Historical Perspective of the Kashmir Problem

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Abstract

Kashmir, renowned for its breathtaking natural beauty, is often referred to as "Paradise on Earth" or the "Switzerland of the East". The region's stunning landscapes, diverse flora and fauna, and abundant agricultural products, including fruits, vegetables, and saffron, make it a unique gem. However, Kashmir's beauty is marred by a longstanding territorial dispute between India and Pakistan, which has its roots in the region's complex history, including the accession of Maharaja Hari Singh to India in 1948, following the invasion of Pakistani raiders and an uprising of villagers. This ongoing dispute has led to a sensitive and complex situation, affecting the lives of Kashmir's people and the region's development.In this paper different historical issue has been discussed.

Keywords

Kashmir, Kashmiri Hindus, Forced Displacement, Kashmiri armed movement and Kashmiriyat.

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"Agar firdaus bar ru-ye zamin ast,
Hamin ast o hamin ast o hamin ast"
("If there is a paradise on earth, it is this and it is this.")
Persian poet Amir Khusro about Kashmir

Introduction

The origin of the word "Kashmir" is rooted in ancient Sanskrit, where it was referred to as "káœmîra". The Nilamata Purana, a Hindu scripture, describes the valley's creation from the waters of a lake called Sati-saras. Locals believe that Kashmir means "land desiccated from water", which is supported by geologists who confirm that the valley was once a lake. This lake, they say, drained through the Baramulla gap, aligning with Hindu legends.An alternative theory suggests that Kashmir is named after the Vedic sage Kashyapa, who settled people in the region. This would derive the name from either "kashyapa-mir" (Kashyapa's Lake) or "kashyapa-meru" (Kashyapa's Mountain). The word "Kashmir" is also mentioned in a Hindu mantra, referencing the goddess Sharada, who resided in the land of "kashmira", possibly referring to the revered Sharada Peeth.

Kashmir, a region in the northwestern Indian subcontinent, has been revered for its breathtaking beauty. The Greeks affectionately called it "Kasperia", while many refer to it as the "Paradise of Earth". This enchanting land boasts breathtaking natural scenery, vibrant flora and fauna, and picturesque destinations, including Gulmarg, the "Meadow of Flowers", and Sonmarg, the "Meadow of Gold". Kashmir's fame extends beyond its natural beauty, with an abundance of agricultural products, rich mineral deposits, precious stones, and exquisite embroidery on clothes. The sheer magnificence of Kashmir makes it a paradise on earth, a must-visit destination for anyone seeking breathtaking beauty and tranquility.

Ancient Kashmir was a cultural melting pot, with various influences from the Greco-Roman, Iranian, Mongolian, and Indo-Aryan civilizations. However, the Indo-Aryans were the dominant population. As the region's economy declined, internal tensions rose, weakening the Indo-Aryan rule and making Kashmir vulnerable to external conquests.Despite facing numerous challenges, including the rise and fall of dynasties, uprisings, and exploitation by military leaders, Kashmir showed remarkable resilience. Notably, the region resisted the conquests of the powerful Mahmood of Ghazi. Interestingly, Kashmir's transition to Muslim rule was facilitated by a local revolution led by a Muslim official, rather than an external invasion.Our understanding of Kashmir's complex history is largely attributed to the seminal work of Kalhana, who chronicled the region's events in the renowned text, Rajtarangini (The River of Kings) written by *Kalhana(Das,2011)*.

Kashmir we see today is different from what it was at that time. It has seen many geographical changes. Present-day Jammu and Kashmir is broadly divided into three distinct regions:

1. **Jammu:** Known for its scenic beauty, temples, and diverse culture.
2. **Kashmir Valley:** Famous for its breathtaking landscapes, lakes, and vibrant cultural heritage.
3. **Ladakh:** A high-altitude desert region with a unique culture, stunning landscapes, and adventure tourism opportunities.

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 ceases fire agreements by Pakistan.

Analysis of Historical issues

The problem of Kashmir has its origin in 'Treaty of Amritsar (1846)' through which the area of Kashmir was 'purchased' along with its population (95% Muslim) by a Dogra (Hindu) family from the British domination. This agreement gave Kashmir the status of 'Princely state' under the British Empire .Gandhiji termed this treaty as 'deed of sale'(Noorani,2013:5). Chitralekha Zutshi explained the Jammu and Kashmir as – *The province of Jammu, which had been heartland of Dogra control in the Punjab'; The province of Kashmir, purchased from the British in 1846; and the province of Ladakh and Baltistan, the former conquered by the Dogras in 1834 and the later in 1840. There were other distinct political entities at the British Indian frontier, which as a result of Treaty of Amritsar (1946) has been a very vital paradigm of Kashmir's Modern history. (Zutshi, 2003: 9).*

The clashes 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 state 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.

Political Unrest of 1989

In 1989, a widespread political unrest erupted in Kashmir valley. The 1987 state legislative assembly elections in Kashmir proved to be a pivotal moment, as disputed results led to widespread disillusionment among Kashmiris, who felt the electoral process had been manipulated in favor of the National Conference-Congress coalition. This perceived betrayal sparked enormous resentment, ultimately giving rise to militant wings and the beginning of the armed insurgency. The rigged elections eroded trust in the democratic process, paving the way for militant groups to emerge and leading to a prolonged period of violence in the region.

In 1980, Kashmir's Islamization gained momentum, with the Abdullah Government renaming around 2,500 villages with Islamic names, such as Anantnag being renamed Islamabad. Sheikh Abdullah's speeches in mosques took on a communal tone, reminiscent of his 1930s rhetoric. His autobiography further fueled tensions by referring to Kashmiri Pandits as "mukhbir" (informers). The first violent outbreaks occurred in 1986, when Muslim fundamentalists targeted Kashmiri Hindus, resulting in dozens of deaths and the destruction of 24 Hindu temples. The 1990s saw a surge in militancy, with January 19, 1990, being a pivotal day when Muslims openly spoke out against Kashmiri Hindus, labeling them "mukhbirs" and chanting anti-India and anti-Hindu slogans, marking a shift from the region's traditionally secular and tolerant atmosphere.

On January 19, 1990, Kashmir's atmosphere drastically changed as Islamic and pro-Pakistan slogans echoed through loudspeakers, catching Kashmiri Hindus off guard. Neighborhoods that were once harmonious became divided, with Muslims and Hindus treating each other as strangers. The government and law enforcement

collapsed, and mosques broadcast warnings for Hindus to leave, using hateful rhetoric that was uncharacteristic of the traditionally respectful Muslim society.

Incidence of Forced Displacement of Kashmiri Hindus

Kashmiri Hindus received notices through varying media as newspapers and loudspeakers in mosques to leave Kashmir (Verma 1994). Fearing for their lives, Kashmiri Hindus were compelled to flee Kashmir and relocate as internally displaced persons in other parts of India, forced to abandon their ancestral homeland. According to Colonel Nanda, terrorists trained in Azad Kashmir had been infiltrating the Indian state for years, with a large number succeeding by the late 1980s. Local Muslims supported these extremists, boycotting the 1989 elections, with the Hizb-ul-Mujahideen being the primary group involved in these activities.

The deteriorating law and order situation in Kashmir led to a targeted campaign against Kashmiri Hindus, who were seen as Indian government sympathizers. Threats and violence escalated, with posters denouncing Hindus, attacks on temples and homes, and ultimatums to convert or face consequences. The violence was catastrophic, amounting to ethnic cleansing, with the objective of driving Hindus out of the valley rather than eliminating them.

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 organisations 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(Sawhney,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 internationally recognized state 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 Pandits are divided into 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 sub-categories. 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 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. Duschinski's PhD thesis (2004) explores how the Pandit community emerges as a distinct political entity in public spaces in India's capital. It examines how community organizations and state agencies interact to shape the stories and imaginations of the Pandits regarding their community, homeland, and nation. These stories portray the Kashmir Valley as an "inconstant homeland," a place of uncertainty and instability. (Duschinski 2004: 9).

Sawhney Charu 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).

Sufferings of Displaced People

Forced relocation is a traumatic experience, marked by hardship, risk, and exploitation. Displaced individuals face perilous journeys, inhumane conditions, and potential abuse. The sudden loss of assets and livelihoods leads to impoverishment, vulnerability, and a "poverty trap" that's difficult to escape.

Involuntary relocation is always extremely painful. Displaced persons face adverse conditions when taking the decision to leave, traveling to a destination, and sometimes upon reaching their destination. They are often forced to place their lives at risk, travel in inhumane conditions, and may be exposed to exploitation and abuse. The sudden and often catastrophic loss of assets experienced by most IDPs is a

critical cause of impoverishment and vulnerability. Being displaced by conflict and violence often implies seeing property being seized or stolen, leaving behind assets that cannot be easily transported, spending relatively large sums during the journey, losing access to social networks, and having to use available resources to sustain oneself once at destination. Such losses can be difficult to remedy(World Bank,2017). They can push people into destitution and create a "poverty trap" from which it is often difficult to escape

Table One: Suffering of Forceful Displaced People

Sl.No.	Types of Sufferings	Total	Percentage
1	Psychological Trauma	26	52.00%
2	Loneliness	10	20.00%
3	Negative Emotion	10	20.00%
4	Others	4	8.00%
	Total	50	100%

Source: Field Survey

Researcher has done field survey on Kashmiri Hindu. The data in the table one shows that the majority of displaced people undergo in the psychological trauma is 26(52.00%). This problem manifests itself in loneliness which is 10(20.00%) in numbers, insecurity, and consequent depression or desertion are 10(20.00%). Such negative emotions and continuous suppression of feelings affects their overall physical and mental makeup which makes themselves to withdraw from society. But it is the attitude and the reactions of the society which has been responsible for their unique behavior.

Tradition and Change

Displacement and rehabilitation have brought several changes among Kashmiri Hindus. Organisation of any society crucially involves the environment as important factor in determining the relationship between human beings and nature. The adaptations, which humans make in order to adjust to a particular environment, are clearly reflected in all the major institutions of the society. Resettlement significantly entailed a new life which is full of hardship for them. It is a struggle to adapt again to a new environment by improving new strategy to eke out basic means of survival. The displaced Kashmiri Hindus face the most important problem in term of survival resources. In order to sustain themselves, they try to make changes in certain social relationships. As they have been thrown into a new environment and social set up where they find themselves exploited and marginalised.

Women and Militancy in Kashmir Valley

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 ceases fire agreements by Pakistan. The roots of the present Jammu and Kashmir situation can be traced after the partition of India. Pakistan and India became independent States in accordance with a scheme of partition provided by the Indian Independence Act 1947.

Muslims in the majority, was supposed to accede to Pakistan. In the post-independence period, the major act that has governed military action in Jammu and Kashmir is the Armed forces (Special Powers) Act, 1958 (as Amended in 1972). Even a noncommissioned officer can order his men to shoot to kill if he thinks that it is necessary to do so for maintenance of public order. The Act permits arrest without warrants with whatever force may be necessary, against any person against whom suspicion exists. Under these circumstances, women have seen the deaths of their loved ones, and, frequently, the bread-earner in the family, either a father or a spouse. Every death in the family leads to the destruction of the family, as a viable socio-economic unit, creating an ambiguous space for women's assertion. As Aaliya Anjum(2011) notes, in early years when the Kashmiri armed movement started, women took to facilitating the men in their fight by acting as couriers who took arms from one place to another. As they could pass checkpoints without being suspected, they could inform the militants of the position of the military and police forces and help them flee in case of sudden cordons. Recent feminist scholarship on Kashmir has observed that the Secessionist Movement uses the culturally dominant symbols of maternal sentiments for its sustenance, and therefore, bestow them with the title of 'Mothers of the Martyrs'. In the 1990s, militant groups like JKLF emerged in Kashmir, promoting slogans like "Shaheed ki jo mauthai wo quamkihayathai" ("He who dies a martyr, gives life to the nation"). The JKLF honored mothers of martyrs, including those killed in the 2008 Amarnath Shrine Board agitation, with the Shaheed Maqbool Butt Award, glorifying their sacrifices

Role of religion

Chandragupta's grandson, the great *Ashoka*, brought Buddhism to his acquired provinces including Kashmir (Bamzai, 1980: 52-4). His name is also recorded in the *Rajtarangini*and he is believed to have personally travelled to Kashmir and spread the word of Buddhism and *ahimsa* (non-violence). *Ashoka* founded Srinagar (then known as *Puranadisthan*) as the capital of Kashmir, and since this day Srinagar remains the capital of the state of Jammu & Kashmir. Under his rule, Kashmir became a centre of scholarship and learning of Buddhist religious texts. The chronicles of HiunTsiang and Ou-kong speak of the settlement of 5,000 monks as a gift to Kashmir by *Ashoka*.

In the 15th century, Muslim Mughal emperors seized control of Kashmir, converting the population to Islam and integrating it into the Mughal empire. However, this Islamic rule was distinct from modern authoritarian Islamic regimes. The Mughal empire, exemplified by Akbar the Great, embraced tolerance and pluralism, foreshadowing the European Enlightenment by a century.

To understand the role of religion in the Kashmir conflict, it's essential to examine the historical context of Islam in Kashmir. Until the 14th century, Kashmir was ruled by Hindu dynasties that used Brahminical Hinduism to justify the subordination of lower-caste communities. With the arrival of Sufi missionaries, many Kashmiris converted to Islam, seeking equality and liberation from the caste system. Over time, the majority of Kashmiris became Muslim, with some Brahmins retaining their faith. The spread of Islam was largely peaceful, with converts retaining pre-Islamic customs. Sufis, particularly Nund Rishi, played a significant role in promoting Islam in Kashmir. The region later came under Mughal, Afghan, Sikh, and Hindu Dogra rule, with Kashmiri Muslims facing oppression, especially under Sikh and Hindu rule.

Despite Muslims being the majority in Kashmir, the region has historically been home to three prominent religions: Buddhism, Hinduism, and Islam. This coexistence led to the development of a unique philosophical tradition. Buddhism in the Kashmir Valley was influenced by Shaivism, while in Ladakh, it was shaped by Traditional Bonapa and later Tibetan Lamaism. Islam arrived in Kashmir in the 14th century, with Sufi mysticism being influenced by the Rishi tradition. The simplicity and charm of Sufi Islam captivated the local population.

Values of Kashmiriyat

Kashmiriyat embodies the unique cultural identity and values of the Kashmiri people, fostering a sense of unity and tolerance between Hindus and Muslims in the valley. Historically, Kashmir has been a melting pot of diverse influences, including Buddhism, Hinduism, and Sufism. The teachings of revered saints and rishis, such

as Lal Ded, Nund Rishi, and Sheikh Nur-ud-din, have contributed to a syncretic culture that emphasizes universal values and coexistence. These spiritual leaders were respected by both Hindu and Muslim communities, and their teachings continue to shape the Kashmiri Muslim identity and promote interfaith harmony.

Religious interpretations can vary greatly, often contradicting one another, to justify diverse political agendas. The understanding of a religion depends not only on its scriptures, but also on the interpreter's ideology, social context, and personal biases. As a result, any religion can be interpreted in ways that promote either positive or negative, progressive or reactionary, political goals. It's essential to avoid viewing religion as a monolithic entity, solely based on textual analysis, and instead recognize its complex and multifaceted nature (Sikand, 2006).

Jammu and Kashmir's legacy of peaceful coexistence, rooted in the spirit of Kashmiriyat, was disrupted by the rise of religious militarism. As foreign influences and extremist groups impacted the armed movement in Kashmir, the region's gentle Sufi traditions, which had fostered interfaith dialogue, were challenged by a radical form of Islam. Meanwhile, extremist Hindu groups in Jammu and Ladakhi Buddhists instituted a boycott of Muslims, exacerbating tensions. While acknowledging the complex political factors at play, it's clear that religion has become a defining aspect of identity in Kashmir, inextricably linked to the ongoing conflict.

Conclusion

The Kashmir conflict has been prolonged due to policymakers overlooking the pivotal role of religious leaders in promoting dialogue and peaceful resolution. Conventional policy approaches focus on economic and political factors, neglecting religion's significant impact on politics. In Kashmir, this oversight is particularly detrimental, as religion and identity are deeply intertwined with the conflict. To move forward, it's essential to incorporate more inclusive and nuanced understandings of religion and community identity, challenging extremist interpretations that fuel hatred and violenc.By acknowledging the complex interplay between religion, identity, and politics, policymakers can explore new avenues for resolution, including engaging religious leaders and promoting interfaith understanding.

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