

## EVIDENCE OF VIOLENCE IN JAMMU & KASHMIR: NARRATIVES FROM THE HINTERLAND

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### ABSTRACT

*Jammu and Kashmir is dubiously distinguished as one of the most violent prone conflict zones in the world. What is the Evidence of this violence? This conflict has been examined through the lens of narratives from the hinterland. What is the relation of violence with state and non-state actors? Are extant ethnic divides constructively or destructively oriented? Using this history and evidence of violence, the paper seeks to delve into questions which must necessarily form the backbone of any meaningful resolution mechanism. Analyses have been based on examination of cases from conflict afflicted areas, historical contextualization of arguments, and debates from primary and secondary sources.*

### KEYWORDS

*Jammu & Kashmir, Politics, Conflict, Violence, Analyses, Inequality*

### DEFINITION OF VIOLENCE

How does one define violence? The World Health Organization defines Violence as "the intentional use of power or physical force, threatened or actual, against oneself, another person, or against a group or community, which either results in or has a high likelihood of resulting in injury, death, psychological harm, maldevelopment, or deprivation", but acknowledges that the inclusion of "the use of power" in its definition expands on the conventional meaning of the word (World Health Organization 2002). Spanning the entire spectrum, violence in conflict ranges from that inflicted by adversaries, whether state or non-state actors, and also ranges the entire gamut of ethnic, religious or gender based 'direct' violence or economic, political or culture based 'indirect' violence.

In response to widespread threats and targeted attacks and killings by militant groups, many Hindus had fled. Jagmohan's government ultimately assisted some 90000 Hindus in leaving the Kashmir valley for camps in Jammu and New Delhi....security forces opened fire repeatedly on unarmed protestors....constituted a serious violation of international humanitarian law<sup>1</sup>.

### THE STATE AND VIOLENCE

What is the relation of the state with violence in a conflict zone? Extant studies have attributed it to certain factors which are being discussed here. It may be (a) *the kind of regime that dictates the*

*violence*. The reasoning goes that democracies encourage dissent and therefore collective action, but totalitarian or tyrannical regimes stifle these. It is therefore in certain 'anocracies', which would be the grey area between a democracy and an authoritarian regime, semi- democratic so to speak, that the use of violence would be most rampant. Alternately, it may not be the kind of regime, but (b) *specifically its use of repression*. This may therefore, be the reason for violence at various levels of repression. Yet another theory denotes it to (c) *the quality of rule that the state is able to provide its citizenry*. To quote (Lawrence and Chenoweth 2010):

States with a ruling elite that has historically dominated particular ethnic groups or classes may invite violent uprisings....States themselves may initiate civil violence when it is in their interest to do so....state policies toward ethnic groups depend upon the international environment.... Studies point to the need to consider the nature of the state and the quality of its rule as a variable, rather than a fixed state characteristic. Changes in state behaviour, rather than particular classes of states, may better explain episodes of political violence.

Where does the conflict in J&K define itself? To my mind, our study fits itself as a mix of the second and third theories. Since India as a whole cannot be categorized as an anocracy, one must look at the microcosm of J&K, where the state definitely shows signs of being an anocracy, characterized as it is by inherent political instability and ineffectiveness and an incoherent mix of democratic and autocratic traits and practices, making repression inherent to its functioning. This, when coupled with the quality of rule that is perceived in ibid microcosm, causes for violence to be perpetuated (when in own interest), as also a penchant for variable policies dependent on the larger (international?) environment.

This lethal mix lays the basic groundwork for both insurgent violence as well as state violence for political space and/ or agenda. A comparison is sought to be drawn below. Yet, a few facts need to be understood before proceeding ahead. Violence is an elementary form of communal activity (communal as in arising from a community or group, not communal in religious terms). It arises from a definite set of circumstances and it affects flesh and blood victims. It creates a number of scenarios, which may be dealt with in different ways. Finally it has finite consequences for the conflict; the conflict may move in a negative or positive direction, again depending on the way the various protagonists react or view the violence. Any violence does not target its victims at random, it is not quirky and its victims may be representative of a larger target audience, a messenger so to speak. To the victim and the perpetrator both, violence is not senseless or meaningless, though usually from a standoff point of view, this may well seem so. The perpetrator is trying to send a message across by means of his violent acts; similarly, the victim will understand where the warning lies. However much it may seem like an outlier, violence is not a segregated act. If unravelled far enough, it has its indelible connection to a cause, and hence it is an effect.

## COMPARISON OF CONFLICTS WITH EVIDENCE OF VIOLENCE

It is the set of proportions outlined above that make it possible to compare violence in different conflicts and draw lessons there from. Conflicts both in the domestic and the international sphere exist, which are comparable to the issue of J&K. Amongst the notable and hence, being focused upon here, striking similarities are the long drawn counterinsurgency campaign, coupled with a high toll of human life, death cases, disappearance cases, the strung out violence by both the state and the non-state actors, and the political violence attached to the conflict.

....I visited a friend's orchards in village Romo....off the Pulwama- Shopian road....the commanding officer of a BSF company stationed there who turned out to be the worst kind of advertisement for the armed forces in Kashmir. His demeanour, even the way he walked and the tone he used when talking to the locals, was designed to intimidate people. With absolute confidence he told me that yes, tough measures were used with the youth, 'even with those who are picked up on grounds of suspicion'....he said, it was necessary (Quraishi 2004).

The description in this passage could well have been from a case study of the Punjab insurgency in the 1980's, with names of places changed to those in rural Punjab. In the backdrop of militant organizations getting a fillip during Indira Gandhi's Prime Minister ship, and during the Emergency days, the conflict remained nonviolent from 1978 to 1984. Though the state of Punjab saw rising episodes of communal clashes, the government at the Centre and the hardliner separatists did not openly profess violence towards each other. It was only in 1984, when the militants took up fortified positions inside the Golden Temple complex in Amritsar, that a decision was taken by the government to use the Army to flush them out, in Operation Bluestar. The bloodbath that followed still remains in the institutional memory of the Sikhs, and indeed, led to the assassination of Indira Gandhi by her own Sikh bodyguards.

What was glossed over in the build up to Operation Bluestar however was the repeated failure of talks between the Akali Dal and the central government, effectively discrediting the Akalis in the eyes of their own electorate, as well as giving a boost to the secessionists under Jarnail Singh Bhindranwale. It became common-speak in Punjab that the only way out was to launch a violent agitation. The central government, in its defence spoke of the measures it had taken to resolve issues, sadly not realizing the futility of too little, too late<sup>ii</sup>. In the aftermath of Operation Bluestar, and the subsequent failure of the much touted Rajiv Gandhi- Longowal Accord of 1985, the stand of the secessionists became appealing to the ordinary man. It resulted in increasing violence between 1987 and 1992. The spirals of violence were not only between the insurgents and the police (and later on, the Army); it was also a contest between the various militant groups vying for supremacy on the political side of things. Escalation of violence often meant the common man was in the gun- sights of both sides, and eventually led to his alienation. This very alienation of the man on the streets, was seen as central to the success of the counterinsurgency campaign under the stewardship of Julio Rebeiro, followed by (the infamous) KPS Gill, then Chiefs of Police in Punjab.

What does the study of these two conflicts, namely J&K and Punjab, both within the sovereignty of India, offer to the student of Conflict and Violence?

First and most conspicuous observation is the direct correlation that the (current) political situation at the Centre has to the position it adapts towards the state. The period of stability at the Centre offers some indication of resolution with the partisan groups. This is however, heavily overshadowed by the periods of uncertainty, instability and political turmoil. It not only creates chaos at the macro level of dialogue and efforts at reconciliation. At the micro level, it brings forth the worst form of violence. Though the explanation may seem rather simplistic, but invariably, the grass root levels perceive this as a refusal to look at their genuine grievances. Violent means are seen as the only way to make their presence felt and their voices heard. The state, on the other hand, does not concede its flawed outlook or its inability to resolve. It comes down with all the might at its disposal, to deal with the violence of the perpetrators. This effectively sets in motion a vicious cycle of violence begetting violence, with neither side willing to or able to extricate itself. All signs of reconciliation and resolution disappear. In order to gain primacy for its own views, there is a tendency to ignore the views of the other. *Objectivity is lost sight of, as a result, and violence becomes a priority.*

Secondly, inherent contestation in both sides seeking legitimacy to their actions is evident even from the semantics involved. In the words of Kalyvas, 'the term is often claimed by the vanquished in their quest for political redemption and inclusion, and denied by the winners who seek the permanent exclusion of the losers from the political, or even national, realm' (Kalyvas 2006). What is definitively discerned is the violent redrawing of boundaries, turning the scape in to armed camps within the same sovereign entity. This is a territorial division which acts as a 'kernel' or a 'centrifuge' of the conflict<sup>iii</sup>. It also serves to heighten the violence rather than calm it down.

If human dignity is choked and abused, nothing remains. There is no space for finer emotions. It's been a tension ridden life for all of us. My own brother was picked up for questioning and taken to an interrogation centre where he was subjected to electric shocks in his private parts....don't talk to us about love and our personal lives (Quraishi 2004)<sup>iv</sup>.

There abound hundreds of such stories which give serious anecdotal evidence of the violence that ordinary people have to live with in conflict zones. In his treatise, "On War", Carl von Clausewitz defines war as *an act of violence intended to compel and make the opponent submit to and fulfil one's will*<sup>v</sup>. In a later expansion of his initial definition he qualifies his statement by saying war is not merely a political act, but a real political instrument (Clausewitz 1997{reprint}). In this definition of war, the underlying reasons for civilian targeting can be discerned. It appears almost as if ordinary people, non-combatants, are deliberately victimized in order to drive home the military and political message, with a resounding thump! The state selecting deliberate targeting of civilians seems to form the strategy in a good 20- 30% of all conflicts. Not being the stated policy, this percentage may not be fully substantiated, yet this figure forms the core of several studies. The accomplishment of military and/ or political objectives may be considered strong enough a reasoning to adopt this as a strategy. The 'collateral damage', as it is often, and lightly, referred to is one of the worst ramifications of any armed conflict, yet widely believed to terrorize

the population in to submission. In some ways it serves as a corroboration of the idea that violence seems to flowing out of the relentless pace of the conflict.

## **NON-STATE ACTORS AND VIOLENCE**

Any discourse is not complete without reference to unbridled violence by Non-state actors. Here again, the desired objectives may decide the course of action; an equitable and cooperative relationship between adversaries would mean struggles of a nonviolent kind. Studies on types of strikes have shown the use of nonviolent stoppage of work in strikes where an improvement in the work culture or the interests of workers was desired (Lammers 1969). In case of strikes where usurping power was the main motive, violence, killing of superiors etc. has found predominance, more like a mutinous situation. Again, this is a testament to the inexorable nature of conflict, whether leading to violence or not being a choice with the protagonists.

Pakistan has been working on multiple planes to bleed Kashmir. It wants to send the people of Kashmir to an ICU (intensive care unit) from where they can never come out. The proxy war since the late 1980s is a classic example of this. It has left more Kashmiris dead and maimed than others. It has brought darkness to the lives of tens of thousands of Kashmiris, who have lost their near and dear ones. There is neither solace for them nor any light at the end of the tunnel<sup>vi</sup> (Joshi 2013).

Relationships between two people are an interconnection between the individuals, where the two are bound by their feelings for each other. Similarly, a conflict can be termed as a relationship between two adversaries, where the two are seemingly in a marriage like alliance, bound by their antagonism towards each other. Going further in this analogy, disagreements are an integral part of any relationship, and the more the disagreement deepens, it leads to strong words, arguments and fights. This part of a relationship is akin to the violence erupting between adversaries in a conflict, their antagonism for each other reaching the point of no agreement. This is the tipping point in a conflict, leading the perpetrators to believe in the efficacy of violence as a means to achieve their perceived solution.

## **ETHNIC CLEAVAGES AND VIOLENCE**

In citing various illustrations from the Kashmir issue, this study finds a high degree of correlation between the views espoused by the protagonists, their interdependence of antagonistic sentiment towards each other, and the legitimacy they seek to gain or derive in the larger context of the conflict itself. If opponents view each other and their views as legitimate, they tend to move towards resolution. Since India, Pakistan, and now, the people of J&K have become increasingly unresponsive to each other's stances; they tend to ignore common values, norms and interests. It becomes even more convoluted given the entire generation of Kashmiri youth who perceive the Indian intervention in 'humiliating' terms; thus, they demonize the Indian government, its military presence, and every instance of past atrocity, real or imagined<sup>vii</sup> (Kriesberg and Dayton 2013). This extreme sentiment finds an echo from the conflicts in Rwanda between the Hutus and Tutsi, as also between the Serbs, Bosnians and Croats in former Yugoslavia.

Growing up in the shadows of conflict, of guns wielded by both militants and armed forces, we in Kashmir have witnessed many confusing narratives that sometimes just 'happened' but which are now imprinted in our minds, seemingly forever. Everything in 1990s Kashmir was, as I remember it iteratively, brought to a standstill each day. Our lives as young boys were ruled by a primary goal: to save ourselves and to live just for one more day. While boys of our age in other parts of the country were aiming for productive careers in the engineering, medical and civil services and concentrating on their studies, our lives were part of another narrative—knotted, twisted and often grotesque – despite the shimmering beauty of the landscape we inhabited. This personal narrative tries to explain how we as common people in Kashmir have witnessed at least three crucial stages of conflict dynamics. (i) Pre-militancy era – when everything was normal and after returning from the local school, we would play with the army men [without arms] who had camped in our village for some social service, and were perceived as within ‘us’, not ‘them’ or the ‘other’. Kindness was at its peak and the red clouds in the sky innocently followed folklore to mean that blood was being spilt or any unwanted incident was occurring in some distant ‘other’ corner of the world. (ii) The militancy era – with haunting memories which still predominate our terrified dreams of cross-firing, crackdowns, identification parades, serving food to one militant party followed by the raids of another militant party and then nocturnal raids by the armed forces. Caught in the existential paranoia, career and conflict, absolute anarchy of this era is the strongest part of our memories, thought process and behaviour. (iii) The post militancy era again consists of many catastrophic phases and is dominated by the agonizing ‘manufactured’ and ‘action’ narratives (Bhat 2014).

Two arguments related to ethnicities are offered here. Firstly, whether inclusion or exclusion is the aim of the political class is indicated by the policies adopted by them. Secondly, is violence to be treated as a degree of the conflict or is it just a (different) form of conflict. In context of the lines quoted above, these may be seen in light of the distinct phases or stages of conflict dynamics that Dr Bhat refers to.

If one views the state of Czechoslovakia, formed in the aftermath of the First World War as one of the outcomes of the Paris Peace Conference, it serves as an example of the ethnic cleavages that form part of a newly carved state. In Czechoslovakia the Czechs had a majority, with the Germans forming the next biggest ethnic group, followed by the Slovaks, Hungarians, Ukrainians and Poles. The Germans formed the majority of the population in the border area known as Sudetenland. Despite such ethnic cleavages in the country, Germans were treated with a fair degree of liberalism, irrespective of the government being left-wing or right-wing. In fact at times it went beyond the requirements laid by the minorities’ treaties; for example, those Germans in possession of war bonds sold by Germany, which were now rendered worthless, were compensated for their investment by the Czechoslovakian government, albeit at a lower rate (Luza 1964). Similar liberal policies were followed in education with Germans being allowed to study in German language schools and even a German University. Possibly, the one area where the Germans suffered was their share in the bureaucracy, attributed to the requirement of knowing Czech in the newly restructured Czechoslovakian bureaucracy.

Similar examples abound in provinces of Balochistan, Sindh, East Bengal and North West Frontier Province seen in the nascent stages of Pakistan's formation. The ethnic cleavages existed despite the Muslim nation theory of Jinnah, as each ethnic group had its distinct identity which religion could never bind together. The dominant Punjabi majority in governance and bureaucracy was further amplified by rendering Urdu as the official language (Jaffrelot 2015). Thus, those ethnicities which were already in minority, felt the pinch of these policies of exclusion by the state, even leading to revolt especially in case of the Balochs and the Bengalis.

The examples here show the two diametrically opposite forms of policy adopted; in case of Czechoslovakia, an inclusive policy led to the assimilation of the Germans in the new state, whereas Pakistan's policy of exclusion right from its very inception led to alienation and subsequent turmoil. In the Indian state of J&K, the pre-militancy era has been described as 'an age of kindness', and even the army as 'within us'. It would be reasonable to say that the state followed some manner of inclusive policies. For instance, the government of India allowed the continued use of Kashmiri language within the state administration. The bureaucracy too functioned in an autonomous manner, despite a fundamental lack of administrative skills in Sheikh Abdullah. The pre-militancy era was in fact an age of progress, investment and growth, and indeed acknowledged by Kashmiris as being much better off than the rule of the Maharaja (Schoefield 2010). The genesis of Article 370 of the Indian Constitution also lay in the protection of rights of the Kashmiri people<sup>viii</sup>. All these were ample indicators of an inclusive set of policies being followed by the state.

From its very inception ethnic cleavages existed in J&K, between the people of Kashmir, vis-a-vis those of Jammu, vis-a-vis the Ladakhis who shared their roots with the Tibetans, and even smaller and minority communities like the Gujjars and the Bakharwals. There was the occasional talk of a realignment or readjustment at regional level owing to resentment of Sheikh Abdullah's centralising tendencies, but these ethnic differences did not result in any major political changes. Balraj Puri has written extensively on this chasm in the state of J&K (Puri 1982). Discontent also sprang from insecurities within these communities about the reforms that were started by Sheikh Abdullah. These reforms were not only social but economic in nature as well. The reforms were meant for the landless and poor peasants, invariably Muslim, but at the receiving end were the rich and landlord class amongst the Dogras in Jammu, and also by default certain religious heads such as the Abbot of the Spituk Monastery, considered as the spiritual head and sitting atop enormous wealth of the Buddhist monasteries (Schoefield 2010). Another major cause of resentment arose from the spectre of a plebiscite which might be overwhelmingly pro-Pakistani in its verdict, as also the 'prevarication of Kashmiri leaders over accession', leading to suggestions of zonal plebiscites (Puri 1982). Yet these were never allowed to deepen the existing fault lines by ethnicity. With some manner of political manoeuvring the state continued to see a path of general peace and progress, albeit slower than the rest of India.

## **HISTORY OF VIOLENCE**

In this distinct period of time spanning nearly 40 years which can be called the pre-militancy era, a definite pattern of inclusive policies emerges, despite ethnic cleavages in society. Political

differences tended to be a stronger driving force and some manner of co-operation between groups was seen. Further, violence which was sporadic at best was seen as a manifestation of the underlying conflict in the society.

How did these facets change in the militancy era? Did they give the entire argument a violent twist? What caused a radicalization and created a shift from differences based on political agenda towards ethnic considerations? These are questions sought to be answered here. Violence tends to be viewed as a degree of the underlying conflict; it is but a continuum of the conflict itself, or simply put, that the social movement process has reached so contentious a point that violence is justified as the only way out. Both, extreme grievances as well as a strong commitment to the cause would push the conflict in the direction of violence.

Militancy in J&K had its roots going back to the transition from Sheikh Abdullah to his son Dr Farooq Abdullah. On the passing away of the Sheikh in 1982, Dr Farooq Abdullah who had been inducted in to his father's government succeeded him. In his initial years, J&K politics saw a gamut of machinations by all parties, ranging from the ouster of Dr Farooq Abdullah, to his replacement by GM Shah with help from the Congress at the centre. The June 1983 elections were marred by violence, and though Abdullah managed to return to power, shortly thereafter in July 1984, GM Shah once again played defector, and subsequently assumed power with Congress support. This period of Shah's rule of a little less than two years, was characterised by misrule in administration and an unprecedented level of communal violence in the state. The deepening of the ethnic cleavages was getting evident.

In November 1986, the Rajiv- Farooq Accord was announced, ostensibly to focus on the all-round economic development of the state and in a bid to stem the growing secessionist voices. However, it served as a means to do just the opposite. The 1987 elections in J&K proved to be a watershed in the history of the politics of the state. Wherein the opposition comprised mainly of secessionist and fundamentalist parties under the banner of the Muslim United Front, they canvassed on the plank of the moral subservience of the National Conference to the Congress, having bartered away both their position in J&K politics and the unique position enjoyed by the state, in a bid to remain in power. This election also saw claims of widespread rigging and election fraud, which were hitherto fore the claim-to-fame of UP and Bihar (Nirmal and Bartaria 1996). Reports ranged from anticipatory arrests and beatings of opposition candidates, to booth capturing, to fudged ballot counting as well as invalidation of votes, to curfew in areas where civil unrest was foreseen. Irrespective of the fact that the state machinery remains silent on this to date, the 1987 elections have been the final attributable cause to the rise of militancy in the state of J&K. With the National Conference losing almost overnight its credibility which had been nurtured by the Sheikh, a vacuum was created in the political space. As would be seen soon enough, this vacuum was filled by the ideas of secession and fundamentalist ideologies.

Movement of extreme ideologies from the fringes of politics to the mainstream takes only odd incidents of this nature. It tends to lend legitimacy to the use of extreme means. If due process of law and democracy are followed, there is no legitimate reason for such violence to bloom. It is the very failure of state machinery that creates an artificial legitimacy, thereby making violence a viable alternative. Mir Abdul Aziz had been Sheikh Abdullah's political opponent since the 1930s, and had been forced to cross over to POK, from where he observed the unfolding of events. In an

interview, he said, “that manipulation of the election disappointed the Kashmiris. They said that 'we were trying to change the political framework by democratic and peaceful methods, but we have failed in this. Therefore we should take up the gun.' That was one of the reasons for the militancy. The people of Kashmir got disgusted and disappointed and disillusioned” (Schoefield 2010). Post the 1987 elections, the space created by the loss of credibility for the National Conference was rapidly filled by the fundamentalist groups, secessionist ideologies and violent and unconstitutional protests. It also got impetus by Pakistan's Inter-Services Intelligence (ISI). The ISI facilitated the crossing of Kashmiri youth to Pakistan Occupied Kashmir (POK), training them in the use of weapons, explosives, and not the least, anti-India ideology. By around mid-1988, the first of these newly converted youth returned to the Valley. In their wake followed violence, explosions, the widespread use of the AK-47 Kalashnikov assault rifle and increasing fundamentalist exhortations based on a new definition of Jihad (religious war) to the Muslims of the Valley. Gradually this violence spiralled in to a coalescence of militant groups.

In a seemingly uncontrollable spiral of events in the decade that followed, an entire new set of questions were set forth before the polity, and indeed, the people, in India and in the state of J&K. The number of militants infiltrating from Pakistan went up including a number of foreign origin (Afghans, Yemenis etc.) militants who were lured by promises of quick money, rape and pillage. 15<sup>th</sup> August 1989 was observed as Black Day, followed by threatening letters to non- Kashmiris and Hindus in the valley. The 1989 Lok Sabha elections were boycotted with polling as low as 5%, demonstrating the control that militant organisations were rapidly gaining over the people. The VP Singh government formed at the Centre appointed Mufti Mohammad Sayeed as the Home Minister; in December of the same year, the Mufti's daughter Rubaiya was kidnapped by militants in Srinagar, forcing the government to buckle under and order the release of five hard core militants. Jagmohan was once again appointed as the Governor of the state, resulting in Farooq Abdullah resigning as a mark of protest.

In January 1990, the government ordered the launch of paramilitary forces; though little was gained by this massive operation, it further served to alienate the people who turned out in a huge and vehement protest. In February the Governor dissolved the Legislative Assembly. While all this was instrumental in bringing governance to a grinding halt, it was further exacerbated by the growing number of political assassinations. Mosques started being used as platforms for divisive propaganda, strikes and protests became the order of the day, and the government started resorting to curfew more often. The use of paramilitary forces was followed by the deployment of the Army for internal security, counter- insurgency operations, rear area security, and road opening. In time, the 1990s saw an entire grid of deployment of armed forces, including the newly raised Rashtriya Rifles meant specifically to augment force levels in J&K. The decade also saw the exodus of the Kashmiri Pandits from the valley, a widely politicised debate even till date.

This decade of the 1990s can be acknowledged as the militancy era, as described by Dr Bhat above. More importantly, it cast a pall over the entire state. Where comprehensive and across the spectrum strategy review was required, a colossal erosion in the inclusive policy framework was seen. Rapid armament (militancy) and a crushing response by the machinery of the state (deployment of troops) resulted in not only a deepening of the extant ethnic cleavages; political mishandling and increasing aversion to concurrence in any form, further exacerbated the situation.

What was earlier perceived as only a simmering, sub-surface anger now manifested itself openly in the form of radicalization and violence. This serves to further substantiate and validate the point discussed above. Violence is but a continuum of the conflict itself, a degree of the conflict itself, a point of no viable alternative in the course of the social conflict.

Here a compelling argument is the significance of George Wilhelm Friedrich Hegel's theoretical construct of thesis, antithesis, and synthesis better known as the *Dialectical method* of understanding reality. It comprises of three constructs, called the Triad. The thesis is a rational premise. The antithesis is the repudiation of the thesis, a rejoinder to the proposition. The synthesis seeks to harmonize the conflict between the thesis and antithesis by accommodating their common truths and forming a new thesis, starting the process over. This means a conflict will likely unravel in a rational or analytical pattern. When X counters or denies Y, it results in a contention of issues or a state of strife. Where Y is the state of affairs, X is its contrarian view, or even its very renunciation; where Y is the thesis, X is the antithesis. Their meeting will result in a synthesis, irrespective of any arbitration. Therefore, synthesis is a connotation for the confrontation of thesis and antithesis. What kind of synthesis it will bring about, however, might depend on the arbitration or lack thereof. For example, in the first scenario, the synthesis might become an intractable conflict with a constant stalemate, as seen between Israel and Palestine. Or for instance, in the second scenario, the synthesis may become an intractable conflict, but not with a constant stalemate, however, still lacking communication and the alacrity to engage the conflict, similar to the example of Turkey and Armenia. In the third scenario, the synthesis might unfortunately end up being a violent act, such as murder, war, or genocide (Erol 2010). This is the closest explanation of what unfolded in J&K during the militancy era. If the official stance of the government of India was the thesis, its antithesis was the violent stance adopted by the militants. It resulted in a conflict of epic proportions, bordering on war. Sumantra Bose has written of his experience in the Valley in the 1990's, enumerating a vivid visual narrative. He says (Bose 2003):

When I toured the Valley and Doda- Kishtwar district of Jammu in 1995, the entire region resembled an armed garrison, teeming with soldiers, and a vast prison camp for the population. Roadblocks were ubiquitous in both towns and rural areas, and verbal abuse as well as beatings of citizens was common at these checkpoints. Srinagar had become a 'bunker city', adorned with hundreds if not thousands of bunkers manned by paramilitary soldiers crouching behind sandbags and wire netting (the latter as protection against grenade attacks), their guns peering out through firing slits....military convoys travelled at all hours, the lead vehicle sporting a mounted machine gun. Even remote villages existed cheek-by-jowl with Indian military encampments:

The government of India has justified its stance based on the large presence of foreign militants, including Pakistani, Afghan, Lebanese, Sudanese and Yemeni nationals. This changed the very character of the insurgency from a Kashmiri demand for self-determination to an Islamic fundamentalist grand state or Caliphate. It also served to harden the government's stand since it now became an attack on the territorial integrity of India.

The culmination and both a turning point as well as a standoff point, of this decade long violence, was the period between 1999- 2002. In quick succession, events were perceived as the ominous

portent of what could be. While official India-Pakistan talks were being hailed as the harbinger of change, infiltrators of the Pakistan army moved in to the high altitude and equally high value targets of Kargil, Drass, Mushkoh valley, Turtok and Chorbat La, with an aim to cut off the road link between Leh and Srinagar<sup>ix</sup>. It led to the most serious military confrontation between the two countries since the 1971 war. It could only be resolved with international intervention with America, Russia and China pressurizing both countries to maintain peace. With General Pervez Musharraf assuming control as the Martial Law administrator, and thereafter as President, the role of the Pakistan Army and the ISI in the fuelling of the conflict in J&K was perceived as becoming more overt than covert; more so, since Musharraf had planned and executed the Kargil invasion, without referring to the elected government. However, with the 9/11 attacks on the American mainland, attention shifted focus on to the terror network of Al Qaeda, in collusion with Mullah Omar's Taliban in Afghanistan. Though the Pakistani administration declared its support to the 'war on terror', it was largely seen as a delicate balancing act in order to continue bleeding India while extracting the most from its partnership with the US. Military aid of unprecedented proportions flowed in ostensibly for the 'war on terror', but was duly diverted to arming Pakistan (and its sponsored militants) against India (Haqqani 2013). In 2001, the Indian Parliament was attacked on 13<sup>th</sup> December, leading to the closure of all borders, and mobilization of the Indian Army, followed by the Pakistani Army on 29<sup>th</sup> December and 1<sup>st</sup> January 2002 respectively. In a yearlong deployment, with a number of incidents seen as possible flash points to full-fledged war, and a potential nuclear exchange, it only further eroded the probability of any normalcy in the state of J&K. Once again international pressure was brought to bear upon the two countries to restore peace and normalcy in relations (Schoefield 2010). This time around, it proved an even more onerous task, as the responsibility was now sought to be fixed on 'national anger' by Prime Minister Vajpayee. He stated it as such to both President Bush in the US and Prime Minister Blair in the UK, 'there is a national anger because Musharraf has not translated into reality the promises he made in his 12<sup>th</sup> January speech to stop cross- border terrorism', referring to a speech by the Pakistani President earlier that year<sup>x</sup>.

Perhaps this chain of events was responsible for the winds of change that the sub- continent saw 2003 onwards. It started with a change in the very hyperbole attached to Pakistan's stance towards India. Musharraf proposed an approach with four tenets, namely the start of a dialogue between the two countries, accepting the centrality of the J&K issue, exclude undesirable and objectionable issues, and arrive at a solution adequate to the cause of both countries as well as the people of J&K. Though seen as many in J&K as a sell out by Pakistan, it was also at least a start to the discussion of possible alternatives. Musharraf went on to suggest a cease-fire at the UN General Assembly, followed by a cease-fire on ground, towards the end of the year. 2004 saw the resumption of flights between the two countries. While meeting at the UN, Prime Minister Manmohan Singh (of the new Congress led government) and President Musharraf reaffirmed their commitment to the peace process.

2005 witnessed the resumption of the bus service across the Line of Control (LoC) from Srinagar to Muzaffarabad, with the promise of opening up the Poonch- Rawalakote route in the future. India announced seven Confidence Building Measures (CBMs). These included a revival of bus links traditionally existing; meeting of relatives at various points across the LoC including Uri and

Poonch; development and promotion of trade across the LoC; promotion of tourism on both sides; cooperation in the field of forestry and environment management on both sides; extend permissions to pilgrims to visit shrines and temples, whether Hindu, Muslim or Sikh; and enhancing the level of cultural interactions. In June, the All Party Hurriyat Conference (APHC) met the Prime Minister of Pakistan, followed by a meeting with the Indian Prime Minister in September. The Hurriyat had factionalised into the 'moderates' and the 'hardliners'; invariably this initiation of talks was done by the moderates. In October, a 7.6 Richter scale earthquake with its epicentre at Muzaffarabad shook the entire region. In India, the areas of Uri and Baramulla saw immense destruction. It was envisaged by some as a catalyst, and notwithstanding the efforts by India to provide aid, no meaningful political solution emerged. In fact, in Pakistan, Lashkar-e-Toiba (LeT) members operating in the guise of Jama'at ud Dawa, provided help and collected funds for the relief work (Mortenson 2005).

2006 started with the promise of redeployment of troops in J&K; the Indian government carried out its redeployment of 5000 troops indicating some improvement of the situation on ground. However attacks in Doda and Udhampur raised tensions again perceived by many as a precursor to the Prime Minister's visit and subsequently led to the boycott of talks by the Hurriyat. Once again, the bogey of terrorism put paid to the efforts at initiating peace; seven bomb explosions in the suburban train network of Mumbai on 11<sup>th</sup> July killed as many as 200 people and wounded another 700. The almost instant denial by Pakistan was once again criticised widely in India, marking it as a sign of its ill intentions towards India.

Benazir Bhutto's return from an eight year old exile was to be the highpoint of 2007, and the chance that perhaps a democratic process would move things in the right direction. Things took an ugly turn when the procession of vehicles in which she was moving was attacked by two suicide bombers in October. Though she escaped unhurt, two months later, a second suicide attack proved successful. Bhutto was assassinated during an election rally in Rawalpindi on 27<sup>th</sup> December.

The next set of Foreign Secretary level talks were held in May 2008, resulting in more lip service. In the following month, street level protests broke out once again in the valley, reminiscent of the early 1990's. This time the issue was the allotment of land to the Amarnath Shrine Board. When in July, the allotment was rescinded, it resulted in massive protests by Hindus and blocking of the Jammu- Srinagar highway. In retaliation, Muslim protestors marched towards the LoC, resulting in firing by the forces and the death of the Hurriyat leader Sheikh Abdul Aziz. Musharraf was forced out of power in August, bringing in Asif Ali Zardari, Benazir Bhutto's husband. He proposed the opening up of trade routes and a policy of nuclear restraint by both countries. However Pakistan refused to back off from its stated policy of support to the separatists.

On 26<sup>th</sup> November 2008, a group of 10 LeT trained terrorists made their way in to India using the sea route and landing in Mumbai. They attacked multiple locations including the Taj and Oberoi Hotels, and other places known to be frequented by both Indians and western tourists. The attacks highlighted the growing influence of the LeT, and its ability to target apart from Indians, Americans and Jews, in line with its global 'Jihad' against all infidels or non-believers. Public opinion turned drastically away from any talk of peace and there was growing talk of massive and military retaliation.

Meanwhile, J&K went to polls in November and December 2008. The National Conference formed the government in coalition with the Congress and Omar Abdullah became the Chief Minister (his father, Farooq Abdullah found a place in the Congress led government at the centre). The new government was in the eye of the storm soon after, with the rape and murder of two young women in Shopian in May 2009. In a complete mismanagement of the event as it was, the government declared it as death by drowning, leading to widespread protests. These got further compounded by the report submitted by the Central Bureau of Investigation, which upheld the theory. The case has been left with a huge question mark on whether justice was served or not<sup>xi</sup>.

## ANALYSIS OF VIOLENCE

This entire post militancy era, as described by Dr Bhat above, was “dominated by agonizing 'manufactured' and 'action' narratives”. An evaluation of these narratives leads one to the evidence of violence, perpetuated by an almost generational shift in the level of involvement, and the sporadicity of the separatist demand. The conflict saw the ouster of original protagonists, the generation which saw the movement against the misrule of Maharaja Hari Singh and partition of sub-continental India. These comprised of the Muslim Conference and its pro- Pakistan stance on the one hand, and the secular and mostly pro- India National Conference. Evidence of violence was intermittent at best with no set patterns or regularity for a separatist agenda. The first generational shift was seen with the generation coming in to awareness around (both before and after) the 1965 Indo- Pak war. The advent of martial law in Pakistan eroded the support for accession to Pakistan; it was obviously detrimental to any right to self-determination that the Kashmiris aspired to! This has also been the view of the intelligentsia in popular discourse in Pakistan (Mahapatra and Shekhawat 2007). Therefore, this generation of Kashmiris did not believe either in the veracity of Pakistan's claims, or in the realization of any meaningful gains by violent means. Briefly, there was a spike during the Hair of Prophet crisis in 1963, but it can be judged more an aberration than the rule.

The second generational shift was seen during the late 1980's and early 1990's. By now, Indian policies had contributed so much to the churn of sentiment, that an inevitable intensity built up to the events of that decade. Violence was extremely evident as has been analysed above. The separatist demand also got the impetus that might have been nipped in the bud. Had the Indian political climate been more conducive, with sufficient interest given to the development of J&K, things may have taken an entirely different turn. Had the harshness of Indian actions been watered down, it may have resulted in a drastically divergent scenario. Even during the height of the crisis as it unfolded, some proactive and disparate thought infusion would probably have seen calmer times.

The third generational shift has ensued in the last decade. This is the generation of Kashmiris who have grown up amidst fear, gunfire, helplessness and tremendous indignity. They are susceptible to narratives which have no relation to their lives or which are simply impossible for them to connect with; hence, they are impressionable and vulnerable, open to any thought that incites the violent streak in them, makes them want to lash out at the establishment, and makes them prone to divisive politics and the call for a movement! They may not connect with the fires in Muslim

areas (in the late 1960's), but today's clarion call against the Kashmiri Pandits will resonate with them, irrespective of the relevance of *that* debate. They may not associate with the Maharaja's times and the improvements thence, but they will and do relate to the fact of being educated but unemployed or underemployed. It results in all fingers pointing at the state in being unable to meet their aspirations. In to this cauldron of high headed emotions, any spark is enough to create an inferno. Therefore, there is evidence of violence invariably culminating in a separatist agenda; the motives and the motivation may be questionable, but exist it does.

## CONCLUSION

In concluding the debate on evidence of violence in conflict, this evaluative analysis seeks to emphasize on a fusion of state repression and the character and quality of rule that any state (and hence the government) is able to afford its citizenry. Individual events may not have the kind of impact that continuous policy (and its implementation) has. It is the lack of or non-performance of institutions that germinate extremist, militant and terrorist movements. *'Terrorism and other nihilistic movements grow in societies with tyrannical governments'<sup>xii</sup>*. We would be a wiser society if we remember this.

This analysis also provides the keys to resolution mechanisms, giving a stark insight into peace challenged by unbridled violence in conflict. Theoretical constructs provide us only with the foundation for reconciliation and resolution; in the end we need paradigm reconstruction of state legitimacy to give us that ever elusive peace.

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*Kashmir and International Law: How War Crimes Fuel the Conflict*, available at: <http://www.crimesofwar.org/onnews/news-kashmir.html> . Accessed on 10 February 2013.

ii

The Government of India established the Sarkaria Commission on Centre-State relations, with a mandate to recommend changes to the structure of balance of power between centre and states within the ambit of the Constitution of India. The Commission was established in 1983 under Justice RS Sarkaria, a retired Supreme Court judge. It submitted its report in 1988 in the form of a White Paper extending to 1600 pages, with detailed recommendations on all aspects of centre-state relations. To what extent the government took upon itself seriously, the task of implementation is evident from the fact that even in 2005, it was partially implemented/ at "some stages" of implementation.

iii

The idea of territorial ambitions becoming the kernel or centrifuge of the conflict has been written by the authors in a separate paper analysing conflict.

iv

Dr Noor Mohammad Bilal, as quoted by Humra Quraishi.

v

Carl von Clausewitz, German General Officer, who served in the Prussian and Russian armies, in the era of the Napoleonic Wars in Europe, lived from 1780- 1831. His writings comprised his observations and personal experiences during the time. After his death, his wife edited his works and these were subsequently published. These remain one of the foremost works on

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war and military strategy, even though they were written in times of tactics and technology which were rendered obsolete soon after his death. His treatise *On War* is considered as one of the most comprehensive theory on military practices till date.

vi

Arun Joshi, 'Where is strife torn J&K headed?' in *On The Frontline*, The Tribune, Bathinda Edition, 30 September 2013.

vii

Kriesberg and Dayton have attributed the continuing and persistent enmity to this factor of past 'humiliation', which gives impetus to increasingly dehumanized modes of conflict. In the context of this study, the situation in J&K has reached such proportions, providing the opportunity for mobilizing of such sentiments.

viii

The vexatious Article 370 has increasingly gained traction as being responsible for growing inequality and fuelling conflict in J&K. The authors have written on the debate surrounding the revocation of Article 370 in a separate paper titled 'Jammu and Kashmir & the Politics of Article 370: Seeking Legality for the Illegitimate'. The same can be accessed at <http://grdspublishing.org/index.php/people/article/view/474>.

ix

The author of this paper was deployed in these high altitude operations in 1999, called Operation Vijay.

x

Statement by Atal Bihari Vajpayee, Prime Minister of India, to Prime Minister Tony Blair, as reported in *The Nation*, London Edition, 6<sup>th</sup> June 2002.

xi

*Fact Finding Report By The Independent Women's Initiative for Justice*, 11<sup>th</sup> December, 2009, available at: [www.countercurrents.org](http://www.countercurrents.org). Accessed on 20 September 2015.

xii

Statement by Fawaz Gerges, Professor, London School of Economics on CNN Live, 7<sup>th</sup> April 2016.