

Janury-June 2024- Vol. 13 No. 1

KASHMIR PROBLEMS, COMMUNAL VIOLENCE AND KASHMIRIYAT-A STUDY WITH CONTEXT OF COMMUNAL HARMONY Dr. Pankaj Kumar

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Abstract

The state of Jammu and Kashmir is an artifact of colonial history. Kashmir is seen as unfinished agenda of partition. The insurgency that started in 1989 in Jammu and Kashmir is seen as a step in this direction. Since 1989, Jammu and Kashmir has been the site of violent insurgency and counterinsurgency. The militantly voiced demand for "freedom" (azadi) on part of the insurgents has been countered by the Indian military forces. After the beginning of the insurgency, in early 1990, most of the Kashmiri Hindu families left Kashmir for Jammu, Delhi, or other places in India and the secular minded Muslims powerless to help them return. Because of the constraint in performing some of the Kashmiri customary practices, they follow the practices of the Hindus of host territory and give focuses on Hindu aspect of their identity. Kashmiriyat is a term use to describe the unifying force of a common Kashmir culture which shapes the identity and provides the sense of Kashmiri as a nation. This paper highlights the issue of Kashmir, forced migration of Kashmiri Hindus and culture of Kashmiriyat is discussed here. Key Words:

Kashmiri Hindus, Jehadi movement, Forced Migration, Kashmiriyat, Sufi order

'Insaniyat, Jamhuriyat, Kashmiriyat'

Atal Bihari Vajpayee (Doctrine on Kashmir)

Introduction

Kashmir is one of the attractive places on our earth. During ancient times, the gorgeous Valley of Kashmir has stood for non-violent contemplation, intellectual advancement and religious diversity. Due to its segregation the valley of Kashmir has had an sovereign uniqueness throughout the history. The height of Kashmir valley is 1700 meters above sea level and encircled by mountains. The only outlet of the valley and its surrounding areas is Baramulla where the river Jhelum flows out through a narrow gorge. Curiously, the myths regarding Kashmirs and its past echoed by modern discovery which confirms that the valley was once a great lake. The sage, Rishi Kashyap is believed to have cultivated the land from waters while simultaneously liberating its denizens from the clutches of the demon Jalodbhava. From this story the land known as Kashyap mirror 'the abode of Kashyap' (The Hindu, 2019). From abode of Kashyap to Kashmar and Kashmir is a saga spanning countless centuries in which the valley underwent transformation both ethically and religiously.

The word Kashmir has been derived from the Sanskrit word 'kasmira' which means a land dried up from water. Kashmir is famous for its ancient historiography laid down in Kalhana's Rajatarangani, written in the 12th century. The Greeks called it 'Kasperia'. It is referred to as Paradise of Earth. From Gulmarg (meadow of flowers) to Sonmarg (Meadow of gold) and from Anantnag to Vaishno Devi each and every place is worth visiting. The gorgeousness and customs of Kashmir has always fascinated people from diverse parts of the world. And hence it has constantly been subjected to foreign invasions. The rulers who came and conquered left behind their culture and religion. In ancient and medieval times the religions followed were Hinduism and Buddhism. In 14th century Kashmir got its first Muslim ruler Shah Mir and this way Islam reached Kashmir. Kashmir had its own indigenous Muslim

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culture which came to an end after it became a part of Mughal Empire under the reign of Mughal emperor Akbar. Since the medieval period the population of valley has been predominantly Muslim. The majority populations are Sunnies but Shias are playing important role in handicraft business.

The Kashmir we see today is different from what it was at that time. It has seen many geographical changes. At present, there are basically three parts of Jammu and Kashmir. The Kashmir Valley is administered by Government of India, Azad Kashmir or Pakistan Occupied Kashmir controlled by Pakistan and Aksai Chin under the control of Chinese Government. The dispute over Kashmir is regarding the Kashmir Valley. Pakistan calls this area as India occupied Kashmir. The conflict between India and Pakistan has become an International issue due to various reasons. The most important issue between India and Pakistan is terrorism. Cross border terrorism has been a matter of concern not only for people of Kashmir but also the rest part of India. The western part of the State that shares border with Pakistan has been at constant trouble especially due to constant violation of International norms and cease fire agreements by Pakistan.

Problems of Kashmir

There was doubt as to the actual boundary of the state. The conflict in Kashmir can be related to the problem that it never had a clear and definite boundary and this issue became prominent when the Britishers left India creating two independent states i.e. India and Pakistan. The princely states were also given power to choose to annex their states to either India or Pakistan or to stay independent. At the time of partition Maharaja Hari Singh was the ruler. He decided not to take a hurried decision and this delay would help Kashmir remain independent. In the mean time the Pashtun tribesmen from the west attacked Kashmir. Maharaja asked the help of Indian Government and India agreed to help Kashmir on the condition of annexation of Kashmir to India. When the Instrument of Accession was signed Indian Army drove away the militants from Kashmir. But Pakistan did not stay silent and

attacked India several times. This was ended with the intervention of the United Nations and the cease fire line, known as LOC was created in 1949. This line marked the partition of Pakistan occupied Kashmir and Jammu and Kashmir. The LOC exists till date and Pakistan has violated the cease fire line a numerous times. India and Pakistani-controlled parts of Kashmir is divided by a military controlled line known as Line of Control (LOC). It is a de facto border chosen as a cease-fire line in 1948. It resulted in the division of Kashmir into two parts and closed the only gateway to the Kashmir valley, i.e., Jhelum Valley route. It also resulted in partition of many villages and family members got separated from each other. Pakistan is continuing proxy-war with India through cross boarder terrorism and targeting minorities in valley.

Forced Migration of Kashmiri Hindus

Forced migration, as distinct from other forms of migration, happens against the wishes of the migrant population. This is generally a consequence of strife persecution, racial problems, religious differences, and other such forms of conflict. Population movement or migration as it is popularly called can be either voluntary or involuntary (Panigrahi, 2014). In 1980, the Islamization of Kashmir began with full force. The Abdullah Government changed the names of about 2500 villages from their original names to new Islamic names. For example, the major city of Anantnag was to be known as Islamabad (same name as the Pakistani Capital). The Sheikh Abdulla began giving communal speeches in mosques as he used to in the 1930s. Further, in his autobiography he referred to Kashmiri Pandits as "mukhbir" or informers (of the Indian government). In early 1986 were the first clear outbreaks of violence when Muslim fundamentalists attacked the minority Kashmiri Hindus (Sharma, 2001). The exact reason of the outbreak remains unclear, but at the end of it dozens of Hindus had been killed and 24 Hindu temples had been burnt by Muslim mobs. It was in the 1990's that matters came to a head and militancy burst into the peaceful valley. Prof. K.L. Bhan (Bhan, ikashmir.org) recalls January 19, 1990 as the D-day when Muslims came out



openly and spoke against the Kashrimi Hindus. The Hindus were called mukhbirs (spies working for India). There were anti India and anti Hindu slogans. The secular, tolerant, cultured and educated outlook was replaced by fundamentalism. Thus, the cultural basis of Kashmir was shaken"(ibid. 26). Several eminent Kashmiri Hindus successfully lawyers, political employed as workers. professors were killed. Inaction on part of the government further emboldened the militants and the Kashmiri Hindus were openly killed out in the open- in the streets, outside their homes, at their work place. Some teachers were killed by their own students. The women were not spared, many were kidnapped, raped, killed. Some of their bodies were found ripped apart, torn, and mauled while some were never found. With no help in sight and the number of killings increasing every day, the Kashmiri Hindus had no choice but to migrate.

It was on 19th of January, 1990 around 9 PM, noisy and roaring Islamic and pro-Pakistan slogans raised jointly by a multitude of humanity and relayed through powerful loudspeakers almost pierced ear drums (https://www.efsas.org/publications/study-

papers/the-exodus-of-kashmiri-pandits/).The Kashmiri Hindus found that suddenly their neighbours had changed behaviour. Kashmiri Hindus and Muslim neighbors known to one another for generations began to behave as strangers. Uncertainties loomed large and in a few days the whole ambiance changed and the Hindus came to be called 'the other'. The state government administration was knocked out by a single night of insolence and uprising and the next morning not a single policeman was able to be seen anywhere in the city. They had withdrawn to their barracks or hide in their homes as the administrative machinery had collapsed and law and order crumbled. From the next morning viz. 20th of January, 1990 it was the law of the mosque, the cleric and the Islamists. Loud speakers fixed to mosque tops, blurred uninterruptedly cautioning the Hindus to go away from the Valley. The refrain of their slogans was that they wanted their Kashmir without Hindu males but with their women folk. Tradionally Kashmir Muslim society has

always been respectful for Kashmiri Hindu womenfolk and this disgraceful and deplorable slogan showed that only a fringe section of Kashmir Muslim society indoctrinated in hate mania was out to disrupt communal harmony. The Kashmiri Hindus received notices through varying media as newspapers and loudspeakers in mosques to leave Kashmir (Verma 1994). Threatened in such an atmosphere the Kashmiri Hindus (KHs) were forced to migrate from Kashmir and resettle as Internally Displaced Persons (IDPs) outside their homeland i.e. Kashmir. As per Colonel Nanda (1999) the terrorists who had been trained in Azad Kashmir had been slowly crossing the border for years and by now a large number managed to infiltrate into the state. A large number of local Muslims also supported the extremists and boycotted the elections in 1989. The main group indulged in such activities was the Hizbul-Mujahideen. Needless to say the law and order situation had deteriorated in the state .Another very important development taking place around this time was the campaign against the Kashmiri Hindus. The Kashmiri Hindus are a religious and numerical minority in the state of Kashmir. Zia-ul-Haq's aggressive policy on Kashmir meant the Hindu minority community had to bear the brunt. The Hindus were seen as sympathizers of the Indian government and thus obviously against the jehadi movement in Kashmir. Posters were put up in mosques and other public places denouncing the Hindus. The Hindus had strong presence in the bureaucracy and judiciary, which was resented by the Muslims who were now rebelling against the state machinery. A declaration was made that the Hindus had to change their religion or face the consequences. This was not taken very seriously by the Hindus who believed that the state would protect them and put an end to this problem. But on the contrary as the number of militant outfits increased so did the atrocities. Hindu temples were attacked and destroyed and this was then extended to the homes of the Hindus. They were threatened with dire consequences if they did not listen to the militants. The violence against humankind perpetrated against the Kashmiri Hindus was catastrophic. While

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genocide occurred on a small scale, it is more likely that the objective was to drive them away rather than wipe them out.

The migration of Kashmiri Hindus and their resettlement in the new host locations resulted in cultural acculturation and corresponding response strategies were employed in accordance with their social, economic and cultural capital available to them. Individuals belonging to the minority community (primarily Kashmri Hindus) were displaced from the Kashmir valley 1989-90 onwards. Mal-administration and weak democracy in the state, rigging in elections and eventual rise in the sentiment of Azadi in Kashmir to which the minority community was 'seen' as opposed culminated in the exodus of Kashmiri Hindus. Frustrated with the political turmoil and the negligence of the government, secessionist organizations called for a boycott of those opposing the sentiment of azadi (independence) in the state in 1989. Fear was instilled among the members of the minority community (Charu, 2015:85).

The Kashmiri Hindus are labelled as 'migrants' by the Government of India although they are Internally Displaced Persons (IDPs) and not voluntary economic migrants. IDPs are persons "who have been forced or obliged to flee or to leave their homes or places of habitual residence in particular as a result of, or in order to avoid the effects of, armed conflict, situations of generalized violence, violations of human rights or natural or human made disasters, and who have not crossed an recognized state internationally border" (Hampton 1998: 5). This definition does not encompass those who migrate because of economic causes. After displacement of kashmiri Pandits from main land Kashmir and their rehabilitation in new host communality and their culrure are assimilated with host community in Delhi, Noida and other parts of India.

T.N. Madan's study on Family and Kinship: A Study of the Pandits in Rural Kashmir, originally published in 1965 (Madan, 2002).Madan, who is a Kashmiri Pandit born in Srinagar himself, studied the Pandits' kinship and social organisation in two adjoining villages in South Kashmir, close to the town of Anantnag. In a separate article, he explains that he chose to study "his own people" as a consequence of intense uneasiness in a fieldwork situation with total (personal and cultural) strangers (Madan, 1995). At the time of fieldwork 90,000 Pandits lived in Kashmir, about five percent of the population. The divided into Pandits are mainly two endogamous sub-groups based on occupation: The gor or bhasha took priestly duties and the karkun, the larger group enjoying higher status and generally a better economic position, followed secular occupations. Both sub-castes were divided into exogamous gotras. Only twenty percent of the inhabitants of the larger village studied by Madan were Pandits, all of them karkun. There were, however, some gor families in the adjoining smaller village. Madan describes in great detail the composition and developmental cycle of the Pandits' households as well as family relations and marriage patters, before turning to the household economy. The household (chulah) is the basic structural and functional unit of the Pandit community in terms of social relations, production (including landownership) and consumption. Several households may share a house. Most of the Pandits in the villages live on the produce of their land and salaries, while some are shopkeepers and servants or labourers. Individual households are part of larger family clusters and patrilineages. Only in the conclusion of the book does Madan refer to Pandit-Muslim relations in the village, writing that Pandits are more dependent on Muslims than vice versa because they depend on a number of services which are offered only by Muslims. Still, Pandits and Muslims live largely separate. In a later article (Madan, 1984) he focuses also on the Muslims in the main village of his fieldwork. They are divided into three larger categories: zamindars or peasants, nangar or traditional service groups, and herdsmen (Gujjar and Bakkarwal). Each category is made up of a number of subcategories. The Pandits regard the Muslims as ritually impure and avoid physical contact. They accept only uncooked food from them and do not offer them any services, though Muslim

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zamindars may be regarded as less impure than members of the service groups (1984: 43). In turn, Muslims regard food cooked by Pandits as haram. Both groups largely disregard the internal differentiations of the respective others. Although both Pandits and Muslims emphasise the importance of zat ("jati"), Madan argues that both categories should not be conceived of as being part of a single "caste system" but that a dual social organisation prevails within an overarching framework of being Kashmiri (ibid., 61).

Since the time of Madan's study on Kashmiri Pandits, the situation of the Kashmiri Pandits has changed radically. Instead of five, they make up less than two percent of the Valley's population now. After the beginning of the insurgency, in early 1990, most of the Pandit families left Kashmir for Jammu, Delhi, or other places in India. Alexander Evans concludes that the Pandits left out of fear, even if not explicitly threatened by the insurgents, and that the administration did nothing to keep them in the valley (Evans, 2002).

In1990 Haley Duschinski studied on Kashmiri Pandits in Delhi. Her unpublished Ph.D. thesis (Duschinski 2004) revolves around the public spaces in the Indian capital in which the Pandit community emerges as a distinct political actor and develops imaginations of community, homeland and nation. She particularly follows the stories told by the Pandits which are shaped interaction between bv the community organisations and state agencies. Through these stories, the Kashmir Valley becomes visible as an "inconstant homeland': a shifting and unstable place where one might encounter the and unexpected strange" the situation (Duschinski 2004: 9).

Sawhney Charu had done comparative ethnographic study of two locations – Jammu camps and Noida apartments. Fieldwork was conducted among the displaced Kashmiri Pandits residing in Jammu camps and Noida apartments from 2004 to 2006, before the migrants resettled in Jagti township. The encounters of the people with the host community and the social changes experienced after displacement were interpreted through narratives and in-depth interviews. The cultural and economic capital available to the Kashmiri Hindus in the new contexts determines the participation in Kashmiri or Hindu festivals. Because of the constraint in performing some of the Kashmiri customary practices, the Kashmiri Hindus imitate the practices of the Hindus of the host territory and emphasize the Hindu aspects of their identity (Sawhney, 2015).

Role of Islam

The function of religion in the Kashmir problem today can be better understood in the context of the role of Islam in Kashmiri history. Till the fourteenth century, Kashmir was ruled by various Hindu dynasties, and, as elsewhere in South Asia, they sought legitimacy through religion. Brahminical Hinduism was also used as a means for justifying the subordination and oppression of the 'low' caste majority, Hindus as well as Buddhists. Consequently, when, from the early fourteenth century onwards, Sufi missionaries began entering Kashmir, many Kashmiris, particularly from 'low' caste and tribal communities, converted to Islam in search of equality and liberation from the caste system, impressed by the simple ethical monotheism preached by the Sufis. Over the centuries the vast majority of the Kashmiris turned Muslim, barring some Brahmins who retained their own religion. However, it is interesting to note that a number of Brahmins also converted to Islam. The Muslim Kashmir population in was further supplemented by the influx of migrants from Asia following and Central Iran the establishment of the Shah Miri Sultanate in Kashmir in the fourteenth century. The spread of Islam in Kashmir was essentially a peaceful process, barring a few aberrations, and occurred as a gradual process of cultural and religious change. Because of this, many converts retained several of the pre-Islamic beliefs and customs, which are today sternly condemned by Islamic scripturalist reformists 'un-Islamic'. This gradual process of as Islamisation was promoted by the Sufis, particularly by Kashmir's major indigenous Sufi order. Under the fourteenth century Nund Rishi, or Nuruddin Nurani, this order became

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the principal vehicle for the spread of Islam in Kashmir (Sikand, 2006).

In the mid-sixteenth century Kashmir lost its independence following its conquest by the Mughal Emperor Akbar. In the eighteenth century it came under Afghan domination, and, following that, was incorporated into the Sikh Kingdom under Ranjit Singh. Under the Sikhs and from the mid-nineteenth century, under the Hindu Dogras of Jammu, the Kashmiri Muslims were subjected to cruel oppression.

The Dogra state identified itself as defender of Brahminical Hinduism, and in Kashmir it ruled through an intermediary class composed mainly of 'high' caste Dogras, Hindu Punjabis and Kashmiri Pundits. It was thus hardly surprising that, from the early twentieth century onwards, struggles launched by a gradually emerging Kashmiri Muslim middle class used Islamic appeals to mobilise popular support. Excluded from the state apparatus and marginalised principally on account of their religion, their struggles for emancipation necessarily took on a religious colouring. This must be seen in the context of the increasing of the Dogra state identification with 'orthodox' Hinduism and the growing influence among the small, yet powerful Kashmiri Pundit elite. The roots of the present conflict go back to 1947 when India was partitioned. This is clearly evidenced by the fact that from 1947 till the early 1990s the Kashmiri Muslim struggle for selfdetermination was spearheaded essentially by Kashmiri nationalist organisations, as opposed to Islamist ones, that spoke in terms of a Kashmiri, rather than Islamic, identity.

Although Muslim have occupied a dominant position in the population of Kashmir, three important religions coexisted in Kashmir: Buddhism. Hinduism and Islam. This coexistence formed new philophical tradition (Bamotra, 2012). Buddhism in the Kashmir valley was influenced by Shavism. In Ladakh Buddhism was inclined to Traditional Bonapa and later subjected to Tibetan Lamaism. Islam came to Kashmir in the 14th century. Sufi mysticism was influenced by the Rishi tradition. The simplicity of Sufi Islam Janury-June 2024- Vol. 13 No. 1

fascinated the people (Behera 2000; Madan 2006).

Value of Kashmiriyat in context of Communal Harmony

The concept of Kashmiriyat refers to Kashmiri inner feelings. The "Kashmiriyat," as a matter of fact, functioned as not only a social space for inter -community interaction but also as a value, that broadened the Hindus' and Muslims' horizon of intercommunity tolerance and co-existence in Kashmir thereby leading to communal harmony. Kashmiriyat refers to Kashmiri Hindus and Muslim unity in valley. Kashmiriyat is a term use to describe the unifying force of a common Kashmir culture which shapes the identity and provides the sense of Kashmiri as a nation. One of the striking features of Kashmiriyat is that it gives Kashmiris a sense of oneness, not as Muslim but as Kashmiris (Acharya and Acharya, 2006:162). In historical context Kashmir nourished the ideas of Buddha, Hindu different cults and Sufi silsile flourished here. The influence of the verses of saints and rishis such as Lal Ded, Nund Rishi and Sheikh Nur-ud-din have been influenced in the building up of a syncretic culture in Kashmir in past which focused on a universalistic religion (Charu, 2015:88). These Hindu saints and Muslim Sufi were respected by Hindu and Muslim communities. The teachings of Sufi saint Sheikh Nur-ud-din had an impact on the Kashmiri Muslim identity. In his article, 'kashmirayat: The Mystique of an Ethnicity'. Punjabi (1996) explain the inter religious affinity in Kashmir historically in the following lines-

Hari Parbat is the epicenter of Kashmir geographically, mythologically and spiritually. On the North-East of this hill is the shrine of the great Kashmiri Sufi saint Hamzah Makhdoom, West part of the hillock is the abode of Chakreshwari Devi and on the foothill is the Gurudwara Chatti Padshahi wherein the seventeen century the sixth Guru of the Sikhs, Hargovind had spread the message of Guru Nank. The hill has become the focal point where people of different religion, coming from many directions, converge on one point to provide a living existence of the adage that ways might be different but they lead to one point (Retrieved from http://www.icpsnet.org/ description.php?ID=197).

Every religion can be interpreted in diverse and often mutually contradictory ways to support a range of different political projects. How a religion is interpreted depends not just on the prescriptions or commandments of a particular religious scripture but, equally crucially, on the interpreter himself or herself, on his or her own particular ideological position and social location. Any religion can, therefore, be interpreted for ill or for good, for a progressive or for a reactionary political purpose. The temptation to see religion in monolithic terms, generally following a textual approach, must, therefore, is firmly resisted (Sikand, 2006).

Jammu and Kashmir whose long legacy of peaceful coexistence as manifested in the spirit of Kashmiriyat did come under threat due to the onslaught of a certain type of religious militarism that had no lineage in the history of the region. When the armed movement in Kashmir came under the influence of foreign groups and mercenaries, the gentle Sufi traditions that played such a central role in promoting inter faith dialogue between people of different communities in Kashmir, was challenged by extremist form of Islam. In the Jammu region extremist Hindu groups fanned the fires of anti-Muslim passion while Ladakhi Buddhists instituted a boycott of Muslims that lasted for several years. While acknowledging that these schisms and antagonisms are also overlaid by political factors and recognizing that the crisis in Kashmir is political in nature and is not, as some commentators would have believe. simply imported Islamic us fundamentalism. Yoginder Sikand does point out that the salience of religion in the conflict cannot be denied. In the context of Kashmir, religion has come to define an important aspect of people's identities, and to that extent cannot be delinked from the ongoing conflict.

Conclusion

Thus the credible solutions to the Kashmir problems that have been put forward in the past by policy makers have generally ignored the central role that religious leaders can play in promoting dialogue and a peaceful settlement of the issue. This oversight owes, in part, to the fact that religion as a social force that shapes politics is generally ignored in conventional policy making that tends to focus mainly on economic and political factors. In the Kashmir case this oversight is particularly unfortunate, given that religion and religion-based identities are at the root of the conflict. It is, therefore, urgent that alternate and more inclusive understandings of religion and community identity be allowed to express themselves in order to challenge the politics of hatred and violence based on exclusivist understandings of religion articulated by key actors in the ongoing conflict in the region.

Although this should not be taken as suggesting that the Kashmir dispute is essentially religious, rather than political, or that a solution to the conflict lies simply in a liberal or progressive understanding of religion, interpretations of religion, particularly of Hinduism and Islam, that are more accepting and tolerant of other faiths can play a vital role in bringing about a peaceful resolution to the conflict in Kashmir. The proportions of the Kashmiri Hindus culture have distorted due to forced migration - change of physical environment, lack of space and exposure to a new culture. Migrant Kashmiris still have a strong sense of Kashmiriyat. It is said that there is rich history of communal brotherhood in Kashmir giving rich history of peace and tolerance. Kashmiriyat has stories full of communal harmony. Kashmir is the land of rishis, saints, seers and sadhus known for its communal harmony not only at the local level, world over but also the since times immemorial. Jammu and Kashmir is that the only northern state of India with a longest tag of amity and brotherhood that has survived the currents of time and remains so in the contemporary times.

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