policy a hostage to the criminal ways of Pakistani establishment. Those who believe that Kashmir is an integral part of India ought to ensure that the citizenship and human rights of Kashmiris are safeguarded rather than violated by the government.

It is important to remember that the government is dealing not just with terrorists; its primary concern has to be to convince ordinary citizens that the government is capable of acting lawfully. The state machinery loses its legitimacy in the eyes of the people if it is seen to behave lawlessly. Also, it progressively loses its ability to function efficiently if the local population mistrusts government forces and is hostile to them. Even more important, officers who are seen as behaving lawlessly are not likely to inspire the necessary respect from their colleagues as well as their juniors, who they are supposed to lead. That poses a greater threat to the morale of the security forces than appropriate punishment for known and provable offences.

Even if one grants that the number of atrocities may be somewhat exaggerated, it becomes all the more important that there be open and impartial investigation so that the legitimate grievances can be sifted from the illegitimate ones and redressed speedily. Our government's failure to do so has cost this country dear because people get to feel they have no redress, no place to get a genuine hearing and, therefore, no real stake in the system. In such a situation demoralisation and deep mistrust is inevitable - both of which can take explosive forms at any moment. This is exactly what has happened in Kashmir. To quote an eminent Kashmiri journalist based in Srinagar: "We need a surgeon's, not a butcher's knife. If the Indian government wants to be successful in fighting insurgency, it has to learn to distinguish between fighting terrorists and human rights abuses against innocent citizens".

It is indeed true that the government machinery as a whole, and especially the police, does not function lawfully anywhere in the country. The consequences of such irresponsible behaviour are evident elsewhere. The citizens lack respect for enforcement agencies and treat all laws with contempt.

In Kashmir, the lawlessness of governance produces a more dramatic reaction common to many of the border states of India - most of whom wish to secede because they see that as a possibility which the disgruntled people of U.P or Maharashtra can't think of because of their location in the heartland. Using the misdemeanours of police elsewhere as a justification for our inability to control the patently illegal

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**"We need a surgeon's not a butcher's knife. If the Indian government wants to be successful in fighting insurgency, it has to learn to distinguish between fighting terrorists and human rights abuses against innocent citizens."**

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behaviour of our security forces in Kashmir is disastrous indeed.

### **No One in Charge**

The tragedy of Kashmir is that no one is really in charge. Senior bureaucrats admit that the writ of the civil administration does not run far because the security forces have gotten used to unchecked power. They are not willing to let go and would not allow any scrutiny of their actions. Therefore, even ministers and MLAs as well as most civil servants feel helpless - except those who are out to make money for themselves and become partners in the politics of extortion and loot being practised on a wide scale in the name of anti-terrorist activity.

Worse still, even the various security forces are not working in meaningful coordination with each other. One of the respected Kashmiri journalists who requested anonymity summed up the situation very aptly: "Where is there such a thing as an Indian soldier? There are BSF men, CRPF men, special Task Force recruits, Rashtriya Rifles and sundry other army units apart from a whole range of functionaries of the various intelligence agencies - all working at cross purposes, often even



**Hurriyat protest march near Boat Club, Delhi, Aug. 15, 1996 Photo: PTI**

conspiring against, or hindering each other. How can the Indian government hope to retain Kashmir as part of India if it cannot control its own security men and make them function to a purpose?"

Apart from routine charges of plain extortion against para-military and military men who are believed to arrest even innocent people for ransom on trumped up charges as well as let known militants slip away if they are suitably bribed, one hears innumerable believable stories of corruption and plain loot being indulged in by different wings of the security forces. Army spokesmen have even given press statements charging various paramilitary forces of misdemeanors including abduction and detention of innocent people for ransom. One hears reports of security men selling seized weapons back to the militants as also letting militants cross the border if they are suitably paid off. With liquor shops closed due to a "ban" by militants, security men are seen selling liquor that they get from the defence quota in the black market right in the heart of Srinagar, not to speak of in remoter areas where there is even less scrutiny of what they do.

People also talk of CRPF and BSF men selling petrol and diesel that they take out from their own vehicles meant for patrol duty. Then there are allegations galore that forests are cut and timber illegally sold by security officials. The Lt. Governor has himself admitted that there has been mass denudation of forests during the last eight years (*The Daily Excelsior* Nov. 14 1997) In an area where the army is all pervasive, trees can disappear only with the connivance of the armed forces.

Another disturbing new trend is the increasing cases of suicides by soldiers and murder among fellow

soldiers. According to the Army figures, since 1984, 300 security men have committed suicide. In recent years there have also been a number of cases involving murder of soldiers by their own colleagues. About 20 such murders were reported in 1997 alone in the army press releases. The Army spokesman put the figure at 15. Whatever be the exact figures, this question is being widely asked: Why has such a grave symptom of acute psychological stress emerged? The Indian soldiers seem to be cracking up working under in harsh conditions, in constant fear of their life with no outlets for stress release. Some Kashmiris interpret it also as a symptom of outrage against their own officers' misdoings and corruption and the dehumanising nature of their job. But the Army top brass and the Army General turned governor of J&K do not seem willing to let go and curtail the role of the Army where ever possible.

### Army Won't Let Go

A senior government official (non-Kashmiri) corroborated this mindset of the army of not wanting to let go of the sweeping powers it has acquired by alleging that the army will even engineer incidents of terrorist violence in order to convince the powers – that – be that the continued presence of the Army with all its special powers is absolutely necessary for keeping secessionism under check. The truth may well be that the prolonged presence of the Army is one of the biggest irritants keeping the sentiment of *azadi* alive among the Kashmiri people because it is a daily, constant reminder that they are not free citizens, that the rights available to others are not available to them, that they are a subjugated people kept within India through the armed might of the Indian state. The legitimate places for the

Army are the border areas. Their continued use against those we call fellow Indian citizens can only make them feel discriminated against and breed mutual mistrust and alienation.

Kashmiris are not off the mark in saying that the rest of the country will pay a heavy price for this indiscriminate and irresponsible use of the army in dealing with civil discontent.

To quote a journalist who requested anonymity: "You started off by using the army on the peripheries – Kashmir, Nagaland and Tripura. Soon the disease spread and Punjab – the pride and heart of India – was also given a taste of army intervention, all for the purpose of bolstering the power of the Indira-Nehru dynasty. Then came the turn of Assam where army intervention was forced much against the wishes of Chief Minister Prafulla Kumar Mohanta. Now they have to call the Army in not just to deal with communal riots in Bombay but even to deal with Veerapan and Laloo Yadav. If you encourage the Army men to run amok here, it is bound to boomerang on you all over the country. For example, with all the bribes and extortion he is able to indulge in while posted in Kashmir, an army man starts making big money here. His family gets used to a higher standard of living. But when the same man is posted to another state, he has to make do with his usual meagre salary. That is when he starts looking for ways to make extra bucks and maybe look for potential buyers for selling defence secrets. Corruption and lack of accountability is like an HIV virus. It will destroy the entire body politic. This is the price India is paying for subjecting Kashmir to the indignities of unaccountable army rule."

Even so, many Kashmiris say that the army is far better than the other

paramilitary forces like the BSF and CRPF. To these have been added another much hated group - the Special Task Force of the J&K police. Though ostensibly a state force, both the officers and the lower level jawans have been systematically recruited from outside the Valley - especially from the Jammu region and from the state of Punjab - so that they don't have any sense of being connected to the local people. Having heard numerous stories of their highhanded, illegal methods, I went to visit one of their detention centres in Srinagar armed with court orders giving me permission to meet three JKLF men who had been detained there for more than a month.

The S.P of that Centre and his two junior colleagues I met were extremely cooperative and seemed to have been instructed to be media friendly. However, I got a glimpse of what people must suffer at the army's hands while waiting outside the gate for permission of the S.P. Several men and women, old and young, some having come from far off villages, were hanging around outside in the cold hoping to get permission to see their relatives who had been locked up inside. Each had a pathetic story to tell.

That was expected. The not so expected story was the one I heard from an educated old man and his two sons waiting outside like hapless supplicants not to meet a locked up relative but to get their Maruti car released. Their vehicle was picked up by the STF men from the family's garage on the charge that it was stolen property. The family said they could prove ownership through proper documents but the STF men did not listen and took away the car anyway. These men had been hanging around for hours armed with all the papers to prove their case. But there was no one to listen to them.

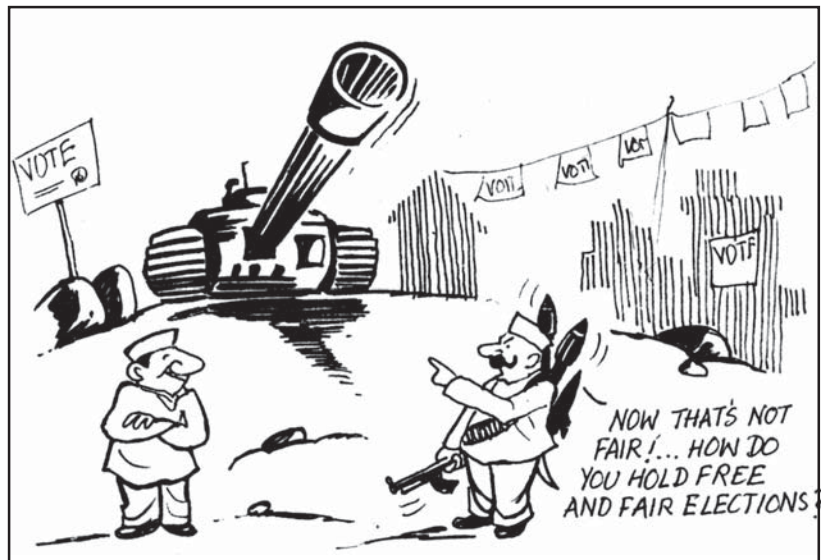
They were frightened that even talking to me about their situation might jeopardise the safety of their entire family. Needless to say, this action was patently illegal, probably done with a view to get bribes. It is not the job of STF to round up vehicles for traffic violations or even look into cases of theft.

I myself was treated rather well when I went in to visit the three JKLF men. DSP Prithpal Singh and sub inspector Rano Kundal sat through the meeting and joined in the conversation quite avidly giving their side of the story. Their relaxed friendly dealings with the three prisoners I had gone to see gave one the mistaken impression that the army's detention centres were perhaps not so monstrous anymore. One of the detenus, Nanhaji, surprised me by describing the DSP as someone more appropriate for a *gurudwara* than a police job. That was his way of paying high compliments to this particular officer who he said behaved exceptionally well.

But bits of information these detenus whispered in my ear indicated that a large number of those detained were being badly

tortured and most had been illegally detained. The three JKLF men were certainly not there lawfully. According to statutes, anyone who is arrested has to be produced before a magistrate within 24 hours with specific charges and then taken to prison. These three had been picked up from the JKLF office along with Yasin Malik a month ago and yet not produced in court. Nor had anyone been allowed to meet them till a day before I met them. In many cases, relatives (including a 70-year-old father) of terrorists were arrested as a way of putting pressure on the militants to surrender. The detention centre conditions they described sounded abysmal. These men had not even been provided facilities for bathing for a whole month. Consequently, they said their bodies were itching from lice they picked up living in those unhygienic conditions.

The one important difference I noticed this time is that the security forces have become far more media savvy. The Srinagar based public relations officer for the Defence Ministry Major Purushottam, an officer from Kerala, was sophistication and grace incarnate



when I met him for a long chat to get the Army's version of things. Many of the Kashmiri journalists I spoke to seemed to regard this officer well. He seemed to be on friendly terms with a lot of media men and willing to provide them with more information than army officials are normally willing to part with. Needless to say he defended the Army against all charges of abuse rather valiantly, giving a fairly well worked out response on how the army was itself trying to check abuses by court martialling some of those found guilty of misconduct. He cited a few instances where army men had been punished but could not give me a convincing explanation as to why there was no mechanism to deal with each allegation of abuse and killings of innocents in cases where there was a strong prima facie reason to believe that army misconduct was likely.

However, the problem of Kashmir cannot be solved by a better public relations exercise. It requires a well thought out, carefully worked out political solution. Some of the army men I talked to seemed fairly agitated that politicians create the mess and then leave the army to face the music. This growing disgruntlement in the armed forces and the feeling that our politicians are incompetent and trouble makers is a worrisome sign.

Even the best of our political leaders have behaved extremely irresponsibly as far as Kashmir is concerned. I won't go into the many acts of omission and commission of Nehru and his dynastic heirs in creating the mess that is Kashmir today for it shows them at their most disastrous. But the rest who came to the helm (barring Moraji Desai and Lal Bahadur Shastri) behaved no better. It was V.P Singh who sent Jagmohan as governor to J&K, who



**A large public meeting in Srinagar at the time of Lok Sabha elections, 1996**

endeared himself to the BJP by his communally partisan policies. Most Kashmiris accuse him of driving a deep wedge between the Hindus and Muslims of the state by manipulating the insecurity of the Hindu minority.

In recent months Inder Kumar Gujral has behaved no better. His coming to power aroused great hopes because he was believed to understand the problem in all its complexity. In October 1997, when he went to Srinagar and made the statement that he was willing to start negotiations with all sections of Kashmiri leaders including those who had taken to armed struggle without any pre-conditions, the whole atmosphere was electrified with hope because all those tired of militancy thought an offer to work out a negotiated settlement could bring about swift change - especially since the UF leaders did not carry the history of stigma that Congress leaders do. However, the next day itself, the Prime Minister disowned his own statement causing real loss of credibility for both his office and his person. Similarly, Indrajit Gupta, the Home Minister, started off on a

very positive note but his ministry officials seem to have thwarted his desire to break the deadlock.

Farooq Abdullah is acting somewhat arrogantly towards his opponents because he believes he has scored a victory over them. However, his failure to provide a sound administration and to restrain human rights abuses by the army has estranged even many of his party supporters. To quote one of the senior JKLF leaders Gulam Rasool Dar: "These people don't know how to fight back politically. Even though the Yasin Malik group of the JKLF has given up militancy and taken to the politics of democratic protest and dissent, these people won't allow even minor demonstrations and *dharnas*. What is the maximum Hurriyat will do? At most, call for a *hartal* or a demonstration. A couple of hundred people at the most turn up at such occasions but people will soon get tired of *hartals* and become indifferent. That will only show their weakness and make it easy for Farooq to assert that he is in control. But no, the Farooq government puts a ban on even such harmless political

activity like a *morcha* with slogan shouting; they arrest and harass even those young men who have given up the gun and are now ready to participate in the democratic process to work things out. But those in power do not let that process begin. They use crude high handed methods at every turn and drive people to desperation.”

Gulam Rasool Dar was among those arrested on November 5, 1997 with Yasin Malik for holding demonstrations. The group believes the crude manner in which the arrests were carried out and the “trumped up charges” on which they were all booked are nothing but personal vindictiveness and an attempt to destroy their political support. For weeks on end, the women of Yasin Malik’s family were harassed, hit and humiliated and their house repeatedly searched though nothing incriminating was ever found. Their relatives and neighbours, including little children, were beaten up following those arrests. The seriousness of the charges can be gauged from the fact that Dar and other JKLF activists say they were not even questioned. After their arrest Dar and another colleague Bashir were released after six days as arbitrarily as they were locked up.

I also heard reports that in many places National Conference and Congress party workers and local level leaders were settling personal scores with people by getting them arrested under trumped up charges. At the STF detention centre I personally saw several young men who had been arrested at the behest of a National Conference worker who boasted proudly to me that some of those men had fired 300 shots at him. It sounded like a cock and bull story because he was not harmed one bit by those 300 bullets. When I told him

at his face that his charges and his role looked suspicious to me and that it was time his party leaders acted more responsibly, he replied somewhat sheepishly: “How do you expect us low level leaders to behave better when people at the top are pursuing such messy politics?”

### Towards Solution

Now that the Abdullah government feels ready to go in not just for the Lok Sabha but even for panchayat and district level elections, one hopes that these electoral exercises will be fair and free. However, the political vacuum that came to be created in Kashmir over the last decade can be truly filled only if political leaders of diverse shades of opinion are allowed to emerge and the political space is not appropriated by intelligence agents and the National Conference alone. Most Kashmiris would opt today for an honourable settlement.

To put it in Shujat Bukhari’s words: “Kashmiris have realised that *azadi* is not likely to materialise. At the same time they do not want to live with a sense of defeat.” What would an honourable settlement look like? I asked several people. The answers I got can be summed up as follows:

- ❑ Bring relief to the common citizen by making the armed forces behave lawfully and with a measure of accountability.
- ❑ There should be a genuinely independent probe into human rights abuses against innocent citizens. Those found guilty should be suitably punished.
- ❑ There should be honest and fair reporting of the situation in Kashmir by the national media. The self censorship and distortion of news they indulge in is not in the national interest

because it creates a lack of confidence among Kashmiris.

- ❑ Let genuine politics and leaders emerge through the democratic process. Intelligence agencies should put an end to the practice of propping up their agents as leaders.
- ❑ The administrative machinery needs to be overhauled so that there is a sense of fair and efficient governance - something the state has lacked ever since 1947.

All these are reasonable and fair demands. To this list of interim measures I would add the most long standing and legitimate demand of Kashmiris for genuine regional autonomy which was once granted to them under Article 370 but later eroded bit by bit on the recommendations of imposed puppet governments through rigged elections. In fact, other states of India would also benefit if the same measure of autonomy was extended to them.

The British created a centralised polity; this polity was further centralised by the trauma of Partition, and by the deliberate Congress policy of controlling states and regional governments through the imperial dictates of the Delhi *darbar*. This has caused too much damage to our country. India cannot develop as a real democracy unless every state in India (and distinctive regions within each state) can participate in a genuinely federal, decentralised, democratic polity. Those who care about Kashmir remaining an integral part of India owe it to their conscience to make common cause with Kashmiris for the redressal of their legitimate grievances. We can’t afford to forget that Kashmir is not just a territory — it is primarily its people, a vital part of the Indian people. ❑