

Stabilisation of Jammu and Kashmir (J&K) Post Reorganisation

Brigadier Narender Kumar, SM, VSM (Retd)[®]

Abstract

In a historic move, Parliament of India has amended Article 370 and revoked 35A for complete merger of Jammu and Kashmir (J & K) with India. The bifurcation of the state is another strategic move to liberate Ladakh from political arm twisting by Valley based leadership. It will pave the way for development and empowerment of this sensitive region. It has sent message to China and Pakistan that India can no more be blackmailed on J & K in the name of collusive threat. Pakistan and separatists were confident that Article 370 and 35A are the instruments cast in iron and no political dispensation in Delhi can alter this status quo. This notion stands shredded today. It will be a miscalculation to assume that this bold move will have any impact on proxy war or terrorism. There is a possibility that instability in Kashmir may rise before it limps back to normalcy. Thus, government will have to guard and block all perils of corridors. Pakistan and separatists would try and disrupt the stability and thus, the government will have to take all precautions to deal with it firmly.

Overview of New Reality

Government of India took a momentous decision on 05 August 2019, by revoking Article 35A and amending Article 370. At the same time, Parliament also passed reorganisation of J & K into two Union Territories (UTs) of J & K and Ladakh. It was strategic wisdom to keep J & K together even against the popular demand by the people of Jammu to have separate UT. Keeping the identity of J & K intact is important because there is a perception that Jammu will always act as a bridge to connect with Kashmir.

[®]**Brigadier Narender Kumar, SM, VSM (Retd)** is an Infantry Officer retired after 33 years of Service. He has authored two books, on "Challenges in the Indian Ocean Region and Response Options" and "Rise of China: A Military Challenge to India". He is currently a Distinguished Fellow at USI, New Delhi.

Journal of the United Service Institution of India, Vol. CXLIX, No. 617, July-September 2019.

The aim of this move is to deliver governance, bring more transparency, accountability and fight cross border terrorism effectively. The Government of India showed political will to undo a colossal mistake that had prevented full integration of the State with the main stream. The so called special status not only led to regional imbalance among the three regions but also led to monopolisation of politics, government jobs and infrastructure development by Valley based leadership. This arrangement suited Pakistan, separatists, Jamaat and Jihadi terrorists to pursue their agenda without being made accountable for their unethical and illegal activities.

Reorganisation of state, revocation of Article 35A and amendment of Article 370 was comparatively an easy task, but the more challenging task is to bring political, social and administrative stability so that government is able to execute the proposed plans to put in place more vibrant governance. Hence, these measures in no way should be seen as a solution to end the three decades old terrorism. The disaffection, due to virulent toxic campaign, against the actions of the Government of India will see sudden rise and Pakistan and separatists will try and fuel instability not only in Kashmir but would attempt to spread it South of Pir Panjal and North of Zoji La. Thus, there is unlikely to be any thaw in acts of terrorism. It needs to be understood that conflict in Kashmir is underpinned by competing religious, political and national ideologies and conflicting ethnic aspirations. The issue at hand is, will Kashmir really accept stripping of special status anytime soon or it will trigger more vicious public disorder and cross border terrorism? May be the key to the conflict management and conflict resolution in J & K lies on how soon the imperatives and opportunities are recognised and how creatively and courageously political leaders respond to the evolving conflict and political landscape. It will also determine how India as a nation wants to see UTs of J & K and Ladakh in next one decade.

Real Challenges Post Reorganisation

The challenge to stability in Kashmir comes from deep state of Pakistan, terror groups, separatists, political parties and disaffected population. There is a possibility of mischief from Pakistan Army to show that they are committed to the people of Kashmir and are willing to go to any extent to stand with the Kashmiri Awam. In the

backdrop of the above, India cannot lose focus from the heightened threat from Pakistan along the Line of Control (LOC), International Borders (IB) and maritime boundary. Terror groups would be attempting to carryout sensational terror attacks in J & K and even rest of India. Separatists will lose political patronage and the source of funding has already been strangled, thus, cash for agitation would see a decline in near future. The appeasement and protective umbrella will be out, thus separatists will certainly feel like fish out of water. To give impetus to sagging morale of the terrorists and separatists, violent reaction is on the cards as and when they get space and opportunity. Separatists would be looking to immobilise administrative functioning as well as any endeavour of the government to restart political process. Political parties will come together to fight back to protect their own turf and prevent government to proceed against them to investigate the corruption and immunity they enjoyed for seven decades. The anger among the population of Kashmir is at all-time high. There is a perception that state has been stripped of special status and now there will be colonisation, loss of jobs and loss of land. Though government's offer to fill 50,000 vacancies may act as a balm to cool down the anger of the youth but, it is unlikely to win hearts and minds of the people if government fails to deliver promised jobs and development in a transparent manner.

There is a need to empirically examine how reorganisation of the state is likely to unfold if it is not handled as a national security challenge. Pakistan may attempt sensational terror attacks or uprising that may be difficult to control after restrictions on movement and connectivity are lifted. Political leadership of Pakistan has got a handle to deflect their own internal political and economic instability to Azadi of Kashmir. Pakistan has been trying to garner support from Muslim nations, however, so far it has received little or no support. But if the ground situation does not improve, it may lead to human rights issues and lot of explaining to the international community. It is important to comprehend that disengagement leads to disaffection, and disaffection leads to dispute. The conflict in Kashmir has the potential to become complex and lethal, especially if state sponsored non state actors employ irregular tactics in conjunction with disaffected and radicalised population. The tentative manifestation of inexorable conflict in Kashmir, if current trend is not reversed, could be as given below:-

- (a) It will be difficult for India to justify lockdown and restriction on movement and freedom of expression for a prolonged period. It could be seen by international community as repressive state policy against the subjects of the UT of J & K.
- (b) With the prolonged lockdown, separatists may be able to create a narrative that state is at war with its own people.
- (c) There is a danger of alienation and further disaffection of the youth from the state. Dissenting voices from other parts of the country in support of separatists may find resonance. It has the potential to spill over the instability to South of Pir Panjal in Jammu Division.
- (d) Pakistan and China left no stone unturned to internationalise Kashmir issue. Pakistan, for sure, has raised the issue at United Nations (UN) during 74th UN General Assembly (UNGA) meeting with vigour.
- (e) Pakistan is trying to drag China in this conflict and making it a potential stakeholder.
- (f) Propensity of conflict in other parts of the state and neighbouring states of J & K may unfold in near future if government is unable to deliver governance and promised economic development.
- (g) Vulnerabilities to democracy within the UT if all political parties boycott democratic process in view of the reorganisation and detention of political activists.
- (h) It will give impetus to ethnic and sectarian polarisation within the UT, especially between Dogras of Jammu and Kashmiri Muslims.

George Washington had said, "To be prepared for war is one of the most effective means of preserving peace". Thus, India has to be prepared to deal with the manoeuvre of deep state of Pakistan. Abu Dujana, in one of the conversations, had said that, "Pakistan want to run shop in Kashmir and is only interested in Kashmiri land. He further said, the terrorists who come from Pakistan are soldiers without uniform and they are not here to fight for the cause of Kashmir but are only interested in grabbing land".¹ This narrative needs to be espoused and real intent of Pakistan

should be exposed through Kashmiri intellectuals. If the situation is not reversed, Kashmir Valley will become even more unstable. In view of the foregoing, we need to answer as to how we are preparing to contain conflict in near and distant future?

The Way Forward

Conflict resolution should be politically viable, socially acceptable and implementable in a given timeframe. It must set in motion grievance redressal mechanism and assure peace, dignity and economic sustenance in the changed political environment of J & K. At this stage, what is more important is to understand the tenets of conflict management and conflict resolution in Kashmir as elucidated below:-.

(a) **Pakistan: an Elephant in the Room.** Pakistan will make all efforts to keep Kashmir Valley on the edge. Endeavour of Pakistan will be to create violence and public disorder so that Government of India is forced to place restrictions on communications and free movement of public at large. Revocation of Article 35A and amendment of Article 370 has given a stick in the hands of Pakistan to hit India in all international forums, such as the UN and the Organisation of Islamic Cooperation (OIC), for human rights issues, suppression of freedom and liberty of Kashmiri *Awam*. Pakistan will not allow such a strategic leverage against India to let go so easily. Whereas, the ground situation suggests that people want normalisation of situation at the earliest so that they can resume their business, students can go to education institutes and people can get on with their daily life. But Pakistan sponsored separatists and terror groups are threatening people to remain off streets, boycott schools and maintain no engagement with the state administration. Therefore, unless Pakistan is made to pay the price for bleeding India, there are all the reasons for continuation of conflict in Kashmir. Proactive measures are required to prevent mischief from Pakistan and efforts should be made to expose Pakistan's proxies if they meddle in creating public disorder in Kashmir.

(b) **Dissipation of Anger.** There are apprehensions among people that on becoming a UT and with revocation of Article 35A and amendment of Article 370, there may be colonisation

of J & K and loss of job opportunities. These apprehensions need to be addressed so that separatists and proxies of Pakistan are not given a handle to fish in troubled water, especially on these issues. It will be incorrect to say that people of Kashmir were happy to lose special status, though it was notional since all benefits were garnered by the dynasts to take advantage of the provisions for vote bank and loot of public money. The dissipation of anger to cool down tempers is a must and best way to do that is to allow youths to express their grievances in an organised manner. There is a need to create platforms where public can voice their grievances and responsible government functionaries answer them to set aside their apprehensions and fears. Dissipation of anger cannot be done by denial of engagement, rather it's time for national political leadership to reach out to the people, hear them out and assure them of their wellbeing.

(c) **Deliverance of Governance.** The key to succeed in J & K is through deliverance by government. It is a huge challenge since the administrative machinery is same that till yesterday was termed as parochial, inefficient and corrupt. In fact, this is the same state administrative machinery that permitted politicians to mismanage funds and allowed proxies of Pakistan to run their writ, including money laundering for anti-India narrative. As per some locals, entire state administration is coloured, some are pro-political parties and some are pro separatists and proxies of Pakistan (working within but against the government). The biggest challenge for the government today is how to make this dilapidated administration to deliver. The options with the UT administration are limited, thus most important is to bring transparency and accountability. Any government servant involved in separatist movement or in anti-India activities must face the consequences of law. If the ethos of governance doesn't change, nothing will change on ground. Pakistani proxies would do everything possible to derail efforts of the government to push development and economic empowerment of the state. Vision of the Prime Minister to make J & K and Ladakh model UTs to set a benchmark for Gilgit Baltistan and Pakistan Occupied Kashmir (POK) can only fructify if administration is gingered up and skeletons of corruption cleaned up.

(d) **Elimination of Terrorists.** Elimination of terrorists is one of the steps of suppression of violence. However, it has failed to act as deterrence against recruitment of new cadres. Reclaiming the youths is more important than elimination. Though, on one side, friction on terror cadres must continue but efforts to deal with terrorism by invoking laws to deal with unarmed Jihadi, choking of funds, actions against clerics who are spreading hate and preaching Jihad must be pursued vigorously. All apprehended terrorists must be tried for waging war against the nation in a time bound manner. These cases now should be moved out of the UT of J & K and be tried at a place where the separatists and terrorists cannot interfere or disrupt process of law.

(e) **Concept of Peace.** It needs to be understood that reorganisation will not end terrorism automatically. Rather, now there will be more intense efforts from Pakistan to destabilise Kashmir to show to the world that this experiment is anti-Muslim and anti-Kashmiris. It must be understood that here is interdependence between peace and development, "There can be no sustainable development without peace and no peace without sustainable development".² Suppression or end of violence is not resolution of conflict. The concept of peace is interactive and peace cannot be established without indulgence of people, opposing parties to conflict and government agencies. It is not possible to establish enduring peace unless the entire process of establishment of temporary peace/negative peace and adequate peace is established. When temporary peace is established, it has the potential to relapse if adequate cushions are not built for restoration and stabilisation of situation. During this phase, there would be trust deficit but peace can be maintained through statesmanship and parties to conflict should refrain from display of brinkmanship. In phase two, temporary peace gives way to adequate peace when capacity for peace is built and trust is developed on the basis of fulfilment of certain mutually agreed promises. After successfully transiting this phase, it automatically lends itself to enduring peace, where reversal, if any, can be managed by the mechanism and intervention of both parties. The problem in Kashmir is that whenever there is threshold of peace being achieved, terror strikes

disrupt peace process and situation is created that leads to further alienation of youth and public at large. People are angry over revocation of Article 35A and amendment of Article 370, but if the Kashmiri society is not demonised, anger can be suppressed by constructive engagement with the people.

(f) **Absorb Reversal.** The cushion to prevent reversal is a nuanced process and cannot be just indulged by a simple politico-bureaucratic initiative. It must be seen by the population as a process of conflict resolution. Thus, the strategy to be employed is at two levels, “structural prevention” and “operational prevention.” Structural prevention involves creating organisations or institutionalised systems through government institutions and public participation. It should formalise a structure for regular interaction and review of situation, with concrete steps by the government and the civil society to strengthen nonviolent channels for adjudicating grievances of the people, accommodating conflicting interests, and transforming conflicts by finding common ground.³ Operational prevention involves dealing with immediate crises likely to erupt quickly into deadly violence.⁴ Operational prevention is primarily undertaken by the law enforcement agencies, security forces and political intervention to prevent violence or manage a volatile situation. While state administration looks at delivery of governance and winning the trust of the people post reorganisation, efforts through non-government organisations must pursue reconciliation. The forum for reconciliation should consist of nominated public representatives, both political and non-political, clerics (Sufi & Jamaat), youth representatives, government officials authorised or nominated by the Lieutenant Governor, and nominated members of security forces involved in operation ‘Sadbhavna’ and tactical operations. This will act as a cushion, a source of feedback and a platform for public grievance resolution. This will also assist in restoration of societal space and also make people partners in peace dividends. Such an initiative will also create space for alternative conflict resolution platform.

(g) **Political Opportunity.** It is imperative to understand that restoration of rule of law and stability can be re-established through political establishment of J & K. Demonisation of

politicians may not be a good idea. However, corrupt cannot be allowed to get immunity but those who are clean should not be targeted since they belong to a particular party. Adequate care should be taken while carrying out delimitation of new assembly seats so that Gujjars, Bakrwals and Paharis get adequate representation in the new assembly.

(h) **Rehabilitation of Radicalised Youths.** The reorganisation of state has given an opportunity to deal with the ideologues that are at the forefront of radicalisation of youths in Kashmir. Law must deal with those who run factories of Jihad in Kashmir. Simultaneously, efforts should be made to understand the tenets of radicalisation. Radicalisation is synonymous with violence and unfortunately, in Kashmir it is associated with Islam and Muslims. Radicalisation minimises the role of politics and destroys the pluralism in a society. The focus, thus, has to be to disengage an individual from the casual relationship manifested between ideas and violence. Therefore, de-radicalisation ideally should be to treat an individual and not as an exercise for masses. The individual has to be taken away from the environment so that he can be reclaimed to the point of origin. There is a need to avoid use of word de-radicalisation because it portrays the victim as weak, who can be influenced and manipulated by radical ideologues. Thus, it may be prudent to term it as rehabilitation and reintegration and transition to transformation. Reorganisation of the state has given an opportunity to fight disaffection and radicalisation through human development.

(i) **Disruption in Conflict Economy.** This is an opportune time to disrupt conflict economy and make all those responsible for terror funding accountable to law. Conflict economy is being run by Pakistan through hawala, fake currency, over invoicing of cross border trade, funding from Saudi Arabia (as Zakat) and drug money. In the period from 2011 to 2013, Saudi Arabia alone had pumped in \$ 250 million to propagate Wahhabism, \$ 460 million to set up *madrasas* and \$ 300 million for miscellaneous costs⁵ for propagation of Wahhabism. The National Investigation Agency (NIA) has come down heavily on money laundering and unauthorised foreign funding. This initiative has disrupted conflict economy and activities of separatists have been curtailed to a great

extent. However, these measures must continue since Inter-Services Intelligence (ISI) and separatists will find alternative methods and routes to pump in money to support radicalisation and acts of terrorism.

Conclusion

Kashmir conflict is a national security challenge and its reorganisation may facilitate dealing with terrorism but resolution still remains a challenge. Pakistan sees this as an opportunity to create irrevocable conditions so that it can internationalise Kashmir to fulfil its ultimate dream of “Kashmir *Banega* Pakistan”. Endeavour of India should be to bring stability soonest, so that it does not get undue international attention. If the conflict persists, it has the potential to spill over to South of Pir Panjal and that will be a big reversal to the efforts made by security forces to roll up terrorism from South of Pir Panjal (Jammu, Poonch, Rajouri and Chenab valley). It is the right time for creating political alternatives to dismantle the negative forces that have played into the hands of *Jamaat* and Pakistan backed separatists. New look UT must remove regional imbalance in number of seats and backward classes should also get due representation in the proposed UT of J & K.

Endnotes

¹ Vicky Nanjappa, The Terrorist vs Terrorist battle Gets Uglier in Kashmir and why we must Rejoice, Indian Express, July 03,2019.

² The Legacies of Armed Conflict on Lasting Peace and Development in Latin America, UN Chronicle, April 2016.

³ Conflict Resolution in a Changing World, Committee on International Conflict Resolution, Accessed from <https://www.nap.edu/read/9897/chapter/2> on June 20,2019.

⁴ Ibid.

⁵ Abhinav Pandya, Does Saudi Funded Muslim Radicalisation Threaten India, HAARETZ, April 16, 2018.