

Kashmir Intifada 2010: the struggle of the new generation of Kashmiris

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The state elections in Kashmir that were held in 2008 saw a voter turnout of around 67 per cent¹. This was seen as a rejection of separatist politics and acceptance of Kashmir as part of Indian Union by the people of Kashmir. The newly elected government of National Congress under Omar Abdullah came to power with a promise of good governance and addressing the issue of human rights violations. But these promises soon vanished into thin air as the nightmare of human rights abuses on daily basis continued to haunt the people of Kashmir. According to some reports on human rights violations by Indian Security Forces, from 1989 to June 30, 2010, the number of Kashmiris killed at the hands of Indian security forces stands at 93,274. In addition, there have been 6,969 custodial killings, more than 107,351 children have been orphaned, 22,728 women widowed and 9,920 women gang raped. In June 2010, 33 persons were killed including four children, 572 were tortured and injured and eight women were molested².

In this environment, peace was always to remain an elusive dream. Within a few months of elections, an incident of rape and murder of two women in Shopian district allegedly by Central Reserved Police Force (CRPF) personnel surfaced leading to mass protests. The lax attitude of the State government to conduct an impartial investigation and fix responsibility of the crime infuriated people. By the end of the year, the Central Board of Investigation (CBI), which was investigating the crime, concluded that the women were not raped and murdered but had died by drowning. This conclusion was not only rejected by the people but was also seen as an effort on the part of the State government to protect the guilty.

Before the Shopian incident could fade away from the memory of Kashmiri people, an incident of fake encounter surfaced in the media. Although incidents of fake encounters were not new for the people of Kashmir, this particular wave of unrest started when on May 30, 2010, an incident of fake encounter in Machil sector was exposed in which three young Kashmiris were killed by an Indian army unit and were declared cross-border terrorists.³ The motive behind staging this fake encounter was to get monetary rewards and promotions that come with the encounters on Line of Control (LoC). In this regard, the findings of the

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International People's Tribunal on Human Rights and Justice in Indian held Kashmir (IPTK) are worth mentioning. According to this group, over 20 persons were killed in encounters in April and May 2010. Each of these incidents was reported as the killing of infiltrating militants. Only four encounter deaths were investigated which were all found to be fake encounters. The group suspects that in majority of the cases – 335 during 2008 and 236 during 2009 – were all locals dubbed cross-border terrorist or LeT operatives.⁴

The news of Machil killings served as the nail in the coffin. Enraged, the people of Kashmir took to streets to protest these killings. Instead of guns, this time round, Kashmiri youth came out to challenge the security forces and to register their protest holding stones in their hands. It was during these protests that a 17-year-old student was killed by the security forces on June 11. Following days saw more than 110 persons losing their lives. The situation was described by the *New York Times* as a comprehensive "intifada-like popular revolt".⁵ Similarly, in the words of Luv Puri "from 1931 to 2010, protests have marked every significant political event in the region though reasons differed in each case. This time around, the nature of the protests is remarkably different. The youth are attacking bunkers of security personnel, knowing full well that this is suicidal."⁶

Using modern technology and cyber space with social network sites like Facebook and Twitter, these protesters were joined by women and children to express their anger at being repeatedly betrayed and humiliated. The slogans of "Azadi" – that is "freedom" – was once again heard across the Valley. Such was the anger that even the police started to feel unsafe and demoralised.⁷ Some figures quote that as many as 872 incidents of stone-throwing took place in June and July in which 1,456 police and Central Police Reserve Force (CRPF) personnel were injured.⁸ Enjoying impunity under the Public Safety Act (PSA) and the Armed Forces Special Powers Act (AFSPA), the Indian Security Forces did not hesitate in opening fire at protesters resulting in deaths of unarmed Kashmiris that included women and children as young as 9-years-old.⁹ The total alienation and hatred of the population was clearly evident by the graffiti like "Indian Dogs Go Home" and "Freedom Now" on the walls of Srinagar alleys.¹⁰ According to Siddharth Varadarajan, strategic affairs editor of *The Hindu* newspaper, "This is the most serious challenge to central authority I have seen in 20 years ...and the (Indian) government doesn't have much of a clue how to resolve it."¹¹

The state was left with no other option but to request the army to assist the police and to clamp restrictions on the media. Curfew passes of local and non-

local media teams were cancelled, limiting their mobility in the Valley. The duration of one-hour news bulletins of local media outlets was slashed to 10 minutes. Short messaging service (SMS) was also restricted because several media organisations used this service to relay the latest news.¹²

Confused and refusing to admit its own failures, the Indian government blamed the LeT for the unrest. For Mehbooba Mufti, this linking of Kashmir protests to LeT was “an insult to the people of Kashmir”.¹³ She held “poor governance, mismanagement and corruption” responsible for the grievances of the Kashmiri people. Fingers were also pointed at Pakistan as it was blamed for increased infiltration across the LOC. Security agencies rejected the notion that these protests were leaderless and instead argued that the stone-pelting crowds were well organised and that it was a paid job. They further alleged that many of these agitations featured militants who might be throwing grenades or firing at the crowds to spin the protests out of control.¹⁴ The State government also did not miss the chance and their political opponents like the PDP as well as the Hurriyat faction led by Syed Ali Shah Gillani too were blamed for the unrest.

An effort was also made by some quarters to shift the blame to Islamic hardliners. It was argued that the unrest was not leaderless as was perceived during the initial days of uprising and people like Syed Ali Shah Gillani, supported by his followers like Massarat Alam, Ashiq Hussain Faktoo and Asiya Andrabi, were the main motivating force behind the spate of protests. It was said that the “script of the violence” in the Valley was penned down in the Srinagar Central Jail in 2008 by Masarat Alam and Ashiq Hussain Faktoo. The two men “conspired” to consolidate the scattered members of various militant groups using mobile phones. CDs and audiotapes containing propaganda material were distributed to tap young boys.

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Others saw this propaganda as a ploy of Indian government which was being severely criticised for the death of more than 110 persons and injuring thousands of others, some maimed for the rest of their lives. It was said that raising an accusing finger at the hardliners gave the government an excuse to justify its using force against the so called “anti-national” elements. This could also help the Indian government deny any opportunity to the opposition party to raise a hue and cry over the killing of civilians. Furthermore, this tactic could also put more

pressure on the hardliners, particularly Syed Ali Shah Geelani who had been issuing strike calendars.

Unlike the government, perhaps for the first time in the country's history, the Indian media took a more pragmatic view of the situation. Rubbishing the government's accusations against LeT, Pakistan and even Gilani, the media and analysts instead blamed the Union and the State Government for their failure to build on the gains made by security forces by bringing the overall law and order situation under control. Besides massive abuse of human rights, the growing gap of communication between the state government and the people of Kashmir, corruption and mismanagement were pointed out as the main factors responsible for the unrest in the Valley. The Central Reserve Police Force (CRPF) was also severely criticised for their brutal response to the protests. The need for an internal dialogue between the Union government and Kashmiri political parties to address the political future of the state, better training of police and para-military forces to control mob violence and more humane response from the politicians to people's grievances were some of the suggestions put forth by a number of analysts to control the situation in the Valley.

After the Omar Abdullah government came to power, a number of meetings took place under the chairmanship of Prime Minister Manmohan Singh and a number of incentives were offered to ensure peace in the Valley but none of them succeeded in pacifying the anger of Kashmiri people. The happenings of September 13, 2010, when an incident of Quran burning in the U.S. led to mass protests that resulted in the death of 17 persons – the largest number of deaths in a single day – once again highlighted the gravity of situation and clearly unnerved the Union government. Writers like B. Raman described the situation as: "The anger is a reality. It will be totally unwise to close our eyes and ears to it. It will be suicidal to think that, but for instigation by Pakistan, the anger might not have acquired such dimensions. The origin of the anger and its gradual escalation were due to mishandling of the situation by the State Government and by the confused response of the Government of India to the situation as it has developed."¹⁵

The incident forced the Indian government to call a meeting of the Cabinet Committee on Security (CCS) to review the situation in the State. Ever since trouble started in the Valley, Omar Abdullah had been advocating that the draconian and unjust Armed Forces Special Powers Act (AFSPA), which grants immunity to any officer who fires at a person suspected of the intention to commit an illegal act, may be diluted or lifted from key districts. This demand of the state Government was seen as a desperate effort to divert attention from its

own shortfalls as the deaths of the protesters did not take place at the hands of the army but were the result of excesses by police and paramilitary forces.

However, this idea of diluting or lifting of AFSPA was strongly opposed by the Chief of the Army Staff, Gen. V. K Singh, as well as the main Opposition party, the BJP. Air Chief Marshal P V Naik, who was also Chairman of the Chiefs of Staff Committee, argued that “If a soldier is to be potent and effective in a counter-insurgency theatre, he must have all the legal protection he can get. I am sure the government is sensitized to this problem and whatever decision they will take I am sure it will be correct one.”¹⁶

In view of the strong advocacy by Omar Abdullah, it was widely speculated prior to the CCS meeting that a decision regarding dilution or lifting of AFSPA would be announced but instead a decision was taken to convene an all-party meeting to find a way forward for restarting the process of dialogue with different sections of the people of Jammu and Kashmir. As was expected, the all-party meeting that took place on September 15, 2010, failed to evolve a consensus on restarting dialogue with the Kashmiri leadership. The only outcome of the meeting was a decision to send a delegation of political parties to the State to meet all sections of the people and assess the ground situation.

An all-party delegation, led by Union Home Minister P. Chidambaram, embarked on the visit to Jammu and Kashmir on September 20, 2010, to assess the ground situation. Having refused to meet the delegation, the Kashmiri leaders were put under house arrest and therefore had no other option but to receive members of the delegation at their homes. Making a fresh demand for a result-oriented dialogue, the moderate faction of the Hurriyat Conference and the Jammu and Kashmir Liberation Front (JKLF) insisted on setting up of Kashmir committees comprising all major political parties in India and Pakistan to find an everlasting solution to the Kashmir issue, whereas Gilani demanded India should first accept Kashmir as a disputed territory as it has illegally occupied the State.

A report was presented to the prime minister by the all-party delegation on the conclusion of their visit with a new set of incentives that included the appointment of a group of interlocutors to begin the process of sustained dialogue in Jammu and Kashmir, the release of all students detained for stone-pelting and similar violation of law and withdrawal of all charges against them; convening a meeting of the Unified Command to review deployment of security forces in the Kashmir Valley, with particular reference to downscaling those at bunkers and check points in the city and other towns; grant of an ex-gratia of Rs. 5 lakh to the family of each of those killed in civil disturbances in Kashmir since June 11,

2010; review of all cases under the Public Safety Act (PSA) and reopening of all schools, colleges and universities.

Following the announcement of the above-mentioned incentives, besides reopening of schools that saw very thin attendance, a meeting of Unified Headquarters (UHQ) decided to remove 16 bunkers in Srinagar and holding a meeting of the committees to review areas declared disturbed under the Armed Forces Special Powers Act (AFSPA).¹⁷

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For Kashmiri leaders, this initiative of the Indian government was a major disappointment. Expressing his dismay, Hurriyat leader Mirwaiz Umar Farooq said that “the measures that have been announced do not convey much promise; they are administrative in nature and seem to be put in place to provide relief to the beleaguered State government and deliberately shift focus from the actual issue of providing compensation and concessions to people.”¹⁸

The mood in the Valley at the time could be gauged by the statement made by none other than Chief Minister Omar Abdullah when he created a furore by saying that Kashmir had not merged with India but only acceded to it. The statement led the BJP and National Panthers Party (NPP) to protest in strongest terms and insisted that as per Section 3 of the Constitution, Jammu and Kashmir is and shall remain an integral part of India. On the other hand, the statement was welcomed by Syed Ali Shah Gillani who saw it as an endorsement of his party’s stand.¹⁹

Subsequently, a three-member team of interlocutors was announced by Home Minister P. Chidambaram to hold sustained dialogue with all shades of opinion in the Valley. Prior to the announcement of this group, it was widely speculated that the government would appoint people from the political spectrum and prominent names like CPI (M) leader Sitaram Yechury and Habibullah would be appointed. Instead, the names of a noted journalist Dilip Padgaonkar, Prof. M. M. Ansari, Information Commissioner and Prof. (Mrs) Radha Kumar, trustee of Delhi Policy Group, were announced.

For Syed Ali Shah Geelani, the nomination of interlocutors showed that “India is not serious about resolving the Kashmir issue. The appointment of interlocutors or the announcement of a dialogue process is futile until the government accepts the five-point formula put forth by our party for making [the] situation conducive.” He added that “these are nothing but delaying tactics that

the government has been indulging in since 1952, wherein 152 unsuccessful talks were held.”²⁰

Moderate Hurriyat leader Mirwaiz Umar Farooq termed the appointment yet another non-serious initiative. “The government should first identify the reason to appoint the interlocutors. The dialogue process is step two. Step one is that the ground realities should change first. Dialogue and oppression cannot go together.”²¹ The Mirwaiz said that until the government acted upon his party's four-point programme, the moderate Hurriyat would not enter into any dialogue.

"The political input is missing in the names (of the Kashmir interlocutors) approved," said Mehbooba Mufti, leader of the People's Democratic Party. Mufti added: "It has nothing to do with their capabilities but there should have been some reflection of the all-party delegation (which visited Kashmir the previous month as a confidence-building measure)." The fact that big names such as Home Minister P. Chidambaram and CPI(M) leader Sitaram Yechuri were part of the all-party delegation gave "weight" to the process, she said.²²

Though the ruling National Conference remained silent on the issue, the party was also not happy with the choice of the persons as the party had recommended former Speaker Somnath Chatterjee's name.

The three-member group of interlocutors made several visits to Kashmir and met people from all walks of life. After working for exactly one year, and meeting nearly 700 delegations, besides holding three round-table conferences and attending three gatherings, the interlocutors finally submitted their report to Home Minister P. Chidambaram, laying down a roadmap for the government to address all issues pertaining to the state.²³

The interlocutors, in their report, while avoiding the "pre-1952 status" phraseology, advocated "meaningful autonomy" and speedy development. They also recommended the withdrawal of the Armed Forces Special Powers Act (AFSPA) and the Disturbed Areas Act, forming developmental councils for all the three regions – Kashmir, Jammu and Ladakh – devolution of powers to the sub-regions, a massive economic package to tackle the huge unemployment in the state, infrastructure development to provide connectivity and boost tourism. The report took into account the perceptions of the hundreds of people the team had interacted with during the year and even the views of the separatists, who had refused to interact with them.²⁴

The report was rejected by the separatists, terming it immaterial and arguing that what really mattered was a permanent settlement of the Kashmir dispute.²⁵ “We did not meet them, so their report is irrelevant to us,” said Jammu and Kashmir Liberation Front Chairman Yasin Malik.²⁶ The Chairman of the Hurriyat Conference (moderate faction), Mirwaiz Umar Farooq, was of the view that “they [the interlocutors] were appointed to divert the attention of the world community and the Kashmiri people from the Kashmir issue.”²⁷

For an ordinary Kashmiri, keeping in view the unsuccessful attempts by the previous governments of making similar efforts and the non-implementation of recommendations by the five working groups, the report was once again just an “exercise to buy time.”²⁸

Whether the report submitted by the interlocutors would bring the nightmare of the Kashmiri people to an end, is yet to be seen. However, one can easily conclude that unless the Indian government accepts the fact that the problem in Kashmir is political in nature and would not be solved by any amount of economic packages that may be offered to the people of Kashmir, peace and security of this region would always remain fragile. The people of Kashmir want to exercise their right to self-determination that was promised to them more than six decades ago. Any effort to deny them their right to self-determination, or to crush the aspirations of the ordinary Kashmiri with force, would meet with strong resistance.

Similarly, any effort to find a solution of this more than 60-year-old problem without taking Pakistan on board would also not bear fruit. It is, therefore, time that both the countries started sustained, meaningful and result-oriented talks on the issue and found a solution according to the wishes and aspirations of the Kashmiri people.

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