



KASHMIR POLITICAL LANDSCAPE AND CHANGE IN PAKISTAN'S POLICY

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Abstract

Kashmir was a princely state, outside the orbit of the united India two major political parties; All India Muslim League and All India National Congress. The level of political mobilisation was considerably lower than in the India's mainland. However this political isolation was eventually broken by a youth group, the Young Men's Muslim Association, spearheaded by a school teacher and charismatic leader Sheikh Muhammad Abdullah, graduated from the celebrated institution, the Aligarh Muslim University, created All Jammu and Kashmir Muslim Conference (MC) in October 1932. Its major objective was to liberate Jammu and Kashmir from the tyranny of the Maharaja Hari Singh. Later on, the politics of united India extended to the state of Jammu and Kashmir. National Conference with its socialist leaning was inclined toward the Indian National Congress due to its ideological affinity and personal relationship (Sheikh Abdullah and Nehru were friends). Whereas



Muslim Conference (MC) separated from NC, headed by Ghulam Abbas was aspired from the All India Muslim League.

This paper discusses the internal political dynamics and orientation of the various political parties in the Indian held Kashmir since 1940s to present a comprehensive picture of the princely state political landscape. It also discusses how the Indian government policy of zero-tolerance toward regional patriotism and constitutional autonomy of the Kashmir; granted in the 1950 constitution, by issuing a constitutional order in 1954 that not only put the financial status of the Kashmir parallel to the other units of the Union, but also repudiated all the legislative and judicial autonomy of the state, which created resentment that eventually turned into insurgency. The data was collected in Pakistan by conducting interviews with policy makers, experts and subject specialists.

Key Words: Internal politics, Kashmir, Insurgency, election

Introduction

Kashmir was a princely state, outside the orbit of the United India two major political parties; All India Muslim League and All India National Congress. The level of political mobilisation was considerably lower than in the proper India. However this political isolation was eventually broken by a youth group, the Young Men's Muslim Association, spearheaded by a school teacher and charismatic leader Sheikh Muhammad Abdullah, graduated from the celebrated institution, the Aligarh Muslim University, created All Jammu and Kashmir Muslim Conference (MC) in October 1932. Its major objective was to liberate Jammu and Kashmir from the tyranny of the Maharaja Hari Singh. Later on in annual party convention in 1939, its base was extended to all communal groups with the similar political orientations and renamed the party, All Jammu and Kashmir National Conference (NC) to also include progressive Hindu and moderate Sikh (Bose:2003,20).

National Conference vs. Muslim Conference

Interestingly, the politics of India had been replicated in the state of Jammu and Kashmir. The National Conference with its socialist leaning was inclined toward the Indian National Congress due to its ideological affinity and personal relationship (Sheikh Abdullah and Nehru were friends). Whereas Muslim Conference (MC) separated from NC, headed by Ghulam Abbas was aspired from the All India Muslim League. The best example supported this assertion is the Direct Action called by Muslim League supported



by MC and 'Quite India' movement of Congress was initiated by Abdullah NC in Kashmir under 'Quite Kashmir' movement. Thus they virtually became the regional branches of the Muslim League and Congress in the Kashmir, but maintained their independent positions on regional nationalism (Bose: 2003, 28).

Sheikh Abdullah National Conference party was rendered the charge of Interim government in the state of Jammu and Kashmir after its accession to the Indian Union in October, 1947. Abdullah dominated the initial phase of politics in the Kashmir with the unconditional support of the central government at the expense of Institutions in the state of Jammu and Kashmir, as long as he was not objecting the sovereignty of India over the state of Kashmir. The excessive use of the autonomy created schism between Abdullah and Congress Party in the Centre. Sheikh Abdullah constituted a parliamentary committee to assess the disputed position of the Jammu and Kashmir. This committee had stretched the range of options to independence along with accession to India and Pakistan. The thick atmosphere of suspicion and mistrust further deteriorated when he met with USA Ambassador to Indian (Mr. Adlai Stevenson) with no prior approval of the New-Delhi. This meeting had triggered the wrath of the Congress's government, which dissolved the government of Sheikh Abdullah by splitting the National Conference into two rival groups (Birdwood: 1956, 163). India didn't have any objection on the conduct of plebiscite until it had the support of Sheikh Abdullah in Kashmir. After the removal of NC popular government in the Kashmir, India has been dragging its feet on the issue of plebiscite. In the background of these bitter political developments the conduct of plebiscite or transparent elections would have been suicidal for the Indian position on Kashmir.

India's Internal policy towards Kashmir

Indian government had adopted the policy of zero-tolerance toward regional patriotism and openly violated the constitutional autonomy of the Kashmir granted in the 1950 constitution by issuing a constitutional order in 1954, which not only put the financial status of the Kashmir parallel to the other units of the Union, but repudiated all the legislative and judicial autonomy of the Kashmir. 'The Indian supreme court now had full jurisdiction in the Indian Jammu and Kashmir (IJK). The fundamental rights of citizen guaranteed by India's constitution were to apply in IJK, but with a crucial caveat: these civil liberties could be at any time at the discretion of IJK authorities in the interest of "security", and no judicial reviews of the suspensions would be allowed. In effect, this was carte blanche for the operation of a draconian police state in IJK' (Bose: 2003, 28). This coercive strategy of Indian government brought political discontentment and institutional decay, which resulted in violent insurgency in 1989.



The malpractices in the elections were so frequent and visible that they absolutely lost their credibility. The Central government tolerated the prostitution of the electoral system simply because it considered the success of few loyal politicians essential for strengthening grip over Kashmir and discouraging anti-state elements. Therefore it approved sham elections first in 1957, where in 43 valley seats 35 were won without any contest and 30 elected unopposed including Prime Minister Bakshi Ghulam Mohammad even for the position of Prime Ministership. Sheikh Abdullah was in jail after the removal of his government in 1953. Similarly in 1962 out of the 43 valley seats, 32 were decided without any contest. All the previous cabinet returned unopposed. Thus the history of elections in Kashmir is frustrating, it blocked all possible way of registering protest and resentments. Such tailored democracy disappointed the Kashmiri masses, who were further alienated by evaporation of the Kashmir autonomy. The death of Abdullah in 1982 was a major factor in the outbreak of insurgency in the Kashmir. It created a leadership vacuum. This political vacuum was filled by another political organisation called United Muslim Front (MUF), which had substantial support in the valley of Kashmir. MUF was led by the young idealist leaders; Yasin Malik and Shabbir Shah.

The election in April 1987 was the last peaceful attempt of protecting the Kashmir autonomy, but unfortunately it had made the earlier rigging less blatant. This time in Kashmir a potent, but not dominant opposition party emerged and challenged the government candidates on all constituencies. The MUF declared objective was to restore the dignity of Kashmir and prevent the integration of Kashmir holistically with the Indian Union, which was the legacy of the Sheikh Abdullah. On the other hand, his son Party made rapprochement with Congress and said, "In Kashmir, if I want to run a government, I have to stay on the right said of the Centre" (Ganguly: 1997, 96). When Farooq made an alliance with Rajiv, Indian Prime Minister, he lost his credential as Nationalist politician (Bose: 2003, 93). NC and Congress alliance won overwhelming majority 60 out of 76 seats. MUF didn't win a single seat in the entire Assembly. When all political venues were blocked for expression of the political discontentment, the mob embarked upon a violent and militant struggle against the Indian state (Ganguly: 1997, 96).

The election was so sullied that it fed directly into insurrection. The young men, who were election agents, organised a militant organisation; Jammu and Kashmir Liberation Front (JKLF), went on to lead insurgency and formally declared war on the state of India. Yusuf Shah a prospective legislature became a prominent guerrilla commander of the Hezbollah Mujahideen, which is bleeding India since last two decades. The young generation under the banner of JKLF held the mantle of leadership, started insurgency by abducting the daughter of the Indian Home Minister, Mufti Mohammad Sayeed, who was himself a Kashmiri, for the exchange of five charged militants. The newly installed weak



coalition government in New-Delhi succumbed to the abductors demand. It created an illusion of a weak Indian government, led to flood of young men to Pakistan and Afghanistan for the military training. The militants were vigilantly scouting the streets of Srinagar considered as liberators (Ganguly: 1997, 104). The idealist youth were imprisoned without bail under the draconian Public Safety Act and treated inhumanely. The situation became so volatile that governor rule was imposed on the Kashmir to restore law and order on 19 January, 1990. Governor Jagmohan Malhotra was appointed, whose ruthlessness and brutality triggered international condemnations of human rights abuses of the democratic India. This regime in Kashmir used rape and sexual harassment as a political strategy to demoralise the Kashmir movement, which backfired vigorously (Habibullah, 2008, 78).

Insurgencies in Kashmir

There were three phases of the Kashmir insurgency, which are of paramount importance. The first phase commenced in 1989 to 1994, was dominated by the JKLF. It was a nationalist organisation, having supposedly secular philosophy, had massive support in the public and aimed at independence of the Jammu and Kashmir. It was led by the young cadre like Yasin Malik, Hamid sheikh and Ashfaq wani. It was a successful and unified phase of the insurgency put insurmountable pressure on the Indian government and precipitated international support. This organisation had the support of Pakistan, but rooted in the masses.

The second phase was from 1994 to 2000. During this period, the movement was dissipated into different groups for regional influences, got religious orientations; religious forces superseded the nationalist-cum-secular wings. Hizb-Ul-Mujaheedin emerged as the dominant organisation, aimed at integration with Pakistan. This force didn't target only Indian forces, but also JKLF secular activists. They were joined by Jaish-e-Muhammad and Lashkar Taiba and Afghan Mujahideen (Bose: 2003, 93).

The third phase was exclusively carried out by the exogenous forces. When there was a split in the HUM between the pro-ceasefire and anti-ceasefire factions. One faction in response to the Indian unilateral ceasefire responded similarly by stopping violent activities in the Kashmir temporarily, whereas the other faction had denounced ceasefire and continued their attacks on the Indian security personnel's. In this phase the movement started suicide attacks across the India, were not confined to Kashmir only. (guardian.co.uk/2002/06/08) In October, there was a suicide attack on Jammu and Kashmir legislative Assembly, followed by attack on Indian Parliament and security personnel families in a shanty town outside the Jammu and Kashmir state. This phase



didn't have widespread support in the public, which was enjoyed by the prior two phases, because it didn't have representation of the Kashmiri people. The level of support from Pakistan also decreased due to substantial pressure from the International Community, war against terrorism and the fall of the Taliban regime in Afghanistan.

Interestingly, the JKLF was weakened by the combination of forces. JKLF was fighting on three levels, against Indian forces in the Kashmir valley, HUM in the Jammu and Srinagar and Pakistani forces in the Azad Kashmir. This was the stage, when JKLF was losing ground to the Indian forces and HUM in Kashmir, which affected the rhythm of insurgency in the Kashmir. JKLF had virtually substituted Sheikh Abdullah. When Yasin Malik was released from jail in May 1994, he was overwhelmingly greeted by people in the street as Sheikh Abdullah (Bose: 2003, 93). This shift in the actor and direction from JKLF to HUM and direction from independence to Pakistan, significantly weakened the insurgency in Kashmir. Public support is essential for the success of guerrilla warfare.

In March 1993, a conglomerate of the separatists elements formed All Parties Hurriyat Conference (APHC) in an effort to institutionalise the struggle for independence through political agitation. They recognised the futility of the violent means for struggle of self-determination and repudiated insurgency and low intensity war as a tactic for achieving independence. India and Pakistan both opposed this political development; India because its ultimate objective was independence, Pakistan criticised it because it weakened the insurgency and deviated the concentration of people from the militant struggle (Habibullah, 2008, 82). This group had got international acknowledgement as representative organisation of the Kashmiri people, but internal strife didn't let it to develop a united front against India.

India's COIN in Kashmir

The Indian government had two-pronged strategy to tackle the Kashmir issue. Internationally, it pursued an assertive coercive diplomacy for pressurising Pakistan to stop infiltration in the Kashmir. Indigenously, it initiated confidence building measures between Kashmiris and New-Delhi to address the political grievances of the people and reduced the alienation of the Kashmiris. As Kashmir became international dispute in 2002, the US also started pressurising India to conduct free and fair election in the state. Therefore the September election in 2002 was relative transparent according to the international sources. Prime Minister Vajpayee had also declared a unilateral ceasefire in the holy month of Ramzan for getting people confidence in Kashmir. He had installed bus services between two Kashmirs. Importantly he invited president Musharraf to Agra



in July, 2001 for bilateral talk on all issues including the Jammu and Kashmir, but unfortunately it didn't produce any significant result. He had also installed back channel discussion with APHC for the political solution of the Kashmir dispute under the Indian constitution. The most important CBM was the approval of the bus services in Kashmir. Harinder Baweja, Editor of Tehelka magazine in New-Delhi, stated in Tenth Kashmir Peace Conference on Capital Hill in Washington, 'The only CBM in the last 20 years which kept Kashmiris' interest in mind, she said, was the opening of the line of control in 2005 for the bus services. 'I was in the valley at the time and saw the spontaneous outbreak of joy on people' faces that for the first time New Delhi is thinking of us as people' (The News International, August 4, 2009). These integrationist measures have improved the relationship between New-Delhi and Kashmiris.

The internal strife in the militant insurgents has also mitigated the effectiveness of the Kashmir insurgency. HUM is local organisation, aimed at liberation of Kashmir from India at any cost and avoided explicit public atrocities and massacres. It is targeting particularly Indian security personnel and fighting guerrilla warfare in the domain of Kashmir. Therefore it felt betrayed, when Pakistan started crackdown against the organisation. 'The Pakistanis don't feel abandoned by ISI. They understand the difficult position the army and Pakistan is in. For the Pakistani jihadis, this is a long war with much broader aims. Kashmir was never their priority. Most Kashmiri fighters feel differently. They feel betrayed because they feel they have lost the war they had been fighting for 12 years,' the source said' (Guardian, 8 June, 2002). This split and contrast objective reduced the efficiency of the Kashmir insurgency. The weakening of insurgency at the ground deprived Pakistan from agents; therefore it cannot exclusively perpetrate insurgency without the overwhelming public support. It has reduced the influence of Pakistan in the domestic development of Kashmir; therefore it is asserting on the political solution of the Kashmir and indicated unprecedented flexibility in order to achieve an honourable solution of the dispute of Kashmir.

Change in Pakistan's Kashmir Policy

There were some other elements, which have weakened Pakistan position on the Kashmir; the split inside the Kashmir insurgents, conversion of the some important militant organisations into political parties and the Talibanisation of the Kashmir insurgency which didn't only reduce the international support substantially for the Kashmir cause, but also deprived the insurgency of the domestic characteristics. The paper has given a comprehensive detail that how the movement was radicalised and hijacked by the external forces. This lack of the public support to the Kashmir movement handicapped Pakistan progress on this front. Finally the fall of Taliban in Afghanistan



was also a blow to the Pakistan influence in the region. The dislodging of Taliban didn't only deprive Pakistan from most allied ally, but also unleashed indigenous instability in Pakistan. This internal disturbance has also diverted Pakistan attention from Kashmir to domestic politics. These were the major factors which compelled Pakistan to show flexibility on Kashmir issue.

The most pronounced symptom of change was Pakistan's crackdown against the militant organisations of Kashmir operating in Pakistan. Pakistan shifted its policy of resolving Kashmir by military means to political struggle. President Musharraf in his speech banned two important militant organisations having the support of Pakistan throughout the 1990s; Lashkar-e-Taiba and Jaish-e-Muhammad. This was the turning point in Pakistan Kashmir policy faced with USA pressure and Indian Troops. Pakistan consistently urged India for continuance of political dialogue on the issue of Kashmir (Yasmeen, 2003, 199). In the wake of these developments, Pakistan proposed four points political solution of Kashmir dispute. This was the formal recognition of status-quo in Kashmir and resort to honourable compromise on Kashmir. Interestingly this fourfold scheme, 'finally buried the argument that Jammu and Kashmir should be a part of the Islamic state of Pakistan by virtue of its overwhelming Muslim majority'. (Wirsing, 2008, 235)

The important point for understanding the change in Pakistan's Kashmir policy is the comparison between Agra Summit July, 2001 and Islamabad Declaration. Pakistan accepted in Islamabad in 2004, what he refused to accept in 2001; cross-border terrorism and Kashmir as one of the issue, not the core issue (Baral, 2002, 30), (Tellis, 2004, 13). The Islamabad declaration contained three Articles related with the issue of terrorism and infiltration and only one article dealt with the Kashmir issue.

The accession of a democratic party ; Pakistan People Party, to power in Pakistan after 18 February, 2008 further liquated Pakistan position on the issue of Kashmir. The former President of Pakistan; Asif Ali Zardari, stated publicly in an interview to an Indian TV channel 'the "relations between India and Pakistan should not be held hostage" to Kashmir issue; and that India and Pakistan "could set aside the Kashmir issue to be resolved by a future generation while they focus on trade and economic ties to improve bilateral relations."' (Kashmirwatch.com/20/08/2009). He called the Islamic militant in Kashmir as terrorist in his interview to Wall Street Journal, which provoked agitation in Pakistan (Dawn/ 09/03/2008). It shows that the shift in Pakistan Kashmir policy is original and strategic. It is not a time-buying tactical move to release International pressure. Interestingly in the negotiation in Sharm el Sheikh on 17 July, 2009 between Indian and Pakistani Prime Ministers excluded the issue of Kashmir from their joint



statement. There is no reference to either Kashmir dispute or terrorism, which were the traditional source of discord between India and Pakistan. These all developments indicate that Pakistan has de-linked the issue of Kashmir from its relationship with India.

The last but not the least factor which demonstrates that Pakistan has taken a shift in its Kashmir policy, is the coverage of Kashmir cause in Pakistan print and electronic media. Pakistan has substantially reduced the coverage of such talk-shows, drama, films, features, advertisement and speeches, which were inculcating the idea of Kashmir Jihad among the masses. The regular coverage of such programs in the 1990s motivated people for the Kashmir and opposed any positive development with India (Jones, 2007, p.316). Media is an important instrument in the hand of state to mobilise the masses against any decision. Now presently there is great emphasise on the development of opinion-making against the extremism and terrorism in Pakistani media by considering the Afghanistan and Kashmir adventure as strategic mistakes (www.pkpolitics.com). Thus it is fundamentally clear that Pakistan has taken a strategic shift in its Kashmir policy after the catastrophic event of 9/11, which has been consolidated with the passage of time.



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