

BEFORE AND AFTER PULWAMA: THE KASHMIR ISSUE

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To cite this article: Islam, Md. Nazmul, "Before and After Pulwama: The Kashmir Issue", 05.03.2019, INSAMER.

 Analysis

Kashmir is one of the longest running disputes in contemporary times. Dispute over the state of Jammu and Kashmir arose almost instantaneously as India and Pakistan obtained independence from British rule in 1947. This article has been discussed and identified from the perception of India and Pakistan conflict on the issue of Kashmir especially after the Pulwama incident on 14 February 2019 where India lost their 44 soldiers because of suicide bombing by the one of the members of Jaishee-e-Mohommod (JeM). To identify the resolution of Kashmir conflict is one of the unpredictable tasks for any academic scholar, though the theoretical and conceptual part of the Kashmir conflict has argued that it has some correlational reasons to link up the 'protracted social conflict theory' and 'frustration-aggression theory' from the factors of this conflict, reasons and resolutions (Islam,

2016).¹ Additionally, it can be explained that the background of the historical perception of this conflict is very much important to framework the 'Pulwama issue' in Kashmir where the factors and reasons of this conflict from historical background to current situations exemplified the main causes of the Kashmir issue and the beyond facts of the crisis. Most importantly, it should be clarified and identified the Kashmir issue from the perception of India, Pakistan and Kashmir itself, on their continuous bloodshed conflict to find out the optimistic resolution.

Understanding the "Kashmir" Issue: How Heaven of the Earth Fall in the Year of Hell?

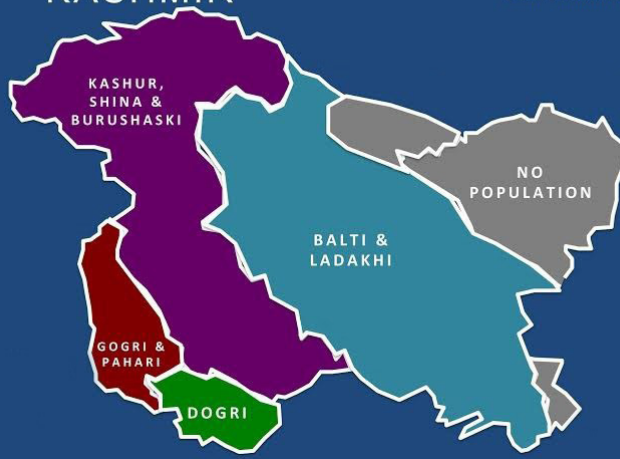
Kashmir is a natural resourceful, beautiful valley and haven in the earth in contrast with its continuous

conflict which must be unresolved after more than seven decades, fueling the conventional and nuclear arms race between India and Pakistan and bleeding their economy. According to folk etymology, the name “Kashmir” means “desiccated land” which comes from Sanskrit word as like Kalhanasaid that the valley of Kashmir was famous because of its so many lakes. Nevertheless, Kashmir conflict has been a longstanding diplomatic obstacle that has prevented normalized relations between India and Pakistan. Both countries insist upon their rightful claim to Kashmir, have fought three wars over the region since achieving independence from Britain in 1947, and have come close to a fourth conflict on innumerable occasions (Islam, 2016).² The population of Kashmir is divided into about 12.5 million people in Indian-administrated Jammu and Kashmir and 4.5 million in Pakistani-run Azad Kashmir and about 10,000 people inhabited in Aksai Chin which is controlled by China (2017 Census). At least 9.2 million people of Kashmir speak in ‘Kaushur’ language while they have so many different languages such as Pahari, Dogri, Balti, Shina and Ladakhi, etc.

man passed before (eğer bir nehirde iki balık kavga ediyorsa, bilin ki oradan az önce uzun bacaklı bir İngiliz geçmiştir)”.³ The Kashmir issue is one of the areas that British left problematic in order to be able to intervene when they need. Historically, the valley of Kashmir emerged as a political entity under Amritsar Treaty of 16th of March 1846 between Maharaja Gulab Singh and Britishers. Maharaja Gulab Singh was the founder of dogra dynasty which ruled for 106 years by four hereditary rulers of Gulabn Singh (1846-1857), Ranbir Singh (1857-1885), Pratap Singh (1885-1925) and Hari Singh (1925-1952). (Shaheen, 2012).⁴ In that period people have no rights to voice against Maharaja especially Muslims and make any organization or party. Sheikh Mohammad Abdullah, a teacher of a school formed, with the aid of some educated people, the first political party in the form of “Reading Room Association” at Srinagar to address and discuss the grievances of the people. The incident of 13 July 1931 gave a jolt to Maharaja’s regime in general and people in particular. It is a historic day in records of Jammu and Kashmir and was the first political activity against the ‘Dogra Dynasty’ resulted in firing. Abdul Qadar and other young Muslims organized a deputation to present their grievances before Maharaja, but the attempt was ended with “riots” there existed carnage as twenty-one persons were killed when Maharaja’s police opened fire on protesters. (Sumantra, 2003).⁵ As Islam (2016)⁶ said that in October 1932, Sheikh Abdullah formed first mass based political party named “All Jammu and Kashmir Muslim Conference” as opposition of Maharaja Regime which was later in 1939 renamed their party as “All Jammu and Kashmir National Conference”. It was continued till 1944 by Abdullah when he launched “Naya Kashmir” also called “New Kashmir” Manifesto which talks about National Economic Plan and Constitution for the State. Earlier, All India Muslim League under the leadership of Mohammad Ali Jinnah passed “Pakistan Resolution” under the auspicious of

LANGUAGES OF KASHMIR

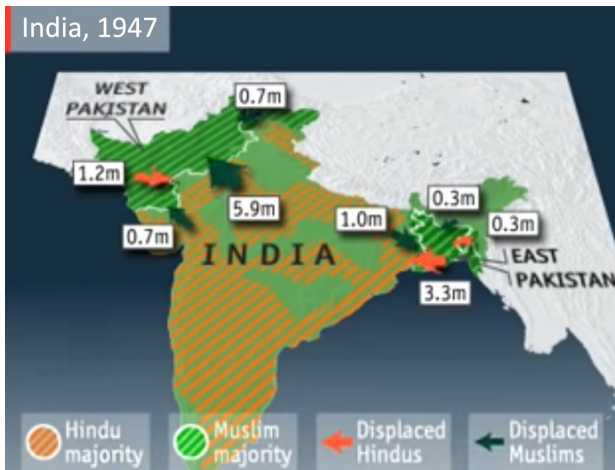
Total Population
22.14 Million



Political History of Kashmir: British Approach and Pre-Partition of India

There is a famous proverb about British-“If two fish fight in a river, know that long-legged British-

“two nation theory” in order to create a separate Muslim country (Christophe, 2002) ⁷



After the Partition of India and Before the Pulwama Attack

While India and Pakistan gained independence in 1947, the majority of the Muslim population was left India and went to the Pakistan and the Hindus of Pakistan went to the India. But in the case of Kashmir, they didn't leave their land even almost 90% of its Muslim population didn't go to Pakistan because British didn't give it to Pakistan. The future of Kashmir was left to the decision of the people of Kashmir. In this regard, so many scholars argued that UK is the main reason for the disputes, conflicts and deaths that have been taking place in Kashmir since the independence of India and Pakistan. In 1947, Kashmiri people can join with Pakistan, according to the two-nation theory because most of the Kashmiri were Muslim. But Kashmir's Hindu governor Maharaja Hari Singh decided to join India and it was the way, how two nations involved with long-lasting

conflict. However, since then, India has control of 45% of the area of the former Princely State of Jammu and Kashmir (Jammu, Kashmir Valley, Ladakh and Siachen Glacier) divided the province into 22 districts; Pakistan controls 35% of the Kashmir region which are Gilgit-Baltistan and Azad Kashmir and they also divided the Kashmir into 10 districts. Interestingly, China administers 20% of Kashmir such as Aksai Chin and Trans-Karakoram Tract of the state since 1962.



In the valley of Kashmir, after the partition of Indian subcontinent the blame game is frequently happened to occupy this valley. India blames Pakistan for supporting militants and Pakistan claims that India is violating Human Rights in Kashmir. Several talks have been held between India and Pakistan, but they have not yielded any substantive results till date. This is reflected in the fact that Kashmir remains one of the most heavily militarized regions in the world with close to half a million troops and between 40,000- 70,000 civilian casualties in Indian administered Kashmir alone, while the figures for the Pakistani side though lower remain unknown (Moonis, 2004). ⁸

Crisis between India and Pakistan over Kashmir Issue

No.	Crisis	Year	Crisis Type
1.	Kashmir- 1	1947	Inter-state ethnic
2.	Kashmir- 2	1965	Inter-state ethnic
3.	Kashmir- 3	1990	Inter-state ethnic
4.	India-Pakistan Nuclear Test	1998	Interstate
5.	Kashmir- 4: Kargil	1999	Inter-state ethnic

Table 01: Crisis between India and Pakistan over Kashmir Issue

The recent clashes between Indian forces and Kashmiri people vice versa Pakistan started after the killing of Burhan Waniby Indian security forces during an armed clash in Bumdoora village in Kokernag area in the Indian state of Jammu and Kashmir on 8 July 2016 who was the 22-year old leader of the Hizbul Mujahidin, an armed group militant group in Kashmir. This triggered protests against his killing on a very large and unprecedented scale throughout the Kashmir Valley and in districts of Jammu. Indian security forces responded to protests with force, which led to casualties and a wide range of alleged related human rights violations throughout the summer of 2016 and into 2018. While Indian-Administered Kashmir has experienced waves of protests in the past-in the late 1980s to early 1990s, 2008 and 2010-this current round of protests appears to involve more people than the past, and the profile of protesters has also shifted to include more young, middle-class Kashmiris, including females who do not appear to have been participating in the past. According to the Civil society estimates are that 130 to 145 civilians were killed by security forces between mid-July 2016 and end of March 2018, and 16 to 20 civilians killed by armed groups.⁹ The Government of Jammu and Kashmir in 2017 initially said 78 people including 2 police officers were killed in the 2016 unrest but in 2017 revised the figure down to 51 people killed and 9,042 injured between 8 July 2016 and 27 February 2017.¹⁰

After the Pulwama Attack: Escalation of War, Reality and the Facts

On 14 February 2019, a suicide bomber crashes a car packed with 300kg of explosives into a convoy of Central Reserve Police Forces (CRPF), killing more than 44 Indian paramilitary personnel, and injuring at least 70. The terror attack took place in Pulwama, about 20km from Srinagar, capital of Jammu and Kashmir territory it controls. India vows retaliation and revenge and stated

that Pakistan was the main culprit behind this attack.¹¹ However, it was getting worse when Jaish-e-Mohammad (JeM), whose stated mission is to “free Kashmir from India”, claims responsibility for the bombing. Following that issue, 12 Indian Air Force Mirage 2000 jets drop 1,000 kg bombs on suspected Jaish-e-Mohammed camps across the Line of Control (LoC) in Muzafarabad sector at 3.30am, reported by the Indian media though Pakistan refused this statement. Whatever, on this incident, Pakistan stated that they will retaliate because India violated their border. Nevertheless, on 27 February 2019, Pakistan retaliated by conducting airstrikes, just across the unofficial border that divides the Himalayan region of Kashmir while Pakistan captured the fighter pilot of India. Although, Pakistan released the Indian fighter pilot to easing the immediate risk of further conflict with India which may divert to the nuclear-armed conflict. As the Prime Minister of Pakistan calling it a “peace gesture,”¹² where India claimed that Pakistan just maintain the law of “Geneva Convention”.



After the Pulwama incident, some serious issues raised to understand the current situation of conflict between India and Pakistan such as was Pakistan behind Pulwama Attack? Are two nuclear powers on brink of war? Was India strike on Balakot justified? Or who is responsible for

the bloodshed of Kashmir?. It is very clear that there is no possibility for India and Pakistan to involve with full escalation of war even the speech of Prime Minister and Foreign Minister of India shows that they want to isolated Pakistan from the world through diplomatically and economically as established the terms “Pakistan as a terrorist sponsoring country”. There may have some small-scale conflict, what we already seen in the border area of “Balakot” district in Pakistan because Narendra Mod’s speech clearly shows that Indian Army has freedom to take action against Jaishe-e Mohammad (JeM) members, but it will not engage these two nuclear capable countries to involve with full scale of war. Whatever, Indian government has officially withdrawn the status of “Most Favored Nation” given to Pakistan as their first move blow against Pakistan which shows that India want to weak Pakistan both in economically and politically including trade & diplomatic sanctions on Pakistan by their western and regional partners as like Afghanistan, Iran and Bangladesh where India want to represent the Pakistan to the world as like ‘North Korea’ or ‘Iran’. Additionally, India will have three small options to hurt Pakistan as like abrogating the 1960 Indus Waters Treaty to disrupt the water sharing agreements with Pakistan, boycott a World Cup match against Pakistan which will be in June, ban on Pakistan’s singers, artists who are working in India’s film industry. However, Pakistan’s strategic and deep relation with China and Turkey even recent diplomatic journey of Saudi Arabian crown prince Mohammad Bin Salman in Pakistan and India, stops India to take any unilateral and war-prone decision against Pakistan. Meanwhile, the Prime Minister of Pakistan, ‘Imran Khan’s’ speech articulates that he wants to resolve this recent attack through dialogue and want to avoid war by any means, though if India attack on Pakistan, they will also retaliate in response to India (Islam, 2019).¹³

Factors Fueling for Kashmir Conflict

The study has shortly examined the factors of Kashmir conflict. For the resolving of Kashmir conflict, it is very important to know about the factors of this dispute. If factors and stakeholders can be clarified, then it will very easy to resolve the entire conflict or understanding the conflict resolutions (Islam, 2016).¹⁴ There are some important factors which are intensively motivated for the Kashmir conflict, for instances:

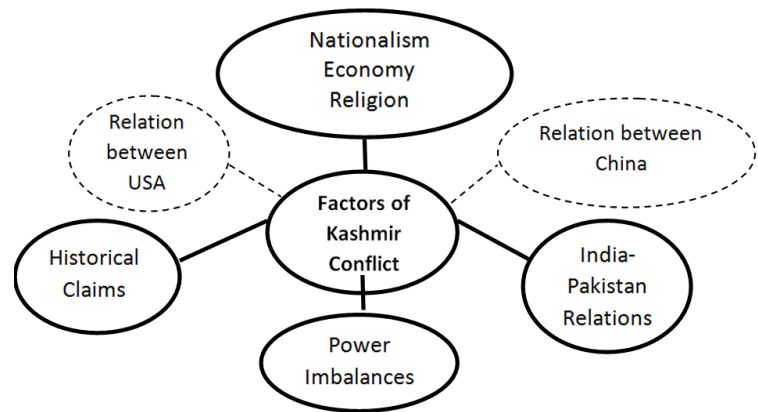


Figure 01: Factors Fueling for Kashmir Conflict

Perception of Pakistan, India and Kashmiris

The conflict has three major parties; Pakistan, India and Kashmiris. Pakistan’s view on Kashmir is derived from the principle of “Two-Nation Theory”. The colonized India was divided on the basis of two-nation theory according to which Hindus and Muslims are two distinct nations. (Maria, 2010).¹⁵ Whereas, India doesn’t consider Kashmir as a territorial dispute, as India claims that the Maharaja of Kashmir signed the accession treaty in 1947 with the Union of India and therefore Indian claims to Kashmir are absolutely legal and justified. (Kashmir: The view from New Delhi’, ICG Asia Report, No.69, 4 December 2003). India denies Pakistani assertion that Kashmir

is a disputed territory and blames Pakistan for supporting militants and providing that logistics and training for terrorist attacks in Jammu and Kashmir. Furthermore, in the valeey of Kashmir 95% are Muslim, many of whom support either accession to Pakistan or independence. Constantly the minority of Kashmiri Hindu Pundits, many of whom were driven out from the valley wish to stay with India. The region of Jammu has a Hindu majority, which wants to remain with India because they fear that if Kashmir becomes the part of Pakistan, they will be denied their rights under Muslim majority. Moreover, India's previous experience with terrorism such as in Mizoram, Nagaland, Punjab makes them strength to control the current Kashmir situation and India want to deal with the militants in Kashmir in terms of "4 GW". Likewise, in Ladak district, Budhists and Shia Muslims are in majority, who wish to stay with India but feel discriminated by New Delhi in its dealing s with the state of Jammu and Kashmir, as they feel the people of valley have hijacked relations with India. Presently, "The Kashmir conflict represents a self-determination (and more recently, secessionist) movement for Kashmiris; an irredentist movement for Pakistan and Pakistan controlled Kashmir; and a civil insurgency for India". (Meredith, 2002).¹⁶

Possible Solutions, Recommendations and the Future of Kashmir

While Pakistani officials called for international and U.S. intervention in Indian-administered Kashmir especially UN proposed "Plebiscite" including a) hold a plebiscite for the entire state of Jammu and Kashmir under the auspices of the United Nations, b) hold a U.N. supervised partial plebiscite in only the Kashmir Vale, and agree to partition the remainder of the state, c) hold a (limited or comprehensive) plebiscite on some future date under the supervision of neutral and impartial international observers and d) hold a (limited or comprehensive) plebiscite under the

joint supervision of India and Pakistan to resolve the Kashmir issue, though India says it will not welcome third-party intervention to resolve the Kashmir conflict. However, there can be four specific recommendations which may support to build the future of Kashmir. The first one is "Kashmir may join with Pakistan". In view of the state's majority Muslim population, it believes that it would vote to become part of Pakistan (If there will have referendum). However, a single plebiscite held in a region which comprises peoples that are culturally, religiously and ethnically diverse, would create disaffected minorities. The Hindus of Jammu, and the Buddhists of Ladakh have never shown any desire to join Pakistan and would protest at the outcome. The second one would be harder which is that "Kashmir may join with India", though such a solution would be unlikely to bring stability to the region as the Muslim inhabitants of Pakistani-administered Jammu and Kashmir, including the Northern Areas, have never shown any desire to become part of India. The third one could be the best option to resolve this conflict such as "Independent Kashmir". Many scholars even both from India and Pakistan argued that the difficulty of adopting this as a potential solution is that it requires India and Pakistan to give up territory, which they are not willing to do. Any plebiscite or referendum likely to result in a majority vote for independence would therefore probably be opposed by both India and Pakistan. It would also be rejected by the inhabitants of the state who are content with their status as part of the countries to which they already owe allegiance. "The Chenab formula or Current Status quo" could be the final solution to resolve this conflict, while Chenab plan in the 1960s, would see Kashmir divided along the line of the River Chenab. This would give the vast majority of land to Pakistan and, as such, a clear victory in its longstanding dispute with India. The entire valley with its Muslim majority population would be brought within Pakistan's borders, as well as the



majority Muslim areas of Jammu. Though, it will be completely rejected by India, so, current status quo would be good option. Currently a boundary, the Line of Control, divides the region in two, with one part administered by India and one by Pakistan. India would like to formalise this status quo and make it the accepted international boundary. But Pakistan and Kashmiri activists reject this plan

because they both want greater control over the region. In that case, UN may appoint peacekeeping mission or other international actors such as USA, China, UK and Turkey may play an important “mediator” role to resolve this 70-year bloodshed conflict, for ending this humanitarian crisis in the Haven of the World, “Kashmir”.

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