

ROBERT THORP AWARD 2013

DR. K. BALAGOPAL [1952-2009]



Tribute to DR. K. BALAGOPAL

Compilation of Writings



Jammu Kashmir Coalition of Civil Society [JKCCS]

ONTENTS

- | | |
|---|---------|
| [1] Robert Thorp (1838- 1868) | Page-3 |
| [2] Robert Thorp Awardee 2013: Dr. K Balagopal (1952-2009) | Page-5 |
| [3] Kashmir:Self-determination, Communalism and Democratic rights | Page-8 |
| [4] Kashmir Policy in Wonderland | Page-18 |
| [5]The Valley, the Hills and the Summit | Page-20 |
| [6] What makes the Hurriyat Conference untouchable? | Page-27 |
| [7] What Will They Do to Kashmir Now? | Page-29 |

Robert Thorp (1838- 1868)

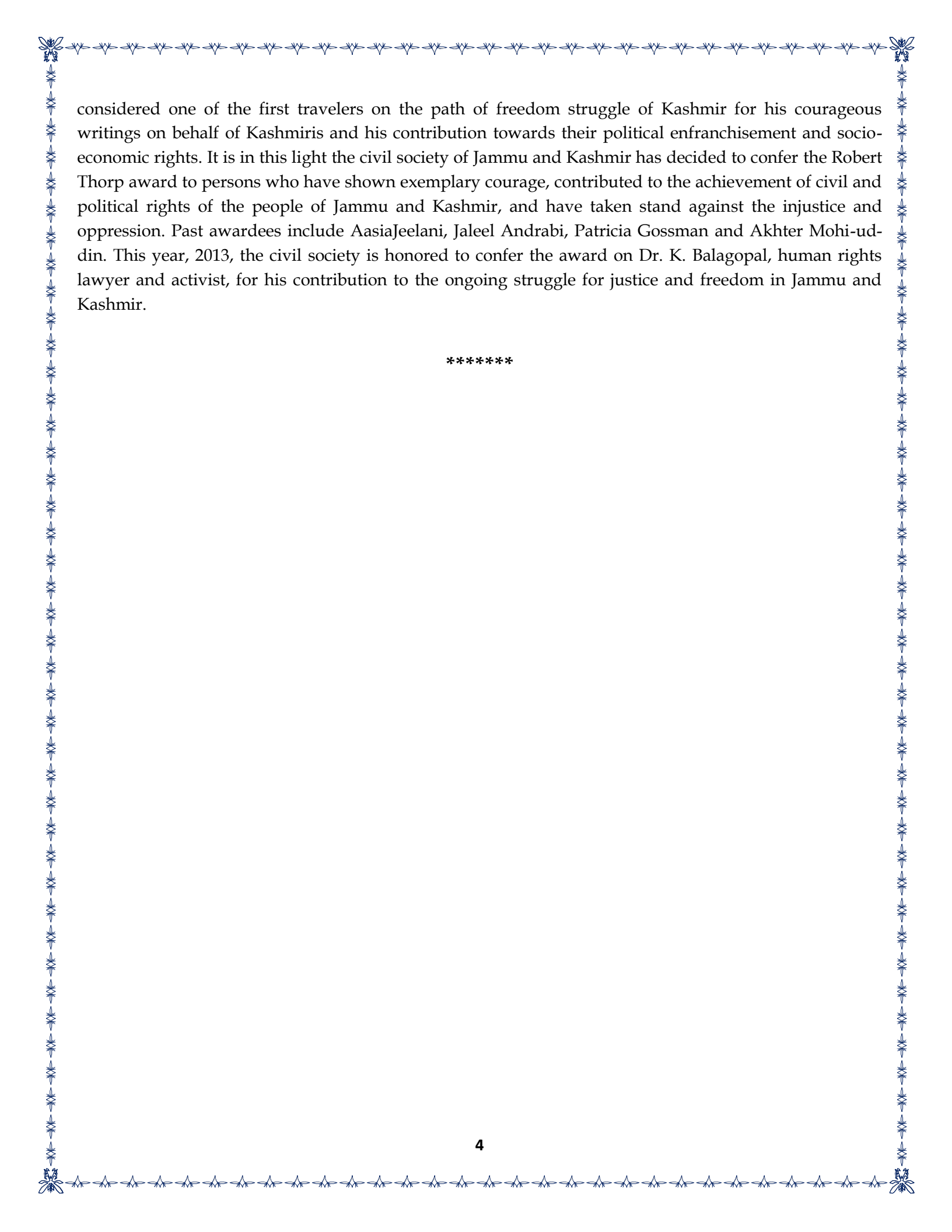
Robert Thorp, a young British Army officer, arrived in Kashmir as a tourist in 1865. The British had just defeated the Sikhs. The Dogra ruler Maharaja Gulab Singh, a feudal beneficiary under Sikh rule, had deceived them and helped the British in the war. As a war indemnity the Sikhs handed over Kashmir to the British and in turn it was sold to Gulab Singh as a reward for his help. A hugely unpopular man, the Maharaja regarded Kashmir as his personal fiefdom and never gave a thought to peoples' aspirations, or reform and reconstruction of the state.

Foreigners required permission of the British authorities to enter Kashmir at the time. They could not stay in the Valley for more than two months. Twenty-seven-year-old Thorp stayed longer to study the appalling condition of the people of his mother's birthplace. He raised his voice at a time when there were severe restrictions on independent information reaching the Government of India. He was motivated by a deep empathy for the Kashmiri people and a desire to deliver them from their miserable and disenfranchised conditions. Thorp took it on himself to inform and educate British public opinion about the situation in Kashmir by writing to the British Press. Thorp felt that the British owed a moral responsibility to Kashmiris, as it was they who had sold Kashmir to the Maharaja under the Treaty of Amritsar. He believed that public opinion was paramount to influence the government to do what was needed.

Thorp traveled the Valley's length and breadth collecting information about the plight of the people and thoroughly investigating facts. He published a book entitled *Kashmir Misgovernment* and dedicated it to people who 'do not approve of cruelties upon human beings, and to those who are exalted from the moral, religious and social point of view and do not like oppression'. *Kashmir Misgovernment* was the first social study of Kashmir which provided sensational information on sale of humanity in Kashmir by the British East India Company, the repressive policies of Dogra rulers against majority population Kashmiri Muslims, abject poverty in Kashmir and loot by Maharaja's officials, the taxation system, shawl industry, *begar* (forced unpaid labour), the 1846 treaty between Gulab Singh and British government and migration of shawl workers from the Kashmir Valley. Robert Thorp questioned the moral authority of creating slavery in Kashmir by the British who claimed to be the champions of democracy and liberalism. This book had an impact in social and political circles of England and compelled the British Indian Government to review their outlook about Kashmir.

However, soon after the publication of his book, Thorp was ordered to leave Kashmir. Undeterred, Thorp returned to Srinagar on November 21, 1868, and next morning after his breakfast he died, possibly because of poisoning. Thorp was found dead on the SulemanTaing Hill. He was buried in the Christian cemetery in Sheikh Bagh area of Srinagar city. The epitaph on his grave reads: "Robert Thorp, aged 30, who sacrificed his life for Kashmir on 22nd November 1868."

Thorp's death forced the British to review the situation in Kashmir and steps were taken to better the conditions of Kashmir. More British officials were appointed to oversee the Maharaja's regime and some of his depredations were curtailed. Laws were enforced to protect life and property. Robert Thorp is



considered one of the first travelers on the path of freedom struggle of Kashmir for his courageous writings on behalf of Kashmiris and his contribution towards their political enfranchisement and socio-economic rights. It is in this light the civil society of Jammu and Kashmir has decided to confer the Robert Thorp award to persons who have shown exemplary courage, contributed to the achievement of civil and political rights of the people of Jammu and Kashmir, and have taken stand against the injustice and oppression. Past awardees include AsiaJeelani, Jaleel Andrabi, Patricia Gossman and Akhter Mohi-uddin. This year, 2013, the civil society is honored to confer the award on Dr. K. Balagopal, human rights lawyer and activist, for his contribution to the ongoing struggle for justice and freedom in Jammu and Kashmir.

Robert Thorp Awardee 2013: Dr. K. Balagopal (1952-2009)

Kandala Balagopal (1952–2009) was a human rights lawyer, activist and political commentator with a rare ability to combine in his writings, finely wrought detail born of his experiences in the field and in the courtroom, and deeply philosophical meditations about the meaning and value of human life and the essence of law, justice and human rights. He had a talent for fierce and fearless speech, never flinching from asking disquieting or difficult questions of his readers, his own comrades and fellow-travelers in human rights or revolutionary struggles, or indeed of himself. His writings, characterized by a clarity of language, precision of argument and a dry and ironic sense of humour spanned several genres: fact finding reports, scholarly articles and legal critiques in journals such as *Economic and Political Weekly*, and newspaper editorials. In them, he conceptualized a creative theory and practice of human rights that was non-dogmatic, universal and firmly rooted in the realities that he witnessed as a practicing lawyer defending political prisoners, Naxalite insurgents, and marginalized labourers in Andhra Pradesh and on his numerous fact finding missions across India, the North Eastern states and Jammu and Kashmir. Balagopal was trained as a mathematician, and taught the subject at the Katakia University in Warangal, Andhra Pradesh from 1981 to 1985.

The Introduction to a recent collection of his writings, *Ear to the Ground*, describes his political journey from the realm of mathematical abstractions, to the far more complex equations of struggles for freedom and justice. 'The political culture of Warangal – home to the naxalite left and resonant with debates around questions of class, justice and revolution – proved decisive in Balagopal turning away from an introspective life of the mind. Instead, he came to train his acute intellect to identify, comprehend and critically examine key political and social concerns. He joined the Andhra Pradesh Civil Liberties Committee (APCLC) in 1981, and became active in civil rights work centered at that time around extra-judicial killings of militant left cadres. Arrested under TADA in 1985 on trumped-up charges relating to the murder of a police sub-inspector, he spent three months in Warangal prison. In 1989, Balagopal was kidnapped by a vigilante group called 'PrajaBandhu' – believed to be a front of the police, and in 1992 was beaten up badly by the police in Kothagudem. Balagopal trained to be a lawyer late in his life and enrolled in the Bar Council of Andhra Pradesh in 1998, representing a wide variety of litigants whose lives, lands, status and employment were threatened.' In 1998, Balagopal left APCLC owing to differences in their perspectives on human rights. He then founded Human Rights Forum in which he was active till his death.

Balagopal saw the 'Jammu and Kashmir question' as embodying a fundamental challenge to politics in India. Thus, he wrote 'Kashmir has in many ways been the litmus test of Indian democracy, not only for the political establishment, but for the democratic public opinion too. To think and speak democratically about Kashmir is, for an Indian, to question all the ingredients of established Indian nationalism, not merely of the saffron variety but the progressive/secular variety, too.' (*Will the Pain never End?*, 2007). There is an anecdote told about Balagopal that reveals much about his feelings about Jammu and Kashmir. When asked in conversations if he had ever travelled abroad, he would say, "Oh yes, of course". If the curious questioner then further asked to which foreign countries he had been, he would reply with a hint of a smile, "Why, I have been to Jammu and Kashmir so many times!" Indeed, Balagopal visited Jammu and Kashmir almost every year between 1995 and 2007, as a member of human rights fact finding or election monitoring teams and was central to the production of several ground breaking human rights reports in the period. He addressed press conferences, and public meetings in Jammu and Kashmir and India, and wrote about these experiences with his usual fearlessness in newspaper columns and journal articles, always placing the right to self determination and the aspirations of the people of Jammu and Kashmir at the heart of the issue. In doing this he squarely confronted the discomfort of the Indian left and liberal-secular movements on the question of politics and religious identity. He wrote 'If irreligious or non-religious identities alone deserve support, then no national self-determination movement can ever be supported, because there is no national identity - at least in the Third World - that is totally devoid of a religious dimension.' (*Kashmir: Self-determination, Communalism and Democratic Rights*, 1996). Though Balagopal's individual contributions to the fact finding reports produced by teams of which he was a part are subsumed under the ethic of collective authorship that democratic rights groups follow, the imprint of his characteristic writing style is unmistakable in these reports.

Valley of Blood: Behind the Propaganda Curtain published in December 1995 was based on a visit of a 13 member fact finding team, drawn from 8 civil liberties and democratic rights groups including the APCLC of which Balagopal was then a part. The team's visit coincided with the Amarnath Yatra in July - August 1995, and the report begins with a prefatory section titled 'A Few Word Pictures' which includes a vivid description of the team's eventful journey from Jammu to Srinagar along with a group of stranded Kashmiri Muslims, and their various encounters with security forces en route, at a time when all buses were being diverted to Pahalgam for the Yatra. This is how it describes the city of Srinagar. 'Srinagar is overwhelmingly in the grip of Indian army occupation. Army presence is ubiquitous and intimidating: besides bunkers every 50 yards or so the streets are patrolled by Armoured Personnel Carriers. Hotels, Cinema Halls as well as several public buildings (such as that of the main bus terminal) have been converted into dormitories for the armed forces. The local cricket stadium is now the head quarters of the CRPF. Vacant Pandit houses are being used as "interrogation centers" as well as living quarters by the armed forces.'

Rich in contextual detail the report traces the political and historical roots of both the occupation of Jammu and Kashmir and the struggle against it, before providing accounts of the widespread human rights violations under what it calls 'Army Rule in Jammu and Kashmir.' It is framed as passionate appeal to the Indian people to see 'what the Indian security forces are doing in Jammu and Kashmir in the name of fighting militancy is the bloodiest operation of murder, torture, rape and arson that this country has seen in the last four and a half decades' It challenges its readers to look beyond the propaganda of the Indian state and question what it means to be a patriotic Indian. 'Whenever there is talk of Kashmir, all Indians are required to be patriotic. If the term patriotic has any democratic content, then to be patriotic *vis a vis* Kashmir is not to support but to strongly oppose the way the Government of India is presenting the issue, and the way it is handling it', it provocatively argues. As early as 1995, the report presciently discusses the role of army sponsored 'counter insurgents' in human rights violations, a theme to which the next fact finding team of which Balagopal was a part returned in greater depth and detail in the context of the Parliamentary Elections in May 1996.

Voting at the Point of a Gun (1996) published nine months later focuses on the question of state sponsored counter militancy operations using 'reformed militants' and private armed gangs, and the role played by such individuals in the 1996 elections. The team met and interviewed Papa Kishtwari, a notorious 'renegade' who boasted 'It is our guns that have made elections and democracy possible in Kashmir'. The report observes, 'to criminalise the political life of a people for strategic gains in a war waged principally against the aspirations of a people, though in the name of the evil designs of neighbouring country is nothing short of a parody of democracy.' It argues that 'the holding of elections has [...] nothing to do with the empowerment of the will of the Kashmiris, which is in theory the purpose of elections in Parliamentary democracy, but is part of the political-military strategy which is spoken of in terms of 'victory' over Pakistan's machination, 'defeat of the designs of the 'separatists', 'check mating' the Hurriyat Conference, 'tactical' gain in the proxy war and so on'. Despite its bleak description of the coercion and terror under which the elections were conducted, the report manages to include a vignette about the human ability to laugh in the face of oppression. It relates that Kashmiris of the day joked that 'the Army wanted them to vote, so they would vote. Each candidate wanted them to vote for him, so they would stamp the ballot in favour of each of the candidates. That would make the vote invalid, which would please the militants who wanted them to boycott the elections!' It was the inclusion of this kind of detail, so telling yet so rarely found in human rights reports, that made reports co-authored by Balagopal unique in their ability to move beyond factual reporting, statistics, and death tolls, to convey something deeply evocative about the human condition itself.

On 20th April 2004, during the monitoring of the second phase of elections by Independent Election Observers led by Jammu Kashmir Coalition of Civil Society (JKCCS) a land mine blast resulted in the death of Aasia Jeelani, and Ghulam Nabi Sheikh, and serious injuries to three other team members. Nonetheless, Balagopal arrived in Kashmir in early May 2004 as planned, and quietly and efficiently, along with other activists from India and Kashmir, completed the monitoring of the two remaining phases of the elections in Anantnag-Pulwama and Doda districts. The final report carries a dedication to the team members who lost their lives, but is remarkably stoic about the extraordinary circumstances under which it was written.

In May of 2007, Balagopal participated in a conference on attacks on human rights defenders in Kashmir, and was a member of a team of 11 human rights activists from Andhra Pradesh, Karnataka and Delhi who toured the Kashmir

Valley from 6th to 10th May 2007. They published their findings in a report titled, *Kashmir: Will The Pain Never End? Impunity of policing and Aimlessness of Politics*. The report contextualises the changing, yet unchanged realities of Kashmir with meticulous accounts of the Ganderbal fake encounter, and the popular uprising in Pampore against the depredations of state sponsored 'counter insurgent' Papa Kishtwari. In a fearless critique of the Supreme Court's stand on atrocities by armed forces, the report analyses the *Masooda Parveen* judgment. It states: 'It is unthinkable how any Court could have come to such a conclusion on mere affidavits and self-serving records. [This] is when, Masooda Parveensays, she lost faith in India, a faith that survived Major Punia's collusion with Kishtwari's men Basheer, Khalid and Salim, and also survived the sight of her husband's mutilated body sent by the Lethporacamp of 17 Jat Regiment via Pampore police station.' The report goes on to detail human rights violations by the occupying forces including the use of civilians as human shields, the phenomenon of 'reprisal killings' and detentions of juveniles. This was Balagopal's last report on Jammu and Kashmir. Balagopal's fact finding reports and his writings on Jammu and Kashmir are not just a rare public archive of Jammu and Kashmir's history of violence and injustice, but continue to be remarkably relevant as an analysis of its contemporary politics, especially in their critique of the criminalization and militarization of its stage managed 'democracy'. Balagopal believed and passionately argued that rights are forged in the crucible of human struggle. It was his intense commitment both in thoughts and actions, to the struggles of the people of Jammu and Kashmir, that made his one of the most compelling and insightful voices in Indian civil society.

A large archive of K. Balagopal's writings, as well as tributes to his memory and his work are available at <http://www.balagopal.org>. Several of the fact finding reports referred to in this essay (as well as other reports by Indian democratic rights and civil liberties groups) are available online through <http://www.unipune.ac.in/snc/cssh/HumanRights/index.html> (See links under 'Jammu and Kashmir')

Kashmir: Self-determination, Communalism and Democratic Rights

Dr. K. Balagopal

About 25,000 people, by official count, have been killed in Kashmir in the last six years, about two-thirds of them by the Indian armed forces. Kashmiris put the number at 50,000. Yet democratic public opinion in India has remained largely silent, except for occasionally expressing disapproval of Army atrocities. Is only killing people in a staged cross-fire a human rights violation? Is the denial of the right of self-determination itself not an act of human rights violation?

Now that cynical realism believes it has won some sort of a victory in Kashmir, it is time to talk of some principles -- principles pertaining not only to the way the rulers of India have been dealing with Kashmir, but also the way progressive and democratic-minded Indians have been responding to Kashmir, and to the problems stemming from the mode of expression of the cause of Kashmiri self-determination. Criticism of the rulers is easy and uncomplicated, at least in principle, if one has no material or ideological interests vested in the matter. The others are less easy, less familiar and less comfortable. But unless we learn to formulate such critiques, the cause of progress and democracy will remain stuck at 1989.

India has quite a sizeable section of intellectuals, activists and political movements committed to the democratic cause, 'Democracy', of course, is not an uncomplicated expression, and if the bourgeois version of it is full of problems, then so is the leftist version of it. Indian democrats, movements and activists, for instance, have reacted strongly to quite a few instances of suppression of the democratic aspirations of different sections of the people, as a matter of democratic principle; but they have remained brutally silent - or else exhibited a low-key response - about others. One need not add that there are a few honourable exceptions. The silence is not due to oversight or preoccupation with more urgent matters. That may be excused. The silence, on the contrary, is studied and deliberate. It is quite frequently even theorised. A close analysis of the reasons proffered for the lack of equal enthusiasm to speak up in each of these cases would reveal a lot of unsuspected problems with what is commonly understood as the democratic worldview by those who believe their understanding is untrammelled by bourgeois or other limitations.

DOUBLE STANDARDS

Kashmir is one example. About 25,000 people have been killed in Kashmir in the last six years, by official count, about two-thirds of them by the Indian armed forces. Kashmiris put the number at 50,000. Western human rights organisations and some Indian civil rights groups have documented Army atrocities on the Kashmiris in considerable detail. Kashmiris, for their part, have not only documented their suffering but also argued over and over again their case for the exercise of the right of self-determination. Their arguments are difficult to refute except by resorting to cynical political 'realism', which can be given progressive padding by referring to US machinations in South Asia. Yet, the democratic public opinion of India has remained largely silent except to occasionally express disapproval of Army atrocities. Kashmiris tirelessly ask every human rights activist they meet whether only getting killed in a staged cross-fire is a human rights violation; and whether the denial of the right of self-determination is not in itself an act of human rights violation. The response from much of democratic public opinion in India is a stony silence.

A prominent leftist intellectual, writing in the columns of this journal, has cautioned those who would defend self-determination in Kashmir to realise that what they are defending is religious self-determination. Others, equally well known for their progressive views, have said that the option of plebiscite cannot be allowed to the Kashmiris because it is likely to be exercised communally. In other words, they will be allowed to choose only if they are not going to choose Pakistan, which choice, if made, is axiomatically believed to be on religious or communal (and it is not clear whether the two are the same) grounds. Nobody has as yet said that elections must no longer be held in Maharashtra because the electorate is exhibiting a tendency to make the communal choice of voting for the BJP and Shiv Sena, but the same argument is believed to be valid in the case of Kashmir. If someone wishes to argue that there is a difference between a choice made within the Indian State and the choice of seceding from the Indian State, then one would like to hear some argument that would show that the double standards are justified by this difference.

Is Kashmiri self-determination a religious aspiration? Is it the case that it is necessarily classifiable as either religious or secular? Is all that is religious necessarily communal? Is a religious aspiration to be denied even if it is not communal? Assuming that it is communal, is all that is communal necessarily to be banned in order to get rid of it? How far is the idea that the freedom to choose ought to be and can be denied in order to prevent harmful choices valid? It has a certain validity in the case of physically harmful things such as drugs, but how far can one take it in the realm of ideas and identities without making nonsense of the notion of democracy? In general, is the potential for evil human beings best exorcised - or at all exorcised - by depriving them of their right to make free choices? What, anyway, is the source of evil - such as, for instance, communal divisiveness - in human beings, and how are we to ever overcome it?

A comprehensive discussion of these questions is necessary if democratic public opinion in India is ever to complete a self-critical examination of its attitude towards the 'Kashmir problem', and the dubious doctrinal certitudes that underlie it. What can be attempted here is only a preliminary discussion of it.

IS KASHMIRI IDENTITY RELIGIOUS?

What exactly the Kashmiris mean by 'azaadi' may not be easy to determine. Perhaps all of them do not mean the same thing. In any case, there are too many guns around for a frank expression of views. Moreover, a troubled people soon learn to tell whatever the questioner expects from them, a deviousness that their troubled State teaches them. One thing is however clear. That they have a strong sense of their distinct identity, and 'azaadi' is an emotive expression of that distinctness, even if in concrete political terms it means different things to different people, or nothing more specific than a yearning for a free existence for many. Everywhere in Kashmir, though more in urban than in rural areas, the response to any talk of 'azaadi' is spontaneous and enthusiastic, even in the least propitious circumstances.

Most secular-minded persons in India will immediately ask: is this identity religious? One thing can be said without any hesitation: it is certainly not irreligious. If that puts a question mark on our sympathy for that identity, then there is something wrong with our understanding of popular identities. The identity of a people is what they are in their own eyes, the self-image about which they feel strongly, irrespective of how one interprets it in relation to their material existence. And religion is an integral part of what most people are in their own eyes. Islam, the way Kashmiri Muslims believe it and practise it, is very much a part of the identity that they feel so strongly for. If irreligious or non-religious identities alone deserve support, then no national self-determination movement can ever be supported, because there is no national identity - at least in the Third World - that is totally devoid of a religious dimension. Of course, this raises the question whether such a religious identity can guarantee the security and the cultural freedom of minorities, and what assurances will be given in this regard. The Islam that Kashmiris believe in and practise has in the past been on the whole a syncretic and relatively open system of beliefs and attitudes, which has prevented the Islamic element of the Kashmiri identity from becoming a hindrance to a common Kashmiri identity shared with the Hindus. Communal fanaticism has not been a notable characteristic of the Kashmiri mind. Hopefully, the events of the last six years have not made much difference to this, though embittered emigre Pandits do say that things have irrevocably changed now. It is perhaps not an insignificant matter that the Sikhs in Kashmir have not left the Valley, and do not seem to feel the kind of discomfort that one would expect in the presence of an alien fundamentalism. How much of the Pandits' views is born of distrust, which no doubt finds evidence in the actions of the Pakistan-backed fundamentalist elements in Kashmir, and how much is a realistic appreciation of actual change in the attitudes of the average Kashmiri Muslim is a matter of doubt. There is certainly plenty of hostility towards India in Kashmir, but little hatred of Hindus as such. And even as regards the hostility towards India, one hears people say with surprising regularity that what they hate is India and not Indians. That they feel impelled to express this clarification is perhaps a tribute to their pride in their tolerant and friendly culture.

But the question whether Kashmiri self-determination is religious self-determination seeks specifically to know whether the Kashmiri desire to exercise the right of self-determination harks back to the two-nation theory: that, being mostly Muslims, they must join Pakistan. Whether such a desire must necessarily be branded communal is a legitimate counter-query. And whether - be it communal or not - it is to be met by suppressing the desire of self-determination is another legitimate counter-query. There are certainly some in Kashmir who frankly believe in the

two-nation theory as a political faith. The Jamaat-e-Islami of Kashmir holds the view that as a Muslim majority region, Kashmir must be in Pakistan; and so do most of the other (smaller) Islamic organisations. There are even a few who believe in pan-Islamism as an ideology. However, it is worth mentioning the views of People's League leader Shabir Ahmed Shah, one of the most respected of the Hurriyat Conference leaders, a cultured and soft spoken man who has a rare concern for ethical propriety in politics. He makes a distinction between what he calls religious fundamentalism (hatred or denigration of other religions), which in his view is wrong, and political fundamentalism (by which he means the inseparability of religion and politics), which in his view is not wrong. He has gone out of his way to address the Pandit refugees in Jammu and asks them to come back to the Valley, for Kashmir in his view is incomplete without them. The question whether he has an answer to all the difficulties that are likely to arise from such a viewpoint need not detain us now. What is instructive is the clear distinction he makes, and the vocal concern for tolerance and amity between Hindus and Muslims that he - like many Kashmiris - is able to combine, not as a matter of political tactics, but of genuine conviction, with his unflinching faith in the only Truth.

But by all accounts, it appears that for what may be called the average Kashmiri Muslim, Islam means the humane and tolerant tradition of the religion as interpreted by the Kashmiri Sufis, whose influence is symbolised by the *ziarats* that dot the Valley, and is as inseparable from the Kashmiri identity as the latter is inseparable from Islam. As a consequence, pan-Islamism or the two-nation theory, it is said, do not attract the Kashmiris much. How true is this opinion? It is interesting that when the Kashmiris are asked whether liberated Kashmir is likely to be a theocracy or a secular democracy, those who identify with the syncretic and humane tradition answer without hesitation that it will be a secular democracy, whereas the fundamentalists reply in evident doubt that 'it is for the people to decide'. A more interesting test of the belief is the ideology being resorted to by the Indian Army's surrogates in Kashmir, the sponsored counter-insurgents, all of them criminal gangs, in their bid to attract legitimacy in the Valley. Their proclaimed worldview is the synthetic and tolerant culture of what is being called Kashmiriyat. They evidently profess this ideology, not to attract the Pandits who are a minuscule minority, nor Indian public opinion, which is happy with any counter-insurgents, howsoever criminal and howsoever oriented ideologically, but the Kashmiri Muslims. KukaParrey alias JamshedShirazi, the Shahenshah of these Army-led criminals, has repeatedly said that his enmity with Pakistan-supported groups such as the Hizb-ul-Mujahideen is because they are out to destroy the tolerant and humane traditions of Kashmir. It is not known how honestly he believes all this, for as the JKLF leader Yasin Malik points out, this man was a pan-Islamic militant before he turned into an agent of the Indian Army, but it is instructive that he professes to do so. It is evidently aimed at the common Kashmiri Muslims, and neither the Indian State nor the Pandits who are interested only in his guns and not his ideology. And yet, any perceived insult to Islam would enrage the Kashmiris and result in violent popular outbursts, such as were seen twice in the past, in 1963-64 and 1973, much before the rise of militancy.

How does one make sense of all this? Does it mean, somebody will ask in exasperation, that when - and if - it comes to choosing, Kashmiris will not choose Pakistan on grounds of religious affinity? Or that they will? How does one understand their choice if they do? And how, if they do not? Progressive-minded people are accustomed to two modes of thought. One, stemming from the Marxist tradition, which has a framework of interpretation that is said to provide answers to all basic social questions, and a strategy of class struggle that is said to provide solutions to all basic social problems, at least in principle. But the answers and solutions provided by that tradition to questions concerning religious and ethnic identities, and indeed to all problems other than those concerning economic class struggles, have proved extremely inadequate. And the second, more recent tradition, stemming from what is usually called the post-modern worldview (if a view that will not unequivocally endow the world with any greater reality than that of a mental construct can be graced with that title) in which questions do not call for answers, but an interrogation of the question, usually to discover that it really means something else. Neither of these traditions will really help us answer these questions, though the Marxist tradition is at least capable of being revised and reformulated to provide a useful guide to thought. Hopefully, at least in the coming century, radical thought will get over this empty choice between dubious certitudes and the certitude of only doubt, and learn to seek real answers to the real problems of real human existence.

WILL KASHMIRIS CHOOSE PAKISTAN?

In the meanwhile, what about the question we began with: is Kashmiri self-determination religious self-determination? If it comes to choosing, will they choose Pakistan? It is difficult to know for certain. It is quite

possible that if both India and Pakistan honourably guarantee not only the existence but also the peaceful development of Kashmir (for it will be a landlocked country if it comes into being), most Kashmiris will prefer an independent Kashmir. But if that guarantee is not forthcoming, as is quite possible, they may well choose Pakistan, not for reasons only of religious affinity but also because it makes social and economic sense. Kashmir was, prior to partition, linked to the rest of the Subcontinent through what is today's Pakistan and not through the Banihal Pass. Its commercial and social (not merely religious) links were with today's Pakistan. To travel by road from the Kashmir Valley to Pakistan is easy all the year round, whereas to go to India is a tedious journey that leaves you exhausted by the time you reach Jammu, unless you have the money to fly. And that road too is closed for about three months in the year. This '*atutang*' this inseparable organ of India, is unapproachable from India for a quarter of the calendar year, unless one has the money to fly, and this has been so for the last 50 years for which Kashmir has been a - repeatedly proclaimed - '*atutang*' of India. Such is the shame we bear. And in these days when the market is everything, when development is allegedly only market-driven, does it not make perfect economic sense to choose the country with which communication links are palpably better, that too when the region, like Kashmir, is dependent upon export of apples, dry fruit and handicrafts, and the import of tourists? At least our World Bank-driven intellectuals and the Manmohan admirers among our newspaper columnists must accept that for Kashmiris the choice of Pakistan is the most rational one.

But suppose that Kashmiris want to choose Pakistan on the religious ground that they feel happy and fully satisfied in their identity if they live with their co-religionists, what exactly is objectionable about it? Communalism, in the sense of a hateful attitude towards people of other religions, is bad (though what one does about it is another matter). But what exactly is wrong about empathy with one's co-religionists if it does not entail hatred or disparagement of other religions? It may be said that religious identities inevitably lead to communal hatred. That the possibility is there cannot be denied, but there is nothing inevitable about it, and anyway the same danger is present with linguistic and ethnic identities. But human beings find it difficult to live without identities. It would certainly be nice if people did not have a tendency to gather together in religious, ethnic, linguistic groupings, and lived happily together in the most disparate groups. That is not easy for human beings, and is never going to be easy, though it is both necessary and possible to mitigate feelings of prejudice and hatred born of disparate identities. But if self-determination based upon language or ethnicity is not regarded as bad so long as it is not driven by sectarian hatred of others and makes territorial sense, why should not religious self-determination be acceptable on the same footing? One hopes somebody will give some answer other than that Lenin or Stalin said this or that about 'the nationality question'.

Realpolitik, of course, has an answer, which many (Hindu) leftists in India will not feel ashamed to echo. With the Taliban capturing Kabul and the mullahs of Tehran closing in on deviant women, the danger of Islamic fundamentalism becomes a convenient argument for India and Indians to deny freedom to the Kashmiris. Even if the Kashmiri Muslims are themselves not communal, it will be said, the successful secession of Kashmir will strengthen - if only in spirit - the forces of Muslim fundamentalism, which it is everybody's duty in today's world to thwart. Poor Kashmiris, therefore, will have to be sacrificed for the noble cause of what we call secularism and what the US calls democracy. But whether anybody likes it or not, and whether the Kashmiris are sacrificed or not, there is a good likelihood that the first half of the next century will belong to Islamic fundamentalism the way the first half of this century belonged to socialist dogmatism. The reign of Islam will in all likelihood get into a crisis faster than that of Marxism-Leninism, for the wisdom of the mullah backed by the gun of the mujahid has far, far fewer answers to the problems of modern human existence than the formulas of Marxism-Leninism. And then, perhaps - unless some new dogma comes up in the meanwhile, which cannot be ruled out, given the human hunger for absolutes - we can all sit down to think out a viable (that is to say, humanly possible) alternative to the mode of life imposed by this monstrosity called corporate capitalism, sans dogmatic and utopian assumptions about absolutely and exclusively true ideas, endlessly perfectible human beings and paradisaical human relations. Why should poor Kashmiris lose in the meanwhile?

Let us get back to two questions raised earlier, and try to discuss them, for they are of importance to progressive theory and practice. One is that Kashmir has seen a very determined militant struggle for '*azaadi*' for more than six years with widespread mass support and even sporadic mass participation. And yet nobody is able to say with certainty what exactly the Kashmiris mean when they talk of '*azaadi*'. Why is this so? The second is that, assuming that all that has been said above about the Kashmiri ethos is wrong, and that the Kashmiris are driven by rabid

fundamentalist hatred of secular/Hindu India to raise the demand for self-determination, as embittered emigrePandits say, is the denial of that right in the name of refusing to acknowledge the legitimacy of communalism a justifiable attitude, as many leftists in India seem to think?

ASSESSING 'WHAT PEOPLE THINK'

The first question is pertinent to many more contexts than just Kashmir. How does one gauge 'what the people really think' in the presence of arms? Armed rebellions are raging all over the world, including India. All of them claim to speak in the name of some oppressed section of the people. It is certainly true that there can be no armed upsurge without some degree of support from the people in whose name it speaks. But how deep is the support? To what extent does the rebellion really represent 'the people's interests' as it claims? How does one get behind the bullets and assess what the alleged real protagonists think about the whole thing?

There is no easy answer to this question, but today it is - and is going to be for a long time to come - a vital question for a democratic attitude towards politics. For armed politics has come to stay. More and more, dissenting politics in the world tends to take to arms, and that creates the problem of understanding what exactly the politics represents. Till now weapons have been seen by radical intellectuals in terms of their efficacy in realising the cherished goal of 'liberation', the one-point terminus of much radical thought. The fact that most intellectuals are struck simultaneously by mortal fear and romantic awe of weapons has made a closer look at armed politics difficult. If we are able to get over the infatuation with the terminal notion of liberation and learn to see progress as a (real, but) much more imperfect and wobbly process, staggered in time and liable to regression, whose ideal summation may be called liberation to satisfy the common human urge for perfection in ideas, then it becomes easy to see armed politics for what it is: a form of politics. And as a form of politics it is liable to be questioned for its democratic content and not just the 'liberative' potential of its aims. What exactly is its relation with the people it claims to represent? How much freedom does it allow those people to direct its activity? What are the mechanisms it has created to ensure that those people can effectively hold it answerable to them? These are today important questions for a democratic understanding of political movements, for the era of peaceful mass movements is rapidly giving way to the era of the rebel's gun, for a variety of reasons, some understandable in the sense that the choice is evidently ineluctable, and some certainly not.

Such questions would not pose a major problem in the case of unarmed movements. When a MedhaPatkar or a Sharad Joshi claims to speak on behalf of the evacuees of the Narmada dam or the farmers of Maharashtra, the truth or falsity of the claim is tested easily enough. The people in whose name they claim to speak have no reason to support them or to keep silent if they do not agree with them, and the disagreement will soon be evident. It is different with armed politics. As Abdul Gani, the voluble professor of the Persian language who officiates as the spokesperson of Kashmir's All-Party Hurriyat Conference likes to say, "when the guns speak, politics becomes silent". More precisely, the politics of those who carry the gun may or may not become silent, but the people in whose name the gun speaks gradually withdraw into silence. It is partly due to the fear of getting caught (literally and figuratively) in the crossfire, if one draws attention to oneself by talking too much; more particularly, there is the fear of being branded an 'agent' of the other party, by either party. To add to this there is the rather tricky fact (from the point of assessing 'what the people really want') of the very human tendency to find oneself in agreement with those who have power in their hands. All authority thrives upon this weakness, whether it is the authority of the State or the authority of the rebel's gun. When one views authority in this role as an ideology, as something that commands obedience not by virtue of its truth but by virtue of its power, it should be realised that the ideological trait is based upon this very human weakness. (All ideology, incidentally, draws sustenance from some weakness in the human subject, whether individual or collective, whether purely psychological or social-psychological, a fact that is of far-reaching consequence for rethinking radical theories of human existence and progress.) Armed rebellions, therefore, frequently give the impression of greater public acquiescence in their ideas and deeds than would be the case if they were unarmed. It may be asked: how does one judge this when - or to the extent that - the acquiescence is willing and conscious? The argument here is certainly not that there is something that the people 'really' believe in as against what they think they believe. Any such notion can be quite fascist. But the ideology of power that induces acquiescence reveals its presence when its authority takes a beating - as when the armed rebels are driven back - and

the people find themselves (it is not the case that this always happens) doubting their past acquiescence. One is then left wondering what exactly the ideas acquiesced in represented when they were apparently widely accepted.

In this situation, to know what the people want, or to ensure that what they want alone is expressed in their name, is not easy. The former is a problem for analysis, but the latter is a problem as well for democratic politics, the problem of ensuring the accountability of 'people's movements' to the people. It is of course true that 'what the people think' is not a stable thing. It changes as their perception of their strength changes. The fact that there is an armed - and therefore powerful - force functioning on their behalf may well affect their perception of what they want. Such a genuine perception of their strength must be distinguished from the ideology of the gun referred to earlier. The distinction is revealed, as said above, when the gun takes a beating, but not before. The problem is that there is no way of knowing the exact extent to which the silent or vocal assent of the people is an indication of the perception of their strength, and not any of the reasons enumerated earlier. But the fact that what the people want is not a static nor an easily determinable thing, is certainly no excuse for allowing anybody with effective weapon power to claim that their power entitles them to represent the people's aspirations before the world, and to pass off all their deeds as the deeds of the people, taking advantage of the silence that follows armed politics. Practitioners of armed politics frequently resort to such claims, with the added prestige of liberators or mujahids to back them. But their accountability to the people is not something one can leave to their self-discipline, reposing confidence in their commitment as 'liberators' of the 'masses'. Nobody can be trusted so far with power. It is, and must be, a matter of public concern, a matter of concern for the democratic intelligentsia and the human rights movement, which must learn, in these days of armed politics, to be more concerned with the democratic content of political forms of rebel movements than the millennium their weapons promise to bring about. In Kashmir, for instance, one frequently hears the opinion that the outlook of the Kashmiris is more truly represented by the worldview of the militarily badly weakened Jammu and Kashmir Liberation Front (JKLF) than that of the heavily armed Pakistan-backed Hizbul-Mujahideen whose ideologues in the All Party Hurriyat Conference speak confidently in the name of the Kashmiris. If this is true, such a tragic anomaly must itself be as much a matter of concern to democratic-minded analysts and human rights activists as the denial of Kashmiri aspirations by the Indian State. And now we have tragedy turning into farce with the thoroughly unpopular India-backed counter-insurgent gangs claiming from within the bunkers of the Border Security Force that it is they who represent the true voice of the Kashmiris.

FREEDOM AND EVIL

Let us turn to the second question: assuming that a people wish to exercise the right of self-determination on purely communal grounds, is that right then to be denied to them in the interests of progress and democracy? Here the question is not whether freedom is an absolute thing; nothing in this world is or can be absolute. That much the history of the 20th century, the century of grotesque absolutes, teaches us. But the question is: what is the relation between freedom and evil? Is freedom a thing to be necessarily suppressed in order to forestall evil? Or does freedom perhaps have a positive role in overcoming evil? This is a difficult question, but it is likely to be posed again and again as fundamentalism of religious and ethnic varieties sweeps across the world. Progressive-minded persons are likely to be caught on the same side as dictators unless some serious thought is given to the matter.

What is the nature of evil in human social consciousness and behaviour? By evil we here mean oppressive, hateful and other similar traits that set people one against the other. We are not here asking this question with reference to the actions and ideas of those whose position in the social structure implies and requires such evil, We are asking this about the acceptance of and participation in such evil by others, without which it cannot sustain itself. And about other situations where one cannot point to any dominant vested interests that are served by the evil. Why is it that not only those who have a vested interest in perpetuating a particular form of evil but even the 'common people', as they are usually called, become accomplices in it? And are they always only accomplices and never the originators of evil? In particular, what prevents people from overcoming divisive and hate-filled fundamentalism and reaching out to their fellow-creatures in friendship and love, which obviously benefits everyone excepting only those who profit by dividing the people? Why do people who gain nothing materially from it succumb to it?

All the answers that radical theories have are centered on the externality of the sources of evil in popular consciousness. Evil in people's minds is a consequence of successful hegemonic devices put in motion by the

oppressors and internalised by the masses because of the pressures of oppression and deprivation; or else it is a skewed perception of reality caused by conditions of oppression and privation. A more sophisticated explanation is that the presence of multiple hierarchies at all levels of society makes possible the reproduction, at all levels, of the divisive and oppressive ideology of power, which basically serves the interests of the ruling classes.

These explanations contain enough truth to make them seem sufficient to those who do not wish to face more uncomfortable questions. The hegemonic efforts, the people's privations and the multiple hierarchies are all equally external to people's consciousness. They act upon it from outside and corrupt it from outside, which is a comforting idea to hold. But in truth, the human mind is not just an empty receptacle that receives the hegemonic ideas of the rulers, nor a bad reflector that somehow converts its sufferings into hatred for the wrong party, taking the cue from the motivated codes built into the ruling culture, nor a copying machine that reproduces in thought the ideology of power that stems from the omnipresent structures of dominance. Even if an idea has its roots in hegemonic manipulation or other external conditions, it becomes possible only if there is something it can catch on to in the structure of the recipients' consciousness. We do not take in ideas from outside. Ideas (including ideology, which is often supposed to originate in the interests of others) are shaped in the process of making sense of our existence in the course of interaction with external reality, a process that involves on the side of the subject the whole of the human personality, which is a dynamically shaped product of the interaction between the complex human psychic structure and external conditions and influences. Unless this edifice of our psychic structure and the process of formation of the personality and of consciousness provide scope for certain patterns of belief and response, attachment to the ideas (or ideology) is not possible, whatever be the external interests they serve, or the external conditions they originate in, if any. It is not enough, therefore, to have a theory of the material basis - or rather, more properly, the external conditions - of evil in human consciousness and behaviour. It is necessary also to have a theory of its human basis. It is not enough to analyse the external interests served by the evil, or the external conditions that underlie it; or merely to devise strategies for getting rid of them. It is necessary also to understand the internal potential for complicity with such evil in the structure of the human personality, and the moral conditions in which it can be overcome, or at least subdued. Radical theories have shaped plenty of theoretical tools for looking critically at the structures and processes of oppression, but when it comes to looking critically at the oppressed, the only theoretical tool available is the notion of ideology, whether it originates in the hegemonic manipulations of the rulers, or the privation of the oppressed, or the omnipresent multiplicity of the structures of oppression, or some combination of these.

This very basic gap in radical theory can easily lead to an abdication of the responsibility of theoretical effort, in the name of eschewing 'totalising' thought. If by 'totalising' thought is meant any effort to lay down a finite set of interpretative principles that will explain 'everything', it is certainly to be eschewed. That is impossible, and the dogmatic belief that it is possible will in all likelihood lead to totalitarian politics. But the world is an interconnected totality, whether one likes it or not, and it is the responsibility of theory to make as much sense of it as is realistically possible, if any real progress is to be achieved in human affairs. That attempt must not be called 'totalising' in the pejorative sense. To take in the world only as unconnected bits and pieces is to give up the responsibility of thinking theoretically about progress.

It is not proposed to make any attempt here to fill up this theoretical gap, but if it is clear that the human complicity with or capacity for social evil has roots within, as much as the evil may have roots without, it should also be clear that a self-critical attitude is necessary if evil is to be overcome. A merely critical attitude towards the external conditions of existence is not sufficient. And freedom is an essential precondition for a self-critical attitude towards one's inner potential for the bad. Only a free people will be self-critical. In particular, an un-free people, shackled in the name of their attachment to evil, will never look at the inner roots of their attachment to it, but will use their un-freedom to make a virtue of it. Freedom is a necessary precondition for self-criticism, though it runs the risk (which will immediately be pointed out) that it does not always guarantee it. It is because evil in the consciousness of people is always seen to have roots exclusively without, that progressive-minded persons are attracted to the seemingly sensible idea that the best way to exorcise evil is to build walls that will keep it away, restrict the freedom to make recourse to it, and work to alter, the material conditions that have given rise to it. Or perhaps the reasoning is more cynical: that people, if they are allowed the freedom, will be fatally attracted by evil, and so the only way to prevent their degeneration is to shackle them until the Utopian millennium in which everybody is an angel descends upon the earth. But on the contrary, the freedom to critically overcome one's capacity for and complicity with evil

(oppressive and hateful values and structures that set one human being above or against another) can be a positive aid to the process by which human beings will attain whatever perfection is possible for them. If complicity with hateful and oppressive ideas is seen to be not something imposed from outside, but as something that grows in the process of interaction between the inside and the outside, then we will realise that freedom and the responsibility that freedom brings with it will alone make possible the self-critical attitude necessary to overcome it. In general, human beings need to fight not only existing structures of oppression, but also their capacity to produce oppressive structures again and again. Not only the oppressive conditions of life, but also their own complicity in the oppression of each other. To deprive them of freedom is to deprive them of the precondition for a responsible attitude towards what they are and what they do.

All this is not meant to set up freedom as one more panacea to replace other cure-alls, but only to point out that in the difficult task of transformation of human existence, freedom is not just a glorious end that is to be realised at the last (which in practise means that it is indefinitely postponed), but is also an instrument that aids the process. The necessity of freedom to fight oppression is of course well recognised, but the necessity of freedom for the fight against oneself too needs to be recognised. What is usually called social transformation is also simultaneously human transformation, which is partly at least human self-transformation, and freedom is a necessary condition for it. This still leaves out a lot of problems and does not answer the difficult question; what exactly is the point at which the freedom of action of religious and ethnic fundamentalists should cease in the interests of human civilisation, but at least it will serve to provide an understanding that will distinguish progressive-minded people from dictators when both of them claim to worry equally about the misuse of freedom by fundamentalists.

INDIAN STATE'S 'GAME PLAN'

We can turn at the end to less controversial matters, which are yet matters that have not attracted sufficient response. This is what the Indian State is doing in Kashmir in its effort to bring the Kashmiris to their knees (or their 'senses', as our newspapers say euphemistically). Many will already put this in the past tense, perhaps. By hook or crook Kashmiris, it is already being said, have been subdued and 'brought to their senses'. The swearing in of the Farooq Abdullah government is seen as the turning point.

What will happen in the future cannot be said with certainty. The insurgency will no doubt go on for a long time. Comparisons with Punjab are self-deluding, for the feeling for 'azaadi' is much deeper in Kashmir. The continuance of the insurgency will no doubt be blamed on Pakistan by most Indians, and certainly by our rulers. Pakistan's interest in keeping Kashmir burning is no secret. Its interest is without doubt as mala fide as is India's interest in Kashmir: territory, security, national ego, and everything else except what the Kashmiris desire. But if and to the extent that insurgency keeps raging, the main reason is going to be not Pakistan, but the Kashmiris themselves. The statement repeatedly made by India's politicians and columnists, that the Kashmiris are tired of militancy, is a half-truth. They are sick of the endless sacrifice of lives and blood. They are sick of the seemingly hopeless situation in which they are caught. They are convinced that they are only pawns in a larger battle being fought by the world of Nation States, in which their desire has the least priority for everyone. They had hoped that either Pakistan or the West or the UN would help them achieve their goal: the simple opportunity to decide how they would like to live. But now they are convinced that all these powers are interested in something else. They were half hoping that India, which always speaks in terms of the values of justice and equality, would not be able to stand up to the pressure of the sheer logic of their case and the justice of their arguments. But now they know that India has very brutal answers in its arsenal to all their pleas of justice, and all the impeccable logic of their arguments. Kashmiris may be sick of militancy, but they are much more sick of this betrayal, betrayal of principles by India and betrayal of faith by the other countries. And what they are not sick of is their hope to be free some day.

What we, as Indians, should be engaged in is not the familiar amoral game of political stargazing: what Pakistan will do, what the US will not do, what Farooq Abdullah will achieve, and what New Delhi will not allow to be achieved, etc. We should be more properly concerned with the brutal way in which the present state of affairs has been brought about in Kashmir, if we are, that is, concerned about democracy and democratic values as our first priority, and are principled enough not to hedge our concern with tactical 'realism', or the kind of opportunism that calls in its aid considerations of larger 'historical issues' or 'the global political context'.

Very brutal suppression, of course, is the answer, and there is no need to recount the numerous instances of fake 'cross-fire' killings or mass massacres of the people by India's brave jawans. But what needs to be explicitly mentioned is the latest and the most cynically efficacious means employed by the Indian State in Kashmir, as part of its 'game plan' (a Kashmiri Congressman's words) to get through with the elections and install an administration of Kashmiris in Srinagar, to show the world that 'normalcy' has returned to the Valley. The replacement of General Krishna Rao's administration by an elected Kashmiri government was to be made possible by the augmentation of India's armed forces by armed Kashmiri surrogates: not a statutorily established force of Kashmiri policemen, but unlawful gangs of armed Kashmiri youth, sheltered in or around the ubiquitous bunkers of the armed forces, doing their job of abduction, torture and killing, but only more efficaciously, more knowledgeable and more anonymously, and looting and raping Kashmir withal. Unlike the armed forces, which stay - and need to stay - separate from the local society, and operate in unwieldy and visible groups, these local substitutes can (ideally) live within the local society and act as anonymous individuals. The ideal, of course, is spoilt somewhat by the fact that when they are, as in Kashmir, almost unanimously detested by the public - even by many men of the Congress and National Conference - they cannot live and operate too far away from their uniformed protectors, but nevertheless the advantage of operating through unlicensed local gangs is not slight. More than the physical and logistic advantage is the moral advantage: if Kashmiris kill Kashmiris, some in favour of Pakistan and some in favour of India, then what can poor General Krishna Rao's administration do? Or the army bosses in Srinagar's Badamibagh, for that matter? But what they should not be doing, and are evidently only too plainly doing, is to protect, arm and patronise one gang against another, and openly abet their crimes in the interests of the Indian State and its strategy of not allowing the cession of the prized '*atutang*' at any cost. Nobody in Kashmir makes a secret of the fact that it is this 'game plan' that has made possible the terrorisation of Kashmiri society to an extent sufficient to sap the resolve of the Kashmiris and hold elections successfully.

"This KukaParrey's gang are of course a bunch of criminals, but you just watch, it is they who will make elections possible in the Valley": this gleeful comment of an understandably bitter Pandit on his occasional visit from Jammu back to his half blown-up home in Srinagar, just before parliament polls, is plain truth. One of the gang leaders, a colourful character called Papa Kishtwari alias Ghulam Mohammed Lone, put it with embarrassing innocence when he said to a visiting human rights activist that "it is my gun that will make democracy possible in Kashmir".

To privatise insurgency by introducing protected surrogate criminal gangs is of course not an idea invented by India's Home Ministry, 'it is done everywhere', Indians are quick to explain in justification, and usually add (as if they have discovered the piece of wisdom) that 'all is fair in war'. Even some Kashmiris, the kind who are fair even to the enemy, say the same thing, though in tones of frustration and not glee: it is done everywhere, and 'we cannot blame India alone'. Of course it is done everywhere. But presumably, we wish that it should not be done anywhere. If it is unpardonable to militarise a society in the name of tackling an insurgency, then it is unpardonable a hundred-fold to criminalise it.

But a criticism of the rulers that is not accompanied by self-criticism of the rebels is of no use. Where the rebels are not prepared for self-criticism, the criticism will have to come from outside. It is no secret that the Indian Army's Rashtriya Rifles, the counter-insurgency wing that is described by Ghulam Mohammed Magami, the Congress MP from Srinagar, as a "gang of ruffians", which is the premier agency for the recruitment of the Kashmiri counter-insurgent gangs, has found sufficient material to work on precisely because of the methods of operation adopted by the militant groups, and the problems stemming therefrom. The recruits are almost all criminalised former militants of the various groups, or victims or kith and kin of victims of the vengeful acts of violence indulged in by the militant groups. Quite a few are gangs of former militants who have turned to the Indian Army for protection, having lost out to a rival group in violent battles for supremacy. It is unlikely that Kashmiris are unaware of the roots that counter-insurgent criminality has in the very methods of operation adopted by the *mujahideen*. But it is part of the silence that accompanies weapons - added perhaps to a misplaced loyalty that does not allow public criticism of the liberators - that nobody in Kashmir is willing to locate these uncomfortable sources. The Hurriyat Conference leaders, otherwise intelligent and rational men, maintain stonily that all the recruits to what in Kashmir are called the renegade gangs were Intelligence plants within the militant movement from the very beginning, and there is therefore no question of criminalisation of militancy to be addressed when complaining about the criminalisation of the State's counter-insurgency strategies. This is, of course, a hopeless abdication of the responsibility to think self-critically.

But then that brings us to the responsibility of Indians, at least those who claim to speak on behalf of humanity and justice, to think self-critically about our own silence in the face of the government criminality. Forgetting for the moment what is the proper democratic attitude towards the Kashmir issue, the counter-insurgency tactics being adopted by India's rulers should, as a matter of principle, cause serious disquiet. Physical suppression supplemented by manipulation with the help of local opportunists has always been the Government of India's only response to the militant separatist struggles in the border States, but the tactics of sponsoring private pro-India gangs of armed local youth is something qualitatively worse. It creates an atmosphere of terror that is palpably more intense than that induced by State lawlessness. The Indian government has been doing this systematically for the past few years in all the border States. In the North-East it has made use of ethnic divisions to evil effect. That the insurgents of the North-East have frequently provided scope for this is a different matter. Everywhere the State has dangled the temptation of safe crime to attract local youth to its counter-insurgency tactics. And there is enough criminality in any human society for these wretched tactics to succeed. The State's pact with them is that so long as they do the required job of attacking the partisans of secession, armed or unarmed, the gun-wielding militants or the intelligentsia, or even human rights activists such as the late Parag Kumar Das of Assam or Jalil Ahmed Andrabi of Kashmir, they are free to indulge in rape, loot and extortion for their private profit. They can wreak vengeance on their personal enemies, maim them or kill them. It does not require much imagination to realise that such State-sponsored armed gangs can soon degenerate into warlords above and beyond the reach of the law. There cannot be a more vicious abuse of the basic norms of lawful governance than this wanton criminalisation of society. To do this to a people merely because they have asked for the right to leave this country is an act of base cruelty. Suppression by the military is a palpable degree less vicious. It injures the people physically but does not destroy the ethical integrity of their society. Small wonder that sensitive Kashmiris declare now that they hate India much more today than they ever did in the past, even in the past six years of reckless violence of the Indian armed forces.

Will all of us speak up at least now and protect a basic principle of democratic governance from further degeneration? Or are we content to let the Kashmiris, Nagas and other people similarly situated hate us for what our rulers have done and are doing to them, satisfied that in the interests of secularism and opposition to US hegemony their dreams of what they call freedom and what we call secession are being effectively contained?

(Published in Economic and Political Weekly-November 2, 1996)

Kashmir Policy in Wonderland

Dr. K. Balagopal

The Government of India's Kashmir policy gets curiouser and curiouser. It is a pity that the media in our country has signed a treaty of self-abnegation with itself as far as India's Kashmir policy – or Pakistan policy, it is all the same – is concerned, and will determinedly see only the greater wisdom in each twist and turn. For otherwise it could be seen to be the most aimless thing on earth.

I am referring to the sudden abandonment of the policy announced almost six months ago, that an end to the problem would be sought by talking directly to the militant groups headquartered in Pakistan. Now it is said that one Mr K.C.Pant is being sent to Jammu & Kashmir to talk to anybody who is willing to talk, and his perambulatory conversations shall be the beginning of the final solution. Since the only people he will not be talking to are the Pakistan based leaders of the constituents of the Shoura-e-Jehad, this means a total abandonment of the policy declared six months ago, with no explanation or excuse offered.

Talking straight to the militant groups made some sense. Whether we like it or not – and whether we like them or not - they are there in Kashmir, they have considerable local support and their weapon power is the specific form in which the 'Kashmir issue' expresses itself today. Initiating the political process by talking to them does not amount to treating them as the sole representatives of the people of the Valley, much less the entire State. Yet, since it is the armed confrontation they have undertaken with the Indian State that has brought the political issue to the talking table, it makes some sense to start the talks with them. Most people were happy that the Government of India had seen the sense of this when it announced that it would talk to them.

Now that has been given up for a new 'initiative' whose purpose is difficult to discern. However much Mr Pant may talk to all and sundry in Jammu & Kashmir, that will have little impact on the militancy. The Hizb-ul-Mujahideen is the most Kashmiri (in its composition) of the big militant groups operating in the State, but even the Hizb's high command is in Pakistan. The rest of the groups, such as Lashkar-e-Toiba are not even principally Kashmiri in their composition, and their entire command structure lies on the other side of the border. So what is going to be gained by talking to 'everyone who is prepared to talk' in the Indian part of Jammu & Kashmir?

The Hurriyat Conference hit the nail on the head when it resolved officially, in the context of K.C.Pant's visit, that it is 'ready for any kind of negotiation subject to the condition that the process is meaningful, complete and aimed to achieve a target'. By implication, the Hurriyat Conference was saying that sending K.C.Pant on a roving visit is neither meaningful nor complete nor is it aimed at any perceptible target. It has therefore practically refused to meet Mr Pant. Can one blame them?

But the non-cooperation of the Hurriyat Conference will make Mr Pant's visit even more meaningless. I have no wish to suggest that the Hurriyat Conference is the most representative Kashmiri group. They make the claim for themselves, on the ground that the conglomerate is an umbrella of all the political wings of the militant groups in the Valley. That they are, but the militant groups and their views do not exhaust the entirety of public opinion in the valley, even such opinion as is against continuing to be an integral part of India. A substantial number of Kashmiris, if allowed to express themselves fearlessly, would probably opt for an existence outside both India and Pakistan, whereas the majority of the militant groups are for the integration of Jammu & Kashmir with Pakistan. Yet the militant groups do have sizable following, and as their (self-declared) political representative the Hurriyat Conference is therefore a force to reckon with, if not the sole voice of the Kashmiri people.

More importantly, the Hurriyat Conference is an essential mediator between the Government of India and the Pakistan-based militant groups. That was the reason why, following the announcement of the policy of talks with

the militants six months ago, the Government said it would allow a delegation of the Hurriyat to go to Pakistan and take the first step in the process of dialogue. Having announced the policy and the first step, the Government of India did everything possible to sabotage its own avowed policy. It went to the extent of trying to dictate the composition of the mediators team, in particular trying to exclude the one person the militant groups trust most, Syed Ali Shah Geelani. The talks, naturally, never took off.

And now the policy that was never allowed to take off is replaced by a non-policy. Do not the people of the country have a right to demand an explanation?

(Published in Indian Express-May 1, 2001)

The Valley, The Hills and The Summit

Dr. K. Balagopal

Over the past fortnight and more, the purveyors of views, official and unofficial, have been dishing out commentaries that look at the Valley and the hills from the unreal vantage point of the 'summit'. Unless we learn to see the summit the way it looks from the Valley and the hills, we will never understand all that needs to change before any just and honourable resolution of the dispute is even thinkable.

They talked too much before the talks, and made the talks impossible; and now they are talking so much after the talks that another round of talks is no more possible. Since they are not children in the practice of politics, it must be presumed that they do not want and never wanted the talks to succeed.

This is about India, Pakistan and the Agra summit. An effort that was hostage to third grade politicians and moronic minds fixated on the virtues of physical might. One might have dismissed the event as one of the many meaningless games that nation-states play in the name of diplomacy, if one did not know the pain of disappointment that must have stabbed the hearts of Kashmiris the evening Musharraf left Agra in a huff. Wise people may say the disappointment is of their own making since they should not have had such hopes in the first place. But it is not so easy to be wise if you are living through a nightmare whose most fearsome quality is that you know you will find it true on waking up one morning, and you do not even know which morning. Leaders, whether elected or self-appointed, who cannot see beyond the murky edges of the narrow gutters their concerns are mired in, are incapable of imagining that pain and the proclivity for hope that come from it, nor the disappointment the leaders cause with the cheap tricks and exhibitionism that they have reduced India-Pakistan relations to.

Not only politicians, but the know-all commentators of Indian TV channels with their consciously dishonest wisdom that would have seemed only glib in another context, would benefit from a visit to Kashmir, not to meet Farooq Abdullah or Abdul GaniBhat, but the people of the Valley in whose name the grotesque show is going on. How long will all concerned let death stalk their land for no identifiable fault of theirs, unless merely wanting something unpalatable to a powerful nation-state is itself a crime? And two nation states double the crime? This is the question that is consciously left unasked in all the unending analysis the Indian TV channels that their panelists - 'experts' all, but eminently capable of sliding around truth - have been presenting for more than a fortnight now. The show is remarkable proof of how dishonest the stridently liberal Indian intelligentsia can be.

India is now angry that Musharraf got his chat with media editors telecast. It is difficult to see any reason for this grouse, since both sides have been airing their views on all possible channels of communication, concerning all the matters that could have conceivably constituted the theme of the talks, ever since Vajpayee declared that Musharraf was welcome to come to India any time he pleased and talk of anything he pleased. So what was new that Musharraf did at breakfast on the morning of the talks? It is difficult to get over the suspicion that what has hurt India is that Musharraf came out before the whole world as a sensible and reasonable man, making a presentation to which India has few answers. India refuses to accept that there is a 'dispute' about Kashmir, and that Kashmiris are central to the dispute. It refuses place for Kashmiris in the talks about the future of their own land.

It refuses to acknowledge what has now become a classic instance of the indeterminacy of language and meaning, namely, that one nation's terrorists are another nation's liberators. It refuses to acknowledge that if you are inviting the other side for talks you are implicitly admitting that you have not said your final word. In the face of such obduracy, why would not a plain speaking Musharraf come out as a sensible and reasonable person? He would have had to be an extraordinarily muddled man to have come out as anything else. And what then is the point of getting angry with him for making you look as stupid as you are?

And yet it is not fair or right that Pakistan should have come out so totally as the virtuous party. Pakistan has the advantage over India that it stresses what is obvious: that the accession of Jammu and Kashmir to India is a disputed fact, and that the dispute should be set at rest to the satisfaction of the Kashmiris. It is because Indians - not only the State but the intelligentsia and the political class as a whole - will not accept these plain propositions that one hears so much of evasion and circumlocution in any discussion of Kashmir in this country. But this self-inflicted disability

of India has allowed Pakistan to get away with the tendentious gloss it puts on these basic truths. It is never forced to make it clear whether the dispute emanates from the unascertained will of the Kashmiris or the unfinished agenda of partition. Whether it indeed believes there is any difference between the two. Whether the dispute is religious, as the Kashmiri Jamaat-e-Islami leader Syed Ali Shah Geelani said some time ago, or political, as spokespersons of the Kashmir struggle including Geelani's colleagues of the Jamaat felt constrained to clarify in refutation of his pronouncement. Whether the 'will of the Kashmiris' is to be ascertained only in the Valley or also in the Azad Kashmir and the northern territories. Whether, if the Valley also joins Azad Kashmir and becomes a part of Pakistan, the evidently very strong ethnic aspirations of Kashmiris will be respected by giving them genuine autonomy to arrange their affairs and safeguard their way of life. And whether, most importantly, the 'will of the Kashmiris' is constrained to choose between only the two options of joining India or Pakistan, or is free to choose the third option of independence, which Kashmiris in sizeable numbers seem to aspire for. India, of course, does not accept that even the second option is available today. It claims that the option was exercised by Maharaja Hari Singh on October 26, 1947, and that is that. It has always used language appropriate to a partition deed for that act and the instrument of accession: the property is made over to me by the deed, and all that remains is for the trespasser to get out. In comparison with this, the Pakistani view is much more reasonable, but only in comparison.

India will be forced to confront its unreasonable attitude, and Pakistan its logic of convenience, when Kashmiris sit as equals in the talks between the two. Since India will not countenance any Kashmiri sitting in the talks, not even the pliant Farooq Abdullah, nominally head of the elected government of the State, Pakistan is again able to get away with an unexplained choice: it contends that the All Party Hurriyat Conference (the Hurriyat, in short) is the true representative of Kashmir. Since India exhibits a paranoid unwillingness to even countenance this suggestion, Pakistan is in the happy position that it does not have to explain its choice.

But the choice is questionable for more than one reason. It is not that the Hurriyat is irrelevant or that it can be dismissed in the off-hand manner affected of Farooq Abdullah, who certainly knows better, and by sundry 'spokespersons' of the Government of India and India's political parties, who do not care to know better. The Hurriyat any day has more relevance in the context of the Kashmir dispute than any of the other political outfits that may stake such a claim, not the least of which – in terms of irrelevance – is the party which rules that State. But is talking with the Hurriyat the same thing as talking to the Kashmiris, as Pakistan claims?

Abdul GaniBhat, the current chairperson of the Hurriyat Conference, a very intelligent and voluble man whose political commentary is invariably built around sweeping historical metaphors and analogies, gave a rhetorical answer when this question was posed to him by a team of visiting human rights activists in the last week of May this year: who voted Nelson Mandela to represent Black South Africa, and who voted Gandhi to represent India? None, of course, and at any rate both Ambedkar and the Muslim League asked the same question about Gandhi, but there was a general acceptance, right or wrong, that the two men led organisations that broadly represented the relevant public opinion. Can that be said about the Hurriyatvis-a-vis Jammu and Kashmir? The Hurriyat tries to restrict the scope of this question by paring down the populace that is relevant: those who do not dispute the accession of Jammu and Kashmir to India need not be counted for the purpose of representation, since India represents them anyway. By this logic, those who would rather that Jammu and Kashmir had acceded to Pakistan on August 15 or at least October 26, 1947 need not be counted too, for Pakistan fully agrees with them and adequately represents them. That would leave only those who want 'azaadi' from both countries to be represented in the talks.

It is quite an attractive idea, but it would not help the Hurriyat's case since that organisation overwhelmingly represents that section of Kashmiri public opinion that has the wherewithal to arm itself, which is another way of saying the pro- Pakistan section. It describes itself as an umbrella organisation that carries within it all opponents of the State's accession to India, but the weight of its composition bears heavily on the side of the pro-Pakistan and not the azaadi partisans. The latter are mostly not organised at all, and where they are, they do not have what matters most in the given situation: guns. All the guns are with the partisans of merger with Pakistan.

That section is not slight, but it is not the whole of the Valley or even a majority, by all indicators. It is true that the pro- Pakistan armed militants and the Hurriyat Conference carry a respect that reaches well beyond the extent of popular agreement with their political views, because they are seen as fighting the common enemy, India. The

Hurriyat is also respected, and quite rightly, as practically the only Kashmiri voice (barring that of Mehbooba Mufti, the MLA from Pampore) raised systematically against human rights violations by the State and Central armed forces. However, all this does not add up to saying that the Hurriyat Conference is an adequate representative of Kashmir.

Moreover, when the future of the whole State is in question, it cannot be assumed that one section or the other of the population is represented adequately by India or by Pakistan. The people should speak for themselves through proper representatives carrying their mandate. And this applies to the whole State, on both sides of the LoC, and not just to the Valley. One hears quite seditious ideas not only in the Valley, but also all over Doda, Rajouri and Poonch areas of Jammu; and it is said by those who know that Azad Kashmir is not far behind. It is necessary to say this because not only the Hurriyat, but also the more liberal elements of the Valley do not appear to fully realise that the issue is not confined to them but extends to the whole of the State. But if the voice of the people of the State is to be adequately heard, it is not enough if India accepts the necessity of involving their representatives in the talks, and Pakistan accepts that the Hurriyat Conference does not fully fit the bill. It is necessary that conditions are created at the ground level wherein a free and fearless discussion is possible, leading to the emergence of a mandate, and the identification of representatives to carry the mandate. It is just impossible in the kind of fearsome atmosphere that prevails in the State at present.

Significance of Ceasefire

This, in fact, is the political significance of the ceasefire offered by India during Ramzan last year. It will be recalled that India's offer was coupled with the proposal of direct talks with the militant groups. What is perhaps not adequately realised is that ceasefire and the process of political resolution are linked from both ends. One link, as said above, is that no political solution is possible without peace at the ground level, for without that there can be no meaningful participation of the people, identification of their representatives or the crafting of a mandate for them. But the link operates the other way round too. A ceasefire without political talks would mean that the militants down their guns and India consolidates its political/administrative hold on the disputed territory, thereby achieving by ceasing fire what it has been unable to by waging war. Unless one sees this, the refusal of the Lashkar-e-Taiba to reciprocate the offer of ceasefire makes no sense at all. Of course, for most of us that rejection makes no rational sense since the Lashkar is by definition an irrational monster. There need be little hesitation in accepting that it has many qualities definitive of monsters, but self-righteous responses help little in understanding complex situations. And when it comes to things Islamic, too many Indians allow self-righteousness to overtake their sense.

That is why not all Kashmiris, including many who share little of the 'jehadi' mindset, blame the militants all the way for not reciprocating India's offer. It is of course true that some at least among the jihadis may not want to participate even in a bona fide peace process either because they believe that attrition is the better part of dialogue (which maybe a rational view in a given situation) or because their agenda is not amenable to discussion. But what is at issue is not their extreme responses but the very reasonable apprehension of the Kashmiris that ceasefire without political resolution simply means giving up what they have sacrificed tens of thousands of lives for in the last decade.

This is where one must situate the impression given by India's hopelessly uncertain strategy for political resolution. In November last year the idea was that India would talk straight to the militant groups headquartered in Pakistan. It is now certain that this seemingly sudden decision was preceded by lengthy discussions between the Hurriyat Conference and the PMO. Discussions of the kind that take place when people really want to discuss: minus the glare of TV cameras, uninterrupted by cross purpose pronouncements to the Press, and free of mutual mud-slinging. There is a consensus in Kashmir that Atal Behari Vajpayee was sincere about the effective implementation of this strategy but Lal Krishna Advani and the IB saw to it that it was sabotaged. In fact, Advani and the IB are the 'hidden hand' that has prevented the entire political process, whose first step was the Ramzan initiative and the last the Agra summit, from coming to fruition, if one is to believe Kashmiris. Are they right, or has the 'mukhota' conned them too as he has conned many of the intelligentsia over here? One does not know, but one could not help noticing that while all the Indian interlocutors of Musharraf at Agra looked tense, Advani alone exuded the jovial good humour of one who knows the script beforehand.

In any case, the first strategy went awry when the Home Ministry of the Government of India started claiming for itself the privilege of deciding who among the Hurriyat Conference would be allowed to go to Pakistan to initiate the process of dialogue with the militant groups. This insistence was absolutely unjustified, whichever way one sees it, and there was no way that the Hurriyat Conference, or any self-respecting organisation, could accept it. It was counter-productive as well, but of course the whole point is that it was meant to be counter-productive. What one does find interesting is the opinion of quite a few in Kashmir that Syed Ali Shah Geelani, whose inclusion India opposed tooth and nail, wantonly gave India enough cause with his public pronouncements, for he is as little interested in resolving the issue through means other than the gun as the SanghParivar. That religious extremists at both ends have time and again found common cause in Kashmir is a seemingly peculiar feature of the Kashmir saga during the last decade. But it is only seemingly peculiar.

And then, while extending the ceasefire the second time in mid-April, India altered the strategy without any rhyme or reason. All talk of opening dialogue with the militant organisations was given up without even saying so, and it was replaced by the quaint idea of dispatching K C Pant to talk to whoever was willing to talk in India's part of Jammu and Kashmir. It was never clear what India meant to achieve thereby, but while it merely seemed meaningless on this side of the Banihal Pass, on the other side it was understandably taken as playing the fool at the expense of the people of the Valley.

But as it turned out, K C Pant was the fool. Even as he set up office, sent notices to all and sundry to open up and talk to him, and expressed relief that at least one respected Kashmiri separatist leader, Shabbir Ahmed Shah, was willing to talk to him, a message flew over his head to Kashmir that the strategy had again changed. Ceasefire with the militants would be withdrawn, but India would talk straight to the one whom it had all along regarded as the biggest militant of them all, Pervez Musharraf. Where did this leave poor K C Pant? Why was he running around Jammu and Kashmir, talking peace to those who had nothing to do with the war, when those who had sent him there were getting ready to talk to the principal warmonger himself? It is to the credit of that veteran Congressman's extinct sensibilities that he carried on gamely, without for a moment letting the mask of self-importance slip. If Press reports are accurate, he held his biggest audience neither in Jammu nor in Kashmir but in Leh.

But what are Kashmiris to think of these strategic twists and turns, and why should they blame the militant organisations for not trusting India's intentions in offering ceasefire? As most Kashmiris insist, they want peace, they even want it desperately, as our newspaper columnists and TV commentators say with self-satisfied glee, but they want peace with honour. They do not want to repose faith in a rudderless strategy of political engagement and dishonour their dead by walking into a ceasefire that will disarm them without committing India to a purposeful process of a just and honourable resolution of the dispute.

And yet there is palpable disappointment that India has called off the ceasefire instead of more purposefully making it part of a process of political resolution of the dispute. In fact, the disappointment started much earlier. All over Kashmir one hears the comment that except at the border, and except during the Ramzan days in the rest of the Valley, 'the ceasefire was a sham'. It was there only in Delhi, or only in the papers, are comments frequently heard. One reason was that even as the Army and other Central forces withdrew initially from active operations against militancy, the State police and its Special Operations Group (SOG) stepped in. The Director General of Police of the State in fact stated openly that the ceasefire declared by the Union government applied only to the Union's forces and not to the State's forces. That was perhaps the first time in decades that Jammu and Kashmir found itself asserting its autonomous status under the Indian Constitution!

And the SOG is not a bunch of mice. Right now, it is the most feared and hated force in the militancy-affected parts of the State. "The SOG has done in one year what the Army could not do in 10 years" is a typical comment. Recruited initially from the non-Kashmiri ethnic groups of the State, buttressed by and by with the 'renegades' recruited into the police, and licensed to torture, rob and kill, the SOG epitomises lawlessness. In the more remote parts of the State, such as the hills of Doda tehsil, on the very day ceasefire was announced, the Army men of the local camps were sent to their cantonment and the SOG was brought in. The SOG stayed in the camps till May 31, the last day of the ceasefire. They tortured people, looted their belongings and destroyed their homes as savagely as the Army would have done if it had continued operations.

Another reason appears to have been that the Army too did not respond to the ceasefire with uniform enthusiasm. "The ceasefire was as effective in each area as the local Army commander wanted it to be" is the comment of an experienced journalist. The fact that the main militant organisations rejected the offer of ceasefire and proceeded with their attacks – in particular the *Fidayeen* attacks – was sufficient reason for the Army's lack of much enthusiasm for the ceasefire, just as India's perceived non-seriousness in structuring a parallel political resolution of the dispute was sufficient reason for the militants' lack of enthusiasm for reciprocating the offer of ceasefire. And it must also be said that the 'renegades' – the surrendered militants turned armed agents of the State – hated the ceasefire. The cessation of Army operations left them helpless in the face of the attacks by the militants and in fact a lot of them were killed in the period and in the areas where the Army reduced operations.

The Army therefore did not uniformly cease fire except during the initial Ramzan phase, though it does appear to have modified its operations somewhat. "Whereas earlier they used to have crack-downs at night too, after ceasefire they confined their crackdowns to the day time", was one comment heard about the ceasefire period. Another is that whereas in the past, during crackdowns, all the people would be asked to assemble outside in the open while the house by house search went on, during the ceasefire period the forces merely entered the houses and searched, without asking people to assemble outside. A more cynical comment heard is that "in the past they never explained why they opened fire on militants but after the ceasefire they invariably explained that they fired because they were attacked".

But the initial respite of the Ramzan month appears to have brought back to the Kashmiris the memories of early 1990s when there used to be massive public protests against atrocities by the armed forces. The protests never vanished, and Srinagar in particular has never been quiet, but they became markedly subdued in the later years. With the ceasefire, they erupted again and appear to be continuing today notwithstanding the gradual and unannounced abandonment of ceasefire after the Ramzan month, and the recent official withdrawal. It is in fact these public demonstrations that emphasise the need of freedom – freedom from fear, freedom to associate and freedom to agitate – for the people so that their views may crystallise in a mandate for their representatives.

Custodial Killings

That freedom is sadly lacking. Custodial killings continue, and while there are not enough statistics to verify the Hurriyat's allegation that they have increased, there is no indication that they have decreased. In any case, there could be no reason for the decrease when there is no fear of punishment. And while the Army has occasionally punished one officer or two for incidents such as firing upon demonstrations or raping of women, it has never punished anyone for custodial killing. The reason is that punishment is a matter of public relations and not rule of law or respect for people's rights. And while killing of demonstrators or raping of women during crackdowns may require some action from the point of public image, killing a young man in custody needs no response since he can be passed off as a militant. That the law makes no distinction between militant and civilian in the matter of custodial killing would be relevant if the rule of law is in question, but not if it is a matter of symbolic bolstering of public image. It should not be understood from this that the Army has been taking action against all incidents of firing on civilian demonstrations or rape of women. Public relation carries no such requirement. It requires only that action be taken in cases where there is some kind of a public outcry or some other impelling circumstance. In, say, the interior of Kupwara district or upon the hills of Doda district no such public outcry can articulate itself and no impelling circumstance will be allowed to manifest itself. No action therefore need be taken. One may safely say that nothing short of blocking the National Highway No 1A long enough to risk further lives in firing would be regarded as enough of a public outcry to merit some kind of an enquiry and action by the Army.

The hills of Doda reveal a most pathetic picture in this regard. Being very difficult of access, inhospitable of terrain and alarmingly infested by militancy (to use the epidemiological imagery preferred by the Army) the area has been out of sight and therefore out of mind for even human rights activists until this May. The tales of humiliation recounted by the women of the area at the hands of the Army that has camped there from the year 1994 would put the most thick-skinned to shame. The story of Raja Begum and her daughter GulshanBano of Baldarri in Doda tehsil is merely illustrative of what goes on there. Way back in 1998 there was an explosion near their house in the village. Army men came to the house ostensibly to search for her husband and sons. They found Raja Begum and her 16-

year old daughter, took them into separate rooms and gang raped them. Then they were taken from there to the Army camp at Goha, blindfolded and repeatedly raped for five days. They were let off only after a big demonstration was staged on Doda town. The police registered an FIR but the Army refused to hand over to them GulshanBano's blood-stained salwar. The two women are under continuous pressure to retract their complaint.

Raja Begum says her sons are working in Himachal Pradesh as labourers and that when they came home once after the incident, they were taken to the joint interrogation centre at Doda and detained for 25 days and released only when Amnesty International issued an appeal, after which the young men have gone again to Himachal Pradesh and are scared to come back home. The Army and the police say the two young men are in fact militants. Let us grant that it is so to make the argument simpler: does that justify what the Army did to their sister and mother? The Senior Superintendent of Police, Doda, has an all-inclusive answer for such questions: the people of the area are in the grip of the militants, and will say whatever the militants tell them to say. An even simpler answer that the Army sometimes gives is that all Kashmiris are liars, and that is that.

But even in the more visible parts of the Valley, the situation in the matter of sexual abuse appears to have deteriorated over the years. We have all heard of the 'comfort women' and their equivalents that emerged to service the sexual needs of the American and Japanese armies of occupation. Well, something very similar to that is happening in Kashmir, in addition to direct sexual assault during crackdown and search operations. "In the Kupwara villages, soldiers of the Army camps force themselves into houses at night and come out in the morning"; "brothels have come up in villages of Kashmir which was unheard of in the past"; are expressions of this abuse. Some if not all of these women are widows who have lost their husbands in the militancy and counter-militancy. That this is a gross human rights abuse cannot be hidden by the fact the unlike in the crime of rape, the woman here may appear willing.

We have spoken of impelling circumstances and the difference they make to the Army's response to allegations of human rights violations. A good instance is the Magam outrage, which is probably still fresh in the memory of media personnel. But what is remembered is only that on March 10 this year when Press and visual media personnel went to Magam, a biggish village on the Srinagar-Gulmarg road, to cover a popular demonstration against the Border Security Force (BSF), the BSF thrashed them, broke their equipment worth many lakhs of rupees and threw one ETV cameraman from Andhra Pradesh into a nallah. The people of Magam are suitably concerned about the ill-treatment suffered by the media personnel but they cannot forgive the world for not caring about what happened to them the previous day. After all, that is what they were about to demonstrate against, and that is why the Press came to their village from Srinagar.

On the previous evening, at about 6.30 pm a *Fidayeen* by name Shoukat Ahmed Khanday of Tangmarg pushed a 'kulfi' cart up to the BSF camp in Magam, and blew himself up along with one BSF officer and some villagers who were there. The BSF men of the camp immediately opened fire in the direction of the explosion. There is some doubt as to how many of the seven villagers who died on the spot died in the explosion and how many in the firing by the BSF. The residents of Magam are certain that quite a few of the civilians died in the firing and not in the explosion. However, what is certain is that afterwards the BSF went into the village firing indiscriminately and killed two more persons. One was Ghulam Mohammad Dar, an auto-rickshaw driver of Srinagar who had the ill luck of driving his vehicle into the village just then. The other was Ghulam Mohammad Bhat, a newspaper vendor who was going towards the BSF camp to deliver the day's papers as he did every evening. It was in protest against these killings that the residents of Magam were getting ready to demonstrate on the next day, and that was why the media personnel were there, smelling trouble perhaps but not realising that they themselves would be at the receiving end of it.

The relevance of this incident for our discussion is that the Army has ordered action against the officers responsible for the assault of the media personnel - they were not only media personnel but many of them including the worst beaten were non-Kashmiris too - but it has nothing to say about the senseless killings of the previous evening. The imperatives of the situation are so minutely severable.

To understand the extent of the insecurity the people suffer from, it is necessary to realise that the armed forces are spread out widely in the rural areas, and the people are never outside their reach. Speaking of his inability to give

courage to the people to testify against the Army in the investigation of an offence committed by its personnel, the Senior Superintendent of Police, Pulwama confesses that 'we are here in the towns and they are in the villages. We are 100 they are 3,000'. The specific reference was to the killing of Ghulam Mohammad Pandit (65) of Mohanpura, Shopian tehsil, Pulwama district. He was called to the 1 Rashtriya Rifles camp at Ahgam along with the numberdar of the village in the afternoon of February 21 this year, and as the numberdar was not in the village, he took that man's son with him to the camp. The allegation was that Pandit and the numberdar were sheltering militants. At the camp Pandit was thrashed mercilessly for two hours and he collapsed. He died the next day at a hospital in Srinagar. It is a clear case of custodial torture resulting in death, but the head of the police of the district confesses that the complainant himself - the numberdar's son - has developed cold feet, and given the massive presence of the Army in the rural areas, there is nothing the civilian administration can do to infuse courage in them.

Kashmir is a valley of isolated habitations of farmers, cattle-herds and shepherds watched over by strategically interspersed camps and the mobile patrols of a heavily armed alien force. The omnipresent armed forces have little empathy with the people and are trained to look upon all of them as actual or potential traitors and Pakistani agents. That is what makes them alien, not merely that most of them are from linguistic and ethnic groups other than Kashmiri. An air of intense suffocation hangs over the Valley, rendering any uninhibited political interaction among the people an impossibility. If there is no way the Army is going to leave the Valley in the immediate future, at least the Army should be strictly disciplined as an essential requirement for a free and fearless participation of the people in any political process aimed at resolving the Kashmir dispute.

The helplessness of the common people in the face of the omnipresent armed forces is best illustrated by the ease with which the forces are able to force people to act as shield for them against the militants. A very horrible incident of that kind happened at Zazna(A) near Ganderbal on the Srinagar-Leh road on this year. There is an isolated lift station of the irrigation department there, meant for a few workers operating the gates of a canal. Nearby is a camp of the 5 Rashtriya Rifles. On May 17 this year, about 25 men of the 5 RR camp went to the lift station, broke open the locked outer door and called out the workers there. The Army had found an abandoned bag at a distance from the lift station which they suspected to be carrying an explosive device, and they wanted the workers - a pump operator, a gate operator and a gardener - to open the bag to verify the suspicion. The three workers were dragged to the spot where the bag lay, thrashed and threatened that if they did not open the bag they would be shot dead. After pleading vainly for mercy, Mohammad Sultan Ittoo, the pump operator, opened the bag reluctantly and died instantly in the explosion. His colleague Habibullah Dar the gate operator suffered serious injuries and died later that evening in a hospital at Srinagar. The gardener Ali Mohammad Ganai suffered a compound fracture in his right upper arm and is still bedridden.

What kind of a political resolution of the dispute is possible when the people who are central to the dispute are undergoing such hell? Over the past fortnight and more, the purveyors of views, official and unofficial, have been dishing out commentaries that look at the Valley and the hills from the unreal vantage point of the 'summit'. Unless we learn to see the summit the way it looks from the Valley and the hills, we will never understand all that needs to change before any just and honourable resolution of the dispute is even thinkable. Until that is done all that the leaders and their entourages will be doing is to tour the exotic places and cities of the two countries - from summit to summit - not because they want to but because the world's only policeman will not let them be. But nothing of substance is likely to result, or if it does it will not be an honourable resolution of the dispute as the Kashmiris see it.

(Published in Economic and Political Weekly-August 4, 2001)

What makes the Hurriyat Conference untouchable?

Dr. K. Balagopal

The threat issued by the SanghParivar that the Hurriyat Conference delegation will not be allowed to set foot in the State of Kerala is perhaps understandable, but the fact that the CPI(M) State unit of Kerala has echoed the sentiment is less understandable.

However, the attitude is symptomatic of a general malaise that afflicts Indians when it comes to thinking about Kashmir. We want the 'problem' to some how just vanish on its own without forcing us to look it in the face.

In fact the Hurriyat Conference has over the years perceptibly changed its attitude. Ten or even five years ago it would have been inconceivable that the Hurriyat Conference would take the trouble to send a delegation to each and every State in India to explain their view about the Kashmir issue. When Human Rights activists suggested to them in the past that their best friend in India was democratic public opinion and not the US embassy, their response was a polite smile. But experience has taught them, and we should appreciate their willingness to learn from experience. But we will not, because on our part we refuse to learn any thing from experience.

The attitude of the SanghParivar is that Kashmir is an inalienable part of 'India' as defined by them, and so there is no question of listening to a different view. You are of course not permitted to ask them who gave them the right to impose their definition of reality on all others by force. And the attitude of the rest of us is that India is so superior to the benighted land of Pakistan that Kashmiris should be grateful for the opportunity to live here. The corollary that follows is that those who do not think so are such perverts that they cannot reasonably claim any right to a hearing. Perhaps all Indians, or at least those who claim to be opinion makers by virtue of having newspaper space at their disposal, should make a trip to Kashmir to talk to the ordinary people - the college student, the taxi driver, the farmer, the housewife.

No, not all of them will fully agree with the Hurriyat Conference, but they will say much that the visitor will find disagreeable. But the only alternative to listening to them is to go on killing them, and how long will Indians continue to have this blood on their conscience?

The paranoid unwillingness to hear them is reflected in the refusal of the mainstream political parties to even meet the Hurriyat Conference delegation in its trip outside Kashmir. Neither Jayalalitha nor Karunanidhi would meet them at Chennai. At Kolkata JyotiBasu met them but the Chief Minister refused to meet them. In Andhra Pradesh too Chandra Babu has refused the appointment they sought. Considering that these leaders (the A.P and T.N leaders at any rate) have no qualms about going around with the most rabidly fundamentalist Hindu outfits, this reluctance is difficult to comprehend, even if one is to treat the Hurriyat Conference as a 'communal' organisation. But the Hurriyat Conference is not uniformly this or that. It is a conglomerate of more than twenty organisations with the single common understanding that they do not accept Kashmir's accession to India as final, and hold that only tripartite dialogue between India, Pakistan and the people of J&K can resolve the issue democratically.

Why should such an organisation be treated as untouchable and unspeakable? In any case, when India is willing to talk to Pakistan, why should Indians be unwilling to talk to the Hurriyat Conference? The only reason is that we cannot countenance even the suggestion that Kashmir's accession to India is not final. Indians will never understand that nobody in the world appreciates this stand of India, including those who respect India as a functioning

democracy. After all, if democracy is what they respect about India, why should they appreciate this attitude that holds a widespread sentiment of common Kashmiris in contempt?

What should be obvious to us after the last decade's experience in Kashmir is that unless we agree that Kashmiris in sizable number dispute the accession, and listen to their voices, there is no way that an honourable resolution of the issue can be crafted. And until it is resolved honourably, there will be no peace between India and Pakistan, however many 'summits' the two countries may hold. And as long as there is no peace, the two countries will go on draining each other's resources in perpetual preparation for war.

(Published in Indian Express-September 4, 2001)

What Will They Do to Kashmir Now?

Dr. K. Balagopal

The several 'formulas' for peace doing the rounds all require only the satisfaction of India and Pakistan and the approval of the US. The Kashmiris themselves have no formula to offer. It may be because of political fatigue, or perhaps there is a deeper reason, for, to Kashmiris self-determination is in terms of the whole of the old State of Jammu and Kashmir. But this old idea of collective self-determination has not been kept alive by the social and political leaderships of the ethnic/linguistic sub-regions. The voice of 'azaadi' inevitably sounds like Kashmiri particularism easily conflated by interested parties with Muslim communalism.

What will the US, India and Pakistan do to Kashmir? That is the proper order, the US first, India next and Pakistan last. What do they aim to do to Kashmir? For this time round, there is a certain apprehension (one can hardly call it hope) in the Valley and elsewhere in the State of Jammu and Kashmir that American interest in snuffing out the germinating grounds of Islamic militancy – rather than any Indo-Pak desire for peace – may well ensure some form of resolution of the 'Kashmir dispute'. Indeed the newspapers a few days ago reported an American official as having said that the Kashmir dispute would be resolved by December 2004. Whether that will be before or after finishing off Syria, the report does not clarify.

However, even granting the sense of urgency that affects the US, ruled by a coterie described as Christian fundamentalists by even matter-of-fact analysts, whose faith teaches them to beware of the visits the sins they have committed are liable to pay them in time, and who therefore have reason to hurry and disinfect the breeding grounds of Islamic militancy before a few more *fidayeen* are sent westward, it may nevertheless appear that the apprehension that something is going to happen by way of resolution of the 'dispute' in the near future is misplaced. After all, India's offer of talks with Pakistan is hardly serious. Has not the Union Cabinet headed by Atal Behari Vajpayee set a record of sorts by way of double talk in the last few months in the matter of India's attitude towards Pakistan?

Consider: Its Foreign Minister begins by declaring quite out of the blue one day that Pakistan is a good candidate for preemptive strikes and India should do an Iraq on Pakistan. Its Defence Minister defends him, while cautioning that it is not yet official to say so. The Prime Minister keeps mum, but suddenly goes to Srinagar and makes a speech offering a mouthful of what the Kashmir Press has described as boons, including offer of a hand of friendship and talks with Pakistan without any preconditions. And for good measure he adds that if this effort fails there will be no further efforts. That could either be taken as an index of his determination to make the talks a success, or else as a threat that there will be just one effort and then the Sinha-Fernandes formula will take over. The ambiguity just adds variety to the confusion.

But as soon as the Prime Minister leaves the Valley for Hindustan, he adds the usual precondition to the offer of talks: That Pakistan should put an end to cross-border terrorism. That really takes it back to zero. But soon thereafter he gives an interview to *Der Spiegel* in which he dedicates himself to the success of the talks with such passion that he says he will quit if he fails. Just as one thought he was at last serious, he clarifies that quit does not mean quit and he will not say what it really means. A few days later, back in India again, he reduces the offer to an absurdity: We have talked of Kashmir in the past, so why not talk of Azad Kashmir this time? Musharraf can respond by suggesting that we discuss the future of the Vaishno Devi shrine thereafter. Seriously, does Vajpayee want the people of this country to believe that he expects Azad Kashmir to join India? It is believed in the '*shakhas*' of the RSS, we know, but nobody outside those benighted places thinks so.

So why should anybody hope/apprehend that anything at all is going to come of this offer of talks that vacillates between a nullity and a farce?

Other things being the same, nobody would. In the past, Kashmiris have expressed scepticism with their intellect and hope with their hearts every time talks have been proposed between the two countries. They greeted Agra with scepticism, but when Musharraf finally came over, 'glued to the TV' is how they describe themselves. In the end, the scepticism was justified, but the hope will probably never die.

But after September 11, 2001, things are no more the same. The US, for a variety of reasons, wants peace between India and Pakistan. Some of the reasons have to do with both the real and imaginary fears of the hatred it has wantonly fostered in the hearts of Muslim peoples all over the world and the monsters that have arisen therefrom, and the others stem from plain old fashioned economic rationality. In fact, from the time of the rise of militancy in Kashmir, a section of its political representatives, more particularly those in the Hurriyat Conference inclined to Pakistan, have believed that economic rationality will impel the US to solve the Kashmir dispute. The logic (in my language, not that of any Hurriyat leader) goes as follows: The US wants free access to Central Asian mineral wealth which, in the face of an unfriendly Iran and a backward Afghanistan, requires the sea ports that Pakistan offers. Effective utilisation of this facility requires that Pakistan be a stable and peaceful society and economy. And that can never be guaranteed until Kashmir becomes quiet and India becomes irrelevant so that the clerics and the *mujahideen* who have used Kashmir to impose their rule on the minds and the streets (respectively) of Pakistan are rendered dispensable. The logic is persuasive, but it is remarkable that this rationality had to be supplemented by the dread of the Al Qaida to realise itself.

All this adds up to the apprehension that the Americans may force some solution this time round. With some, to be frank, the apprehension is in fact a hope because a sizeable section of Kashmiris have reached the stage where they feel it does not matter how the dispute is resolved so long as the guns fall silent and they can stop dreading each dawn for the dead bodies it may bring home. But only some. If India has hoped that it has by now reduced all Kashmiris to this state, it is mistaken. For many, the apprehension is not a hope, it is the negation of hope. They do not want any solution that will cheat the memory of the thousands who have died these 13 years. In particular they do not want any resolution that has not heard them and has not sought their approval.

But it is evident that the fixers who are active devising solutions are working with rulers and pencils drawing lines straight or crooked on the map partitioning the land one way or other to the mutual satisfaction of India and Pakistan, their proverbial rigidity rendered malleable under the weighty glare of America's eyes. 'Formulas' are already doing the rounds, and there are rumours that India and Pakistan have already come to an understanding on making the LoC the border. Nobody knows how true this is, but this is indeed the favourite solution of what these days is being described as the 'civil society' of both the countries. Whether one sees it as a just idea or not depends on what one is looking for. The well-meaning individuals who compose what is being called civil society are looking for peace and friendship between India and Pakistan. They are doing so for the sake of India and Pakistan. They are not looking for anything in particular for the Kashmiris, and are therefore unwittingly perhaps joining with the two governments in treating the region as a piece of mere territory. Nobody has as yet suggested putting this formula to vote in the affected region. On the contrary, Brijesh Mishra has been quoted as saying that 'when India and Pakistan sit down to talk there will be no third chair'. He is lying, of course. There will be an invisible third chair for George Bush or his appointee, but what that arrogant representative of India's SanghParivar rulers means is that Kashmiris will have no place at the talks nor will their approval be sought for any proposed resolution of the territorial dispute that their lives have been reduced to by the two countries.

Making the LoC the permanent border would have the consequence of forcing the Kashmiris of the Valley to reconcile themselves to India, in spite of the repeated expression of their unwillingness to accept that status. It would also mean permanently dividing the Pahari-speaking people between the Muzaffarabad region of Azad Kashmir and the Rajouri-Poonch region of India. That, surely, cannot be done behind their backs?

Another formula under discussion is that proposed by Sardar Sikander Hayat Khan, the Prime Minister of Azad Kashmir. Until recently a supporter of the official Pakistani position that the whole of the (old) J and K belongs to Pakistan, he has now come up with the idea of making the river Chenab rather than the LoC the dividing line. The right bank of the Chenab will go to Pakistan and the left bank to India. It is evident that he is mainly concerned with ensuring that all people of his own community – Paharis of Muzaffarabad as well as Rajouri-Poonch – get into Pakistan, and his plan assures that. But in the process it forces the Valley into Pakistan, whereas it is doubtful that more than a minority would prefer joining Pakistan unless the third option of independence is closed to them. And moreover, the right bank of the Chenab includes also the almost totally Hindu Akhnoor tehsil of Jammu, whereas the left bank houses the Muslim-majority Kishtwar and Bhandarwah tehsils of Doda. These people cannot be thrown into Pakistan and India respectively without taking their view in the matter, merely because the Chenab happens to be a ready-made line that nature has already drawn on the map.

Then there is another ‘formula’ credited to Bill Clinton, among whose unsuspected assets was, apparently, this ability to solve problems at a distance. This formula hands over to each country the pound of flesh it demands, excepting the Valley which is made self-governing under the joint supervision of the friends-to-be: Pakistan and India, with Uncle Sam looking over the shoulders, of course. Poor Kashmiris! is all one can say.

Everybody has a ‘formula’, the common point of all the formulas being that they require only the satisfaction of India and Pakistan and the approval of the US. The Kashmiris alone have none. In a 10 days’ tour of the State one was unable to elicit anything more specific from the Kashmiris than a determined reiteration that their right to self-determination shall be assured. One can put it down to fatigue, but it is also a fact that the Kashmiris have come to look to the Hurriyat Conference for all political responses on the supposition that it represents all shades of opinion that dispute their accession to India; the Hurriyat in turn, being in fact dominated by a few shades of opinion, has lent its political support to Pakistan’s manoeuvres and is perforce tongue-tied when Pakistan is in a fix; and Pakistan is truly in a fix not knowing how to simultaneously please George Bush and the armed and unarmed clerics who have established a hold on its society by dint of their disruptive capacity if not actual mass following.

There is another and a deeper reason too. The Kashmiris, when they talk of self-determination are inclined to think in terms of the whole of the old State of Jammu and Kashmir ruled by the heirs of Gulab Singh. So long as the discussion is centred on the UN resolutions, it is bound to be so. But after 55 years, that region has not remained what it was on October 26, 1947. And it cannot be said that the social and political leadership of any of the ethnic/linguistic sub-regions of that very diverse State (including the Kashmiri leadership) has striven to reach out to the others and keep alive the old idea of the right of collective self-determination for all of them. As a consequence, there is a certain ambiguity today regarding the meaning and indeed the very referent of that right. When Kashmiris talk of ‘azaadi’, the referent easily and unconsciously slides from the whole of the old J and K to the Valley and then to the Valley plus Muzaffarabad and back again to the whole of the old J and K. And the other regions are either indifferent or suspicious of the Kashmiris. Among those who still regard the old State of J and K as a meaningful political entity, Balraj Puri has been almost alone in pointing out to the intellectual and political leadership of the regions their failure to reach out to the other linguistic and ethnic groups in a spirit of mutuality and equity leading to the structuring of a federal and secular order that can help keep alive the historical sense of oneness of the State. This failure has meant that the voice of azaadi inevitably sounds like Kashmiri particularism, easily conflated by interested parties with Muslim communalism and separatism.

Not that the Kashmiris carry upon themselves the moral burden of cajoling everybody else to join the movement for self-determination and thereby disprove the abuse of communalism thrown at them. They are under no such obligation, and their demand for self-determination, even if reduced to the Valley, makes perfect sense, but without such an effort from all sides the old State of J and K can no longer be a single collective referent for the demand of

self-determination. As things stand today, why should anyone expect the people of Baltistan and Kathua to see themselves as co-citizens of a single State?

A proposal suggested by the JKLF leader Amanullah Khan of Islamabad is significant in this background. Writing in the *Kashmir Times*, May 6, 2003, he has suggested letting the whole of the old J and K area be a self-governing entity of a democratic, secular and federal character for 15 years, at the end of which a plebiscite may be held to decide whether they would like to join India or Pakistan or be independent. Perhaps the period of 15 years is meant for recreating the lost links between the regions and ethnic groups and recover the almost lost identity. As well as try out the experiment of coexistence within a single State of diverse ethnic/linguistic groups on the basis of a secular, democratic and federal polity, it is an attractive idea, especially coming at a time when such inclusivist idealism has become old fashioned and the narrowest exclusivism is the most rebellious attitude. Even so, it is doubtful that the Kathua-Jammu area will ever want to leave India, or the Mirpur area Pakistan. A one-point plebiscite to be determined by an overall majority may not be able to do justice to all. Too much has changed in the last 55 years for that. Amanullah Khan's proposal would however carry genuine meaning for Rajouri-Poonch, Muzaffarabad, the Valley and probably Doda as well.

However, who is listening to Amanullah Khan? Or to anyone from the 'disputed area'? It is this and not the correctness of any formula for resolving the 'dispute' that is primarily at issue today. Those who would resolve it do not even accept that the real 'dispute' is not between India and Pakistan. It began as a dispute between the people of Jammu and Kashmir and the contending States of India and Pakistan. Time may have reconciled some of the people to the disputed situation - the accession and its aftermath - but not all are reconciled to it, and the dispute today remains between those who disagree with it and the two beneficiary States. By pretending that the dispute is between them, the two States are able to ignore the people and talk of settling it between themselves. And now they have the assistance of the world's primary rogue State which believes in no democratic principles beyond its shores. This is today's problem in Kashmir: and we have no solution in sight.

(Published in Economic and Political Weekly- June 21, 2003)
