ZULM
ZAKHM
AZAADI
Women’s Voices of
Resistance in Kashmir

Women against Sexual Violence and State Repression (WSS)
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A visit to extend solidarity to the women of Kashmir was made in September 2019 by members of Women against Sexual Violence and State Repression (WSS). We were overwhelmed by the love and kashmiriyat that people extended to us, in spite of the difficulties they were facing. The observations, conversations and discussions we had during this visit are the basis of this book. We would like to thank all the people who met, spoke and travelled with us and shared their testimonies, experiences, thoughts and opinions and mapped out the history of Kashmir with all its contours.

Several people have contributed to the putting together of this book. The team that made this visit has been supported in many ways - from contacting people, to helping to navigate, comprehend, Others have helped in structuring, writing, contributing photographs, sending comments and suggestions, editing and proof reading the drafts. A special thanks to all those who have extended visible and invisible support. Their time and effort has helped shape and guide this work, making it a collective endeavor in every sense.

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Introduction

Count back to August 5, 2019, and you will know how many hours, days and weeks have passed since the clampdown in Kashmir.

A four-member team from WSS visited Kashmir from September 23-28, 2019. Our aim was to interact with people, especially women and children, to listen to their voices, to understand the present conditions since the abrogation of Articles 370 and 35A of the Indian Constitution and the bifurcation of the State into two union territories, and express our solidarity with them in their struggles. The team travelled across the districts of Srinagar, Shopian in the South and Baramulla and Kupwara in the North. We interacted with people from various walks of life: older and younger women ‘trapped’ in their homes, schoolteachers, hospital functionaries, hawkers, scrap-dealers, roadside vendors, shopkeepers, orchard owners, taxi and auto drivers, school and college students, lawyers, journalists, and activists. We visited villages and mohallas, courts and hospitals at random and were not guided by anyone.

The speed with which decisions about the abrogation of Articles 370 and 35A were made by the Indian Parliament, the lack of consultation with the people of J&K by the Government of India, the total clampdown on all communication media and the sudden movement of a large number of military and paramilitary forces to add to the already existing troops – numbering lakhs – into Jammu and Kashmir, resulted in a strong resistance from ordinary people across Kashmir.

All of Kashmir is reeling under a silence that is anything but normal. Security forces stationed at every few metres created an atmosphere of terror in which people feared stepping outside, walking around in their own land
and speaking to other people. The risk of being picked up is very high. People hesitate to speak about everyday realities to the media or anyone else, for fear of being visited either by the J&K Police or any of the Indian security forces (including the Indian Army) stationed in Kashmir and the upper reaches of Jammu, threatened and possibly detained by them. This has been the painful reality for many people of the region. Freedom of speech has been severely curtailed. State surveillance casts a net so wide and far-reaching in Kashmir that speaking out and sharing stories that cast doubts on the official narrative invites the wrath of the forces. The Indian state and the mainstream Indian media refuse to acknowledge the pulse of the people as expressed in their demands and protests.

Young boys and men are in constant danger of detention, arrests and torture. Women are trapped in their own homes, afraid of moving out on their own, having to juggle food, finances and the emotional well-being of their families. People are mentally and emotionally traumatised by the increased threat of violence and repression. Is this the ‘normalcy’ that we keep hearing about?

The Indian media continues to peddle its stories of vehicles on the road, shops that are open, and of people speaking to each other over phones. People we met all over Kashmir vehemently refute these claims. *Zulm* (oppression), *apne gharon mein qaid* (jailed in our own homes), *zakhm jinka koi marham nahi* (wounds that won't heal) and *Azaadi* (freedom) are the words on everyone's lips, irrespective of age or gender. The silence on the streets pulsates with rage, festering wounds and the demand for their political rights.

The collective protests of the people of Kashmir continue even if not reported in the mainstream media here in India. Their collective aspirations for *azaadi* keep them going. The spirit of the people of Kashmir runs unmistakably through every aspect of daily life. Even now people offer tea and a meal to strangers where possible. A medical pharmacist mentioned how he not only gives medicines to people but sometimes some cash too. And while commercial vehicles and public transport were not plying, scooter riders and private car drivers would stop to give people lifts. We saw during our trip that such support was extended to people's neighbours, *humsaaye*, irrespective of boundaries.

In this report, we present some voices of the many people we met. We attempt to share the rawness of that anger and pain, of a land and a people who
are ‘occupied’ by a state that is indifferent to their needs and demands. Every voice and quotation cannot be qualified here for many reasons—ranging from the security of people to the nature of group interactions and conversations on street corners. These voices do not bear the name of the person or the village. We have further placed emphasis on some voices that stood out, or were echoed across several conversations. When repression is exercised on an entire people, and it has lasted for so long with such brutality—a voice also emerges that is not of individuals alone, but is a collective cry for freedom, the pain of memory and violence, and a longing for all that has been taken away forcefully. This cry is expressed in different ways in the words of whoever we met. Our effort has been to listen to the voices of the people of Kashmir over and above the din of the reportage from mainstream media about normalcy in Kashmir on one hand, and the clamour of Indian troops and the occupying government on the other. And we have attempted to bring these voices to all freedom-loving people in India and elsewhere.

Women against Sexual Violence and State Repression (WSS)
Abrogation of Articles 370 and 35A

“370 nikaalne se azaadi ki aavaaz ubhregi.”

[By removing 370, the voice of freedom will only get stronger.]
In the 72-year history of the relationship between the postcolonial Indian state and the state of Jammu and Kashmir, Article 370 of the Indian Constitution remained, legally speaking, the only link between the two. With the abrogation of this Article along with Article 35(A) which was done through Presidential orders, we have witnessed how the people of India rejoiced. But in Kashmir, it has affected in people a deep sense of loss, betrayal and anger. They have seen it as a final blow to their identity, their land and their long-held aspirations for self-determination.

During its interactions with many people across social groups, the WSS team did not find a single person who was happy with the abrogation of Article 370 and Article 35(A). Instead, the way the measure was executed by the Indian state has angered everybody. The sense of betrayal caused by India's decision has, in fact, deepened their anger over the past seven decades of the state's broken promises and repression.

The women who spoke to us in Soura articulated these feelings clearly,

“Hamein hamara haq chahiye. We want our rights. The truth is that we don't want Pakistan. But there is no democracy here. Bina pooche yeh hamare oopar thopa gaya hai. Hum Kashmiri bevakoof nahi hain. (We want our right...Without asking, this (abrogation of Section 370) has been forced upon us. We Kashmiris are not fools.) With 9 lakhs plus forces in Kashmir, do we have the freedom of speech?”

An Occupation

In the town headquarters of one district, the members of the Bar said, “Kashmir never merged with India like any other state. It only acceded to the (federal) Union. So how can the government abrogate Article 370?” They further said, “We knew that 370 lost any substance it had over the years. But
still it was the bridge between India and Kashmir. And look at the way the abrogation was done – no consultation with the people of the state, no debate in the Indian Parliament. And what is the Supreme Court of India doing? It has no time even to hear petitions on Kashmir matters.”

There were other lawyers who expressed, “In fact we are grateful to Modi and Shah. Now that they have removed Article 370, we are actually free now.” They explained to us that what connected India and the state of J&K legally was Article 370, so if that has been taken out of the relationship, India has no right to be here. This was heard in a meeting with activists too, “Kashmir is no longer a part of India, so we just have to see – how long will this continue?”

Others openly said, “India ne Kashmir par kabza kara hai (India has occupied Kashmir).” The link with India is broken with the scrapping of 370. Now this is nothing but an occupation,’ said a shoe-seller in Srinagar city, who showed us the stocks he had bought for the festive and tourist season, which were now lying unsold.

A student from Pulwama who was very angry at the abrogation of Article 370 and what followed it said, “After my Masters in Psychology from Jammu University, I was appearing for the civil services exam and have cleared my preliminary examinations. But now my life is done for… Even if we were to go by the Indian Constitution, it was Article 370 which made the connection between India and Kashmir. Clause 3 of Article 370 now ceases to operate. **Article 370 always highlighted the temporary nature of the relationship between India and Kashmir. India is a weak democracy. They are using the gun to suppress us.”**

**Land Grab, Militarism And ‘Development’**

An activist in Srinagar explained, “Kashmiris have had problems with India, but this has been the final blow. The scrapping of Article 370 has a clear purpose, which is to acquire land and property in the state. It would have direct implications on how India wants to control Kashmir. And people can see through this. **People have held on to the desire for azaadi across generations.”** He said that the talk of ‘marrying Kashmiri girls, taking over Kashmiri tourist sites’ is unacceptable. “This is not development; they want to control Kashmir.”
In 2018, it was revealed by the then J&K Chief Minister, Mehbooba Mufti that the Indian Army and other government offices continue to illegally occupy over 4,28,000 kanals (over 21,400 hectares) of land in the state of Jammu and Kashmir. This is in addition to thousands of hectares of acquired, requisitioned, leased and hired land under the ‘illegal occupation of the army and other security forces in the state.’ This ‘illegality’ is evident in the examples of take-over of lands from farmers as well as institutes: “In Drogmula Kupwara army settled their transient camp over a paddy field that belonged to the lady that was her only source of income. At least 105 kanals of land was occupied by the army which deprived her only source of income.” Many people we spoke to in Kashmir confirmed that the government has always exercised an unwritten ‘right’ to take over land, especially in the name of counterinsurgency operations (discussed later). Thus the state already controls many hill tracts in Srinagar, Baramulla and en route to Pulwama, as well as civilian establishments such as schools and cinema halls (notably the Palladium cinema in Lal Chowk). In Srinagar, people pointed out to us the paths of light dotting the hills in jagged lines – another reminder of the occupation of the land by Indian forces for building camps.

The presence of the Indian security forces and their war machinery already impacts how people interact with the landscape in Kashmir. A journalist explained that people in the border villages along the Indo-Pak ceasefire line still regularly get wounded – sometimes fatally – on coming into contact with land mines, unexploded grenades and artillery shells laid on their lands for Indian ‘counter insurgency purposes.’ Another case is that of the Tosa maiden meadow in Budgam, which was leased (1964-2014) to the Indian Army as an artillery firing range, and remains a ‘death trap’ for visitors and children even up to the present. In Baramulla, the Army has taken over huge stretches of land near the district hospital since at least the 1960s, and the people who spoke to us shared that they often took long routes to avoid the innumerable check points set up by the army on this portion of the highway.

2 http://risingkashmir.com/news/militarization-will-only-go-when-we-take-firm-stand
3 see also: pp. 18-20 of http://jkccs.net/Information%20Missive/Information-Missive-2015/Missive%202015/November%202015/NOVEMBER%202015.doc
The abrogation of Articles 370 and 35A now raises concerns about the possibility of land grab by corporates and ‘settlers’ from outside the state. Many people - may it be activists, shop-keepers, housewives or people involved in various occupations - shared that they have never had problems with Indians coming to Kashmir, may it be for work or as tourists. “There are lakhs of migrant workers here. We need them too. But we are against the patriarchal idea of marrying Kashmiri women for land, and buying land in Kashmir; all this with an intention of gaining hegemony in Kashmir,” shared a Kashmiri activist.

When we asked people about the Indian government’s claim that it would help in securing for Kashmiri women their rights, men and women, both vehemently disagreed stating that they knew very well that the abrogation of 35A was not for the purpose of protecting women’s share in property. The misconception that Article 370 discriminated against those women ‘state subjects’ who married non-state subjects (i.e., people not belonging to J&K), should have been laid to rest by the J&K High Court’s judgement on the matter in 2000. The court had clarified that a woman does not lose her right to own land in Kashmir in such instances. The land that a woman owns stays in her name, and cannot be transferred to her husband if he is not from the state of J&K. Therefore, up until August 5, 2019, Article 35A remained a way to ensure protection of the rights to ownership of land by the rightful citizens of J&K.

Since July 17, 2019, the J&K Forest Advisory Committee has diverted more than 663 hectares of forest land for 198 projects in the course of just five meetings. An Environmental Impact Assessment Authority was set up on August 4 to expedite clearance to projects – the details of which-the government has refused to reveal. During our visit, Kashmiris were unaware of these bureaucratic decisions regarding their lands; however, they were strongly opposed to such moves in the name of ‘development’. Anticipating the expansion of a corporate-state nexus in J&K in the near future, a woman in Baramulla avowed that “We will open (the strike) when they (the state) roll back their decision. Hum un bahar waalon ko denge Kashmir kya? (Do they think we will just give Kashmir to them?) That we will let the outsiders step inside? Let those Adanis and Jindals come to Kashmir and see what we will do with them.”

On the road to Shopian, we were shown the stone crushers that are used to mine sand on the river bed (illegally). An environmental activist
disclosed to us that whenever roads are built, stones are extracted from the rivers, without regard to the impact of this practice on the flow of the river and the life around it.

Any mining and infrastructural projects that India pushes in Kashmir will be resisted strongly by the people not only because of the likely dispossession and displacement, but also because of the ecological threat to Kashmir and all its inhabitants. It must be noted that Indian militarism seriously threatens Kashmir’s ecology. Since 2017, the CRPF has taken over the lower section of Dachigam National Park, thus displacing even the habitat of a ‘critically endangered’ deer species.5 Now, in September 2019, the (Indian) National Board for Wildlife approved the destruction of 13.53 hectares of forest land, including a portion of the Gulmarg Wildlife Sanctuary, for construction of a helipad, radar system and ‘air defence and weaponry installation’ – subjecting even the environment to ‘national interest’.6 The militarism of India and Pakistan over the mountains of Jammu and Kashmir is also spurring the melting of glaciers,7 which will have lasting, disastrous effects on the life and livelihood of the people, as well as the ecology of the region.

While proposing and following through with the abrogation of Article 370 in the Indian Parliament, the Home Minister and the Prime Minister have argued that ‘bringing development to the state and containing terrorism’ were the rationale behind this measure. But in Kashmir, nobody is buying this argument. “Look at the level of poverty in India. Hundreds of slums are all over the country. And Modi is talking about bringing development to Kashmir”, said a group of people sitting on the roadside in Srinagar. Drawing a link to the condition of poverty in India and the militarisation of Kashmir, a middle-aged man in the group said, “India is spending billions of rupees by deploying CRPF and other forces in Kashmir. In addition to their salaries, a huge amount is paid towards their allowances. This money could have been spent for alleviation of poverty in India.”

In another group, the ‘development’ and Article 370 argument was ridiculed while referring to the Indian Prime Minister, Narendra Modi’s

6 https://scroll.in/latest/936388/jammu-and-kashmir-part-of-gulmarg-sanctuary-to-be-used-for-air-defence-project
7 https://www.thethirdpole.net/en/2019/08/22/siachen-glacier-is-turning-into-a-high-altitude-dumping-site/
speech in the UN Assembly (on September 27, 2019), where he had talked about the number of toilets being constructed in India. People wanted to know why, on one hand, the PM has to discuss toilets for India in an international forum in the 21st century, and on the other hand, he argues that abrogation of 370 would bring development to Kashmir? “Let Modi come to Kashmir and see how every family has a toilet in the house. Have you seen any Muslim woman defecating in the open? You will never find one.”

**Question Of Kashmiri Pandits**

We could not interact with Kashmiri Pandits in this trip, as our meetings with people were at random, however we put here what we heard from others. The people we spoke to in the Kashmir Valley emphasised that they would welcome back the Kashmiri Pandits who wish to return and resume living here. A doctor pointed out some Kashmiri Pandits’ houses in Rainawari. He mentioned some Kashmiri Pandit families who now live in Delhi, adding that if they returned and settled here, people in Kashmir would be open to it. He also emphasised, “Colonies being made separately to accommodate them should be discouraged and we should live as before, with each other.”

During the last three decades, many escaping the violence and insecurity also migrated internally, including members of the majority Muslim community. Some of them migrated outside the state altogether. Many members of the Haenz community, who are dependent on water for their livelihoods, told us that they moved to Bemina over the course of the past two to three decades as the livelihood from the houseboats declined. Many of them now try to earn as scrap-dealers. Some of them lived near Habba Kadal, and shared that they missed their Kashmiri Pandit friends, who had moved to Jammu. A middle-aged lady sharing names of friends she missed said, “We would eat together, and festivals were a common gathering.”

The Sikh minority groups have largely remained in Kashmir and have not experienced religious persecution. The morning gurudwara prayers in Lal Chowk seemed to be very much part of the environment. An elderly Sikh couple shared with the team that they have never felt insecure in the Valley, “This is our watan.” Even when many more Pandits were here, people maintained positive relations, “People would come and go to each others’
Zulm Zakhm Azaadi: Women’s Voices of Resistance in Kashmir

houses irrespective of religion. *Shadi byaah mein khoob shirkat hoti thi.* (It was a lot of fun in weddings.) But the Pandits left when the political environment changed. Their property and lands are still lying here, and they come and check on it from time to time.

**On the Abrogation**

In a village in Shopian, a group of men were upset, “Bilkul shanti tha, achanak yeh kiya. (Things were reasonably peaceful, suddenly this was sprung on us).” Another old man said that if they (India) wanted to do this, it should not have been done in this way.

In Baramulla, the team interacted with two women college students. They said, “We have been kept in a jail and our access to the outside world has been denied. *Humara mooh daba kar rakha hua hai* (They have stifled our voices). We don’t accept the decision that has been taken. **India will have to satisfy the people of Kashmir.**” A government school teacher in Baramulla stated, “There must be a solution that is acceptable to the Kashmiri people. This kind of arbitrary behaviour is not acceptable. **We Kashmiris would never have picked up stones if things had been done democratically. What is being done is anti-people.**”

The abrogation of Article 370 was preceded and followed by large scale arrests including the arrest or detention of most political leaders including the leaders of the mainstream political parties. Commenting on this, one person said, “We would call Sajjad Lone ‘Chhota Modi’ and the Indian Government has arrested him too. Farooq Abdullah, with all due respect to his old age, would now understand what PSA means. He was an Indian nationalist and empathized with India, but he is now suffering because of what his father did. The father allowed this Act to come into Kashmir, and now the son has been arrested under this law.”

In Shopian, we met a young man who did not want to speak, “There is nothing to say. They are finishing off Kashmir.” He had recently been released after 10 days of detention by the army.
The Communication Blockade

“Telephone and internet services have been cut off for the past two months.

Would this happen in any other state?”
In a village about 20 km from Shopian, people said, that there was not a single landline close to the village. If people needed to talk to anyone, they could only go to the army camp nearby. Of course, men were scared to use it for fear of detention. Women and girls did go to reach out to loved ones over the phone, but it was neither convenient nor comfortable. Recently, the army turned off electricity in the area and this added to the atmosphere of fear and oppressiveness.

In the Old Town area of Baramulla, a woman who had just come to her maternal home shared, “I have not been able to come here for two months. With so many forces around, it is difficult to even cross a bridge. My daughter is studying somewhere outside Kashmir (did not want to name the place). My husband and I went to the police station to make a call to our daughter. We waited for hours in a line and pleaded; only then did they allow me to speak to her. My husband was traumatised and refused to wait in the queue. I went back a second time a week later, but this time, I didn't even get a chance to call.” Worried, the father went to meet his daughter and returned. It has been harrowing for everyone. They did not have money at home and had to borrow some to give to their daughter. She shared the taunts and snide remarks that people in their daughter’s college make, “Ab hum Kashmiri gore ladko se shaadi karenge. (We will marry fair Kashmiri boys.)” The mother advised her to just stay within her Kashmiri circle and not react.

‘Jisne phone bandh kiya hai, usko pata hai kaise Ma roti hai, kaise bachche rotay hain?’
(The person who has shut down the phone lines (Modi), does he know how mothers and their children cry?)

By the time the team visited Kashmir, the government had opened up the telephone land lines and this was being projected as a sign of ‘normalcy’
The Communication Blockade

in the state. An activist in Srinagar shared with the team the reality about land lines. He said, there were about 26000 landlines in the whole of Kashmir. Of these about 23000 are with the government offices or army camps. The remaining 3000 phones are with those who either maintained landlines for broadband connections or live in specific elite areas.

In a second village the team visited in Shopian, the people spoke about how the communication blockade allows the mainstream media to build and support the State's narrative, but only outside Kashmir. “Today if anybody talks to you or the media, they will be visited by the forces in the evening and will be interrogated. Media is not telling the truth. It is running a false propaganda about what is happening in Kashmir.” However, if the Indian State's strategy of blocking communication between people intends to impede a political voice from emerging, then it is failing. “Why have they disconnected the telephones? The government is propagating that the situation is normal. But everybody is unhappy. If the situation is normal, then why is it that nobody has the freedom to say anything about the situation? About 20 people have been picked up from this village itself. If the government says that there are only 500 ‘terrorists’ in Kashmir, why have 4000 people been kept in jail? Whatever you hear in one village, you hear in all the villages. People want azaadi.”

In Kupwara, the lawyers who spoke to us shared the story of a young woman who had appeared in the entrance test for a course in Jamia Millia Islamia University. She couldn’t access her results due to the Internet shutdown. Only after she reached Delhi did she find out that her name was on the merit list. Despite that, she had to run from pillar to post to seek admission and explain the reasons for being late. But the way she was treated at every stage speaks volumes about the attitude of Indians towards the people of Kashmir. She was told by an official at one stage, “Jao pathharbaazi karo. Yahan pe admission nahi milega. (Go throw stones. We won’t give you admission here).”

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Economy
At A Standstill

“Logon ko zahan nahin ki khareeddari kare.”

[People don’t have the spirit to go and shop.]
There were a few customers in the shops near Ghanta Ghar, Lal Chowk in the early morning hours. A newspaper vendor was congratulating a man on his upcoming marriage. This man shared with us that he and his family have been compelled to cut down on the celebrations, including the guest list and the food. What would earlier have been an affair of 500 people is now going to be limited to the close family. He further added, “Logon ko zahan nahin ki khareeddari kare. (People don’t have the spirit to go and shop).”

People open their shops to check if the shop is safe and also to interact with others. Business has slumped for all. An elderly Sikh couple had a shop which sold dry fruits and herbs. They had opened the shop in the morning, but there was not a single customer till closing time. They said,

“Our family has been living here for a long time. We have never had any problems with local people, either Kashmiri Muslims or Pandits, but the political turmoil keeps affecting business. We stocked goods from June onwards for the tourist season. It is also peak time around Diwali for orders from outside Kashmir. We are facing a big loss. Tourists have been sent back and traders from India have also not been able to place orders. The communication network is completely down. Also, trucks are not plying nowadays.”

Vendors who would earlier sell biryani now sell boiled eggs. Those who used to keep milk, curd and bread, now only sell dry items. Those who once opened shops now merely bring a mat to sit on the roadside, where they hawk some of their goods, from shoes to halwa.

A woman who worked in a beauty parlour said many women are affected, whether they worked in beauty parlours or did tailoring. Fisherwomen are affected too. This would have been the peak time to earn well for some of them.
Auto drivers work for a while in the mornings only. Participating in the bandh means they forego the day’s earnings. One of them said, “In a way, even driving is gaddari (being unfaithful) and our zameer (conscience) does not permit us, but we have to manage at home too.”

Thousands of migrant workers from Uttar Pradesh, Punjab and Bihar have left Kashmir. The local economy is dependent on more than 4 lakh labourers involved in various kinds of occupations. Masons, plumbers and even barbers have rushed out because of the government advisory and rumours spread by the state agencies that there may be war or ‘security threats’.

The team also met a family in the Chathabal area in Srinagar. The main bread-earner of the family drove an auto, but there was a scuffle on the first day, so he hasn’t gone out again. Another earning member of the family who sells materials on the roadside in Batamaloo has also stopped his work. Evidently, the family is barely able to manage proper meals. Their spirits still seemed resilient. They were figuring out what would be the best way to send most family members to relatives in India so that there could be some ‘normalcy’ for them and fewer people to eat at home. A middle-aged woman in Srinagar shared that people in her neighbourhood were trading valuables so that household expenses could continue. A woman she knew had to exchange her brass vessel in exchange for rations.

In Shopian, many people spoke about how it was the season for apples but no one was willing to pluck them. It was not them who had asked labourers to leave Kashmir. When rumours of a ‘security threat’ began to spread, they were forced to leave. A group of women shared that they cannot go out to cut the grass or tend to the orchards because of armed forces walking around all the time within ten metres from their houses. Women feel trapped inside their own homes.

**Old Town, Baramulla**

During the 1990s and after, the Old Town area of Baramulla came to be known as a ‘rebel town’ due to the strong support for the tehreek (the movement) shown by its people. Today, it seems to be the site of some of the most egregious violations to have been committed by the Indian armed forces and J&K Police.

Here we met some people in the shadow of the 600-year-old Khwaja Yousuf mosque, constructed in the memory of a Sufi wanderer of Iran who
came and settled here. The mosque has shops on the ground floor, run by petty shopkeepers who pay nominal rent to the mosque management. A baker said that since August 5, 2019, sales have dropped sharply. “Every day, it becomes more difficult for me to continue working.” He is 82 years old and provides for a family of four.

In a working-class area in Baramulla, people shared how life has become even more tough after August 5 (2019). A young girl shared her anxiety about her brother’s eye injury caused by a pellet saying,

“My brother had dropped out of school, but was earning. Now, he can’t do any work. Till date, he has problems standing in the sun when it is too bright. He needs a special lens for his eyes, but we don’t have the money to buy it for him. My father is a daily wage earner and is hardly able to afford anything now.”

The team met another family in Baramulla, where all five brothers had set up their own daily business. However, the women in the family remarked, “Today, they are not earning enough for their cigarettes. What will they get for the children?”

In the Old Town, some people have been forced to sell brass or gold or whatever they own to make ends meet. Remarking on the dire situation created by the State’s moves, an elderly woman said,

“Today families are eating because of what Allah gives. People will always have food, with Allah’s wishes. Only Allah can show people the way.”

This was a constant refrain throughout. Many people expressed faith in God in these extraordinarily difficult and violent circumstances perpetuated by the State, as they see no hope coming from anywhere in the near future. The people we met seemed to draw strength and understanding from their faith, as they continue to stand firm in their political struggle even in the face of repression of various kinds.
People’s Protests

“Gaon gaon bandh hai. Karobar poora band hain. Aaj season hai. Lekin baag mein koi haath nahi lagata.”

[Village upon village is observing the strike. All business has ceased. It’s harvest season, but not a single person has gone plucking in their orchards.]
While the Indian government deployed extra security forces throughout Kashmir, enforcing a blockade on all communication services that form the backbone of modern state and society, arrested or detained political leaders, shut down schools and colleges in Jammu and Kashmir divisions ‘until further orders’, evacutaed tourists and pilgrims on the basis of a dubious ‘terror alert’, and disallowed prayers and congregating for religious purposes – to thrust its decision on the people of Jammu and Kashmir, the people for their part have expressed their anger and protest in more ways than one.

To begin with, there is a public call for a hartal, to shut down all major trade and other economic activities throughout the province. Shops have been closed, opening for about two hours in the morning and about an hour or so in the evening so that people can buy their essentials. All commercial transport services have been withdrawn, on the collective decision of transport unions and individual service providers. Initially, the government shut down schools and colleges as part of its imposition of Section 144 (CrPC) which disallows any kind of assembly or gathering. When after two weeks, the State ordered for schools to be re-opened but did not restore communication through phone lines, parents didn’t send their children to schools, fearing for their safety since the lack of communication services would make contact impossible if there was an emergency. Hospitals were kept out of the shutdown. However, according to crowdsourced eyewitness reports, the doctors hoisted a black flag within the Sher-i-Kashmir Institute of Medical Sciences premises to express their opposition to the abrogation of Article 370.11

10 https://www.huffingtonpost.in/entry/kashmir-schools-no-students-empty-classrooms_in_5d5a7d93e4b0eb875f2685ff
It was nearly two months on when the team visited but the shutdown still continued. ‘Agar Bharat ki koe aur rajdhani hoti, Bombay, Delhi, Bangalore, Chennai, ek din bhi bandh nahi ho pata. Jammu mein 5 din bandh tha. (If it had been any other state capital of India, may it be Mumbai, Delhi, Bangalore or Chennai, people would not have been able to strike even for a day. Jammu was shut for 5 days.)’

The team noticed the effect of the bandh call across the districts – in towns and villages. In Baramulla District Hospital, the team interacted with some people. One woman had come with her sister, who had a severe toothache and had been in pain for over two days. When the team asked her how she felt about the current situation, she firmly stated, “This is a hospital and that is why you are seeing a crowd here. We all want a bandh until complete normalcy comes back to our Kashmir.” A journalist who has grown up in the 1990s elaborated that they have never seen normalcy, “You have come now because you think that something abnormal has happened now. But we have never lived normally.”

Another woman was there with her child from Kupwara. She shared that there had been stone pelting on Friday in her village. She didn't share much but only said, “bhart galat hua (we have been wronged)”. Her husband agreed with her. He was very angry with the turn of events and felt that though they had to face a lot of difficulties to bring their child here for treatment, the people should not open up the roads or resume other activities. He added, “We have seen worse than this; this will go on.”

Travelling through Shopian district, the team saw the closed shops and markets. The fruit and vegetable mandi were completely deserted. Apple orchards were left untouched although it was the season for the harvest. The Government Degree College, Shopian, which provides higher education to the people of the district, had their gates closed with not a soul around. Only the District Hospital had a small crowd.

In a village in Shopian, a group of men said, “We were never happy with India. If we were happy with India's move, then why would each village be shut? We are not communicating with each other, there is no one telling us to shut down. But today, all of Kashmir is shut.”

“Gaon gaon bandh hai. Karobar poora band hain.
Aaj season hai. Lekin baag mein koi haath nahi lagata.”

(Village upon village is observing the strike. All business has ceased. It's harvest season, still not a single person has gone plucking in their orchards.)
When asked how they will manage if the bandh continued, they said that they were not worried about the future and had faith in Allah. One of them said, “If we have food for today, we are not worried for tomorrow. He will provide us food. The shopkeepers’ union has agreed the strike will be for three months. Then we will decide. Five shopkeepers were beaten up by the forces because they refused to open shops.”

To our questions as to how everyone will manage if the strike goes on for several weeks, the response everywhere was, “We will manage anyhow.” Some explanations came through that people always keep extra rations in the house, and that the community and extended family steps in to support where needed. Even then, the signs of strain were visible to the team. When we would talk to people on the streets about whether food was available in their homes, most would answer, “Allah ka rehem hai. Chal raha hai. (It is Allah’s blessings that we are carrying on).” Mostly, people explained that they had no choice but to resist the State’s violence, and there had to be a stop to this repression.

“Of course, there are problems, but there is no choice. We are ready to bear all consequences at one go, so that our next generation can live peacefully.” People said that their limited purchasing is also linked with uncertainty in earnings. It long remains a common practice among the people to stock necessities, whether in preparation of the winter season or the many periods of unrest they have lived through in previous decades. But, “As savings start finishing and if this continues through the winter, it will be difficult for us.”

An environment activist speculated, “This (strike) will continue for long. Once the colleges open after the winter, there would first be a students’ agitation, then a traders’ agitation.” He believed the protests and strikes would continue at least for a year. Another senior person felt, “The youth will try to manage this non-violently. But Pakistan would want to exploit our feelings. If this (the movement) becomes violent, the Indian narrative will be strengthened.” At a roadside snacks shop, the team caught up with a man who had come back home for Eid, from his work in Dubai. He felt that the Kashmiri youth has been more sensible this time, “Since everyone knew that the Indian forces were out to kill, and rivers (of blood) would have flowed if our people had not restrained themselves.”

Apart from shutting down their shops and businesses in a refusal to return to ‘normalcy,’ people have physically protested in some parts of Srinagar.
“Ye Tamasha Nahi Hai, Ye Maatam Sa Hi Hai.”
(This is not a mockery; it is like a mourning.)

Soura was the place where the first public protest was held after the imposition of curfew and announcement of the abrogation of Article 370 on August 5. The people here and in the neighbouring area, Anchar, are still seething, and the tension is palpable. It continues to witness regular, and massive, protests and resistance. The driver of our hired vehicle stopped on the main road, saying he did not want to risk taking the vehicle inside. But he also added “Kashmiri jallad nahi hain (Kashmiris are not cruel people). We all are very angry and that is why we are on strike.”

As we turned off from the main road towards Anchar, the whole area was eerily quiet and deserted, not a dog, not a soul, not even any security personnel. Schools, vehicles, doors, shops, everything had a lock on it. The main approach road to Anchar has been cordoned off by the people. The road is dug up at places in order to halt the entry of military and other vehicles, and tinsheets, wood, carts etc. have been utilised to block easy access to the inside lanes. One sees these blockades about every 500 steps. The firm unequivocal resistance by the people here makes it difficult for the security forces to enter the area.

In Anchar, people are very angry. Men expressed their political angst against the Indian government for robbing the people of Kashmir of their legal status and the State’s extreme repression post August 5, 2019. They keep fires lit all night long and keep vigil so that armed forces do not enter the area to arrest and torture residents. Both fear and courage keep them on their toes.

Women of all ages shared that they have barricaded their neighbourhood so that the security forces do not enter their houses or front gates in the night. “If you see houses outside these barricades, all the windows are broken.” They shared a common fear that they could be molested and asked the team members if we had heard of what the Indian forces were capable of. “This is the third time the glass panes have been changed. Would we just sit and wait to be molested and beaten up?”

“There was no reason to take this step at this time, without any consideration for the feelings of Kashmiris. We were all living our lives quietly. We had gone for picnics recently. You don’t know how the shutdown is affecting all of us. There may not be rotis in the house, but we will not give
Zulm Zakhm Azaadi: Women’s Voices of Resistance in Kashmir

up. We will save what we have and make it last for a year, two years. There are certain areas in the city where people do not have tea to drink but they will not open up the city. We all are committed to this,” said a woman school teacher in Srinagar.
The Many Faces Of Repression

“Apne hi mulq mein qaid hain to kaunse desh mein azaadi ki saans le sakte hain?”

[If one is caged in one’s own motherland, then in which country can one breathe freely?]

“Torture rooh ko zakhmi kar dete hai.”

[Torture wounds the soul]
Chapter 5

The repression on the people and landscape of Kashmir has been going on for seven decades, but intensified manifold during the 1990s. A journalist while sharing her views said, “Since 1989, the forces have come here not to control so-called terrorism, but to control the people. It is a de-facto military occupation.”

Some of the people the team met, recounted their personal experience of these years. Asserting that nothing has ever been ‘normal’ in Kashmir in living memory, an activist said,

“I have seen this since my childhood. Fear is used as a weapon on the people. So, there is not only direct violence that takes place, but a fear of violence. Indians today think that everything was normal prior to August 5th, but we have been suffering every day.”

A journalist said,

“I have seen a lot as a journalist, but I will speak about what I have seen as a common person. In 1989, I was in Class 7; everywhere we went, we saw guns, blasts, people being killed. I would initially feel tense when we saw people from the BSF. There would be crackdowns, our elder brother was taken every few weeks. Then, mera bhi ek jigar ban gaya. (I also developed a mindset.) I understood how to speak, what to say and what not to say [to protect myself].”

Another activist commented on the army’s tactic of conducting raids at night (discussed later) which are meant to take people by surprise making it all the more difficult to gather collective resistance to their invasion:

“Earlier (in the 1990s) when there used to be a knock on people’s houses at night, it would have been more likely to be the militants. But now the knock is from the army. The army comes at night.”

In Baramulla, middle-aged people recalled the killing of the young boy in 2010, who apparently had a toffee in his mouth when a bullet from the
security forces hit him. They told the team that these deaths would not be forgotten.

**Detention And Torture**

In many interactions, cases of illegal detention and paying up of money to release the boys were mentioned. A shop-keeper in Lal Chowk sharing his neighbourhood experience, a person offering to drive us till our destination speaking about his friend’s brother who had been picked up randomly, or a man on the street buying a newspaper who spoke about the *halaat*, in reference to his cousin being picked up from outside his tuition class.

We met a group of people in a village not far from Sopore. The presence of security forces makes them hesitant to share their views or experiences with outsiders for fear of repercussions. However, they slowly opened up and shared how two minor boys were picked up and ‘returned’ to the families only a few days ago. Their fingernails had been pulled out. One boy was so traumatised that he didn’t want to live in the village anymore. Soon after being released, he had jumped on a truck with a relative and gone to Delhi to work as a helper. He had felt he would be safer there than in his own home. A girl said,

“Barging into our homes and picking up our boys and men is not new to us. It has happened in the village before. Since August 5, more and more people are being picked up. Some other young boys have been picked up from this village but [in absence of ways to easily communicate] we have no idea how many. Even the men try to return home early, before it gets dark.”

In Shopian, a class X student was picked up one night when forces barged in and dragged him out of his house. The father ran after them, begging them to let his son go. The boy returned home only three days later, in a state of terror. Another 13-year-old had been picked up by the forces and was released after four days. Traumatised, he is currently admitted in the hospital.

Women in Village 1 in Shopian said that the children here did not go out on the roads or to schools. The school had remained closed throughout this period. Some children studied at home, with young college-going students giving them tuitions. Whenever anything was amiss in the locality,
the mothers said that they would shut their children in the rooms. There was always a fear that children would be taken away.

A 10-year-old girl was sleeping in her house when the forces barged in and kicked her as she was in ‘their way’. Although the soldier had a solar lamp in his hand, and could see clearly, he still kicked her repeatedly. We watched as she hid herself behind her mother, who scolded the other children who were making fun of her. She joined the children soon to play.

In Mansoor Colony, Srinagar a young girl said that her two younger brothers had been picked up by the police and illegally detained for days. Her mother showed her son’s photograph, and said,

“He is only 14. Take this photo with you. He was going to join Class IX, but had started working at a chemist’s shop. They picked him up from there and detained him in Parimpura police station. They kept asking for his 13-year-old brother. The younger one was scared but we took him to the police station after 3 days. Then they released the older one. He was home for barely two days when the police from Bemina police station came in the middle of the night. This time, the two brothers were sleeping next to their mother and sister. We did not even realise that the police had come in until they barged in through the door.”

The sister recounted,

“I held on to him and pleaded with the police to leave him, but they beat me on my shoulders. My mother’s blood pressure shot up, and she started bleeding from the nose and lost consciousness. When my father took a change of clothes for him and brought back, he sent the clothes he had been wearing. While washing them, I saw blood clots on the shirt. After his release, I asked him to show his wounds, but he refused and only showed his shoulder. He told me that of the 4 boys who had been picked up from the neighbourhood, two had been tortured much more. Now he prays five times a day and pleads to Allah that he is not picked up again.”

This boy was kept at the police station for eight days. He had been released only three days before our visit. According to a woman, if one is released, 4 more are taken in. There are at least 20-25 boys detained from Mansoor Colony, Srinagar who are still in police stations. Many had been detained from an adjoining area called Boatmen Colony.
State Security Forces And Public Terror

We met the family of Osaib Altaf, and heard about the way in which probably the first of the deaths of this round of violence unfolded in Palpora Grounds in Noorbagh area of Srinagar. A class XII student Osaib Altaf was playing football with his friends on August 5. When his mother called him for supper, he said that he would check the traffic to figure out whether they could go for tuitions to Kamarwadi. The group of 10 boys who went to the main road were encircled by security forces. They were roughed up on the allegation that they were pelting stones. Altaf was hit on the right side of his head with the butt of the gun, and his friend was injured on his thigh. Trapped from both sides on a footbridge, they ran towards the river. The boys were pushed into it by the CRPF personnel. Altaf pleaded that he couldn't swim and tried to hold on to the tree trunk, but was pushed into the river. The boatmen managed to pull out the other boys, but Altaf could not support himself because of his injuries, and drowned.

Altaf’s father, who is a truck driver, held his son’s identity card close to his chest during our meeting. He narrated the family’s struggle to get their son’s death at the hands of security forces recognised as such by the state,

“First, we went to Parimpura Police Station to file a report, but were asked to go to Sigrapuda Police Station. There they sent us back to the first police station. Someone said to first get a death certificate. The SMHS Hospital said to get a FIR and then take the death certificate. In the process, we neither have a death certificate nor a FIR. Nobody from the government has come. Nor does any senior officer meet us, when we go to them.”

His brother and sister share how Altaf’s mother still calls out to him for lunch. His 4-year-old niece looks for him, as he would often play with her. His grandmother weeps inconsolably.

Many children suffer from pellet injuries. In Anchar, Srinagar, a young woman expressed her pain at this violence, “Are we animals that pellets are used on us? Just 25 days ago, they used them again. It is so scary because you are identified differently in a hospital. You are also not able to travel for studies or work, because the splinters show up in the X-ray at the airport. Your life is doomed.”
Two houses away from her, a 10-year-old boy had been hit by a pellet. He was taken to Delhi for treatment. The family had returned to Kashmir just two days ago.

Another woman in Baramulla said, “Today we are crying for our Kashmir. They have their guns. We have our Allah with us. They have pellets...” As she paused, her companion added, “...we have stones.”

We came across army camps all along the way up to villages in Kupwara district. In Trehgam village, which is closer to the ceasefire line (LoC) between India and Pakistan, gun-toting jawans in twos and threes were standing at every 100 metres. All roadside shops were closed except two medical shops and a small fruit shop. The village is the home of Maqbool Bhat, the man who fought for Kashmiri freedom and was hanged by the Indian government in 1984.

What Is The Public Safety Act, 1978?
This is a preventive detention law that allows the State government to arrest and jail a person without a trial on mere suspicion that he/she may disrupt law and order in the state or may act in a manner prejudicial to the state. An individual faces the risk of being detained if he or she is found “promoting, propagating, or attempting to create feelings of enmity or hatred or disharmony on grounds of religion, race, caste and community”. This detention without trial happens under the pretext of maintaining public order. Thereby, it permits detention without judicial intervention up to two years.

People have been demanding repeal of the Act for years; while the following amendments in 2011 brought some relief, the promise to curb misuse or repeal have not borne fruit.
1. The detention of a person, earlier permitted below the age of 16, was enhanced to 18 years.
2. It was mandated that the individual detained under the PSA shall be produced before the magistrate within 24 hours, from an earlier provision that he/she does not need to be produced.
3. The provision that the detaining authority need not even inform the detained individual as to the reason for the action, if it decides that it goes against public interest, has been changed to make it compulsory to inform within 10 days.
4. The person could be detained without a trial for two years initially, but this was limited to six months.

Within four weeks of passing the detention order, the government has to refer the case to an Advisory Board. This Advisory Board will have to give its recommendations within eight weeks of the order. If the Board thinks that there is cause for preventive detention, the government can hold the person up to two years. However, this provision has provided no respite.
According to data retrieved by Venkatesh Nayak and Dr Shaikh Ghulam Rasool through RTI for Commonwealth Human Rights Initiative (CHRI), between April 2016 and mid-December 2017 the State Government referred 1,004 detention orders to the Advisory Board. It confirmed 998 orders, a confirmation rate of 99.4%. Significantly, CHRI found that in the same period, Jammu and Kashmir High Court admitted 941 pleas seeking quashing of the detention orders. Of these, 764 detention orders were quashed.\(^\text{12}\)

As has been seen in the case of fake proceedings at any place, may it be arrests for allegedly being SIMI activists, or fake encounters of alleged Maoists in tribal areas, readymade proformas for PSA arrest are used, where the age and involvement of the person is added and the person is put behind bars. Furthermore, the involvement of the person and the reasons for detaining do not require any detailed explanation but can be vague and overarching.

An amendment to J&KPSA on 22 May, 2018 was promulgated as an Ordinance when the State Legislature was in recess. This removes the mandatory requirement of consultation with the Chief Justice of the J&K High Court and mandates it only for recruitment of sitting judges for appointment of the Advisory Board. It establishes a three-member Search-cum-Selection Committee comprised of senior bureaucrats who will select the candidates to be recommended to the Governor.

Further, through another amendment in July 2018, Section 10 was removed. This ‘Provided that the detenues who are permanent residents of the State shall not be lodged in jails outside the State’. Its removal thus making it possible to shift Kashmiri detenues to prisons in different parts of India.

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**Public Safety Act (PSA) And Juveniles**

The PSA has become common parlance not just for those all visiting courtrooms, but also in each household of Kashmir. At the court in Shopian, a lawyer informed the team that it has been a long-held practice to keep minors in police stations and not produce them before the Juvenile Justice Board (JJB). It was only around 2015 that the observation home in Srinagar started functioning\(^\text{13}\) and some children are now produced before the JJB.

\(^{12}\) https://indianexpress.com/article/india/how-psa-board-has-become-a-rubber-stamp-oks-almost-all-detention-orders-6004522/  
\(^{13}\) Till date, there are only two juvenile homes, one in Jammu and the other in Srinagar, for the whole state/region. The one in Srinagar is meant to serve 10 districts of the Kashmir division.
A family had come to meet the lawyer for their son detained in jail. One of them disclosed,

“My brother has been in jail for the past four years. He was a minor when he was first arrested. When his school principal attested that he was under-age, the principal was picked up by the police. It is simple for them to slap the PSA on anyone. My brother was only 13 years old the first time [he was picked up]. **He gets bail but gets picked up very soon again. It is a “revolving door” policy.** For days, he was kept at the police station. Then he was sent to Central Jail [Srinagar] and from there to Jammu. We last saw him in September 2018. We don’t know where he has been sent now – Haryana or Agra. The SP does not entertain anyone when they go to enquire, and just sends people away. He only speaks to his own people (i.e., members of the police, not the public). Over the past two years, we have had to borrow a sum of Rupees 2 lakhs to spend going to courts, paying lawyers’ fees and going to meet him. My mother has become a mental wreck. My brother does not know how things are at home, and we don’t know how he is.”

In Kupwara district, a lawyer revealed that,

“More than a thousand people have been detained or arrested in our district under Sections 105 and 107. We are asked to sign bonds if we want them to be released. Minors are also being picked up. Eleven people have been booked under the PSA in the district. If Farooq Abdullah can be booked under the PSA, what about the common people? Many arrested people are sent outside Kashmir and family members do not know where these people are. One can be arrested simply for expressing an opinion which doesn’t suit the government. **People are hesitant to speak the truth because of such draconian laws.”**

Yet another lawyer said,

“This has been going on for the last 30 years… All political leaders have been arrested in the state. Could this happen in any other state in India? There are several cases of habeas corpus pending in the High Court. We have no faith in the Indian judiciary anymore. Many people
are booked under UAPA. These cases can be heard only in two courts, either in Jammu or in Srinagar. How are people going to attend courts that are long distances away when public transport is shut down?"

In Shopian, an old man shared that his sister’s son had been picked up by the forces. They had earlier kept him in Jammu, but recently shifted him to Agra. When two men from the family went to meet him, they could not even speak to him across the wire mesh. The jail police did not allow them to speak in their own language, Kashmiri, that they were fluent in. They could only communicate by signalling, and inquire if he is okay.

**Nightly Raids And A Regime Of Bribes and Extortion**

In Shopian town, a group of men sitting near a shopfront said that our team should pay a visit to the Police Lines to see how families come all the way for a glimpse of loved ones in detention, and keep waiting for their sons to be released. Affirming that they know of many cases of detention by the state security forces, one of them said,

“**The forces come by night-time and pick up the men. Even if you are sleeping in the house, you may not realize that your brother has been picked up from the adjoining room. They just come in.**”

Many spoke of the nightly raids in Village 1 in Shopian. A woman said,

“**The forces come at any time of the night – 1 a.m. or 2 a.m. – and pick up whoever they find. We dread what the night entails. On a recent occasion, more than 100 security personnel men entered [a] house [here], broke property, and took cash and the mobile phone of one of the people living there.**”

In this group, another woman said that it is not safe for their brothers to sleep at home. A man who had been picked up a few weeks earlier and his sister said that they had paid money in lakhs for his release.

Five young boys from Village 2 in Shopian have been picked up by the police. They were demanding money to release the boys. About 20 boys were

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14 Section 13 of the Act criminalises anyone who broadly falls in the category of (a) takes part in or commits, or (b) advocates, abets, advises or incites the commission of, any unlawful activity, for a period extending upto seven years
detained and the forces demanded Rs. 1 lakh from their families to release them. In one family, the father and two sons have been picked up. “How can a family come up with so much money?” asked a middle-aged mother.

In Chathabal, Srinagar, in a chance discussion towards the end of our visit, the elder daughter in the family shared that her 16-year-old brother had also been detained a few days ago. When he went out at around 9 a.m. to buy some things for the household, he was detained by the J&K Police. They demanded an amount of Rs. 15000 to release him. He was released in the late afternoon. “Our mother just stood by the door waiting for him to come back...The boys don't sleep at home now, fearing they will be picked up.”

Many people were already suffering economically due to this kind of rampant corruption and extortion. Added to this the fear that land would be sold to strangers now. This was heard even from a lawyer, who shared that so far people were being forced to give money to free their dear ones, but now land titles would also be lost.

A young woman in Shopian elaborated that people are willing to sell land in exchange for their children's freedom. The desperation to secure their children's release is compounded by worry about their future 'record,' and she added,

“If someone is charged with PSA, it destroys their future and then they cannot get a passport and visa to go out and study.”

In Anchar, Srinagar, a family had to pay Rs 50,000 as a bribe in a specific police station to secure the release of a boy who had been detained there for three days. Several boys of the locality are in jail, and the families of many others have to take precautions, as the fear of being picked up and detained is ever present. A girl here said,

“We send our brother to sleep at our aunt’s, so that the police don't take him. He has finished Class XII, and has to appear in entrance exams for further studies. If they take him and file a case against him, his future will be destroyed.”

In one of the villages in Baramulla, a young woman spoke about a classmate who was picked up by the army from his house,

“Under AFSPA, one can be picked up on mere suspicion. He was charged with UAPA, with the army threatening him that they could
also charge him under PSA. He is a student. They kept him in jail for 2 years. If this young man goes for a job interview, the interviewers could identify him as a PSA detainee and say that they cannot give him a job, as he is a ‘terrorist.’”

An old man in Village 3 in Shopian does not know where his son has been detained after being transferred out of Central Jail, Srinagar. He feels unsure of travelling distances. He has only been told that his son has been sent to Agra, but has not been given anything in writing (i.e., anything that might resemble an official admission of the detention and the transfer). This man’s feet were badly swollen, with pus oozing out of the wounds. Unable to look for his son, he said, “Dil mein tassalli hai ki kahin hai” (I am sure that he is somewhere). The arrested man has a young wife and a child waiting for him at home. As we passed through this village, the residents showed us the broken windows of houses, saying, “Your forces have done this.” The women in Village 2 in Shopian shared that when the forces came a couple of weeks ago, they mixed mirchi powder in the sacks of rice that they had stocked in their home making it unusable. They even took away the walnuts stored there.

The Haenz Community

The Haenz (aka Hanji) community residing in Mansoor Colony, Srinagar on the Old Airport Road, has been the target of the area’s police stations. Traditionally, the community has depended on the water bodies of the area, and identify themselves as kashtiwaale (boat people). There are at least 100 houses here with broken windows. The window panes have cardboard stuck instead of glasses, and bedsheets and tin-sheets covered the bigger windows. In some house, all household goods have also been smashed. A young woman said that in the days after the clampdown, the police would come there in the day, around 2 p.m. or after the maghrib (evening namaaz). But more recently, they come in the middle of the night,

“The police have been repeatedly coming; they came just the day before. We don’t even come to know when they arrive. They (police) bring their own ladder and get into the houses from the first floor. If
they find a young man at home, he will definitely be taken. They throw tear-gas through the windows. My 8-month-old son has been coughing since they came.”

**Impunity**

Those detained are usually young men, sometimes only 15 or 18 years old. Once they are set free from jail, nobody can touch the army or take them to court, as they are immune from any judicial trials under the effective impunity granted by the Armed Forces (Jammu & Kashmir) Special Powers Act (AFSPA).

*Is there no law for the army and the police?*

Activists recounted the details of the fake encounters where bodies of victims are found in mutilated conditions, and/or they are made to look like militants. “Isn’t the law meant to be for us?”, a woman activist demanded.

The perpetrators are out and clearly identifiable, yet there has been no prosecution. People rattled off names of those who have had several human rights violations recorded against them. “Papa Kishtwari was involved in counter insurgency operations and remains scot-free. Ghulam Mohammad Mir alias Momma Kana, one of the topmost renegades, has been awarded the Padma Shri. “On what basis is the award given?” An activist in Baramulla said that over 900 perpetrators have been identified by name in a report published by JKCCS. Another woman activist spoke of the Machil case where the accused were all let off the hook after being

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15 Ghulam Muhammad Lone alias Papa Kishtwari alias Mumma Lone worked as a watchman in a factory in Pampore before becoming a government gunman. Under the banner of Pampore Committee, residents of the area have filed a case with details of 22 victims asking for justice. Details of 153 civilians who were shot down by him during 1998-2015 as he worked for Army and the Special Operations Group of Police have been collected by the Committee.
16 Ghulam Mohammad Mir, often described as Kashmir’s first counter-insurgent, had been honoured with the Padma Shri, in 2010. He is reported to have run a private militia. A police official is reported to have told *The Telegraph* that Mir is known for his atrocities across Kashmir as he helped Indian troops to combat insurgency.
18 Three civilians, Riyaz, Shezad Ahmad Khan and Mohammad Shafi were killed in a staged encounter by the army in Kalaroos village in Machil border area in April, 2010 and branded
given jail sentences, and the Kashmiris’ scepticism in the handling of the Chittisinghpura case.

DSP Yasir Qadri has been accused of shooting a young boy in his home in Batmaloo. Haldi Pandey, a major in the Indian Army, has been known for his torture methods in South Kashmir. He has been getting boys from each mohalla, and detaining them in the camps for 15-20 days. There, the boys are tortured in ways that include putting petrol and chilli powder in the wounds. He then threatens the boys that if they go to the hospital for treatment or if news leaks out, then their family will be shot down in the evening.

This continues in the present times; DSP Furqan is quite notorious in Bemina Area. An activist shared that even children were saying his name, as the team also saw when visiting the area. It was under his watch that in the past two months, women of the area were beaten up. Ten cases of atrocities under him have been documented in the area. In one incident, a young man was riding a bike when the police arrested him. People came out on the streets to protest this unwarranted arrest. The police showed up more than an hour later, and started damaging people's property and beating up everyone there, including women. In one house where the cops entered, the woman who lived there ran to an upstairs house. She hid there, listening, terrified, as they broke things in her home.

An activist, who has been arrested several times in the past under draconian laws like UAPA and PSA, asserted, “Whoever here talks about repression is arrested. The space to speak has been curtailed, with constant threats of being picked up under PSA. That is one of the reasons why youth are not coming out on to the streets. But this will also explode sooner or later.”

People shared that there have been more than 8000 custodial deaths starting in the 1990s and which continue; and over 6000 unmarked graves

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19 Please see details in the Background
20 Amnesty International recorded 706 custodial deaths between 1990 and 1994. From January 2008 to December 2018, there were 4,059 extrajudicial killings in Jammu & Kashmir, out of which 1,081 were civilians. Details are available in JKCCS, 2018 deadliest year of the decade –APDP and JKCCS Annual Human Rights Review
have been identified. The number of arrests also go up to thousands. Activists shared that if people are not able to cough up money, then false cases are likely to be filed against them. Police roam around in civil uniform in hospitals saying they are ready to apply PSA if anyone says anything regarding the torture they have undergone.

**Torture And Sexual Violence: Consequences For Men And Women**

In Baramulla, the team met an activist who survived army torture and has been an eye witness to this form of repression. He described it thus,

“The method of torture included first removing the person’s clothes, putting him in a tub filled with water and giving him electric shocks. But it was not limited to this. Sometimes, the current would be directed to the victim’s private parts. The torture continued till the point of near-death.”

In his words, torture “rooh ko zakhmi kar deta hai. (It damages the soul)” The physical, mental and sexual torture leaves its victims in lifelong trauma. Many have not been able to talk of their experience, and many find it difficult to adjust to everyday life again.

A family in Shopian shared about a relative who had been arrested and underwent custodial torture. While they did not explicitly explain what the torture entailed, it was evident that there was some degree of sexual torture. They said that he came back and told his wife to go back to her maternal house as he had become impotent.

The women shared that when minors are picked up and detained at the army camp, the enforcers make children consume alcohol and speak up against other villagers. A young woman added that boys would be forced to indulge in sexual acts.

In Baramulla, a woman spoke of how difficult it is to go outside because of the presence of Indian security forces,

“On the road, we have to walk past army camps while going to school and college. We are sexually harassed by the men. They are often found standing at the road side with their pants unzipped. They pass lewd comments and make lewd gestures. If we tell others (at home), we won’t be allowed to go to school and college.”
Other women added that they will not talk about what they are facing because of shame. They asked the team,

“Don’t you know what happened in Kunan Poshpora? What happened to Neelofar and Asiya? Whose security are they keeping the army for?”

Sitting in one of the aangans in the houses in Shopian villages, we could hear army trucks rumbling up and down the streets. The sound of the engines was enough to make the women sitting in their own houses nervous. They shared about incidents from nearby villages. The forces raided a house and three sisters were locked in three separate rooms. The mother screamed. It was only when the villagers came that the sisters were released. One of them said,

“At night, soldiers patrol the streets, stop and fire some rounds in the air. I feel terrified. Hum marenge, par un zaalimon ko haath lagaane nahi denge (We will die, but we won't allow those brutal men to touch us). We have stopped going outside alone. If we go, we go in groups or accompanied by male members of the family.”

Witnessing arrests and tortures, being separated from loved ones and living in perpetual anxiety has, no doubt, left a deep psychological impact. Some women in Shopian shared that the graveyard in the village is full. There are days when more than one body has been taken to the graveyard.

In Anchar, the young woman who spoke to us about pellet injuries also expressed her fear for what is to come as a result of the State’s violent repression,

“We are scared if 370 is not brought back, people will once again pick up the gun. It would mean doom and destruction. Boys are desperate. Burhan Wani was the son of a school principal. What pushed him to become a militant? Why does India not understand that? First, they killed his elder brother. One day, when he was coming back home with his friends after playing cricket, the forces stopped him and demanded his identity card. They beat him up. He came back home and was quiet, refusing to eat. This was the turning point for him.”

http://kashmirnarrator.com/the-rise-of-burhan/ This piece, by Aasif Sultan, angered the state machinery so much that the journalist was taken into police custody less than 2 months after it was published, on allegations of supporting militants when he was merely reporting on them. https://theprint.in/india/jailed-kashmiri-journalist-who-won-us-media-award-was-arrested-after-burhan-wani-profile/281597/
A journalist in Srinagar also commented that as they see, hear and experience stories of torture and zulm, they feel like picking up the gun because it is difficult to remain neutral. He asked,

“But what have you (India) got (from this oppression)?”

Women In Times Of Zulm

Geographies and locations are marked with the zulm they carry in their soil. As we reached the edge of Shopian city and crossed the bridge, a Kashmiri co-traveller pointed to the water flowing under it, “It is the Rambi-Ara river which flows out from the Pir Panjal. This was the place where Asiya Jan and Neelofar Jan were falsely concluded to have been drowned in May 2009 (after an alleged rape).”

Through these tumultuous years as much as today, the courage and strength of the women of Kashmir stand out. They live in the face of a very real threat and fear of sexual violence on a daily basis, but they carry the torch of azaadi within them.

Working women can be seen crossing roads and passing the glares of the security forces, but walking with a sureness of their entitlement to this land. Women journalists, literally in the face of the forces all around them, are keen to report honestly and persistently. Young lawyers are coming to the courts with concern for their clients. Middle-aged women waiting for their sons and husbands, caring for their families, surviving in the difficult times and keeping up the resistance against the pressure to back down. School girls and college girls are willing to lose out on their studies, knowing that their future is dependent on this, saying they would do anything for Kashmir. Older women are the pillars in the house, carrying the pain inside their hearts, but always standing strong for the next generation. Young mothers are bringing up their children and teaching them the meaning of ‘azaadi’. We salute them all. They have an unmatched fire in them.

Young women said that they have not been able to go out anywhere. Each person is scared of the possibility of sexual violence.

“You don’t know what all Indian army does with us. We would feel ashamed to say the words they say about us. They tell us ‘we want girls’ and that ‘we would marry your girls.’ Now, women of 4 to 5 households sleep together for safety.”

People in one household (in Baramulla) explained the position for women. “It is more difficult for girls in any conflict zone; so also, in Kashmir. Women have to deal with the children and keep them busy; figure out how to manage food and respond when they demand things, be it ice cream or to go out for a picnic or to the shops. With hostile forces outside the door, women become hostages and can’t go out. If they do, they have to keep track of time and ensure that they return during daylight hours.”

It is the same in Shopian. In one of the houses, the women were initially very hesitant to talk, but once they understood who we are and the work we do, they started talking about the situation. They are scared to step outside their homes, even to go to the apple orchards or fields as these places are full of soldiers who often sexually harass women and girls. People have all been “trapped” inside their homes for about 50 days now, especially the women. One of them said, “Ghutan-si mehsoos hoti hai (We feel suffocated). No one dares to step outside after 7 p.m.”

Women have borne the pain of the years in their own quiet ways. As a person remarked, “Yahan ki maon ki yadasht khatm ho gayee hai.” (The mothers here- they have lost their memory). The amount of pain they have had to undergo has affected them in a way that many among the older generation were just silent when we met them.

In one village in Shopian, the team was able to speak to many women and children. Amongst them was a young woman who just stood quietly by the door of her house. Her mother-in-law and sister-in-law told us that her husband (the son) had been picked up by the forces. It had been 7 days and nights that he had not returned and they were told by the senior officers to wait to see what happens after September 27 (2019). The young woman has not eaten anything in all these days. She looked pale and ashen. She didn’t utter a word for the hour that the team members sat there.

“Bardasht nahi ho raha. 60 saal ke aadmi ko le jaoge. Ye zulm nahi hai, to kya hai?”
(We can’t take it anymore. They take away a 60-year-old man. What is this if not repression?)
In a third village in Shopian, there was a house of a person who was martyred in January 2019. After the death of this young man, his family members have been continuously harassed by the security forces. They come and pick up the men in the family at any time of the day. His father was arrested even though he looked to be in his 60s. The team members met the ailing grandmother and the wife of the arrested father. She quietly kept working; the stress showed clearly on the faces of both the elderly people, with one young person in their family recently martyred, one person in jail and the younger son just released from police custody after 10 days of illegal detention. The women said, “We don't even know what to say about azaadi, but at least the zulm should end.”

In Baramulla, a young woman talked about disappeared people, “One of my friends’ father was disappeared before she was born, when she was still in her mother’s womb. She is now 26 years old, and they still don’t have any information about him. Her mother can’t even get married as she is not certain if her husband is alive or dead. My friend cries when she thinks of her father, and says that they will celebrate when he returns. On Eid, there is always a plate kept aside for him, in the hope that he will return.” She explained that there is an earnest hope amidst families of disappeared people that maybe their lost ones will come back on this special occasion.

Another middle-aged woman shared that there is widespread depression, “We read our namaz and cry. What else do we have with us. We have our prayers and our Allah. We don't have their guns. Who has put an evil eye on our Kashmir and cursed our lives?”

“Hamare bhai uthay rehte hain, isliye hum so paate hain.”
(We manage to sleep because our brothers stay up in the night.)

When asked of specific instances of violence by the security forces, the women in Anchar and Soura talked about a woman who had gone to buy medicine and was picked up at 8 a.m. She was not even taken to the women’s police station, and was kept amongst men throughout the day. The women from the neighbourhood went time and again to the thana and finally, she was allowed to come home at 9 p.m. Nobody knows what she would have gone through in this time. They talked about a boy of class 11 who had been picked up. When his mother went to save him, her mouth was smothered so badly that she could hardly breathe. “Every time this happens, we see how
they come and molest the women. If a security personnel pulls your hijab, how would your brother react? Wouldn’t he get angry?”

Recently, some men from the security forces gave their telephone numbers to young girls, asking them to call the men when the communication blockade is lifted. As women walk down the road, men open up their pants and say, “Come see this nazara”. At times, they use abusive language and slurs saying ‘Sali ko pakdo, patthar marti hain’ (Catch her. She’s a stone-pelter), when women have stepped out to do any necessary work. Calling out to girls as future wives, and themselves as ‘tera dulha’ (your groom), ‘yeh saaliya jaankari deti hain’ (these women give out information), ‘hum inke saath rangreliyan manaenge’ (we will enjoy them).

A school teacher in her 20s, in Anchar, said, “I was part of the early protests after August 5 (2019). I felt completely immobilised when the police firing started.” Her sister added to the discussion, “Aman rally bhi nahi nikalne deeya. Firing shuru hui. Mere pao tang gaye.” (We had taken out a peaceful rally, but they started firing).” She proudly showed a few videos of the rally that the family had captured on their mobiles.23

There were instances of pregnant women having miscarriages because of tear gas and stress.

Two women, in Chhatbal, Srinagar, have their maternal family in India and have lived their married life and brought up their children in Kashmir. They said, “Hamara niwala na oopar na neeche. (We are in a position where neither we can swallow, nor spit).”

When the team met them, the younger people in the house were sleeping even though it was noon. They shared that there is nothing to do. “We are in prison. This doesn’t feel like home.” The girls said that on normal days, they would go to school and meet friends, but now feel restrained at home.

One of the grand-daughters in the house is studying biology in Class XII and wants to pursue medicine. The elder daughter has finished her graduation. She is doing her post-graduation course at IGNOU (Indira Gandhi National Open University). The younger girl shared that she and her friends have taken part in rallies demanding freedom, but their Principal would be very worried about them. She studies in a government school.

Young mothers, with coughing infants, came out of their houses in Mansoor Colony, Srinagar, to share their plight. “As we tried to prevent our young boys from being taken, they were beaten. Lathis were used on us”,

23 https://youtu.be/Nica1EKi2h8
they said. When one of the team members asked about complaining against all of this, they said, “There is no compensation, no complaint. It was just a relief when the boys were released. This also comes through only when the Savardars of the community went.”

Women said that the situation had become so dire and uncertain now that boys and girls did not sleep at home any more. They would be around home during the day but would go to sleep with relatives in other parts of the city to avoid harassment and being picked up.

It is clear from these interactions that the Indian state forces violate men and women in Kashmir in myriad ways that are also gendered. Men and women are subjected to brutal violence and confinement in both, public and private spaces. This includes harassment by the state security forces; being targeted by tear gas, pellets, and live ammunition on the streets and in public gatherings, even firing tear gas into people’s homes. Men by and large are picked up and taken to police stations and torture/detention centres and women are regularly molested and sexually assaulted in their own homes by the Indian forces. The State’s total invasion into their lives and spaces has different impacts on the everyday life of men and women.

Moreover, where the men are forcibly removed from domestic spaces through this process of militarisation, the pressures and fears the women live with multiply manifold – they have to shoulder the responsibility of entire households, bring up the children amid violence and insecurity, and care for other family members as well as support each other and themselves. They struggle to do all this, while also bearing witness and participating in the resistance whether on the streets, or in courts and police stations where they fight for their family members.

Deaths Without A ‘Record’

In Srinagar, the team heard about Fahmeeda Shagoo, a 34-year-old woman who had died due to suffocation from tear gas on August 9 (2019). There was continuous stone pelting at Sashastra Seema Bal camp near her neighbourhood. As it continued in the evening, the police fired tear gas shells to disperse protestors. Fahmeeda gave her husband, Mohammad Rafiq, curtains to cover the windows which had already been broken by the police in

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24 Respected men of the locality would go on the behest of the maulvi of their area’s mosque.
the past few days. She was making tea for the family, when she started choking on the tear gas smoke. It took about half an hour to take her to the hospital, but the doctors could not resuscitate her. The death report records ‘sudden cardiac pulmonary arrest’ as the cause of her death.

Fahmeeda’s family feels that it was probably only because of a sensitive doctor, who was willing to stick his neck out, that even this much had been recorded. Our team was told that this doctor’s assistant also kept telling him not to write this, and the doctor had to tell him off strictly to not interfere in his work. In the case of 17-year-old Osaib Altaf, even a death certificate or a document towards his admission and cause of death was not issued. For his friend, whose injuries were caused by the butt of a gun and then the trauma after being pushed into the water, the hospitals refuse to acknowledge the nature of the injuries.

In Kashmir, the State – the judiciary, the government, and the security forces – have historically succeeded in obstructing justice and accountability through erasures in the ‘official record’. Official inquiries and commissions have sought to make real events into imagined ones. Official requests for proceeding legally on abuses of power by the security forces are obstructed by the Home Ministry or more regularly, just not responded to at all. Official FIRs and death certificates seek to dilute or neutralize what is, in fact, terrorism by the State against the people, by recording cases of violence and killings as natural incidents without a clearly discernible cause (as in Fahmeeda Shagoo and Osaib Altaf’s cases). This has been the case particularly since August 5 (2019), as the Indian government has drawn hospitals into this siege, by passing orders to restrict doctors from speaking to the media about the wide imprint of state violence, arresting a doctor who sought to draw attention to the medical emergency caused by the blockade, and turning hospitals into sites of surveillance, suspicion and capture of those whom they have violated.

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26 For the role of the Press Council of India commission on the Kunan Poshpora mass rape, see https://himalmag.com/kunan-poshpora-reconstructing-truth/
27 See the sections on ‘Impunity’ and ‘Kashmir’s Enforced Disappeared’ in this report
28 “We can’t share the information with you as it creates problems for us,” a senior official of SMHS hospital... on condition of anonymity. “We have been told to not to give any information to the media.” From: https://www.huffingtonpost.in/entry/kashmir-first-civilian-casualty-after-article-370-revoked_in_5d4ab624e4b0066eb70aaca3
29 https://scroll.in/article/935773/if-ima-is-really-concerned-about-kashmir-why-hasnt-it-criticised-srinagar-doctors-arrest
30 https://thewire.in/rights/fearing-arrest-youth-in-srinagar-avoid-hospitals-treat-pellet-injuries-themselves
GOVT. BOYS
Hr. SECONDARY SCHOOL
Palpora Srinagar Kmr.

Osaib Altaf

Parentage: Altaf Hussain Marazi
R/o : New Colony
Class : 12th
Roll.No : 17
Call : 8716812431

I.D CARD

SESSION: 2017/2018
Kashmir’s Enforced Disappearances

“You take the blood money. I am a mother.”

We met the iron lady of Kashmir, Parveena Ahangar, who co-founded the Association of Parents of Disappeared People (APDP) in 1994. Her assessment was unambiguous: “They have turned Kashmir from paradise to a living hell. This oppression has crossed all limits. Now every Kashmiri wants freedom.”

Mothers’ struggles and the making of APDP

She shared the story of her son who was ‘enforced disappeared’. He was picked up on the night of August 18, 1990, when he was just 16 years old. While talking of her son, and of others who have been disappeared like him, she said, “If he is dead, one would find the corpse and parents can feel a sense of closure. But what is this?” Despite not being given a glimpse of him these 29 years, she still hopes, “He will come. One day or the other he will come. This is a long struggle; we won’t leave it.”

It took 4 years to file the FIR of his disappearance, and after 13 years in the court, it was determined that the army was responsible. The file was then sent to the Indian Home Ministry for sanction to initiate legal proceedings, as per the rules of the Armed Forces Special Powers Act, but the Ministry never sent it back.

As she shared her pain, Parveena Ji touched upon the pain of other women who have lost the people dear to them in state violence, expressing how “these women have become my family”. Maqbool Bhat’s mother was remembered with fondness and respect, and Parveena Ji consoled herself saying that this brave lady has lost all of her sons. “Ask them: where did they keep them, why did they pick them up, what crime did they do?”

On the 10th of every month, APDP organizes a protest against enforced disappearances. So far, their records show that about 10,000 people have been ‘disappeared’ from Indian-occupied Kashmir.

“I was young then, I would go to the police station, court, and government offices. Everywhere I went, I saw there were so many people looking for their loved ones. I realized we were not getting anything in these spaces, and so, we started meeting in the park,” says Parveena. At these meetings, the parents of the enforced disappeared would share their problems and experiences through the month.

“An army man disappeared. A son disappeared. A husband disappeared. All kinds of people have disappeared.” She recalled the names of many who have been forcibly disappeared over the last three decades. 14-year-old Javed Ahmed Muttoo, whose mother remembers that he would not spend any extra money and would

31 While three sons have been killed, one disappeared from custody, the youngest is currently in jail under PSA. For details, see https://kashmirlife.net/maqbool-and-bhat-brothers-the-tale-of-trehgam-foursome-96575/
return it, 16-year-old Usiar who had completed his Xth std in 1990; a 65 year old; another, 70-year-old person who retired after years of service in the Indian Army, and was told by the State that “you give training to mujahideen”; a teacher whose son had disappeared.

Parveena Ji gave one of our team her son's photo, saying, “keep him alive in your memory.”

Dardpura (in Kupwara)\(^{32}\) is a village which has over 300 widows and half-widows. “In these situations, a person (whose family member has disappeared) dies everyday. She keeps food on one plate everyday, hoping that he may come that day.”

“The British didn't do to India what India has done to Kashmir.

Today, only Modi speaks the truth. We are all liars.”

Because of the communication blockade, Parveena Ji has been making personal visits to meet other women who are half-widows or who are affected by enforced disappearances. APDP raises money for the daily expenditure of these women, like wedding expenses, or medicines, food, school or college fees. The organisation never hands over money to anyone; instead they pay the money directly to the institutions or persons concerned. Before us, she can only share the grief of these women who are half-widows; there is often nothing else she can do. Parveena Ji spoke about a woman in Ashmuka village, whose daughter goes to school. The woman’s brother-in-law was pressuring her to marry him, even though she did not want to. APDP helped her build a house for herself and her daughter to live peacefully.

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Mental Health & Living Double Lives

“We all are mental patients today.

We don’t know what the day will bring for us.

We are so uncertain about our next day. The worst is not over yet.”

Amongst almost all the activists we met, there was a concern about people's mental health. A woman journalist based in Srinagar shared that her father has been on anti-depression tablets. She said she had never seen him cry or express his anguish but he did this time, and he now repeatedly

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\(^{32}\) https://www.deccanherald.com/content/504833/pain-dardpora-kashmiri-half-widows.html
says that Kashmiris have been imprisoned. A lawyer in Shopian explained, “Nobody has an answer. The least political person is also affected. This is taking a mental toll on us.”

Among the group of women in Shopian, one said that being part of this oppressive reality has resulted in the loss of their memory too (“itne zulm mein yadasht nahin bachti”). The interactions in different houses, may it be with a family in Srinagar which had lost a young 17-year-old, or in a village in Shopian – where an old man was arrested and his family not allowed to meet nor had access to him, and many other families had lost their sons at the hands of the State – it was clear that bearing so much pain has simply silenced the older women, grandmothers and mothers. In our interaction, they could only bless the team members and ask us to remember them in our prayers, “Dua mein yaad karna.”

The impact of everyday uncertainty and confinement is also taking a toll, and the strain is passing on from parents to children. In Baramulla, a mother and government school teacher described how the state-imposed conditions are spilling over into all aspects of young people’s lives, shaping the course of their lives and their perspectives with each passing day,

“Children are losing out on their studies. After giving their half-year exams, now, the schools are saying that they will assume that the syllabus has been completed and students would be required to sit for the next cycle of exams when schools reopen. How can children be expected to study so much at home, amidst such turmoil? It is getting difficult at home for everyone too, as the levels of frustration are high. One tends to take it out on the children. Even those as little as 6, 8, 10-year-olds are asking why they are at home, and not going to school. While parents may not always want to discuss the political ideology (of the state or the people’s struggle), children are still able to gauge what is happening.”

Another journalist, in his anguish, said, “Our mind is being pulled in all directions.” It is like a double identity, an identity imposed on you versus the identity you desire in your heart.

“All aspects of our personality have been influenced,” emphasised one activist. Another activist said,

“There is one war that is visible to all, the one that we know of has airplanes and canons, another is the invisible war, a war that you feel when you are sitting inside your house. Kashmir has been undergoing this silent war.”
Govt. Girls M/S Ganai Hamam Bla.
Trying to count the pain, caused by Indian militarisation, that the people carry inside them, an auto-driver said, “It has been 30 years, and earlier to that too. Each day and each night, it seems we carry 60 years of pain inside us.”

Another spoke of the worry and stress parents feel, “If a child goes out of the gate to play, and doesn’t return in half an hour, one is constantly worried about where he is.” This has restricted people’s movement too, which further impacts their well-being.

When we were listening to a group of men (Village 1, Shopian), several took out anti-depressant tablets from their pockets, confessing that they carry these along at all times. In Srinagar, smoking has increased. The team was told that while smoking has shot up for men, among women, hookah usage has grown.

The team encountered an instance of this widespread and distressing reality when we stopped to ask a man for the address of a medical facility. “[That place] where you go mad after you lose a dear one? My father had also disappeared, and I used to go there for years”, he said clutching his teenage daughter’s hand.

An activist shared that 90% people in Kashmir are suffering from Post Traumatic Stress Disorders (PTSD). Doctors are themselves stressed, and reported that they regularly prescribe anti-depressants as the need among the patients was so high. A lawyer who has been taking his mother for bipolar disorder treatment for years shared that the number of patients in his doctor’s waiting room has increased four-fold in the past month, and more than 80% of the patients are women. The anxiety suffered by women was obvious to us as we heard them sharing, with breathlessness, their pressures, experiences, and fears of what the nights could entail.

One person said, “Until we die, this wound will not fill up. This pain will die with us, we all are injured.”
TRIFLUOPERAZINE TABLETS

COMPOSITION:
- Each sugar coated tablet contains 5 mg of trifluoperazine hydrochloride.
- Excipients: Erythrosine, Glucose, Maize Starch.

INDICATIONS:
- Used in the treatment of schizophrenia.

DOSAGE:
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‘Zakhm’: Religion As An Instrument For Humiliation And Collective Punishment

“What is our crime, that we are Muslims, and we are Kashmiris?”

[What is our crime, that we are Muslims, and we are Kashmiris?]
The people of Jammu and Kashmir have felt cheated and targeted. This feeling has grown from the acts of the Indian Government over the years, as also from the present step taken by the current Prime Minister of India.

Jamia Masjid, the largest mosque in Kashmir, has been shut since August 5 (2019). The fact that people have not been able to offer namaz there has hurt them deeply. “In the morning (on Eid), they (forces) said that curfew has been imposed for a few hours and it will open up. But then they did not allow us to (go to) read namaz. It was our big day, and special prayers are carried out in Jamia Masjid. It is important for us to pray together.”

It is partly for this reason that people in Anchar, Soura, have been preventing the security forces from entering their area. A young woman and her cousins in Soura shared, “It (Eid) was our big day and we were not allowed to perform prayers in the mosque. The police and security forces want to lock the mosque and take the boys, and that is why we don’t allow them in. They don’t care what the person’s age is, may it be an old man or a minor, they indiscriminately beat them up. This is an attack on our religion. We don’t want your jobs or your development. We want our rights.”

The story was similar in villages in Shopian. People shared that the forces did not allow them to go to the mosque for prayers. In one village, the women said that the small mosque in the inner lanes of the village was also not accessible to them, “For 12 hours, there was no azaan in the mosque. And when he finally could access the mosque, the maulvi broke down saying he had missed reciting the azaan four times that day. Our voices are confined within our walls.”

The timing of the abrogation of Article 370 is perceived as an attack on their freedom of religion in many ways. Celebrations have been curtailed. People were days away from purchasing for the festival, weddings and family get-togethers. Plans for many young people who had come home or had planned to come back got affected as did those of local residents.
In a downtown area in Srinagar, a 17-year-old boy had been detained in the local police station for the day, merely because he had gone to buy medicine. The teenager was very angry that their bada masjid (Jamia Masjid) has been closed for so many weeks. While his mother was relieved that they had managed to get him home the same day after giving Rupees 15,000/- at the Police Station, she shared the experience of another woman in her area who had pleaded with the police to allow her son to come home as it was Eid, but they did not spare him.

For the young and the old, the impact on Eid celebrations has been an emotional blow. In a house in Baramulla, the women said, “The CRPF was at our doorstep during Eid, and we could not do the qurbani (ritual sacrifice). People have not been able to go for weddings.” A college student of Shopian told us how they had shared the qurbani on the first day itself, rather than over five days of celebrating, as they usually do, as they were uncertain and afraid of how the next day would unfold. Several families in Srinagar shared that they had to either make do with chickens or not do qurbani at all.

The timing of this step has made Kashmiris further realize that they don’t matter to Indians. “There were more than 20 days of illumination for Independence Day (August 15th) and Janmashtami (August 25th) in the High Court,” shared an activist, as opposed to when they could not celebrate even a single day of Eid-ul-Adha (between August 11th to 15th). Another person, in Srinagar, challenged us saying, “How is this for our own good? It is a unilateral decision. People’s reasons for anger are not unfounded. Civilians are being held hostage in their own land. People were not even allowed to celebrate Eid. Bada din par khaali thali par khana parosna pada (On a festival day, we had bare plates). More than anything else, the humiliation is something people cannot take any more.”

The media stunt by the National Security Advisor, Ajit Doval, of sharing boxes of biryani with Kashmiris on Eid may have fooled the world outside Kashmir, but for the Kashmiris, this ploy of forcing people to come out for publicity is well understood. “Family members are detained, identity cards are taken and people have to come out in fear.”

Another attack on their Muslim identity has emerged in the way Indian security forces have violated the sanctity of the mosques and its clergy. “A few days ago, the imam in the local masjid asked Allah to grant us freedom. That night, the army went to his house, took him to the camp and broke his arms.
Only because he asked Allah for azaadi.” This incident was shared by a group of women in Baramulla. We were also told about a horrifying incident in a village in Shopian where the army arrested a young man and took him to the local masjid. There, they switched on the azaan’s loudspeaker and proceeded to torture him, for the whole village to hear his screams.

Sitting among the family members of a young boy whose death will remain a blot in this round of human rights violations, we heard the question, “Humara gunah kya hai.. ki hum muslim hain, aur hum Kashmiri hain?” (What is our crime, that we are Muslims, and we are Kashmiri?) Even in the young man’s death, he could not be given the deference needed, as his janaza faced unprovoked firing by the Indian forces.

Many people also spoke about the way Muslims have been treated in India in recent times. “One hears so many cases of mob lynching of Muslims in India. Aren’t they (the State) terrorists? Might is right seems to be the only law the Indian State is following.” People are well-acquainted with the taunts and attacks faced by the people of Kashmir in India. “Gau rakshaks shout and force people of other religions (like Muslims) to say, ‘Jai Shree Ram’. Kashmiris don’t do that to anyone.”
Questioning The Media And Their Narrative

“The Indian media is saying everything is normal in Kashmir.

Why do we have such heavy presence of forces, if everything is normal?”
Kashmiris were disappointed and angered with the stories coming out in the national media as well as Kashmiri media. They openly and repeatedly said that the media is not doing its work. The Indian media, they felt was crippled. They only telecast old recordings to show that everything is presently ‘normal’ in Kashmir. The Indian media is crippled, they said. They also said that on many occasions when international media have shared the truths about Kashmir there are arrests ‘in the evenings’ if anyone’s name or face comes up in the news reports. Some people said that they were thankful to some international media houses like Al Jazeera, BBC, Reuters, Washington Post and others.

Some people in Srinagar said, “They show everything is normal here, by showing visuals from Jammu. Often the cars that are shown on the road are mostly of the security forces keeping a vigil on us. The more India lies, the more we hate them.”

“85% children in Kashmir are prone to depression according to one study. But the Indian media is saying everything is normal in Kashmir,” one person commented.

In Kupwara, a group of lawyers expressed their anger and frustration saying, “Television has become one mode of staying in touch with the world, and also reflects what is being discussed in India on Kashmir’s struggles. But the so-called experts are debating about Kashmir in the television studios without knowing anything about its history. The Indian media is creating false propaganda about us, and acting as the agent of the Indian government. It is also creating bad faith between communities. What do they know about Kashmir?”

The team interacted with several local journalists. They shared their problems in getting news from the field, filing the news with their media groups, and trying to get it covered in the mainstream press.

Journalists felt curtailed in reporting freely, in going to ‘vulnerable’ areas, unsure of what they were allowed to do and when they could be
picked up. “In many areas, they [the security forces] don’t allow us to click photographs. There is always the chance that security personnel will detain us,” one journalist said.

The team met with three women journalists. They narrated how they are facing specific problems of mobility in getting stories of the conflicts, especially those affecting women and girls. They said that in these times, the security forces are ruder with journalists than before. One journalist said her family would get upset whenever she steps out of home for work. “What kind of a job is this that you have to step out when everybody is inside the house? It has been a daily struggle for me at home.” Another senior woman journalist’s said, “Because of the public transport strike, I walk a couple of kilometres from my house, from where another colleague picks me up. If by chance we miss each other, there is no way to communicate. My parents get worried if I don’t reach home by 5:30 p.m., as after that, the security forces start interfering with everyone.”

In an interaction the team witnessed, the CRPF personnel asked a member of the press who was with us, where he was from. He was clearly Kashmiri, and the question provoked him to ask rhetorically, what else does he appear - an Afghani or Pakistani. To this, the security personnel responded angrily, “How dare you speak to me loudly? I didn’t call you anything! You said you were Pakistani, not I! If you think you are a Kashmiri and want this land, then why don’t you do a registry in your name?” It took some negotiation to cool down tempers. The journalist and other Kashmiris walking with us explained that it is very distressing for them to be walking on their own land and yet, needing to tell strangers who they are. They shared that everyone is seething inside, but they know that they have to stay calm.

The journalists shared the difficulties they have been experiencing following the clampdown on communication services. Initially, there were no computers provided. It was only when Anuradha Bhasin’s (Editor, Kashmir Times) petition came up for hearing in the Supreme Court, that the government set up the ‘media centre’ to portray ‘normalcy’. Overnight, an ad-hoc centre was set up with four computers. Foreign media and TV journalists were given preference and it would take hours for them to send their video files. In the meanwhile, more than 200 local journalists simply had to wait for them to finish. About 8 weeks into the clampdown, the number of computers increased to 9, and one computer was made available exclusively for women journalists.
In a woman journalist's words,

“There is no privacy while sending mails. There may be 10 people standing behind you when you send a mail, and that too, at a very crippled pace. My email was hacked. I asked a friend in Delhi to make me another email id. One-time passwords are sent on phones or over email. How are we supposed to manage these things here? I still need to recover my old email as my previous work is all there. It is not the same as working in your own office. I now take reports over phone from my stringers in the districts and type it here and then go to the media centre to file the stories. We know our phones are tapped and it is risky to convey sensitive stories.”

A journalist who is an anchor on Radio Kashmir said, “I do a weekly show on radio around women's issues and there would be many phone-in interactions. I have had to drop this because of the clampdown on mobile services.”

“Our stories are not getting picked up.”

Some of the journalists shared that they have stopped enjoying the work they are doing because they are feeling very restricted. “I have put my camera down for the past 10 days. What is the point, when they (Indian/mainstream media) don’t use your story?”

“We are playing it safe and are filing off-beat stories, so that they are picked up. Every day, we have to think about how to pitch our stories so that they are published. We sometimes do pieces on the apple trade or another day, the shikara industry. Our editors say show something new, but this is a complete strike. It is difficult for freelance writers as well as journalists attached to any media house.”

Freelance journalists face a different set of challenges, “No one takes responsibility if you are not attached to any particular newspaper. Women (photojournalists and writers) end up coordinating with each other and we hire a vehicle to go to places together. For journalists employed by media organisations, they can be more assured of their organisations’ role in ensuring safety, logistics and backup support if there is any problem they face in the line of duty, be they problems with the State or with movement.”
Questioning The Media And Their Narrative

**Threat to Media**

Freelance journalists reporting on the collective resistance against the State's repression have faced reprisals in the past, such as in the case of photo-journalist Kamran Yusuf. Yusuf was arrested by the National Investition Agency (NIA) in September 2017, initially without any charges. The NIA sought to frame him 3 months after the arrest, on charges of ‘stone-pelting’ and ‘conspiring to wage war against the Government of India’ by engaging in ‘terrorist and secessionist activities’ in Jammu and Kashmir.

It must be noted that Yusuf had reported extensively on the funerals of martyrred militants, as well as the brutalities committed by the Police and security forces on those youth who participate in stone-pelting protests. In other words, like another Kashmiri journalist Aasif Sultan, Yusuf was charged with participating in the resistance when he was merely reporting on it. Yusuf was only released on bail in March 2018, after more than 6 months in detention. According to a news report on the NIA’s case against him, the Indian state agency alleged that Kamran Yusuf ‘could not possibly be a journalist because he never takes any pictures of government developmental projects or the inaugurations of hospitals, schools or bridges.’

Rallying For Azaadi

“Tell the whole world that the people of Kashmir want Azaadi!

We are Kashmiri first and every Kashmiri wants Azaadi!”
Chapter 8

On the streets, with shopkeepers and within people’s houses, we heard that India’s occupation on Kashmir has remained historically illegitimate. “Kashmir was never a part of India. The Mughal-e-Azam film has a map of India in the end. You can see that Kashmir was not a part of it. India is separate. Pakistan is separate. And we also have always been a separate nation,” said a young woman in Srinagar.

An activist in Srinagar informed us that there was a Plebiscite Office till 1983, which had a Plebiscite Officer on a salary from the U.N. India should keep up its promise of plebiscite, and allow the Kashmiris to decide. This is the only resolution (without further bloodshed). Many people emphasised that India has been dishonest with Kashmir. They expressed that it is dishonesty if Kashmiri people’s right to self-determination is not acknowledged by those in India.

An activist who was a college student in 1989 shared how they were all actively working in the trade unions. He had volunteered as a counting agent in the booths. He witnessed CRPF personnel taking over the counting booths. That was the time for him and many others when disillusionment set in. He shared that the arrest of Syed Salahuddin33, who had stood for elections, made it evident for all to see that India would never keep her promise, and it was at that time that the young people turned to armed struggle. He said, “Only a real dialogue and a sustained process, which is not biased and gives Kashmiri voices reasonable space, is what would be acceptable to us.” A journalist voiced, “India has been pointing guns towards us and [you] expect people to love you.”

As we stepped out on September 28th, it was evident that every Kashmiri had stayed up the previous night to watch the Pakistani Prime Minister, Imran Khan’s speech in the U.N. General Assembly. The bursting

Rallying For Azaadi

of fire-crackers as his speech ended was a sign of hope among the people. Although, since August 5, Pakistan has yet to succeed with a resolution on Jammu and Kashmir at international fora\textsuperscript{34}, the Prime Minister’s speech was received by many people of the Indian-administered part of J&K as sensitively portraying their experience, while also drawing much-needed attention to the spread of Hindutva forces in India. The morning after the address, many people on the streets, whether tea-sellers or journalists, expressed how happy and hopeful they were about Pakistan’s efforts to bring Kashmir back on the international forum.

On September 28th, we were told in our interactions that “even those who have no real leanings for Pakistan are now tilting towards Imran Khan. The way he has supported us in this political crisis gives us hope. Even if Pakistan is zaalim (cruel)\textsuperscript{35}, we are grateful for their support. Nobody in India speaks in favour of the people of Kashmir.”

Excerpt from Imran Khan’s Speech at United Nations General Assembly 2019

Imran Khan spoke about the Indian military aggression and the desperation of people in resorting to armed struggle as a form of self-defense or resistance – which has been misrepresented in the Indian media as a threat of violence. We hope this will better contextualise the words spoken on behalf of the people of Kashmir, as well as convey a sense of the support the people derived from them.

“We’ve been brought up watching films; a good guy doesn’t get justice... he picks up a weapon, and a whole cinema cheers him on. What has been the response of the world community on any atrocities in the Muslim world?

I picture myself in Kashmir, locked up for 50 days. Hearing about rapes, the Indian army going around. Would I live with this humiliation? You are forcing people towards radicalisation.

This is one of the most critical times. Pakistan will be blamed should something happen. Two nuclear armed nations almost went head to head in February. And this is why the UN has a responsibility. This is why you came into being in 1945!”


\textsuperscript{34} https://thewire.in/diplomacy/pakistan-kashmir-resolution-unhrc-deadline

\textsuperscript{35} Most recently, in September 2019, the police arrested and clashed with protesters at a pro-independence rally in the Pakistan-administered part of Kashmir: https://www.aljazeera.com/news/2019/09/pakistan-arrests-protesters-pro-independence-kashmir-rally-190909095005631.html
Amidst all this, there was also a fear that if people are pushed to the wall, the young would have no other option but to pick up arms and the elders knew that this would not help them in any way. An activist shared that the youth do not have any role-model for adopting a non-violent path. The student groups would try to manage non-violently but if India does not relent, everyone would want to exploit our feelings, may this be India or Pakistan, and it will allow them to kill our children.

It seems the continuous presence of Indian security forces, the repression let loose by them on men and women, and the central government’s apathy towards what people are saying and demanding has further alienated the people completely from the Indian state.

A group of men expressed, “India has gone back on her promise. We had only asked for sincerity to what had been promised to us.” An activist explained that Kashmiris have had problems with India, but this has been the final blow.

As one person said in Shopian: azaadi is our right. And even if we have to keep the hartal on for one year, we will do that. He noted, “even the court is yours (pro-India and anti-Kashmir), and we know that nothing will happen there.”

A fruit vendor wondered, “Why don’t they look after the problems in their own countries (India and Pakistan)? There are people dying there, too.” Others voiced little differently that the Indian Government blames Pakistan all the time, but we also know what we want.

An activist also openly shared that while the 1990s had supplies of arms, today the people are not fighting on the basis of anyone else’s support but for their own dignity. “It is impossible to access arms now, and therefore once in a rare while, we hear of incidents of gun snatching from a police source.” In a similar vein, a couple of people shared that it was unlikely that Adil Dar held responsible for the Pulwama attack would have put together the RDX that was used to attack the CRPF convoy, and everyone knows that he has never been to Pakistan, alleging that this was an act in connivance with the Indian forces.

Two women on their way to the hospital with a baby demanded to know, “Why don’t they give us azaadi? We are all in jail. Leave us alone. It is better to die than live like this.”

Some women we met in Shopian questioned us as to who had started the trouble, and what presented the need to abrogate Article 370,
“Hindustanis were always welcome here; nowhere in Kashmir would you find a place where anyone was stopped or not respected. So then what was the need to take away the special status that connected Kashmir to India?”

The women said,

“We also have the right to speech and should be heard. We are speaking to you so that you can take our message till the U.N. and the whole world: that Kashmiris want freedom. We are ready to give the qurbani (sacrifice) of the apple season. We don't care about this. Freedom is more important than anything else.”

Some women spoke in Koshur which was translated to us, “India has made us desperate. We don't care if we die.”

On the streets of Srinagar, people were happy that the Pakistani Prime Minister, Imran Khan, lived up to their expectations. They felt that “what he spoke was actually the pulse of the Kashmiri people.” “Even though the time was over, he kept speaking about us,” people kept saying, referring to how the PM had continued to speak for half an hour beyond his prescribed time.

Young and old people, in small clusters, expressed their views on what makes one a ‘terrorist’ versus a ‘mujahideen’36. They said, “Modi is talking about terrorism. But was Bhagat Singh a terrorist? Kashmiri youth are also fighting for their country, so are they terrorists? What about Hindu terrorists?” A student asked,

“Who killed Mahatma Gandhi? Was he a terrorist or not? Those who have martyred themselves for Kashmir are people who could have driven around in expensive vehicles, left Kashmir (to go abroad) and made their own lives. But they wanted to liberate Kashmir. Kashmir has been made a football between India and Pakistan. But Kashmiri people don't have to choose between either country. They want to be independent of both. Log do pehelwanon ko dekhte hain. Unke pair mein jo piste hain, unko koi nahi dekhta. (People only watch two wrestlers. They don't notice the people who are suffering under their feet.)”

36 Shorn of its loaded implications and framing under the imperialist ‘Global War on Terror’, the word “mujahideen” in Arabic simply means “struggler, or fighter”.

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A Struggle Across Generations

“It is in our genes.”

In Srinagar, a 45-year-old man referred to the martyred Kashmiri militant Burhan Wani, and pointed our attention to the fact that in the last seven decades,

“Doctor, engineer aur scholar ne bhi bandook uthhaaya hai. Aish-o-aaraam chhodkar gun kaun uthaayenge? (In Kashmir, doctors, engineers and scholars have picked up the gun. Who leaves a life of luxury to pick up the gun?) India will have to change its attitude. Will a family that has lost a child ever agree to this state of affairs? The people of Kashmir will not allow their martyrs’ blood to go waste. College-going girls should be thinking about their aspirations, but they are coming out on the streets because they know what is happening is wrong.”

There is common knowledge across many generations in Kashmir that, in the face of the mass insurgency, the state armed forces’ concern is ‘security’ of the Indian state at the cost of the people’s lives and aspirations. This truth clarifies what the man said next,

“To call our freedom fighters ‘terrorists’ is a sin for us. He who does zulm is a terrorist. And those whom India refers to as ‘terrorists’ have not robbed people in the dark, or held anyone to ransom and taken money. They have given their lives for Kashmir.”

As we went around Srinagar, more people expressed how the continuing situation has impacted the old and the young alike. The life experiences of youth who are now in their twenties has strengthened their determination for azaadi further still, since, as elders in the neighbourhoods shared with us,

“They (those born after the 1980s) have grown up seeing death around them. They have seen the blasting of bombs and grenades at any time of the day. They have lost friends in this turmoil. [Knowing that it may be around any corner,] this generation is not at all scared of death.”

Activists who spoke to the team added that young men in Kashmir don’t want to be arrested and put behind bars, because they are aware of how the families suffer in such cases. They don’t have a fear of death, but they don’t want their parents to suffer, if they get blinded or handicapped in any way. Detentions also imply expenses and running around courtrooms.
People shared that earlier when there was a blast or any untoward incident, the crowd would disperse and people would run towards safety. But now, the youngsters and crowd move towards the scene. An activist shared, “The young don't have arms now as it was in the 1990s but they carry their passion. They are not scared. If a security person behaves indecently with them, they will answer back.” The thousands who come out in a martyr’s janaza is a symptom of this deep-rooted pain and solidarity across family boundaries.

A female student in her second year of college in Baramulla added,

“**Hum apne mann se college nahi ja rahe.**

**Humara mann hee nahi hai. Hum chahte hain azaadi.**”

(We ourselves have decided not to go to college. We don't feel like going. We want freedom.)

An educated taxi-driver said,

“**Mera do saal ka buchcha hai. Uska khoon bhi Kashmir ki aazadi ke liye dена pade, to main dene ke liye taiyaar hoon.**”

(I have a 2-year-old son. I am even ready for him to sacrifice his blood for Kashmir’s freedom.)

Wall graffiti of ‘Save Kashmir’, ‘We Want Freedom’ and the like are splattered on shop shutters in the inside lanes in almost all localities we visited in Srinagar and Baramulla. On the main roads fanning out from the airport to the cities or other travel routes of official dignitaries, such messages have been blacked out or obfuscated on the orders of the J&K Police and the Indian security forces.

Even after August 5 (2019), the flag of independent Jammu and Kashmir was hoisted at traffic signals in some parts of the city. The state flag is red in colour, with a white plough and white stripes of equal width symbolising the divisions of Jammu, Kashmir and Ladakh. The red traces its origin partly to the blood-tainted shirt of one of the victims of the July 13, 1931 massacre by the Dogra police (see Background), hoisted by the crowd in Srinagar on that day. Like the J&K Constitution, and the erstwhile posts of Prime Minister and Sadr-i Riyasat, then, this flag still carries symbolic value for many people.

The general view during our visit was that whatever happens, the people of Kashmir will not succumb.

The decisions taken by the National Conference and the People's Democratic Party – both political parties that participate in elections held...
freedom
by the India government in J&K, and have formed the local government on several occasions – came in for heavy criticism and contempt by some people. Both parties have historically claimed support for the retention of Article 370, but allowed the erosion of its substance over decades. In an indication that the people of Kashmir have no use for the duplicity of such politicians, a woman journalist said to us, “We are happy that now we don’t have anyone (any intermediary) between us and India.”

The history of betrayals by the Indian state, and its manipulation of religion in an effort to embed sectarianism and divide the people of J&K, are particularly vivid in the minds of older generations. In the state’s siege on the hearts and minds of people, the clarity of what is to be done is still not lost. The team was invited to the house of an elderly man in Chathabal, Srinagar, who now has school- and college-going grandchildren. The man had lived and worked 32 years of his life in central India, and told us that his two daughters-in-law also come from there. He spoke perceptively,

“There is nothing in this mosque-temple tug of war that politicians are constantly at. All this is only to agitate the ‘other’ and for votes. Even you have red blood inside you, even my blood is red. We all are one before God. It is only here, on Earth, that we have become Hindus, Muslims, Sikhs or Christians.

We (the people of Kashmir) step forward to shake hands, they (India) slap us back. There is no solution in war. This is my house! Can two neighbours decide what has to be done in my house? We all can sit together and discuss. There can be no decision without taking my views. How can there be a solution without involving Pakistan? That won’t happen. The three of us have to sit.

(On Amit Shah’s suggestion to give Kashmiris a hug) People want peace. The solution lies in talking to everyone involved. Hugging or shaking hands doesn’t resolve anything. All this is propaganda...”

The youngest person in the family expressed that even though their mother is from another state of India and they have a non-Kashmiri maternal family, they did not want to be part of the Indian Union, and are against the Indian government’s actions in Kashmir.

“We were all sleeping and when we got up, there was a curfew. We were all just guessing, why is the military being sent? Is there a threat to the
Amarnath yatris? Is Yasin Malik going to be hanged? What is India planning? The lack of information about what the Central government was planning, and the impact on Eid celebrations has been an emotional and mental blow to the people.”

“My 9-year-old son has difficult questions that I don’t know how to answer.”

In Village 1 in Shopian, a group of women said that even children are picking up the chant of azaadi. “Children, in class 3, 4, 5, 8, everyone speaks about azaadi.” One of them explained that if a 13-year-old sees his mother being manhandled, he is not going to accept it quietly. The children have also started asking why they should continue to study, with so much uncertainty and disruption to their lives and their anxiety about family members, neighbours, and friends. Indeed, as women students in Baramulla attested, “Not a month goes by that we are able to go to school properly.”

One of the mothers in Shopian said,

“Ghar se nikalna mushkil hai.
Hum auratein ghar par hi house arrest pe hain.”
(It is difficult to get out of the house. We women are under house arrest in our own homes.)

College students in Baramulla expressed,

“Allah ne zindagi dee hai... ghulami ke liye nahi dee hai.
Abhi gharwale bhi bolte hain ghar mein raho.
Forces darwaze par honge to kaun hume bahar bhejega?”
(Allah has given us life, but not for a life of slavery.
Now even my family tells me to stay at home.
Who will send us outside when the forces are at our doorstep?)

People seemed clear and demanded to know how parents could be expected to send their children to school or college. Even if it is nearby, they won’t send them out. All they want is azaadi. They want to roam around as before, for which, the Indian security forces must go back.

One activist shared that, “My 9-year-old son has difficult questions that I don’t know how to answer. He asked what effect would the abrogation of Section 370 have in the longer struggle of azaadi?” When he replied that maybe it would not affect the struggle, his son remarked, “I know my younger brother would get angry when I take his things; India also knows we will get angry, that is why they keep taking one thing at a time from us.”
Among the families the team met at a Kupwara hospital, only the young girl in one group of women was willing to speak to us. She was in class X and could not go to school now. She added that even they (her classmates and peers) believe in the cause of azaadi.

In Anchar, one woman in her mid 20s, who teaches classes IV and V in a high-end school in Srinagar, shared that she misses her school children, and showed photographs with them on a picnic. When asked if her students are able to talk about their insecurities and fears around the 'halat', she said, “We don’t discuss these matters in school openly as it is an Islamic school and can easily be branded as anti-national. But all the children are always dealing with this part of their lives.”

A journalist who is also a father to two small children said that he, as everybody else, would send their children out of Kashmir if they could. This was for safety reasons and for ensuring a ‘future’ for the kids, but this requires resources. One activist said, “This generation has been consumed by what is happening here. Zakir Musa, Burhan Wani, Riyaz Naikoo are all our children.”

A young woman in Village 1 in Shopian said,

“Our mothers mourn and apologise that they gave life to us, and that we have had to go through all this in just 23 years of our lives. We have studied but there is no future for us. We want to be free.”

People fear war, but in the deep-rooted aspiration for azaadi, they also say, “There seems to be no solution other than war... We feel that we are not scared of dying, and whoever survives—survives, but at least the next generation will enjoy their lives. Blood will [otherwise] continue to flow in the Valley.”

In Shopian, a man said that he and others of his generation used to wonder whether the struggle would die out with them. The generation coming of age today has mobiles, the internet, jeans. They were worried if the young people would understand their struggle and accept its significance in the lives of the people. But today, the elders feel that the young are more intelligent. Some men sitting by the roadside in the early afternoon said, “Har haal mein azaadi chahiye.” (We want freedom at any cost.)

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37 More on him at https://www.huffingtonpost.in/2018/10/02/how-riyaz-naikoo-went-from-being-a-math-teacher-to-hizbul-mujahideens-chief_a_23548311/
Indians And The Indian State

A woman in Saora asked us how any Indian could carry on with the farce that Kashmir is part of India. “If one part of the body is injured, then the other parts are also in distress. That is what being an integral part of a whole means. But do Indians care for us? How can you call us an integral part of India?”

A senior journalist pointed to the support that the Indian government seems to have garnered from Indians as a significant cause for concern, telling us,

“We don’t have a complaint against India (Indian people); we have a problem with Indian policies. We have friends in India, across different states. We interact based on our friendship, not as Pakistanis, Indians or Kashmiris. But what has happened this time is a complete dhokha (betrayal)... Modi was able to do this (abrogation of Article 370) because of the people standing with him... We can sense this when we now travel to Delhi. There is a popular support (among Indians) for what he is doing in Kashmir. If that lasts, we are going to be totally isolated.”

In a similar vein, a journalist who often travels to India noted,

“There used to be a clear demarcation between Indians and the Indian State, but that is now crumbling. We have never had problems with Indians coming here and working. There are lakhs of migrant workers here. But what is being done now is different, and will change the relationship the people of Kashmir have had with Indians.”

An activist shared a similar concern, “The people of Jammu and Kashmir have had various interaction with Indians, as students, labourers and tourists, but this multidimensional interface is also breaking down. Now, there is only the face of the army. This will have a deeper and long-lasting impact on everyone’s psyche. Children ask us what are they doing here.”

Another activist expressed his disillusionment,

“When Modi does something, he doesn’t say he is doing it for himself, he is doing it for the nation. And what is this nation? It is each one of you plus the thousands and crores of the Indian population. You can’t point a gun (at us) and expect people to love you.”
On Solidarity And ‘Fact-Finding’

A couple of people said that they had a problem with the Indian narrative which has been premised around human rights. One of them said that the Kashmiri activists have been doing fact-findings and they can do this well. But what most activists from India have not done—whether they have failed, or refused to do it—is to acknowledge the Kashmiri people’s right to self-determination. Yet, the people are clear that they do not want any symbolic actions or gestures. “Concerted efforts to change the mindset and to take the voice of the people of Kashmir across each state, like a yatra from Delhi to Srinagar, or continuous engagement as a stakeholder, is what we expect from Indian civil society.”

There was skepticism of Indian groups coming to Kashmir because they can see that people have not stood up for Kashmir. One person said, “There are hardly any people in India who speak for Kashmir, not in the human rights or activists circle or anywhere else. The stand that Kashmiris should be speaking for themselves, is a little problematic [as a] stand. Indian civil society is not recognizing that being a Kashmiri and speaking about Kashmir, even in Kashmir, is dangerous. If there are more stakes from the Indian society in this, then there is a chance we can put some pressure on the Indian Government. Indians will come to Kashmir, go back and draft a report for their organizations and carry on with their struggles, but they are still not stakeholders. Being a stakeholder is a different thing altogether. Kaun maar khaane ko taiyyar hain India mein? (Who is willing to put themselves at risk?)”

One person said, “We are perfectly capable of doing this (fact finding) ourselves. You are being dishonest with Kashmiri people if you don’t acknowledge our right to self-determination.” Whether it was in Koshur, Hindi/Urdu or English, people would tell us, “Take our message back to India. Be our ambassador. Tell the whole world that Kashmiris want freedom.”
Visit Details:
September 24, 2019 - Shopian
September 25, 2019 - Baramulla
September 26, 2019 - Kupwara
September 23-28, 2019 - Srinagar
Some Reflections

“Yahan ki halat dekhkar, aap ko kya lagta hai?”
(After seeing the conditions here, what do you feel?)
ever felt they were part of India? As a country which had also fought for its independence from foreign powers that established themselves here for a few hundred years, why is it difficult for most Indians to imagine a free Kashmir, we wondered.

The situation is too grim for words to express. In international law, a territory is considered ‘occupied’ when it is placed under the authority of a hostile army. How different is it in Kashmir? In India, on an average, there are 138 security personnel per lakh population. The number changes drastically in Kashmir. Today, the presence of about 10 lakh security forces, which works out at a ratio of 1:8 as compared to civilians, is much higher than in any other part of the world. Insecurity, torture and pain is permeated through this control mechanism. Incidents of sexual harassment and violence inflicted on women and men by security forces continue to be reported. The impunity given to the security forces to carry out random arrests, detention or torture over the years also clearly implies that the fear, intimidation and coercion are the means employed by the Indian government to maintain its stranglehold on the people and their land. Thus today, while Kashmiris stay trapped and terrorised inside the houses, the security forces govern the land.

WSS believes that on grounds of principle, Kashmiris have the right to choose their future destiny. One, India has to live up to its promise of plebiscite. Two, people of any land have the right to self-determination. The UN Charter clarifies two meanings of the term self-determination. First, a state is said to have the right of self-determination in the sense of having the right to choose freely its political, economic, social, and cultural systems. Second, the right to self-determination is defined as the right of a people to constitute itself as a state or otherwise freely determine the form of its association with an existing state.

For the people of Kashmir, anyone who has given up on the dream of azaadi is a traitor because that person compromised on the idea. The attachment towards the Kashmiri tehreek (movement) in this sense, is not ethnic or religious in basis, but political. The sense of betrayal from most political parties and leaders was clearly expressed to us in our interviews and discussions. These voices reflected how people perceive the present political class of Kashmir. A majority said that they were relieved that all those political leaders who were cosying up to India are now arrested, and there is no longer any doubt left in anyone’s mind. They also felt that now it was for the people to decide instead of the political leaders.
We got this strong sense of ‘our Kashmir’ from many people we met across districts in this short period. The pride in Kashmiri culture, in their lands, people, mountains and faith, is an important bearer of the spirit of nationalism. In our interactions with numerous groups and individuals throughout the stay, we did not meet a single Kashmiri who is not pro-azadi. It was evident in our interactions through different ways that this aspiration is perpetuated and the more repression people experience, the more it grows. The feeling of collectiveness is not written anywhere, but is transferred from one to another and spread in ways that we could sense. Azaadi is not one person’s struggle or dream. As someone said, it is part of their genes.

Caught between two nation states – India and Pakistan – and their continuing conflicts and strained relations, the struggle of self-determination has taken many difficult turns that have proved costly to the people of Kashmir too. It is not difficult to imagine why the strife for nationhood has taken militant forms in Kashmir as in many similar struggles. For most Kashmiris, these are the freedom fighters. Death in militant combat is seen as the ultimate sacrifice for the land.

Separatism and terrorism have nothing to do with Article 370. The Kashmir Tehreek goes long before 1947 and the desire for azaadi has survived the times of monarchy to a so-called democracy (see Background). While the support from Pakistan also spiked the militancy movement in Kashmir in the 1990s, India’s own policies and acts of rigging elections, military occupation and impunity in the crimes committed by Indian forces, use of draconian laws against the people and more have distanced the people of Kashmir from India. The legal amendments made through these 70 years evidently enabled India to do what it wanted. So, it is evident for all of us that this gimmick of removal of Article 370 has a different purpose than what our Indian leaders claim.

Globally, the targeting and demonization of Islamic communities has played out its dynamics in this region too. Under the current political regime in India, the pursuit of a Hindu Rashtra is being expressed in systematic attacks on the Muslim community. It is the crisis of the Hindu social order that justifies its own exploitative order by ‘othering’ the Muslim community. This politics of hatred – making it as widespread as possible – is what the ruling party wants. Where do Indians stand in this? What do notions of democracy and equality mean in real life – this question needs more thought, instead of our falling prey to the growing hysteria against minority communities.
The people of Kashmir want the Indian army and security forces to move out of Kashmir. As do all progressive and democratic forces in India who stand committed to the principle of self-determination. Be it the thousands of Rohingya Muslims shunted out from Myanmar in 2015 or the Citizens’ Amendment Bill here in India that seeks to take away the right of citizenship from thousands of people, we need to fight against the forces of Islamophobia that seem to be gaining ground among large sections of societies and state systems.

The Indian state strives to be a strong player in the global economy, also by flaunting its hold on Kashmir. The abrogation of Article 370 and 35A have today opened up doors for the private sector. One of the first claims was made by Mukesh Ambani showing his corporation, Reliance’s interest in J&K and Ladakh. The government was at work even as the communication blockade continued, Kashmiris remained indoors, and even as voices of solidarity poured forth from the international community. In utter haste, the Jammu and Kashmir Forest Advisory Committee cleared 198 projects on forest land in just five meetings between July and October 2019. The state also set up an Environmental Impact Assessment Authority on August 4 (2019), a day before announcing the abrogation, to fast-track environmental clearances to as yet unspecified infrastructural and commercial ‘developmental’ projects.

The strategic military and economic interests of the Indian state have got a boost also because of the virulent hatred that is spread by its actions and the policies it enacts. Any dissent is easily criminalized. All minority communities and all struggling peoples are faced with a formidable reality today. Therefore, voices and actions of solidarity for the struggle of the people of Jammu and Kashmir have to grow and be heard too.

Kashmir has been reeling under a state of denial of rights since times lived and recalled by people of all age groups, in the state. The policies of the Dogra rulers, the unravelling of Sheikh Abdullah as the leader of Kashmir’s voice for \textit{azaadi}, the attack of tribesmen from North Waziristan and newly formed Pakistan in 1947, the exodus of the Kashmiri Pandits in the 1990s—these come up on different people’s lips as we travel in the state. Though Article 370 was diluted significantly by Indian governments under the Congress, but the consistent attack on the people of Kashmir—who are predominantly Muslim—by Hindu rulers time and again, especially in the present times, are the historical facts that frame the people’s aspirations to \textit{azaadi} and their suffering and turmoil in the present.

\textbf{Kashmir, Before The Creation Of India Or Pakistan}

The Kashmir Valley, one of the five sub-regions of the erstwhile princely state of Jammu and Kashmir, is where most of the state’s fertile land is concentrated. The valley of Kashmir had known cruel exploitation of tillers through the periods of Afghan, Sikh and Dogra rule since 1756. The years from 1819 onward saw the Sikh rulers, with an administration biased on religious grounds. It was a rule that disrespected subjects who were Muslim or Hindu, even in death; a murder committed of a Sikh carried a penalty of Rs 16, and the family of a murdered Muslim was compensated with Rs 2 whereas that of
a Hindu with Rs 4. The Sikh rule continued until Britain invaded around the middle of the 19th century, and annexed the Kashmir Valley, Jammu, Ladakh, Gilgit and Baltistan from the Sikhs. In 1846, the British defeated the Sikh rulers and sold the entire Kashmir Valley for 75 lakh rupees to the local Dogra ruler of Jammu, Gulab Singh as he had supported them in the Anglo-Sikh war. It was under Gulab Singh that all these regions fused together to form the princely state of Jammu and Kashmir, and as history has traced, the origins of movements for self-rule and nationalism lie in the people’s agitations against the oppressive Dogra rule and its exploitative economy during the mid-1800s itself.

Many historical documents and records by British visitors show the plight of Muslims as compared to Hindus as the period of Dogra rule progressed. Mridu Rai in her book Hindu Rulers, Muslim Subjects refers to the three social classes, i.e., Pandits, Sayyids and Pirs as ‘Naqshbandis’ whose loyalty was cultivated by the Dogra Maharajas to ensure Kashmir’s smooth transition to a Dogra kingdom. This was done strategically by exempting them from the regular revenue assessment and other taxes that the state levied on the cultivators and the poor peasants, who were primarily Muslims. In addition to taxation amounting to half of the autumn and spring produce, there were numerous other taxes and cesses to be paid to the state regularly, like nazranas (paid four times a year) and tambols (paid at the time of marriage in the family of the ruler).

The Dogra officials additionally benefitted from the sale of peasant labour to the state and the foreign visitors. In this system of ‘Begar’, the Muslim peasants were reduced to animals of burden without any hope for wages in remuneration of hazardous and, often fatal labour in the northern regions of the state. A stark reminder of these days was present in an old photograph the team saw on a restaurant wall, depicting the realities of begari: a man stood with a whip overlooking the Muslim peasants bent on their backs.

The attack on subjects on the basis of their religion took various forms. A large number of mosques were taken over by the rulers, and made into granaries or ammunition centres for the Maharaja. Employment and eligibility

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rules worked structurally in ways that barred Kashmiri Muslims to become part of the administration. In order to check the spread of Islam, a law was promulgated by the Government by which if a Hindu converted to Islam, he was debarred from the right of inheritance and in case of vice versa, he could attain the right of inheritance. Besides, they (who would convert to Islam) were subjected to various difficulties and inconveniences by local officials.

During the rule of Ranbir Singh, in April 1865, hundreds of shawl-weavers (primarily, all economic productive work was done by Muslims) were shot down when they marched to the Governor's office protesting that they were being taxed at a rate that was more than half their earnings. There are records to show that Pratap Singh (1885-1925) would not tolerate seeing the face of a Muslim (till noon) and the shadow of a Muslim over the water, (which was brought from Cheshma Shahi Srinagar for him), and the guilty was punished and imprisoned.42

The Introduction Of ‘State Subject’ Rules

It was around this time that the concept and terminology of ‘state subjects’ came into the demands of the Kashmiri population. Initially, it was among the Kashmiri Pandits, who were among the first group of people of the land to gain education. They were looking for employment within the state administration, however, all jobs had been taken by Punjabis or Britishers. Many representations were made repeatedly to the (British) Government of India to oppose the wholesale encroachment of all-important Government posts, trade contracts etc. in the State by the outsiders. The outsiders were commonly called Gair-Mulki (non-natives). The State Subject Definition Committee on the issue recorded that ‘services, profits and wealth passed into the hands of the outsiders and the native subjects lost enterprise and independence.’

Maharaja Pratap Singh backed the persistent representations of the people and directed that preference should be bestowed to State Subjects over outsiders in the matter of employment. As a result of many such developments,

by the year 1909 AD, a substantial number of Kashmiri Pandits had attained various senior and lower grade clerical posts in Government services, but the high positions were still seized by the outsiders who were creating great difficulties for the natives when it came to promotions on the basis of their work and merit. This state of affairs aroused strong feelings of resentment among the Pandits.

In June 1912, the term ‘State Subject’ was defined for the first time to meet the persistent demand of the people of the State to safeguard their rights. Then in 1922, at the instance of Maharaja Hari Singh, who was then the senior member of the council, a committee was appointed to define the term Hereditary State Subject. The heads of various departments of the State were directed to prepare a list of the *Mulkis*, naturalized *mulkis* and non-state subjects in the State employment. A circular was also issued prohibiting acquisition of land in the State by anyone but a State Subject. Significantly, the circular also said: “In future no non-state subject should be appointed to any post without the express orders of the Maharaja Bahadur in Council. Each such proposals would be accompanied by a full statement of reasons as to why it was considered necessary to appoint a non-state subject. In like manner, no scholarship or training expenses of any kind would be granted to non-state subjects”.

While these moves helped the Pandits to some extent, the Muslim peasants and artisans were still very far from the centre of power. In the two decades prior to 1947, revolts against the Dogra rulers kept growing.

In June 1931, Abdul Qadeer Khan Ghazi was arrested on charges of sedition as he gave a fiery speech against the Maharaja. On July 13, 1931, the entire Muslim population rose as one and took up the task of securing for themselves the right of democratic self-rule when the Dogra ruler’s forces charged on the person who called out the *azan*. In 1932, under British pressure, the Maharaja constituted the Glancy Commission to look into the grievances of the people. Its recommendations included land reforms and relaxation in norms for entry into state services, but these were not implemented by the Dogra rulers. They also included a recommendation to relax censorship and allow for the functioning of independent press.

43 https://kashmirlife.net/state-subject-the-evolution-story-issue-02-vol-11-207016/
Lord Birdwood, a British military officer who knew him personally, wrote:

“Maharaja Sir Hari Singh remained in apparent indifference to the welfare of his people throughout the twenty-three years of his rule. While his own detachment contributed to the final debacle, we should remember that he inherited a system of taxation and land revenue which allowed the barest margin of subsistence to the Moslem Kashmiri. An _ad valorem_ duty of 85 per cent was levied on all woollen manufacture. The incidence of land taxation was still three times that levied in the neighbouring Punjab. The Maharaja by virtue of the Treaty of Amritsar was not only Sovereign Ruler over his domain but owned the land. Carpenters, boatmen, butchers, bakers, even prostitutes were taxed. Until 1934 the slaughter of a useless cow was a capital offence. The issue of arms licences was limited to Hindus.”

On similar lines, Maqbool Butt in a letter to a friend’s daughter had shared an experience from 1945 when he and other children of his village, as 8-9 year olds, lay down in front of the _jagirdar_’s vehicles so that he would relent and waive the _anaaj_ (grain) that their families, as slaves, had to give even when the harvest was meagre. This extreme step was taken after a series of crackdowns and whipping had been unleashed upon the poor peasants.

The National Conference, which was initially formed for securing the interests of Kashmiri Muslims under the banner of Muslim Conference and had changed its name to the NC to reflect its membership in 1938, called for the Quit Kashmir Movement in 1946. The Cabinet Mission had declared that when the British left the subcontinent, the rights of the Princely states would return – which implied that Dogra autocracy would continue. The NC thus called upon Kashmiri Pandits to join in the slogans of ‘_Bynaama Amritsar Tor do Kashmir chhor do_’ (Break the Amritsar Treaty Leave Kashmir) against the Dogra rulers. Sheikh Abdullah and many other political activists were arrested, and Abdullah was sentenced to nine years of imprisonment for challenging the Maharaja’s right to rule.

In Kashmir today, the same slogan echoes in the words we heard over and over from the people, ‘_Hume akela chhor do_’ (Leave us alone).

Two States And Kashmir

There were over 580 princely states in 1947, at the time of the British transfer of power and the creation of India and Pakistan. The question of which of these two nation-states the princely states would join, if they did not opt to stay independent and sovereign entities, was particularly difficult where the ruler and the population practised different religions. Kashmir had a Hindu ruler, but a predominantly Muslim population, where there had been continuous revolts against the ruler. While Kashmir was an overwhelmingly Muslim majority (93%) province, in the Jammu Province too, Muslims formed 61.19% of the population.\(^{45}\) With a population that was overwhelmingly Muslim, but had its own movement spanning across religious denominations for self-rule – a movement that did not have a significant history of support from the pro-Pakistan Muslim League or the Indian Muslims, and received limited sympathy from the liberal Indian National Congress – the only way to ascertain the people’s will between accession to India, Pakistan or independent statehood would have been a plebiscite, or referendum. Such a plebiscite was granted in Junagadh, an area within Gujarat which had a Hindu population but a Muslim ruler. But this has never been done in the region that formed the erstwhile princely state of Jammu and Kashmir. In 1947, a Standstill Agreement was offered by the Dogra government to India and Pakistan, which the latter did sign but India refused to recognise.

The unrest against the Dogra rulers had been affecting the Jammu province since before. In February 1947, revolts had already started in Bagh and Sudhnoti in Poonch (part of which presently falls within the Jammu division) against the Maharaja on his heavy taxation policy. By July, the Maharaja had disarmed the thousands of Poonchis who were veterans of the JK unit of the British Army.

With the gruelling tension around partition, while the Kashmir Valley remained safe, Jammu tensed up further. There was an internal bias existing against the Muslims, who were more populous but still living under the dominance of the Dogra Hindu landlords and government officials. Additionally, the area was contiguous to Punjab, where brutal inter-religious

\(^{45}\) This includes areas now in Pakistan Administered Jammu & Kashmir.
violence and mass migration were occurring. The route from Sialkot to Pathankot, connecting the two new dominions, crossed through Jammu, bringing a significant influx of migrants and refugees.

The anti-Muslim violence started in August and continued till November 1947 engulfing the eastern districts of Jammu – Udhampur, Reasi, and Kathua. Conservative estimates are that over 200,000 Muslims were exterminated or had to leave Jammu. Historians have demonstrated that the role of Maharaja Hari Singh, his wife and his rajguru in fuelling communal riots cannot be overlooked. Historical witnesses to this period have affirmed that a conspiracy was devised by the Dogra state in collaboration with the RSS from Amritsar to carry out a wholesale massacre of Muslims in the State, beginning with Poonch.

**Continuing Biases**

In 2016, BJP MLA and the J&K Minister for Forests, Choudhary Lal Singh threatened the Gujjar Bakarwals who had approached him about their orchard lands, by asking them if they had forgotten the 1947 massacre of Muslims in Jammu. In 2018, Lal Singh was again at the forefront of demonstrations by Hindu right-wing groups who were expressing support for the perpetrators of violence on Asifa. It must be noted that the Bakarwal community, who are pastoralists, have time and again proved their loyalty to India by working as the ears and eyes of the Indian Army as they move in the higher altitude regions with their livestock.

Due to the forced migration and inter-religious massacres in Jammu in 1947, the percentage of Muslims is estimated to have reduced from 61.9% to under 40%. Cold blooded murders were executed in hundreds, calls of help were responded to by sending in Hindutva cadres, and the abduction of women was a widespread feature – these form the backdrop of the hatred seen in recent times against Asifa’s Bakarwal community.

Amid the scenes of inter-religious violence and mass mayhem, in September 1947, some 50,000 men were organised into a people’s militia in Poonch, variously known as the ‘Azad Army’, ‘Azad Forces’ or ‘Azad Kashmir

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47 [https://kashmirlife.net/a-historys-witness-3736/](https://kashmirlife.net/a-historys-witness-3736/)
48 In January 2018, Asifa was brutally raped and murdered by temple priests and policemen in Kathua, Jammu, in an effort to scare her community of (Muslim) Gujjar Bakherwals and force them to leave the land.
Background

Regular Forces’. This locally-officered volunteer ‘army’ comprised 90 per cent ex-servicemen from the British colonial armed forces.

The invasion of tribesmen from North Waziristan, where many of the Jammu Muslims had family ties, is recorded as on October 22, 1947. The attack was made from the north of Kashmir, and is proved to have been aided by the newly formed Pakistani government.

Around 2,000 tribesmen are reported to have stormed Muzaffarabad on their way to Srinagar and easily scattered the Kashmir state army deployed there. From here, one column drove in trucks down the Jhelum river, breezing past Uri and reaching Baramulla where another round of looting and arson ensued. While Hari Singh’s military fell apart and he bargained with India to provide support, the people of Kashmir were defending their land. Kashmiri Hindus, Sikhs and Muslims fought against the invasion of Pashtun tribesmen. Srinagar was being managed by an emergency administration of sorts with the help of citizen volunteers and political activists. This remains in the memory of the older people in Downtown Srinagar, who recounted, “we had resisted the invaders with sticks.” Women – Hindu and Muslim – formed the women’s militia and learned to fire .303 rifles and throw grenades. While Kashmir defended itself, Sardar Ibrahim, a pro-Pakistan landlord announced the founding of the government of Azad Jammu and Kashmir at Palandri (earlier part of Poonch district, but is now in Sudhanoti district of Pakistan-administered Azad Jammu and Kashmir).

India agreed to step in only if the Maharaja signed the Accession Instrument. Historians and scholars have argued that this document was therefore signed under duress, and further, that the actual date of its signing (which remains disputed in first-hand accounts) may even render Indian actions in sovereign Jammu and Kashmir ‘legal’ or ‘illegal’. In any case, the Indian forces retaliated from Kashmir on October 27, 1947. What is of utmost importance is that Lord Mountbatten, whose approval was part of the Accession Instruments, in the covering letter to the Instrument wrote that “the question of accession should be decided in accordance with the wishes of the people of the State, it is my Government’s wish that, as soon as law and order have been restored in Kashmir and its soil cleared of the invader, the question of the State’s accession should be settled by a reference to the people”. On November 2, 1947, in a broadcast to the nation, Nehru said,

“We have declared that the fate of Kashmir ultimately has to be decided by the people. The pledge we have given, and the maharaja had
supported it, not only to the people of Kashmir but to the world. We will not, and cannot back out of it.”

By November’s end, the tribesmen had mostly pulled back to Uri, where the Jhelum gorge becomes narrower and easy to defend. Under attack by the Indian armed forces, they were unable to move much further towards Srinagar. Soon the winter snows arrived and put an end to the Indian forces’ own advance towards Muzaffarabad.

Since Pakistan had already signed the stand-still agreement with Hari Singh, it could not have mobilised its own troops to occupy the state, like India did in Hyderabad and Junagadh. Through September, Pakistan limited its support to the people in the region – who were bereft of a functional administration after the Maharaja’s escape, and caught in the disruption of economic supplies amid the ongoing partition. But the continued fighting of several weeks between the Pashtun tribesmen and Indian Army prompted Pakistan to attempt to take control and provide direct aid to the tribesmen. This was frustrated due to opposition from the British joint command of the as-yet-undivided military armies of India and Pakistan, citing the accession of the state to India. However, later in 1948, the British command relented and the Pakistani armies entered the continuing war. Finally, when New Delhi and Islamabad agreed to a ceasefire on January 1, 1949, the former princedom of Jammu and Kashmir was divided along a temporary ‘ceasefire line’ (known as the LOC in the present day) between the two countries.

The terms of the ceasefire, laid out in a UN Commission resolution No. 47, adopted on April 21, 1948 required Pakistan to withdraw its forces, both regular and irregular, while allowing India to maintain minimal forces within the state to preserve law and order. Upon compliance with these conditions, a plebiscite was to be held to determine the future of the territory.

The Constitution of J&K and Indian Occupation of Kashmir

Upon the partial accession to India, Jammu and Kashmir retained the right to draft its own Constitution. All princely states were given this right, but the others (with a few exceptions) accepted the Indian or Pakistani Constitution as being applicable to themselves. J&K, however, constituted its own Constituent Assembly and reserved for itself the right to make its own laws on all but a few
Background matters, that had been specified in the Accession Instrument. Article 370 gave constitutional effect, provisional until the referendum, to this understanding.

The Naya Kashmir Plan, which had been submitted by Sheikh Abdullah to Maharaja Hari Singh in 1944 was the vision document which guided the Constituent Assembly. Sheikh Abdullah had been released with Nehru’s intervention on September 29, 1947 and became the second Prime Minister of Jammu and Kashmir. One of the first things he got to doing was to ensure the land reforms were initiated as per the Naya Kashmir Plan. Under the Big Landed Estates Abolition Act, 1950, land in excess of 22 acres was redistributed among share-croppers and landless labourers, without any compensation to the landlord. Redistributing land without compensation was possible since the provisions of the Indian Constitution did not yet apply in the state.

Majority of the jagirdars who thus had to submit their holdings to the redistribution, were Dogras and other Hindus in Jammu, and their resentment grew against Sheikh Abdullah. His own vocal stands fearing the growth of Hindutva politics in India, and the hold of the Rashtriya

Source: BBC
Swayamsevak Sangh (RSS) in Jammu and Kashmir, were justified although not received well by these groups. The RSS-backed Jana Sangh had been launched in 1951, and RSS ideologue Syama Prasad Mukherjee announced the group’s priorities as: education focusing on ‘Bharatiya’ culture and Hindi language, denial of any ‘special privileges’ (with the aim of affirmative action) to minorities, and abrogation of Article 370 in accordance with the RSS’ belief that Jammu and Kashmir was to be ‘an integral part of India’. The ineptitude of the Indian government in acting against this spread of Hindutva politics was also making Sheikh Abdullah uncomfortable about maintaining status quo with the Indian federal union. Within the state itself, the Jammu Praja Parishad had been formed shortly after the partition, under the leadership of RSS activists, Balraj Madhok and Prem Nath Dogra, and with the support of Hindu landlords and ex-officials from the Dogra regime. The Praja Parishad, which maintained close ties with the Jana Sangh and merged with it in 1963, started a communal agitation on the Jana Sangh demands in 1952. Due to the divisive, upper-caste and openly communal nature of its politics, the agitation was suppressed by Abdullah’s government. When S. P. Mukherjee attempted to enter J&K without a travel permit (then a pre-requisite for any outsiders visiting the state of J&K) in May 1953, he was arrested and detained. Already suffering from ill health, Mukherjee died while he was still in detention in 1953.

As the realisation that the Indian government was soft towards Hindutva groups cemented itself, Sheikh Abdullah began to express the people’s views in favour of complete independence from the Indian Union. On August 8, 1953, he was dismissed from office and was, along with 22 members of his party, arrested.

Thus began India’s ways of controlling Kashmir’s governments by assembling cabinets of the legislature and lining up collaborators that would work as per the thinking of the Indian Government. After Abdullah’s removal from the Prime Ministership of J&K and his arrest in 1953, Bakhshi Ghulam Mohammad was appointed as the Prime Minister (later Chief Minister, when the post was changed to align with other Indian federal units) with the Indian state’s intervention. His policy of a developmental state aimed to bring an influx of government investment in road infrastructure and welfare policies; however, it also entrenched corruption at multiple levels of governance and
Background

politics. Today, Bakhshi’s tenure serves as a stark reminder that the Indian state has historically used ‘development’ as a sleight of hand to suppress democratic processes in Kashmir. Rather, the occupying government’s hope that flyovers and rapid (but deeply unequal) urban expansion would numb the people’s political aspirations and their disappointment at India’s undemocratic removal of their elected leader, has only seemed more and more unrealistic over the decades. Thus, the Indian state’s functioning through proxy governments in Kashmir entrenched corruption in the state bureaucracy, and fuelled a growing disillusionment with the electoral systems in Kashmir.

Over the period from 1955, when the Plebiscite Front was formed to demand a popular referendum on Kashmir’s political future and the release of Kashmiri political prisoners, up to the signing of the accord between Sheikh Abdullah and Indian PM Indira Gandhi in 1975, the political aspirations of the people of the disputed region grew even more firmly outside the electoral domain. Plebiscite politics expanded the vocabulary of the people of Jammu and Kashmir, as Occupation (by what was and is seen as an external state), khud-mukhtari (self-determination) and the demand for rai shumaari (a popular referendum) were on everyone’s minds. Meanwhile, the Indian state increasingly subverted electoral politics to its purposes by appointing its proxies to head the local government, ingraining corruption in the state bureaucracy, merging the National Conference into the Indian National Congress’ state chapter, and silencing critics and dissenters through censorship, detention and arrests. Subsequent elections saw Congress-supported candidates being declared as unopposed victors in many seats. Even Jawaharlal Nehru, in a letter in March 1962, was constrained to point out to Bakhshi Ghulam Mohammad that “It would strengthen your position much more if you lost a few seats to bona fide opponents”.

The moi-e-muqaddas (the Prophet’s hair), intensely venerated by the Kashmiri people and housed in the Hazratbal shrine in Srinagar, was stolen from the shrine on December 27, 1963. The disappearance of the relic created ruptures at multiple levels, fomenting a palpable sense of consciousness and unity in the otherwise internally divided rural and urban communities in Kashmir. Thousands of people poured into Srinagar from across the Valley, in the bitter cold to demand its recovery. Their demonstrations received support from Kashmiri Pandits and Sikhs too, who aided in logistical arrangements.
over the days.\textsuperscript{49} It was to the credit of the nearly decade-long political mobilisation of the Plebiscite Front and other groups with similar aspirations, that the gathered people in Srinagar quickly escalated their demands. They began to articulate their opposition to the state (both local and central/Indian) and articulate their aspirations for \textit{khud-mukhtaari}, with slogans such as “\textit{yeh mulk hamara hai, iska faisla hum karenge.}” Posters were also issued demanding the resolution of the Kashmir issue by the United Nations, while seeking the intervention of Muslim countries including Pakistan in the matter.

The religious relic was reportedly found and returned in the early weeks of 1964, but pro-plebiscite voices only grew over the next few years. The Indian state had just come out of a brief war with China in 1962, and was soon to plunge into another war with Pakistan in 1965. The first armed groups for the ‘liberation’ and ‘complete independence’ of Kashmir arose during the late 1960s, with the JK National Liberation Front (co-founded by journalist, writer, political activist and guerrilla fighter Maqbool Butt and the Gilgit-born activist Amanullah Khan) and Al Fatah being the prominent ones. These were influenced by liberation struggles throughout the world, such as in Vietnam, Palestine, and Algeria. Throughout the 1960s, the Indian State’s repression of such political mobilisation led to increased militarisation of Kashmir in the name of ‘national security’, as the wars with China and Pakistan allowed for the imposition of ‘emergency’ laws and the steady infiltration of state surveillance into the very social fabric of Kashmir.\textsuperscript{50} Thus, pro-freedom political activists as well as anti-war voices in Jammu and Kashmir were sought to be silenced through detention, torture\textsuperscript{51} and sedition charges.

Indian Governments have continued to show the world that the Kashmir issue is being handled in a democratic manner through elections. However, through 1951 to current times, the elections have not been conducted in an honest, sincere and transparent manner that would have allowed the leadership and decision-making as per the mandate of Kashmiris. It was only when Abdullah agreed to give up the demand for plebiscite that he was made the face of the INC in Kashmir (which had absorbed the NC into itself in 1965), and came in as a Chief Minister in 1975, and implemented

\textsuperscript{50} See Kashmiri writer Amin Kamil’s short story, “The Shadow and the Substance” (tr. Neerja Mattoo), written during this period.
\textsuperscript{51} Mohammad Youssef Bhat. 2017. “Prison Diary: 1965-1968”. The writer recounts his personal experiences as a political activist under detention during this period.
emergency in the state. The 1977 elections are considered the only fair elections in Jammu and Kashmir. But the period of turmoil came back after the 1983 elections, when Farooq Abdullah geared the NC as a party distinct and opposing of the Congress Government. As Indira Gandhi realized that the National Conference was not functioning merely as the JK unit of INC, she chose to change Governors and brought in Jagmohan to dismiss the Farooq Abdullah Government. Again, an alliance was formed between INC and NC in 1986 with Farooq Abdullah commenting, “Anyone who wants to form a government in JK cannot do so without sharing power with New Delhi.”

1987 to 1990s – Militancy

By the time of the 1987 state assembly elections, as a result of sustained campaigning in spite of and, in part, spurred by the increasing repression and militarisation, the Muslim United Front (MUF) was constituted to carry along the people's political aspirations. The MUF, which was a cluster of all the socio-political and religious organisations and had the support of pro-independence activists, appeared a strong candidate for many electoral seats. In these elections, where Kashmiris came out to vote in large numbers, it became apparent that Sheikh Abdullah could not swing the votes towards any group which was so closely aligned with India, with diluted positions on autonomy. But the counting booths were taken over and electoral results were rigged, with many leaders of the MUF arrested.

It is widely agreed that the repression of the popular will in 1987 played a part in setting off the waves of militancy that flooded the state in the years that followed. Many of those who joined the militancy were MUF supporters who saw armed revolt as the only way forward. The MUF leader Muhammad Yusuf Shah would take on the name Sayeed Salahuddin, and rise to head the Hizb-ul Mujahedin. His election manager from 1987, Yasin Malik, would go on to head the Jammu and Kashmir Liberation Front, a Kashmiri nationalist organisation.

Although the failure of Indian governance and democracy lay at the root of the initial disaffection, Pakistan played an important role in converting the latter into a fully developed insurgency. Several new militant groups with radical Islamic views emerged and changed the ideological emphasis of the
movement towards an Islamic one. The Harakat-ul-Ansar group, a powerful militant organisation which first emerged in 1993, was said to be made up largely of non-valley Kashmiris.\textsuperscript{52} This had happened partly due to a large number of Afghan fighters (mujahadeen) who were pushed into the Kashmir valley following the end of the Soviet-Afghan War in the 1980s.

The Cold War was at its height and the U.S. had been supporting Islamic groups in a bid to target the Communist governments. As the Soviet occupation ended in Afghanistan by 1989, the attention of the Pakistani Inter-Services Intelligence (ISI) was tilted towards the continually developing mass movement in Kashmir. The major militant organisations remain divided between those who advocate an independent Kashmir and those who support accession to Pakistan. The most powerful of the latter group was and continues to remain the Hizb-ul Mujahedin.

After the elections, militants of the JKLF and other groups stepped up their attacks on the government, lobbing grenades at government buildings, buses and the houses of present and former state officials, and enforcing a state-wide boycott of the November 1989 Indian parliamentary elections. One month later, JKLF militants abducted the daughter of Indian Home Minister Mufti Mohammad Sayeed, then freed her when the government gave in to demands for the release of five detained militants. That event, together with a surge in popular protest against the state and central governments, led New Delhi to launch a massive crackdown on the militants. In response, the state government resigned in protest and governor’s rule was declared on January 19, 1990.

The JKLF continues to assert that a secular, independent Kashmir free of both India and Pakistan is its eventual goal. It has committed itself to a political struggle for achieving its objective of independence for the entire region of the former princely state.

The armed insurgents belonged largely to the divided region of Jammu and Kashmir (i.e., both, Indian- and Pakistan-occupied parts), but also included veteran Afghan fighters from the Soviet-Afghan war and fighters from other parts of the world. Many of the young men from Jammu and Kashmir crossed the border into the Pakistan-occupied region after 1987, in

\textsuperscript{52} Human Rights Watch (1996) India’s Secret Army in Kashmir, New Patterns Of Abuse Emerge In The Conflict. Available at: https://www.hrw.org/reports/1996/India2.html
Jammu Kashmir Liberation Front

The Jammu Kashmir Liberation Front (JKLF) is a political organisation that continues to be active in both Pakistan-administered and Indian-administered Kashmir. Originally a militant wing of the Plebiscite Front, it changed its name to JKLF in 1977. From then until 1994 it was an active militant organization.

By 1992, the majority of the JKLF militants were killed or captured by the efforts of the Indian and Pakistani military on both sides of the LOC. Pakistan ceased to provide financial and tactical support to the JKLF because of its pro-independence ideology. Thus, they were now losing ground to pro-Pakistan guerilla groups such as the Hizb-ul-Mujahideen, strongly backed by the Pakistani military and the socio-religious organisation, Jamaat-e Islami.

After 1994 the JKLF in Kashmir Valley, under the leadership of Yasin Malik, declared an ‘indefinite ceasefire’ and reportedly disbanded its military wing. However, according to him, JKLF still lost 600 activists to Indian operations. In his book Kashmir: Roots of Conflict, scholar Sumantra Bose quotes a veteran Kashmiri journalist who says, “A total of 300 surviving JKLF members were killed by Indian counterinsurgency forces after the group’s unilateral ceasefire in 1994.”

The JKLF in the Kashmir Valley was banned by Indian government under UAPA in March 2019. Yasin Malik was arrested on February 22, 2019 under the PSA, and remains in detention.

order to equip themselves with arms and training before joining the rebellion raging on both sides of the LOC. In Indian-occupied J&K, throughout 1988 and 1989, police posts and officials were attacked in several districts.

The armed insurgency evidently had mass support during the early years. Throughout the year 1990, multiple processions rallying huge numbers of people were held outside the UN Military Observers Group for India and Pakistan (UNMOGIP) office in Srinagar. Spontaneous ‘hartals’ (civil strikes) were observed on the martyrdom anniversaries of armed insurgents, such as in September 1989, for Aijaz Dar, who was killed in an unsuccessful assassination attempt on a senior J&K police official the previous year (see box below). The insurgent groups escalated their attacks on state machinery through many means, including call letters and warnings to state representatives and local collaborators, as well as more direct attacks on state infrastructure. In 1990, in response to a call issued by the JKLF to mainstream or pro-India political activists,

53 https://thewire.in/security/kashmir-jklf-ban-yasin-malik
the then NC president Abdul Aziz Bhat and other workers resigned from the party. Politicians who did not step away from electoral politics in Kashmir in this manner, alongside civil servants and police informers, left themselves open to abduction and assassination by the guerrilla groups. Elsewhere, telegraph offices and the All India Radio building were under constant guard by Indian state forces, as the insurgency sought to challenge the Indian state propaganda and networks more directly – by attacking transmission centres across Kashmir.

The 1990s:
Repression on the People of Indian-Occupied Kashmir

Since September-October 1989, selective killings of government officials and Hindu right-wing political leaders started. It must be noted that the initial round of assassinations was motivated by political differences, not by religion. The senior government officials targeted for their collaboration with the Indian state belonged to the Kashmiri Pandit as well as the Muslim communities. In September 1988, an armed insurgent named Aijaz Dar attempted to assassinate the then Deputy Inspector General of Police (Kashmir range) Ali Mohammad Watali.55 In early September 1989, political activists from the NC-Congress combine came in for targeted attacks, with NC member Mohammad Yousuf Halwai’s assassination in broad daylight and a car bomb attack targeted at the state Congress chief Mohammad Shahi Qureshi.56 On September 14, 1989 armed insurgents killed Pandit Tika Lal Taploo, an advocate and a prominent leader of Bharatiya Janata Party. On September 22, 1989 a bomb blast damaged a sub-office of the National Conference, whose workers at large had been warned by insurgents to resign from the pro-India political party. Soon after Taploo’s death, Justice Neelkanth Ganjoo, a retired sessions judge who had sentenced Maqbool Butt to death in 1968, was shot dead by insurgents. Ganjoo had been targeted previously in 1984, after the hanging of Maqbool Butt, when a grenade was hurled by unknown persons at his residence.57 In February 1990, Lassa Kaul (director of Doordarshan in Srinagar) was killed by the insurgents for Doordarshan’s pro-Indian state coverage of the situation in Kashmir.

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55 See footnote 52.
The Exodus of Kashmiri Pandits

Writer Siddhartha Gigoo, who has written the book, A Long Dream of Home shared “In the Urdu daily, Aftab, a press release was issued by the Hizbul Mujahideen that clearly asked Kashmiri Pandits to leave the valley within 36 hours or face consequences. There was zero sense of security and that is why, the Pandits left.” This news was carried by the Srinagar-based newspaper Aftab on January 4, 1990. The experience and resulting political stance, however, were not homogenous even within the community. Some personal accounts attest to the efforts by Muslim neighbours and mohalla members towards reassuring Kashmiri Pandits, as well as in negotiating with the local administration regarding the safety of minorities.  

On the night of January 19, 1990 – the day Jagmohan was appointed governor (for his second stint) – Kashmiri Pandits left the valley in large numbers for Jammu and other parts of India. Even while the fact remains that many KPs were feeling insecure with the announcements and threats, first-hand reports from administrative officials and activists suggest that Jagmohan actively facilitated the migration, instead of providing protection to the Kashmiri Pandit families. SRTC buses and the J&K Police were reportedly deployed in service of the mass migration. Kashmir Centre for Development Studies, has been demanding a judicial probe into what columnist Javid Iqbal calls the “engineered eviction” of Kashmiri Pandits. Two days after Jagmohan took over, the state witnessed the Gaw Kadal massacre in which an estimated 100 people participating in unarmed protests against the governor and the central government were killed, and many more left injured. Days later, on January 25, 1990, 21 civilians were killed by the Border Security Force (BSF) in Handwara. On March 1, 1990, around 33 people were killed at Zakoora, Tengpora, and on May 21, 1990, at least 50 people were killed when the BSF fired at the funeral procession of Mirwaiz Maulvi Mohammad Farooq near Srinagar’s Islamia College.

58 See Puri, B. (1993). Kashmir Towards Insurgency. pp. 64-67. Historian Mridu Rai notes then senior administrative official Wajahat Habibullah’s account of “groups of Muslims appealing to him to stop the Pandits from leaving, which led him to suggest to Governor Jagmohan that a television broadcast be made advertising the request of hundreds of Muslims to their Pandit compatriots not to leave the valley. According to Habibullah, Jagmohan did not agree to this suggestion.” See: https://www.aljazeera.com/indepth/spotlight/kashmirtheforgottenconflict/2011/07/2011724204546645823.html  
59 https://kashmirlife.net/pathan-remembers-issue-30-vol-09-154431/ See also Azad Essa’s interview with Mridu Rai, fn. 56.  
60 https://scroll.in/article/802579/why-kashmiris-are-recalling-jagmohanthemurderer-after-the-padma-award-announcement  
On September 22, 1990, 23 prominent Kashmiri Pandits addressed and signed a letter to the editor of the Kashmir daily, Al Safa, expressing their regret at the community being ‘made a scapegoat by Jagmohan,’ and recognising the ‘valour and courage’ of their ‘Kashmiri Muslim brothers and sisters’ ‘against the onsalught of occupation forces.’

The local organisation of Pandits in Kashmir, Kashmir Pandit Sangharsh Samiti (KPSS) after carrying out a survey in 2008 and 2009, said that 399 Kashmiri Pandits were killed during the period from 1990 to 2011 with 75% of them being killed during the first year of the Kashmiri insurgency.

According to Government of India’s own records, a total of 219 Kashmiri Pandits were killed during the conflict from 1989-2013. However, these ‘tallies’ remain unclear on whether they include killings by both, Indian state forces (some of which were covered in news reports and eyewitness accounts) and the armed insurgents, or only one set of actors. While the data on migrations vary from 1 lakh to 3.5 lakhs, government statistics indicate that a total of 38,119 families left the Valley after the eruption of militancy. Of these, 34,202 were Kashmiri Pandit families, 2,168 were Muslim and 1,749 were Sikh.

From the outset, the Indian government’s campaign against the militants was marked by widespread human rights violations and modes of collective punishment meted out to the whole population, including the shooting of unarmed demonstrators, civilian massacres, and summary executions of detainees. Sexual violence on men and women has been used extensively as a tool to suppress the movement. In a study carried out by Médecins Sans Frontières in two districts (30 villages) of the Indian part of Kashmir in 2005, respondents reported frequent direct confrontations with violence since the start of conflict, including exposure to crossfire (85.7%), round up raids (82.7%), the witnessing of torture (66.9%), rape (13.3%), and self-experience of forced labour (33.7%), arrests/kidnapping (16.9%), torture (12.9%), and sexual violence (11.6%).

The letter was first referenced here: https://www.greaterkashmir.com/news/opinion/were-sorry-we-betrayed-you/
66 https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2575189/
Unarmed civilians were being targeted by the state security forces. In January 1993, at least forty civilians were burned alive and killed by BSF troops in Sopore, who ordered shutters to go down before torching the Sopore market – leaving many people trapped inside with no way to escape the fire. Then, in October 1993, over 50 demonstrators were shot dead by BSF troops in Bij Behara (Anantnag). Even the local police, largely cooperative with the Indian forces, was subject to violence and suspicion on account of being staffed by Kashmiris. In an instance in 1993, the army was brought in to take over the Srinagar police control room when the J&K police agitated on the streets for a week. This happened when a fellow policeman had been shot dead by the army along with 5 civilians. More than 100 IAS officers and officers of state services were sacked (later reinstated after a 72 days strike supported by Class IV employees) when they wrote to the government and the U.N. against the destructive policy of human rights violations, collective punishment, and impunity, steered by Governor Jagmohan without consultation.

Throughout 1995, as the insurgency unraveled under attack and pressure from India and Pakistan, militant groups increasingly resorted to the indiscriminate use of explosives, including car bombs and letter bombs, not only in Jammu, but in areas with heavy traffic in Srinagar, where such attacks had earlier been rare. The people of the region were the principal victims, and many thousands of Kashmiris – Muslims, Pandits, and others – migrated out of the valley during these violent years. Many of these later attacks appeared to be the work of Islamist groups whose leadership included Afghans and other non-Kashmiris.

Since at least early 1995 Indian security forces have armed and trained local auxiliary forces made up of surrendered or captured militants to assist in counterinsurgency operations. They are generally referred to as ‘renegades’ or ‘sarkari militants’ or the ‘third force’. Lumpen elements and militants who surrender and then become recruits for one of these paramilitary groups are apparently motivated by the pay, and the opportunity to carry out attacks on former rivals without risk of being killed by the security forces. Ikhwan-ul Muslimeen, for example, has

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68 https://www.hrw.org/reports/1996/India2.html
69 Ibid
targeted Hizb-ul Mujahedin forces as well as members of Jamaat-e-Islami in its attacks. By the mid-1990s, the Ikhwanis also began occupying properties abandoned by Pandits, and threatening, harassing and killing local residents in their areas of dominance. Some Ikhwan members were later absorbed into the Jammu and Kashmir Light Infantry Unit of the Indian Army, while some became politicians and MLAs, and a few were even rewarded by the Indian state for their ‘services’.

An unnaturally high death toll of more than 70,000 persons, primarily in the age group of 18-35, detention and torture of more than 60,000 persons, massacres, custodial killings and torture, fake encounters, mass rapes and sexual violence have been the consequence in the violent campaign of state terrorism carried by Indian security forces during 1989 to 1994. An estimated 8-10,000 persons have become victims of Enforced or Involuntary Disappearance (EID) at the hands of the Indian State, through this period. People were picked up from homes or through the military- and police-led crackdowns where all men in the cordoned neighbourhoods were forced to come out on the road for hours and days. In 2009, over 2000 unmarked graves began to be uncovered. The state’s version has been that these were bodies of ‘foreign militants.’ However, next-of-kin, community, and collective testimony, as well as archival research evidences that, in various instances, after ‘fake encounter’ killings of ‘disappeared’ people, their bodies have been brought to the ‘secret graveyards’ primarily by personnel of the Jammu and Kashmir Police and the Indian army.

The loss of life and bodily injury resulting in permanent disabilities were accompanied by loss of livelihood and stability, as well as the rapid loss of land to Indian military encroachment and structures. In a survey carried out in a limited area of 50 villages of Baramulla and Kupwara, it was assessed that a total of 700 properties have been destroyed with damages of around 103.8 crore rupees; and 19 army camps have occupied 2047 Kanals of prime village lands.

1996 Elections - Farce of a Democracy resurfaces

Kashmir was brought under President's rule from 1990 to 1996 till again the farce of ‘democracy’ was presented. While claiming it was restoring the democratic process, India rejected all requests of foreign observers to monitor the elections. Rejection of nomination papers, banning of pro-plebiscite candidates from standing in elections, capturing of polling booths, rigging of election results, removal of governments which took pro-people decisions have been a regular method of the Centre's practices in controlling Kashmir.

An independent observers' report of the 2004 elections showed that majority of the people who were at the polling booths openly said that the security forces had pushed them out to vote. Those who were in the voting booth said, “You don't know what the army will do if we don't get our fingers marked by the permanent black dye.” Others who did not vote said, “We are for azaadi and we are boycotting elections.” And, “We are struggling for freedom and freedom cannot be attained by elections.”

In the next elections in 2008, people were reported to have voted only because “the issues of bijli, sadak, pani can be addressed through elections only” but there was an overwhelming support for “azaadi” which cut across the divide between the voters and those who boycotted the elections. This rejection of Indian politics is evident in the voting patterns in Kashmir. In 7 of the past 8 Lok Sabha elections, Jammu and Kashmir has had the lowest voter turnout in comparison to all other states of the country.

The alliance between BJP and PDP in the last assembly elections showed how two parties, whose stands have been extremely contradicting to each other, came together for power. In the 2019 Lok Sabha elections, Srinagar voting was at 14.8% whereas Anantnag was 8.7%.

The Resistance Spreads Deeper and Wider

Between 2004 and 2007, the armed struggle by Kashmiris abated and gave way to nonviolent resistance. Thus, the past decade has seen that protests against Indian

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rule have grown in number and size, where the armed militancy has become surprisingly small, partly because of the lack of logistical and material support from Pakistan in the face of American political and economic pressure, as well as the perseverance of the pro-independence strand of the struggle itself.\textsuperscript{75} The years have been marked by massive civil disobedience — workers’ strikes, student rallies, and business shut-downs. Protests against every incident of state repression further add fuel to the continuing desire for freedom from Indian rule.

2008 saw massive protests from various political quarters against the local government’s decision to transfer 100 acres of state forest land to the Shri Amarnathji Shrine Board. The decision was viewed as a shrewd manoeuvre towards building segregated enclaves in the disputed region, and further, as a land grab by the Indian state. Faced with mass protests and public condemnation by its political opponents, the state government claimed to have revoked the transfer. But this was followed by an economic blockade along the only highway linking the Valley to India, by Hindu groups backed by the BJP-RSS. In response, on August 11, 2008, Kashmir witnessed its largest protest in decades, as young and old, workers and traders, farmers, and political activists – people from all walks of life – started on a peaceful procession towards Muzaffarabad, the capital of PaJ&K, to demand access via trade routes across the border. Into this crowd of more than 2.5 lakh protestors, Indian state forces opened fire, killing 5 people. The forces deflated the tyres of nearly 200 trucks of produce which were part of the procession, fired tear gas shells to deter the marchers, and detained fruit growers alongside political activists.\textsuperscript{76} Among the dead that day was Hurriyat member and political activist Sheikh Abdul Aziz, and when his \textit{janaza} (funeral procession) was taken out, the state forces fired upon the assembled crowd, killing 11 civilians. State violence on protests in 2008 resulted in the killings of over 60 Kashmiris, with countless others injured or rendered disabled.

In 2009, Neelofar and Asiya’s suspected rape and murder, allegedly by Indian state forces from a nearby camp in Shopian and then the cover-ups by the NC-led state government and government medical professionals led to mass-scale protests. Civilian protests resumed in 2010 when three young boys, Shahzad

\textsuperscript{75} https://www.nytimes.com/2018/08/01/world/asia/kashmir-war-india-pakistan.html
\textsuperscript{76} https://www.outlookindia.com/newswire/story/hurriyat-leader-among-five-killed-in-police-firing-jk/598156
**Major Attacks on Minorities in Kashmir**

On 25th January 1998, when the Muslim residents of Wandhama village were engrossed in the nightlong ‘Shab-e-Qadr’ prayers, a major massacre of Pandits unfolded. 23 of their 24 neighbours, the Kashmiri Pandits, were gunned down by unidentified gunmen. These were individuals who had remained in their village for almost a decade since large-scale violence erupted. According to the locals, the victims were ‘symbols of communal harmony and had resisted migration.’

The surviving residents of Wandhama and civil and political leaders in Kashmir urged the authorities to investigate the massacre. The official investigation into the incident closed in 2008, purportedly for lack of evidence. It is one of the several politicised tragedies where ‘unidentified gunmen’ were responsible for sensational (but unclaimed) acts of brutality.

Another major massacre of religious minorities in Kashmir has been the Chittisinghpura massacre in which 36 innocent Sikh men were killed. This tragedy unfolded on March 20, 2000, immediately prior to U.S. President Bill Clinton’s visit to India. The Government claimed that the incident was carried out by ‘Islamic extremists’ and they killed five men who were the responsible ‘Pakistani terrorists’. Upon exhumation, it was revealed that the men killed were in fact local villagers (not ‘Pakistani terrorists’) who had been abducted and killed by the Indian military in what became known as the Pathribal ‘fake encounter’.

Lt. General Gill, of the Indian Army, who prepared a report on the incidents has suggested that members of the Bharatiya Janata Party planned the killing of the Sikh men in Chittisinghpura. In an interview in 2017, he further clarified that the Army was guilty, not the commanders, but till the Captain level, and that this had been carried out with the involvement of surrendered militants. However, no one in the Indian Army has been held responsible for the Chittisinghpura massacre or the Pathribal fake encounter.


Ahmad, Riyaz Ahmad, and Mohammad Shafi, were killed in a staged encounter in Machil sector of Kupwara district, along the LoC. On April 30, 2010, the 4 Rajputana Rifles Unit of the Indian Armed Forces at Kalaroos in Kupwara district claimed that three ‘foreign / infiltrating militants’ (from Pakistan) had been killed.

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79 ibid.
in an ‘encounter’. The protests that began with the demand for accountability on
the Machil killings continued for 6 months, and over 115 civilians are officially
reported to have died in the streets at the hands of armed police and CRPF. During
these 3 years, hundreds of young men and juveniles were detained under the PSA,
and subjected to torture\(^{80}\) and sexual violence\(^{81}\) in custody.

The events of 2008-2010, particularly the Indian state’s brutal repression of any signs of peaceful, democratic protest in Kashmir, calibrated an understanding among the people that India wants them to pick up the gun, in other words, to be pushed into violent modes of struggle that would make it easier to paint their resistance and democratic self-assertion with the broad brushstroke of ‘terrorism’. In spite of these pressures on their political movement, the younger generation at large has not taken to armed militancy in significant numbers, although the commitment and sacrifices of guerrilla fighters are well recognised and honoured by the people who spoke to our team.

The extra-judicial killing of Burhan Wani on July 8, 2016 brought forth
an upsurge of anti-Indian sentiment in all of Kashmir, and even Banihal as well as parts of the Chenab valley (Jammu division). Protests spread across all 10 districts of the Kashmir Valley. Curfew was imposed for a continuous period of 53 days and mobile services were suspended but people defied all orders and came out to protest.

Such protests and collective displays of political will by millions of Kashmiris have been met with force, sometimes lethal in nature, and have led to heightened tensions. Jammu and Kashmir Police and Indian paramilitary forces used pellet guns, tear gas shells, rubber bullets, as well as assault rifles, resulting in the deaths of more than 90 civilians, with over 15,000 civilians injured and as the result of pellet guns, many people were also blinded. In the longest internet shutdown across the world, in order to suppress news of the state’s violence as well as to impede communication among the people of the region, internet access in Kashmir was cut off for 133 days between July 8, and November 19, 2016. In fact, mobile internet for prepaid users was only restored in January 2017, after a nearly 6-month long blockade. But Kashmiris


\(^{81}\) https://caravanmagazine.in/crime/survivors-speakforced-sodomy-members-security-forces-kashmir
continue to mobilise, on the basis of shared experience, broken promises and their political aspirations.

The memories and continued impact of the most recent attacks on people, as well as the past, is part of the narrative that people shared with us. Today, as they face another kind of intrusion in the existing ‘normalcy’, they remember that ‘we have seen much worse’ and dread what is to come.

The Military Occupation

For years now, Kashmir has been considered the most militarized zone in the world, surpassing comparisons to the American occupation of Iraq and Afghanistan. As militancy grew in 1990s, under the ‘Doval doctrine’, India chose to see this only as a law and order problem, and an instigation of Pakistan, without acknowledging the real demands of the people of Jammu and Kashmir.

The army and paramilitary forces continue to be given a free hand, since the imposition of the Armed Forces (Special Powers) Act in 1990. Under the impunity granted by this law, massacres in quick succession, fake encounters, sexual violence, torture became the rule of functioning.

A 2011 report suggests that the number of forces varied between 5 lakhs to 7.5 lakhs when the number of militants were less than 500 then. Similarly, this continued when for the official figure of 226 militants in September 2015, there would be security forces in the range of more than 7 lakhs. Currently, the number of Indian state forces in Kashmir is around 10 lakhs, making the ratio of 1:8 (security forces to civilians), while the Governor himself accepts that the number of militants might be less than 200.

In Kashmir the landscape is dotted with permanent and temporary military establishments such as air-fields, firing ranges, camps, barracks,

82 AG Noorani in Outlook article defines Doval doctrine as three broad themes of India’s National Security Advisor (NSA) Ajit K Doval’s prescription: “irrelevance of morality, extremism freed from calculation or calibration, and reliance on military might.”
84 https://www.hindustantimes.com/static/the-young-militants-of-kashmir/#close
bunkers, check posts, many of which function out of former civilian facilities (often illegally occupied and/or acquired by brute force) such as university campuses, stadiums, cinema halls, schools, hospitals, recreational clubs and government rest houses. These are part of the main market circles as well as the mountains around the cities and along the highways.

**Context to Article 370 and 35A**

**Article 370**

The Government of India, acknowledging limited nature of accession\(^{87}\), Resolutions of the United Nations and the dispute between India and Pakistan as regards territory and accession of the State, incorporated a Special Article in the Constitution known as Article 370. The mechanism provided that no provision of the Constitution of India would apply to the State of J&K, unless the President of India notifies its application to the State with concurrence of the Government of the State and while doing so, the President is empowered to apply the provision with such ‘exceptions’ and ‘modifications’.

Article 370 was intended to be temporary until Kashmir’s Constitution was drafted and the Constituent Assembly of Kashmir has the power to recommend the abrogation of Article 370 to the President. The Constituent Assembly of Kashmir however dissolved in 1957 without making any recommendation for amendment or abrogation and for this reason, the Indian Supreme Court has ruled on multiple occasions that Article 370 is now a permanent part of the Indian Constitution since the only body that could have abrogated it has been dissolved without doing so.

Articles 370(1)(c) and 370(1)(d) deal with the applicability of the Indian Constitution to J&K. Article 370(1)(c) states that Article 1 and Article 370 of the Constitution shall apply to J&K. Article 370(1)(d) states that other provisions of the Constitution can be made applicable to J&K with such ‘modifications as the President may by order specify’.

\(^{87}\) Clause 7 of the Instrument of Accession - Nothing in this Instrument shall be deemed to commit me in any way to acceptance of any future constitution of India or to fetter my discretion to enter into arrangements with the Government of India under any such future constitution.
Background

Under the first Constitutional Application Order of 1950, various entries, on which Parliament could make laws corresponding to matters (defence, external affairs and communications) specified in the Instrument of Accession, were made applicable to the State.

It was followed by a detailed Constitutional Application Order of 1954 when the Constituent Assembly of the State was in the process of making its own Constitution. The then Prime Minister of J&K, Sheikh Muhammad Abdullah had been already arrested. The Presidential Orders of 1954, amidst many changes, also -

1. Provided the permanent residents of Kashmir the citizenship of India, whereas till then they were state subjects or citizens of J&K
2. Abrogated the customs duties (tax levied on imports and exports) that was otherwise applicable to all transactions with Kashmir.
3. The Supreme Court of India became an authority over the High Court of Kashmir.
4. Ensured that the area of the State of J&K cannot be increased or diminished by the Parliament without the consent of the State.

After the Constituent Assembly was dissolved upon completion of the Constitution of Jammu and Kashmir, there were amendments to change the position of ‘Prime Minister’ to ‘Chief Minister’. The gubernatorial position of ‘Sadr-i Riyasat’ was similarly changed to ‘Governor’, in congruence with the nomenclature in other federal units of the Indian state.

1. The signing of the Kashmir Accord 1974 (better known as the Indira-Sheikh Accord) ensured the establishment of Sheikh Abdullah as the Chief Minister of Kashmir, 22 years after he had been dismissed as the Prime Minister of Kashmir and had been in imprisoned for extended periods. Conditions of his release from imprisonment involved dissolution of the demands for plebiscite and self-determination ensuring that Kashmir’s dream for independence were further compromised. The further erosion of Article 370 included - the position of the Central Election Commission was made applicable to JK too.

88 The position of Prime Minister and Sadr-e-Riyasat was abolished in 1965, when the J&K Constitution was amended (Sixth Constitution of J&K Amendment Act, 1965) by the then Congress government which had been formed after the arrest of PM Sheikh Abdullah, which replaced the two positions with Chief Minister and Governor respectively.
2. Article 356 of the Indian constitution, which allowed the Centre to remove the Legislature of the State governments and impose President’s rule, was permitted.

3. Barred the J&K Legislature from making any change to the J&K Constitution regarding appointment and powers of the Governor. Now this position became a Central Government’s appointee versus the earlier system of nomination by the state legislature.

Thus over these years, with more than 47 orders, although Kashmir’s special status, enshrined in Article 370 of the Indian Constitution was retained, the state was termed ‘a constituent unit of the Union of India’ and The Indian government was able to make laws relating to the prevention of activities directed towards disclaiming, questioning or disrupting the sovereignty and territorial integrity of India. The orders extended 94 out of 97 entries in the Union List to Jammu and Kashmir, and made applicable 260 out of 395 articles of the Indian Constitution, from what was originally only Article 1 and 370 itself. This effectively gave India control in the areas which mattered most.

**Article 35A**

This was not in the original Constitution of India, and was added to the Constitution in 1954 through a Presidential Order and is therefore part of Appendix 1 of the Constitution. It needs to be emphasized that it is placed within Part III of the Constitution: Fundamental Rights.

This Article provides that a person will be treated as a ‘Permanent Resident of J&K’ only in accordance with the law which was already in force in the State before May 14, 1954. In other words, a person who does not qualify as a Permanent Resident of the State under law as was applicable before May 14, 1954 cannot now become Permanent Resident of the State. The said law is also protected by the Constitution of Jammu and Kashmir.

This Article further confers on them special rights and privileges in public sector jobs, acquisition of property in the State, scholarships and other public aid and welfare that the state provides to its residents. Through the implication of this Article, Indians cannot purchase land or access government jobs or admissions in colleges unless they come in the category of the permanent Kashmiri resident.
The roots of Article 35A can be clearly linked to the struggle led by Kashmiri Pandits, against the Dogra government in the late 19th and early 20th century so that jobs, land, scholarships were not taken over by ‘outsiders’, discussed on earlier pages.

August 5, 2019 – Delhi

On 5 August 2019, President Ram Nath Kovind issued a constitutional order superseding the 1954 order, based on the resolution passed in both houses of India’s parliament with 2/3 majority. The long-time demand of the Jana Sangh of complete abrogation of Article 370 was carried out. To circumvent the procedure mandated as per the Constitution for abrogation of this Section, the following steps were taken:

1. The President effected one ‘modification’ to Article 367, which is the interpretation clause of the Constitution. In Article 367, the Presidential Order inserted a new sub-clause (4)(d) which states that the words ‘Constituent Assembly’ in Article 370(3) must be read as ‘Legislative Assembly of the State’. When there is no Legislative Assembly, this is also dispensed with.

2. A further order on 6 August declaring all the clauses of Article 370 except clause 1 to be inoperative. Since the state is under President's rule, it fell upon Parliament to make this recommendation under the newly 'modified' Article 370(3). Accordingly, the recommendation to the President to abrogate Article 370 and 35A was issued by the Home Minister through his Resolution.

3. In addition, the Jammu and Kashmir Reorganisation Act was passed by the Parliament (dividing) the state of Jammu and Kashmir into two union territories: Union Territory of Jammu and Kashmir and Union Territory of Ladakh.

89 https://www.thehindubusinessline.com/opinion/three-reasons-why-the-presidential-order-on-kashmir-is-not-kosher-yet/article28836245.ece
August 1 to 5, 2019 – Kashmir

On August 2, 2019 the government issued an advisory, asking non-Kashmiris to leave the Valley post haste. This saw a hurried exodus of migrant labourers, tourists, and pilgrims on the last leg of the Amarnath yatra from the Kashmir valley – the latter, as well as non-Kashmiri students at educational institutes\(^\text{90}\) were aided by the state machinery. As rumours had been floating around in government offices about an ‘impending move’ by the Indian state since July, people in Kashmir knew something was afoot, however, they were denied information about their own circumstances by the State.\(^\text{91}\) The removal of the tourists was done on the pretext of intelligent inputs that ‘terror attacks’ are likely. To the people of the state themselves, the Governor repeated on August 4, 2019, “I don’t know anything about tomorrow, but as of today there is nothing to worry.”\(^\text{92}\) The local police were also mandated to report the details of all mosques and their imams. Certain official departments were being asked to ensure ration for coming months and so on. As circulars began ‘leaking’ from government offices about these measures, local media reported that doctors’ leaves stood cancelled, Special Police Officers in the J&K Police received a sudden hike in perks and salary\(^\text{93}\), the Air Force was kept on high alert\(^\text{94}\), and finally, Jammu and Kashmir was about to witness a massive inflow of Indian troops. Initially by verbal orders and then official orders, thousands of forces were being deployed to add to the existing 7.5 lakhs plus forces in the state in the period of two weeks up to August 5th. The Indian state was not forthcoming about any news, instead allowing for the unchecked growth of fear and rumour among the people. Journalist Qazi Shibli, who had been tweeting news about the deployment of extra troops of Indian security forces in late July, was detained by the J&K Police.\(^\text{95}\) A number of significant bureaucratic orders were passed and committees set

\(^{90}\) https://www.greaterkashmir.com/news/jammu/nit-srinagar-students-leave-for-home-states-amid-confusion/
\(^{95}\) https://scroll.in/latest/935374/help-us-find-our-jailed-editor-kashmir-news-website-appeals
Zulm Zakhm Azaadi: Women’s Voices of Resistance in Kashmir

up, in respect of matters relating to land ownership and environment. On Sunday, August 4, 2019 in a hurry the J&K Environmental Impact Assessment Authority was constituted in order to expedite clearances for ‘infrastructure’ and other projects.96 Additionally, in a move that was apparently to secure and hasten the ongoing process of land records digitisation with the aim ‘to achieve purification of records to avoid disputes and litigations’, government orders were passed prohibiting the transfer or redeployment of patwaris in the state revenue department.97 In the coming weeks, the process of registration of land records was to be completely re-organised, by setting up a separate Department of Registration, thus divesting the judiciary of the power to register various documents (primarily but not limited to land deeds and records). Bureaucratic committees for projects on ‘conservation,’ ‘smart city’ and other ‘infrastructural’ projects which aim to control and divert land for the state’s purposes have also been set up since August 5, 2019.

On the morning of August 5, locals in Jammu and Kashmir woke up to a communications blackout and a curfew. At midnight on the night of August 4th, telephone and internet services had been blocked. About 3000 people, including erstwhile Chief Ministers and political leaders of the Kashmir Valley, as well as many lawyers, business executives and party workers, had been arrested and some were immediately forcibly shifted to detention centres outside Jammu and Kashmir.

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List of Acronyms

AFSPA  Armed Forces (Jammu & Kashmir) Special Powers Act
APDP  Association of Parents of Disappeared People
BBC  British Broadcasting Company
BJP  Bharatiya Janata Party
BSF  Border Security Forces
CrPC  Criminal Procedure Code
CRPF  Central Reserved Police Forces
DSP  Deputy Superintendent of Police
EID  Enforced or Involuntary Disappearance
FIR  First Information Report
INC  Indian National Congress
ISI  (Pakistan) Inter-Services Intelligence
J&K  Jammu and Kashmir
JKCCS  Jammu and Kashmir Coalition of Civil Society
JKLF  Jammu and Kashmir Liberation Front
KP  Kashmiri Pandit
KPSS  Kashmir Pandit Sangharsh Samiti
LOC  Line of Control
MLA  Member of Legislative Assembly
MUF  Muslim United Front
NC  National Conference
NIA  National Investigation Agency
PaJ&K  Pakistan administered Jammu and Kashmir
PDP  Peoples Democratic Party
PM  Prime Minister
PSA  Public Safety Act
RDX  Royal Demolition Explosive
RSS  Rashtriya Swayamsevak Sangh
SMHS  Shri Maharaja Hari Singh Hospital
UAPA  Unlawful Activities (Prevention) Act
UN  United Nations
UNMOGIP  United Nations Military Observers Group for India and Pakistan
WSS  Women against Sexual Violence and State Repression
SAVE KASHMIR
WOMEN AGAINST SEXUAL VIOLENCE AND STATE REPRESSION (WSS)
is a non-funded grassroots effort initiated in November 2009, to challenge and put an end to the violence being perpetrated upon women’s bodies and societies. We are a nationwide network of women from diverse political and social movements comprising women’s organisations, mass organisations, civil liberties, student and youth organisations, mass movements and individuals. We unequivocally condemn repression and sexual violence on women and girls by any perpetrator(s).

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“Whose security are they keeping the army for?”

“It has been 30 years... Each day and each night, it seems we carry 60 years of pain inside us.”

Zulm... Zakhm... Azaadi (Oppression, Wounds, Freedom)
It is impossible for the women of Kashmir to speak without using these three words. On August 5, 2019, as India laid siege to Kashmir under the garb of a parliamentary exercise, a people under military occupation mourned the lost promise of democracy once again, and prepared for a long, uncertain period of silence under the barrel of the gun.

Our journey into four districts of Kashmir records a story of immeasurable pain, loss, and fear. Today, as their demands for self-determination are silenced with fresh brutality, voices and actions of solidarity for the struggle of the people of Jammu and Kashmir have to grow and be heard too.

“Ask them- where did they keep them, why did they pick them up, what crime did they do?”

“What do we want? Azaadi!”

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