

The People of Kashmir

Izzat Jarudi

*"Who has not heard of the vale of Cashmere/With its roses the brightest that earth ever gave."
—Thomas Moore*

When the media covers Kashmir, it inevitably focuses on the possibility of war between India and Pakistan. After all, in the half-century of their existence, these two nations have already fought three wars, all involving the disputed territory of Kashmir. Hundreds of thousands have died so far as a result of their clash, and millions more may perish if their fourth war is nuclear. For the Kashmiri people, disaster has already struck in the form of a violent insurgency against the Indian government that has taken the lives of 35,000 Kashmiris in 12 years. A land once considered an unreal paradise has become a very real hell.

Thirteen million Kashmiris, innocents and insurgents alike, have been subjected to nearly every conceivable abuse or hardship since the armed conflict between Muslim militants and Indian security forces erupted in 1989. Their houses have been ransacked and burned. Their men have been imprisoned and tortured. Their women have been harassed and raped. Their tourism-based economy has collapsed. In the words of one Kashmiri poet, even their "culture is dead."¹ Considering the daily traumas these people endure, it is not surprising that the state of Jammu and Kashmir, where the rebellion is raging, has one of the highest rates of suicide in India.²

A Brief History of "the Kashmir Question"

The despair that pervades modern Kashmiri life is difficult to appreciate without some basic understanding of the history of the conflict that goes back to the very birth of the nations of India and Pakistan. The Kashmir dispute began during the partition of British India into India and Pakistan in 1947. Kashmir, then a mainly Muslim state ruled by a Hindu maharajah (Indian king or prince), had not yet acceded to one of the two nations when an uprising of Muslim villagers and an invasion by Pakistani raiders in the west finally convinced the maharajah to join India in return for military aid. The first of three wars between India and Pakistan over Kashmir ensued, ending in 1949 with the negotiation of a cease-fire by the United Nations. Pakistan kept one-third of the territory, the



northern and western portions that it had originally invaded, today called Azad (“Free”) Kashmir and the Northern Areas. India kept the rest, the southern and southeastern portions that it organized as the modern state of Jammu and Kashmir.

Two wars and 50 years later, not much has changed geographically. The cease-fire line, which the two sides agreed in 1949 would temporarily divide the administration of the two regions of the province until the conflict was resolved, is still there. This de facto border was confirmed in the negotiations after their last war in 1971, but is now known as the Line of Control (LoC). Technically, India and Pakistan are at peace. Since 1989, however, the Indian government has maintained a strong military presence in Jammu and Kashmir. Half a million security personnel, including members of the army, federal paramilitary forces, and state police, are stationed there to suppress armed movements for Kashmiri independence or Pakistani accession. On the other hand, Pakistan has lent moral and political, if not military and financial support to the Muslim militants that include Kashmiri, Pakistani, and foreign guerrillas from countries like Afghanistan.³

Clearly, if these 50 years of conflict and bloodshed have proved anything to the world, it is that neither India nor Pakistan is willing to give up its claim to Kashmir. Their mutual interest in the province is not for something tangible like natural resources (of which Kashmir has few except beauty), but for something symbolic like an affirmation of the principles upon which each was founded in 1947. To India, the loss of Jammu and Kashmir, its only Muslim-majority state, to Pakistan would undermine the Indian identity as a secular nation.¹ To Pakistan, accession would validate existence as a necessary, separate home for the Muslim minority of India.³

Human Rights Abuses

The geopolitics of the region aside, Kashmir is more than a pawn in the struggle for hegemony in the Indian subcontinent. It is the home of 13 million Kashmiris, who for the last decade have been caught in the cross fire between India and Pakistan, between Indian security forces and Muslim militants. As one Kashmiri put it, “Here we’re a sandwich between two guns.”¹

Indian Security Forces

In an attempt to quash the violent insurgency in Jammu and Kashmir, some Indian security personnel have resorted to brutal tactics against the Kashmiri population, innocents included.



Portions of the capital Srinagar and the northern town of Sopore have been burned to the ground.¹ Muslim neighborhoods that security forces suspected to be sympathetic to the separatist cause have been subjected to a collective punishment that includes indiscriminate shootings, beatings, and rape.⁴ In 1991, *The New York Times* reporter Barbara Crossette witnessed one such “crackdown” in Batamaloo, a town in the Kashmir Valley:

For three days in March, the people of Batamaloo, a middle-class neighborhood here, were victims of India’s war against an independence movement it can no longer contain except by force. They call it “the crackdown,” and it can happen, without warning, anywhere in the Kashmir Valley. An area is surrounded, shops are closed, people are confined to their houses or made to stand for hours, other houses are ransacked, women abused, graveyards dug up, mosques violated. The purpose is to ferret out militants and break the morale of their supporters. At the end of the siege, boys as young as 12 or 14 are taken away for interrogation. In Batamaloo, where more than 100 young men were rounded up on March 27, mothers came out the next day to wail in panic and rage. “Hindustanis!” some cried, giving their words for Indians the venom of a curse. When they began to march, they were driven back with tear gas and blows from rattan poles. By midmorning, one woman was dead and 20 hospitalized.⁵

Since then, the focus of Indian efforts has shifted geographically from the central Kashmir Valley to border districts where militants are now concentrated. Nevertheless, the abuses continue. In those areas today, even carrying a pager is enough to warrant interrogation.⁶ Friends and family seeking information about the “disappearances” of loved ones who have been arbitrarily arrested without charge have received little help from the courts, because special laws in the state allow Indian security forces to simply ignore their authority.¹

Detained without trial, the “disappeared” and

others suspected of militant activism often face torture, summary execution, or perhaps a new “countermilitant” assignment to assassinate other alleged insurgents and intimidate local residents. Human Rights Watch has documented some of the brutal methods of torture used on these prisoners and their appalling effects:

Severe beatings with truncheons, rolling a heavy log on the legs, hanging the detainee upside down, use of electric shocks, immersion in water while being suspended upside down, and the insertion of an iron rod on which chili paste has been applied into the rectum. Extensive beatings and use of the roller frequently lead to renal damage or failure; being suspended for prolonged periods upside down can lead to nerve damage and paralysis of the limbs.⁴

Muslim Militants

Human Rights Watch also reports that abuses are not limited to one side; Muslim militants are also guilty of civilian massacres, summary executions, rape, and torture.⁴ With equally questionable standards for suspicion, they have kidnapped and assassinated government officials, civil servants, and suspected informers. In fact, the event that led the Indian government to send security forces to Jammu and Kashmir in 1989 was a kidnapping by militants of the home minister’s daughter.

Muslim militants have also targeted Hindu families, harassing, torturing, murdering, and threatening them in an attempt to drive them out of the valley.⁷ Foreign guerrillas in Kashmir fighting a “holy war” are responsible for some of the more brutal attacks on members of the Hindu minority.

In recent years, after being driven out of the Kashmir Valley, armed insurgents have limited their strategy from genuine military engagements to hit-and-run grenade or sniper attacks in cities.⁴ Failing to distinguish between military

and civilian targets, they have killed innocents, including women, children, and journalists, in their attacks.

For Tahir Mohiddin, a Kashmiri newspaper editor, the pattern of civilian abuse by both sides is clear:

First come the terrorist blasts, grenade attacks. Then comes the crackdown by Indian forces. The militants use coercion to seek refuge in villages. After they leave security forces arrive and then come the beatings to find out information.⁶

The Lack of Transparency

Although the pattern is clear, it is difficult to gauge the scope of civilian abuse by security forces and militants over the last 12 years. Security force members conduct their own investigations of human rights violations, but do not make their findings public, paralyzing government organizations like the State Human Rights Commission that are charged with confirming reports of abuses in Jammu and Kashmir.⁴ The work of international human rights organizations like Amnesty International has also been frustrated by an Indian policy that denies them access to Jammu and Kashmir.⁷

Human rights activists and lawyers are often threatened and sometimes killed. At the same time, those Kashmiris who dare to document and report abuses risk suffering a similar fate soon after. Fear of retaliation has kept many civilians silent about the crimes they have witnessed. Doctors who treated torture victims, for example, did not share that information with Human Rights Watch until they were promised strict confidentiality.⁴

Although these obstacles to the truth limit the accuracy of such estimates, Kashmiri and Indian human rights groups quantify the abuses over the last twelve years in terms of hundreds of “disappearances,” thousands of summary executions, and tens of thousands of deaths. As a result, there are now 16,000 to 20,000 orphans and widows in the Kashmir Valley alone.⁸

The Disappearance of Tourism

Twelve years of violence has cost countless Kashmiris their lives, but even more have lost their livelihoods. The insurgency has virtually eliminated tourism to Jammu and Kashmir, an industry that once supported 100,000 people and produced more than three-quarters of the state’s revenue.⁹ In 1989, 750,000 tourists visited the “Switzerland of the East” to enjoy the beauty of its lakes and the Himalayan mountains.¹⁰ The following year, the number dropped to virtually zero.¹¹ Since then, the number of tourists per year



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has fluctuated wildly with the level of violence, but has never come close to its former levels. Everything from the threat of land mines along mountain hikes to kidnapping and murder by Muslim militants has convinced many tourists (and investors) to avoid what was once the most popular destination in the subcontinent.

Without the business from tourists, hotels are empty of everyone but journalists and soldiers, and restaurant and houseboat owners, cabmen, and shopkeepers are also struggling to survive. Many more mobile merchants have had to take Kashmir's trademark carpets, papier mâché and other handicrafts out of Srinagar to New Delhi where they have customers.¹²

Societal Trauma

Beyond inducing economic collapse, the insurgency has also threatened the general health of the population. There are not enough hospitals to treat the victims of cross fire, abuse, and trauma all over Jammu and Kashmir; as a result, conditions are unhygienic and doctors are overworked. Other health services like child immunization programs have also suffered.¹³

Perhaps the most disturbing trend is the dramatic increase in the number of patients who need psycho-social care. Medecins San Frontieres (MSF), one of only two foreign aid agencies in Srinagar, is focused on managing this overwhelming problem. According to MSF representative Paul van Haperen, "There is barely a family that has not been affected. There's been a tenfold rise in the past decade in the number of cases of trauma."¹⁴ The unfortunate result of this mental health crisis is that more than 2,000 Kashmiris have committed suicide over the last 10 years.² The vast majority of those suicide victims were between 16 and 25 years old.

A Hopeless Youth

Since 1989, Kashmiri youth have had little to look forward to: Economic depression has left few jobs for the young. There are 200,000 unemployed graduates in the Kashmir Valley alone. At the same time, the quality of education has plummeted. Most could not get a proper education

even if they wanted to. Militants have set fire to schools that they believed were working against their cause.¹⁵ On the other hand, security forces have occupied many schools and universities, particularly in rural areas. The remaining schools in Jammu and Kashmir are often closed due to outbreaks of violence.

With such a low standard of education and little opportunity for employment, most young Kashmiris no longer see the point of further schooling.¹⁵ Those with a good education have left Kashmir to find better opportunities in the rest of the subcontinent and world, causing a "brain drain."¹⁴ Others have joined the militants; some of these young fighters choose this out of vanity so that they can show off their guns and use them to settle personal disputes.¹³ As one Kashmiri explains, however, most join out of despair:

Thousands of local boys turned to militant training across the border. The basic cause is not ideological or the jihad factor. Most went because they have nothing here. No future. No job. No hope. If they had hope, they would not go.⁶

Exodus

Other despairing civilians who had the means to leave Jammu and Kashmir fled the political violence and economic depression in the state, particularly to Pakistan or other parts of India. By 1990, 100,000 Hindus had already left the Kashmir Valley, where they were being persecuted by Muslim militants.⁴

On the other hand, since 1989, 18,000 Muslims have found refuge in Azad Kashmir either with relatives or in camps. The Pakistani government has set up 15 camps for them, giving each person \$12 a month with free housing, electricity, and medical care; however, sanitation is poor, infectious diseases like dysentery are common, and depression is pervasive. Moreover, many feel like second-class citizens because they are not allowed to move to other parts of Pakistan where they could find jobs and be safer, away from the volatile LoC.¹⁶

In spite of all they have suffered at the hands of Indian security forces and Muslim militants, however, a few Kashmiris still have hope that the 12-year struggle will end soon so that they can return home. Imtiaz Ahmed Lone, now a student studying for a science degree at a local college, is optimistic about a peaceful resolution to the conflict in the place where he grew up: "I think there will come a day when we can return. There is a lot of change in this world so it can happen."¹⁶ ■