Summer of Discontent
Considering Conditions in Kashmir

AMITABH MATTOO & SOURESH ROY

On July 7, 2010, for the first time in over 17 years, troops from the 15th corps of the Indian army were deployed in Srinagar, the summer capital of Jammu and Kashmir, to assist civilian authorities in maintaining law and order. Although the army’s presence remained low key, it was a startling recognition of the fact that the valley of Kashmir was moving toward crisis once again. And yet, less than two years before, Jammu and Kashmir had witnessed the most inclusive elections in its history that led to the formation of a coalition government headed by a young, modern, and well-educated chief minister, Omar Abdullah. Veteran Kashmir watchers may experience a sense of déjà vu, and be reminded of the 1990s. Unlike the situation two decades ago, however, the writ of the state is not primarily being challenged by a popular insurgency or Pakistan-sponsored militant organizations or even by separatist cartels like the Hurriyat. Instead, it is the anger of a new generation of young men and women who have grown up in these two decades of conflict, which has translated into a resilient wave of protests in many parts of the Kashmir valley. They are not armed with guns, but often only with stones, in what has become a resistance movement.

The troubles in Kashmir have two dimensions: the conflict between India and Pakistan over the province, and the conflict between New Delhi and the people of the state of Jammu and Kashmir. Here we focus primarily on the latter, the “internal” dimensions of the problem.

The Present Crises
The immediate catalyst for the street protests of the summer has been the killing of innocent Kashmiris. On June 11, 2010, a student, Tufail Mattoo, was killed by a tear gas shell, which triggered a vicious cycle of protests, killings, and more protests. More than a hundred Kashmiris died between June 11 and the first week of November.
Most of them were teenagers, either protesters or just innocent bystanders caught in the turmoil. Although this rebellious urge may have been sparked by specific incidents of violence and killings, it is also a broader expression of anger, disillusionment, and frustration. While it is tempting to reduce the protests to indoctrination by extremist Islamic groups, Pakistan's machinations, or the influence of other vested interests, this radicalization has been caused by multiple factors, and above all by a sense of hopelessness. This is a generation that has seen suffering, killings, and political uncertainty, and has had to remain sequestered in their homes for great lengths of time. This group has often witnessed daily tragedy, seen no light at the end of the tunnel, endured harassment, and been distrusted by sections of the Indian establishment—consequently, its members simmer with deep discontent and angst. And yet this generation is not at an age where it can introspect and take a long-term view of matters.

This is also a generation that, somewhat paradoxically, has been empowered by technology. The internet is a powerful instrument of social communication, radicalization, and political mobilization. One has to conduct only a sample survey of the Kashmiri lists on Facebook to witness the anger and the appeal of the "stone pelters" as well as the collective expression of rebellion through the “Quit Jammu and Kashmir” campaign. A Kashmiri version of Everlast's song "Stone in My Hand" has been uploaded on Youtube with deeply suggestive lyrics: "I got no pistol, ain't got no sword; I got no army, ain't got no land, ain't got nothing but the stone that's in my hand... You say you want a revolution, well get on board."

Ironically, there does not seem to be a leader or a group of leaders who is inspiring or directing these protests. Some may be ideologically or logistically guiding these protests, but there is no mainstream or separatist leader who can legitimately be blamed for the street protests—or who can claim credit. While the Hurriyat leader Ali Shah Geelani may still retain his credibility, others in the separatist camp have become marginal to the protests. When the Pakistan-based chief of the militant group Hizbul Mujahideen, Syed Salahuddin, suggested that the protests were impacting the daily life of the citizens, his effigies were burned. While Geelani's radical protégé Masarat Alam—now imprisoned—is given credit for guiding the protests through his weekly "protest calendar," even he was merely riding a wave rather than genuinely leading the massive rage on the streets of Kashmir. The belief within the intelligence community that former militants who have surrendered or been captured but are not yet rehabilitated are the backbone of the protests is also not borne out by the reality on the ground.

Critically, this rage of the young is built on the larger and longer sense of Kashmiri victimhood, injustice, and insecurity about their identity. This is, of course, rooted in a deep sense of discrimination, injustice, and a widespread anti-India sentiment.

**A Missed Opportunity**

Elections in Jammu and Kashmir are much more than a democratic ritual. In the popular Kashmiri imagination, they have been powerful symbols: of faith and betrayal; of resistance and accommodation; of hope and disillusionment; of confidence and uncertainty. Through the 1950s and the 1960s, stage-managed elections were seen as a betrayal of the “trust” of 1947. The 1977 election, the fairest the state had witnessed since independence, became a leitmotif of faith and accommodation. The 1987 election, neither free nor fair, paved the way for militancy in the state. Confidence in the democratic process was restored considerably when, for the first time ever, in 2002, the electorate was able to dislodge the ruling party. The 2008 election is also recognized as a marker for its inclusiveness and credibility, despite considerable odds. While 43.69 percent of the electorate had voted in 2002, the 2008 figure was 61.49 percent, respectable by any national or international standard. More significantly,
all the districts of the Kashmir valley (outside Srinagar) witnessed a healthy turnout of more than 45 percent, with the Kupwara and Bandipora districts—once at the heart of separatist politics—registering 68.22 percent and 59.66 percent respectively.

The real long-term importance of the 2008 elections, however, would have been judged by the manner in which New Delhi and the state government responded to the aspirations of the people and the multiple challenges that existed within the state. This unique opportunity was missed. That Kashmiris, having taken to the streets only a few months earlier in a mass intifada-like uprising during the Amarnath land controversy, turned out in even larger numbers to vote in the state election was mistakenly seen as evidence of Kashmiri fickleness. It was a mistake also to view the elections as signaling a return to business-as-usual politics of the state and as obviating the need for a special and more imaginative approach.

Taking advantage of the improved situation on the ground, the government could have struck a better balance between the rights of the people and the need to deal with militancy. The release of political detainees should have been a top priority. A general amnesty would have been a powerful gesture symbolizing the new spirit of reconciliation. It was also time to seriously consider returning the armed forces to their pre-1989 position, ensuring—in letter and spirit—a zero-tolerance policy for human rights violations and repealing many of the laws that had given the security forces a virtual carte blanche in the valley. But this remained only a wish list.

**A Vision of Comprehensive Security**

Fortunately, while the immediate opportunity offered after the state election was missed, the window is far from closed. Even while any meaningful dialogue with Pakistan on Kashmir may have to wait until Islamabad is less fragile, New Delhi can and must internally implement a plan of action that can assuage the anger and fulfill, at least partially, the expectations of the people. And there is no dearth of practical and implementable ideas. Prime Minister Manmohan Singh himself said in his opening remarks at the Roundtable Conference on Jammu and Kashmir on February 25, 2006: “Security is freedom from fear and this is what we want to achieve. We want the people of Jammu and Kashmir to be free from all fears about their future. It is only this sense of comprehensive security, within a framework of good governance that can really empower the people.”

This vision of comprehensive security must surely guide all new initiatives for Jammu and Kashmir. For New Delhi, the Working Group Reports offer a perfect starting point. Set up during the second Roundtable Conference of the Prime Minister in May 2006, the five working groups had a specific agenda: support confidence building measures (CBMs) within state society, strengthen relations across the line of control in Kashmir, further economic development, ensure good governance, and improve center-state relations.

Apart from the working group on center-state relations, all others submitted their reports in April 2007. The government has, in principle, accepted the recommendations and virtually committed itself to their implementation. But in reality, little has been done. New Delhi must signal its sincerity by first acting on the recommendations of the working group dealing with CBMs.
across the state.

Chaired by Hamid Ansari, the CBM group included representatives from all mainstream political parties and groups. The group’s agenda included the following: measures to improve the condition of the people affected by militancy; schemes to rehabilitate all widows and orphans affected by militancy; issues relating to the relaxation of conditions who have foresworn militancy; an effective rehabilitation policy, including employment, for Kashmiri Pandit migrants; an approach considering issues relating to the return of Kashmiri youth from areas controlled by Pakistan; and measures to protect and preserve the unique cultural and religious heritage of the state. The group had recommended, inter alia, that the government: review and revoke laws that impinge on the fundamental rights of common citizens, such as the Armed Forces Special Powers Act; review cases of persons in jails and general amnesty for those under trial for minor offences; take up measures to strengthen the state Human Rights Commission; and set up a state commission for minorities.

New Delhi must also consider revamping the fifth working group on center-state relations, which failed to arrive at a consensus. A new expert group can consult with all stakeholders to forge common ground on issues such as autonomy, self-rule, regional balance, and sub-regional aspirations. “Autonomy” and “self-rule” must not be viewed as dirty words, and an autonomous or self-ruled Kashmir could become a model of cooperative federalism. Autonomy is about empowering people, making people feel that they belong, and increasing the accountability of public institutions and services. It is, in essence, synonymous with decentralization and devolution of power, phrases that have been on the charter of virtually every political party in India. In Jammu and Kashmir, autonomy carries tremendous resonance with the people because puppet leaders from the state colluded with the central leadership and gradually eroded the autonomy promised by the constitution. There is no contradiction between wanting Kashmir to be part of the national mainstream and the state’s desire for autonomous self-governance.

Separatism grows when people feel disconnected from the structures of power and the process of policy formulation; in contrast, devolution ensures popular participation in the running of the polity. If this balance is struck, Jammu and Kashmir could become a model of co-operative federalism, a special model that could be gradually applied to other states in the union.

Many people genuinely feel that even if a package of autonomy or self-rule is worked out, a future central government may, in collusion with the state’s political leaders, renege on an agreement that is made today. This is based on the past experience of the state’s relationship with the center. It is essential, therefore, that special constitutional guarantees are introduced to ensure that the state’s autonomy is not eroded. It may be necessary, for instance, to introduce a provision in the constitution which would provide for a referendum in the state before any major amendment that would affect its ties with the union becomes a law.

New Delhi must also work to promote a greater regional balance, but rule out a division of the state. There are powerful forces demanding a trifurcation of the main regions of the state—Jammu, Kashmir, and Ladakh—into separate administrative units. Posing as an imaginative solution, this demand, if conceded, could lead to violent social disruptions in the state and create a communal polarization that would not just irrevocably destroy the cultural and social fabric of the state, but have perilous consequences for communal relations in the rest of India. In addition, trifurcation would forever end the possibilities of reviving the plural traditions of communal harmony in the state that had once made it a symbol of the very idea of India: unity in diversity.

The demand for a division of the state is not new per se. The UN mediator Sir Owen Dixon recommended a partition of the state in 1950, and elements within the Praja Parishad agitation of the early 1950s had also sought that Ladakh and Jammu be detached from the valley if full integration of the state was not achieved quickly. But, in its new avatar, several factors have coalesced to produce a potentially explosive situation. Most important is the widespread feeling within Jammu and Leh of deprivation, as well as political and economic discrimination by politicians from Kashmir.

While this feeling of deprivation may have some grounds, it is being exploited by sectarian political groups who are demanding separate statehood for Jammu and union territory status for Ladakh. They argue that not only will separation from Kashmir ensure better governance, more economic opportunities, and a greater share of political power, but Jammu and Ladakh will also be able to distance themselves from the militancy. In its most extreme form, ideologues of this demand suggest that it is in the national interest to limit the “area of operations” of the security forces to Kashmir, and that division will ensure only one-sixth of the state will then remain troubled.

This logic is dangerous for at least four reasons. First, trifurcation will destroy the composite identity of the state, which has existed as one unit since 1846, and send a dangerous message to the whole nation. If Hindus, Muslims, and Buddhists cannot live together in one state, can they do so in a larger entity? Second, it will most probably lead to a transfer of Muslims from various parts of Jammu, including parts of the city but also Doda, Rajouri, and Poonch, assuming that the entire province is made into a separate state. Finally, it will lead to such deep communal polarization that bloody communal riots will inevitably follow.

Regional harmony, it should be clear from experience, cannot be ensured through partitions, but through a decentralization and devolution of financial and economic power that will treat the panchayat as the primary unit of governance. Jammu and Kashmir is not Assam or Uttar Pradesh where the carving of smaller states will provide
For better governance; it is a recipe for disaster.

The state government must also pay attention to the recommendations of the working group on ensuring good governance in the state, which include the appointment of a Chief Information Commissioner for the effective implementation of a more robust Right to Information Act, the introduction of e-governance—to make government at the district and tehsil level more efficient, accountable and transparent—and for extending the 73rd amendment to truly empower the Panchayati Raj system.

However, for the state government, an important priority must be to devise and implement a comprehensive policy for the young men and women of the state. The state has witnessed consistently high levels of educated unemployment and low levels of vocationally skilled human resources. With more than two million unemployed, and in many cases unemployable (outside of government work), the youth have formed the bedrock of the militant movement over the last two decades. The challenge now is to use this energy of the young Kashmiris to build peace.

Re-training hubs in all the district headquarters must be immediately established to ensure that a significant section of the unemployed and educated youth becomes employable within six months to a year. With extensive use of information and communication technology, it should be possible to annually produce more than 20,000 skilled and employable workers from the 22 district re-training centers. These centers could be established through a public-private partnership or by creating a special purpose vehicle (SPV). Public-private partnerships are also needed to enhance international connectivity by extending broadband access in the state, with stronger incentives provided through the existing universal access funds for telecommunications. In the long term, given the geography of the state and its growing endowments of skills, electronic exports of services may play a more significant role in revitalizing its economy than other traditional sectors.

The youth of the state can indeed become the state's greatest strength, its soft power. Investing in the right education, training and skill development must therefore be part of the fundamentals of the new government if it has to take advantage of the huge demographic dividend in the state. It is vital that the gross enrollment ratio in higher education is at least 15 percent in the next ten years. This calls for a massive expansion in education: more universities, more off-site campuses, more colleges, more ITIs, and more polytechnics extensively using revolutionary, new IT instruments for content delivery of world class courseware.

**The Uniqueness of Jammu and Kashmir**

Kashmir is unique, and must be dealt with as such. Jammu and Kashmir's uniqueness is obvious for a variety of historical reasons recognized even by the Supreme Court. In 1984, in *Khurram Chand vs. The State of Jammu and Kashmir*, the court unambiguously held that the state holds “a special place in the constitutional setup of the country.” The 1983 Srinagar Declaration adopted by the opposition conclave that included political stalwarts such as Jyoti Basu, Inder Kumar Gujral, Chandra Shekhar, and Prakash Singh Badal stated that “the special constitutional status of Jammu and Kashmir should be preserved and protected in letter and spirit.”

More important than such assertions is Kashmir's singular importance to the very idea of India, which is often forgotten. A Muslim majority state that voluntarily acceded to India in 1947 lent tremendous strength to the construction of India as a vibrant, secular and pluralistic state. The battle, therefore, to win back the hearts and minds of the Kashmiri people is central not just for the recovery of ideals that inspired nationhood, but also to the war against obscurantism and fundamentalism.