Contemporary Security Dynamics in J&K:
An Assessment

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The issue of security within Jammu and Kashmir (J&K) has three distinct aspects: security on the international border and Line of Control (LoC); insurgency and counter-insurgency within the state; and policing and the rule of law. On the face of it, the former entails external security, and the latter two entail internal security. On the ground, however, the three are interconnected in increasingly complicated ways. Militancy within Jammu and Kashmir has a strong cross-border tie, with the chief militant groups, the Hizbul Mujahideen, Lashkar-e-Tayyeba and Jaish-e-Mohammad headquartered, trained and supported in Pakistani-held Kashmir and even in Pakistan proper. And the rule of law, which was a first victim, along with governance, of the insurgency of 1989-2007, is difficult to recover as long as cross-border militancy remains, even in its current, relatively passive, form.

These interconnections mean that all three aspects of security in Jammu and Kashmir have to be tackled in coordination, while, at the same time, devising specific strategies to deal with each. The three-tiered grid that the security and police forces have been working at over the past year and a half – the police at the inner circle, reserve police and paramilitary at the central circle, and army at the outer circle – is, in many ways, an attempt to combine this dual function, and it has succeeded in curtailing tragically accidental deaths to single digits and bringing down militant attacks to a small number. It is worth noting that the system has done better at limiting gross human rights violations than it has at

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preventing militant attacks; the latter have been more numerous than the former, even though the grid is focussed on countering militancy.

The needs of successful counter-insurgency, such as zero tolerance of human rights abuses, as Prime Minister Manmohan Singh put it, and restricting security intrusion into the daily lives of citizens, are complicated by its cross-border nature and the mountainous terrain, and further compounded by the wider security dynamic that has brought a number of international actors onto the scene, in addition to the existing regional actors.

The wider security dynamic can be described as a double helix: in the upwardly expanding helix, conflicts in Jammu and Kashmir escalate in a spiral to impact on India, Pakistan and beyond; in the downwardly contracting helix, events in Afghanistan and other parts of the Muslim world move in a downward spiral to impact on Jammu and Kashmir. Thus, for example, the upwardly expanding helix would move as follows: militancy within the state ➔ Pakistani-supported terrorist attacks elsewhere in India ➔ exacerbates India-Pakistan hostility ➔ India-Pakistan hostility impinges on Afghanistan-Pakistan hostility ➔ inevitably, an international community that is deeply engaged with Afghanistan fears a rebound effect that will make their task more difficult ➔ international pressure ensues, and conflicting parties jockey to turn this to their advantage. Thus, at its outward rim, the helix notches a very large number of countries.

In its downward contracting spiral, the second helix begins with a wider range of countries at its rim: members of the international community who have a substantial interest in better relations between India and Pakistan, because this might ease the transition in Afghanistan; and members of the Organisation of Islamic Countries (OIC) who drifted away from India during the National Democratic Alliance (NDA) period (1999-2004), and have been convinced by Pakistan's stance on Jammu and Kashmir. The former are today more inclined towards India's position, having acquired a deeper understanding of the issue. Both impact in different ways on the situation in Jammu and Kashmir; the latter give life to insurgency, albeit to a limited extent; and the former give life to a peace process, also to a limited extent. Interestingly, there are counter-pressures in this spiral: OIC countries' support ➔ hardening of the Hurriyat (M)'s positions ➔ international support ➔ facilitating peace process.

In the sub-sections that follow, I will look at how these issues were manifested in the period 2010-12, with special reference to my experience as one of the Jammu and Kashmir interlocutors in 2010-11.

Security Situation on the Ground, 2010-12

I was one of a group of three interlocutors that was appointed in the aftermath of the tragic summer of 2010, in which 120 young people died in clashes between stone-pelting youths and the police. The intensity of clashes was dying down by the time we were appointed, but more than 5,000 youths had been arrested and anger was very high; there were still sporadic clashes and the security situation was volatile. By the time we completed our mission in 2011, clashes had come to an end and the security situation was much calmer, but, as we noted in our report, anger continued to be quite high and violence could reerupt quite easily.

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The improvement in the ground situation was primarily due to two factors: one, the reforms that the central and state governments undertook; and two, the will of the people, who had suffered tremendous losses during the unrest. As far as reforms are concerned, it is ironic that the tragedies of 2010 occurred partly because the government undertook security reforms, starting in 2007-08. As militancy began to decline in the state from 2005, falling below 400 deaths a year in 2008-09, the government initiated a series of staggered security transfers. In stage one, civilian policing duties were transferred to the reserve police and paramilitary, and in stage two, they were transferred to the Jammu and Kashmir police. However, as became painfully evident in 2010, the state police were not trained or equipped to handle rioting mobs or stone-pelting youths. They lacked even adequate supplies of non-lethal means of crowd control. This gap was easier to remedy and was remedied, but not before 120 youths were killed. Training in crowd control and human rights was also initiated, but was a slower process; as of August 2012, I believe, some 5,500 police personnel have been trained.

This, together with the revised Operating Manual, should help improve security on the ground, but police-community relations remain volatile,

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especially in the urban areas, and appear to depend on the individuals in charge of local police stations. We also noted the there was a shortage of police in the rural areas, especially in the mountainous areas of Jammu; as fresh recruitments began during our mission, we hoped they would fill the gap, together with the restructuring of the Village Defence Committees (VDCs). A recommendation that several groups made to us, and which we noted in our report, was for VDCs to be incorporated into the police and be made multi-ethnic.

The return to rule of law took more time. Though the All-Party Delegation, the government's 8-Point Programme, and our own monthly reports stressed the release of youths arrested for minor offences during the unrest, the process took over a year to complete, and eventually was fully completed only after our mission ended. However, as the releases began and continued, they eased the intensity of anger.

Secondly, the army, which had been relatively quiescent during the unrest, embarked on a proactive hearts and minds campaign in its immediate aftermath, geared towards implementing the zero tolerance policy by complementing it with open access for citizens with grievances. Gen Parnaik and Gen Hasnain tightened professionalism and initiated imaginative outreach methods. The *jan sunwai* and *jee janab* programmes, especially, had a large impact on turning the situation around. Indeed, I was told when we were completing our mission, that the army had once again regained its popularity in Jammu and Kashmir.

Finally, and perhaps most importantly, the terrible losses of life and livelihood that occurred during 2010 created a wave of public pressure against continued unrest. Calls for *hartal* petered out because there was a spotty response [indeed, the Hurriyat (G) called for a boycott of our mission but went unheard by the majority]. More than any other factor, public pressure calmed the situation. However, as many warned, the petering out of unrest should not be taken as an indication that anger in the valley is any less because it is cooling. What, then, needs to be done to turn an uneasy calm into a positive peace process that will cement change on the ground?

Continuing Reforms

First and foremost, it needs to be recognised that militancy is at an all-time low. While there are indications that efforts are on to revive it, both within the valley

and from across the border, such efforts need to be countered by entrenching security-related confidence-building measures (CBMs) in furtherance of the army's hearts and minds policy. Building upon the change that has occurred will also create conditions for more desired change to come. However far away it might seem, the ultimate goal is to arrive at a situation in which troops will be deployed solely on the borders. Steps towards this goal have already been taken with the transfer of civilian policing duties to the Jammu and Kashmir police, and their gradated transformation into a community-based force is an important process for the future internal security of the state.

Given that the first step towards security reforms had already been taken, our report suggested that the next step could be to review deployments and see whether security installations could be rationalised through reducing their spread to a few strategic locations, along with creating mobile units for rapid response. Action was taken to remove installations such as bunkers from Srinagar, where, to date, some 25 bunkers have been dismantled without any appreciable worsening of security. The army, too, routinely reviews its deployments and redeploys as and where necessary; moreover, the process of vacating buildings that were taken over by the army during the height of the insurgency in the 1990s has been a continuous one for the past four years, and is set to continue until all public buildings are vacated. However, the process has been rather slow, and has been complicated by new requirements for Central Reserve Police Force (CRPF) premises.

The second issue of redeployment of military and/or security forces and installations from the populated hinterlands of Jammu and Kashmir, is a desire that unites regional political parties and dissident groups, though it is not necessarily felt across the state: rather, it is concentrated in dissident areas. While figures for armed militants present in the state vary according to degrees of infiltration, it is estimated that the current numbers are around 350, with bases in certain districts. In many cases, these are the same dissident areas that desire the withdrawal of troops, and redeployment there, if considered at all, would have to be carefully undertaken only when the three-tier grid is considered strong enough. Moreover, counter-insurgency gains that have been made need to be shored up. Given the volatility of the situation and the constant infiltration attempts, the figures of militants could shoot up at any time.

Our report recognised that one of the chief obstacles to redeployment is that armed groups have not formally committed to a ceasefire and/or disbandment. Such a commitment would make security reforms much easier to implement;

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indeed, a ceasefire with militant groups was a central plank of Prime Minister Vajpayee's Kashmir policy, and in 2007, Prime Minister Singh's Working Group on Confidence Building Measures (CBMs) had suggested that an "unconditional dialogue" with armed groups should be initiated. Some steps were taken in this direction during the "Quiet Diplomacy" of 2008-09, when Mr. Yusuf Shah (a.k.a. Syed Salahuddin) of the United Jihad Council came close to supporting elections and, allegedly, considered entering the fray himself. Since then, however, the issue has not come up again, and it may be that the Pakistani government is unwilling/unable to exert the kind of influence that would bring the militant groups into a meaningful peace negotiation.

In the absence of commitments from the armed groups to cease fire, disarm and demobilise, the kind of "internal demilitarisation" that dissident and human rights groups demand is clearly impossible, as it would leave the state's citizens unprotected. But such reforms as are possible still need to be considered. Redeployment is a step worth taking for its own sake, as an element of modernisation whereby boots on the ground can be maintained while reducing their footprints. It is difficult, for example, to see a present rationale for maintaining three camps cheek-by-jowl with each other in Shopian.

Perhaps the most controversial issue is that of amending the Armed Forces Special Powers Act (AFSPA) or lifting the Disturbed Areas Act (DAA) under which it falls. The issue has been on the agenda of the Unified Command in Jammu and Kashmir for close on two years now. The Prime Minister's Working Group on CBMs had also recommended reviewing the AFSPA and DAA, and if possible repealing/amending the former and lifting the latter. Following this recommendation, the prime minister had appointed the Jeevan Reddy Commission to look into AFSPA, and the commission proposed a series of amendments and restrictions to AFSPA. Today, it operates under fairly strict Supreme Court guidelines for the protection of human rights.

Our group's impression was that AFSPA is more a symbol of a problem than the cause. But, we felt symbols are important for peace processes, and, thus, we recommended that the Ministry of Defence needed to consider how

to respond positively to the issue of AFSPA rather than negatively. The army's offer of a speedy court martial in the Macchil case is an example of positive response and a speedy and transparent court martial would be an immense CBM.

My own view is that the case-by-case approach for AFSPA leaves it vulnerable to accusations of misuse. Our armed forces must, of course, be equipped with whatever protection is required in combat situations. But a general legislation that will apply only in DAA situations would work as well, and would remove the sense of being singled out (in a bad way) that the case-by-case acts give. Such a general legislation would similarly restrict special powers to operate only in extreme cases of civil conflict, and could incorporate the new Supreme Court guidelines as added reassurance. Tying it to the DAA would again reassure, as the state government would need to agree with the governor, whose exercise of powers has come under Supreme Court scrutiny (this would be a further check).

The Wider Security Dynamic

The prevalent theory in India today is that the withdrawal of international forces from Afghanistan in 2014 will have a damaging impact on Jammu and Kashmir. Pakistani strategic depth advocates, the argument goes, will be emboldened to return to their previous policy of installing a client government in Afghanistan and redoubling cross-border militancy in Jammu and Kashmir. For many, this means that India needs to tighten its security grid in the state, and follow a policy of conflict management.

But it is by no means clear that this analysis is correct. The 2014 withdrawal will see anywhere between 10,000-20,000 US troops remaining under the Afghanistan-US Strategic Partnership signed earlier this year. The international community has committed to a "Decade of Transformation" for Afghanistan from 2015-24, so international attention will remain. Pakistan will not be able to return to a mid-1990s situation in which it can install a client government even should its decision-makers want to. And there is little reason to believe that they will all want to. After over a decade of blowback, including a two-year period when religious militants took over areas of Pakistani territory in its northwest, only the foolhardy in Pakistan could be complacent that a militantly religious government in Afghanistan, which is the only kind of client that they could install, will not harbour designs on Pakistan itself.

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True, strategic depth as an ambition has not vanished in Pakistan. But Pakistan is in the throes of a flux whose results will only become evident 5-10 years from now. In the meantime, we have just under two years to go before summer 2014, the announced date of an international troops' withdrawal that has already begun. Two years is not a long time in strategic big picture forecasting, but it is a long time for a policy and action lull. Jammu and Kashmir is still recovering from the 2010 unrest, and two years of basic conflict management – such as putting development and security on the front burner and a visible peace process on the back burner – could well allow the conflict to reerupt.

There are two further elements to factor into the wider strategic dynamic, of the ripple effect of the democracy movements in the Arab world and the spread of communal sentiments through social networking. The impact of the former is still evolving, and can only be broadly categorised as giving an impetus to youth protests, especially in Muslim areas with high youth unemployment. The latter has allowed the proliferation of modules of hate, whose trigger impact was noted during the Amarnath agitation of 2008, and more dramatically manifested in the 2010 unrest.[1] The misuse of sites such as Facebook or YouTube to spread fear and/or hatred through disinformation became a concern for many countries in the past year; the latest example being the violent reactions in over 20 countries to an anti-Islam video posted in September 2012 (in India, there were protests in several cities of Jammu and Kashmir and in Chennai, but it was only the latter that turned violent). In my brief stint as an interlocutor, I opened a Facebook page that was mainly devoted to communication with people in Jammu and Kashmir. The crudeness of sentiments and the violence of the language in the bulk of the messages that I received was an eye-opener. More significantly, I realised how deeply the young people in the valley were affected by real and perceived anti-Islamism post 9/11, whether in Norway or in the US.

Conclusion

As stated above, the security situation in Jammu and Kashmir is still volatile, and is complicated by the impact of events in Afghanistan and the Arab world, and especially by real and perceived anti-Islamism post 9/11. While it is easy to talk about outreach and transformation through bringing in the benefits of globalisation, the effects of these measures will take a decade to be felt. The only approach that will have an immediate impact in the state is a visible peace process. The government's renewal of talks with Pakistan, in this context, puts one track of the earlier peace process of 2004-06, when major security gains were achieved in Jammu and Kashmir (though not in the rest of India), back in place.

But the other essential track, of a visible peace process within the state, is still missing. Our mission was to initiate this track, but since the mission was completed, close to a year ago, there is no visible track in place. The ideal would be to get political talks started between the elected leaders in Delhi and Jammu and Kashmir; along with a separate track of talks with the Hurriyat (M) (and G if conceivable). Any security reforms that are undertaken should come as outcomes of such talks; in this way, a visible peace process can be rebuilt that should anchor the state come 2014. In the absence of such a peace process, it is difficult to believe that the security dynamic in Jammu and Kashmir will continue to stabilise.

Notes

1. The most dramatic example of the havoc that social networks can inadvertently create was the sms-led exodus of Assamese workers and students from cities in India following the Bodo-Muslim riots in Assam in August 2012.