

# **Jammu and Kashmir: The Emerging Contours and the Way Ahead**

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# Jammu and Kashmir: The Emerging Contours and the Way Ahead

## Introduction

Kashmir has faced three cultural invasions in the last 700 years. After every invasion, (starting from Sultān Sikandar Butshikan, to the Mughals and now the proxy war), Kashmir was left culturally and ethnically fragmented. The ongoing proxy war and the *jihadi* ideology of 'Kashmir for Muslims only' promulgated by the Lashkar-e-Tayyeba (LeT) and other terrorist organisations has led to ethnic cleansing in the Kashmir Valley. In a parallel development, the Wahabi or Ahle Hadith warriors have gained strength in Kashmir.<sup>1</sup> Fanatic Islamic fundamentalists such as the LeT and the Jaish-e-Mohammed (JeM) want to move Kashmir into the folds of the *Sharia*, where the voice of the people and the institution of democracy have no place. The first casualties of this ideology have been Kashmiriyat and Sufism. Today, Kashmir is in conflict with itself and the Kashmiri *Awam* is at a crossroads, where one road leads to Talibanisation and the other to peace, prosperity and progressive development. The results of the recent elections, both at the central and state government levels, are testimony to the fact that people want to focus on good governance and not *jihad*. The illusion of Islamic rule in Kashmir has been dispelled and realisation has dawned on the masses, with the people now being able to understand the motives of Pakistan-sponsored terrorism.

One of the causes of turbulence in Kashmir is mistrust between the people of the state and the central government; as a result, people have become disillusioned with the political sincerity (or lack thereof) of the government. The lack of faith and mistrust started in 1953, when Sheikh Abdullah was unceremoniously removed and Bakhshi Ghulam Mohammed was installed as the Chief Minister of Jammu & Kashmir (J&K). Subsequent events led people to the inevitable conclusion that the political process in J&K was farcical, a belief which was reinforced by the outcome of the 1987 elections (which were perceived to have been rigged). As a part of

its appeasement policy, the central government poured aid into Jammu & Kashmir, as and when the situation appeared to be heading for a standoff between Delhi and Srinagar. The Valley-centric political hierarchy did little to utilise the money for the purpose it was intended. Thus, the people of Kashmir felt that socially, politically and economically, they had been deprived by Delhi as well as the political establishment in J&K. The net outcome of this economic and political mismanagement of the state was:

- People lost faith in governance and the political establishment of J&K.
- Rampant corruption led to poor governance and the alienation of the masses from the national mainstream.
- Political instability led to the collapse of the constitutional authority of the state government.
- Political manoeuvring began and those who did not find favour with the party in power in Delhi turned towards Pakistan. As a result, Pakistan was able to export the Kalashnikov culture to J&K.
- Pakistan recruited and trained young Kashmiri boys for *jihād* against India. These boys found instant support within the Valley and were hailed as *jihadis* and saviours of Kashmir. These militants also adopted the philosophy of the barbaric ruler of Kashmir, Sikandar Butshikan (1389-1413), who persecuted the Hindus and issued orders proscribing the residence of any other than Muslims in Kashmir.<sup>2</sup>
- The Valley went up in flames and a tolerant, peace-loving Kashmiri society was irreversibly changed.
- Kashmir has become both a symbol and battleground of competing ideologies. Pakistan's desperate bid was to destroy Kashmiriyat and impose Islamic fundamentalism on a community known for its communal harmony, secularism and liberal ethos.<sup>3</sup> Consequent to this development, Kashmiri Pandits had to flee the Valley and became refugees in their own homeland.
- The bond between Kashmiri Pandits and Kashmiri Muslims, which had stood the test of the turbulent period of Muslim and Mughal rule, was shredded to pieces and, thus started the ethnic cleansing and mass migration of Hindus from the Valley.

During this turbulent period, however, there was a silver lining. No Kashmiri Muslim families were forced out of their houses in Jammu and Ladakh divisions. They were treated with dignity and honour, unlike their counterparts in the Kashmir Valley. Also, not a single Kashmiri Pandit, out of the 300,000 migrants, took up arms to avenge the eviction and massacre of their kith and kin.

In May 1995, when an ancient shrine, Chrar-e-Sharif was burnt, many Kashmiris mourned not just the wooden structure itself, but the loss of the symbol of love, tolerance, and spirituality.<sup>4</sup> Similarly, some other Sufi shrines and mosques were also targeted by the Pakistan-backed militant outfits, in order to force the hardcore Islamic culture on Kashmiris. Pakistan embarked on a strategy to convert the multi-lingual and multi-cultural Kashmiri society into a hardcore Islamic society, on the lines of Afghanistan, through the fear of Kalashnikovs. Kashmir was no longer simply a political problem – it had become a full-fledged proxy war against India on Indian soil. All windows for political reconciliation were shut and the Valley was firmly in the grip of fanatic armed bandits. The only way to bring Kashmir back from complete disaster was the employment of the Army to restore the law and order situation, which the Army did, in an exemplary manner at a great cost.

Pakistan's policy of inflicting death by 'a thousand cuts' has failed to separate the state of J&K from India. The political process and rebuilding of society has commenced, and the people of J&K, by and large, have understood Pakistan's game plan for what it really is. Pakistan's support to these militant organisations was not out of the love for the Kashmiris, but a strategic move to settle scores with India. Analysts, both national and international, hold that given the muted response to Pakistan's policy of inflaming Kashmir, the proxy war in Kashmir is not going anywhere and, therefore, there is a need to move on to resolve the Kashmir issue, once and for all. According to Michael Krepon, "Most people have concluded long ago that Pakistan's Kashmir policy has been hurting Pakistan and Kashmir more than India."<sup>5</sup>

The two decades of turbulence and violence have affected the psychology of the Kashmiri youth severely. There is frustration and helplessness in the minds of the Kashmiri *Awam*. Their freedom and way of life has been curtailed by the proxy war and the pervasive *jihadi* ideology. They are forced to live in a restricted social sphere and their frustration is manifested in a lack of tolerance (religious

and otherwise), suspicions against the political establishment and a sense of having been exploited and cheated by both countries. Sumantra Bose argues that,

The Kashmir conflict has multiple dimensions and is defined by a complex intersection of an international dispute with sources of conflict, internal to the disputed territory and its Indian and Pakistan-controlled parts. Any approach to resolving this multi-layered conflict must necessarily involve multiple, but connected and mutually reinforcing, tracks or axes of engagement and dialogue.<sup>6</sup>

We need to examine where we are today, as far as the Kashmir situation is concerned. In the opinion of this author, the situation is very complex and can be summarised as follows:

- Glimpses of each era commencing from the 14<sup>th</sup> century can be seen in present-day Kashmir, with the peculiar coexistence of Kashmiriyat and ethnic cleansing, peace and conflict, prosperity and destruction, life and death, and finally, hope and despair.
- Social order stands damaged and the indigenous ethno-religious brotherhood has been shredded.
- Kashmiri society is fragmented and there is lack of unity in the purpose and vision for the future of Kashmir. Due to the fog of mistrust, there is a crisis of confidence and identity. The people of Jammu and Ladakh have agendas which differ from those of the Kashmiri *Awam*.
- The military is winning the war against terror but it is too early to comment on whether the local governance is winning or struggling to keep pace with the aspirations of the people.
- The separatists are losing the armed struggle but have changed their strategy and adopted agitational politics as their primary tool, which has the potential of reversing key decisions, as in the instance of the Amaranth land row. Though the situation may appear to be calm on the surface, in reality, it is far from stable.
- The aspirations of the people are rising and there is interest in the implementation of the rule of law and progress with peace.



On the operational side, the time is yet not ripe for the Army to completely hand over the urban areas to the police and paramilitary forces. Pakistan continues to possess the ability to reignite the flame of militancy, if the political process fails to deliver this time around. As far as the military is concerned, the “easy” part of the war is over and now it is the more difficult struggle of combating various dimensions of militancy such as the political, economic, social, and, in the end, military. The visibility of armed militants on the streets has reduced but it has been replaced by the poisoning of minds and defiant crowds. With each passing day, this new kind of warfare is becoming more and more refined and difficult to handle. The message from Pakistan is clear - either shift the political balance in their favour, or, if it is too unachievable or costly, create a situation of “point of no return” as far as the reconciliation process between the Kashmiri *Awam* and the central government is concerned. The target now is the mind and psychology of the people, rather than the state and the military. In the backdrop of the above factors, the challenges being faced by the state are:

- Counter-terrorist operations with a human face.
- Rehabilitation of surrendered militants.
- Disposal/resolution of cases against terrorists for waging war against the Indian nation.
- Rehabilitation of Kashmiri Pandits and other Internally Displaced Persons (IDPs).
- Reconstruction of the state.
- Revival of Kashmiriyat and Sufism to reduce the adverse impact of fanatic *jihadi* ideology.
- Conflict resolution.
- Role of the media.

### **Counter-terrorist Operations with a Human Face**

After the recent elections, some sections of Kashmiri society are asking the Army and the Central Reserve Police Force (CRPF) to make an honourable exit from Kashmir. But the central government does not consider it as an opportune time to hand over the Counter-Terrorist (CT) grid to the Jammu & Kashmir Police, since the ground situation cannot be deemed completely peaceful. From the military perspective, it is the right time to deal a crushing

blow to militancy so that the Army can move out of the CT grid permanently. Notwithstanding the above, there is a need to introspect and to rethink the strategy of undertaking CT operations under the changed environment. The following observations may be considered in the backdrop of the improved ground situation and normalcy having been brought to the Valley:

- India is a democratic country and the voice and verdict of the people must be respected. At no point in time should the Army give any impression of staying beyond its stated mandate. An Army which continues to stay in an area of operations against the will of the people and the local government is no longer just an Army – it is an occupation force. The hard work and the sacrifices made by the soldiers will be lost if the impression of it being an occupation force gains currency. CT operations in this changed environment will make military operations more challenging and hazardous. Incidents like the one in Shopian in May 2009 will keep cropping up and Security Forces (SF) will have to deal with criticism, time and time again.
- The need to engage in stringent CT operations has reduced in the Valley. While the locals do appreciate the contribution of the Army in bringing normalcy back to the Valley, the common man does not see any wisdom in the continuation of the military deployment. While there is awareness of what the people of Kashmir have suffered thus far, there is also cognisance of the fallout if militancy were to resurface. The common Kashmiri would ordinarily not oppose surgical operations or operations based on hard intelligence to eliminate terrorists, but he is averse to Cordon and Search Operations (CASO), night curfews and the rationale for continuing with the Armed Forces Special Powers Act (AFSPA).
- The civil population yearns for complete freedom of movement and work. They do not favour restrictions which are imposed on them as a result of military operations.
- The Kashmiris want the Army to fight militants on the Line of Control (LoC) and along the border fence. They do not want the fight to be brought to their doorsteps.

There is a need, therefore, to rework the strategy such that the hard work done by security forces does not go in vain in the effort to bring Kashmir

back to normalcy. This is the time to earn the goodwill of the people of Kashmir, so that they extend support to the Army as they had done in 1948, 1965 and 1971. The centre of gravity of the Kashmir issue is the people. Therefore, operating procedures and philosophies will have to be changed to make the Kashmiri *Awam* aware that they still need the Army's assistance to make Kashmir a safer and better place to live.

Operations in Kashmir can no longer be carried out with the sole objective of head-counts in mind. To deal the final push to terrorism, the answer lies in operations with humility and a human face. Should the Army prefer to stay relevant, it will have no option but to change its operational philosophy and the commanders on the ground will have to rework their methodologies to tackle terrorism with the least cost, both to the security forces and the people of Kashmir. The following measures are recommended:

**Reduce the Presence of Uniformed Men in Population Centres:**

There is nothing more disconcerting for a civilian in the Valley than the presence of uniformed men. Therefore, measures must be taken to reduce the presence of soldiers on the streets and villages without necessarily creating a security vacuum. Some of the measures which can be incorporated to bring this situation about are:

- Increased emphasis on intelligence operations: Intelligence organisations need to be restructured to make them more accountable and responsive. Thus far, the credibility of intelligence agencies in providing quality intelligence has remained questionable. Military Intelligence (MI) as well as the Intelligence Bureau (IB) should work in consonance with each other to give the enforcing authorities actionable intelligence. Experiences in the field reveal that 75 percent of a unit's effort is expended towards gathering intelligence and only 25 percent efforts are oriented towards counter-terrorist operations. Therefore, effective intelligence agencies can reduce the visibility of the security forces on the streets.
- Role of Territorial Army: The potential of 'sons of the soil' Territorial Army units has not been fully exploited in CT operations. The common man is not necessarily averse to the presence of Territorial Army troops in the civil environment. They can be employed effectively for gaining intelligence as well as undertaking surgical operations, along

with regular security forces. But before one invests too much reliance on the Territorial Army troops, their selection and training has to be directed towards identifying suitable personnel for intelligence and surgical CT operations. Territorial Army troops will prove more effective and they can be the eyes and ears for the regular Army as and when called upon to undertake surgical operations.

**People-friendly Operations:** The commanders on the ground must acknowledge that they are fighting terrorism in their own homeland and the sufferers are their own countrymen. The protection of their life and property is the responsibility of the security forces. The emphasis should be on surgical operations, given that the people are not averse to it, for they certainly do not want terrorists in their backyards. People need to be treated with dignity and sympathy even while anti-terrorist operations are being undertaken. It is a mistake for the security forces to take over the responsibility of bringing Over Ground Workers (OGWs) to task. It is the responsibility of the police to book the OGWs and they should be left to it. The Army must maintain transparency about military operations and collateral damage, if it occurs in the course of the operations, unintentionally or by negligence. Spot compensation must be made to the concerned people and if the intent is malicious or negligent, the guilty party/parties should be summarily punished.

**Joint Operations with Central Police Organisations (CPOs):** Joint operations are very complex and they should be conducted only if the two forces undertaking operations have the same degree of training. In a nutshell, “train together to fight together”. Else, such operations should be avoided. The training of the CPOs deployed in Kashmir needs to be reexamined. The Army should take the initiative of training the CPOs, so that they can relieve the Army from such assignments.

**Transfer of Sectors/Areas:** Areas which can be handed over to the police or paramilitary forces (PMF) need to be identified, in case the AFSPA is removed or the Army is asked to move out from population centres. In such a scenario, the Army must have plans ready to fill the vacuum, either by effective intelligence networks or by deploying Territorial Army units. Alternative plans must be prepared, in case the situation spirals out of the control of the PMF/civil police, post the removal of AFSPA. Therefore, it is

imperative to have the intelligence network intact for the re-establishment of an effective CT grid.

**Protection Against Own Actions:** To create a win-win situation, the armed forces should insulate themselves so as to protect the organisation from their own negative actions. The actions of the armed forces should be transparent and in good faith. It must be kept in mind that the mandate of the armed forces is to protect the people and restore the rule of law. Therefore, in such a situation, the armed forces will have to function within the domain of the law. Jammu & Kashmir Chief Minister Omar Abdullah has gone on record to state, “There has been an improvement in the relationship of civilian and Army in the state over the last few years. The Army has also shown zero tolerance to human rights violations.”<sup>7</sup>

**Kashmiri Martyrs:** All Kashmiris killed by militants should be honoured as martyrs and a memorial should be constructed. Their families should be given the pensions applicable to any martyr killed during operations or while fighting a war or less than war scenario. Their deaths must not go unrecognised and they must get an honourable place in the history of Kashmir. A case may be cited to highlight the bravery displayed by women and children, who have fought against terrorists to protect the honour and lives of their family members – awarding the Kirti Chakra to Rukhsana Kausar, and her brother Azaz, on Republic Day 2010 is a positive step in this direction.

### **Rehabilitation of Surrendered Militants and Engagement of Youths**

The state must bear in mind that one of the major causes of the Kashmir conflict is the unequal distribution of economical prosperity within the state. A significant number of youths were driven to terrorism due to poverty and lack of opportunities. This situation was exploited by Pakistan and the *jihadi* organisation to their advantage. Therefore, the utmost consideration should be given to prevent these young boys from going astray in the future. According to the Ministry of Home Affairs, as of 2004, there were approximately 2,405 terrorists who had surrendered to security forces. There is a predicament about whether to roll out the red carpet to surrendered militants or to allow the law to take its own course. Both options have their pitfalls. The government has to tread a cautious path and this issue has to be dealt with very carefully. What is needed is a cohesive surrender policy

and not merely ad-hoc policies. At the same time, surrendered militants have to be rehabilitated in such a manner that they are not drawn back to militancy. According to Peerzada Muhammad Amin, a senior faculty member of Kashmir University's Sociology and Social Work Department, "There is an immediate need for their sustainable social security, otherwise a mafia type of situation would arise in Kashmir."<sup>8</sup>

This also brings us to the fact that the state and central governments should ensure the engagement of youths (surrendered militants as well as unemployed) in such a manner that they are insulated from the lure of the terrorism. Good education, regulation of *madrassas*, promotion of Kashmiri art, handicraft and tourism are various ways to engage the youth. Economically, the total cost of rehabilitating and engaging the youths is far lower than the costs of deploying the security forces for anti-terrorist operations and other security operations. The security forces have the wherewithal to connect and to reach out to the youth for constructive engagement. Operation Sadbhavna should be directed to educate and empower the youth, rather than using the funds for peripherals. Some of the recommendations for the rehabilitation of surrendered terrorists and youths are as under:

- Self-employment with apprentice training and financial assistance for starting small-scale business projects.
- Skilled and unskilled youths can be actively engaged in the following self-employment avenues:
  - Adult (continuing) education.
  - Anganwadis.
  - Protection of forest and environment.
  - Aforestation projects.
  - Information network against terrorists.
  - Operation Sadbhavna projects and border area development schemes.
  - The tourism industry (commercial hotel industry, adventure sports like river rafting, rock climbing, snow and ice sports, skiing and heli-skiing, religious tourism, high-altitude tourism and mountaineering tourism).

- Bhagidari development schemes (rural area development schemes under public and government participation have huge potential).
- Effective implementation of NREGA.

### **Disposal of Cases Against Terrorists**

At present, 2,449 persons arrested in J&K on terrorism-related charges are lodged in different jails within as well as outside the state.<sup>9</sup> Apart from these persons, there are many people who are charged with terrorist activities and are out on bail. The legal process is too slow, as a result of which it is very difficult for the prosecution to produce evidence to bring the culprits to book. The deterrence value of the law, therefore, is lost. A large number of witnesses, including security personnel, are now untraceable, which makes the prosecution's task more and more difficult with each passing day. The delay allows terrorists to go scot-free in the absence of prosecution witnesses. Many terrorists under trial are a security threat to the nation.

The low rate of prosecution is an encouragement to the fence-sitters and OGWs to join hands with terrorists. Of the 11,000 detained under the Terrorist and Disruptive Activities (Prevention) Act (TADA) in J&K, none had been convicted, as of 2001.<sup>10</sup> The biggest challenge facing the judiciary in Jammu and Kashmir is the lack of evidence, and due to the intimidation posed by the guilty parties, even the families of the victims do not come forward to testify against the terrorists and OGWs. The judiciary tends to avoid convicting terrorists on the basis of circumstantial evidence, however strong and continuous it may be. The result: a very low conviction rate of less than 10 percent in terrorism-related cases, as against 80 percent plus in the Western countries.<sup>11</sup> In the recent past, the rate of conviction has seen a slight improvement, with the first ever death sentence pronounced on a terrorist in Jammu and Kashmir by a court in the Rajouri District on 01 October 2009. This is the first case where a militant involved in massacres has been found guilty and sentenced to death in Jammu and Kashmir, where militancy has been raging for the past 20 years and has led to the deaths of more than 50,000 people.<sup>12</sup> It is indeed a significant development that the conviction of terrorists in the state has begun. In 2007, the district court in Baramulla had pronounced verdicts in 238 cases, including handing down three sentences of life imprisonment.<sup>13</sup>

But surprisingly, none of the main terrorist leaders were convicted for acts of terrorism. This is an area which needs speedy action, so that the certainty of punishment can function as a deterrent for the terrorists as well as to the OGWs. According to statistics provided by the state's Home Department, there are 108 foreign militants – 97 Pakistanis, nine Afghans and one each from Saudi Arabia and Bangladesh – lodged in various Indian jails after their arrests<sup>14</sup> in Jammu and Kashmir on terrorism-related charges pending prosecution. To bring the terrorists to book for such grave offences, there is a need to establish fast-track courts to dispose of the cases quickly. Foreign terrorists, in particular, should not be able to take advantage of the lax judicial system. They must be given stringent punishment. Delays in prosecution have given dreaded separatist leaders and terrorists the opportunity to be released by the government on various grounds, including health, goodwill gestures and lack of evidence, which, in turn, encourages the youth to take up arms or spread the secession its movement more vigorously.

Reconciliation and amnesty efforts are fine, but they must only be adopted if a resolution is in sight. But if the OGWs and separatists are continuing with their malevolent efforts, reconciliation efforts would be counter-productive and sooner or later, the released terrorists and OGWs will find their way back to their old ways. India's anti-terrorism legislation must have the provision that if a foreign terrorist is apprehended with weapons or explosives, he should be tried for waging war against the nation and the onus should be on him to prove his innocence.

### **Rehabilitation of Displaced Kashmiri Pandits**

Rehabilitation of the internally displaced Kashmiri Pandits is imperative to bring peace, harmony and a secular ethos to the state. Any delay in this regard will alter the fragile demography of Kashmir and the displaced families will lose their identities forever. The Kashmiri Pandits have already rejected the rehabilitation package provided by the United Progressive Alliance (UPA) government. The offer of Rs 7.50 lakh for the construction of houses and Rs 5 lakh instead of providing a government job, comprise nothing but peanuts.<sup>15</sup> The government needs to do more. Five thousand houses for 300,000 people in 18 years is nothing more than tokenism. It should adopt



a multi-pronged approach to rehabilitate the Kashmiri Pandits. Some of the measures which the government should take at this stage are:

- First and foremost is the provision of shelter and livelihood, and, second, is the protection of their right to property in Kashmir.
- All sale/purchase of properties of displaced persons should be declared null and void. Most of the families have been forced to sell their properties either because of extreme poverty or under pressure from the OGWs and land mafia-supported by terrorist organisations.
- The government should constitute a board/committee to manage the land of the migrant population. On behalf of the migrant families, this body should manage the land/orchards/crops; the profits from these properties should be reimbursed to the migrant families. The assistance of Non-Governmental Organisations (NGOs) and migrant volunteers of both communities should be sought to run this body. This committee should have experts from various fields on its panel and it must be supervised directly by the government or a semi-judicial body.
- The state is obligated to rehabilitate internally displaced families. The rehabilitation and reconstruction process should be executed through the representatives of the displaced peoples' committee/forum keeping their needs in view.
- A new community location should be planned with the clear consent of each community, keeping their security and other requirements in mind. The forcible acquisition of land for rehabilitation will be counter-productive and may result in another Amarnath-type incident. The sensibilities of all communities are required to be respected. The rehabilitation should cater for all modern amenities so that earlier mistakes are not repeated. Facilities comparable to any urban city centre should be created on a permanent basis.
- No urban relocation should be at the cost of the rural communities.

### **Reconstruction of the State**

Reconciliation and reconstruction must go side by side. The people of Kashmir want peace with prosperity and the recent Assembly and Parliamentary elections have shown that people want development first and political settlements later. Reconstruction is possible only once a certain amount of

trust and faith is built up among the masses. Inclusive reconstruction is the need of the hour and it should encompass social, economic and cultural aspects. The following steps need to be taken to start the process of reconstruction:

- Since peace, stability and the rule of law have been brought back to the state, the governmental and non-governmental agencies should urgently shift their focus to employment generation, and the options of “food for work” and “cash for work” need to be implemented.
- Every group/agency involved in the social, economic, and infrastructural reconstruction must respect the people’s right to information and right to participation in the planning process with the full freedom of expression at every stage of planning and execution. There should be complete transparency and accountability on the part of the state and NGOs. The system of Bhagidari is a noble idea to involve the population in development.
- Community participation should be sought through representatives of various socio-political organisations for reconstruction and appropriate utilisation of resources.
- Human resources, both skilled and unskilled, must be optimally utilised to ensure the constructive engagement of youths and vulnerable sections of society.
- Maximum participation of small-scale industries and local businessmen should be encouraged for rural infrastructure and development schemes. This should be done through representatives of the affected communities, peoples’ organisations, NGOs and the local government. Independent bodies for decision-making should be formed at every level of planning and execution of a project. Resource management and fund allocation should be strictly monitored to ensure that money is judiciously expended.
- All funds received from national or international funding agencies, including collections through NGOs, should be deposited into a Kashmir Reconstruction Fund and the same must be utilised solely for the purpose for which it is assigned.
- An independent committee, with eminent persons from various walks of life, should be constituted to monitor the reconstruction of the state so that all aspects of reconstruction are looked into, including education,

public health, infrastructure development, employment generation and welfare projects.

- The education sector should be organised to impart modern education, so that children do not take the easy path of getting enrolled in *madrassas* and *jihadi* institutions. Education should ensure fruitful employment.

### **Revival of Kashmiriyat and Sufism**

Kashmiriyat is believed to be an expression of solidarity, resilience and patriotism. It is believed to embody an ethos of harmony and a determination of the survival of the people and their heritage.<sup>16</sup> It was the Kashmiriyat and Sufi culture which had brought peace and harmony to the Valley during the turbulent period between 13<sup>th</sup> to 20<sup>th</sup> centuries. Baba Rishi, Charar-e-Sharif, Shahadra Sharif Ziarat of Baba Ghulam Shah Badshah, Baba Amarnath and many other shrines of Hindu and Muslim faith are testimony to the confluence of various faiths. Religious tolerance was the benchmark of this society. Eid and Diwali used to be celebrated by people of both faiths together. This was the Kashmir of Yusuf Shah Chak and Bulbul Shah 'Alayhir Rahman', a Sufi Saint. According to Madhumita Srivastava,

The Kashmir conflict is primarily and fundamentally an ethnic conflict, though some forces in India as well as in Pakistan are trying their best to make it a communal one because of the identity of Kashmir people from the rest of India and Pakistan. That the Kashmir problem has always been a problem of ethnic identity *Kashmiriyat* and its resolution may be found in upholding, rejuvenating and establishing the Kashmiriyat in an acceptable framework in the larger freedom and political order.<sup>17</sup>

Kashmiriyat and Sufism were the bedrock of Kashmiri culture. There was no place for intolerance in the Kashmiri society. To bring peace to Kashmir, it is important to revive the value of Kashmiriyat and Sufism. The masses need to be reminded that stone pelting and the destruction of public and private property is not the culture of Kashmir. The people of Kashmir must be made aware that this culture of intolerance has been brought by *jihadis* from Pakistan and Kashmiris are paying the price. Simultaneously, in a subtle manner, the people of Kashmir should be made conscious of

the conspiracy hatched by Pakistan-backed *jihadi* organisations to destroy the culture of Kashmir. Kashmiri scholars and religious heads need to be incorporated in this movement of revival of Kashmiriyat and Sufism. This can be done by:

- Holding seminars and discussions on the fallout of the impact of intolerance, and that following the preachings of Sufism can bring harmony in the society.
- Sufism and Kashmiriyat could be incorporated as a part of the education curriculum in schools.
- A Sufi “Chair of Excellence” in higher education could be considered.
- Protection of Sufi shrines.
- Shrine boards should be directed to spend their earnings on the education and health of masses.
- Sufi shrines should be given the status of protected monuments and cultural heritage sites.

### **Conflict Resolution**

The Kashmir conflict has not given a strategic edge to Pakistan, nor has it been able to garner support from within the Valley. Rather, it has started hurting Pakistan internally and externally. Pakistan, due to its policy of state-sponsored terrorism, is heading towards the status of a failed state. India has been able to control the terrorism unleashed by Pakistan but Pakistan is not in a position to handle the spread of terrorism. Therefore, it is imperative for Pakistan to stop the proxy war in Kashmir and let the people of Kashmir live in peace on both sides of the LoC. There is certainly a sense of realisation in some quarters in Pakistan that it is an exercise in futility. “Flowers may not bloom tomorrow but there has certainly been a fine start,” says Mahmood Ali Durrani, a retired Major General of the Pakistani Army. “Both sides now realise that they have lost 50 years to this argument and it’s time to move on.”<sup>18</sup>

Conflict resolution in Kashmir has two distinct aspects: first, the restoration of peace and tranquillity within Kashmir; and the second, proxy war. The conflict within Kashmir has to be resolved by the people of Kashmir. Neither the Government of India nor any outside agency can do it for them. This has to be a mass movement and those who are sowing the seeds of

discontentment have to be marginalised. It has to be a movement, such as in Punjab, where the Sikh community raised its voice against the militants and the Khalistan movement vanished in less than a decade. Effective diplomatic and military pressure on Pakistan needs to be continued to tackle the proxy war.

Moonis Ahmar<sup>19</sup> has recommended the following steps for conflict resolution and the reconstruction process in Jammu and Kashmir:

- Process of dialogue.
- Process of constructive cooperation.
- Process of constructive settlement.
- Process of protecting minority rights in Indian-and Pakistan-controlled J&K.
- Process of regional autonomy in Indian-and Pakistan-controlled J&K.
- Process of healing wounds through compensation.
- Process of socio-economic upliftment of people through better education, health, employment and other basic facilities.
- Process of mutual tolerance.
- Process of neutralising hard-line elements.
- Process of creating a constituency of peace.
- Process of creating awareness about conflict resolution.
- Problems and challenges in creating an alternate architecture for the conflict resolution process.

Amitabh Mattoo<sup>20</sup> has recommended “four Ds” for conflict resolution in Kashmir:

- Dialogue: Unconditional continuous dialogue between state and non-state actors.
- Demilitarisation: Essential to move the process of dialogue and reconciliation ahead.
- Devolution: Devolution of power and bringing all three regions of Jammu, Ladakh and Kashmir together. Reconciliation is imperative to prevent polarisation on communal lines.
- Development: Through the participation of the people of Kashmir.

## Role of the Media

The media has an important role to play in rebuilding the society and demystifying the doubts about the sincerity and intentions of the government. The conspiracy set in motion by Pakistan and fanatical organisations needs to be exposed by the media. The following aspects can be given due attention:

**Perception Management:** The media should assume the role of rebuilding the society and highlighting the sufferings of the Kashmiri *Awam* at the hands of the terrorists. Kashmir would have been another Swat or Afghanistan, had the Army not gone beyond the call of duty to fight (with both hands tied) to protect the common man. Bringing it back from chaos and confusion to its present state was no mean achievement. This aspect needs to be highlighted by conducting seminars and interactions with Kashmiri intellectuals. The media should call on NGOs, ex-Servicemen and Kashmiri intellectuals to take the lead and critically analyse the need for continued military operations, till the ground situation is brought completely under control. Carefully studied data must be made public through the unbiased media and NGOs, including the following:

- The number of people killed by the militants, and the number of children orphaned resultantly
- Atrocities against woman and children (including forced recruitment).
- Drop in per capita income of Kashmiris vis-a-vis other states, due to terrorism.
- Loss of property of civilians, due to terrorist-initiated actions.
- Fragmentation of Kashmiri society by *jihadis* (a bond which dates back to the medieval period).
- Number of people and families who were displaced by militants (including Kashmiri Pandits).
- Number of religious places, including Sufi shrines, temples and mosques, damaged/destroyed by militants, and the time it will take to reconstruct the society.

**Kashmir – A Military Success Story:** It is an opportune time to highlight the fact that Kashmir has been saved from human tragedy and disaster by the Army. The freedom and dignity of the people has been restored and life

has been brought back onto the rails. It was an impossible task, but for the sacrifices made by soldiers and people of J&K. The weapon systems used and the number of people displaced due to military offensives will highlight the human face of the Army and restraint shown by it while undertaking CI/CT (counter-insurgency/counter-terrorism) operations in Kashmir. Terrorism in J&K has been fought by adopting the concept of people-friendly operations, using minimum force. It is evident from the fact that neither the Air Force nor artillery guns have been used to eliminate terrorists. Whereas, in comparison, Pakistan and the US have used all the resources at their disposal in a situation which is probably as volatile as J&K was during the late 1990s and the first few years of the 21<sup>st</sup> century. The media should carry out this information campaign so that the people of Kashmir are able to draw parallels between the Indian Army's actions, vis-a-vis the Pakistan Army's handling of the situation in Federally Administered Tribal Areas (FATA).

**Army's Contribution to the Economy of Kashmir:** There are three Infantry Regiments (Jammu & Kashmir Light Infantry, Jammu & Kashmir Rifles and Ladakh Scouts) and Territorial Army Units, with personnel drawn from J&K. Every year, the Army spends a substantial amount of money hiring casual labour and civil transport exclusively from the state. In addition, Operation Sadbhavna has the twin benefits of providing employment to the locals and development of the border areas. To a great extent, the handicraft and fruit markets survive on the purchasing power of the armed forces personnel. The integration of the Army with the local economy has rarely been highlighted by any agency. This integration directly affects every household in J&K and needs to be given adequate coverage by the media. Periodic public relations exercises by the Army must highlight such issues.

**Operation Sadbhavna:** Operation Sadbhavna has been a success story in winning the hearts and minds of the people. It has taken development to remote and inaccessible border areas. The Operation, in fact, compelled the state administration to realise that development can bring people to the national mainstream. Wherever the Army has gone, development has followed, be it in education, health, roads or water schemes. Those who had no voice in the corridors of power have been heard through the Army. The state administration has been made aware of the problems of the

poor and underprivileged, and in many areas, it is dependent on feedback from the Army, as far as local issues of development are concerned. The concept of inclusive growth and development in Kashmir has commenced after the success of Operation Sadbhavna. The Army needs to highlight its contribution in the reconstruction and development of Kashmir. This model is unique and the strategy of military operations with a humane approach is the right way to fight insurgency and internal conflict. It is imperative that the media and the Army join hands on such issues to put across the facts in the correct perspective. The media should constantly highlight this success story as well.

### **Conclusion**

The task at hand is to maintain peace and defeat the strategy of proxy war in Kashmir. Defeating the military components is secondary, but defeating the strategy is paramount. Therefore, we need to redefine and reenergise our resources to undertake the daunting task of bringing Kashmir back on the path of progress and prosperity. The fear at this juncture is that the state should not plunge back into chaos and confusion. Therefore, collective efforts are required from the legislative, executive and all the establishments that are working to bring peace and stability to Kashmir. The failure of even one of these establishments can retard the progress and restoration of the rule of law.

Accordingly, the Army should be prepared with alternative plans for all contingencies. Interaction between the Army and civil populace is desirable to understand the predicament of both sides and to ensure that there is no interruption in ongoing military operations against the terrorists. Actions taken in haste should not give an opportunity to the militants and Pakistan to revive the militancy in J&K. However, to put these measures into practice, we need to first convince the military hierarchy as well as junior leaders of the veracity of these arguments. Many may not be convinced, but it is the need of the hour and the sooner we do it, the better.

At the same time, there is a need to rebuild the society and that can best be done by reviving Kashmiriyat and Sufism. Kashmiriyat and Sufism have been the guiding spirit to the people of Kashmir. The Kashmiris have faced external aggression on their land and culture for centuries and have survived



invasions from across the border before and they will do so again. Pakistan-sponsored militancy is not only a low intensity conflict aimed at India, but, in fact, it is a cultural war to subvert the very foundation of Kashmiriyat and Sufism. The people of Kashmir have to fight this cultural invasion and no one can do it for them. Kashmiri Muslim intellectuals and religious bodies should repair the fracture to integrate the multi-lingual, multi-ethnic society of Kashmir, for the sake of future generations. To put things in the correct perspective, the media will have a greater role than ever to help the Kashmiri *Awam* see the reality.

In the end, the present situation in Pakistan is a godsend, to at least lay to rest the myth of a future for Kashmir being only with Pakistan. Rather, India at this juncture, should convince the people of Pakistan Occupied Kashmir (PoK) that their future lies in being with India and not with Pakistan. The ground situation and internal conflict in Pakistan is loaded in India's favour and it is time for the political leadership in India to take advantage of this situation and make the final kill. Robert Greene once said, "The only way to break out of the negative dynamic is to confront it."<sup>21</sup> Therefore, the time has come to take a bold initiative and finish the problem of Kashmir forever. Success lies in how we do it and how fast we do it.

### Summary of Recommendations

- Undertake counter-terrorist operations with a human face.
- Reduce the presence of uniformed men in population centres.
- Increase emphasis on surgical operations, based on specific intelligence.
- Employment of Territorial Army (Home and Hearth) units to fill the deployment gaps.
- Training of CPOs to undertake operations with a human face.
- Transparency in operations and zero tolerance for human rights abuses.
- Rehabilitation of surrendered militants and implementation of cohesive policy for surrender.
- Constructive engagement and employment of youths to insulate them from the lure of militancy.
- Certainty of convictions, with speedy disposal of cases against all those involved in terrorist activities.
- Rehabilitation of Kashmiri Pandits, border migrants and protection of their lives and property after rehabilitation.
- Implementation and monitoring of the reconstruction plan of J&K to ensure inclusive development.
- Constructive role of the media towards the reconciliation, reconstruction and development of J&K and highlighting the contribution of the Indian Army and sacrifices made by the security forces to defeat the evil designs of Pakistan.
- Revival of Kashmiriyat and Sufism through public debates and programmes.
- Engagement of all parties and sections of society for conflict resolution within the framework of the constitution.
- Need to expose the double-speak of Pakistan and their brutal methodology of handling counter-terrorist operations in SWAT and Waziristan.

## Notes

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