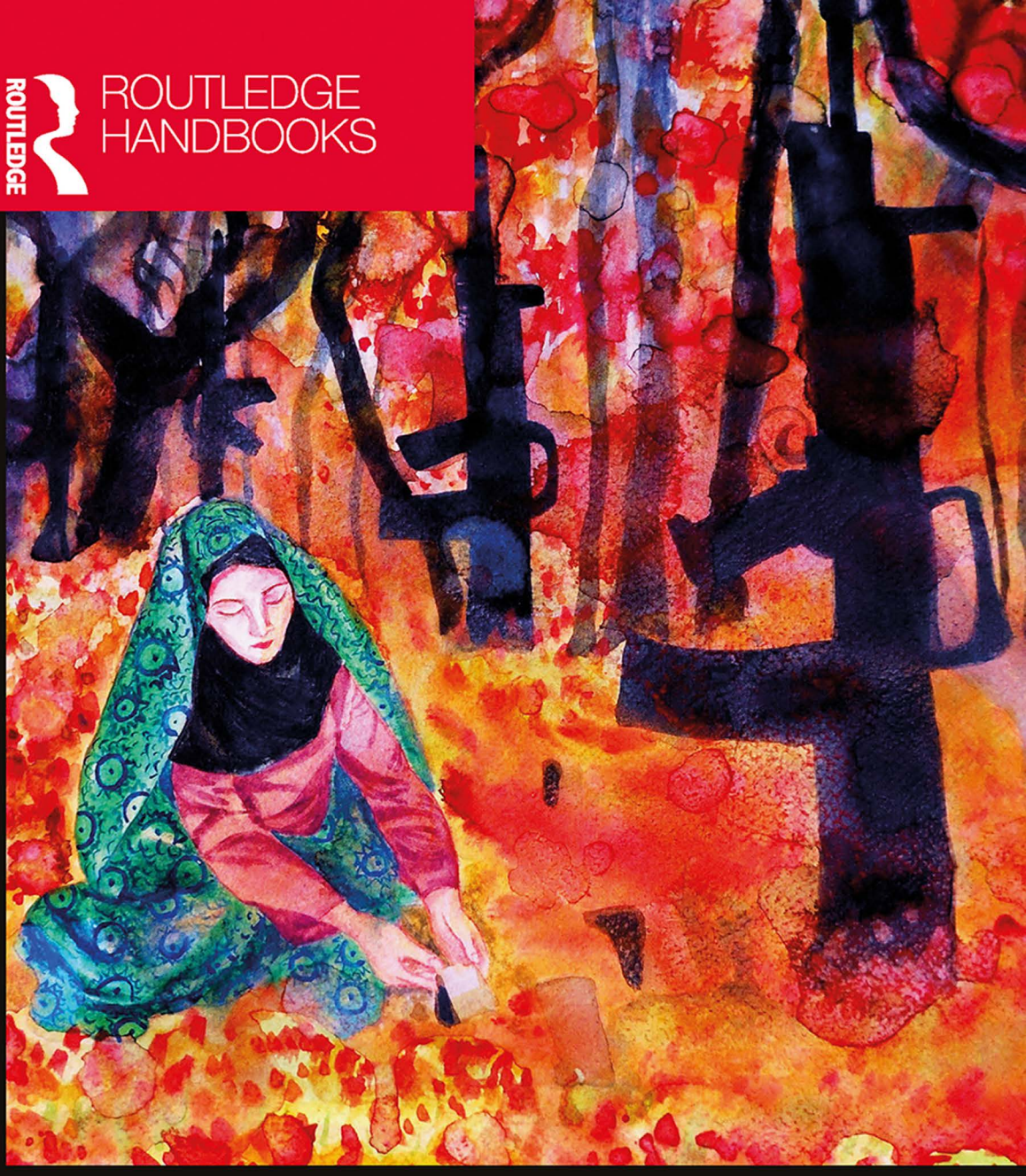
ROUTLEDGE HANDBOOKS



Routledge Handbook of Critical Kashmir Studies

Edited by Mona Bhan, Haley Duschinski and Deepti Misri

"This crucial, timely volume not only explicates the political situation of Kashmir; it offers a paradigm-shifting example of place as relational praxis. From the critique of area studies and state-centric analytics to the attention to the ethics of knowledge production, the editors and contributors make a trenchant case for why Kashmir both illuminates and connects with numerous other liberation movements around the world. As such, the *Routledge Handbook of Critical Kashmir Studies* is a brilliant envisioning of scholarship as solidarity that draws together and transforms indigenous, decolonial, intersectional and transnational thought."

– **Jasbir K. Puar**, *Professor and Graduate Director of Women's and Gender Studies at Rutgers University; author of* Terrorist Assemblages *and* The Right to Maim

"This pathbreaking interdisciplinary volume – grounded in feminist principles that are at once anti-colonial, anti-occupation, and anti-caste – brilliantly speaks to the urgency of self-determination for Kashmir. Challenging statist and area studies frameworks that typically privilege international relations and security studies, this rich collection features crucial epistemological interventions that enable the decolonial knowledge production necessary for political liberation – the best in Critical Kashmir Studies."

– **J. Kēhaulani Kauanui**, *Professor of American Studies and an affiliate faculty member in Anthropology at Wesleyan University; author of* Paradoxes of Hawaiian Sovereignty: Land, Sex, and the Colonial Politics of State Nationalism

"This handbook is a vital intellectual contribution to Kashmir studies. It provides essential space for the radical thinking, the Kashmiri voices, the feminist approaches, the anti-colonial critiques that have been decisively breaking apart dominant assumptions in mainstream scholarship on Kashmir. It will prompt us to think fundamentally differently about Kashmir, as well as more broadly about colonial occupation, about technologies of repression, about land, place, transnational solidarities, resistance, and more. And at a time when reactionary Hindu nationalism continues to take on more fascistic and Islamophobic forms, this handbook is also a crucial political contribution to knowledge and knowledge production."

– **John Reynolds**, *Associate Professor, National University of Ireland, Maynooth; author of* Empire, Emergency and International Law


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ROUTLEDGE HANDBOOK OF CRITICAL KASHMIR STUDIES

The *Routledge Handbook of Critical Kashmir Studies* presents emerging critical knowledge frameworks and perspectives that foreground situated histories and resistance practices to challenge colonial and postcolonial forms of governance and state building. It politicizes discourses of nationalism, patriotism, democracy, and liberalism, and it questions how these dominant globalist imaginaries and discourses serve institutionalized power, create hegemony, and normalize domination. In doing so, the handbook situates Critical Kashmir Studies scholarship within global scholarly conversations on nationalism, sovereignty, indigenous movements, human rights, and international law.

The handbook is organized into the following five parts:

- Territories, Homelands, Borders
- Militarism, Humanism, Occupation
- Memories, Futures, Imaginations
- Religion, History, Politics
- Armed Conflict, Global War, Transnational Solidarities

A comprehensive reference work documenting and consolidating the growing Critical Kashmir Studies scholarship, this handbook will be of interest to scholars of anthropology, political science, cultural studies, legal and sociolegal studies, sociology, history, critical Indigenous studies, settler colonial studies, and feminist studies.

Mona Bhan is Ford Maxwell Professor of South Asian Studies and Associate Professor of Anthropology at Syracuse University, USA. She has authored *Counterinsurgency, Development, and the Politics of Identity: From Warfare to Welfare?* (Routledge, 2014); co-authored *Climate Without Nature: A Critical Anthropology of the Anthropocene* (with A. Bauer, 2018); and co-edited *Resisting Occupation in Kashmir* (with H. Duschinski, A. Zia, and C. Mahmood, 2018). Bhan is on the editorial board of *Cultural Anthropology, Critical Disaster Studies* and *AGITATE*. Her writings and interviews have appeared in various forums, including the BBC, Al Jazeera, Scholars Circle, CGTN, Indus TV, TRT, and Open Democracy.

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ROUTLEDGE HANDBOOK OF CRITICAL KASHMIR STUDIES

Edited by Mona Bhan, Haley Duschinski and Deepti Misri

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Decolonial knowledge production is a deeply collaborative endeavor. This handbook has emerged through the labor, engagement, and vision of all project participants and their intellectual commitments to research and writing as emancipatory projects that align with the political goals of liberation, freedom, and self-determination. As curators of this handbook, our editorial work has been an honor and a privilege. We express our deepest gratitude to people in Kashmir and beyond whose activist, academic, artistic, and advocacy work has been a constant source of moral strength, direction, and inspiration.

This project has been three years in the making. When we first initiated this project, we did not know that all contributors would be writing and revising through such incredibly tumultuous times, including the abrogation and its aftermath as well as the prolonged global pandemic. As editors, we have aimed to approach the project in a way that fulfills our deep ethical obligations to a politically just and equitable mode of academic collaboration and scholarly production.

We express our deepest gratitude to our contributors and section editors for their commitment to this project across time: Dean Accardi, Amit R. Baishya, Anisa Bhutia, Ankur Datta, Gowhar Fazili, Mohd Tahir Ganie, Shrimoyee Nandini Ghosh, Umer Jan, Mohamad Junaid, Ananya Jahanara Kabir, Hafsa Kanjwal, Idrees Kanth, Nitasha Kaul, Suvir Kaul, Khushdeep Kaur, Bhavneet Kaur, Goldie Osuri, Huzaifa Pandit, Rafiq A. Pirzada, Rakhshan Rizwan, Alka Sabharwal, Aditi Saraf, Sarbani Sharma, Haris Zargar, and Ather Zia. Their patience and perseverance have been extraordinary across the entire duration of this project. Since we first began inviting scholars to participate in this project in 2019, contributors have worked through significant challenges in Kashmir including the abrogation and communications shutdowns, the escalating criminalization of expression and dissent, and the various hardships associated with the global Covid-19 pandemic. The pandemic especially impacted scholars who are located, and whose families are located, in Kashmir and India. Given these extremely difficult circumstances, we have deeply appreciated that all project participants, contributors as well as editors, have attempted to approach our collaborative efforts through an ethic of generosity and care.

We also extend our deepest appreciation to artist Rollie Mukherjee, who graciously permitted us to use her painting, Shadows Beyond the Ghost Town (2014), for the handbook cover, as well as our editorial board members Nosheen Ali, Purnima Bose, Jinee Lokaneeta, Richa Nagar, Martin Sökefeld, and Siddiq Wahid. Their scholarship has greatly inspired us and

contributed to our intellectual growth, and their valuable reviews and commentaries on essay submissions helped move this complex project forward under extremely challenging conditions. We also appreciate the time and investment of anonymous scholars who reviewed our initial book proposal.

This handbook, and the field that it represents, coheres through an explicitly feminist and anti-occupation praxis of knowledge production and scholarly exchange. It builds on a commitment to approaching academic production differently – through dialogue, collaboration, and care with reflexive attention to differential locations of power and privilege. Over the past two decades, Critical Kashmir Studies has taken form through the consistent and committed labor of Kashmiri scholars and activists who have radically transformed academic modes of knowledge production and circulation on Kashmir. This has advanced scholarly conversations on identity and nationalism, international law, art and politics, human rights and dignity, and sovereignty and power in relation to Kashmir and beyond.

This liberatory scholarship requires attention to the politics of citation and scholarly production. The essays in this handbook engage with recent critical scholarship on Kashmir, which has foregrounded indigenous Kashmiri histories and advanced feminist perspectives on the history and present of Kashmir. Keeping in mind the politics of citation, where some academic voices (mostly Western, Indian, male, and statist) have been historically favored over many other voices that offer a rich and grounded understanding of Kashmir's history, society, and politics, all contributors were quite deliberate about their citational practices, and they considered how gender, sexuality, caste and other positionalities may factor into and add nuance to larger arguments and claims.

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Mona Bhan, Haley Duschinski, and Deepti Misri
April 8, 2022

CRITICAL KASHMIR STUDIES

Settler Occupations and the Persistence of Resistance

Mona Bhan, Haley Duschinski, and Deepti Misri

The *Routledge Handbook of Critical Kashmir Studies* signals the increasing significance of Critical Kashmir Studies within the context of India's heightened Hindu fascism and policies of settler colonial displacement, disenfranchisement, and dispossession in Kashmir. Over the past two decades, the new Critical Kashmir Studies scholarship has emerged, focusing on the implications of the prolonged settler occupation of Kashmir and the everyday effects of war and militarization on Kashmir's society, economics, and politics. This critical approach centers Kashmiri voices and perspectives to produce a body of knowledge that challenges the conventional statist status quo and provides new ways of thinking about the past, present, and future of the region. As a body of scholarship, Critical Kashmir Studies brings perspectives from literary and cultural studies, feminist studies, cultural anthropology, socio-legal studies, history, and geography into conversation with settler colonial studies and critical indigenous studies. As exemplified by the chapters in this handbook, the scholarly field of Critical Kashmir Studies provides new analyses and theories of occupation, resistance, sovereignty, and self-determination, establishing the scholarly perspectives needed to conceptualize political, legal, and social developments as they unfold. Our contributors reflect on and open up new possibilities for transnational solidarities among movements for self-determination, human rights, and liberation. These contributions resonate beyond Kashmir, inviting scholars and activists more broadly interested in decolonial approaches to think about the transnational connections that sustain occupations – and generate resistance against them – in any particular place.

Critical Kashmir Studies scholarship has radically challenged conventional Kashmir scholarship that has focused predominantly on international relations and security studies perspectives while largely ignoring the indigenous histories of the Kashmiri freedom struggle. Dominant in South Asian and Western academies since the mid-twentieth century, conventional Kashmir studies scholarship has approached Kashmir as a bilateral dispute between India and Pakistan, framing the Kashmiri movement for self-determination as a proxy war, secessionist movement, and terrorist enterprise within the context of the Global War on Terror. Conventional forms of knowledge production about Kashmir have sustained the national, regional, and global power structures that have suppressed the Kashmiri right to self-determination and institutionalized the long-standing legal, military, and political occupation of Kashmir. Through its research agenda on occupation, settler violence, (post)coloniality, and decolonization, Critical Kashmir Studies destabilizes the state-centric perspectives of area studies scholarship, located

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in universities and think tanks across South Asia, as well as US- and UK-based international relations and strategic studies scholarship. The field of Critical Kashmir Studies departs sharply from the aims of such area studies centers, fundamentally challenging the area studies model that has historically organized US-based South Asia scholarship. Against the surveillance and intelligence-gathering motivations that forged area studies approaches, Critical Kashmir Studies scholarship does not seek to make Kashmir available for state intelligence, but rather rejects area studies models that seek to make sense of regions from statist perspectives, whether India, Pakistan, China, or the United States. Critical Kashmir Studies centers Kashmir in a manner that calls into question prevailing area studies formations such as South Asia, the Middle East, Central Asia, and West Asia, compelling us to rethink naturalized categories of nations, borders, and territories.

Scholarship that represents Kashmir as part of South Asia, for example, erases other geographies that have shaped Kashmir's history, as well as people's long-standing cultural, linguistic, economic, and aesthetic connections with communities in the region known as Central Asia. As Siddiq Wahid (2016) notes, Kashmir and the regions of Ladakh, Gilgit, and Baltistan lost their connections to Central Asia "with the creation of the modern Westphalian Jammu and Kashmir state in 1846," when the region "became a colonial political project in the Great Game rather than the seam of cultural, commercial, and political relationships, even if not always idyllic, that had prevailed till then." In dominant Indian scholarship, Kashmir's geography and history have been made subservient to Indian historiography, with implications for the interpretations of Kashmir and its syncretic cultures, languages, and politics. Pushing against this grain, Chitralekha Zutshi's book *Contested Pasts* (2014) examines Kashmir's other geographies by taking up Kashmiri Persian-language texts that reveal Kashmir's historical connection to Central Asia, thus foregrounding its linguistic connections beyond South Asia. While this is a commendable undertaking, historian Nile Green (2015) critiques Zutshi's eventual relapse into a national framework that once again centers on India, framing Kashmir solely in reference to India and overlooking its linguistic and other connections with, for instance, Afghanistan and China – regions adjoining Kashmir and also connected to it through the Persian language. As Green sums up:

> This is a pity, because thinking about Kashmir through the rubric of Persian helps us denaturalize both Indian and Pakistani national claims over its long-contested lands, as over its long-contested past. There can be no half-way house for writing post-national histories.

Green's critique reminds us that in order to complete its critical turn, Kashmir scholars must resituate Kashmir within multiple and intersecting geographies and histories, within and beyond South Asia, that shape the region. This move does not entail a simple redefinition of area studies models. It requires the adoption of placed-based models of scholarship that approach regions not as anchored to modern states but rather as networks of relationships in which human and nonhuman actors exist in active, ethical, and non-extractive relation to land.[1] We take inspiration here from indigenous studies scholars as well as Palestine studies scholars who have theorized "land" as resisting "fixed conceptions of space" denoted by terms like "territory" (Goeman 2015), and who have drawn attention to indigenous Native American and Palestinian ideations of land over the cartographic manipulations of powerful occupying nation-states (Abufarha 2008). Our interest, then, is to foster situated understandings of Kashmir that place it within historical, political, geographical, and ecological lineaments that challenge the reduction of Kashmir to territory alone. We call on students and scholars writing about Kashmir to consider

it instead as a vibrant, alive, and networked *place* that can ground alternative epistemologies that may help reconfigure the nature and scale of politics in the subcontinent and beyond.[2]

Across centuries, Kashmiri poets, artists, and scholars have centered Kashmiri worldviews in their representations of Kashmir's history and politics. Kashmir has a rich corpus of poetic and literary writings that extend back to the fourteenth century and capture the reformist and radical struggles that people participated in from across axes of class, religion, and gender. The poetry of Lal Ded, Nund Reshi, Habba Khatoon, and other saints from the fourteenth, fifteenth, and sixteenth centuries circulated widely through rich and diverse oral traditions, helping to raise people's consciousness about regressive social and political norms (Accardi 2018; BBC Sounds 2020; Khanday 2019). Kashmir also saw the birth of the Progressive Writers' Movement in the 1940s, with poets and writers such as Dina Nath Nadim, Abdul Ahad Azad, and Akhtar Mohiuddin, among others, cultivating a tradition of literary criticism and encouraging reformist and politically radical thought (Khayal 2018). Likewise, the writings of many Kashmiri public intellectuals, many of whom expatriated to Lahore and Amritsar when Kashmir suffered a ravaging famine under the oppressive Dogra regime, roused the political consciousness of Kashmiri Muslims, prodding them to fight for their rights (Hussain 2021). Building on this tradition of writing as a mode and expression of liberation broadly conceived, recent cultural productions – in the form of art, music, poetry, scholarship, and new and alternative online and off-line forums such as *Inverse Journal*, *Wande*, *Kashmir Lit*, *Pe'nd Online*, *Kashmir Solidarity Network*, and *Zaanan Waanan* – have enriched Kashmir's public sphere and contributed to cultivating decolonial perspectives from the standpoint of Kashmir.[3]

Drawing from and contributing to this rich body of work, Critical Kashmir Studies scholars have, over two decades, questioned earlier state-centric formulations of Kashmir's history and politics by engaging with critical theories anchored in a range of empirical and textual research methods such as ethnography, literary criticism, archival studies, and oral histories. This approach challenges the replication of territorial boundaries that have historically produced academic silos around various regions of the former princely state: Kashmir Valley, Ladakh, Jammu, Azad Jammu and Kashmir, and Gilgit-Baltistan. Critical Kashmir Studies scholarship has been shaped by research on Ladakh (Aggarwal 2004; van Beek 2000; Bhan 2014; Gupta 2013; Smith 2020), Azad Jammu & Kashmir (Ali 2019; Robinson 2013), and Gilgit-Baltistan (Bouzas 2019; Dad 2020; Sökefeld 2015, 2020) as well as the Line of Control (Aijazi 2018; Kabir 2009b; Schild 2014, 2015). Critical Kashmir Studies scholarship as a whole foregrounds Kashmiri historiographies, Kashmiri geographies, and people's lived experiences of military siege, while cultivating academic solidarities with the Kashmiri movement for political justice and liberation. Many Critical Kashmir Studies scholars have directly and indirectly contributed to local and/or global efforts to promote human rights, justice, and accountability in alignment with the liberation struggle in Kashmir.

The *Routledge Handbook of Critical Kashmir Studies* comes at a key moment of transnational solidarities and new possibilities for international mediation – especially relevant, given the recent resurgence of United Nations intervention in Kashmir since 2016 and the legal and political crisis initiated by India's revocation of the State of Jammu and Kashmir's semi-autonomous constitutional status in 2019. The handbook promotes transformative paradigms in and about Kashmir by bringing together rising and established scholars from Kashmir and across the global north and south in the ongoing project of producing interdisciplinary scholarship within a transnational and intersectional framework, through attention to how structures of occupation and resistance intersect with gender, caste, religion, race, and class. Taken together, the chapters advance anti-colonial/decolonial, feminist, anti-occupation, and anti-caste frameworks to destabilize the structures of knowledge production associated with entrenched forms of hegemonic

power, inside and outside of the academy, that have shaped the field of Kashmir studies for decades. The chapters question how dominant processes and imaginaries have served institutionalized power and normalized domination, with implications for Kashmiri lives and futures.

As part of a larger network of Critical Kashmir Studies scholars, we share academic and political commitments to liberation for Kashmiris and other peoples facing dispossession through occupation and settler colonial violence. Alongside the section editors and contributors to this volume, we have worked closely with colleagues in the field on projects such as edited volumes, journals, special issues, and syllabi (#thekashmirsyllabus) to support the creation of academic space for the legitimization and institutionalization of emergent Kashmir, and especially Kashmiri, scholarship.[4] Such purposeful collaborative endeavors challenge the neoliberal statist structures of the academy while advancing counter-hegemonic scholarship, especially from early-career scholars. They also strengthen linkages among critical scholars for effective public engagement through academic panels, media commentary, and virtual webinars – which have become especially important means of intervention in the aftermath of the abrogation on August 5, 2019.

We have challenged ourselves and each other to attend to how our individual locations and histories of privilege and power have shaped our trajectories as scholars from dominant racial and caste categories. As a field populated by Kashmiri and non-Kashmiri scholars from South Asia and beyond, all working to interrogate state power in Kashmir, Critical Kashmir Studies is necessarily formed through multiple subjectivities and therefore holds within it the tension of these different subject positions. The politically fraught nature of Critical Kashmir Studies scholarship demands deep and sustained deliberation on how researchers ethically conduct research and engage across the network of Kashmir scholars. We privilege the perspectives of those most impacted by hegemonic political and academic structures. At the same time, we also believe that the praxis of solidarity must extend beyond identitarian positionalities. Such work can create pathways for alternative forms of community based on shared visions of justice, accountability, and radical inclusivity.

Having grown up in a high caste Brahmin Kashmiri Pandit family in Kashmir, Mona Bhan experienced how Kashmir's unresolved political status produced deep social and political cleavages between Kashmiri Pandits and Kashmiri Muslims, the majority of whom, unlike the Pandit community, did not accept India's presence in Kashmir as rightful and legitimate. Her grandfather's commitment to Kashmiri liberation despite his Hindu upbringing was an inspiration for Bhan who saw up close how the work of political liberation can upend conventional forms of identity and community. Haley Duschinski grew up with a white middle-class background in the southern United States, without direct connections to Kashmiri communities or histories. Her family's social location and political commitments shaped her critical awareness of the US military empire, and her undergraduate research on Kashmir in the 1990s led her to value the potential of public anthropology to fundamentally challenge the hegemonic power of war machines and security states, at her home and abroad. Deepti Misri grew up in a Kashmiri Pandit family in Bombay, experiencing Pandit community there as shaped by a sense of both Brahmanical self-distinction and Islamophobic sense of besiegement, particularly after the Pandit migration of the 1990s. She has sought instead to situate herself through collaborative work with other Kashmiri and Kashmir scholars in Critical Kashmir Studies, even while marking how being Kashmiri Pandit remains a privilege that shapes her ability to do this work. Over time, our scholarly and activist engagements with one another and others have significantly shaped our relationships to the broader Kashmiri political community and have also shaped how we negotiate our individual and collective locations, responsibilities, and commitments in our scholarship on Kashmir.

The contributors to this volume have attempted the urgent albeit imperfect work of decolonizing academic scholarship on both Kashmir and South Asia, across a range of adjacent theoretical fields. As a major editorial effort featuring 27 chapters, this handbook attempts to incorporate and magnify perspectives from Kashmir that both contribute to and complicate scholarship on the global south. We have made a concerted effort to curate work by a wide range of Critical Kashmir Studies scholars, working closely with junior scholars and with scholars located in Kashmir, India, and Pakistan in order to decenter Euro-American dominance in some limited way as a locus of knowledge production. Yet, without a doubt, this handbook remains constrained by some of the legacies of knowledge production that it attempts to problematize and transgress. For instance, while publication in an international venue offers recognition for the work of Critical Kashmir Studies scholars, the handbook's production under the imprint of an American trade press also reinscribes hierarchies of knowledge that prioritize and generate profit for publication networks in the global north. Our chosen publication venue carries the risk of limiting the circulation of this work by factors of cost and access, despite our committed efforts to find ways to share this work as widely as possible. At the same time, publication in this Euro-American press affords the opportunity to advance a field of scholarship that faces increased criminalization in Kashmir, India, and even the United States, making this project difficult if not impossible for most Kashmiri and Indian presses to support. Many Critical Kashmir Studies scholars, along with Kashmiri journalists and artists, are targeted for their political and intellectual views. Critical Kashmir Studies scholarship has become difficult and dangerous intellectual labor, with researchers as well as journalists, activists, and lawyers facing police summons, raids and interrogations, search and seizure operations, arbitrary and unlawful detentions, custodial deaths, the application of anti-terror laws such as UAPA, and relentless online trolling.

Long-standing and transnational legacies of differential access to power, knowledge, and privilege have left their stamp on the editorial composition of this handbook. Editorial labor is a privilege, particularly in the case of Critical Kashmir Studies, because it provides the opportunity to shape the emerging intellectual field with political implications in a context of deep and entrenched structures of occupation and resistance. At the same time, editorial work is a deeply devalued form of labor in Euro-American academic circuits. Untenured scholars are often actively discouraged from pursuing editorial work, which is seen as clerical and unoriginal in contrast to the highly valued production of original and, historically, single-authored scholarship. As feminist scholars, we approach our editorial labor as purposefully curatorial, with the hope that this volume as a whole will advance the intellectual and political commitments of Critical Kashmir Studies scholarship.

In recent years, Kashmiri scholars, artists, activists, and journalists have increasingly turned to the framework of settler colonialism to understand India's escalating assaults on Kashmiri sovereignty. Critical Kashmir Studies scholarship has demonstrated how India's policies to dispossess and disenfranchise Kashmiris have become institutionalized through sweeping legal and administrative changes. These include new land ownership and citizenship and domicile laws; electoral redistricting interventions that are meant to empower the Hindu state; evictions and displacements of local populations from forest and state land; and the brazen reallocation of agricultural land, meadows, mountains, glaciers, and bodies of water to sustain India's occupation and settler colonial apparatus. Palestinian scholars have recently argued "that a 'comparative' approach must attend to the political-economic and juridical formations that subtend colonization as a process" through attention to scholarship by indigenous scholar-activists (Bhandar and Ziadah 2016). These strategies of colonial and settler colonial domination resonate with the techniques of dispossession operating in other settler jurisdictions such as Canada, Australia, post-apartheid South Africa, Israel, and the United States.

Although the vocabulary of settler colonialism is newly ascendant in Kashmir studies, settler colonialism as state policy and practice has a long history in Kashmir. International recognition of Kashmir's contested sovereignty traces back to the founding of the modern nation-states of India and Pakistan, making Kashmir one of the longest, most militarized, yet most intensely invisibilized conflict zones in the world. Throughout the second half of the twentieth century, India's dominant secular and liberal ideological frameworks cast Kashmir as an integral part of India, Kashmiri Muslims as a minority population in the Hindu-majority polity, and Kashmiri struggles for self-determination as a Kashmiri Muslim secessionist movement aided and abetted by Pakistan's proxy war to claim Kashmir in its entirety as Pakistani territory. These frameworks justified the domestication of the international conflict across time, from the constitutional drafting processes in Kashmir and India in the 1950s (Duschinski and Ghosh 2017), through the resolution of the India-Pakistan War in the Shimla Agreement in 1972, to the central government's onslaught of brutal repression through severe counterinsurgency operations against civilian populations since the 1980s (Bhan, Duschinski and Zia 2018). Across these decades, India's settler occupation was maintained through legal and military infrastructure and spatial regimes (Duschinski 2009, 2010; Junaid 2013, 2020), trade regulations and land grabs (Saraf 2021; Suhail 2018), central government policies (Kanjwal 2017), culture industries (Kabir 2009a), environmental, ecological, and humanitarian operations (Bhan 2014; Bhan and Trisal 2016), international treaties that undermined Kashmiri sovereignty (Lone 2018), and repressive carceral regimes (Ghosh and Duschinski 2020). Indian occupation and settler violence have shaped everyday life both individually and collectively through the production of "familial grief" (Fazili 2016), communal massacre (Rashid 2020), gendered mourning (Kaur 2020a, 2020b; Malik 2019), cosmopolitan imaginaries (Rizwan 2020), jurisdictional contestation (Hoffman and Duschinski 2020), and affective networks of alliance and intimacy (Falak 2018). In turn, Kashmiris have consistently, across all of these decades, rejected Indian rule through mass protests, stone peltings, widespread shutdowns, election boycotts, and armed rebellion (Ganie 2019, 2021; Junaid 2018; Kanjwal 2018; Sharma 2020a; Zia 2020a), as well as resistance art and literature, music and poetry, and independent media (Amin and Majid 2018; Kabir 2016; Kanjwal, Bhat and Zahra 2018; Kaul 2017; H. Pandit 2020).

These long-standing (post)colonial dynamics of dispossession have reached new heights with the rise to power of India's right-wing Hindu supremacist Bharatiya Janata Party (BJP) government under Prime Minister Narendra Modi in 2014. As state brutality has escalated, the Indian state's adoption of the tactic of disabling Kashmiris compels us to further expand our understanding of how both settler colonialism and resistance operate on the ground (Misri 2019; Zia 2019). As a biopolitical strategy, the widespread maiming of Kashmiri protesters with pellet-firing shotguns allows the state to hobble protest while maintaining a humanitarian face (Misri 2020). As Jasbir Puar argues,

> the understanding of maiming as a specific aim [and not a by-product] of biopolitics puts pressure on the framing of settler colonialism as a project of elimination of the indigenous through either genocide or assimilation. It asks us to re-evaluate the frame of biopolitics in relation to the forms of maiming . . . that have gone on for centuries in settler colonial occupations.
>
> *(Puar 2017: 144)*

The BJP has intensified counterinsurgency strategies of mass surveillance, criminalization of dissent, and collective punishment while also pursuing a multipronged military approach for

the final and complete annexation of the state of Jammu & Kashmir. On August 5, 2019, the Indian Parliament initiated a legal and legislative process to dismantle J&K's special status under Article 370, which outlined the legal obligations associated with the Instrument of Accession, and Article 35A, which granted residents rights and privileges that made them stewards of their own territory, of the Indian Constitution (Ghosh 2019a; Zia, Duschinski and Bhan 2020). Kashmir scholars argue that the Indian government's unilateral abrogation of J&K's special status is in serious violation of past UN Security Council resolutions regarding Kashmiri right to self-determination, and that it irreversibly erases the limited legal recognition and protection of self-governance, legal autonomy, and citizenship rights for Kashmiris within the territory under Indian control (see, for example, Ghosh 2019b).

The abrogation is the culmination of the Hindu Right's long-cherished dream to secure the full and final integration of Kashmir into India and ensure that the international community views Kashmir as a matter internal to India rather than an international territorial dispute between India and Pakistan. As the state of Jammu & Kashmir was brought into the Indian federation in 1947 during a period of war and instability on the subcontinent, Articles 370 and 35A were written into India's new constitution to incorporate the conditional and provisional nature of the accession and to grant Kashmir's residents rights and privileges that made them stewards of their own territory. The Indian parliament's abrogation of these articles signals an intent to carry out far-reaching changes to demographic and land-holding patterns by opening up Kashmir to settlement by outsiders who were previously restricted from purchasing land in the region. The abrogation enables massive demographic changes that could make Kashmiris minorities in their own homeland and undermine the territorial attachments that form the basis of Kashmiri ethnic identity (for more on the abrogation and its implications, see Mushtaq and Amin 2021; Sharma 2020b; Zargar 2020).

The abrogation of Articles 370 and 35A is the most brutal assault on Kashmiri political aspirations since the British East India Company sold Kashmiri land, people, and resources to the Dogra prince Gulab Singh through the Treaty of Amritsar in 1846. Under Dogra rule, land in Kashmir was considered the property of the Maharaja (Naik 2012). Although Kashmir had already experienced centuries-long foreign domination under the Afghans, Mughals, and the Sikhs since the sixteenth century, conceptions of sovereignty underwent a significant shift during this period (Rai 2004). Despite their investments in a monolithic and territorially bounded conception of sovereignty, the British vested in Gulab Singh "personalized" sovereign powers as a reward for Gulab's Singh loyalty to the British in the second Anglo-Sikh War, but also a strategic intervention to curb Afghan influences in the Northwestern frontier regions (Rai 2004: 27). During the Dogra regime, Kashmiris lost all proprietary and occupancy rights over land, while land became an instrument to foster loyalties to the Dogras and their patronage networks. Their land policies reinforced preexisting feudal structures while introducing new and stringent socio-economic hierarchies. Those who rendered civil or military services to the state were allotted large tracts of land (*jagirs*), and the allottees, known as *jagirdars*, functioned as representatives of the Maharaja who were responsible for collecting land revenues and state tax from their *jagir* (Naik 2012: 782, 783). Through their exploitation of Kashmir's peasants, *jagirdars* along with other types of landlords became Kashmir's "virtual monarch[s]" and wielded extensive powers over Kashmir's peasantry while also solidifying discriminatory processes along regional and religious lines (Naik 2012: 782). The Dogras treated the parceling and distribution of land to political loyalists as an important step to establish and maintain their control and sovereignty over Kashmir (Rai 2004) and to ensure that even after land settlement "commenced in the late nineteenth century and conferred usufruct rights to the princely state's subjects," the "ownership remained vested in the monarch" (Saraf 2020).

Control over land is but one way in which Kashmiri sovereignty has been usurped by colonial forces. Critical Kashmir Studies scholars and Kashmiri activists have called attention to the role of gender and sexuality in securing settler colonial desires and claims over Kashmiri land and sovereignty (Falak 2018; S. Malik 2014; I. Malik 2019; Osuri 2018; Zia 2020a). Settler colonialism is underwritten by a stock set of gender and sexual scripts that posit both Kashmiri land and women as feminized, desirable, and conquerable (N. Pandit 2020; Kaul 2018). In the cultural realm, Kashmir has been constructed as a "territory of desire" for Indians, in part through the construction of the Kashmiri woman as a fetishized object of desire for the north Indian hero, in 1960s Bollywood romances such as *Junglee* and *Kashmir ki Kali* (Kabir 2009a). Those representations found their echo in more recent articulations of Indian men's fantasies following the abrogation of Article 370, as fantasies of land possession in Kashmir by Indian men were seamlessly coupled with desire for "fair Kashmiri women." Even as Kashmir itself was on complete communication lockdown, outside of Kashmir, Google searches for the phrase "Kashmiri girl" began to spike, and social media sites such as TikTok and Facebook began to froth with video clips uploaded by Indian men airing fantasies of marrying Kashmiri women. This surge was driven ostensibly by the erroneous idea that Indian men could now also possess land by marrying Kashmiri women, whereas previously, so the logic went, Kashmiri women would have lost access to land ownership by marrying men outside the state. Not only was the latter a false premise, as Kashmir scholars noted (Ghosh 2019c; Zia 2020b), but also, the fact that Indians could now purchase land without any conjugal attachments whatsoever appeared to have simply been forgotten, as an enduring Indian masculinist fantasy bubbled through these clips, rendering facts entirely irrelevant. While the class and caste locations as well as the purchasing power of the male users who uploaded these videos remains to be studied, what is notable is their participation in a mass fantasy about both Kashmiri women and land: land as women, and women as land. The fantasy of heterosexual union with the figure of the Kashmiri Muslim woman (presumably one who would leave Islam?) became the route through which the very boundaries between "Indian" and "Kashmiri," once maintained by Article 370, no matter how nominally, could be dissolved in a gesture of elimination through assimilation.

Settler colonialism has functioned through another classic strategy by co-opting feminist and queer rights discourses to present colonialism as modernity. This strategy has proven particularly effective in the context of Muslim-majority societies like Kashmir, Palestine, Iraq, and Afghanistan, since stereotypes of Muslim backwardness are already at hand, against which settler colonization may be easily posited as "progress." Thus another popular claim about Article 370 was that it extended the Indian Supreme Court's ruling decriminalizing homosexuality to Kashmir for the first time – a perception that circulated notwithstanding the fact that the ruling already extended to all state high courts, including Jammu's and Kashmir's.

Given this long history of land domination, Kashmiri scholars, journalists, and activists have, since the abrogation of 2019, turned to the settler colonial analytic to name and make sense of the particularities of India's policy of total annihilation of Kashmiri society, economy, culture, and modes of governance as an enduring relational process, a structure rather than an event (Kauanui 2016). To paraphrase Patrick Wolfe (2006), Indian settlers will come to stay; and to settle in through a variety of interlocking legal, political, and military processes of assimilation, containment, removal, maiming, and elimination. The settler colonial analytic sheds light on these enduring structures by destabilizing liberal secular historiographies that cling to Kashmir as the key credible instantiation of India's secular polity, as well as Hindu nationalist political ideologies that demand possession of Kashmir's land as an inalienable part of the Hindu Rashtra. And through its focus on enduring structures, the settler colonial analytic allows reconsideration of the ways in which Kashmir's history of colonization predates the formation of both India and

Pakistan by rethinking Kashmiri struggles for self-determination as independent of and anterior to India and Pakistan's (post)colonial struggles over Kashmiri land and territory. The settler colonialism framework thus enables the reinterpretation of Kashmir's political history across centuries of repressive rule and the reframing of people's aspirations for freedom as a long-term struggle for dignity, economic liberation, and political representation.

Settler Colonial Studies and Critical Indigenous Studies

Competing claims of indigeneity have been central to both the consolidation of and resistance to India's settler colonial project in Kashmir. Indigeneity is a category of analysis as well as a legal and political assertion of distinction and difference. The category of indigeneity is frequently mobilized in the context of Kashmir, often to very different effects. The work compiled in this handbook, as well as in the larger field of Critical Kashmir Studies, suggests approaching indigeneity as an *analytic* rather than merely an identity, "asking how it functions in discourse" (Arvin 2015: 115). We find it useful here to think with the working definition developed by Kanaka Maoli (Native Hawaiian) scholar Maile Arvin (2015: 121), who writes that "indigeneity . . . refers to the historical and contemporary effects of colonial and anticolonial demands and desires related to a certain land or territory and the various displacements of that place's original or longtime inhabitants." Rather than merely assessing truth or falsity of indigeneity claims, a critical methodology traces the *effects* of such claims, approaching indigeneity as a performative rather than an identity category. In the context of Kashmir, this means asking how indigeneity is invoked in relation to land, in order to track how claims of indigeneity may either cooperate with colonial strategies of domination via land appropriation; or, alternately, how it may challenge such claims. To quote Arvin (2015: 121) once again, "indigenous knowledge and praxis can be either anticolonial or participatory in colonialism."

In Kashmir, such competing claims to indigeneity are mediated through a multiplicity of religious, ethnic, and linguistic identities. For instance, Kashmiri Pandits, the minority community of Kashmiri Hindus who departed from Kashmir at the peak of armed militancy in the early 1990s, most often claim that Muslims purposefully forced them out of their homes to carry out Pakistan's Islamist agenda to disintegrate India.[5] The Kashmiri Pandit community, which is largely allied with the Indian state and views the Kashmiri struggle for freedom as seditious and illegitimate (Bhan, Misri and Zia 2020), seeks to establish their claim to safe return to Kashmir by describing themselves with the emotive phrase "original inhabitants of Kashmir" – a phrase that not only constructs them as displaced indigenes but also implicitly produces the majority Muslim Kashmiri population as outsiders. Such perceptions echo dominant Hindu nationalist constructions of Muslims as invaders and outsiders. The claim to indigeneity via the language of "original inhabitants" has the effect of tapping into dominant Islamophobic sentiment across India in order to advocate for Kashmiri Pandit return under conditions that would further intensify the chokehold on Kashmiri Muslim life within Kashmir – in the form of separate townships for Pandit returnees, for instance, or the intensification of militarized presence not only in the form of "boots on the ground" but also in the form of *sainik* (soldier) colonies. Such formulations contrast with alternative invocations of indigeneity that aim to maintain and secure a relationship to land and protect it from the extractive conditions facilitated by the settler colonial state – in other words, to assert sovereignty over human life and land in Kashmir. These claims are anchored not only on religion but also on a relationship to land and relations that make Kashmir Kashmir (Tikoo 2020).

Of course, indigeneity cannot purely be reduced to *only* a category of analysis, a political assertion, or a legal claim. Kanaka Maoli scholar J. Kēhaulani Kauanani (2016) points out that

indigeneity, like settler colonialism, is enduring, first because "indigenous peoples exist, resist, and persist," and second because "settler colonialism is a structure that endures indigeneity, as it holds out against it." For Kashmiris, land and territory are central issues, such that resistance takes the form of survival or what settler colonial studies scholar Lorenzo Veracini (2011) terms "persistence." Writing on Mohawk struggles for sovereignty, Kahnawake Mohawk anthropologist Audra Simpson (2014: 11) reframes *resistance as refusal*, which includes everyday practices of rejecting externally imposed institutions of settler state sovereignty and asserting "indigenous political orders" that challenge settler logics of inclusion and multiculturalism. The long history of boycotting Indian elections in Kashmir exemplifies precisely such a refusal, as did the refusal of Kashmiris to re-emerge from their homes or return to business after the official suspension of the curfew imposed in August 2019. Through such actions, Kashmiris have refused to allow the narrative of normalcy to overwrite their suffering and rage, as they have kept their children home from school and kept shuttered the shops that they were forced to close. Simpson's exploration of the politics of refusal raises questions about alternative and popular forms of sovereignty, jurisdiction, and legitimacy, urging scholars to attend to the complex ways in which indigenous people practice sovereignty in their everyday lives. Such everyday expressions of sovereignty, she argues, enable indigenous communities to assert their presence and contest the "presumption that the colonial project has been realized: land has been dispossessed; its owners have been eliminated or absorbed" (ibid.).

The urgent need to preserve and persevere is felt acutely across vast swaths of the Kashmiri Muslim population at a time when the settler colonial intent of the Indian government is brazenly clear, and Kashmiris fear the evisceration of their lives and livelihoods. Historically, Kashmiri Muslim communities were expected to align with India's secular politics of inclusion that framed Kashmiri Muslims as a minority within India and misrepresented their struggles and aspirations for sovereignty and self-determination as either an outcome of their alienation from India's national culture, or an outcome of Pakistan-backed Islamic terrorism. India's secular regime reduced Kashmiri Muslimness to a problem of difference. The state remained invested in managing this difference through hollow gestures of inclusion that refused to engage with people's genuine political aspirations. But Kashmiri Muslims viewed Indian secularism as an alibi to forcibly integrate Kashmir into the predominantly Hindu Indian nation-state. As Iymon Majid (2020: 1) argues, Kashmir's Islamist organization, the Jama'at-e-Islami, mobilized "the marginalization of Muslims, alongside Islamist rhetorical opposition to the doctrine of secularism, to counter the political secularism of the Indian state." He further argues that Jama'at's opposition to secularism must be situated in its rejection of secularism's capacity to provide "moral code of conduct for the faithful," but also in the "extraordinary political circumstances of Kashmir's disputed accession with India" and the belief that Pakistan was the only "safe haven" for Muslims whose lives and interests were threatened by India's communal polity (ibid.: 7). Thus, many Kashmiri Muslims who rejected putatively secular models of Indian democracy and embraced Islamic piety and morality as guiding principles envisioned different political futures based on their religious affinity with Pakistan.

Since the 1950s, Kashmiri aspirations for self-determination include imaginaries of freedom from *both* India and Pakistan as well as aspirations to merge with Pakistan. But the Congress party as well as the Hindu Right have both worked to criminalize Kashmiri aspirations for freedom and affinities with Pakistan, denying Kashmiri claims to independent statehood and Pakistan's status as a genuine party to the dispute. Indian political parties, especially the Congress party, "preached secularism" while actively denying Kashmiris their right to self-determination (Hussain 2021: 355; see also Kanjwal 2017). Secularism was thus used to silence alternative visions of nationhood and belonging that had been articulated by Kashmiris since the 1940s.

Kashmiris have for long *refused* to comply with India's secularity in which Kashmiris themselves were reduced to tokens of Muslimness in India's multireligious polity to justify their forced integration into India. Seen from this perspective, the armed and unarmed struggle of Kashmiris against India is precisely an expression of this refusal – a concerted resistance to the idea of being reduced to a problem of difference while being denied the rights to decide their present or political futures.

Kashmiris' refusal to align with national scripts of inclusion and recognition, or to capitulate to the state's territorial lines and borders, is shaped by a popular consciousness that traces Kashmir's history of colonization through extraction, expulsion, and elimination back to the feudal rule of Hindu Dogras in the 1930s, and even before to the foreign occupation of their land that ended Kashmiri autonomy in the sixteenth century. Such forms of indigenous memory and consciousness constitute what Rowe and Tuck (2017), following M. Jacqui Alexander (2005), call "palimpsestic time," in which "the imprint of historical processes provides a ghostly shape to the present," while also framing anxieties that exert their shadowy effects into the future (see also Tuck and Yang 2012). At the same time, as Haris Zargar (2016) suggests, collective memories of resistance constitute "the crux of Kashmiri national identity," such that the attainment of a "sovereign, independent state" is a crucial component of "collective self-preservation." The multiple genres of cultural and political production in the form of resistance poetry, art, music, and satire, as well as mourning rituals, street protests, and hartals and public strikes, point to the ways in which memories of the past intersect with the conditions of the present to shape the enduring desire for liberation.

Taken together, settler colonial studies and critical indigenous studies offer emancipatory analytic frameworks: at once academic practice and political praxis, they strive for liberation and emancipation within the academy and beyond. Especially since August 5, 2019, rapidly shifting realities on the ground have motivated Kashmiris to draw parallels with liberatory struggles elsewhere, in places where marginalized people continue to resist their dislocations, displacements, and erasures from their land through struggles for ecological and food sovereignty and health and environmental justice. Kashmiri struggles have intensified further under the crushing weight of successive lockdowns that began with the announcement of the abrogation in 2019 and intensified with the public health crisis of 2020 and 2021. As Kashmiris continue to endure unprecedented levels of physical, mental, social, and economic suffering, and figure out ways to survive and resist oppressive forces designed to eliminate them, experiences and stories from other settler colonial contexts have expanded Kashmiri notions of self-determination. Kashmiris are actively asking how their political, economic, cultural, and ecological oppressions might connect with the struggles of indigenous communities elsewhere, and how their political aspirations for *azaadi* might resonate with multifaceted struggles of Black and Native people across the globe. In that sense, settler colonialism has visibilized the Kashmiri struggle for self-determination in the global arena beyond its political genealogies to more explicitly include questions of indigeneity, ecological oppression, and land and resource dispossessions under India's protracted occupation.

Notes

1 Of course, we cannot assume that all projects of placemaking that invoke human-nonhuman relationalities are inherently radical. Hindu supremacist projects are increasingly using notions of Hindu relationality with non-human natural entities (Longkumer 2020) and representing non-humans as active participants in the Hindu reclamations of India as a Hindu nation (Bhan and Govindrajan, n.d). We argue that the politics of such placemaking projects must be closely tracked in order to avoid romanticizing their intended and unintended outcomes.

2 Following Hayes (2019: 27), we argue that "as a critical component of setting, place is not the stage upon which events occur but is rather an active participant in those events." Anjali Arondekar and Geeta Patel (2016: 152), too, argue how geopolitics reduces places to "exemplars" but rarely views them as offering epistemological interventions. Such mappings of geographies reduce vibrant, alive, and networked places to the status of borders and margins, without recognizing their "productive and theoretical formations."
3 See for instance the work of Kashmiri artists and writers such as Madhosh Balhami, Farah Bashir, Uzma Falak, Zeeshan Jaipuri, Huzaifa Pandit, Syed Areej Safvi, Malik Sajad, Mir Suhail, Mirza Waheed, Asiya Zahoor, and Ather Zia, among others.
4 These curated collections include Bhan and Duschinski 2020; Duschinski and Bhan 2017; Duschinski et al. 2018; Duschinski and Malik 2020; Kaul and Zia 2018; Osuri and Zia 2020; Zia, Duschinski and Bhan 2020. Other edited collections on Kashmir include Ali et al. 2011; Kak 2013; Zia and Bhat 2019.
5 For more on Kashmiri Pandits and their histories of departure from Kashmir, see Datta (2017).

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SECTION I

Territories, Homelands, Borders

Ather Zia

This section considers various modalities of the Indian state's interventions in Kashmir and their implications for the local body politic: undermining native desires and ecologies, appropriating peasant movements, silencing women's voices, and producing political imaginaries of abled and dis-abled bodies in the Kashmir region. Like other postcolonial democracies, India uses colonialism as a strategy to achieve their geopolitical and economic goals and accomplish social and political objectives. The two chapters by Idrees Kanth and Suvir Kaul offer complementary yet somewhat different analyses of the complex role of the National Conference party in Kashmir. The National Conference is today considered a party that paved the way for the Indian military occupation of Kashmir, even though for the first few years after 1947, it achieved radical success in introducing policies such as the Big Landed Estates Abolition Act that gave land to the tiller. On the other hand, the party and its leaders failed dismally by imposing authoritarian rule, repressing dissent and genuine grassroots movements from taking root. Idrees Kanth's chapter addresses the paucity of peasant voices in Kashmir's archival history, which has suffered multiple threats of annihilation. Kanth considers how the ideals of "national" and "freedom" existed in the Kashmiri peasant imaginary before and after 1947 as twin ideals that gave shape to Kashmiri national consciousness, fueling existing political resistance to India. As he excavates peasant histories, Kanth analyzes how the hegemony of the National Conference party elided the alternative histories of some local movements. The hypervisibility of the National Conference's narrative enabled a portrayal of Kashmir as far too progressive for a "theologically inspired Pakistan, which has remained a feudal state at its core." Kanth concludes that after 1947, the peasantry remained status quoist rather than seeking *rai-shumari* (plebiscite) and *haq-e-khudiradiat* (self-determination), reasoning that after centuries of subjugation and exploitation, the peasants experienced some economic relief and gravitated toward stability rather than resistance.

Kaul's chapter analyzes the Naya Kashmir (New Kashmir) manifesto adopted by the National Conference party, which ushered in the agrarian reforms that, as Kanth argues, prompted the status quo orientation of the peasantry. The Naya Kashmir manifesto was a revolutionary document that called for universal franchise, women's rights, freedom of expression, and extensive land reforms, including ending feudal landlordism, eliminating agrarian debt, and giving land to the tiller. Kaul explores the ways in which Naya Kashmir is central to the development of contemporary ideas of democratic self-determination in Kashmir. He calls the manifesto a weighty prelude to the idea of azaadi (freedom). For Kaul, the pro-poor politics and progressive vision of

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the National Conference, as expressed in the Naya Kashmir manifesto, have informed resistance politics in Kashmir across time.

Alka Sabharwal's chapter on Changthang in Ladakh focuses on how India has ushered in new ecological paradigms that promise to provide livelihoods and conserve biodiversity but result in strengthening military control of people and borders, impacting people as well as flora and wildlife. In Changthang, the Indian government has expanded the military's environmental mandate and made them a "virtuous" ally of the people in biodiversity protection. Thus, the overarching legitimacy gained by the military undermines local bodies, while ignoring their environmental footprint. This situation has been exacerbated after India's abrogation of August 5, 2019. The Indian government justified its action by saying autonomy had impeded the region's development and gave a host of strawman arguments to support it. Sabharwal concludes that the greening of frontier politics represents the continuity, not the closure, of the Indian nation-state's frontier making, ensuring the erasure of Changpa pastoralists.

Khushdeep Kaur Malhotra's chapter on Kashmiri Sikh women highlights the precarity of religious minorities, especially the possibility of being weaponized by the nation-state. Her chapter analyzes the massacre of 35 Sikh men in Chittisinghpora in 2000 through the gendered optic of Sikh women, including widows of the killed men. Challenging the erasure of Sikh women's struggles, Malhotra highlights their agency in navigating their social and political locations within Muslim majority and Sikh communities. Malhotra illuminates the conflicting narratives that have surrounded the massacre, maintaining the centrality of the Sikh women who she claims are "astonishingly absent from these discourses" about the condition of Sikhs in Kashmir. The erasure of Sikh women's voices continues, even as the community demands minority status and an impartial inquiry into the Chittisinghpora massacre. Malhotra explains that the Kashmiri Sikh community is encouraging young girls to become Amritdhari Sikhnis to strengthen their religious faith and self-regulation to fight intermarriage and conversions. She emphasizes how India's prevailing Islamophobic discourse seeps into the community where some Sikh community members see interfaith marriages and conversions as a "looming threat."

Ananya Jahanara Kabir focuses on the gendered and heteronormative aspects of the Kashmir dispute through "alegropolitics," or the politics of resistance through embodied joy. She explores depictions of Kashmiri subjectivity and repercussions of the conflict on female sexuality through the image of "hortus interruptus," a garden where spring's advent is indefinitely stalled. She focuses on the film *Haider*, an adaptation of Hamlet written by Kashmiri journalist Basharat Peer. The film rejects stereotypical Bollywood depictions of Kashmir even though "it ensures the plenitude of the heteronormative home built on the marital relationship, and ever more urgently required with the Indian State's willful destruction of the structures of Kashmiri society." Kabir juxtaposes *Haider* with Kashmiri poet and filmmaker Asiya Zahoor's short film *Stitch*, which draws on the hortus interruptus to foreground women's pleasure without capitulating to heteronormativity. Kabir contends that Zahoor's alegropolitics in Kashmir make manifest women's agency, creativity, and care of the self: "an agency responsive to the ever-present Kashmiri call for aazadi (freedom)."

Deepti Misri's chapter approaches themes of precarity, violence, and maiming through the lens of disability studies. She argues that disability studies scholarship shines light on "how the experience of 'preexisting' disability is shaped by the environment of militarized occupation; and also how disability is a constant and regular *product* of this environment." She reiterates that the ableist structure of occupation contributes to the configuration of the "able" hero body of the Indian soldier and the vulnerable, subject Kashmiri body. The optic of disability allows Misri to analyze how caste and class have been crucial factors in strengthening India's occupation of Kashmir. For example, she argues that ableist narratives have contributed to the

dominant ideology of Kashmiri Pandits as intellectually superior, and that this "eugenicist language of inborn superiority" erases structures of power that have produced differential access to education and other services between Pandits and Muslims.

Ultimately, this section sheds light not only on the formations of power and violence that constitute India's occupation of Kashmir but also on the instantiations of azaadi that have sustained across multiple communities over time. Kanth seeks to understand the meanings of azaadi in the peasant imagination, while Kaul interprets it through reference to the Naya Kashmir manifesto. Malhotra and Kabir locate its complexities in gendered and interfaith bodies and spaces, while Sabharwal manifests its implications on the frontiers that are forever in flux. Taken together, these five authors emphasize the importance of *azaadi* in understanding notions of Kashmiri identity, belonging, and struggle.


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PEASANT IMAGINARIES AND "KASHMIRI NATIONALISM"

Idrees Kanth

Introduction

To invoke Shahid Amin, how does one write histories of the unlettered – workers or peasants who produce goods and services, not documents? Peasants do not write, they are written about. The speech of the humble folk is not normally recorded for posterity. Historians often latch on to extraordinary events in the lives of such people or have learned to comb "confessions" and "testimonies" for their evidence, for this is where peasants cry out, dissimulate, or indeed narrate (Amin 1995).

In the context of colonial India a brand of historians who designated themselves as *Subaltern Studies* collective attempted to resurrect "subaltern" peasant consciousness by focusing on peasant uprisings, asserting that such voices had received very little attention in the elite narratives that had hitherto dominated Indian historiography. Peasant insurgency was seen as a site that could help unravel peasant mentality and consciousness. But there was also the counterargument that an act such as the insurgency was untypical, one that forced the suspension or dissolution of normal human activity and was therefore unsuitable for this purpose. On the contrary there was a need to study the everyday life and material conditions of subaltern groups including the peasantry. But the practical problem with this was, as David Arnold pointed out in a related context, that much of what the peasants and other subalterns did and thought in their everyday life had passed unrecorded in any form and was inaccessible. And it was only when, as in a famine or a rebellion, subaltern activities and beliefs entered elite discourse that some record, however patchy and partisan, became available (Arnold 1985).

In providing this prefatory statement the question is where does one locate Kashmiri peasant mentality and how does one conceive its relationship to what is sometimes defined as "Kashmiri nationalism" (Kanth 2018; Pandey 1982).[1] Unlike in colonial India, peasant insurgency and rebellions were not abundant in Kashmir; apparently there were very few of them (Khan 1983),[2] or at least they were not reported or did not get written about. Even if such records may have existed, they cannot be located in the archives (Kanth 2011). Nevertheless, are insurgencies and riots the only occasions when the "peasant mentality" expresses itself? (Ludden 2001).[3] What other sites could be discerned from where peasant consciousness could be distilled?

The peasant question in Kashmir has, in general, received very little attention in the past. While scholars have written about Kashmiri peasantry, their writings appear to be less engaging

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or critical. Using administrative and other official data, these writings (Thorner 1953; Aslam 1977; Lone 2015; Hamdani 2016) invoke a political economy approach from above to underscore the radical nature of land reforms in Kashmir initiated in the post-1947 period by the "progressive" National Conference government. However, even when these reforms led to redistribution of land among the landless Kashmiri peasants,[4] as these writings inform us, they do not seem to say much on the peasants' own experience of these reforms (Saad 2002),[5] other than assuming that a majority of them were thoroughly empowered. Similarly, other important questions on why Kashmiri peasants, unlike say the Mappila peasants of Malabar, were less insurgent or even passive, especially in the pre-1940s, when agrarian conditions in Kashmir were no better than in other parts of South Asia, need to be investigated.[6]

The rhetoric of "land reforms" has nonetheless continued to inform public discourse on Kashmir well into the present times (Devadas 2017; Jain 2019). In this narrative, the National Conference, a supposedly secular political organization, is claimed to have spearheaded a "national movement" in Kashmir, in the pre-1947 period, in which traders, artisans, peasants, and other segments of society are assumed to have participated wholeheartedly to liberate the region from the clutches of the oppressive Dogra regime (Chandra 1985; Hamdani 2016; Yasin and Rafiqi 1980; Makhdoomi 1973; Yaqoob 2019).[7] Keeping this rhetoric aside, the pertinent question is whether and how far were the peasants engaged in the "Kashmiri national movement" for freedom, and also and importantly what does "national" and "freedom" signify in the Kashmiri political discourse/context and more particularly in the peasant imaginary? These questions pose a challenge to the researcher mainly because of the paucity of material wherein peasant voice/voices could be discerned and also because there are very few scholarly writings that attend these concerns, and may have provided a way forward. Realizing these constraints, the chapter intends to focus on certain events in the 1940s when peasant voices seem to appear in the records, besides other traces of archives: an informal report and peasant diaries (Smith 1986)[8] from the post-1960s, to speak to some of the questions just raised.

While the scarcity of evidence or a fragmentary source could lead to the making of a fragmentary narrative, it should not deter us from researching and writing historical narratives about peasants (Chaturvedi 2008). In fact, a close reading of a relatively small number of texts or records could, as Carlo Ginzburg points out, be more rewarding than a massive accumulation of repetitive evidence. What is significant is the quality of the evidence, not the sheer quantity (Ginzburg 1989). Yet it is relevant here to talk about the loss of historical personal archives in the context of conflict-ridden Kashmir. In the early 1990s particularly, the phenomenon of burning personal diaries, family albums, letters, books, portraits, and so on, by local Kashmiri families due to fear of being identified during police crackdowns cannot be disregarded and needs to be weighed in. Thus materials or writings that were preserved, while they may provide us useful insights, should be approached sensitively, keeping in mind the fact that they were produced in a period when political repression abounded in Kashmir, in the aftermath of 1947. However, before elaborating any further on the preceding questions, it would be useful to provide a brief overview on the position and condition of peasants in Kashmir around the 1930s, a period that has retrospectively gained significance for being the moment when "Kashmiri nationalism" began to emerge as a political force and movement.

"Kashmiri Peasants" as a Category

Colloquially, the term for the "Kashmiri peasant" is *zamindar* (Madan 1972; Rai 2004).[9] The administrative reports of the pre-1947 period also employ the term when speaking about peasants as a broad category,[10] that is, all those village people who cultivate land and depend on

its produce for their survival. The *zamindar* could thus be described as a *kashtkar*, one who cultivates land, again a broad term used in administrative records. Other than reflecting the economic aspects, *zamindar* also bears a discursive connotation. *Zamindar* and particularly *gamuk* and *groos* are pejorative terms often used by urban residents to describe the rural peasant who is seen as crude and unsophisticated.

Around the early 1940s about 73 percent of the population of Jammu and Kashmir was engaged in or dependent on agriculture (Bhan 1939). At a broader level, one could speak of two categories of people among these: those who had varying degrees of proprietorships (*assamis*) over land and others who were tenants at will (*kashtkar*). Thus those who had more proprietary rights over land than others were *assamidars*. The *assamidar* who had been empowered through various land settlements in the past could be defined as a landlord, a revenue farmer, a kind of a go-between between the state and the actual tenant.[11] While the *assamidar* had the rights of a proprietor, he had no right of alienation by sale or mortgage, as the state, or more specifically the ruler of the state, was theoretically supposed to be the real owner of the land (*A Handbook of Jammu and Kashmir State* 1947). Transfers were, however, permitted within the municipal limits of Srinagar city, and in the towns of Anantnag, Shopian, Bijbihara, Pampore, Sopore, Baramulla, and Muzaffarabad (ibid.). The *kashtkar*, the peasant cultivator, who could also be subsumed under the broader category *zamindar*, "held" land either in *haq-i-assami* (in the trust of an *assamidar*), or as a tenant holding directly under the state. There was also an occupancy tenant (*kashtkar mustaqil*), who had a much lower level of proprietorship, if one may use that word here. The occupancy tenants had the right of occupancy of land under a proprietor. They could not be ejected without special reasons, nor could rent in the land be altered at the will of the landlord. Their right was hereditary and could be sold with the permission of the landlord (ibid.).

In 1933, the Maharaja of Kashmir, Hari Singh, granted more *aasami* rights to occupancy tenants in Kashmir Province and the frontier district, as well as to occupancy tenants in Jammu province, though administrative reports do not often appear to elaborate on these rights, claiming this was done "in order to create in them a greater sense of self-respect and self-reliance" (ibid.). The reports mention that the Maharaja not only granted proprietary rights to the *zamindars* (in this case meaning occupancy tenants) but also waived the condition of payment of *nazarana* (premium, a particular tax). This concession we are told, represented in money value an amount of rupees 20 lakhs (Jammu and Kashmir 1925–1947 1947). What about the *kashtkars*, who were apparently the majority among the *zamindars*? The state acknowledged that while "the status of cultivators of land" was only a "little better than that of serfs" earlier, it had been improved considerably (ibid.). However, much like the Bengal Tenancy Act of 1885, while it strengthened the position of the occupancy tenants, apparently the non-occupancy tenants did not gain any rights (Hardiman 1992).

Nonetheless, despite these various levels of proprietorships and occupancies, the state continued to be the real owner of the land. So does it make sense when scholars, political columnists, and public intellectuals speak of land transfers from the landowners in Kashmir to the tillers during the reforms initiated in 1948 by the National Conference government headed by Sheikh Mohammad Abdullah? Legally speaking one could say that after 1947, following the end of princely rule, the ownership of the land had now been transferred to the new Jammu and Kashmir State. In other words, the so-called landlords: the *jagridars*, the *chakdars*, the *assamidars* only forfeited their various occupancy rights and it was the state that actually redistributed the land it owned, and not the other way around.

Moving on from a political economy perspective to a more sociological one, how do we characterize Kashmiri peasants as a category, or can we?[12] And what changed in Kashmir after 1947, as far the peasants were concerned? Have Kashmiri peasants been less insurgent or even

passive, and why? To arrive at any meaningful conclusions around these questions let us focus on different moments and sites where the peasant consciousness seems to manifest itself, either as a collective peasant consciousness that reflects an insurgent sensibility or everyday peasant consciousness or some other moment when peasants appear to speak. The idea is not to emphasize a binary necessarily: insurgent versus the everyday, but to try and understand peasant consciousness from multiple perspectives, while keeping the limitations of the available archive in mind. Nevertheless, the binary may enable a useful comparative analysis across other concerns, which has a bearing on Kashmir's contemporary history.

In the first case scenario, the temporal site where a collective insurgent Kashmiri peasant consciousness appears to manifest itself is around the 1940s when a "national movement" was supposedly playing out on the political landscape of Kashmir, one that eventually culminated in the "freedom" of the region from the oppressive Dogra princely rule in 1947. In the case of everyday peasant consciousness, the narrative is placed around the 1960s and extends into the early 1980s when the political sentiment in Kashmir was rife with slogans of *haq-e-khudiradiat* (right to self-determination) and the call to *rai-shumari* (plebiscite). The sentiment, perceived by different scholars and intellectuals (Haksar 2015; Cockell 2000) to be an extension and expression of "Kashmiri nationalism," was based on the perception that Kashmiris did not desire to remain under the sovereignty of India. Those in Kashmir who aspired to these political goals, claimed that 1947 had not made much difference in their lives and they continued to be an *occupied* people (Shah 2013; Chatterjee 2009). What about the Kashmiri peasants? How did they imagine this divide, or did they? How far and in what ways was the "national" implicated in Kashmiri peasant consciousness? And can we talk of Kashmiri peasants as a broad social category in the first place? To be able to provide some meaningful answers to these questions let us return to those sites where the peasant consciousness appears to unfold itself.

Food Crisis and Peasant Consciousness

The 1930s saw the emergence of organizational politics in Kashmir. Along with other organizations, much of this activity centered on the Jammu and Kashmir Muslim Conference, and its rival, the Jammu and Kashmir National Conference (Bose 2003).[13] By the 1940s these political organizations had developed an intricate network of local level committees: the *halqa* (local constituency) committees in Srinagar and its peripheries, with Srinagar being the main hub of political activity. The *halqa* committees were elected bodies and their members and workers wielded much authority at the local level (CID 1945–46),[14] drawing support from their respective sympathizers and loyalists in the *halqas* and *mohallas* (neighborhoods) who resented each other very strongly. The acrimony between the two groups and their supporters also appeared to overlap with other divisions in the community. Broadly speaking, the shrine worshippers, the *pirzadas*,[15] and others, seemed more aligned toward the National Conference, while those who were opposed to these religious practices were usually drawn toward the Muslim Conference (Kanth 2018). Given that these organizations could secure some basic amenities for the ordinary people, besides being a medium through which people could reach out to the state to address their immediate and other grievances, the benefits of associating with them were obvious, particularly around the 1940s when the shortage of essential commodities had hit Kashmir rather badly (CID 1945).[16]

The War situation had in fact led to a food crisis in 1942, with the shadow of an approaching famine stalking the homes of people. Prem Nath Bazaz, the Kashmiri Pandit political activist and journalist informs us that at the advent of winter in 1942–43, an acute scarcity of fuel was felt in the Valley, particularly in Srinagar (Bazaz 1954). Though a Food Supplies department

had already been set up, the soaring prices of foodstuffs and the general food situation in Kashmir was causing much anxiety among people (Jammu and Kashmir 1925–1947). To manifest their concern, and keen to retain their support base, leaders and speakers across political groups understandably brought up the issue of the unavailability of firewood, sugar, salt, cloth, and other essential commodities in almost every other public meeting and gathering they convened during this period (CID 1945).[17]

Even though the administration claimed that efforts were being made to redress these concerns, with food grains being made available in deficit areas at low prices (Jammu and Kashmir 1925–1947 1947), people living in rural areas accused the "irresponsible government" for its partiality toward the residents of Srinagar, alleging that it had stopped the issue of *shali*[18] rations to them, while making it available to those living in the city (CID 1945).[19]

The shortage of foodstuffs thus led to stray protests involving the peasants. In fact, in July 1945 demonstrations were held in various places, including in Sopore, Baramulla, and Bandipura, toward the north of Kashmir, threatening that if the *Tehsildar* (revenue collector) did not make any suitable arrangements, a march would be undertaken toward Srinagar (CID 1945).[20] Given that they approached the *Tehsildar* and not the immediate revenue collector, it would seem that those who were demonstrating may have possibly been rather well-to-do among the peasants (Guha 1974).[21] Nevertheless, the scenario appears to reflect what Teodor Shanin says in the context of "developing societies," that the solidarity of all peasants against third parties may outweigh the internal conflicts among them (Shanin 1972), yielding some sort of a peasant consciousness in which the differentiation within the peasantry is secondary to the common characteristic of all peasants and their common interest against other groups. Peasants, as Eric Hobsbawm notes, tended to distrust and dislike all those who were not peasants, because to them most other people appeared to belong to a conspiracy to rob and oppress them (Hobsbawm 1973). In other words, the peasants, referred to earlier, seem to reveal aspects of what Partha Chatterjee and others describe as community consciousness. Unlike bourgeois consciousness, in peasant consciousness people are required to act together because of existing bonds of solidarity. The community in this respect exists in a relationship of opposition to those who are not part of the community, even though its boundaries may shift according to context and circumstance (Chatterjee 1982, 1988).

In September 1944, the National Conference had issued a manifesto, *Naya Kashmir*, (New Kashmir) to provide what they claimed to be a blueprint for the future of the state: "a charter for socio-economic independence" (Chandra 1985). In his introductory essay to the manifesto,[22] Sheikh Abdullah remarked that the goal of the National Conference was to fight the immemorial poverty of the peasant and the artisan, and the unmitigated helplessness of the worker (Abdullah n.d.). Employing a rhetorical tone, the document emphasized that no real progress was possible until the state's collective and economic structure was not organized afresh, because "exploitation and independence cannot go side by side" (New Kashmir 1944). However, the "independence part," especially in terms of Kashmir's political future, was not sufficiently spelled out, giving an impression that the question was not addressed enough or perhaps left deliberately ambiguous. In any case, the "New Kashmir" plan appeared a tall order even on paper, never mind in practice, and it seems it was promulgated by the National Conference to recover its ebbing influence, and to boost its flagging popularity among Kashmiris (Zutshi 2004).[23]

While it is apparent that Kashmir was porous to political ideas and was influenced by the nationalist project being constructed in British India (Ramusack 2004), its leaders and politicians like in other princely states, used these resources differently, selectively, and primarily for local purposes (Stern 1978). As a sentiment-resource for mass consumption, "nationalism" appears to have had a considerably smaller market in the princely states than it had in British

India, and was likely to be used, as in Kashmir, as an other-than-sentiment resource, a means to an end other than the mobilization of mass sentiment (Stern 1978). For an overwhelming majority of people in Kashmir, their involvement in political activities in the 1940s was hardly inspired by the so-called national sentiment, but rather by other motives that were informed by local concerns, perhaps reflecting the political culture of the society at large (Hardiman 1981)[24] and the specificities of the time.

The "Insurgent" *Kisan* Committees

The control on essential commodities by those responsible for its distribution, made the condition of the peasantry even worse in the latter half of 1945. In particular, in the Anantnag *tehsil* in South Kashmir, the situation was purportedly bad. The workers of the National Conference who were supposed to supply essential commodities to the peasants through the agency of co-operative stores sold them in the black market, causing resentment among the peasant circles. To remedy the situation to some extent and to find a way out of it, the more respectable among the peasant ranks decided to call a meeting sometime in mid-July. In the meeting it was agreed that an organization be formed to protect the interests of the peasants across the state. The meeting elected Abdus Salam Yatu, a young educated peasant, as the president of the organization. A written document recording the proceedings of the meeting was also drawn up, signed by all the members present over there (Bazaz 1954). Sometime later it was also decided to convene a conference to "represent the grievances of *kisans* to His Highness the Maharaja Bahadur" (CID 1945).[25]

From these activities one can infer that the idea was not just to find a quick remedy to address the immediate issues of the peasantry, but that the peasant leadership was also concerned to attend to other broader problems that weighed on the peasant classes, indicating that their resentment against the authorities was not recent and that they were made frequently aware of their subalternity and their oppression by the minorities of non-peasants, whom they did not trust (Hobsbawm 1973). The shortage of commodities just about created a situation in which their subaltern consciousness became more reified, expressing itself relatively openly.

Following the initial spur, *kisan* committees began to be formed in the big villages of Anantnag, and soon around 45 such committees had sprung up in a relatively short period of four months. The *kisan* leaders were of the opinion that the city-based leaders had done nothing for the village people and never pleaded the cause of the peasants. In their estimation, all the misfortunes of the peasantry could be attributed to the malice of city dwellers and the city leadership. The real well-wishers of a people, as one peasant leader noted, "did not enjoy luxuries in magnificent bungalows," a seeming reference to Sheikh Abdullah. It was imperative thus, the leader felt, that the peasants "should organize so that one of them may become a minister, and plead their case" (CID 1945).[26]

While the National Conference had initially ignored the movement, soon they began to anticipate the *kisan* committees as their rivals and made it known that they did not approve of any peasant movement outside its confines and control. However, the peasants were advised not to mind the opposition of the National Conference. Thus while the National Conference workers continued to attack the peasant gatherings, the *kisan* leaders also continued in their criticism of the National Conference. Speaking to a gathering of peasants in Anantnag on September 8, 1945, the leaders denounced the "New Kashmir" manifesto completely: "they preached that land should belong to the tillers but were purchasing land themselves" (ibid.).[27]

To warn the peasants against participation in the movement, senior leaders and workers of the National Conference were dispatched to Anantnag on the Eid day (Bazaz 1954).[28] When

they tried to question the legitimacy and motives of the movement, calling the peasant leadership illiterate, they were taken apart by the assembled crowd but just about managed to escape. The next day, 16 leaders of the movement including its president were charged by the police for taking part in a riot (ibid.). Further, the National Conference affiliates tried to bribe the peasant workers, appeal to their religious sentiments, and even resort to open violent methods to suppress the movement but apparently nothing helped (ibid.). On the other hand, *kisan* leaders advocated Hindu-Muslim unity, soliciting the rural community to muster under the banner of the *kisan* committees against the town and city people, who were represented to be contemptuous toward the village people (CID 1945).[29]

However, despite the challenges, the peasant leaders continued to make provisions to hold the proposed conference in May 1946, but with the anticipation that National Conference workers may use violence and force to thwart the program. To meet this emergency the *kisan* leaders decided to form a volunteer corps of their own and within a couple of days no less than 500 well-built peasants were readied for the purpose, as the preparations for the conference continued (Bazaz 1954).

On May 11, 1945, the scheduled conference was inaugurated at Kabamarg, a tiny village in the south of Anantnag. More than a hundred delegates had arrived from various parts of the Valley to speak to a congregation of around 20,000 peasants. While the National Conference hooligans made attempts to disrupt the proceedings they did not succeed. Over the course of the next three days of the conference peasant songs were played, crackers fired, and resolutions passed demanding the end of exploitation and landlordism in Kashmir. Bazaz, who was also part of the delegation, was very impressed to see what he described as a real parliament of peasants and workers – a revolt against the National Conference. Appearing overtly optimistic in his assessment, Bazaz credited the unity of peasants and intellectuals for ensuring that the high headedness of the National Conference was met with failure, while hoping for the emergence of a new era in the political, economic, and social life of Kashmir (ibid.).

In this rather short-lived "Kashmiri peasant movement," while the voices and opinions of the leadership seem to speak more to us than the poor peasants themselves (Hardiman 1992),[30] nevertheless, it is apparent that the peasantry trusted leaders from its own ranks more than those of the National Conference who claimed to represent them. Perhaps their material conditions forced them to shift their loyalties toward the *kisan* committees guided by the moral justification that the workers of the National Conference were manipulators who did not care to address their needs. These committees were locally inspired and protested against local grievances, seeking economic and ritual changes that were relevant to their particular conditions (Ramusack 2004). However, this is not to suggest, as would be already evident, that peasant protest can be explained only in terms of immediate economic hardship (Hardiman 1984), but that peasant political consciousness is also informed by other non-economic factors. Yet one ought to be careful not to valorize the peasant imaginary and agency as completely autonomous and self-informed.[31] A bipolar elite-subaltern model, as David Ludden says, creates a compelling, dramatic motif that obliterates the complex social world of caste, kinship, class, patron–client ties, and, above all, production relations (Ludden 2001). Only through a close attention to historical specificity can the complex interactions of elites and subalterns be unraveled and the dialectical and developing nature of their exchanges be adequately understood (Arnold 1984).

Aside from these observations, what is significant in the context of this particular peasant uprising is that it barely finds any mention in the popular and academic writings that have informed the so-called Kashmiri national movement of the 1940s. We are repeatedly told that the Kashmiri peasantry, workers, and women rallied behind their leader Sheikh Abdullah and the National Conference in the struggle for Kashmir's freedom against the Dogra rule. The

authority and influence of this "master narrative" is such that no other version of the 1940s is admissible or even finds a place in the historical memory and representation of the period. The amnesia around these "other" accounts may be explained by the fact, to borrow from Amin's portrayal of the Chauri Chaura incident, that they would fit awkwardly and even inconvenience a neatly woven pattern, leaving no scope for interrogation of narrative strategies by which a people get constructed into a "nation" (Amin 1995), in this case the putative Kashmiri nation, subsumed within the larger Indian nation-state. The obvious extension of this narrative is that eventually, in post-1947 Kashmir, the National Conference empowered the peasants through initiating the promised land reforms. It may be that Kashmiri peasants were empowered through these reforms, which they apparently were, but more than the peasants it is the Indian state and its intellectuals who have used this signifier as a metaphor to continue to justify Kashmir's accession to India. In their estimation not only did Kashmir represent an extension of a secular India given its familiar traditions of religious tolerance, but also and even more than the Indian state, Sheikh Abdullah and his administrators allowed progressive policies to inform their agendas (Patnaik 2019), unlike a theologically inspired Pakistan, which has remained a feudal state at its core.

Austin's Peasants

Granville Austin (Baxi 2014), the American academic who went on to become a noted scholar of the Indian Constitution, was travelling in Kashmir in August-September 1965 at just about the time when India and Pakistan had gone to war over the disputed territory. This was a scenario wherein most peasants, if not all of them, were now the owners of their land. During his time in the Valley, he wrote an informal report (Austin 1965) describing his exchanges and experiences with people from diverse backgrounds across Srinagar and other parts of Kashmir. Austin notes that while many Kashmiris, particularly those in Srinagar, espoused a strong pro-Pakistan sentiment recognizing the Pakistani "infiltrators" as liberators, the peasants considered them as outsiders who ruffled the calm of their lives with danger and possible violence. Even when peasants harbored and fed them and even helped them, more often they gave them away to the police. While Austin feels that the peasants acted partly out of fear of police retribution and partly because they did not want to become involved, in his opinion they mostly wanted to be left alone to get on with the more important business of raising enough food to live (ibid.).

Austin describes some interesting conversations he had in the countryside and claims that he never heard praise for the government or even mild support. This was the time when Sheikh Abdullah was facing imprisonment, and India had tightened its leash over Kashmir through a local administration, controlled from the power center in Delhi.

Here is how he describes a typical conversation with the peasant, following an hour of talk about crops, taxes, and local conditions (ibid.):

Austin: What do you want for Kashmir? *The peasant:* Freedom.
Austin: What is Freedom? *The peasant:* Freedom to govern ourselves.
Austin: What does that mean? *The peasant:* No India, no Pakistan.
Austin: Who will be your leader? *The peasant:* Abdullah. Sheikh sahib is a great man.

What language would the peasant and Mr. Austin have employed to speak to each other? What was the peasants' imagination and idea of freedom? The peasant, it appears, had a deeper sense of connection and belonging to the land, more than his city counterpart, who unlike him was somewhat of an itinerant and who possibly sustained a memory of travelling over in the

pre-Partition days to what later became Pakistan, a memory that may well have continued to inform his political imagination and political preferences. The peasant was, however, much less mobile, and certainly more strongly tied to his land. The land produced for him, sustained him, and thus reproduced him and his life in the process, a feeling that would have been a constitutive part of his very being and consciousness.

Yet there were others in the peasant ranks that Austin spoke to who would say that they wanted Kashmir to be a part of Pakistan. And when Austin would probe them on "what is Pakistan," their answers revealed that it was a glorious dream of no fixed content, "emerald green grass on the other side of the fence." From Austin's conversations it appears the peasant thought of Pakistan as good, only because he was opposed to the bad aspects of Indian domination (ibid.). The "bad aspects" may have had to do with the peasants' perception of the Indian state as an oppressor for having jailed its leader Sheikh Abdullah of whom the peasant was deeply enamored, recognizing that it was only due to the Sheikh's intervention that he was now the owner of the land. The peasants' perception of Abdullah was shaped by his own beliefs, expectations, and material culture (Amin 1984), and may not have perhaps correlated with the political program that Abdullah was apparently espousing at that moment: the political cause of Kashmir. Like Gandhi, Abdullah was able to develop a charismatic link to large numbers of people, and in turn people attributed to him, as they did to Gandhi, "special powers that they used to explain extraordinary events, what we might call miracles, events that shaped local politics" (Breuilly 2011).[32]

Austin's peasants appear to be more status quoist, inclined to build on their material well-being and safety. They do not seem to be categorically invested in the "national." Their engagement in the political life of Kashmir is rather non-ideological, and framed through their lived and everyday relationship to land, and so on. The everyday peasant consciousness reveals some of these tendencies, as reflected in the diaries of a Kashmiri peasant reviewed in the next section.

The Everyday Peasant

This section is focused on the idea of the everyday to reflect on peasant consciousness in Kashmir. The concept of "the everyday" is one of the concepts employed to express an analytical interest in exploring the social and political significance of what some have referred to as "little nothings." The concept mostly implies bringing into the analysis particular kinds of sites, artifacts, temporalities, or subjects that are qualified as ordinary, banal, or little rather than extraordinary, exceptional, or big (Guillaume and Huysmans 2019). Everyday life events are repeated and not unique. Sometimes they are even cyclical, rhythmic, turning into routines. Everyday life is usually localized in space and often flows unreflexively, following habits and routines of which the actors are not fully aware (Sztompka 2008).

In the present case where does one locate "the everyday" or the quotidian to be able to speak about peasant consciousness? The diaries of Master Ghulam Mohammad, a "Kashmiri peasant," may offer us a window into "peasant mentality" to some extent. The immediate question that beckons an answer though is whether and to what extent an individual narrative of a Kashmiri peasant would allow us to draw inferences on Kashmiri peasant mindsets at large. While these limitations need to be acknowledged, nevertheless, the diaries, as would become evident, reflect an agrarian ecosystem, a social world, which may not come across as unfamiliar to the wider Kashmiri peasant community, given the commonalities that define "peasant life" in the Valley.

The economic empowerment of the Kashmiri peasantry in the post-1947 period, through successive land reforms, has created a situation wherein the possibilities of thinking about peasantry as a distinct category in the region are better served when approached from a mentalities

(Andrea 1991)[33] perspective than political economy alone. Kashmiri peasants are mostly independent smallholders or capitalist farmers, to use Hamza Alavi's categorization, and not often farm laborers (Alavi 1965). Meaning to say that economic differences across peasantry are comparatively less, and that they are economically less distinct than they are socially as a class, even when the economic may inform the social, a social that appears to have had a bearing on their political imaginary. Considering this fact, we may talk of a "peasant way of life" in a broader social sense, through invoking categories like peasant behavior or peasant time, and so on (Hobsbawm 1973; Thompson 1967; Smith 1986; Bourdieu 1963).

Master Ghulam Mohammad, the peasant diarist, lived all his life in Zoohama, a village approximately 20 kilometers outside of Srinagar, located to the southwest of the city. Zoohama, with an area of about 1.6 km^2 constitutes one of the hundred odd villages in the Chadoora *tehsil* (a municipal headquarter, a sub-district/division) of the Budgam district.[34] Beginning some time around the early 1960s, Ghulam Mohammad continued to write diaries (in Urdu) well into the 1990s. Two of these dairies, of the years 1969 and 1981, apprise our narrative here. While he would essentially perceive himself as a peasant in the social sense, he was also a primary school teacher in his village, a not very uncommon thing among independent smallholders in Kashmir who would take up other ordinary vocations to augment their family incomes.

A disciplined man, he makes entries in his diary almost every single day of the year. It appears every "visit to Srinagar" is made note of, perhaps indicative of his attachment to the local agrarian community he feels himself a part of, and perhaps the distance and the divide he experiences while travelling to the city. He also frequently mentions the *darje-hararat* (temperature) of the day, regularly updating on local weather conditions, a routine he is habituated to, but one that may be revealing of his peasant instincts, since the produce from the land is quite dependent on the seasonal weather. Throughout the year he is constantly engaged on his fields while continuing to monitor the weather conditions. *Aaj bhi badal jaghay* (clouds rose up again today), *badal chaal mai rahe* (clouds are hovering around); these are regular entries in the diaries. In fact the reference to *weather* is so frequent that it easily reinforces Ludden's emphasis on the synchronization of agrarian social life with nature, which among other things would refer to weather and seasons, and their impact on peasant cosmologies. The synchronization means that big decisions must take the season into account and decisions can affect the future drastically. The seasonal calendar is marked by festivals, astrological signs, and natural phenomena, which articulate agriculture with a vast array of social activities (Ludden 1999) that are common to the peasants. However, this is not to imply that the Kashmiri peasant lacked an individual mental life and all that is there of it is collective rather than personal (Mitchell 1990).

Despite that he is politically aware and very alive to news around him, including the Apollo II spaceflight to the Moon, and the burning of the masjid-i-Aqsa in Jerusalem in 1969, which, as he reminds himself, has been under the control of the Jews for many years, there is very little reference to India or any anti-India sentiment visible in his diaries. It appears that his sense of self is largely shaped by his desire to be a good Muslim. *Hasbe mamool panchon waqt ki namaz padi*, *khudaya qabool farma* (as usual, offered my five prayers for the day and hope God accepts my prayers) concludes almost every other page of his 1981 diary.

The notion of a specific peasant time is very evident in his diaries. May and June made a hectic season of harvesting *rabi* crops, like mustard, and sowing *kharif* crops like rice, keeping him busy in his fields, as he absents himself from his school duties. In any case very few students attend school around this time of the year, a fact noted in the diary. He also mentions the *fasli taivhar* (the crop festival), which the peasant community often celebrates like Eid with *rivaiti shaan* (traditional gaiety), around the first week of August when the sowing of crops and the process of *nende* (weeding of rice crop) has already been completed. Toward the end of

September, the rice crop is usually ready to be harvested. Master Ghulam Mohammad is again busy in his fields, besides lending a helping hand to the extended family in their fields. The next day it is their turn to help Ghulam Mohammad to assemble *shali* from his farm. This is an established custom in the peasantry; people in the neighborhood help each other at the time of sowing and harvesting, creating a sense of a local community. Around early October, Ghulam Mohammad's family cooks the newly harvested rice: *is saal ke naye chawal pakaiye*, indicating the beginning of the new agrarian year.

He appears to have immense regard for Sheikh Abdullah, referring to him as *Sher-i-Kashmir* or *Sheikh sahib*, like many other people in the Valley. On his visits to the Hazratbal shrine in Srinagar for Friday prayers, he often makes it a point to stay back to listen to Abdullah's *taqreer* (speech), a small testimony of his affection and admiration for the man. Sometimes, he also attends political rallies like the *salana ijlaas* (annual convention), of the National Conference, providing him more opportunities of listening to Abdullah, as he speaks to a large gathering of attendees. He is also close to the local politician of his area, a well-known National Conference man, besides other local workers of the party. However, the relationship does not appear to be instrumentalist in its manner and manifestation. He genuinely seems to pay fealty to them, but he expects their intervention and support in matters involving his daily situations, including a job for his son, a practice approved by the local and even the wider community. Nevertheless, despite his broader awareness of matters political he never makes any mention of *haq-e-khudiradiat*, *rai-shumari*, or *azaadi* in his diaries. He does not disclose any favorable sentiments toward Pakistan or reveal any visible or perceptible anti-India feelings either.

In general, he barely alludes to any political activity of significance in Kashmir, though he is educated and aware of news around him. This is not to suggest that rural life in Kashmir was inward looking, but to indicate that the Muslim peasantry in Kashmir was not effortlessly integrated into the political life that emanated out of Srinagar, even as there were a variety of connectivities that bound the urban life with the rural. It seems that for Ghulam Mohammad such political concerns as *rai-shumari* were less significant.

The Kashmiri peasant appears to have been more status quoist, perhaps less drawn to imagine a distant future, while hoping to become increasingly self-reliant, as Master Ghulam Mohammad's diaries appear to indicate. Questions surrounding the broader political future of Kashmir did not engage him, at least such concerns did not show up in his diaries. His attachment to his piece of land is predominant and enduring, and constitutes an essential part of his very being, and his life. He depends on its produce to sustain his livelihood. Other concerns seem relatively unimportant.

Land for the peasant is not to be apprehended simply as a raw material, as crude stuff needing to be exploited. The notion is that it is *alma mater*, the nourishing earth, it demands its due, and will exact compensation for the bad treatment inflicted upon it by the hasty greedy peasant (Bourdieu 1963). The experiential make-up of the Kashmiri peasant may be compared with the Algerian *fellaheen*, of whom Pierre Bourdieu remarks that their experience of time, their conception of the future, is part and parcel of a total relation to the natural world, and particularly the productive earth, in which the Kabyle peasantry submit to, and are part of, the vagaries and vigor of the land and the seasons. Of course Bourdieu is keen to indicate that this should not be taken to mean that the Algerian peasant lived in a present that was nothing more than an immediacy, divorced from a future that was any further away than an easily imaginable tomorrow (Bourdieu 1963; Jenkins 2002). It may be argued that at least until recently the Kashmiri peasant was less drawn to think about the political and political institutions in a certain way, or that he had a different sense of political life and his place in it, one that did not necessarily partake of the *rai-shumari* sentiment or the "national" politics that appeared to emanate out of Srinagar,

and a few other places across the Valley of Kashmir. Also, given their standing and position, the "Kashmiri peasant" may not have sufficient purchase as a distinct economic category that represents the underclass. Economically speaking, the Kashmiri peasants are well-to-do. In other words the Kashmiri peasants may have receded as an economic category, especially following the post 1990s, but can be approached as a broad social class that has maintained a certain way of life, a mentality, that has significantly shaped their political imaginary.

Conclusion

Other than the agrarian question around land reforms, peasant studies or debates around peasant consciousness have remained marginal within academic scholarship on Kashmir. From the available material it appears that while sections of Kashmiri peasants may have rallied behind Sheikh Abdullah, they did so less out of any "national" sentiment but more out of a personal loyalty and devotion toward him. For many of them, Abdullah was a paternal figure who empowered them economically. Much like Bengali Muslim peasant subjectivity, which was not molded by a separatist Muslim identity, the Kashmiri peasant subjectivity does not appear to be have been easily informed by a perceptible anti-India sentiment that sought Kashmir's accession with Pakistan or desired an independent state of Kashmir (Ali 2017). Not until recently. Part of it may be explained by the fact that during the 1950s and onward Kashmiri peasants began experiencing a semblance of material prosperity, and it is reasonable to assume that they would have desired an element of stability in their lives to be able to build on it further. Kashmiri peasants thus come across as mostly status quoist, particularly at a time when *rai-shumari* and *haq-e-khudiradiat* were familiar slogans on the political landscape of Kashmir. The idea, however, is not to emphasize the autonomous mentality of the peasantry nor to ignore the complexity and ambiguity of changing social environments as external to historical agency and mentalities (Ludden 2001), but to underscore the point that the political imagination of Kashmiri peasants was shaped by a set of concerns that were more familiar and significant to them than the sentiment of *rai-shumari*. Nevertheless, speaking more generally, as a political sentiment but more so as a political blueprint, the "national" in Kashmir appears to have been insufficiently imagined.

Notes

1 On the complicated question of "Kashmiri nationalism," see Idrees Kanth's (2018) PhD thesis, "Seeking Futures, Shaping Pasts: The Fragmented Nature of the Political in Kashmir." On the relationship between peasants and nationalism in South Asia, see among others Pandey (1982).

2 According to Ishaq Khan (1983), while class conflicts animated Kashmiri society there was nevertheless a notable lack of peasant movements in the pre-1930 period. Khan claims that peasants were tied to the custodians of mosques and shrines (*Sayyids* and *Pirzadas*), who had forged a close alliance with the ruling class in view of which peasants working on the fields of these custodians were not seized for forced labor (*begar*) of any kind by the officials. In other words, ties of obedience informed by a religious consciousness that in turn offered some nominal protection to the peasants were in Khan's estimation important factors that explain the lack of peasant movements in Kashmir.

3 As Ludden (2001) writes, [for Guha], "insurgency seems to be the only effective expression of a peasant's real identity, and it remains disconnected from the rest of peasant social existence. It seems to be virtually an animal drive, and in fact Guha calls insurgency 'necessary.'"

4 The story around land reforms in Kashmir seems more complex than is usually acknowledged or portrayed. As Thorner (1953) observed in his informal little essay: "It has done the least for petty tenants and landless laborers, these two categories being the largest in the countryside."

5 Saad (2002) writes in the context of agrarian reforms (*Islah*) implemented by Gamal Abdel Nasser in Egypt shortly after the revolution in 1952 and informs us on how the Egyptian peasants of 'Izbet Imam' village imagined these reforms.

6 In the case of Mappila peasants, while Islam provided, as Conrad Wood (1992) argues, a means of solidarity in a region of poor communications and isolated settlements, with the mosque providing a rallying point, such possibilities for mobilization also existed in Kashmir but did not lead to peasant insurgencies.

7 A left-leaning Indian scholarly journal, *Social Scientist* has constantly reinforced uncomplicated notions on Kashmir. In her paper for the *Social Scientist*, Asra Hamdani (2016) claims that "Agrarian reforms in *post-independence* Kashmir were carried out against the backdrop of the Quit Kashmir movement (a non-violent movement under the leadership of Sheikh Abdullah launched against the Maharaja). The movement drew its main strength from the oppressed peasantry. . . [that] rallied behind a leadership which provided the first expression of people's demands and aspirations." Many other articles and book titles published during the 1970s and 1980s and earlier lend credence to this narrative including (Yasin and Rafiqi 1980), (Makhdoomi 1973) and more recently (Yaqoob 2019).

8 The idea of a peasant diary may not be easily conceivable. Peasants are generally seen as illiterate and certainly not expected to maintain diaries. However, scholars have been able to use such diaries to write about peasant consciousness and other issues. Writing in the context of peasant diaries maintained by a nineteenth-century Japanese peasant, Smith (1986) writes: "We get a *realistic*, as opposed to a theoretical or cautionary, view of the use of time in the diary for 1867 of the head of a family named Ishikawa, who lived in the hilly country west of Edo."

9 Unlike in North India, in Kashmir, *zamindar* has been often used as a generic term for all those village people who earn their living by cultivating land, whether self-owned or leased in, or of both types. Within the Kashmiri population, the Muslims were mostly the ones engaged in cultivating land. The non-agricultural artisan groups in the village are designated *nangar*: those in search of bread. *Nangar* generally account for one-third to one-half of all Muslim households. They never seem to outnumber the *zamindar* (Madan 1972). While Madan is writing around the 1970s, or in other words in the context of post 1947 Kashmir, even in the pre-1947 period *zamindar* held a meaning different from other parts of the Indian subcontinent and the term did not denote an intermediary class of revenue collectors but the cultivators themselves (Rai 2004). However, even then there was a certain impreciseness around the term *zamindar*, and it was used in a general sense. The *zamindar* also connotes someone who is lowly, particularly in the imagination of those who are comparatively well to do, socially speaking. While describing his fieldwork in the village of Utrassu-Umanagri in South Kashmir, Madan says he saw a Muslim servant (a *zamindar*) press the feet and legs of his Pandit master, adding that in the village half a dozen Pandit households employ Muslim servants, the latter are all *zamindars* (Madan 1972). In short it is important to bear in mind that *zamindar* as an economic term has carried various meanings over time, nevertheless, it often signifies someone who cultivates land or engages in agriculture.

10 See for example, *A Handbook of Jammu and Kashmir State* 1947.

11 *Assamidar* may be a general term. The other terms for revenue farmers were *jagirdar*, *chakdar* and *zaildar* depending on their position in the hierarchy. Even *zamindar* could be a small revenue farmer.

12 Peasantry is a multidimensional phenomenon that can be defined in different, and essentially *complementary*, ways (Bernstein et al. 2018). Eric Hobsbawm (1973) writing around the early 1970s, places peasants somewhere on a continuum between two extreme ideal types: those who operate in a framework of bourgeois institutions and law, especially property law, most likely as individual commodity producers or commercial farmers, forming an aggregate of small individual enterprises without any strong interrelationships, and others, whom he describes as traditional peasants. The characteristic of traditional peasants as Hobsbawm notes is a much higher degree of formal or informal (mostly localized) collectivity, which both tends to inhibit permanent social differentiation within the peasantry and to facilitate, or even impose, communal action. While the strength of the "community" may vary enormously, it is nevertheless difficult to conceive of a "traditional" peasantry, outside certain very special situations, without this collective element.

13 The Jammu and Kashmir Muslim Conference was founded in 1932, but in 1939 it renamed itself as Jammu and Kashmir National Conference. However, in 1941, a group led by Chaudhry Ghulam Abbas broke off from the National Conference and revived the old Muslim Conference (Bose 2003).

14 Among other privileges, National Conference workers had obtained depots for the sale of sugar and kerosene oil. While they were often criticized by common people for being self-serving and ignoring their needs for essential commodities, it partly explains why people may have associated with the organization (CID Diary: July 5, 1945).

15 *Pirzadas* are those who claim the status of upper castes in the Kashmiri Muslim community. This claim is made on the assumption that their family genealogy*: shajr-e-nasb* connects them to the family of the

Prophet Muhammad, hence the special status. Pirzadas have generally been the *mujawers* (custodians) of shrines in Kashmir.

16 (CID Diary: July 12, 1945).

17 (CID Diaries: July 20, 21, 26; August 1, 1945).

18 Rice, unhusked rice.

19 (CID Diary: August 31, 1945). Perhaps the concerns of peasants were not totally ill found. Ishaq Khan informs us that since the establishment of the Dogra rule, the government had sold rice to the people of Srinagar at rates far below the cost of production (Khan 1983).

20 (CID Diary: July 4, 1945).

21 Perhaps like in Bengal where Ranajit Guha (1974) shows how the grievances of the poorer peasants were used by various superordinate peasant classes to press their own demands.

22 Published in September 1944, *The 'New Kashmir'/Naya Kashmir* was supposed to be a blue print for the future of the State: a comprehensive plan for economic, social, political, and cultural reconstruction of Kashmir, with a socialist manifesto, including education of women.

23 With the revival of Muslim Conference in 1941, National Conference had begun to lose its prominence to some extent (Zutshi 2004).

24 In his work on the Kheda district in Gujarat, David Hardiman reflects the significance of political culture in a peasant society and how it informs their political activity (Hardiman 1981).

25 (CID Diary: September 21, 1945).

26 (CID Diary: September 21, 1945).

27 Ibid.

28 In 1945, Eid-ul Azha [Bakr-Eid] was celebrated on November 16 (Bazaz 1954).

29 (CID Diary: September 21, 1945).

30 Much like in in Bengal, the Kashmiri intelligentsia sought to establish themselves as the true friends of the peasants and thus their legitimate political representatives. In all of this, the peasants' own voice was largely ignored, and perhaps in the end they gained little from the struggle (Hardiman 1992).

31 The tendency is evident in *Subaltern Studies* particularly in essays like Gyan Pandey's, "Peasant Revolt and Indian Nationalism."

32 While conducting fieldwork in the peripheries of Srinagar city in 2008, a particular interviewee, who was rather old recollected that years ago a particular cow in the neighbourhood had stopped producing milk until Sheikh Abdullah placed his hand over its body and invoked some prayers. The incident, one of many, reflects the attribution of miraculous powers to Abdullah by Kashmiri people and thus one of the reasons for his popularity and his grip over people.

33 The idea of *mentalities* invoked here draws from the work of people like Emmanuel Le Roy Ladurie, Natalie Zemon Davis and Jacques Le Goff.

34 The district of Budgam was created in 1979. Before that Chadoora was part of the Srinagar district. Apparently, there are about 480 odd villages in Budgam district [1981 census]. Chadoora is the most populous sub-district of Budgam, with about 104 villages (*Jammu and Kashmir: 50 Years* 1998).

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2
ON NAYA KASHMIR

Suvir Kaul

Introduction

Today, in a moment when the government of India is doing all it can – militarily, constitutionally, juridically – to deny the people of the erstwhile state of Jammu and Kashmir their political and civil rights, it might be quixotic to turn to the *Naya Kashmir* document[1] to see how its concerns and plans might still contribute to a better future for the citizens of the state, including for those Kashmiris who work toward an independent nation.[2] The document was initiated by Sheikh Mohammad Abdullah, the head of the National Conference party and the first Prime Minister of the state after its accession to India in 1947.[3] *Naya Kashmir* was an extraordinarily progressive manifesto of change; its acute diagnosis of the impoverished lives of the peasantry, by far the majority of the population, was as bracing as its revolutionary vision of the future. It demanded an end to the exploitation and oppression that defined Maharaja Hari Singh's kingdom, and mandated transformative constitutional, political, social, and economic changes. In 1944, it must have made startling reading; even today, elements of it hold out the promise of a future more egalitarian, communitarian, even feminist than those imagined by any other political party. However, after 1947, when the National Conference came to power, its modes of governance repeatedly failed the promise of its own manifesto, but the vision, hope, and resolve enshrined in this text remain potent reminders of the work to be done.

Naya Kashmir spoke, as constitutions and manifestoes often do, in the voice of a territorially defined collectivity:

> WE, THE PEOPLE OF JAMMU, KASHMIR, LADAKH AND THE FRONTIER REGIONS, INCLUDING POONCH AND CHINANI ILAQAS – commonly known as JAMMU AND KASHMIR STATE – in order to perfect our union in the fullest equality and self-determination, to raise ourselves and our children forever from the abyss of oppression and poverty, degradation and superstition, from medieval darkness and ignorance, into the sunlit valleys of plenty ruled by freedom, science and honest toil, in worthy participation of the historic resurgence of the people of the East, and the working masses of the world, and in determination to make this our country

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> a dazzling gem upon the snowy bosom of Asia, DO PROPOSE AND PROPOUND THE FOLLOWING CONSTITUTION OF OUR STATE:
>
> *(Constitution, 12)*

This is very much an announcement of democratic idealism and thus a categoric refusal of Hari Singh's privilege and power. However, it did not locate itself in the anti-monarchy movement alone, though it was anchored there ("to perfect our union in the fullest equality and self-determination"). It understood itself as part of the internationalism of anti-colonial activism in the mid-twentieth century – "the historic resurgence of the people of the East" – and of working-class solidarity across the globe.[4] It saw the new nation ("our country") to be part of Asia, located in its very "bosom," this bodily metaphor a reminder that its historic trading and cultural ties extended across Afghanistan and Iran to the west, as they did into Central Asia to the north, across the Tibet plateau into China to the east, and into India to the south. Its conception of the future was expansive, too, at once poetic and committed to modernization, for it promised to move from "the abyss of oppression and poverty, degradation and superstition, from medieval darkness and ignorance, into the sunlit valleys of plenty ruled by freedom, science and honest toil."

If some rhetorical flourishes here sound familiar from other contexts, that is not surprising, for this manifesto is understood to be the compilation of opinions and ideas submitted by members of the National Conference, all reshaped by B.P.L. Bedi, a friend of Sheikh Abdullah and a communist. (B.P.L. Bedi and his wife Freda Bedi were among several non-Kashmiri communists who spent time in Srinagar contributing to Abdullah's attempts to free the state from monarchical rule.) Andrew Whitehead, based upon his interviews with other contemporary political figures, believes that "Bedi was responsible for the greater part of the forty-four-page manifesto, perhaps in collaboration with prominent CPI members in Lahore." Whitehead writes that one of his interlocutors, Pran Nath Jalali, thought that "apart from the introduction, there wasn't much writing to do, because the manifesto was 'almost a carbon copy' of documents issued in Soviet Central Asia" (Whitehead 2010: 148). To be sure, the Soviet Union provided an inspiring example for a great many progressive anti-colonial politicians in this period, and Sheikh Abdullah was no exception. He made that clear in his Introduction to *Naya Kashmir*, "Towards New Kashmir":

> In our times, Soviet Russia has demonstrated before our eyes, not merely theoretically but in her actual day-to-day life and development, that real freedom takes birth only economic emancipation. The inspiring picture of the regeneration of all the difference nationalities and peoples of the USSR, and their welding together into the united might Soviet State that is throwing back its barbarous invaders with deathless heroism, is an unanswerable argument for the building of democracy on the cornerstone of economic equality.
>
> *(Abdullah 1944: 8)*

However, Abdullah was also emphatic that his progressive political and socio-economic ideas were shaped by the poverty and feudal exploitation that he observed in his life and travels. In a later interview with the journalist Prem Shankar Jha, thinking back to his intellectual development, Abdullah noted that

> Muslims are very much downtrodden in Kashmir. They are a huge majority – 95%. So naturally my first contact was with them and I was influenced by their distress and

> the injustices they suffered at the hands of officialdom. So I had the idea that they were suffering on account of their religion. But later when I had had an opportunity to travel around and tour the whole State I came across other people belonging to other religious communities – Hindus and Sikhs, receiving the same, and in places even worse treatment than Muslims. So I came to the conclusion that the real fight was not between two religions but between "haves" and "have nots" *oppressed and oppressor.*
>
> *(Abdullah 1968: 2)*[5]

Abdullah's vocabulary was socialist (if not communist), as when he spoke for centralized planning of the economy: "In the economic sphere, we have gone on the principle that planned economy is of the essence of progress, and that without it there can be no raising of the standard of living of the masses of the State." The manifesto looked backward into history and forward into a promising future, its gaze centered upon the exploited citizens of the state:

> Throughout the lean centuries of history, the poor and exploited sons of Jammu and Kashmir have been the palanquin bearers of Hindu monarchs and Buddhist rulers and Moghul emperors. The peasant sons of the valleys and the mountains have scratched only nine inches of top soil and eked out a bare existence. Now that time has come when they must dig deep into the bowels of the earth, and yoke the technique of modern science to the task of getting for themselves a bigger and better morsel of daily bread.
>
> *(Abdullah 1968: 8)*

A "bigger and better morsel of daily bread" – this phrase sums up the challenges ahead, given the immiseration of the large mass of people in the state.

The Relevance of *Naya Kashmir* Today

Before I turn to the body of the *Naya Kashmir* manifesto I want to address briefly why anyone in Kashmir or elsewhere should pay attention to this document now. The primary reason is historical: even if Kashmiris today are not in sympathy with Sheikh Abdullah or the National Conference and see in him and the party the collaborators who linked Kashmir's future (along with that of Jammu and Ladakh) to India, it is still important to build a robust understanding of all those moments when a Kashmiri leader or intellectual or political organization developed a program of action centered on the people of the state. Proponents of *azaadi* very appropriately call attention to the massacre of Kashmiri Muslims by the Maharaja's forces in 1931 (now observed as Martyr's Day) as an important milestone in developing anti-feudal political consciousness, or indeed the 1865 *Shalbaf* (shawl weavers) agitation, when the Maharaja's troops killed 28 shawl weavers who were protesting against the miserable conditions of their employment, but these are occasions that did not result in, and indeed were not the result of, considered political mobilization. The *Naya Kashmir* manifesto was the product of a decade or more of active anti-feudal politics that began in 1924 with the meetings of the "Fateh Kadal Reading Room Party," which comprised young, educated Muslims, including Sheikh Abdullah, who gathered to discuss political possibilities (the name of this group is an ironic reminder that early in the century, the Maharaja had banned Muslim political organizations).[6]

The 1930s saw much concerted political activity, particularly because Kashmiri Muslims began to demand redressal of their historical exclusion from government jobs. Given that they were a small minority of the population, a disproportionate number of Kashmiri Pandits, as

well as non-Kashmiri Muslims, had been appointed to these positions by the Maharaja, who depended on his co-religionists and Muslims from the Jammu province (as well as from the Indian mainland) for administration, policing, and revenue extraction (Mridu Rai provides a detailed and well-modulated account of political developments in this period in Rai 2004: 253–279). This is thus a crucial period in the growth of anti-feudal politics in the state of Jammu and Kashmir, and the *Naya Kashmir* manifesto, while being very much the platform of the National Conference, represents that larger political and cultural awakening.[7] It crystallized anti-monarchical politics, and for that reason alone can be considered the foundational script of the "Quit Kashmir" movement launched by Sheikh Abdullah in 1946, which demanded the abrogation of the 1846 Treaty of Amritsar (a treaty that had finalized the British East India Company's sale of the land and peoples of Jammu and Kashmir to the Dogra general, Gulab Singh). In these ways, the *Naya Kashmir* manifesto is central to the development of ideas of democratic self-determination in Kashmir, and thus a weighty prelude to the ideal of *azaadi* today.[8]

The Constitution of a State, and of a Nation

The document is divided into two sections: Part I, The Constitution of the State, and Part II, The National Economic Plan (in what follows, I will provide extensive details from the manifesto, if only because it is not easy to come by anymore). It is important to note that the unit of political organization envisaged here is the "nation" rather than a provincial state that is part of a larger country. "A single State citizenship" was to be made available to all those who lived in "Jammu, Kashmir, Ladakh and the Frontier Regions, including the Poonch and Chinani ilaqas," and this citizenship brooked no internal distinctions:

> The equality of the rights of all citizens, irrespective of their nationality, religion, race, or birth, in all spheres of national life – economic, political, cultural and social shall be an irrevocable law.
>
> Any direct or indirect restriction of these rights, or conversely the established of direct or indirect privileges for any citizens or class of citizens on account of nationality, religion, race or birth, as well as the propagation of national, racial or religious exceptionalism or hatred and contempt, shall be punished by law.

The law existed both to enable shared, equal citizenship and to disable any attempts to deny equality – principles that are bracing reminders that constitutions are meant to safeguard the shared lives, and the civil and confessional rights, of a multireligious, polyglot, ethnically diverse national collectivity.

Freedoms of speech, of the press, "of Assembly and Meetings," "of Street Processions and Demonstrations," are "guaranteed by law." In addition – and this sentence makes heartening reading, for it encourages the growth of political consciousness – people are encouraged to combine "in public organizations: trade unions, co-operative societies, women's and youth organizations, sport and self-defense organizations, political parties, and cultural, scientific, and technical societies." The manifesto is no idealist tissue of promises though, as it moves quickly to a pragmatic declaration of the authority of the Law: while the "Inviolability of the person shall be ensured to all Citizens," arrests and detentions will follow decisions of "a Court of Law" or other competent authorities. Similarly, we are told that the "privacy of homes and secrecy of correspondence shall not be violated except in accordance with Law." Article 7 is concerned with the "defence of the Motherland," asks every Citizen to "train himself [sic] to use" arms, and states that "Universal compulsory military service will be established by law."

At this point, the manifesto reveals its socialist concerns and ideas, speaking of a planned national economy, in which

> All Citizens have the right to work, that is, the right to receive guaranteed work with payment for their labour in accordance with its quantity and quality, subject to a basic minimum and maximum wage established by law. In the absence of the provision of employment, Citizens are entitled to security of the necessaries of decent existence for themselves and their families by universal social insurance.

This theme is revisited in Article 16, which is a simple restatement of the right to, and dignity of, labor: "Work in the State of Jammu and Kashmir shall be an obligation and a matter of honour to all citizens capable of work." Where there is the obligation to work, there must also be a mandate to rest from labor, and Article 9 states simply: "All Citizens shall have the right to rest." The poignant power of this straightforward declaration becomes visible particularly when we keep in mind the prevalence of *begar* (forced, unpaid labor), but also the precarity that marred the lives of peasants across the state. The Maharaja's rule had denied most people access to education and health care, and poverty was rife. As the Madhav Godbole report stated,

> In 1947 Jammu and Kashmir was one of the least developed states, which was reflected in the abysmal mass poverty, deprivation, hunger, disease, and ignorance. In 1950 the state had a per capita income of Rs 208 (at 1960–61) prices. The rate of literacy was 5%. Agriculture which was the dominant sector was stagnant. Industrial development was almost negligible. Infrastructure bottlenecks crippled the state economy.
>
> *(*Report of the Committee *1998: 3; quoted in Wani 2019a: 45)*

Given this state of affairs, it is moving to read Article 9 as it goes on to describe the forms of the promised "rest" for workers:

> This right shall be ensured by the reduction of the working day to eight hours maximum, the establishment of annual vacations with pay for workers and employees and the provision of a wide network of sanitoriums, rest homes and clubs for the accommodation of working people.

This is one moment though when the socialist utopia promised is at odds with the reality of individual lives and social structures: rather than recognize the family as the basic unit within which workers find their rest and care, it advocates more impersonal institutions. The state is to address the problems of ill health and the insecurities of old age, and thus promises social insurance, free medical care, and health resorts, but without any appreciation of the functional reality of life in the communities that comprise the nation.

Articles 11 and 12 turn to education and the rights and status of women, and in each case we see that elements of all that was imagined here did in fact shape state policy after 1948. "All Citizens shall have the right to education," we read, and learn that this

> right shall be ensured by universal compulsory elementary education, free of charge. In addition, a wide system of States scholarships shall be provided for poor students in the higher schools and universities. The mother tongue shall be the medium of instruction.[9] Free vocational, technical and agronomic education shall be organized for adult workers in the fields and factories.

The condition of women is addressed in a forthright and categoric assertion of their equality: "Women citizens shall be accorded equal rights with men in all fields of national life; economic, cultural, political and in the state services." Further,

> These rights shall be realized by affording women the right to work in every employment upon equal terms and for equal wages with men. Women shall be ensured rest, social insurance and education equally with men. The law shall give special protection to the interests of mother and child. The provision of pregnancy leave with pay and the establishment of a wide network of maternity homes, nurseries and kindergartens shall further secure these rights.

Everywhere in this document, the language is of "rights" – not of custom or tradition – but of a future of opportunity anchored in law, citizenship, and the right to labor and earn wages, on terms equal with men. This "equality of opportunity" was to be extended to all children "born in the State . . . irrespective of accidents of birth and parentage." Children would in fact embody not just the hope behind, but the motivation and legitimation of, all state policies: "In all questions of administration or legislation, medical, educational, domestic, municipal or industrial, the interests of the child shall be the paramount consideration."

Article 15, which pledges to respect the right to personal and inherited property, includes one noteworthy qualifier: property rights are "protected by law within the limits of the planned economy of the State." No *absolute* right to property then – in effect this article was an early announcement of the "land to the tiller" policies that reshaped the agricultural hinterland in Kashmir and elsewhere in the state.[10] No matter how unevenly these policies were implemented in the 1950s, their impact on landless peasants was incalculable: it allowed many of them to own land, and even when their parcels of land were not large enough to support their families, it shifted their perception of themselves. No longer did they need to think of themselves as virtually the serfs of *jagirdars* and big landlords, but – however uncertainly and haltingly – as property-owning citizens, in greater control of their destinies than before. It is no wonder then that large landowners, particularly those possessed of land titles from the Maharaja, did all they could to destabilize these reforms, including by portraying them as an effort to seize Hindu land and hand it over to Muslims. All of this social ferment followed from the seemingly innocuous phrasing of Article 15: "The right of personal property of citizens, as well as the right of inheritance of personal property of the Citizens, is protected by law within the limits of the planned economy of the State."

In the penultimate article of this section, the manifesto turns away from internal affairs to think of those elsewhere and makes a declaration of intent that rings true today, given the anti-immigrant, anti-asylum policies being put into place across the globe: "The State of Jammu and Kashmir grants the right of asylum to foreign citizens persecuted for defending the interests of the masses, for their scientific activity, or their struggle for national liberation." Today, when some Kashmiris, in exile from the depredations of the Indian security apparatus, are themselves asylum seekers in different countries, it is energizing for us to remember a moment when the Kashmiri political horizon was expansive enough to welcome those in retreat from persecution in their own homes. Even more remarkable perhaps are the grounds on which asylum seekers are to be admitted: "for defending the interests of the masses, for their scientific activity, or their struggle for national liberation." The typical reasons for which asylum seekers fled their homes then – religious and ethnic persecution, war, famine – are here recast. Protection is offered to anti-colonial and revolutionary activists, and those in trouble for espousing "scientific" beliefs that interrogate traditional beliefs and practices and threaten the structures of power they sustain.

The National Assembly

This section lays out the terms under which citizens were to elect representatives to the "highest legislature of the State, the National Assembly." There are few surprises here, including the stipulation that any "Deputy" elected to the assembly "shall not be prosecuted or arrested without the consent of the National Assembly, and in the period when the National Assembly is not in session, without the consent of the Speaker of the National Assembly." Article 23 makes clear that, for all its socialist and democratic foundations, the *Naya Kashmir* manifesto does not envisage a republic, for it defines the functions of the National Assembly (including its control of "exterior relations," the defense of the state, economic planning and the budget, the legal system) to be "Subject to the general control of HH the Maharaja Bahadur." The model here is that of a democratic, constitutional monarchy, where the Maharaja would remain the titular head of state and oversee the work of the "Council of Ministers" who were tasked with administration and governance. Article 27 specified the tasks of the "Ruler of Jammu and Kashmir," which was to convene two regular sessions of the National Assembly each year, as well as any extraordinary sessions that were required, to conduct referenda when necessary, to declare "general or partial mobilization," to ratify international treaties approved by the Assembly, and to authorize the formation of the Ministry by summoning the leader of the largest elected party in the Assembly.

The "Electoral System" is defined next (universal adult franchise), with some reservation of seats for minorities ("during the transitional period, Sikhs, Kashmiri Pandits and Harijans shall be provided with two reserved seats each, and for this purpose they shall exercise the right of a second vote"). "Justice: The Courts and the Advocate General" are defined in the next section, with one surprising element:

> The High Court of Jammu and Kashmir is elected by the National Assembly for period of five years. The lower courts are appointed by the High Court for a period of five years, with the exception of the People's Courts, which are elected by the People's Panchayats for a period of five years.

The plan for a High Court elected every five years by the deputies in the Assembly imagines a court much more responsive to the will of the people as expressed by their elected representatives; this pledge was of course never implemented. In parallel fashion, "Local Administration" was meant to be under the purview of "People's Panchayats," to be elected every five years. These Panchayats (rather than a centralized bureaucracy) were to be the "organs of State power in Districts or the Tehsils, Cities and Villages." In these cases, the guiding principle seems to have been that of participatory democracy, where even executive administrators (appointed by the elected members of each Panchayat) would be responsible to the local communities for whom they worked.

The National Economic Plan

Part II of the *Naya Kashmir* document addresses the National Economic Plan, with its particulars following from this directive:

> The economic life of the State shall be determined and directed by the National Economic Plan for the purpose of increasing public wealth, of ensuring a steady rise in the material and cultural level of working men and women, and of consolidating the defense capacity of the State.

I will not go into the details it offers of such centralized planning, but will call attention to those elements that resonate with our concerns. Today, when Kashmir is integrated into a wider, even global, consumer economy, one which features deep inequalities of consumption, it is bracing to read ideas that recognized high levels of poverty, the lack of developed resources and training, and shortages of most basic commodities, and pledged to remove inequalities and boost production by emphasizing cooperation rather than competition. The planned economy is to ensure "work for all able-bodied citizens," but also to ensure "the elimination of parasites from the state economy," a now quaint turn of phrase, but one which here clearly indicated feudal landowners who lived off the labor of peasants. (In a later section, "The Peasants' Charter," the connection is made clear, for we are told that "when social parasitism is abolished," all "land which at present belongs to the landlords will revert to the peasant.") The attention to those who labor is also emphasized when we read "that whereas brain work will be recognized as a form of socially necessary labour, it will not be allowed to become a means of social exploitation, or be remunerated out of all proportion to its worth." In a land where levels of literacy were abysmally low, this was a reminder of the state's priorities: those who had possessed learning had put their "brain work" to use in the service of an exploitative monarchy and to further their own self-interest, and that unfortunate history is to be remedied in the future.

The National Economic Plan addressed six areas: Production (Agriculture and Industry), Transport, Distribution, Utility Services (Public Health, Education, Housing, Cultural Organizations and Social Insurance), Currency and Finance, and the Women's Charter. The first step in the reorganization of Agriculture was to be the

> Abolition of landlordism; because such a step would be the pivot of all progress. So long as a privileged class exists, itself doing nothing, but living on the labour of others, there can be no equitable distribution of the products of the soil.

Further, land was to be given to the tiller, for "after the abolition of the landlord class, it will be possible for the first time to satisfy, the land hunger of the landless peasant, and ensure the efficient working of the land." Food security was paramount:

> it is a criminal betrayal of the toiling masses of Kashmir to export grains and foodstuffs which are needful for the people of the State. No exports shall be permitted, unless the needs of the State have been provided for, both immediate needs and the needs of a healthy reserve.

The *Naya Kashmir* document was also clear that in this forest-rich region, people must control, and benefit from, the forests and their produce: "the efficient central administration of forests must be supplemented by the daily supervision of the People's Panchayats, in order to ensure that the people of the locality derive the fullest benefit from forest land, consistent with their genuine needs." The aim of all this centralized planning was categoric: "national self-sufficiency in essential foodstuffs and crops," the simplicity of this claim being a reminder that such self-sufficiency could not be taken for granted.

There are further details about the National Agricultural Council that is to be set up, but the document's priority is the bettering of the difficult lives of the "poor and exploited peasant of Jammu and Kashmir State." It therefore includes "The Peasant's Charter," which specifies the "rights" of a peasant. First is the right to work on the land, land made available by the redistribution of acreage now owned by parasitic landlords. The "right of the peasant to maintenance from village produce" will accompany the abolishing of all "feudal dues, levies and forced

labour," as well as the release of peasants from debt-bondage ("Rural indebtedness had been the millstone of the peasantry of the State," we are told). The Charter includes provisions to improve and extend the lives of peasants, all of which derive from the sense that this region is largely agrarian, and that historically, the large mass of peasants have suffered egregious exploitation. This socialist program of change extends into plans for the remaking of Industry. The "big private capitalist" is to be abolished because the "exploitation of national labour and resources for a private profit motive means suffering and hardship for the working population." The state will own and manage all "key industries," and no private monopolies, "whether formal or virtual," will be permitted. All forest resources "basic to industry and mineral deposits" will be worked only by the state, for which a National Industrial Council will develop plans.

The organization of industrial work is based on "The Worker's Charter," which postulates that every "citizen has the right to work consistent with his honour and self-respect in a free and democratic State, which postulates the abolition of all exploitation of man by man." The Charter ratifies the worker's "right to association and expression through his [sic] own trade union," to work no more than eight hours a day, and six days a week, with a two-week paid annual vacation, and "to receive equal wages for equal work, without racial distinction or sex discrimination." Child labor is forbidden, and women workers are to receive special protections as specified in the Women's Charter. This Charter concludes the *Naya Kashmir* document, and I will list some of its core concerns and promises here. First, women over 18 are entitled to vote in all elections, as well as to be elected to all elective bodies. They also have the right to "entry into all State services." The Charter protects the economic rights of women, insisting on a woman's right to "enter any profession or trade or do any kind of work of which she herself considers she is capable," and to be paid equally for equal work. It seeks laws to end their sexual trafficking and exploitation, as well as molestation. Legal protections are promised for

1 every woman's right to consent to her own marriage
2 the abolition of the dowry system and the selling of women in marriage
3 the right of divorce and alimony
4 that women be given equal rights and responsibilities in the upbringing of children, and the right of custody of children if the innocent party in divorce
5 the right of women to own and inherit property, this right not to be prejudiced by marriage
6 the right of special women lay-judges to be present during the trying of cases affecting women and children
7 the right to humane and intelligent treatment of women prisoners in jails, taking into account their psychological and biologic necessities. (54)

These protections, many still not available, make the Women's Charter a forward-looking, egalitarian document for its time, and for ours. Finally, while law and the judicial system must do its work, full emancipation is to come from education, and the document seeks to guarantee

1 Compulsory free primary education for women. Travelling schools to be provided for nomad women, boat schools for boat women, and other special arrangements to be made for other classes of women who find it impossible to attend ordinary schools.
2 Equal educational rights and privileges in liberal and technical education, women's study to be encouraged by the grant of special scholarships at every stage.
3 Separate colleges for women, liberal and technical and domestic, to be established. Women also to be given the right to join men's colleges.
4 Recognition of the special needs of women in the drawing up of educational curriculums.

5 Schemes for adult education among women to be put forward, these schemes to include not only the three R's but also hygienic and elementary child welfare. (55)

Some of these ideals did in fact become the basis of public policy, and were responsible for significant advances for women, particularly in urban areas.

Naya Kashmir and the Compromises of Governance

Commentators have noted the ways in which the ideals of the *Naya Kashmir* document were curtailed to suit the imperatives of governance once the National Conference came to power in 1948. Before and after it formed the government, the National Conference was opposed by the Muslim Conference and by other groups unhappy with the growing links between Jammu and Kashmir and the Indian Union, links that this party, and the *Naya Kashmir* document, were seen to foster. Many of the government's policies met with opposition because they challenged the hold of landlords, socio-religious institutions, and clerical leaders all across the state. For instance, the "state-sponsored feminism" of the *Naya Kashmir* document was anathema to a great many Muslim and Hindu patriarchs, which made it an important statement of change, particularly given that none of the opponents of the National Conference government were known to be votaries of women's emancipation. However, as Hafsa Kanjwal points out, state institutions devoted to the education and advancement of women also inhibited the possibility of other non-state forms of women's empowerment (Kanjwal 2018).[11] Kanjwal argues rightly that in Kashmir,

> there was no indigenous women's movement to speak of, or even one that was dependent on the state. The state *was* the movement. Furthermore, the state had no interest in cultivating a new *Muslim* woman as in Pakistan, but rather a new *Kashmiri* woman that could implement the state's socialist programme for Kashmiri society.
>
> *(Kanjwal 2018: 5)*

Graduates from the Women's College in Srinagar travelled everywhere, including into villages where they taught other women about hygiene, health care, and the education of children, and on field trips to other parts of the state and India. All of these activities were in keeping with the state's vision that "the new Kashmiri woman, much like the new Kashmiri man, was educated, progressive, and a secular nationalist." The obverse of such an education was the continuing repression of all student opinions that were pro-Pakistan or even pro-plebiscite, and Kanjwal provides examples of such repression.

In short, that was the paradox of the *Naya Kashmir* manifesto: its commitments to freedom and emancipation warped under the pressures faced by the National Conference once it came to power. The tensions of the India-Pakistan rivalry rendered independence of thought and practice impossible, and in any case the secular socialism of its ideals was not an easy fit for the varied forms of Kashmiri orthodoxy. It is possible to argue that this gap between the idealistic vocabulary and plans of the manifesto and the realities of Kashmiri lives was a measure of the incapacity of progressive ideologues to generate political programs tailored to the needs or capacities of the people of the state, and that this idea of "Naya Kashmir" was doomed from the start. In "How *New* was the New Kashmir (1948–53)?" a chapter of his searching study, *What Happened to Governance in Kashmir?* Aijaz Ashraf Wani celebrates the *Naya Kashmir* manifesto as "the first ever endeavour of its kind in the subcontinent," lists the multiple challenges faced by the first National Conference government, which took office on March 5, 1948, and tabulates

its achievements and failures (Wani 2019a: 67–137). I have space only to quote his judicious summary comment here: "the hopes of the people were belied when the new government became a dictatorship of the National Conference party, party and administration rolled into one." All "voices other than the voice of the government were muzzled," and "a reign of terror and tyranny" was unleashed by party cadres who were also appointed government officials (Wani 2019a: 112). Sheikh Abdullah's attempts to maintain the autonomy of Jammu and Kashmir so discomfited the Indian government that, on August 9, 1953, he was dismissed and imprisoned in a party coup engineered by other National Conference politicians backed by New Delhi. Even though the party stayed in power in the years to come, patronage politics and widespread corruption made sure that the revolutionary idealism of *Naya Kashmir* dwindled into a fond memory, a bright blip in a business-as-usual scenario. As I have suggested here, though, there is much in the pro-poor politics and progressive vision of this manifesto that might usefully inform resistance politics, today and in the future.

Notes

1 This document was titled *CONSTITUTION and OUTLINE ECONOMIC PLAN for the State of JAMMU AND KASHMIR, including Ladakh and the frontier regions and the Poonch and Chinani "ilaqas"* and was published in 1944.

2 Maknoon Wani (2020) has recently debunked Narendra Modi's pledge that the revocation of Article 370 on August 5, 2019, was necessary to allow the Indian government to build a "naya Jammu and Kashmir and naya Ladakh." The fact that Modi returned to this term is a testament to its enduring power and promise.

3 In recent years, many Kashmiris have turned against Sheikh Abdullah and his political legacy; his mausoleum in Srinagar has for years been guarded to prevent desecration (Raina 2019). Now, the Indian government is also doing what it can to erase his memory by removing his birthday from the list of official holidays. Bashaarat Masood writes that "Many people see this as an effort to erase the role of Sheikh Abdullah, and J&K's Muslim assertion" (see Masood 2020).

4 The internationalism of this vision originated in the 1939 separation of the National Conference and the Muslim Conference, which, as Altaf Hussain Para argues, "ushered in an era of anti-British politics in the Kashmir Valley. No longer was the Kashmir movement simply against the government of the maharaja; it had also assumed the status of an anti-imperialist movement in favor of the larger independence of the Indian subcontinent." Those who remained with the Muslim Conference disagreed, thus generating "contesting voices and narratives both within the National Conference and in Kashmir politics" (Para 2019: 97).

5 Interview with Prem Shankar Jha, published in the "Weekend-Review," reprinted in Sheikh Mohammad Abdullah, *Speeches & Interviews*, Volume 2, page 2 (pp. 1–14). [Srinagar(?), 1968]

6 For a very useful account of the growth of political consciousness, particularly among Muslims, in early twentieth-century Jammu and Kashmir, see Mohammad Ishaq Khan 1998. Gowhar Yakoob reminds us that the Maharaja's censorship attempted to curb the growth of political awareness by restricting the publication of magazines and newspapers. Yakoob then points to the importance of the weekly magazine *Hamdard*, which was designed to "reject communal schism; to bring Hindus and Muslims together and lay down the vision for the political freedom for Kashmir," and which was the first magazine to be edited jointly by a Kashmiri Muslim and a Kashmiri Hindu (Yakoob 2019: 51).

7 See Fazili 1980: esp. 69–131. Fazili argues that the popular songs and poems of Peerzada Ghulam Ahmad "Mahjoor" and Abdul Ahad "Azad" were crucial to the dissemination of revolutionary ideas amongst Kashmiris.

8 In a recent essay, Shahla Hussain argues that the idea of *azaadi* is not a "recent construct," but has a long lineage in Kashmir, one that suggests that it is a "concept informed by human dignity, economic equity and social justice." She makes clear that this lineage in no way precludes the idea of political freedom (Hussain 2018: 90).

9 Kashmiri was taught in schools between 1948 and 1953, when the Bakshi Ghulam Mohammad government shifted to Urdu. Kashmiri was reintroduced into the curriculum in 2008, but is compulsory only until the 8th standard.

10 For an early account of the impact of these policies on village landholdings, see Thorner 1953. Thorner's evaluation, which he makes clear is based on limited conversations with villagers, is that "Land reform in Kashmir has clearly done away with the jagirs, and has weakened the position of all the great landlords. It has distinctly benefited those individuals who, at the village level, were already the more important and substantial people. It has done the least for petty tenants and landless labourers, these two categories being the largest in the countryside." A good summary of all that was at stake in, as well as contemporary responses to, the "Big Landed Estates Abolition Act," which came into effect on October 17, 1950, is available in Wani 2019b.

11 Kanjwal turns to a memoir written by one of the upper-class (*khandani*) women who benefited from these initiatives, Shamla Mufti's *Chilman se Chaman*, to detail the impact of women's education, and notes in summary that the "shift in just a few years, in societal perceptions of women's education and role in society was notable." Shamla Mufti, *Chilman se Chaman*, in Urdu, Srinagar: Meezan Publishers (1994). Kanjwal translates the title as "From Darkness to Light." A more literal translation is "From (a) Screen to (a) Garden," which suggests the movement of women from *pardah* and enclosed domestic spaces to public arenas.

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3

CLOSING THE FRONTIER? EXTRACTION, CONTESTED BOUNDARIES, AND THE GREENING OF FRONTIER POLITICS IN LADAKH

Alka Sabharwal

Introduction

Throughout its history, from a busy pashm[1] entrepot' in the precolonial era to a lucrative colony for the British and Dogra rulers and now a wildlife sanctuary juxtaposed on the disputed national border, Changthang has been subjected to the incursions by outside forces that framed the region as a frontier. Earlier scholarship on frontiers has located them at the edges of the existing states and labelled them as unpopulated regions expecting to be included into the state by means of settlement (Turner 1994). There is a risk in applying the notion in such an overly contracted sense where the transformation of these "wild spaces" into spaces of civilization is considered as desirable, following a linear teleological pathway. In the recent literature on the subject, this settler-oriented perspective on frontiers has been widened to include the frontiers as capitalist resources with exploitable commodities (Tsing 2005). Geiger in a more enlightening take on the concept defined them to be "*areas remote from political centres which hold strategic significance or economic potentials for human exploitation and are contested by social formations of unequal power*" (Geiger 2008: 78, italics in original).[2] This definition, while echoing parts of Tsing's (2005) conceptualization of frontier as an exploitative resource, also complimentarily highlights the "strategic significance" or the political dimension of state control. Geiger's concluding allusion to "social formations of unequal power" reiterates the focus on economic and social differentials of communities that interact in frontier contexts.

The scholarship on Kashmir and Ladakh has contested the prevalent perceptions about these regions as being India's isolated regions inhabited by the 'backward' or 'suspect' communities (Aggarwal 2004; Fewkes 2009; Mathur 2014; Van Beek and Pirie 2008). Ethnographic studies have attempted to present Ladakh from a perspective that is much more than a physical/territorial marker of the limits of Indian sovereignty. Scholars have focused on the everyday political subjectivities ubiquitous in the everyday life and how they regulate the economic, social, physical, and cultural movements and interactions (Aggarwal 2004; Aggarwal and Bhan 2009; Vogel and Field 2020). Aggarwal (2004) and Bhan (2008) have examined how everyday political struggles of the border communities, be it their everyday cultural performances or the

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customary labor practices, are essential in constituting, shaping, and maintaining India's territorial sovereignty. Focusing on key economic activities in Ladakh such as tourism and trade, Vogel and Field (2020) have explored how restricted access through inner-line permits shape common perceptions and experiences of the borders while reinforcing national boundaries. Through underscoring such everyday practices, the scholarship has reiterated how the Ladakh borderland is produced and structured by both state and society. In echoing the South Asian contested borderlands processes, these ethnographic investigations have developed an analytical optic to see how places such as Ladakh are very much implicated in working out the postcolonial politics of nation and state and are central to both imaginations and understanding of South Asia (see also Cons and Sanyal 2013). The chapter thus views the Changthang region in Ladakh not as a neutral, bicultural borderland of passive give and take but rather as a contested physical space that has been shaped by an active historical agency.

These valuable scholarly insights on frontier research have advanced a less monochromatic picture of the frontiers. Sanjib Baruah (2003: 921), for instance, has argued that in the Northeast frontier regions of India, "the routine practices that reproduce the consent of the governed in modern democracy" are present only to a degree. From an absence of a full-blown civil administration to the justified militarized governance/occupation (Junaid 2013; Hoffman and Duschinski 2020), scholars have observed that the governance of India's contested borderlands is of an entirely different quality. The parallel governance structures in these borderlands ensure that strategic decisions remain with those establishments that guarantee the paramountcy of "national security" over other policy objectives (Aggarwal and Bhan 2009; Bhan 2014). As the demarcations between legality and illegality, violence and law, are so blurred and dynamic, some authors have pronounced frontier governance as paradoxical: the authorities claim to protect those least in need of protection although no institution demonstrates a more blatant disregard for the policy than sometimes the state itself (see Aggarwal and Bhan 2009).

A groundswell of democratic transformations all over the globe in the late 1980s and new ideas about economic development and resource consumption introduced the discourse of nature conservation in government policies. Seen as the most conspicuous force for change in frontier politics, the new green wave, many claimed, had the capacity to even out the power disparities by improving the frontier governance. Casting Changthang into a gazetted Protected Area in the late 1980s and implementing a reformist ecological agenda in recent times indicated that such interventions might ultimately *close* the frontier by democratizing and balancing the power disparities among frontier inhabitants and settler groups. Yet, unpredictably the greening of Changthang politics has also created new types of boundaries prescribing different types of extraction and conditions for transformed relations between the frontier inhabitants and the settlers, while also attracting a new "community" of occupiers.

My chapter aims to sequentially trace the historical processes of frontierization such as settlement, extraction, control, and conservation in Changthang. I analyze how Changthang has intersected the various imperatives of succeeding states – from its precolonial status as a minor periphery to its current status as a foci of wildlife conservation. The chapter specifically sketches how different opportunities to exercise agency among its constituent actors have varied throughout the historical trajectories of precolonial, colonial, and postcolonial periods. Grounded in the ethnographic inquiry of the three pastoral settlements in the Rupshu plains of Changthang, the chapter argues to re-evaluate the reformist ecological agenda for the Changthang frontier as it demonstrates not a reversal of the long-standing inequalities in resource access, but how the power relations embedded in the conservation agenda further implicates the local Changpa pastoralists unfavorably.

Pashmina Trade Through Deference and Distance and *Begar*: The Precolonial Period

Rather than being a Turnerian frontier where the role of the sovereign remained conspicuously absent, the Changthang frontier was set into motion by the connivance of the Ladakhi rulers in the lucrative pashm trade from Tibet. However, the royal pashm interest was inevitably linked and dependent on the local labor obligations, intrinsic to the tax and tribute system throughout the Himalayan hill states, including Tibet and Kashmir (Bray 2008). Along with making provisions of obligatory transport and paying livestock tributes to the Ladakh monarchs, the Changpa pastoralists also acted as the cordon sanitaire and guarded and protected the distant Ladakhi territory from territorial conflicts that so often accompany frontier expansion. As a frontier of extraction as well as of control, Changthang had represented more mutuality and negotiations, manifested in the social and political relations during the precolonial times.

Being the portal of raw pashmina trade from Western Tibet, Changthang's Rupshu region, extending from Chebzi (south, and now in Tibet) to Lanak La (east) and Phalongdanda (west) to Mahe bridge (north) was a critical border territory for the Ladakh realm (Rizvi 1999: Bray 2018).[3] But with no permanent army of its own, the monarchs relied on the leadership of Rupshu *gowa*[4] to act as the "territorial spearhead of the state" and safeguard the territorial interest of Ladakh on the borders with Tibet (Sheikh 1999; see also Geiger 2008: 124; Nugent 2019). Other than being the cordon sanitaire of the Ladakh realm, under the terms of Treaty of Temisgang[5] (*gTing.mos.sgang*), the Rupshu pastoralists also carried obligations to provide *corvee* labor[6] (porterage) to the "palace/state traders" by virtue of residing along the pashm trade routes (Bray 2008; Rizvi 1999). During his visit to Rupshu in 1871, Drew (1875: 288–289) witnessed that:

> The tea-merchants of Lhasa – a shrewd eager set of men – yearly come this way with their venture of brick tea for Le'; their merchandise is carried free by the Rupshu people, according to an old arrangement between the authorities of Lhasa and of Le'.

Such forms of corvee labor, or *begar*, no doubt was a manifestation of the social hierarchy at the local level, but its more encompassing political relevance could not be ignored. For instance, the Ladakhi and Tibetan rulers organized special pashm trade missions of *lo-phyag*[7] and *zhung Tsong* or *cha-pa* every year to strengthen the cultural and religious ties between the two regions. These official trade missions, as scholars have argued, were critical in recognizing the legitimacy and status of Ladakh and Tibet and had remained dependent on the provisions of the Changpa's obligatory transport (Bray 2018; Grist 1994). Therefore, the significant role of the Changpa pastoralists in seizing the far-flung Ladakhi outposts and operating the pashm trade[8] rendered Changthang a "loosely administrated space" in the precolonial times, with a discreet presence of the Ladakhi state. Ladakhi state defined its power as flowing from being the overall owner of the Changthang land and a distant administrator of the pashm trade whereas the Rupshu *gowa*'s power derived from operationalizing the pashm trade by exercising an effective physical occupation of the land, which was eternally vulnerable to the neighbor's invasions (see Rizvi 1999). Changthang, in this way, depicted a kind of "duality of power patterning" (Whitten 1984) where two different, yet interlinked, power spheres existed side by side in the precolonial times (see also Srinivas 1998). Thus, one can say that the precolonial times characterized Changthang frontier to be a place defined more by deference and distance rather than by domination and resistance (see also Pirie 2006) where Changpa pastoralists were in a position to set limits to the ruler's ability to freely access the frontier resources.

Trade Expansion, *Res* and Resistance, and the Civil Hunting Practices: The Colonial Period

From the year 1841, the onset of the colonial rule in Ladakh not only redefined Changthang into a renewed frontier of pashm extraction through the Treaty of Leh in 1842 and Amritsar in 1846 but also opened it to the new commercial traders having entitlements to the Changpa's obligatory transport, indicating how trajectories of extraction and control moved hand-in-hand during this time. However, such frontier interactions do not live up to the historical inquiry that establishes the Dogra and British colonists trying to exercise friendly administrative control of the Changthang frontier.

With frontier expansion to be at the center of the colonial rule, it is well-known that the Dogra rulers who incorporated Ladakh into the princely state of Jammu and Kashmir had also decided to continue with the customary *lo-phyang* tributes to Tibet, albeit keeping a low political profile (Bray 2018). Captain W.F. O'Connor writes in 1904 that:

> Lopchak [*lo-phyang*] mission has now (whatever may have been formerly) no political significance. It is simply a commercial enterprise sanctioned by treaty and old customs, whereby certain officials and traders of both countries make large profits by the exchange of commodities, carriage free between Leh and Lhasa.
>
> *(quoted in Bray 2018: 71)*

Drew (1875) witnessed that Rupshu as a result had become the prominent trade route in those times, especially for the Punjabi traders, making its way from the lower towns of British India. The colonial government steadily introduced a system of *res* where a particular village or groupings of villages along the pashm trade routes became bound in taking turns to supply labor and transport at fixed rates (Bray 2008). A rise in the number of private traders from places such as Amritsar came to gainfully employ the Changpa and claimed to have benefited their pastoral occupation (Drew 1875), but the system of *res* had also introduced labor exploitation. It is said that before Changthang could be pacified, *begar* also had become a resentful duty amongst Ladakhis and led to, if not out-migration or appeals to higher authorities, then to the covert strategies of resistance such as "sabotage, deception or refusal to understand instructions, feigning to be sick, community withdrawal, tough bargaining and work stoppage" (Bray 2008: 64). It is important to note that *begar* presumably was also a less crucial aspect to colonial finances in comparison to much sought-after pashm taxes, as British officers made consistent efforts to abolish the practice by calling it unfair and exploitative (Rizvi 1999: 65; see also Nugent 2019). Therefore, contrary to what Scott's (1998) reading might suggest, the power of the colonial state in Changthang could not be absolute during these times. Rather than removal or pacification of the native population, the colonial state preferred to make labor arrangements with their subjects and used the tools of negotiations to exercise its authority. For instance, Changpa provided labor in rearing the livestock of the Maharaja of Kashmir on their pastures but it is also argued that as part of the mutual arrangement they benefited by owning all the offspring born to the royal stock (Rizvi 1999: Personal communication 1994, 2009). Similarly, it is well documented historically that providing autonomy to the chieftains had been a deliberate colonial policy for Northwestern British India as it facilitated effective colonial governance of far-flung regions (Bodley1990).

However, not all went unchallenged in the relationship between the colonists and the Changpa pastoralists. British administrators in their travelogues reiterated in different ways that Changpa people were somehow below the civilizational threshold as they had yet to learn a

sedentary lifestyle (Drew 1875: 212; see also Jina 2002: 59). This was established by creating the usual frontier myths of Rupshu being an uninhabited and underpopulated part of Ladakh, waiting to be put into production and then civilized (Drew 1875: 286–289). Known as a "personal adaptive strategy" (Little 2001: 219) of the Britishers where they occupied the civilizational top while keeping indigenous people at the lowest order, to be considered as creatures of "nature" requiring help to be domesticated and incorporated into the expanding society (see Lopez 1986: 108). The colonial politics of culture and civility became more apparent with the introduction of Kashmir Game Preservation Department (KGPD) projecting British men as better game hunters then Changpa pastoralists. For instance, it was claimed that British hunters would give their quarry a fairer chance of escape by dispatching it with a "clean shot" (Rangarajan 2001: 48), whereas the "native" hunter have engaged in slaughter and butchery by driving the game into a trench along with their dogs. Hussain quotes Stone's (1896) documentation of the colonial hunting practices in Ladakh:

> In severe winters, when the snowfall is heavy and animals cannot escape, they are surrounded by gangs of villagers, driven into deep snow, and then clubbed to death; a few years ago, when there was an unusually severe winter, the slaughter was immense.
> *(Hussain 2010: 120)*

Thus KGPD failed to portray Changpa's hunting practices as sustainable or as legitimate traditional practices. The monopoly over the game hunt was also justified through a tainted code of conduct advocating "fairness in hunting" while hiding the masculine principle of "mastery over nature" of the colonists (Hussain 2010: 113).

Colonial period in Changthang thus reflected a commercial expansion of the pashmina trade by breaking the pashm monopoly of the Ladakh kings, and by characterizing the Changthang frontier as being *available* for private traders. However, rather than involving the removal or extermination of the native population, the hybrid combinations of frontiers of control and extraction were often dependent on the continued presence of "active engagement" between the colonial state and the Changpa pastoralists (see Pirie 2006: 78). The local resistance to the encapsulation by the colonists did not last long, and the larger stakes in pashm gave way to regular albeit incomplete administrative control. Therefore, the issue of agency and accountability is rather a complex one and defies broad generalizations for Changthang in this period. Becoming a frontier of conservation further complicated the frontier dynamics as the government intervened to preserve civil hunting practices of the colonist and not that of the Changpa.

"Politics of Nationalization of Space" and State Development Agenda: The Postcolonial Period

With the British colonists eventually leaving India in 1947, the colonial Dogra rulers ceded Ladakh to the new Indian state.[9] This event marked a distinctive moment in the history of Changthang. With the inclusion of Ladakh in a nation-state and a subsequent closure of the borders with Tibet, the monarchs and nobles were replaced by the Indian state and Changthang in due course experienced a vast deployment of military on its pastures and lakesides. After the war between India and China in 1962, it was not only the "paramountcy" of the military for the spatial control[10] that relegated the leadership role of Rupshu *gowa* but it was also the Indian nation's sovereign desire to control its disputed territory in Changthang. Therefore, despite a ripened possibility to close the frontier after the demise of the cross-border pashm trade, the state's skepticism in continuing with the traditional Rupshu *gowa* institutions and the

onset of unfriendly development policies (see Baruah 2003) led to a large scale out-migration of Changpa pastoralists from their homes, continuing thereby the nourishment of the frontier dynamics. Formation of these "living borders" (Little 2001: 106) thus re-inscribed a new relationship between the Changpa pastoralists and the modern nation largely influenced by the two state projects, that is, nationalizing space and an ill-fitted development model.

In order to "nationalize" or homogenize the political practice (Baruah 2003), the Jammu and Kashmir governments insisted on routine uniform practices in the hope of generating core areas of body politic in Changthang. The inherent idea of such nationalization process was to consolidate central powers in Changthang and gradually incorporate Changpa leadership into the national politics. It was after 1962 when the centralized election system compelled the locally accountable juridicial systems of Rupshu *gowa* to give way to a new democratic system. Diffusing of such national institutions on the borders is also seen as intended to act as a surveillance tool to dissuade enemy state (see Little 2001). However, with no precedence of the new nationalized institutions in the local tradition, Changpa were caught up in using their more familiar gaming practice of *chollo*[11] or throw of the dice to fulfill the need to elect their local headman, that is, *gowa*. The ex-gowa Angchuk in 2009 shared with me how the new system makes them circle the government offices in Nyoma and Leh, much more than what they are actually required to do, that is, an active participation in pastoral decision making and conflict resolutions. Guha (1999) believes that Tibetan Refugee settlements in Changthang after 1959 show similarities to the strategic settlement of the Punjab farmers in the Northeastern states. Goodall (2007) in her field-based research on out-migration of Changpa pastoralists concludes that new settlements of Tibetan Refugees in Rupshu prompted the process of "integrated displacement" (Lopez 1986) for several Changpa families, in turn changing Changthang into new national frontiers. Similarly, an increased border military deployment across the habitat of the endemic wildlife species such as Tibetan gazelle and Black-necked crane (Fox et al. 1994) also remained undetected for a long time. Endorsing national over the local priorities only meant that the local government often acted like a "shadow state" where on the surface all the formal democratic institutions were present in Changthang but the real decision making remained non-local (Baruah 2003; see also Van Klinken 2002).

The state's "developmentalist" model adopted by the Jammu and Kashmir government believed in the idea of an infinite economic growth for Changthang. The state programs had promoted the economic importance of pashmina goats to capitalize on the persisting demand of raw pashm by the Kashmir shawl industry. Responding to government's goat breed productivity program however was an immense local challenge for Changpa as they had only reared sheep, yaks and horses in the past. The rising goat numbers also gradually became a cause of concern for the conservationists who argued its negative impact on the endemic Wild Ungulate population in Changthang due to an increased competition on the pastures (Bhatnagar 2007; Fox et al. 1994). While government promoted nomadism through pashmina goat programs, it also discouraged and even stigmatized Changpa's mobile lifestyles through its other policies (Cameron 2006; personal communication 1994, 2009, 2010). The inherent contradictions among various governmental policies reached an apex when the Jammu and Kashmir Wool board forbade the export of pashmina hair outside the state and pushed Changpa pastoralists chase wool payments from one government department to another (Bhadauria 2015). Changpa people often lamented how the government focused on goats when the local people had always been the sheep breeders, and in doing so, how the government actually bypassed Changpa cultural and traditional practices (Ahmad 2002).

As a result, the government policy promotion of goat rearing had introduced a very high livestock mortality rate, especially during the cyclic winter snowstorms, increasing Changpa's

economic vulnerabilities. An introduction of mandatory inner-line area regulations on these national borders further restricted Changpa access to coveted pasturelands and encouraged new trends of distressed out-migration for casual work such as portering, road construction, menial jobs in the hotels, and military outposts. However, by the 1980s it became difficult the world over to justify the dire control and extraction of the lands and lives of the marginalized people as principles of sustainability and citizens' participation took centerstage. For Changthang, such a shift arrived in the form of a notification of about 4000 km^2 of Changthang into a wildlife sanctuary under the Indian Wildlife Act. Such new reformist state agenda for Changthang also coincided with the declaration of the Ladakh Autonomous Hill Council in 1995, signaling a hope that oppressive frontier politics could not continue in an untrammeled manner in the years to come.

Greening of Changthang Frontier: BCRLIP, Military Environmentalism, and the Home Stays

By moving away from the economic model based on pashmina goat rearing, the new ecological agenda by the state expected Changpa pastoralists to adopt a new role of being environmental guardians, balancing their livelihood needs with the prerequisites of wildlife conservation. In contrast to the conventional human – free conservation, the implementation of a more enlightened World Bank sponsored the Biodiversity Conservation and Livelihood Improvement Project (BCRLIP) aimed to build local capacities to strive for state accountability and ultimately help pacify the region's frontier politics. However, on the grounds, such a reformist ecological agenda failed to initiate a noticeable shift in the social and political relations for the Changpa pastoralists.

The new utilitarian principles of conservation embedded in the Biodiversity Conservation and Livelihood Improvement Project (BCRLIP) assumed that the role of environmental guardianship could transpire a balance between the Changpa livelihoods and the wildlife conservation in Changthang. The project believed that the repositories of practical knowledge instilled within the Changpa culture could be used to operationalize environmentally friendly sustenance such as Home Stays (Anand, Chandan and Singh 2012). Home Stays, which have also been otherwise termed as "unsuccessful development alternatives" (Dove 1993), promote a way of life characterized by "limited material needs and desires," in which increased production and prosperity are apparently low priority (Li 2003). To pursue such a livelihood-conservation balance schema, a particular local imagery of Changthang was foregrounded that has aligned well with Changpa's (limited) income needs and traditional lifestyles. During my fieldwork, it was quite evident how the local tour operators themselves wanted to market Changthang tourism experiences as those of pristine "primitive culture" overlapping with ancient tales of "nomadic adventure." At least the local elite in Korzok knew that the conservationist's imagery of simple "natural" people makes Changpa eligible beneficiaries of Home Stays, therefore the imagery was often propagated through cultural and religious performances by wearing traditional dresses or being photographed with pashmina goats. Such valorization of Changpa pastoralist's culture or a stress of reformist ecological agenda on tradition, subsistence, or sustainability only ended up implying that for Changpa "marginality is an elected way of life" (see also Li 2003: 271).

Similar to Tsing's (2005) observation, the onset of resource conservation policies also attempted to transform Changthang into a salvage frontier. In Changthang one could witness how the destruction and salvation of resources became gradually mixed up with care and conservation, conveniently overlapped with the continual damage to wildlife habitats. By 2009, the final notification of Changthang as a wildlife sanctuary also coincided with the need to expand

and upgrade the border road networks. While sidelining the endemic ecological value of the cold desert wildlife habitat, the Ministry of Environment and Forest took a decision to allow border road construction inside the sanctuary. The irreconcilability of a wildlife sanctuary on a disputed border further evolved into a systematic inclusion of nature conservation in the official mandate of the border military forces too. The green gesture or "good will gesture" (Aggarwal and Bhan 2009) by the stationed military although reflected an eclectic context where the disparate elements such as military and environmentalism, already riven with tensions and unwieldiness, come together to improve the frontier conditions. Military's plantation drives of fast-growing trees, helicopter sorties for wildlife census, wetland protection, and so on, presented the armed forces as virtuous allies in the struggle to halt resource exploitation (Times of India 2014). The military's apparent role in protecting the Changthang ecology helped further justify the inner-line restrictions on the local Changpa movements despite the inner-line policy overriding the sanctuary rules and regulations (Chandan et al. 2007). Similar to Kalimantan, the military's environmental programs showcased how the care and conservation could conveniently co-exist with new helipads, sentry posts, and trenches in and around the wildlife sanctuary (Gurung 2019).

There are also glaring illustrations across Changthang where state-espoused environmentalism has also degenerated into a strategy of local displacement in a usual frontier mold. While Jammu and Kashmir Department of Wildlife Protection has erected a concrete lockable fence inside the sanctuary restricting the pasture access for Changpa on conservation grounds, a military post in the same location continues to expand its premise along the endangered avifaunal habitat with no conservation sanctions (see also Bhan and Trisal 2017). The civil administration consistently justifies the expansion of military's premise by giving a reference to the looming Chinese threat, and thus ignoring the increasing marginalization of the local Changpa pastoralists on their own traditional ancestral land. Given such unevenness of the enforcement of the Protected Area laws, for Changpa the new ecological paradigm does not make all that much of a difference, except that it has further intensified the familiar frontier exploitation while trivializing the conservation aims.

Therefore, rather than an expected taming of the frontier, the rise of ecological paradigm in Changthang appears to have come to merely add an "environmental twist" in the existing frontier politics. The frontier continuities are visible in the form of a new kind of extraction and control turning Changthang almost into a "salvage frontier" where extraction, settlement, and conservation co-exist (see Tsing 2005). The reformist ecological agenda expected to raise Changpa's chances to successfully assert themselves in local conflicts, yet the balance of power of the Changthang frontier seems to show a different picture. Greening of frontier politics represent continuity instead of change in frontier politics, as unequal social relations between the Changpa pastoralists and the outsiders remains integral to the current frontier expansion of Changthang.

Notes

1 The animal-hair fiber forming the undercoat of the special breed of Changthangi goats.
2 Geiger reiterates this definition on page 99 of the same work, and also provides the more succinct gloss "frontiers are loosely-administered spaces rich in resources, coveted by non-residents" (Geiger 2008: 78). He acknowledges that his definition derives from the fuller specification of Hvalkof (2008) in an essay later in the same volume.
3 Bray (2018: 45–46) writes "Ladakhi kings fought a series of wars on their eastern front in 1636 and 1642 and how "King Sengge Namgyal (Seng ge rnam rgyal, r. 1616–1642) repulsed invasions of Guge by the Mongol leaders Chokur and Gushri Khan (Petech 1977: 46–47)." In this way, Changthang was

at the center of Ladakh and Tibetan historical wars, where in 1671 (before the Treaty of Tenmisgong), Ladakh had lost major part of western Tibet to the Tibetan rulers (Bray 2008). Also, Changthang was a well-known place for facing depredation by the bandits which seems to have precluded for instance the wealthy merchants to embarking on the trade journeys (Rizvi 1999: 175). Similarly, the technical and political challenges of boundary demarcation created sources of confusion about the precise location of boundary markers and how they still continue to persist in contemporary maps (see Bray 2018).

4 The Rupshu legends also have it that Tsering Tashi Namgyal, the ancestral Rupshu *gowa*, had astounded the Ladakhi monarchs about four centuries ago by his might and immense physical strength. Discerning him fit, the Ladakh rulers had invited Namgyal to be his living defense against the Tibetan powers and had handed him large tracts of Rupshu land.

5 In 1677, "Ladakh took Bhutan's side in a further war against Tibet. The consequence was that Tibetan army invaded Ladakh, defeated Delegs Namgyal and forced him to cede territories of Guge, Rudok and Purang (now located in the Ngari prefecture of the Tibetan autonomous region of China) in Western Tibet to the Dalai Lama under the terms of the Treaty of Temisgang in 1684" (Bray 2008).

6 Obligatory labor in Ladakh is understood as of "communal benefit, for example the repair of roads, bridges and temples, as well as carriage of goods for senior political and religious figures" (Bray 2008: 41).

7 *Lo-* year; *phyang-* salutation -The official triennial mission of tribute and respect from Ladakh to the Dalai Lama's government at Lhasa. *Lophyang* was an important vehicle of trade and diplomatic communications between Ladakh and Tibet (Rizvi 1999; Bray 2018).

8 At times, scholars have also argued that Changpa pastoralists in the Rupshu region did not directly operate pashm trade but had remained subsidiary to Ladakh-Tibet pashm trade.

9 At the time of India's partition in 1947, "princely States in India were given the option to affiliate with one nation or the other. Due to variety of factors, the Maharajah of Kashmir signed the Instrument of accession, whereby Ladakh and the rest of Jammu and Kashmir came under the jurisdiction of India" (Aggarwal and Bhan 2009: 521) as a temporary political arrangement. However, the provisional instrument of accession enshrined in the Article 370 and 35A of the Indian constitution providing an autonomous status to the Jammu and Kashmir state was abruptly abrogated on August 5, 2019, while separating Ladakh region from the State of Jammu and Kashmir.

10 Also see Bhan (2014) and Visweswaran (2013)

11 A local gambling board game.

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4

KASHMIRI SIKH WOMEN AND THEIR EXPERIENCES WITH CONFLICT

Khushdeep Kaur Malhotra

Making Space for Sikh Women in Kashmiri Discourses

The rays of the sun momentarily lit up Geet Kaur's melancholy face as she recalled the fateful night her 35-year-old husband – along with 34 other Sikh men – was gunned down by armed assailants in Chittisinghpora, the largest of the 14 Sikh villages located in the Anantnag (or Islamabad) district of South Kashmir.[1]

Unbeknownst to anyone, the assailants entered the village at 7:30 pm on March 20, 2000, as the day's religious services were being concluded at the two main gurdwaras, Gurdwara Samundri Hall and Gurdwara Shaheed Niwas, located just meters across from each other. As the congregants left the gurdwara premises, the "commanding officer" of these gunmen – who everyone recalls as wearing a military uniform – announced a Cordon and Search Operation (CASO).[2] On the pretext of checking their identity cards, they lined up 18 men in front of each gurdwara and assured them they would be let go, only to shoot them dead moments later. No one knows who perpetrated the *kaand*[3] but almost everyone wants to believe it was the handiwork of Indian state "agencies"[4] intended to project to then American President Bill Clinton, who was visiting India on that very day, the "Islamic extremism" problem in Kashmir[5] – a Muslim-majority region in the Indian Union – and that in the Valley,[6] minorities were unsafe.[7]

Geet broke down almost instantly as she recalled those moments, her heartache still fresh from 20 years ago. "Upon hearing gunshots, my brother-in-law rushed to the scene. They told me that he had been shot, his legs had been shot, and he'd been taken to the hospital. They knew he was dead, that he had died."[8] But no one had the heart to tell her this. In tears, she asked whoever cared to listen, "He isn't home yet, where is he?" Her brother-in-law kept repeating what he had told her already, that her husband had been shot, and he had been taken to the hospital and would be back by morning. Night turned into day, but her husband was still not home.

> At around 4am in the morning, they asked me to come see for myself what happened. Little did I know what I was going to witness. There was just a pile of bodies laden with gunshots and left for dead – *goliyan maar ke te sutt gaye*.

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An uncomfortable silence followed, punctuated only by Geet's sobs, her petite frame against the wooden window in her living room and the faded salmon-pink paint on its walls painting a portrait of grief that Kashmiris are all too familiar with.

Geet Kaur's story is the story of thousands of Kashmiri women who have in its long struggle for "*azaadi*" (freedom) borne irreparable losses, of partners, children, homes, and above all their dignity and rights. Where both the warring states of India and Pakistan have routinely glossed over the impacts of this unending conflict on Kashmiri lives, critical scholarship on Kashmir has done an excellent job of refocusing attention from statist narratives to *people's* experiences living with violence: documenting historical events, critiquing Kashmir's armed occupation by India, recording deaths, disappearances, and everyday injustices, and retrieving oral histories of times past and present.

Kashmiri women's stories, which have long remained an important lacuna in our understanding of their experiences vis-à-vis this conflict, written by Kashmiri women scholars, have lately been brought to the forefront of scholarship in Critical Kashmir Studies. Although wars may be "fought by men, with and against other men, towards the achievement of male-defined purposes and ends" (Sangra 2018: 29), it is often women who are left to deal with the fallout. As equal stakeholders, Kashmiri women have confronted the dually oppressive forces of masculinity and militarism, forcing us to rethink "narratives and impacts of occupation" (Kaul and Zia 2018: 33), while holding together "the last vestiges of community" (33), as they watch their men disappear, die, or be imprisoned. Yet, while the focus on Kashmiri women's experiences in this scholarship has enabled them to begin reclaiming their rightful positions in history, its scope remains limited to Kashmiri Muslim (and to some extent Hindu) women.

Although Chittisinghpora earned its fair share of attention in the media, there has been surprisingly little academic engagement with this horrific event. Media narratives revolving around the massacre, and Sikhs in general, focus on the Sikh "plight" in Kashmir, their demands for a minority status and their desire for an impartial inquiry into Chittisinghpora to identify and punish the perpetrators; other stories importantly highlight, but remain limited to, Sikh-Muslim co-existence.[9] Stories of Kashmiri Sikhs, especially Sikh women who have gone on living with conflict and who in the everyday shoulder its implications, are astonishingly absent from these discourses.

In this chapter, I attempt to begin addressing this gap by retrieving the unheard stories of Kashmir's Sikh women, tucked away for long in the vestiges of its geographic and historical memory. By recovering these stories, my aim is not only to prevent the erasure of Sikh women's struggles and challenge the passivity to which their experiences and their lives are relegated, but to "foreground" them as "political experiences" with which they navigate their social positions in conflict (Kaur 2000).

Engaging with the stories of two groups of women – the widows who lived through the violence and the young women who bear its generational aftermath – I show how the blurring of the "home-outside binary" in a militarized Kashmir, where conflict has pervaded the combat ground to enter the safe spaces of people's homes (Mushtaq 2018: 54), genders their experiences in diametrically opposite ways. While young Kashmiri Sikh women are encouraged to become more visible through dress or participation in religious practices, the women widowed in Chittisinghpora find themselves invisibilized in the massacre's aftermath. Rather than their experiences, what produces and reproduces Chittisinghpora in the public imagination are carefully preserved narratives of ambiguity surrounding the perpetrators, and the *shaheedi* (martyrdom) of the massacred Sikhs.

Although a much needed and welcome departure from the male centrism that has come to define the Khalsa, the underlying patriarchal practices and sometimes Islamophobic

discourses – especially those on intermarriage – accompanying young women's increased participation in Sikhism continue to reproduce the masculinity of the Khalsa and do little to return agency to Sikh women.[10] Ultimately, as Mahmood describes in her seminal study of Muslim women's piety movement in Egypt, they ensure that women's subordination to male authority remains the key condition for their participation in "male-defined spaces" (Mahmood 2011).

Placing the Sikhs in Kashmir

Scattered across all ten districts, the approximately 60,000 Sikhs of the Valley (a mere 2 percent of Jammu and Kashmir's population), have lived peacefully in Kashmir for generations[11] and consider themselves "equal stakeholders" in the region. As one Sikh gentleman pointedly told me on the question of Sikh belonging, that having witnessed all its trials and tribulations, any decisions of Kashmir's future would not be made without taking Sikh (and Hindu) interests into consideration.

Known as *shaheedan da pind* (village of the martyred), Chittisinghpora is settled by nearly 400 Sikh and 80 to 100 Muslim families living in close geographic proximity and connected by strong economic but sparse social ties. Never before the target of violence in all the years of the militancy, the attack came as a shock to both Sikhs and Muslims alike. Although the question of migration, the subject of my larger inquiry, did arise in the days after the massacre, the bulk of the community ended up staying.[12] In almost all interviews, respondents from Chittisinghpora and other villages alluded to the fact that while the community wanted to migrate *en masse*, Sikh "leaders" decided after talks with central government ministers that migration would not be in the best interest of the community. Some allege corruption, and express regret, complaining that had they too migrated at the time, they would also have received jobs, homes, and other benefits "like the Pandits." Others say that it was simply too much to think about, they had nowhere else to go, or lands they could not leave behind and were too attached to.

In the days after the massacre, Geet told me, "*Keda keher peya kuch nahin pata*" (the turbulence that came I cannot know), as she described the chaos that followed. Deepa Kaur, whose husband was himself a retired *fauji* (officer), says, "*Halat saddi ki si? Jis tarah o mar gai si, asi vi mare de saan. Tin saal tak sanu sojh ni si ki bahar horeya hai, ki ni horeya hai*" (What was our condition? We were dead too, just like they were. For three years, we didn't know what was or wasn't happening outside).[13]

More than 1000 people poured in to attend the cremations the day after the *kaand* (BBC News 2000). Prominent political leaders from the BJP, Shiromani Akal Dal (SAD), Congress (I), and Kashmir's National Conference (NC) party too, visited the village promising fair and impartial inquiries. The same day, Indian security forces apprehended one Mohammad Yaqoob Wagay[14] from Chittisinghpora, whom they suspected of being involved with the perpetrators hiding in the forests of Panchalthan village and a day later, India's national security adviser officially blamed the massacre on the "Pakistan backed" terrorist group Lashkar-e-Taiba[15] with Pakistan in return blaming the Indian Army. Five days later, on March 25, 2000, Indian forces reported killing the Chittisinghpora perpetrators in the forests of Panchalthan village, but as inquiries later revealed, these were not "Pakistani terrorists" but rather Kashmiri locals from the Gujjar community who were picked up from nearby villages and killed by Indian forces.[16]

The Kashmir conflict, wrote reporter Barry Bearak, "has a way of boiling truth into vapor. Every fact is contested, every confession suspect, every alliance a prelude to some sort of betrayal" (Bearak 2000). In the months that followed, the Chittisinghpora story, too, became complicated by a web of contradictions, which still remain unresolved, with affected families fighting with little hope of any justice. Not knowing who perpetrated the massacre or why

creates a situation of deliberate ambiguity and naturally makes the Sikhs fear for their safety. Despite this, the Sikh position on the ongoing conflict has been one of "neutrality," necessary for ensuring the community's survival in Kashmir. That is, they typically speak neither against the militants nor the Indian state.

Describing the situation of Asians who remained in Idi Amin's Uganda when the majority were exiled between 1972 and 1979, Hundle (2013: 166) writes,

> Visible and vulnerable, Indians could become "big men" within specialized economic niches; or conversely, fairly powerless and dependent. They were visible in times of relative security and necessity; and at other moments, in hiding, exile, or confinement. Thus, Indian presence during the 1970s can be described as tenacious and imperiled.

Because the majority are substantially landed, owning anywhere from 10 to 180 *kanals* of agricultural land not including orchards, Kashmiri Sikhs too can wield significant economic power in Sikh-Muslim transactions, but can also be simultaneously powerless, given their small numbers and lack of any significant political power. Describing this precarity of Sikh existence, 62-year-old Nanak Singh (real name), the sole survivor of the massacre, lamented that "no one can do anything. The militants will say the government did it, the government will say the militants did it. We are scapegoats."[17] Expressing his frustrations at the lack of an impartial inquiry even two decades later, he added that at this time, the Kashmiri Sikh is helpless. "Whenever they need us, they will sacrifice us," implying that for either side, Sikhs are disposable pawns in this ongoing battle.

A Militarized *Pind*

It was this precariousness of the Sikhs that led to the transformation of Chittisinghpora and other minority villages into militarized spaces with military and paramilitary forces stationed inside them for protection. According to then Director General of Police Gurbachan Jagat, pickets were installed in 115 villages where Sikh families resided, which are to this day manned by a combination of JK Police and CRPF (Rediff 2000).

In Chittisinghpora, there are three paramilitary posts inside the village. The first, a Central Reserve Police Force (CRPF) post, directly overlooks Nanak Singh's home and the second (also CRPF) is at the back entrance of Gurdwara *Samundri Hall*, the gates to which were locked, and can be seen from a primary health center located in the premises.[18] One part of the gurdwara, behind the façade of what was once a Khalsa (Sikh missionary) school, had been converted into residential quarters for the paramilitary staff and was forbidden to civilians. Covered by olive green tarps and barbed wire, the gurdwara's *sangat* (attendees) and I could only see armed men come and go through a small makeshift door in the ground. But we were always under their gaze. The third post, deep inside the village in the premises of the third gurdwara, *Baoli Sahib*, is manned by Jammu and Kashmir Police (JKP).

Effectively transforming home into a frontier, Chittisinghpora's militarization, a marker of the massacre, also marked the women: both as wives of the "martyred" and as widows. Nain Kaur and her sister-in-law Shanno were both married only a few years when they lost their husbands on the night of the massacre. Their home directly overlooks the second massacre site, Gurdwara Shaheed Niwas, a constant reminder of that ill-fated evening. An oversized bed filled the room in which we sat down to talk, its only adornments being a faded Kashmiri carpet and a photo of Nain's husband on the wall. Her gentle voice betrayed her frustration, as she explained that with their husbands, their apple orchards died too. When I asked if she contemplated selling

them, her frustration turned momentarily to anger and she replied forcefully, "Who (which Muslim) will buy here in the middle of the Sikhs?"[19]

Nain and Shanno explained that the lands of the other widows also suffered the same fates, as there was little time left to tend to them (the mostly Muslim labor no longer wanted to work in the orchards), while fulfilling the added responsibility of working for an income (both tasks left traditionally to men) and taking care of the children. Although aid came in the immediate aftermath in the form of money from the government in Punjab, the only Sikh-majority state in India that is considered their *peka* (maternal residence) by many Kashmiri Sikhs, Nain and Shanno alleged that the money was laundered by "Sikh leaders" and after an initial sum, they hardly received anything. Explaining their predicament, Nain said, "We were just young girls, what did we know?" As I pressed her to describe what help they received from the local Sikhs, Nain became angry as she described the alienation the widows faced at the hands of the village *sardars* (a term meant to refer to the more powerful, and older, Sikh men in the village), stating forcefully that the *sardars* didn't speak to them. When I asked why, she replied, "*Randian nu kaun puchda hai?*" (Who cares about us widows?) Taken aback at her words, I asked her to clarify what she meant. Somewhat uncomfortable, she replied, "*Randi ohi, jida ghar wala nahin honda. Phir kaun izzat karda hai unna di?*" (Randi is one who doesn't have a husband. Who respects such women?). Nain's use of the Hindi word *randi*, which means prostitute, is an abuse in Punjabi, and reflects the lens of morality through which society continues to view widows (Haripriya 2018). This view, not uncommon across India, signals society's "anxieties about widowed women slipping into prostitution" (268) and consequently its need to regulate their sexuality. In her view, the widows became a liability, not worthy of others' respect or engagement, as the *sardars*' behavior signified to her, even if their husbands were accorded the status of martyrs in Sikh history.

At its 21st commemoration held on March 20, 2021, a renovated Gurdwara Samundri Hall was inaugurated, with a museum in the works to give Chittisinghpora's martyrs their rightful place in history. Ten of the 35 widows who were in attendance sat huddled at the back of the gurdwara in one corner, while village elders, the gurdwara *gyani* (head preacher) and members of its governing committee (only some of whom had lost their loved ones in the massacre) took center stage, making speeches and explaining to a lackadaisical crowd the urgency of preserving this history. In the middle of the ceremony, a local media outlet arrived, taking these gentlemen outside the prayer hall to make statements, which they do year after year with great enthusiasm. Neither the men nor the media outlet invited the widows to speak, the only exception being Nain who insisted that the world hear *her* story. The crowd that had gathered to hear the men make their statements earlier thinned out, leaving Nain standing alone to speak, her nephew and I the only ones standing by her side.

Replete with markers of their martyrdom, Chittisinghpora, like the "Widow's Colony" neighborhood in Delhi's Tilak Vihar where women widowed in the 1984 anti-Sikh pogrom were resettled (Arora 2017), continues to be produced and reproduced in public memory by discourses of martyrdom around the massacre. The attention the massacre continues to receive, although largely limited to local memory, has brought substantial transformation to the village, "too much development" as some call it. Yet as was evident from the commemoration, the struggles of the women – also devoutly Sikh – who continue living with its physical and emotional scars in the everyday, remain abjectly missing from the massacre discourses. One is forced ask why, despite their difficulties, the *quam* has failed to rally behind these women to demand justice, unlike in other instances of anti-Sikh violence such as the 1984 Delhi pogrom, which has unfortunately seen the widows themselves become the political project (Arora 2017).

Repairing Ruptures and Building Solidarities

Twenty-one years later as they still await justice, there is little speculation about who committed the massacre. Everyone, Muslim or Sikh, has accepted the pervasive narrative: that it was the work of the Indian state, intended to communalize Sikh-Muslim relations and trigger yet another minority's mass exodus from Kashmir. Yet my questions about why were always answered with, "*Asi ki kahiye*" (what can we say?) or "*asi kuch ni kehe sakde*" (we cannot say anything).

Immediately after the massacre, the Sikhs believed that this was the work of "Pakistan backed terror group Lashkar-e-Taiba." But the narrative changed after visits from Sikh leaders, who apparently convinced the people that it was in their interest to not point fingers at the militants if they were to continue living in Kashmir. Of this "tactical ambivalence" Bearak (2000: 26) writes,

> But within days of the massacre, there had been a retreat from much of this finger-pointing. Doubt was now emphasized. Maybe the killers had been militants, maybe the army, maybe neither. This newly avowed uncertainty was a result of counsel from some of India's leading Sikhs. They believed that if their people were to stay in the Kashmir Valley, good relations had to be maintained with the surrounding Muslim majority, which – while exhausted by the endless violence – was largely sympathetic to the militants.

What is the "truth" of the Chittisinghpora massacre? As Paul Brass (1997) shows in his ethnography, there is never a "final" truth, but rather "multiple truths" that emerge from the study of political violence in India. Asking why some events gain national prominence, while others do not, he finds that those events that serve a political purpose achieve national prominence and are "magnified, distorted, and manipulated for external use in wider political arenas" (ibid.: 178). Although it may be true that Chittisinghpora, unlike the Pandit exodus, failed to gain "national prominence" or at least *sustained* national prominence because the Sikhs are not a politically expedient constituency in Kashmir, the limited attention has certainly facilitated control of the narrative by Kashmiri Sikhs. This was necessary for survival, which as Bearak noted in his piece, was the Sikhs' most dire need at the time. For the Muslim community, too, the costs of living with the exodus of yet another minority would be too high. Emotional appeals from Muslim leaders such as Shabeer Shah, who said to Chittisinghpora's Sikhs, "If you leave, you will do so over our dead bodies,"[20] perhaps belabor this point.

And so it was that in the days after the massacre, Sikh families continued to stay on while the *pind's* Kashmiri Muslim families, afraid of retaliation from the Sikhs and fearful of being picked up by the Army (who they believed would blame them for the massacre), fled their homes. Zakia, a middle-aged Muslim female remembered, "We were afraid of the Army; as you know they don't let you free unless you do as they say."[21] Arfa, her female neighbor, added that at the time, Sikhs who came from outside were ready to burn down their homes. Returning home a few months later to a tense atmosphere, Fatima, a twenty something Muslim female who runs a local business, remembered her long-time Sikh neighbors being angry with her, "When we came back, the Sikhs didn't talk to us at all."[22] When I asked what it is like at present, Manzoor, a 28-year-old Muslim entrepreneur responded with confidence that "*aaj ka mahol jo hai, wo sabse behtereen hai*" (things are better than ever now).[23]

Although this *behtereen mahol* signifies that some reconciliation has taken place, the Sikh-Muslim relationship still remains in flux. Raqib, a local shopkeeper, explained that at the time of

the massacre the Sikhs held militants responsible and "there was even an innocent guy (Wagay) who was accused and jailed for 3 years. But later they regretted accusing him and the militants for all this."[24] Raqib's statement points to the distrust that not knowing the perpetrators creates between the two communities. Living in close proximity in these circumstances makes them, to borrow from Dhattiwala, "involuntary residents,"[25] yet both acknowledge the necessity of inter-communal solidarities for their survival in a context of pervasive violence. Nanak Singh explained as much during our interview, "All the labor here is Muslim. We cannot live without them and they cannot live without us."[26] Later Shahana, a lower-caste Muslim woman working as a laborer in the Sikh fields begrudged this interdependence, angrily remarking when I asked her what she thought of the Sikhs, "We cannot say anything about these Sikhs. We work in their fields."[27]

Inter-communal solidarities, as Dhattiwala (2019: 9) writes of the Hindu-Muslim conflict in the mixed neighborhoods of Ahmedabad, are an important aspect of "the micro-mechanisms by which ethnic groups facing the threat of violence survive in conflict situations" and belabor "the tribulations of living together" in the face of it. Beyond their economic interdependence, there exists a genuine recognition among both communities that diversity and difference are central values "to be acknowledged and respected, not erased in the building of alliances" (Mohanty 2003: 7). The numerous Sikh and Muslim testimonies that I recorded made it clear that there is little evidence of attacks on Sikh religious observances even during lockdowns. While there is little commensality due to the religious rules governing the consumption of meat, it is also accepted as a way of life to be respected.

As important as these alliances are in keeping Kashmir going despite violence, they are also susceptible to breaking time and again, such as when young Sikh girls marry Muslim boys. How this looming "threat" – and the underlying discourses accompanying it – becomes one of the main reasons young women are mobilized in the Khalsa is examined in the next section.

Becoming Khalsa: Kashmir's Young *Sikhnis*

Expecting violence to be central to discourses on everyday life, I was surprised that it was discussed sparingly by respondents. Rather, most respondents chose to focus on other grievances in the Valley, including the limited economic opportunities for young Sikhs, alleged discrimination in favor of other communities for representation in government positions, lack of political representation, the day-to-day inconveniences caused by frequent shutdowns and most importantly, the (perceived) threat of intermarriage between Sikh girls and Muslim boys.

Intermarriage, of which my respondents claimed that there are three or four cases every year, was in fact such a pressing issue that Srinagar's gurdwara committee leadership in May 2018 convened a meeting to address the problem of young Sikhs "excessively using their mobile phones,"[28] which according to them made young girls more vulnerable to "Islamic teachings." At this meeting, Sikh religious and political leaders discussed how youth can be "alternatively engaged" to lessen this "exposure." As I took notes, I was asked specifically to write that this was an issue.

The next day, a 19-year-old undergraduate student *Amritdhari* Khalsa Sikh Amreek, who I had met at the gurdwara earlier, wanted to speak privately about matters discussed at this meeting. As we walked in the grounds of his university's lush green campus, Amreek kept glancing over his shoulder while talking, making sure no one would overhear, and was somewhat hesitant about being seen walking with a woman. Describing Sikh issues in the Valley, Amreek said, "the biggest threat Sikhs face is from conversions. There is no danger otherwise."[29] Several other respondents made similar remarks over interviews, such as 30-year-old dentist Veer Singh

from Baramulla in North Kashmir, "Our biggest problem is (our) girls run away (to intermarry and convert). *O sanu kabool nahin*" (that is not acceptable).[30] When I asked Amreek how this "problem" could be solved, he responded that regardless of the beards on their faces, "*Kamzori Sikhan de vich hai*" (Sikhs had become weak from the inside). Because they are so few in number, Amreek believed that "*je Gurmat naal judan ge, taan*" (if they join with Khalsa teachings), the *quam* would become morally stronger and be less vulnerable to conversions. Indeed, the young Sikh women whom I interviewed for this research too reiterate these ideas. They believe that attaching themselves to institutions such as "*Gurmat Vidyalas*"[31] is important to get the "right" education.

Expressing her pride at wearing a *dumala* (turban), Ajuni, a 27-year-old dentist, was inspired to do the *Amrit* (understood as baptismal) ceremony in college while attending religious gatherings led by a Kashmiri Sikh *raagi* (preacher who performs the singing of Sikh devotional hymns) in Rajasthan. Describing herself as one of the first few women in Kashmir "*jinne dumala sajaya*" (who wore the turban) and expressing pride at the respect it earned her from the Muslims, Ajuni said, "I remember many Muslim shopkeepers appreciated my turban. They asked if it was part of my religion. When I said yes, they said it's so commendable."[32] Yet donning *dumalas* (turbans) and *kirpans* brings ridicule and discrimination sometimes, as was Ajuni's experience, "I was at a wedding when an aunt asked me how long I intended to keep it, when I would take it off?" Ironically, Ajuni mentioned, her aunt's concern was that it would be hard for her to find a husband in this *saroop* (identity). Younger girls too spoke about bullying in school and punishment from teachers and students alike but continued wearing it because they considered themselves the "chosen" ones to carry forth its legacy. As two young teenagers who I met at Gurdwara *Bunga Sahib* in Srinagar on another occasion explained to me, "*E ta Guru Mahraj di den hai*" (this is a blessing the Guru has bestowed upon us).

Keerat Kaur, a 29-year-old *Amritdhari* woman completing her master's in Political Science, had attached herself to Gurmat teachings early on in life. Describing the love in her heart for her '*pita*' (father) Guru Gobind Singh, she explained,

> I am thankful to Waheguru I was born in the Sikh faith, there is no comparison for being Sikh. If I have to sacrifice myself for the faith, I will do it without any qualms. I read the scripture, and I was with the Sikh Missionary college before marriage. To tell you what I think honestly, I wish to radicalize all (the young people) and tell them not to tolerate any insult to our religion.[33]

Keerat's construction of herself as *Guru Gobind*'s daughter, and her willingness to sacrifice herself and "radicalize" all youngsters (by which she means setting them on the Khalsa path) in defense of her faith, signifies the primacy which being Sikh assumes in these young women's lives, and through which they renegotiate their roles as Sikh women in Kashmir.

The *jod* (connection) between young people and *Gurmat* often begins with the teaching of one of the most important commemorative events in Sikh history: the dastardly 1984 Golden Temple attack by the Indian Army known as Operation Bluestar. On June 6th, 2018, I attended its annual commemoration in Arigam, a village in South Kashmir's Pulwama district, which my respondents informed me was "*Burhan da pind*."[34] While such commemorations are held across gurdwaras globally, this ceremony was unique[35] because it was conducted *entirely* by girls, even as young as eight years of age. The head of the gurdwara committee told me that this was routine, and the girls perform the gurdwara's daily prayers from the morning *prakash* to evening "*ardaas*" (typically performed by men). He added that one reason the committee decided to bring young women into the fold to discharge the duties of *granthis* (who read the scripture) and *sevadars*

(who assist the gurdwara affairs), roles typically held by men, was also that young (Sikh) boys could hardly be trusted to carry forward the baton of the Khalsa, citing their gullibility and *galat sangat* (bad company). The young women were also felicitated by eminent *granthis* from Punjab with a *siropa*[36] in recognition of their mastery of the scripture.

Employing the rhetoric of the "fallen" state of Sikhism (Jakobsh 1999), in which the Sikh male, who squarely shoulders the burden of propagating Khalsa identity and consequently Sikhism itself, can no longer be relied on to do so, owing to the shearing of hair or keeping bad company (through the consumption of drugs, liquor), political Sikh leadership in Kashmir has, as is the case in Arigam, turned to women to be its torch bearers. Encouraging young girls to become *Amritdhari Sikhnis*, through dress, ritual, and missionary education, thus becomes important to not only keep the Khalsa *panth* "strong"; in the context of conflict, it becomes a mechanism with which to fight the perceived threat from "Islamic teachings," intermarriage, and conversions, and project demographic strength. Consequently, while the need for survival confines older Sikh women in Kashmir and particularly in Chittisinghpora to the margins of the Sikh religious and political sphere, young girls across Kashmir find themselves centered in the *panth*.

The Road Ahead

Asking the poignant question "Do you know how Kashmiris remember?," Kaul and Zia (2018) argue that "ignorance is as much an ally as ill-will" in conflict. Kashmiri women's voices in conflict have only recently begun to be heard. While the recognition of their struggles in Kashmir's ongoing conflict has been a long time coming, Kashmiri Sikh women still have not been given their rightful place in this discourse. In this chapter, I have attempted to address this absence by foregrounding Kashmiri Sikh women's experiences in this literature and by examining the implications of conflict for the women who were widowed in Chittisinghpora, as well as for a younger generation of Sikh women. Juxtaposing the experiences of these two groups of women reveals how notions of safety for the community, in a context of pervasive violence and growing militarism, gender their experiences in drastically different ways. While Chittisinghpora's widows find themselves invisibilized in the discourses and practices around memorialization, young Sikh women come to be centered in Sikh spaces in Kashmir.

Ultimately, these processes become important for Kashmiri Sikhs – a demographic micro-minority (a term they use to describe themselves) – to project a moral "hegemony" and ensure the Sikh *quam's* collective "safety" in an otherwise pervasively unsafe context; rendering women literal bearers of "honour and identity of the nation on their backs for the men to protect" (Anjum 2018: 47) but also threatening to undermine carefully built Sikh-Muslim solidarities in the increasingly nationalized project of violence unfolding in Kashmir. Despite these problematic implications,. I argue that Kashmiri Sikh women's experiences make them uniquely positioned to reclaim women's roles within *Sikhi* and disrupt its long-standing focus on the Khalsa male. Importantly, in the context of Kashmir's conflict, they also alert us to the possibilities that exist of navigating precarity without endangering solidarities.

Notes

1 Fieldwork and interviews for this research were completed between April 2018-March 2019. With the exception of Mr. Nanak Singh, names of all respondents have been anonymized to protect their privacy. Except where it was felt that the translation would be inadequate to convey meaning, the text has been left in the original language with translations provided in English. The author would like to thank Ms. Ifra Nissar, Ms. Gousia Binti Ghulam and Mr. Malic Tabish Meher for transcribing and translating interviews in Kashmiri. Interviews have been minimally edited for clarity.

2 A CASO is a military exercise in which men are routinely searched on the pretext of identifying militants.
3 The word *kaand* means "scandal" in English and is intended to convey doubt regarding who perpetrated the massacre and why, as it will become clear from the narrative; it is also intended to convey the scale of disingenuousness surrounding the response of the state and central governments to the violence. Until now, there has only been one inquiry (of several ordered) related to Chittisinghpora, whose contents have never made public. The inquiry was also later discredited when the Pathribal and Brakpora encounters (discussed later) came to light. For more on this, see Jaleel, Muzamil, "Why Justice Eludes the Victims of Pathribal Fake Encounter?" *The Indian Express*, August 20, 2017, https://indianexpress.com/article/india/why-justice-eludes-the-victims-of-pathribal-fake-encounter-4804985/.
4 Respondents use "agencies" to refer primarily to Indian (and international especially Pakistani, American and Russian) intelligence and espionage bodies like the Research and Analysis Wing (RAW), Inter-Services Intelligence (ISI) and the Central Intelligence Agency (CIA).
5 For a comprehensive history of Kashmir's relationship with India and its struggle for independence, see Sumantra Bose, *Kashmir: Roots of Conflict, Paths to Peace*. Cambridge, MA: Harvard University Press, 2005; Mridu Rai, "Kashmir: From Princely State to Insurgency," *Asian History*. Oxford Research Encyclopedias, 2018, https://oxfordre.com/asianhistory/view/10.1093/acrefore/9780190277727.001.0001/acrefore-9780190277727-e-184
6 Prior to August 4, 2019, the state of Jammu and Kashmir was divided into three regions: the Hindu majority Jammu, the Muslim majority Kashmir Valley and the Buddhist majority Ladakh. While all three regions have experienced conflict during their existence, the Kashmiri freedom struggle has been restricted to the Valley. The present analysis is also confined to the Valley and its ongoing conflict.
7 Demographically, the Valley is a multiethnic and multireligious region, with Kashmiri Muslims (96.4 percent), Kashmiri Hindus (2.4 percent), and Kashmiri Sikhs (0.81 percent) being the major religious groups as per the 2011 Census of India. See "Religion," 2011, www.census2011.co.in/census/state/jammu+and+kashmir.html.
8 Author interview, Geet Kaur, Chittisinghpora, June 19, 2018.
9 See for example Menon, Aditya, "'Restored Our Faith in Humanity': Kashmiris Thank Sikhs For Help," *The Quint*, February 21, 2019, www.thequint.com/news/india/pulwama-terror-attack-kashmiri-students-sikhs-khalsa-aid-help and Brar, Kamaldeep Singh, "Religious Duty of Sikhs to Protect Kashmiri Girls: Akal Takht Jathedar," *Indian Express*, August 10, 2019, accessed July 20, 2020, https://indianexpress.com/article/india/kashmiri-girls-article-akal-takht-jathedar-370-5893819/.
10 For this point, and for her substantive feedback on this chapter, I am thankful to Professor Mallika Kaur, Department of Law, University of California at Berkeley.
11 Kashmiri Sikhs trace their lineage to the extensive and well documented travels of the first Sikh guru (preacher), Guru Nanak, founder of Sikhism (1469), who travelled to Kashmir in the year 1516. Sikhism's advancement in Kashmir is also attributed to the travels of the sixth Sikh guru, Guru Hargobind, whose visits in Kashmir are placed at around 1620 AD. For Guru Nanak's travels and the settlement of Sikhs outside Punjab, see Himadri Banerjee, "Sikhs Living Beyond Punjab in India," in *The Oxford Handbook of Sikh Studies*, 2014. The definitive text in which Guru Hargobind's travels to Kashmir are written about is the Suraj Parkash in Gurmukhi, written by the poet Santokh Singh. The travels of both gurus are marked by several gurdwaras throughout Kashmir. Besides this, there is a second lineage which is traced to the rule of two Sikh rulers, Sukhjiwan Mal (1753–63) and Maharaja Ranjit Singh (1780–1839), under whose rule Sikh soldiers from the Punjab region were brought to Kashmir to serve, allotted land, and settled in Kashmir.
12 My respondents informed me that only three families ended up migrating from Chittisinghpora. As per the government of Jammu and Kashmir, 1714 Sikh families (6504 individuals) have migrated to Jammu and other areas at the onset of militancy in 1989–90. For more details, see, accessed July 20, 2020, http://jkmigrantrelief.nic.in/.
13 Author interview, Deepa Kaur, Chittisinghpora, September 9, 2018.
14 Mohammad Yaqoob's arrest was reported in the media on March 25, 2000; "Kashmir Massacre Suspect Captured," *BBC News*, March 25, 2000, accessed July 1, 2020, http://news.bbc.co.uk/2/hi/south_asia/690352.stm. Wagay was later released and continues to reside in the village.
15 Ibid.
16 These killings are known as the Pathribal encounter and were soon followed by the killing of protestors in Brakpora demanding an inquiry (known as the Brakpora encounter). For a detailed timeline of these evets, along with the judicial status of the inquiries, see Kaur, Surangya, "Pathribal: A Timeline

of 18 Years of Injustice," *NewsClick*, March 26, 2018, accessed July 1, 2020, www.newsclick.in/pathribal-timeline-18-years-injustice.

17 Author interview, Nanak Singh, Chittisinghpora, June 18, 2018.

18 In 2019, a massive fire broke out which nearly destroyed the main façade of Gurdwara Samundri Hall. Fortunately, the fire spared the military post near the entrance, which as one respondent told me, would have resulted in a massive explosion thanks to the ammunition stored in the barracks. After the fire, the residents requested that the posts and barracks be moved from gurdwara premises, so that religious ceremonies could be performed without disruption in the only room untouched by the fire. Both posts are now relocated to the back side of the gurdwara.

19 Author interview, Nain Kaur and Shanno Kaur, Chittisinghpora, June 19, 2018.

20 Statement made by Shabeer Shah on a visit to Chitti Singhpora, according to eyewitness Nanak Singh; personal interview with Nanak Singh, September 8, 2017.

21 Author interview, Zakia and Arfa, Chittisinghpora, September 7, 2020.

22 Author interview, Fatima, Chittisinghpora, September 6, 2018.

23 Author interview, Manzoor, Chittisinghpora, September 6, 2018.

24 Author interview, Raqib, Chittisinghpora, September 6, 2018.

25 This is a term I borrow from Raheel Dhattiwala, whose study examines violence in the mixed Hindu-Muslim neighborhoods of Ahmedabad, Gujarat after the 2002 pogrom; see Raheel Dhattiwala, *Keeping the peace: spatial differences in Hindu-Muslim violence in Gujarat in 2002*. Cambridge University Press, 2019.

26 Author interview, Nanak Singh.

27 Author interview, Shahana, Chittisinghpora, June 26, 2018.

28 Fieldnotes from meeting attended at Gurdwara Bunga Sahib, Srinagar, June 17, 2018.

29 Author interview, Amreek Singh, Srinagar, May 29, 2018.

30 Author interview, Veer Singh, Baramulla city, April 23, 2018.

31 A generic term used to describe a school for the teachings of the Khalsa. There are many *Gurmat Vidyalas* across India which young people, typically boys, attend to learn about Sikhism. In Kashmir, the most prominent of these is the *Gurmat Taksal*, which routinely organizes programs especially for young women to be actively involved with *Sikhi*. The terms "Taksaal" and "Taksaali" have attained a particular connotation in Sikhi and need to be contextualized. "Taksaal" can be understood as a seminary, and as Mallika Kaur explains in her book *Faith Gender and Activism in the Punjab Conflict*, it is also understood as a subset of Sikhs who follow certain discipline and practices separated from the majority; see Mallika Kaur, *Faith, Gender and Activism in Punjab: The Wheat Fields Still Whisper*. Springer, 2019, p. 299.

32 Author interview (telephonic), Ajuni Kaur, February 6, 2019.

33 Author interview, Keerat Kaur, Chittisinghpora, June 27, 2018.

34 Burhan Wani was an immensely popular Kashmiri *mujahideen* (freedom fighter) from Arigam who joined the Hizbul Mujahideen in October 2010 and was killed by the Indian armed forces in July 2016. There are about 25–30 Sikh families in Arigram.

35 The Sikh belief is that the gurus in principle made Sikh men and women "equal." Sikh women often perform *kirtan* (singing of hymns) at gurdwaras (at mostly family ceremonies), but they remain absent from being given gurdwara custodianship, or leading prayer services in any of the historic gurdwaras. This has been vigorously debated, and on November 7, 2019, the Punjab assembly passed a resolution effectively ending this discrimination (see Chitleen K. Sethi, "Punjab Assembly Breaks Glass Ceiling, Calls for Women to Perform Kirtan at Golden Temple," *The Print*, November 7, 2019, accessed July 20, 2020, https://theprint.in/india/punjab-assembly-breaks-glass-ceiling-calls-for-women-to-perform-kirtan-at-golden-temple/317167/). Sikh women are, however, yet to lead the prayers at the Golden Temple.

36 A ceremonial cloth "awarded" in the gurdwara on important occasions in recognition of exemplary achievements, to both males and females.

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5
DISABLING KASHMIR

Deepti Misri

Introduction

In 2016, and then again in 2018, as the Indian state's mass blinding of Kashmiri protesters came to global attention for the first time, it became chillingly clear to the world that disabling Kashmiris was a deliberate rather than incidental tactic of the occupation in Kashmir. Photographs and images of children blinded by pellets played a key role in spotlighting the state's tactic of blinding as both a short-term crowd control mechanism, and a long-term way of disabling the resistance to Indian occupation by disabling the bodies of Kashmiri protesters – all without adding to a death count that would result in negative publicity for the state. As one senior police officer put it anonymously:

> The use of pellet guns to control protests is preferred to the use of live ammunition. Deaths attract a lot of attention. Plus there is a view that when a protester is hit with a pellet in the eye, it becomes a deterrent.
>
> *(Jaleel 2016)*

These moments spectacularized the disability outcomes of a state regime that has in fact functioned by disabling Kashmiris for long before the mass blindings of 2016. Although the tactic of mass blinding is a relatively new one, other forms of disabling Kashmiris have existed well before this point. As Kashmiri activists and Critical Kashmir Studies scholars (including many included in this volume) have often foregrounded in their work, torture, widespread PTSD, economic devastation, and the ongoing health crisis precipitated by internet loss and disruption of medical communications have all been part of the landscape of debilitation and slow death in Kashmir (Zia 2019). A recent human rights report on the Indian state's use of torture in Kashmir documents a range of torture techniques used on Kashmiri prisoners, including electrocution, solitary confinement, sleep deprivation, eating excreta, rape, and sodomy – torture techniques frequently resulting in permanent physical and psychological disabilities among prisoners and their families (Association of Parents of Disappeared Persons and Jammu Kashmir Coalition of Civil Society 2019). A longer historical view of Kashmir also compels us to recognize the disabling histories of caste and class, which have informed state power to discursively produce some populations among Kashmiris as "intellectually superior" (namely Kashmiri Pandits) and others

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as less so, couching intellectual ability in a eugenicist language of inborn superiority, rather than the product of sustained educational policies that have produced such differences in access to learning and its related outcomes. Although activism and scholarship on Kashmir has implicitly been engaged in pointing to such relationships between the political, economic, physical, and psychological debilitation of Kashmiris (whether Muslim, Pandit, or Sikh, in different ways), the frameworks of disability studies have remained far afield from Critical Kashmir Studies, and vice versa. This chapter attempts to place these fields in conversation in order to illuminate what each can gain from engaging the other.

Disability Studies: An Overview

Taking shape in the 1990s in Britain and the United States, the field known as "disability studies" has comprised two broad veins. The first vein is based in a critique of what disability activists have called the "medical model" wherein disability is seen as inherent to the body, which is conceived as impaired and as the object of cure. In contrast, disability theorists offered the "social model," in which disability is theorized as not inherent to the body, but as socially and environmentally produced. To take one often cited example, not having limbs becomes a "disability" only when one lacks access to negotiate one's environment – for instance by the provision of wheelchairs, access ramps for buildings, and so on. Otherwise, it might be merely a biological variation, not a "disability." Thus, *access* emerged as a core demand in scholarship foregrounding the social model, which amplifies disability activists' demands to integrate people with disabilities into the public mainstream, by providing them increased access to architectures and technologies that would allow for their demarginalization and inclusion. This might happen, for instance, through the provision of wheelchair ramps or Braille lettering in public spaces. Anchored to rights-based approaches for people with disabilities, the social model also emphasizes the *value* of disabled life: it is invested in "unseating the dominant assumption that disability is something that is wrong with someone" (Garland-Thomson 2002: 6). Scholars such as Rosemary Garland-Thomson, Alison Kafer, and Anita Ghai have offered moving meditations on social attitudes to disability, challenging ableist attitudes that take disabled existence as tragic, and which presume medical cure as the default desire of all people with disabilities. This work has also allowed us to see the intersections of disability with gender, sexuality, caste, race, and poverty (Ghai 2015; Mehrotra 2020). In Kashmir, rights-based disability activism has taken the form of demands for financial assistance and concessions, free education for the disabled, reservations in government jobs, allocation of residential plots, and separate counters in government departments, among other demands made of the Indian government; and disability activists have often been arrested for making these demands.

A second vein of disability studies scholarship, which we might call the "biopolitical model," has complicated the calls for recognition, inclusion, and celebration of disability in many mainstream and rights-based approaches to disability. This vein turns our attention to the mass *production* of disability at a population level rather than individual level – as a function of what French theorist Michel Foucault named biopolitics. Accordingly, scholars like Nirmala Erevelles (2011: 119) have questioned: "How can acquiring a disability be celebrated as 'the most universal of human conditions' if it is acquired under the oppressive conditions of poverty, economic exploitation, police brutality, neocolonial violence, and lack of access to adequate healthcare and education?" Jasbir Puar (2017: xiv) points to the intentional maiming or debilitation of Palestinian bodies by the Israeli state, using the category of "debilitation" to describe "the slow wearing down of populations instead of the event of becoming disabled." For Puar, the category of "debility" triangulates a binary between ability and disability and offers a way of

comprehending the fact that at a mass population level, some populations are in the long term more vulnerable to the kind of slow attrition of body and mind that may or may not result in a permanent disability that is immediately *legible* within the identity rubric of "the disabled." Thus, she asks:

> Is a young black man without a diagnostic disability living in the United States who is statistically much more likely than most to be imprisoned, shut up by police, or killed by the time of adulthood actually a reference for what it means to be able bodied?
>
> *(ibid.: 74)*

A similar question may be posed with regard to Kashmir: in a context where virtually every Kashmiri may be targeted for debilitation, albeit not in an undifferentiated way (since such vulnerabilities are inevitably classed, gendered, or shaped by other axes), what might a distinction between "ability" and "disability" even mean, and what might these categories obscure? A recent report from Médecins Sans Frontières details how mental illness in Kashmir is the norm rather than the variation, reporting that about 45 percent of Kashmir's adult population suffers from some form of mental distress, with women experiencing anxiety, depression, and post-traumatic stress disorder (PTSD) in slightly higher numbers than men across all ten districts of Kashmir.[1] The recent Covid-19 pandemic amplified the mechanisms of debilitation in Kashmir, as the physical and digital restrictions of the lockdown imposed by the Modi government came to be overlaid on top of the ongoing conditions of settler colonial processes intensified by the events of August 5, 2019, when Jammu and Kashmir was stripped of its statehood via the removal of Article 370.[2] These events were accompanied by what soon came to be infamous as the longest shutdown in internet history, as well as many months of curfew and an increased military presence across the Valley. By the time the coronavirus arrived in Kashmir, Kashmiris had already been suffering for many months under one of the most stringent lockdowns they had ever seen, without the internet access that allowed for people in other parts of the world to access some semblance of human connection from their homes, preserving them from the psychological isolation.

The health crisis of the coronavirus compounded the massive health crisis that was already underway under conditions of occupation. Internet restrictions and mobile phone connectivity issues after August 5 meant that doctors in Kashmir were unable to communicate in the usual ways and unable to keep track of swiftly changing information on Covid. Doctors in Kashmir complained about their inability to download WHO guidelines, for instance, or medical journal articles reporting the latest research that they needed to access to treat the virus effectively. Compounding this scenario, new domicile laws and the continuation of Hindu pilgrimages such as the Amarnath yatra, guaranteed an influx of migrants into Kashmir, fueling fears that the pandemic would become endemic as an already overloaded medical system would face an added burden. We can see that the distinction between the disabled and the non-disabled is a temporally tenuous one: in Kashmir, one might say, disability lies in wait, and often comes sooner in one's life cycle.

Integrating Disability Analysis Into Critical Kashmir Studies

The social and biopolitical models of disability studies detailed earlier can be both useful to Kashmir studies while also benefiting from an engagement with our field. A disability analysis can help us detail how the experience of "preexisting" disability is shaped by the environment of militarized occupation; and also how disability is a constant and regular *product* of this

environment. We can thus use these analytics to study at once how people with disabilities stand at an increased vulnerability to the violence of occupation, *and* how occupation mass produces disabilities by actively targeting Kashmiris for debilitation. For example, a recent report details how people with existing and identifiable disabilities become more vulnerable as targets:

> According to Jammu Kashmir Coalition of Civil Society (JKCCS), a human rights organization based in the valley, there have been at least 17 such cases where Indian armed forces have killed mentally disabled persons, and sometimes as allegedly mistaking them for militants in the last fourteen years.
>
> *(*Wande *2018)*

Two scenes from *Munnu*, Malik Sajad's poignant graphic narrative of Kashmiri life and death, living and dying under occupation, also speak to this intersection of illness/disability and the violence of occupation. In one scene, the young protagonist Munnu's blind grandfather visits Munnu's family, coming over from his home in Eidgah to Batmaloo (104). When shooting begins in the neighborhood during a crackdown, Abba is left outside in a little grove near the family house. As everyone else takes shelter in the house, Abba runs around blindly outside, disoriented by the sound of shooting and unable to find his way to the shelter of the house. At one point his son, Munnu's father, calls to him: "Abba, are you deaf? You'll get all of us killed! Come here now!" But Abba only bangs hard into tree after tree as he tries to negotiate the thicket, suffering bruises and injury in the process. Eventually he is rescued by his grandson Bilal, who darts out to get him amidst relentless gunfire, endangering his own life in the process.

The scene of "crackdown" reveals the exacerbated vulnerability of the disabled subject to survival in a changeable sensorial environment that is subject to the vagaries of war. In another scene later in the novel, Munnu's efforts to take his sick mother to the hospital illustrate the intersection of disability and debilitation. Here illness meets what Celeste Langan (2001) has called "mobility disability," diminishing "the difference between the 'cripple' and the ambulatory person who may well wish to move." On the other hand, the presumably "able-bodied" in Kashmir are living targets, always at risk of *becoming* disabled physically and psychologically. To return to Puar's use of "debility," the "slow wearing down of populations" is evident in Kashmir, even among those who do not experience diagnostic disabilities. Indeed, the latter often follows the former in Kashmir, as we see in Azad Essa's short film *Out of Sight in Kashmir* (2019), which profiles Farzan, a young Kashmiri boy who has been blinded by pellets and is left not only without sight but with a deep psychological impact, manifesting alternately as angry outbursts and depression.

The lens of disability also foregrounds how militarized occupation disables Kashmiris by disabling their social and infrastructural environment and modes of healing and wellness. Suhail Naqshbandi's 2016 cartoon expresses perfectly the relationship between the debilitation of humans and of infrastructure: an ambulance with broken windows is being ferried by two hospital attendants on a stretcher, in place of the injured body that usually occupies the stretcher. In Naqshbandi's own words, "in Kashmir, every rule of humanity is broken and even ambulance drivers are beaten by the security forces, their window glasses broken" – even as the injured being transported in these ambulances are targeted by the police and CRPF personnel (Maqbool 2016). As I write this, Kashmiris on social media debate whether loud sonic booms heard in Srinagar are the result of an earthquake or of controlled bombs going off, with contradictory information coming from the state, breeding a sense of precarity that leaves a long-term impact on every Kashmiri's psychological welfare and mental health.

In addition to understanding how occupation both impacts people with existing disabilities and produces *new* populations of people with disabilities, the theoretical frameworks of disability studies also allow us to discern the ableist underpinnings of militarized occupation as a structure. Occupation as an ableist regime functions by maintaining and widening the ability/disability gap between the body of Indian soldier and that of the Kashmiri subject.[3] On the one end, occupation produces the super-abled Indian soldier, whose physical abilities are hyper-capacitated by the prosthetic paraphernalia of guns, tanks, and barbed wire. On the other end, occupation also relies on producing the debilitated Kashmiri subject, whose body is vulnerable to torture, maiming, disappearance, and death; and whose heart and mind are vulnerable to the mental health effects of prolonged stress. Of course, the paradox of such violence is that perpetrators are not immune to being undone by the violence they commit, and so we also witness a wide prevalence of mental illness and suicidality experienced by the hyper-capacitated Indian soldier, who is often a member of one of the disenfranchised populations of India.

Within disability studies, feminist and queer disability analysis has also drawn our attention to the intersections between gender, sexuality, and ability in ways that are also fruitful for scholars in Kashmir studies to engage. A feminist disability analysis compels us to unearth the gendered scripts underlying the ableist militarized occupation delineated earlier. Consider for instance the scripts of masculinity and ability underwriting both the figures of the Indian soldier as well as the Kashmiri Muslim male protester. The discursive trope of the hyper-able-bodied, terroristic Kashmiri Muslim man directly sanctions their targeting by Indian state forces for incarceration, maiming, and disability. Meanwhile, on the Indian mediascape, Indian soldiers' vulnerability – which would be *otherwise* unmanning – is frequently underscored in relation to Kashmiri Muslim hypermasculinity. It is acceptable to cast Indian militaristic masculinity as vulnerable in the face of monstrous hypermasculine Kashmiri Muslim male. While the bodies of Kashmiri Muslim men are often among the most vulnerable to such targeted physical debilitation, Kashmiri women have also been subject to the embodied violence of rape and torture, as well as the traumatic fallout of the occupation and the torture, disappearance, and killings of young men in their families.

Critical Kashmir Studies, Southern Theories of Disability, and Indian Disability Studies

If, as discussed in the preceding section, Critical Kashmir Studies can clearly benefit from an engagement with disability studies, the latter field also has much to gain through an attention to Critical Kashmir Studies. In particular, recent calls to decolonize disability studies would benefit immensely – theoretically as well as ethically – from attending to the specific context of Kashmir as a site of ongoing colonization within the global south.

Recent scholarly efforts to decolonize disability studies have critiqued the prevailing "northernness" of disability studies originating in the West and have called for what Helen Meekosha (2011; see also Grech 2015) names "a southern theory of disability." Meekosha observes how a southern theory of disability would challenge the "scholarly colonialism" of much contemporary disability studies, which has focused mostly on experiences of disability in the global north, or else has simply exported these frames without modification to the global south. In contrast, Meekosha suggests, a southern theory of disability would not only make visible the experiences of disabled people in the global south but also examine the role of the global northern countries in *producing* disability in the south through geopolitical forces of war, toxic waste, and capitalist extraction. The context of Kashmir certainly contributes to such a goal, but it also expands and immensely complicates this putative decolonial turn in the field of disability studies.

Firstly, the case of Kashmir does not simply provide yet another example from the global south to correct the "northernness" of disability studies, but indeed compels us once again to interrogate the north-south colonial-postcolonial binary, in which colonial power is typically theorized as flowing from the global north to the global south. To be sure, Meekosha, Grech, and Staples are careful to underscore that the "global south" should be understood not simply as a geographical location that maps neatly onto the southern hemisphere, but also encapsulates the experience of marginalized communities within the so-called global north (for instance, indigenous communities in settler colonial societies of Australia and the United States, or immigrant communities within European countries).[4] Writing from Australia, Meekosha acknowledges the limitations of the binaries of "North/South" and "metropole/periphery"; nevertheless, she notes that such distinctions are essential as a starting point to examine the role of colonization in shaping disability, and vice versa.[5] In this vein she observes that the "North" still largely refers to the global economic and political centers of the (white-majority) countries of Western Europe and North America. In this analysis, "global south" still largely describes the erstwhile colonized or "postcolonial" nations of the hemispheric south. While this is an important point, colonial relationships between and within countries or regions of the global south remain elusive under this framework.

This model of theorizing colonial power is also embedded within Indian disability studies, which situates itself within this decolonizing turn in disability studies, without ever interrogating relations of colonial domination that have long existed within the Indian subcontinent itself. Indian disability studies has fruitfully attempted to confront histories of government-sanctioned poverty, malnutrition, and unemployment, while developing intersectional frameworks to account for the role of caste, class, and indigeneity in shaping disability in India (Addlakha 2013; Ghai 2015; Mehrotra 2020). Although these intersectional efforts are valuable and need to be expanded, Indian disability studies has failed altogether to engage the Indian state's own histories of colonial domination in regions such as Kashmir, the Northeast, or the Andaman Islands (Kanjwal 2019; Sen 2017; Wani 2020). Thus it has left intact the (albeit provisional and interrogated) binary of global north and south, tracing colonial *legacies* rather than *ongoing* forms of colonialism (Byrd and Rothberg 2011).[6]

In contrast to these aforementioned decolonizing efforts within disability studies, Critical Kashmir Studies compels us to consider the global south not as an automatically postcolonial zone (albeit one with its own stratifications), but one that *requires* decolonizing through specific attention to the relationships between nation-states and regions *within* the global south. Thus a disability-specific attention to Kashmir would require us to recognize Kashmir as a region that is now – that is, in the *present* – subject to settler colonization by a "postcolonial" country whose population is itself subject to high rates of poverty and disability that are a legacy of a history of British colonialism. As an instance of ongoing colonialism and a territory currently occupied by a state that is considered one of the primary exemplars of the "postcolonial" nation-state, Kashmir deflects any simple assumption of the global south as a postcolonial monolith. It suggests that disability-specific attention to global south must not only trace (as it has been doing) how disability in global south is facilitated by capitalist flows of the north, but also go beyond the north/south binary to consider colonial processes as they operate *within* the global south.

Beyond correcting First World knowledge formations by adding regional specificity; a truly decolonizing approach to disability must also consider the realities of ongoing colonization in the global south. In particular, Indian disability studies must task itself with foregrounding the role of Indian settler colonialism in actively producing disability in Kashmir, by engaging in close conversation with the field of Critical Kashmir Studies. As part of the decolonial turn to the global south in disability studies, it must confront the colonial violence of the Indian state

and interrogate the mass production of disability among Kashmiris through the state's use not only of mechanisms like torture and mass blinding, but through its destruction of indigenous Kashmiris' relationships to the land and placing Kashmiris in a state of perpetual psychological crisis.

Resistance and Disability Justice in Kashmir

In conclusion, a disability analysis for Kashmir must also account for the ways in which Kashmiris have effectively contested the continual debilitation of Kashmiri people, vitality, and life in a range of ways. The long fight for self-determination is itself a fight against the daily attrition of Kashmiri life and health through the imposition of long curfews, the curtailment of movement, the shrinkage of space for expression and communal being, the decimation of mental health, and of course the active targeting of Kashmiris for violent destruction. Insofar as this struggle seeks to stall the debilitating juggernaut of the state, it is imperative to consider it as a form of disability activism in Kashmir, just as Puar (2017: 160) argues in the context of Palestine that "acts of protest must be embraced as forms of disability activism and resistance."

Kashmiri cultural production also provides a rich resource for understanding how Kashmiris understand and contest the debilitating regime that shapes everyday life in Kashmir. One recent example of this that I have examined elsewhere was a "resistance calendar" developed by the Kashmiri youth group Aalaw to counter the Indian state's opportunistic use of "female empowerment" and disability-positive rhetoric in order to secure its credentials as forward looking and "inclusive" of Kashmiris in its vision of positive citizenship (Misri 2020).[7] Specifically, Kashmiris engaged in a visual contest against the visual scheme of the 2017 Jammu and Kashmir Bank calendar, which had featured 12 "talented youth[s]" of the state who had "made the entire state proud by following their dreams" (*Greater Kashmir* 2017). The bank calendar's January page had featured eight-year-old kickboxing champion Tajamul Islam, in a "(girl) power pose"; a few pages later, on the August and September pages, the calendar featured "inclusive" representations of disabled athletes and artists as productive citizens of the nation. Recognizing the bank calendar's manipulative use of the Kashmiri girl athlete (and more largely of the image of Kashmiri youth), the Aalaw calendar instead foregrounded a representation of gendered disability, offering on its own January page an image of the pellet-marked face of 14-year-old Insha Malik, who had been blinded when Indian forces sprayed a volley of pellets at Kashmiri protesters. This counter-image of Insha as a counter-icon of "Kashmiri youth" did two things: (1) it spectacularized the debilitation carried out by the Indian state by revealing its impact on the very Kashmiri youth being celebrated in the bank calendar, and (2) it offered a vision of disability that was starkly opposed to the recuperative images of productive disability offered by the bank calendar, where for instance the disabled painter Sanjay Saraf was celebrated as "globally recognised for canvas paintings" while the "specially abled skater" Chandeep Singh was upheld for winning a bronze in a national skating championship. In foregrounding Insha's debilitation in a tragic rather than an aspirational register, the Aalaw calendar offered a potent view of the violence of the occupation, while also cannily rejecting gestures of "feel good" disability acceptance that only consolidate the larger debilitating machine of the settler colonial state.[8]

This is not to say that the goals of inclusion and access that are prized in much of disability studies scholarship are irrelevant in Kashmir. On the contrary, in a context where the state maims Kashmiris every day in direct and indirect ways, questions of access, amelioration, and care remain crucial. And yet as they strain under a long occupation, Kashmiris have often been clear that the state cannot be the only avenue of care if they are to maintain their right to

advocate for their own political future. They have therefore developed their own networks of care. In 2019, Kashmiris in the Anchar neighborhood of Srinagar were freshly targeted with pellet guns as Anchar emerged as a major hub of protest against the revocation of statehood and suspension of Article 370 on August 5. As state police in plain clothes were known to comb the hospitals looking to arrest injured protesters, Anchar developed its own system of aid as an army of "pellet experts" treated the pellet injured utilizing amateur first aid kits comprising blades, Dettol, cigarette lighters, and cycle spokes to disinfect injuries and disembed pellets. While such amateur measures to treat injury and debilitation do not compare in quality to professional medical care available at hospitals and do not by any measure represent an ideal level of health care, they tell us much about what Kashmiris find most debilitating to their physical and mental well-being. Between the physical injury of pellet guns and the psychological impact of the sustained debilitation of their sovereignty, it is clear that staying safe from physical injury is hardly to stay safe from disablement altogether. Scholars in both Critical Kashmir Studies and disability studies are obliged to adapt our analysis to recognize how under conditions of settler colonial occupation, disability is the norm rather than the exception, and no one living under such conditions inhabits an "able" body or mind. Placing disability justice frameworks in conversation with indigenous activism organized around relationships to land, Jaffee and John write: "Imagining futures wherein disability is legible as radical possibility or desirable difference must be simultaneous with confronting the corporeal violence of exploitation that produces disabled bodies and renders spaces inaccessible, physically and spiritually" (Jaffee and John 2018: 1419). This must be our brief.

Notes

1 A news item in *Al Jazeera* notes that "According to the report, 50 percent of women and 37 percent of men are likely to suffer from depression; 36 percent of women and 21 percent of men have a probable anxiety disorder; and 22 percent of women and 18 percent of men suffer from post-traumatic stress disorder (PTSD)" (Tamim 2016).

2 On August 5, 2019, the Indian government announced the removal of Article 370 of the Constitution of India, a provision that had maintained a semi-autonomous status for the state of Jammu and Kashmir since 1954. Under this change, Jammu and Kashmir would no longer be a state, and would be bifurcated into two union territories (Jammu and Kashmir, and Ladakh), to be governed directly from New Delhi.

3 I draw here on Rosemary Garland-Thomson's analysis of disability as part of an "ability/disability system [which] produces subjects by differentiating and marking bodies" (2002: 5). In Garland-Thomson's view, however, this differentiation is largely cultural and "ideological rather than biological," a product of social and environmental norms. My analysis above on the other hand foregrounds the production of bodily difference between the Indian soldier and the Kashmiri (whether civilian or militant, since the armed capacity of the latter rarely matches up to that of the soldier, often seated in an armored vehicle that serves as the extension of the soldier's body).

4 In calling to decolonize disability studies from the perspective of the global south, these scholars draw on the framework of "global south" to complicate the earlier binary of politically and economically privileged "First World" nations and marginalized "Third world" nations, by calling attention to the deep inequities existing within the former.

5 Meekosha (2011) also attends closely to the production of disability by northern imperialist settler colonial regimes in the present.

6 Byrd and Rothberg's (2011) analysis of the tensions between postcolonial and indigenous studies resonate with the larger field of indigenous studies, which has pointed repeatedly to postcolonial studies' failure to engage with ongoing forms of colonialism in the present.

7 This vision of citizenship was offered by the then finance minister Haseeb Drabu as the "positive" counterpart to the youth who had taken to the streets in angry protest against the Indian administration after the killing of the Hizbul Mujahideen commander Burhan Wani.

8 A fuller discussion of this calendar and its optical aspects can be found in Misri 2020.

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6
HORTUS INTERRUPTUS
A Time for Alegropolitics in Kashmir

Ananya Jahanara Kabir

Introduction

Roshe walla meyani dilbaro
Poshan bahar aaw yuur walo

(Come to me stealthily, my love
Come, the flowers are in bloom!)

Kashmiri folk song, cited in *Haider*
My roots cling to the fading scent of springs past.

Why keep me waiting long?
Asiya Zahoor, "Insomniac Almond Tree Speaks"

Consider these epigraphs: one, a lover's call to their beloved in response to the quickening rhythms of springtime, and the second, a ventriloquized almond tree, impatient with the burden of "springs past" and of waiting for change. The first epigraph, in the Koshur language, is from a Kashmiri folk song that appears at a prominent moment in the film *Haider* (Bhardwaj 2014), Bollywood director Vishal Bhardwaj's adaptation of Shakespeare's *Hamlet*, to dramatize the conflict in Kashmir, through a screenplay co-written with Kashmiri author Basharat Peer (Bhardwaj and Peer 2014). The second belongs to a poem in Kashmiri poet, filmmaker, and scholar Asiya Zahoor's first published anthology, *Serpents Under My Veil* (Zahoor 2020).[1] Despite differences of language, genre, tone, and the material circumstances of their originating texts, both epigraphs draw on the same source: a set of tropes involving birds, blossoms, gardens, and the arrival of spring after winter. Although usually conveying hope through the awakening of sensuous love, within both Zahoor's poem and *Haider*, these tropes are redeployed to comment on Kashmir as a conflict zone. Interrupting the cyclical, seasonal temporality of the garden, the poem and the film each call for a new time by demanding a new approach to attachment and care of the self.

Kashmir has long been presented as a garden within creative production from the region and analysis of imaginative representations of it (Kaul 2015; Waheed 2015). Specific descriptive

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components of this garden circulate within an imaginary of Kashmir as "a territory of desire" (Kabir 2009). This discursive construction of Kashmir has proceeded through intersubjective investments in a complex fantasy from a defining moment: the entry of the camera into the Valley of Kashmir. From the late nineteenth century, this predominantly visualized fantasy of desirability accrued multiple dimensions: natural beauty, civilizational antiquity, the erasure of Kashmiris from the land, and attempts by diverse autochthonous parties to reoccupy it symbolically and materially. Crosscutting this layered structure of desire are successive interventions from postcolonial India as occupying and neo-colonizing force (Duschinski et al. 2018). The most recent phase commenced on August 5th, 2019, with the reduction of the erstwhile state of Jammu and Kashmir into two union territories, diminished territorially and in terms of federative autonomy through the abrogation of its constitutionally enshrined special status. I place the persistent allegory of the Kashmir Valley as garden against these developments. This horticultural imaginary bestows on the space a civilizational depth and contour crucial to Kashmiri self-representation. Although, in literary critical terms, it can be analyzed through the lens of "pastoral" (Kabir 2016), it differs from the latter's sylvan attributes that are contrasted to urban sophistication.

The Kashmir Valley, in folksong, poems, tropes, and visualizations, is evoked as what the biblical and medieval Latin traditions would have called *hortus conclusus*, or enclosed garden (Aben and De Wit 1999), and the Indo-Persian tradition, *gulshan* (Roth 2019), an ornamental garden of perfumed, delicately colored roses (*gul*) that are ever more precious because ephemeral. While this garden's seasonal temporality reminds us of the Western classical *carpe diem* tradition, its Persianate genealogy brings into the fray the *bulbul*, or nightingale. Indigenous traditions contribute other avian and floral personifications – the narcissus, the bird of prey – to nuance the lyrical allegories they service. This imaginative toolkit circulates within Kashmir as a collective, lyrical memory of how its beauty is articulated, even while dramatizing the relationship between beauty, desire, and time as a philosophical and mystical conundrum. Grasping the experience of beauty against the ever-moving axis of time is by no means a preoccupation exclusive to Kashmiris. But the circumstances of a long-term conflict zone make Kashmir's "crisis in time" (Falak 2019) particularly urgent and intractable. I present and probe these specificities through two responses to Kashmir as *gulshan*: the film *Haider* and the creative work of Asiya Zahoor.

In both responses, the *gulshan*'s blossoming has been indefinitely stalled by a chronic disorientation of its spiritual compass. I call this status quo the *hortus interruptus*. The allusion to *coitus interruptus* is deliberate. *Hortus interruptus* draws attention to the conflict's impact on Kashmiri subjectivity by highlighting the repercussions on women's experience of sexual pleasure. The prudery that usually attends such matters in the Indic domain is exacerbated by the psychic toll of a conflict zone, as well as the war waged on women's bodies in any militarized space. The convergence of these issues has forestalled talk of pleasure in the context of Kashmir. Can there ever be an appropriate time for a woman's pleasure? How much more inappropriate must such pleasure be when the apparatus of the state relentlessly exacts its necropolitical toll on bodies (Mbembe 2019)? I tease out from the *hortus interruptu*s the possibility of a new temporality for Kashmir: a time for *alegropolitics*, or the political potential of the traumatized, violated body seeking to extract from horror a defiantly resistive joy (Kabir 2020). While *Haider* foregrounds heterosexual relationships as the arena for its focus on women's pleasure, it allows glimpses of a wider spectrum that includes autonomous and embodied self-expression, and a communion of bodies with nature. Zahoor's creativity explicitly ranges across this alegropolitical spectrum. Her work leads us out of an impasse that *Haider* cannot move beyond. The necessity of alegropolitics within Kashmiri resistance strategies emerges through Zahoor's embrace of a Kashmiri phenomenology of time – interrupted and derailed, yes, but also reconfigured and reoccupied to

make space for female agency. Zahoor's alegropolitics sets out an agenda of a radical love and care of the self. It is through looking after herself, her work suggests, that the Kashmiri woman gains agency to respond to the always urgent political call for *azaadi*.[2]

The Garden's Stymied Business

Departing from classic Bollywood depictions of Kashmir involving verdant meadows and blue lakes framed by snow-clad mountains (Kabir 2009), *Haider* consciously gives us a cinematography of winter. This visual mood suits the heaviness of a film about the Kashmir conflict that does not let us forget that it is an adaptation of a Shakespearean tragedy (Sen 2018), itself set in the dark North of Europe. Our expectations as viewers are answered by a snowscape that moves down into the valley from the framing mountains to cover the surfaces of everyday life. The bleak beauty of winter light filters through tree branches stripped bare of leaves. Nevertheless, there is a counterpoint: a well-known *ghazal* about impending springtime, composed by Faiz Ahmed Faiz and famously interpreted by Mehdi Hassan. We first encounter it when Haider, face-to-face with his burnt-out home, remembers happier times there. Within "flashes of his childhood [that] appear before him as he walks through the house" (Bhardwaj 2014: 37), we see the boy Haider with his father, Hilaal, who recites the *ghazal*'s first line: *gulon mein rang bharein, baad-e-naubahaar chalein* ("let the roses fill with color, let the spring breezes play on"). Haider, on some prompting, completes the couplet: *chaley bhi aao ki gulshan ka karobar chalein* ("please come soon, so that the garden can go about its business"). This couplet, first given through flashback, becomes a leitmotif for the reactivation of Hilaal's memory in the present.[3]

When the mysterious Roohdar (the film's equivalent of Hamlet's ghost) appears in Haider's life, it is through this couplet that he reveals his knowledge of Hilaal's fate after he had been disappeared (Bhardwaj 2014). The iteration of its first phrase ("let the roses fill with color") performs an injunction to act, transmitting Hilaal's double-coded command through Roohdar as message-bearer: *avenge your father/ ensure the onset of spring*. At the snowed-in graveyard where Roohdar meets Haider, death and winter combine to weigh down the present with negative affect. These binaries are set into motion earlier when Haider broods over his absent father along with his friends, the grotesquely comic duo of Salman and Salmaan. Haider intersperses their absurd dialogue with two fragments from the *ghazal* (Bhardwaj 2014: 63). The first, *gulon mein rang bhare*, we have already heard Hilaal deliver. The second, *qafas udaas hai yaaron, saba se kuch to kaho* ("the cage is unhappy, friends, go say something to the breeze") comes from later in the *ghazal* than its opening couplet, and thus reaches for an intertext beyond the audible range of the film. That Faiz wrote this *ghazal* while imprisoned for his anti-colonial activities lends additional resonance to Haider's citation of the "unhappy cage," especially in light of his observation in this scene, *pura Kashmir qaidkhana hai dost* ("all of Kashmir is a prison, my friends") (Bhardwaj 2014: 64).

Alongside the injunction to usher in the spring, then, is a competing insistence on the cage or *qafas* that, together with the adjective *udaas* (melancholic, sorrowful, sad), generates a negative effect. The alliteration of *qafas* with *qaidkhana* (prison) connects imprisonment with the stymieing of cyclical, seasonal temporality. This prison is both Kashmir and the body of the Kashmiri. The reappearance of *udaas* within another dialogue suggests what kind of a body this may be. Haider's grandfather tells his daughter-in-law (and Haider's mother) Ghazala that "this house is a ruin without your laughter" (Bhardwaj 2014: 84). Ghazala's relationship to an idealized domesticity and its pedagogic propagation had been established early on in the film: the first time we see her is as a schoolteacher, asking her pupils to repeat after her the question, "what is a home?" and repeat, too, clichéd answers about home as the site of the happy

heteronormative family comprising mother, father, and siblings (Bhardwaj 2014: 12–13). That hopeful naïveté is rapidly shattered by a sequence of events culminating in the Indian army's arrest of Hilaal and annihilation of their beautiful and elegant home, decorated to high standard with Kashmiri artisanal work. Through a web of verbal echoes and semiotic seepages, then, connecting separate points of narrative time, the film suggests that the melancholia of the garden's stymied business impacts home and land alike through the woman whose laughter can no longer be heard.

My Stealthy Love and Her Stolen Laughter

Ghazala's laughter is an expression of embodied joy – what in Spanish is called *alegría* and in Portuguese, *alegria* (Kabir 2020). It is linked to her relationship with Khurram, the younger brother of her husband Hilaal, that the film does not shy away from flagging up as transgressive. While derivative of the Horatio-Gertrude relationship that powers the revenge plot in *Hamlet*, the mutual attraction between Ghazala and Khurram antedates the horizon of the narrative present. During the same visit to her father-in-law, they embrace with a hint of an erotic charge, and, on being questioned by Ghazala and his father as to why he doesn't want to marry, Khurram declares, "it's because all the pretty ones are taken, just like you!" (Bhardwaj 2014: 85). Such banter between a married woman and her *devar* (younger brother-in-law) has had long sanction in the Indic world. With Hilaal's disappearance, however, we have no option but to deal with its barely concealed sexual frisson – particularly because we assess their affection through the eyes of Haider, who returns to Kashmir from his university in the plains of India to confront the destruction of his home, the disappearance of his father, and the burgeoning romance between his mother and uncle. Indeed, on stumbling unannounced onto their flirtation, it dawns on both him and the audience that this could have a longer, and thus arguably even more unacceptable, timeline: "has your musical been on for a while," he inquires sardonically, "or did this romantic production begin . . . after father's disappearance?" (Bhardwaj 2014: 53).

Haider's discovery of this intimate moment between Khurram and Ghazala, at the very moment that he seeks her out, is all the more powerful because he overhears Khurram singing the couplet from the Kashmir folk song that forms my first epigraph and urging Ghazala to join. After some coyness, she accedes. As she hums, Khurram dances in a Kashmiri folk style. Their interaction is framed by the view of mountains from the open windows and translucent fluttering curtains suggestive of a freshness and openness as well as the springtime breeze that will awaken the garden. The lyrics confirm the alignment of the horticultural trope with sensual arousal: "come to me stealthily, my love, come, the flowers are in bloom!" (Bhardwaj 2014: 48). This is exactly the moment that we – as well as Haider – hear Ghazala's laughter. The scene is framed by Haider's approach and it is with his eyes and ears that we apprehend its meaning. Ghazala's response to Khurram's flirtation is abruptly quelled by the advent of her son, who is later castigated by his uncle for having robbed his mother of her first smile in months. Hence the laughter that is interrupted by Haider emits two connotations. As the source of feminine *alegría*, it ensures the plenitude of the heteronormative home built on the marital relationship, and ever more urgently required with the Indian state's willful destruction of the structures of Kashmiri society. But, in being channeled toward Ghazala's surreptitious romance with her brother-in-law, and thus intervening within the marital relationship, it also threatens that plenitude's reestablishment.

An alegropolitical reading must extract the significance of these contradictions in the context of a conflict zone. Through the moral censure which the son brings to his mother's singing and laughter, *Haider* suggests an elemental disturbance that draws gravitas from the grandeur of

Shakespearean tragedy. This fraternal fracture inherited from *Hamlet* is calqued on to the murky politics of Indian-occupied Kashmir: on the one hand, Hilaal's death is squarely attributed to his torture at the hands of the military; on the other, Khurram, the usurper, participates knowingly in the farce of democracy that plays out in the Valley. Not only is *eros* split off from *domus*; the perturbation of its spiritual compass that the film suggests through this split is heightened through two elaborations it introduces within the Hamlet story. First, drawing on the Kashmiri men who have regularly been disappeared by the Indian state, it keeps open the possibility that Hilaal, too, may have disappeared rather than died. Second, it places a Kashmiri folk song – the only time during the film that we hear the Valley's autochthonous language, Koshur – in the mouths of Khurram and Ghazala, at the very moment their mutual attraction becomes evident to Haider. Although impacting on the narrative level differently, these elaborations bestow an ethical dimension to the garden's stymied temporality. Further, they complicate that dimension by connecting it to the ambivalence transmitted through Ghazala's stolen laughter.

Half-Widow, Half-Bride, Mother (Tongue)

Unlike Hamlet, Haider faces – at least initially – not the fact of his father's murder but his presumed disappearance. This resignification of Bhardwaj's source text by a swerve toward Kashmir owes to his discovery of Basharat Peer's memoir of a Kashmir childhood, *Curfewed Night* (Peer 2010; see Bhardwaj and Peer 2014: vi; Singh 2014; Hoydis 2020). As co-writer of the screenplay, Peer brings to it his lived experience as Kashmiri in India. The consequent triangulation of Shakespeare, the Bollywood apparatus, and the Kashmir conflict, itself deeply shaped by that apparatus, has been commented on in scholarly and popular domains – but largely to determine the postcolonial motivations behind and consequences of Bhardwaj's adaptation of Shakespeare.[4] Some discussions do recognize the film's mobilization of two "intertexts" – *Hamlet* and *Curfewed Night* (Hoydis 2020) to depart from Bollywood Kashmir and reveal, instead, a society scarred by disappeared men and the quest for justice led by their mothers and wives (Sen 2018). What remains unremarked on in academia and popular commentary alike is the film's consequent focus on Ghazala's sexuality. A Kashmiri woman designated "half-widow" on the disappearance of her husband finds herself in a limbo that is not merely juridical (Zia 2016). Kashmiri society expects her to eliminate all hints of womanliness as she traverses the public sphere, even if she presents herself very differently at home. This specific burden of the conflict on Kashmiri women is highlighted through Ghazala's refusal to conform silently to these societal expectations of the half-widow. Indeed, in a remarkable scene with Khurram, she calls herself "a half-bride." In one stroke, an abnormal state normalized through long-term conflict is defamiliarized, its implications for a woman's sexual needs laid bare.

Hilaal's absence does not provoke in Ghazala a longing for him; rather, she expresses frankly to a shocked Haider the revulsion she used to feel toward his father's selfless medical work. "Hilaal had lost himself in the hospital, a saint saving lives. His clothes, his skin reeked of blood. The smell of death" (Bhardwaj 2014: 91). For a film that foregrounds the violence on Kashmir and Kashmiri bodies perpetrated by the nation-state, it is a bold move to remind us simultaneously that such violence ricochets within the home and the family to damage the woman who is meant to hold together this structure. Ghazala's memory of being repulsed by Hilaal's medical work joins her rejection of "half-widow" status to critique powerfully the conflict's toll on Kashmiri women – through a pointed invocation of temporality. As Ghazala reminds Haider, "The wives of disappeared people are called 'half-widows' here. We can only wait" (Bhardwaj 2014: 92). The implications of this waiting unfold through the couplet Khurram sung to her. Hilaal reeks of blood and death; Khurram woos her with the fragrance of springtime blossoms

and the promise of sexual quickening. Although as "half-bride" she wants to respond to his overtures, as "half-widow" she cannot. Haider's interruption of Ghazala's song literally interrupts the trajectory of the blossoming garden. That this metonymic link is established through a Koshur folksong adds another affective dimension to Ghazala's desire to break through stasis and enter another temporality.

Since most Indians have little idea even that the Valley possesses an indigenous language called Koshur (Kabir 2009), we can safely see Peer's (rather than Bhardwaj's) hand behind the insertion of this couplet. In constellating the relationship between Khurram, Ghazala, and Haider around it, Peer draws on the universal metaphor of mother (as) tongue, additionally charged by the debilitations of long-term conflict on Kashmiri collective identity. "Oh my Koshur mother, I swear, you are my vision and you are my cognition," wrote Kashmiri poet, Rahman Rahi, responding to those debilitations (Kabir 2009: 137–138). If Ghazala is mother (tongue), moreover, Hilaal is associated with an Urdu *ghazal*, albeit one that uses the same horticultural imagery as the folksong. This shared content reminds us of the multilingual history of Kashmir within which the two languages circulate (Kabir 2009: 135–141). The Urdu *ghazal* recited by father and son, and the Koshur folksong, sung by mother and brother-in-law/ lover, constitute an interlocked affective system whose meaning derives from the competition and collaboration between these languages within the collective Kashmiri psyche. Rather than seek to reconcile their conflicting affective charge, Peer has exploited it to suggest the irreconcilability of Haider's and Ghazala's positions. While Ghazala longs for release from stasis through a confirmation of Hilaal's death, Haider demands the opposite: "please tell me mother, he's alive, he's alive!" (Bhardwaj 2014: 93). This fundamental divergence of interests is pulled into a deeper affective domain through the connotations of Urdu as a language of cerebral refinement, vs. Koshur as the language of domesticity and embodied pleasure.

Escaping the Cage, Evading the Hawk

Peer's citation of the Koshur folksong about love in springtime activates recognition of a long Kashmiri investment in the Indo-Persian horticultural tradition. During the modernist period in Kashmiri literature, this investment took on a specifically political turn – indeed the bold reworking of *gul-bulbul* imagery by a poet such as Ghulam Rasool Majhoor is the very articulation of Kashmiri literary modernity (Kachru 1981). For Kashmiris cognizant of their literary culture, the folksong in *Haider* exists in a continuum with Mahjoor's poetry, where the mythopoetic atemporality of the former is infused with the latter's participation within a wider political awakening amongst the Koshur-speaking population of the Kashmir Valley. The affective associations of the language as mother tongue enables the lyric mode not only to permit the coexistence of these contrary principles but also enhance their allegorical potential. Mahjoor's famous poem "Vwolo ha bagvano" (Come, gardener) clearly capitalizes on this semantic shimmer: "Who will set you free, captive bird, crying in your cage? Forge with your own hands, the tools of your own deliverance" (Raina 1972: 1–5). This command, of proverbial ubiquity amongst Koshur speakers, marshals the emotive power of the language to transform a recognizable mythopoetic trope into a performative call for linguistic and subjective autonomy. Cyclical temporality of the seasons is converted into the radical temporality of revolution. A rupture of normality's placid surface is urgently demanded so as to break through to another time – precisely that of Sheikh Abdullah's manifesto for *Naya* (new) *Kashmir* (Kanjwal 2018).

Mahjoor infuses his garden with a sense of immanent, trembling chaos. Thronging the garden's gates are thousands of laughing hyacinths even as inside, rank nettles proliferate, threatening to choke the roses. The gardener's measured maintenance of order has to quicken in pace to

manage this dangerous acceleration. A series of imperatives articulates this new temporality as hope, demand, and necessity, while linking the gardener's speed-weeding to the revivification of the stagnant garden with its caged birds and the creation of autonomous modes of breaking free: "who will set you free, captive bird, crying in your cage? Forge with your own hands, the instruments of your deliverance!" Mahjoor's garden in distress revamps the inherited *gul-bulbul* imagery by drawing on new personifications and a new temporality. Within modern Kashmiri poetry, a further twist to the horticultural assemblage is provided by Mahjoor's successor Rahman Rahi, whose first anthology *Nawroz-i-sabha*, published in 1958, supplements the caged bulbul and the watchful gardener with new *dramatis personae* – "the sparrow hawk in ambuscade for the oriole." This predatory bird (Koshur, *baez*) swooping down on the songbird in flight to carry it off in its talons reappears in Agha Shahid Ali's poem, "A Pastoral" (Ali 1997), which, through intertextual allusions to both Rahi's scenario and Mahjoor's *bulbul* in springtime, masterfully heightens the mounting danger and accelerated temporality that must attend hopes of returning to Kashmir.

Running through modern Kashmiri literature, then, is a dense intertextuality around precarious and vulnerable songbirds. This inner history is picked up in *Haider* to present Kashmir as a *hortus interruptus*, both stuck in time and ever susceptible to danger. In responding to Ghazala's fears on discovering the schoolboy Haider's attraction to Kashmiri militancy, her father-in-law adopts a gnomic tone: "these are dark days. Birds of prey (*kaale parinde*) are circling above – they prey without care – kites (*cheel*) grab sparrows (*chooze*) and falcons (*baaz*) feast on nightingales (*bulbuls*)" (Bhardwaj 2014: 83). This avian gallery anticipates the film's spectacular set-piece, the song *Bismil*, that corresponds to the "play within the play" in *Hamlet*. The song is performed by Haider and supporting dancers as wedding entertainment for Ghazala and Khurram. Through lyrics, choreography, and setting, it deftly gathers the film's manifold uses of the horticultural assemblage into a dramatic problematization of female sexuality, time, happiness, and danger. In this task, *Bismil* leans heavily on the Koshur literary tradition of avian precarity in conjunction with the garden setting. It thus moves into a distinctly Kashmiri affective register a recognizable feature of both English early modern theatre and Bollywood films: the play within the play on the one hand (Nelson 1958) and the song and dance number on the other (Gopal and Moorti 2008). The interruptive quality shared by both metatheatrical devices consolidates the *gulshan* as the *hortus interruptus*, even while giving viewers the key to the film's message about love and longing in a conflict zone.

Reddened Jhelum and the Sacrifice of Joy

Unusually for Bollywood, *Bismil* bestows on Kashmiri masculinity an uncompromising alterity – through not guns and Islam (Kabir 2010) but, instead, signifiers drawn from the embodied and performative culture of Kashmir. Against the stunning setting of Anantnag's Martand (Sun) Temple, long associated discursively with pre-Islamic Kashmiri antiquity (Kabir 2009: 80–94), an all-male troupe led by Shahid Kapoor in the role of Haider dances vigorously to bellicose percussion. The hint of menace in their athleticism is cathected on to towering puppets drawn from the Kashmiri folk theatre *bhand pather*, particularly that of the bird of prey (Urdu *baaz*; Koshur *baez*). These props reactivate the satirical and allegorical function of *bhand pather* even as its language and theatricality morph into a Bollywood-style song-dance number, while the latter's other semiotic dimension, that of its lyrics, is developed into a parable of the *hortus interruptus*. The song turns the standard *gul-e-bulbul* imagery on its head: *don't* rendezvous with the rose, it warns the nightingale. It subsequently evokes another scenario – a happy man and woman whose coupledom is destroyed by a falcon circling the garden with death in its wings.

Intertextually recalling the songbird in the bird of prey's talons as well as the springtime garden, the connection is made only to be perverted: the rose exudes poison, not love. As the lyrics end with the blood of the murdered man reddening the Jhelum river, reality, both intra- and extra-diegetic, shatters the mythopoetic register.

A play of meaningful gazes between Haider, his mother, and his uncle/stepfather encourages the song's internal and external audiences to identify the waylaid woman as Ghazala, the murdered man as Hilaal, and the rapacious falcon as Khurram. However, the sacrificial nightingale that remains ungendered opens out the allegory to wider possibilities: the songbird could be Ghazala, any Kashmiri – including Haider – and even Kashmir itself. The deceptive *gul* and dangerous *baaz* begin signifying a host of forces threatening the multivalent *bulbul*'s happiness – from Khurram's machinations, to the Indian occupation, and, equally, Haider's possessiveness of Ghazala. By muddling expected alignments between pairs of symbols and the symbolized, the song presents the Kashmiri psyche as a confused field of competing demands. The confusion is compounded by Haider and Khurram both claiming Ghazala's affections through indigenous cultural forms: Khurram had wooed her with a folksong; now Haider channels folk theatre to castigate his mother for remarrying. These conflicting mobilizations of Koshur as mother (tongue) recalls but also dissipates Majhoor's message of self-reliance to the *bulbul* – "forge with your own hands, the tools of your deliverance." Since home as a physical site is the first casualty of conflict, only embodied resources for such "deliverance" remain. The film suggests that these resources can become efficacious when channeled in different ways: through language as orality, through the physicality of performance, through the body in nature, and through (hetero)sexual fulfilment. Simultaneously, it suggests that under current conditions in Kashmir, such channeling is nigh impossible.

The film complements Ghazala's frustrated sexuality with the initially joyous relationship between Haider and Arshia (the Ophelia figure). Their tender lovemaking, their intimate jokes involving the Kashmiri accent, and their embrace within the hollow of a Chinar tree after dancing with a troupe of *bhands* in a village, together suggest that, even in the midst of devastation, embodied joy or *alegría* emerges as a healing force when *eros* is in consonance with nature *and* with creative (including humorous) uses of the mother tongue. Yet this possibility is raised only to be crushed. Haider's inability to accept his mother's sexuality is entangled with his barely disguised Oedipal attraction to her, as figured in an erotically charged scene before her wedding where he plants a kiss on her neck while fastening her wedding necklace. The pathology of Haider's erotic attachment to his mother inescapably impacts his relationship with Arshia. At the same time, her father's collusion with Khurram's dirty politics and her brother's possessiveness situate hyper-patriarchy and the loss of moral bearings as the effect of long-term conflict on the Kashmiri psyche. By the end of the film, the thwarting of sexual desire figured as the *hortus interruptus* extends across the very land, and indeed, transforms it into a limitless graveyard. This macabre setting for dialogues and songs follows the logic of Achille Mbembe's "necropolitics" (2019), inexorably leading to the narrative's self-detonation through the suicide bombing of Ghazala. For Mbembe, the suicide bomber is the logical culmination of resistance that seizes from oppression the most radical agency possible. *Haider* transmits a somewhat different message: Arshia and Ghazala may exert ultimate sovereignty over themselves, but their deaths foreclose the possibility of a time for pleasure in Kashmir.

An Urgent Way for Her Body to Learn Slowness

Haider boldly positions female sexuality as the hinge between the "mournful disquiet surrounding the notion of time" in Kashmir (Falak 2019), and the disruption of that disquiet through

flashes of embodied joy. Yet it cannot follow through its radical realizations. The suicides of Ghazala and Arshia are the vanishing point where alegropolitics meets necropolitics; Haider may have exacted his revenge in forcing Khurram to live his own "half-life," but this conclusion uneasily projects Khurram, wounded, hovering between life and death, as representing the stasis of Kashmir society, suspended in what I earlier called "cryptopolitics" (Kabir 2009: 144–149). More than a decade after I examined the cultural productions that led me to that formulation, I seek evidence from Kashmir for hope as a *resistive temporality*. While reflecting my own evolution, this move does not want to deny the experience of stasis as Kashmiri reality. Indeed, the refusal to "move forward" in step with the Indian state's blueprint for Kashmir's "progress" is itself an act of resistance (Falak 2019) configuring an alternative phenomenology of "crip time" (Misri 2020). Grappling with multiple temporal phenomenologies is fundamental to the struggle to articulate a Kashmiri subjectivity through and in conflict. *Haider* harnesses the desiring machines of the oppressor to suggest, to the viewing public of the postcolony, "crip time" as a condition of the Kashmiri present. But to figure through it hope as and for another future, representation has to accommodate the distension of time predicated by a woman's demands for her pleasure. This "erotohistory" (Freeman 2010) also must evade the constrictions of a heteronormative and ableist (Misri 2020) framing of that pleasure.

This frame dominates *Haider*, shaping its inability to depict an alegropolitics of female self-fulfillment beyond the horizon of necropolitics. The film underlines its own shortcomings through the red wool muffler that Arshia knits for her father. Used to bind the hands of her lover Haider, and then abandoned outside his once-beautiful burnt house, it ultimately unravels as does Arshia's life. Its disintegrating trail leads me to a very different cinematic outcome for resistive temporality when materialized through female creativity: Asiya Zahoor's lyrical *Stitch* (Zahoor 2018), which uses its 7.49 minutes to communicate an alternative response to daily life confined and menaced by barbed wire and gunfire. Deploying these signifiers of Indian occupation, Zahoor's camera interrupts its own task of immersing the viewer in the sights and sounds of Kashmiri nature (birdsong, river and mountain, the squelch of mud) that constitute its young female protagonist's world. Just like the jagged tear on her headscarf as it catches the barbed wire, which this schoolgirl clumsily stitches together, the conflict ruptures existence on the level of her body as it grows into awareness of femininity and its public presentation. Curfew robs our protagonist of the opportunity to enter an art competition whose prize money equals the price of a new headscarf. Even as her sketches of the mountain landscape flutter to the ground, she transposes the stitch on to a self-portrait, only to shade over it with intensely focused strokes. Her cover-up of a cover-up transmits a coming of age through the realization that waiting during a curfew without end can be surmounted by another temporality – the urgency of the pencil stroke that makes creativity her salvation and solution.

In Majhoor's words, again, "forge with your own hands, the tools of your deliverance!" The schoolgirl's fierce energy combines with Zahoor's haptic focus on her feet stepping carefully through mud, up the stairs, and across boulders. We feel her body learning to navigate world on her own terms. The seizing of agency through a sensuous awareness of the female body in space is also a reoccupation of time, a modulation of urgency and slowness initiated by the woman as creator of art. It is Zahoor's cinematographic (and philosophical) answer to the conundrum expressed through her personification of the almond tree in the poem which gave an epigraph to this essay. Zahoor's insomniac tree can neither sleep nor breathe (Zahoor 2020: 43–44). Aligning itself to the women "on their way/ to the Psychiatrist hospital up the hill" it asks us, readers, "to ring the gardener." The tree is sick – of waiting for spring to come; and it is afraid of "regressing" to a future where its "wounds would rust." This "crip" intervention within linear time nevertheless ends with an address of hope to the gardener: that he would come soon. After

all, "I stayed awake all this while/ to shelter the story of your blossoms" – a closing observation that brings together the voices of the tree and the poet. Zahoor reminds the gardener of his debt to the female Kashmiri contribution in ensuring community resilience during the indefinite prolongation of conflict. To bear this burden, of sheltering the "story of the blossoms" is to be "a bird of a yet to be born garden," forever "running against time" (Zahoor 2020: 35); but to regain agency is to "swim against the current, regaining time" (Zahoor 2020: 39). Zahoor's anthology itself enacts this reclamation of temporality: "She loiter[s] in its pages, my defined space mine alone/ you can't scare me tapping the watch on your wrist" (Zahoor 2020: 37).

Zahoor frequently disrupts the classic horticultural tropes sedimented into the Kashmiri imaginary. She diverts the heteronormative use of shady trees for romantic trysts into the tree's dream of "an odd consummation of a young girl by a shady old Chinar" (Zahoor 2020: 20), using this peculiar inter-species jealousy to Kashmir's iconic tree to suggest conflict's derailment of nature's nurturing role. Though this elemental confusion recalls *Haider*, Zahoor carves out through it a specifically Kashmiri, female, mode of self-care that operates outside the box of regulated heteronormative activity. Sexuality itself is not under the lens: rather, her interest is in reconnecting trees to women (however difficult that task may be), and in restoring value to intergenerational female bonding. Even if there "is a daughter who is yet to be conceived," the poet will address her, enumerating the would-be mother's gifts – that, significantly, include "Hamlet's unfinished line/ for the Vale of Kashmir/ to be or not be, that is . . ." (Zahoor 2020: 29–30). Scrambling time further, this potentiality is already fulfilled in the "soft revolutions" of her grandmother, "turning the fleece of a Kashmir goat into cashmere" (and indeed, into "Kashmir"), whose "lullabies" and "prayers" counter the "heavy guns" and "barbed wire," and who offered "trays of mustard rice to a shrine in the mountains" despite a soothsayer's prediction that "embers [would] turn to ashes" (Zahoor 2020: 34). Zahoor sidesteps this dire prediction. She uses her poetic agency to create a lyric time whereby her grandmother's restorative act can signify the immanence of community. Yet this is no cuddly octogenarian: Zahoor's grandmother diverts routine feminine chores into fearsome yet casual destruction of the occupier's temporality: "inhal[es] embers" of her own igniting and "exhales fire" as "she paused her singing/ to boil almanacs in a samovar" (Zahoor 2020: 33–34).

As with *Haider*, then, Zahoor's poems and film suggest cumulatively that, in Kashmir, time itself "is out of joint" (to quote from *Hamlet*) and must be rebooted through a radical uncoupling of female pleasure and agency from heteronormative co-optation of the natural rhythms that dictate the garden's blossoming. Through a detailed reading of *Haider*, I showed how this agenda converts the *gulshan* to the *hortus interruptus*. The film's intended critique of the forces holding Kashmir at ransom cannot push beyond the detonation that blows apart the female body attempting to rewrite the pleasure script. Nevertheless, it leaves the viewer of popular culture some important glimpses into a Kashmiri habitus defined by a sensorium alternative to Bollywood's stubborn Kashmir clichés, including wintertime and folksong. In the fragments of Zahoor's lyric consciousness, however, such flashes come together to move alegropolitics beyond the trap of privileging heteronormative romance (however transgressive) as the cornerstone for rebuilding community. "I am a torn-off page/ from one of my burnt books," says Zahoor (2020: 64), but *this* book exists, for us to read and hear her voice through. Despite awaiting men with chainsaws, "a headless Chinar still says, RESISTANCE" (Zahoor 2020: 21). And despite its insomnia and tiredness, Zahoor's almond tree reminds us that, starting from its very conception as a poem by a Kashmiri woman, there can indeed be a time for alegropolitics in Kashmir.

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Notes

1 Zahoor lived and worked between New Delhi and Baramulla until late 2020; since then, she has moved to the USA on a postdoctoral fellowship.

2 I use the word *azaadi* fully cognizant of its slippery semantics that arises from its shifting mobilization within a long-term conflict zone. In my usage, developed from work on the ground, it signals "a yearning for a confident, well-defined Kashmiri identity . . . compress[ing] a present-tense denial of the right to identity, memory, and history, with a messianic aspiration toward a different future. It confers on to Kashmiris a folded temporality" (Kabir 2009: 10; see also *ibid*., 152–54 and *passim*). This essay takes further these early thoughts on the mutual implication of the demand for *azaadi* and the Kashmiri experience of time.

3 Since the screenplay, which is presented in Hindi/ Urdu (rendered in Devanagari script) and English translation, exists alongside the film as a collaborative publication (Bhardwaj and Peer 2014), I cite from its translation by page number. When the poetic quality of the dialogue is important for the argument, I quote from the screenplay's Hindi/ Urdu original in Roman transliteration, and add its accompanying translation, which I sometimes deviate from slightly to make explicit the interpretative point I am making through the quote.

4 The powerful pull of the Shakespearean text has so deeply shaped commentary on *Haider* that even those who wish to turn away from the question of literary influence rehearse in detail the (post)colonial genealogy linking Shakespeare to Bhardwaj (Casey 2018; Hoydis 2020; Sarkar 2016; Sen 2018). In contrast, I privilege examining what the film is trying to do by bringing *Haider* to *Hamlet* via Bollywood's imbrication in a long history of the camera in Kashmir. While popular reviews of *Haider* note this imbrication, I place the film within an alternative genealogy of responses that try and escape it (Kabir 2009, 2010).

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SECTION II

Militarism, Humanitarianism, Occupation

Mona Bhan

Using ethnographic and archival methods, the chapters in this section analyze how occupation works through a complex intertwining of legal, economic, and geographic interventions that violently impose a particular vision of territoriality in Kashmir. The chapters consider some of the key modalities through which state terror operates in Kashmir and is materialized every day through juridical and extra juridical mechanisms – through laws that are purportedly humanitarian (Ghosh and Duschinski), state-imposed trade regulatory mechanisms that repress rather than evoke cross-border linkages (Saraf), and bodies of young Kashmiri men that are routinely dehumanized and made non-grievable (Ganie). Occupation exterminates Kashmiri Muslim bodies but it also obliterates histories and geographies that challenge the state's social and spatial orders. While the chapters reveal the quotidian operations of power in Kashmir, they also document how people's resistance disrupts the totalitarian powers of an occupying regime. Everyday practices of recalling and renarrativizing alternate histories challenge the boundedness of Indian territoriality, and Kashmir's place in it (Kaur).

Such alternate histories, as Aditi Saraf reminds us, are not fictive but linked fundamentally to Kashmir's geographical and trade connections with places in South and Central Asia. Material routes on which Kashmiris traversed and carried their goods and commodities are integral to visions of the past and future, shaping people's continued resistance to violent imperial and postcolonial border-making projects. Engaging in a multiscalar analysis, Saraf first tracks how in urban bazaars of Srinagar, trade networks become a "field for both expressing and mediating the politics of self-determination," and how controlling trading routes, particularly along the contested Line of Control, is an "important component of the Indian state's militarized governmentality in Kashmir." Drawing from her ethnographic fieldwork, Saraf demonstrates the centrality of the bazaar as a site of "social movements and solidarities," arguing how the work of trade is deeply political in contexts of intense securitization. Everyday practices of participating in protests and shutdowns aligned traders and shopkeepers politically with the movement of azaadi while their labor in ensuring "the flow of essential provisions during prolonged curfew, strikes, and other forms of depredation" sustained the movement. Such flows of goods and payments, and commodities and artifacts, gain even greater salience when analyzed against the backdrop of historic and contemporary border-making processes in which controlling and containing trade networks became significant ways to enforce state sovereignty over messy geographies of travel and sociality. She emphasizes a range of state-initiated "regulatory fabrications"

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that included bizarre trade regulations, carefully devised vocabularies, and everyday processes of control and containment that only make sense as political instruments meant to "repress older geographies of contiguity and commerce" rather than enable them.

But memories are hard to repress. Bhavneet Kaur's chapter evocatively demonstrates how everyday artifacts, quotidian objects in people's homes that include currency notes, quince apples, and pherans, exert their emotional, visceral force and enable a "different kind of retelling of the Tehreek." Such articulations are not dependent on oral and textual narratives alone. Focusing on people's "sensory and embodied recollections," she gently pieces together often "invisibilized practices of remembrance" and situates them within the larger politics of resistance in Kashmir. Everyday social life is a key arena where political violence exerts a forceful presence and where memories of pain, loss, and grief are embedded and engraved, existing often outside the "margins of speech" but nevertheless producing what she calls a "perpetuity of grief." Such enduring forms of grief haunt individuals and communities but they also serve as testimonies to the gruesomeness of loss under conditions of occupation. When language freezes or is rendered numb, women's dreams and songs become "artifacts" that embody the intensity and viscerality of pain.

Mohd Tahir Ganie's chapter focuses on youth mobilizations and the forging of what he calls an "insurgent political consciousness" through multiple "expressions and modes of dissent." Through a close attention to class and gendered forms of protest, Ganie presents a dense and complex portrait of the resistance landscape in Kashmir – art, music, poetry, graffiti, and stones are all varied expressions of youth resistance in Kashmir that serve the goals of Kashmir's national liberation. Youth mobilizations rely on local networks of resistance as much as they draw from and forge transnational linkages through social media platforms. As Ganie argues, the youth of Kashmir constitute a new political generation that has come of age amidst India's violent war in Kashmir, rising Islamophobia across the globe, and the US War on Terror. At the same time, youth politics, while remarkably different since 2008, is an "organic extension" of intergenerational politics for azaadi that has been an integral part of Kashmir's collective political consciousness for decades. Through careful conversations with protest participants and political activists, Ganie counters Indian media caricatures of young stone pelters as misguided, criminal, and antisocial, or as dangerous elements who have been radicalized by discourses of Islamic resurgence. On the contrary, he documents young people's experiences of participating in funerary processions for rebels who are deeply respected for their resolve and integrity of purpose even as their bodies are deemed "non-grievable" by the state. Amidst a context of deep silencing enforced by the state and military apparatus, repression of youth politics on university campuses, and the near total lack of political opportunities to dissent, stone pelting expresses the "insurgent consciousness" of Kashmiri youth while the street emerges as a key site of political theatre. Although the state attempts to silence street protests using pellet guns and tear gas shells, for the youth funerary processions and stone pelting become means to "reclaim the public sphere."

Shrimoyee Nandini Ghosh and Haley Duschinski's chapter is a fine-grained courtroom ethnography of the high courts in Kashmir where thousands of young Kashmiri men, criminalized for their "habitual" stone pelting or protests, struggle to free themselves from the clutches of a "lawless yet legally saturated carceral grid," which, the authors argue, is "driven by the imperative to keep political dissidents in permanent limbo." An instrument of this "cyclical and fluctuating system of contingent illegal and legal detentions," or "carceral grid," are laws such as the Public Safety Act (PSA), which produces infinite deferrals of justice and cements the legal context of permanent emergency in a zone of occupation. PSA cases literally swallow up young bodies, throwing them into a state of prolonged and indefinite incarceration, often without

their families knowing the whereabouts of their kin in custody. And once these PSAs are filed, the authors argue, "the only remedy is to file a petition for a writ of habeas corpus in the J&K High Court." Considered to be a fundamental element of the rule of law and a legal mechanism against state-inflicted terror and abuse, habeas corpus petitions have routinely been used by Kashmiri lawyers to fight for detainees who are jailed under preventive detention laws such as the PSA. And yet, Ghosh and Duschinski show how habeas corpus litigations in Kashmir, even as they rely on humanitarian registers, end up "normalizing and consolidating the practices of arbitrary detentions and state terror." In other words, such petitions serve as integral elements of India's "counterinsurgency lawfare" against Kashmiri dissenters. The habeas corpus allows for the "filtering" of India's occupational violence through colonial emergency laws. In so doing, such "humanitarian" laws package India's democracy for global consumption and secure India's performative investments in juridical redressal and the rule of law.

Taken together, the chapters demonstrate how multiple iterations of militarized control in the Valley work to silence Kashmiris. Through permanent emergency regulations, border-making rituals, and discursive maneuvers that reframe Kashmiri protestors as seditious, misguided, or criminal, the state's legal, juridical, and economic interventions have worked in concert to extend and cement India's occupation of Kashmir. Resistance, too, thrives in the least suspected spaces – as Kashmiri streets become sites of political theatre, and household objects the embodiments of loss and grief, Kashmiris assert their relentless will to persist despite the ever-expanding powers of a repressive military state.


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CLAIMING THE STREETS

Political Resistance Among Kashmiri Youth

Mohd Tahir Ganie

Introduction

This chapter focuses on the youth demographic that has played a vital role and assumed greater significance in the latest phase of the Kashmiri self-determination movement. Contextualizing the Kashmiri youth resistance within the militarized landscape and colonial control of Kashmir, the chapter examines the forms and avenues utilized by the Kashmiri youth to resist the state. The analysis is based on participant observation in the post-2008 protests, semi-structured interviews with protest participants and other political actors, and the review of the media and official reports about these protests.

The chapter advances three key arguments. First, in the post-2008 period Kashmiri youth has emerged as the most significant political actor in the new dynamic phase of the Kashmiri self-determination movement where violent and nonviolent modes of resistance co-exist. Visible in media visuals and larger political discourses, the contemporary youth population in Kashmir can be characterized as the *new political generation* because a large section of this youth population, unlike their parent's generation, is embedded in the social media ecosystem, which has emerged as a site of "everyday political talk" or "micro-political engagement" (Vromen et al. 2015) and anti-state resistance, thus bolstering the Kashmiri self-determination movement by creating transnational linkages and alternative media platforms to circumvent state censorship (Osuri 2019). The newness of this generation is also due to its unique historical location where its formative experiences and political subjectivity are shaped by the complex of the raging armed conflict, the post-9/11 world order, and the concomitant rise of Islamophobia/War on Terror discourses that have direct bearing on Muslim youth around the world (Bayet and Herrera 2010).

Second, by virtue of the successful intergenerational transmission of the insurgent consciousness in Kashmiri society, the new political generation of Kashmir is part (and organic extension) of what we might call the mobilized generation, an ensemble of intergenerational adherents of the *azaadi* movement cutting across age, gender, and class. As such, frame-alignment, which social movement theorists such as Benford and Snow (2000) view as an important element for social mobilization, is of lesser relevance in the context of Kashmir self-determination because pro-*azaadi* organizations do not necessarily need to reach out to the Kashmiri public to enlist or mobilize their support for the movement, because popular support is a given, as reflected,

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for example, in the constant and near universal backing Hurriyat's *hartal* calls receive from the public. Nonetheless, the lack of political opportunities has stymied institutionalization of the Kashmiri youth resistance. The securitization of Kashmiri youth, that is, state viewing the youth (and the youth bulge in Kashmir) in security terms, has meant that only state-sanctioned space and avenues are publicly open for political engagement for the Kashmiri youth. While lack of innovations and reforms in Hurriyat's organizational structure has meant that the energy of the new political generation could not be channeled into a disciplined party politics, relentless state persecution of Hurriyat members and severe restrictions on the normal functioning of the Hurriyat and other dissident groups has also created disincentives for youth to formally be part of any resistance group (Kanjwal 2016). Those associated with independent student organizations have faced police harassment and jails. Consequently, political expressions of Kashmiri youth remained confined to the street protests or social media, and in some cases to armed resistance.[1] Since societies differ in class, location, and gender, a youth generation also reflects this internal stratification based on social markers, which shape their distinct responses to the shared historical circumstances. Internal stratification creates the "unmistakable social and spatial heterogeneity within the [Kashmiri] resistance movement," with the youth of certain (mostly working-class) neighborhoods laboring more for the *azaadi* than other localities (Sharma 2020: 49). With public sphere severely (and often violently) restricted by the state through deep militarization of civilian spaces, the mobilized generation is often forced into stone-pelting protests, as reflected in the data since 2008 (see Table 7.1). Stone throwing is an expression of the insurgent consciousness of the new generation of politicized youth, but its prevalence also reflects the lack of political opportunity in general (Ganie 2021). Therefore, while agreeing with the criticism of *political opportunity* theory that it tends to *post-facto* attribute opportunity to any political mobilization, this chapter nevertheless frames *opportunity* as an important factor for explaining the frequent youth-led stone-pelting incidents in Kashmir and particularly the absence of mass protests after the removal of Article 370 in August 2019.

Finally, from a macro perspective, the youth political resistance in Kashmir is largely driven by what John Cockell (2000) calls "the structural paralysis" in the relationship between India and Kashmir. Fundamental incompatibility between Indian state's idea of "national security" and Kashmiris' sense of national identity and group security engenders a condition where the

Table 7.1 Stone-throwing protests since 2009

Year	*Stone-throwing incidents*	*Arrests*
2009	278	493
2010	2794	
2011	330	5417
2012	284	
2013	500+	1325
2014	449	
2015	730	
2016	2808	10,571
2017	1412	2838
2018	1458	3797
2019	1999	765 (Aug–Nov)

Source: Ministry of Home Affairs, government of India, and Ministry of Home, Jammu & Kashmir government (https:// kashmirlife.net/ trapped-in-the-cycle-2176/).

Indian state imposes a structure of violence in Kashmir to maintain its control over the territory and its indigenous population. The use of surveillance technologies to monitor Kashmiri social media through state-sponsored "cyber volunteers" (Ali 2021) and widespread deployment of pellet guns against civilian demonstrators is a practice of state control that was shaped by the post-2008 youth-led resistance, which encompassed both streets and the social media. Underpinned by a massive force of nearly half a million security personnel (Armed Conflict Survey: 268), technologies of surveillance (Falak 2015; MHA Annual Report 2017–2018: 16) and various counterinsurgency tactics (Bhan and Bose 2020), the architecture of state security while controlling and subjugating the local population of Kashmir also, paradoxically, stimulating their resistance. Aggression inherent in the state architecture of control triggers and sustains the local antagonism against the state and its different facets. Kashmiri youth resistance therefore must be located in this specific militarized context to understand its dynamics.

A Failed Dialogue Amid the Youth Bulge

Following the 1999 Kargil War and the deadly 2002 military standoff on the borders, India and Pakistan resumed the dialogue process in the early 2000s. The 2003 Agra Summit started on high expectations but failed to produce any breakthrough on the core issue of Kashmir. The two countries continued to talk during the tenure of Indian Prime Minister Manmohan Singh and Pakistani President Pervez Musharraf from 2004 to 2008. Annual fatalities in Kashmir decreased from approximately 3000 in 2002 to 500 in 2008 (South Asia Terrorism Portal). Although human rights violations faced by Kashmiris did not cease, new political developments created a hope for an improved political situation. In 2004, the Indian government announced INR 24,000 crore economic package and the J&K government constituted Economic Reconstruction Agency (ERA), expediting infrastructural development in Kashmir.[2] Gradual but limited easing of restrictions provided political opportunity to All Parties Hurriyat Conference (APHC) and other pro-Azaadi groups to conduct their activities and expand their base. In 2006 and 2007, the Jammu and Kashmir Liberation Front (JKLF) successfully conducted its Signature Campaign and Safr-e-Azaadi (Journey to Freedom) program, and Tehreek-e-Hurriyat (formed in 2004 after the split with APHC) organized countercultural programs to the Chief Minister Ghulam Nabi Azaadi's initiative of organizing Gandhi Jayanti in Kashmir.[3]

However, this period of relative calm was soon shattered by the 2008 mass protests and counter-protests on the Amaranth Land Row which lasted for two months from June 23 until August 2. Indian security forces killed 46 persons during the protests.[4] In the Kashmir Valley, the protests soon turned into a mass anti-India uprising, particularly after Jammu-based Hindu-nationalist groups imposed an economic blockade on Kashmiri Muslims. Kashmiris began thronging the rallies organized by Hurriyat and other civil society groups between August 11 and 24, 2008.[5] Men, women, and children marched together from town to town demanding *azaadi* from India, first to north Kashmir's Sopore and Baramulla then to south Kashmir's Pampore and finally to the capital city Srinagar. However, the scheduled Lal Chowk Chalo rally of August 24 was violently crushed by India by imposing a stringent curfew, mass arrests of political activists and leaders, and the killing of at least five civilians, including a Kashmiri woman.

While different sectors of Kashmiri society joined the mass rallies of August 2008, for the young generation the whole event was a momentous occasion, which initiated them into anti-India political rebellion. The insurrectionary force created by the uprising did not dissipate when the protests died after the violent state crackdown on August 24. This revolutionary force was acquired and embodied by the new youth generation, who engaged in later street protests that were often accompanied by stone throwing – a popular mode of

political protest in post-2008 Kashmir (Ganie 2021). Youth-led street protests, particularly stone throwing, were a challenging new political development for India, which had, by the mid-2000s, largely controlled the Kashmiri armed rebellion that broke out in the late 1980s (Staniland 2014).

By 2011, more than half of Kashmir's 6.8 million population was under 30 years old. The youth population (15–30 years old) had reached nearly 30 percent (more than two million). This demographic surplus or youth bulge infused the Kashmiri resistance with new energy and contributed to frequent street protests. Youth bulge is a stage where a country or a region witnesses increased young population relative to the general population. In the absence of a thriving economy and good governance that can absorb the young people and properly channel their energy, the youth bulge potentially turns into a destabilizing factor (Ganie 2020). Economic and governance factors alone do not lead to youth bulge–linked political crisis. There are other sociological factors. However, many Indian commentators tend to emphasize the former to explain the Kashmir case, as a way to depoliticize the youth-led protests in Kashmir. Unemployment is certainly a problem but only a part of the grievances of the Kashmiri youth, and these commentators often overlook the fact that in the late modernity young people usually enter the labor market in their late twenties or early thirties, because they spend an extended period of their youthful years in colleges and universities (Furlong 2013: 4). Unlike the settled adults, young people (particularly from the middle class) are usually removed from economic interests and tend to question the established norms and values. Youth partake in political resistance or street protests, mostly because they are not yet entrenched in the demanding situations of familial, social, and professional obligations (McAdam 1986).[6]

Youth and Political Resistance: A Brief Theoretical Overview

Scholars have theorized youth resistance in varied socio-political and economic contexts. Tuck and Yang (2011) identify four broader and overlapping themes: cultural resistance (Duncombe 2002), everyday acts of resistance (Scott 1985, 1990), youth development as resistance (Ginwright, Noguera and Commarota 2006), and social justice framework of resistance (Solorzano and Delgado Bernal 2001). At the heart of all these perspectives is the notion of youth acting on their agency to disrupt, thwart, modify, challenge, or navigate the regimes of state control and the processes of inequalities and to strive for emancipation, liberation, and justice. However, rather than romanticizing youth resistance we must see it as "revelatory" in the way it can illuminate social reality and power (Kelley 2014: 87).

Critical psychologist Michelle Fine (2014) provides a nuanced picture of youth resistance when she writes:

> Youth, like the rest of us, speak in marbleized tongues, braiding discursive currents of critique and fear, desire and ambivalence, a yearning to exist and a profound wish to be-long. Resistance is never pure, never simply oppositional or rejecting; it is often enacted with an affective bouillabaisse of anger, disappointment, sense of injustice, desire, yearning and ambivalence.
>
> *(50)*

Thus, like elsewhere, we can expect Kashmiri youth resistance taking different forms and varied expressions. Resistance could mean Kashmiri youth negotiating the oppressive political environment by creating counter-maps "to make social life possible" (Junaid 2019); forming

intimate networks or "affective female alliance" against varied forms of domination and surveillance (Falak 2018); engaging in "protest photography" (Kanjwal, Bhat and Zahra 2018); using metaphors as part of counternarratives to the integrationist agenda of the state (Ganie 2019); designing "counter-calendars" in response to state (visual) propaganda with respect to the imagination of Kashmiri youth (Misri 2020); surviving the traumatizing violence of conflict and war (Zia 2019); pushing back against assimilation into the hegemonic Western value systems and modes of thought embodied in the rationalizing discourses of modernity and humanism; carving a space for personal politics that adheres to the agenda of global justice and intercivilizational struggle against neo-liberal order; or choosing death to defy state's power over their lives (Dar 2018).

When located in the specific context of the militarized administration of Kashmir, political resistance of Kashmiri youth would then essentially mean the vigorous refusal to the assimilationist project of Indian nationalism, which seeks to establish Indian rule over Kashmir as a fait accompli so as to deny the right to Kashmiri self-determination as provided under the UNSC Resolutions (47, 51, 80, 91). Politically, this refusal to be forcibly assimilated can manifest and find its expressions in diverse forms of everyday acts of resistance, but to emerge as a collective force it must negotiate the political opportunity structure that would determine its potency in terms of its organizing power.

Since the 1950s, the Kashmiri resistance has been carried on by disparate political formations (for most part by the Plebiscite Front) that were consistently repressed by the India state. Kashmiri resistance took a more militant form in the late 1980s. In the early 1990s, All Parties Hurriyat Conference (APHC) became its foremost political representative. In the post-2008 period, the movement percolated through the new youth generation, whose formative experiences were constituted in a protracted armed conflict which they felt and observed intimately. The new youth generation experienced the war-induced trauma, witnessed and faced the human rights violations, and organically became participants in the clash of narratives on the Kashmir issue. Political consciousness, attitude, and behavior of the Kashmiri youth generation, therefore, must be located in their unique historical location, which shaped their political subjectivity. Traumatic events bear deeply on the consciousness and self-identity of a generation whose internalized experiences of those events develop into a set of distinct values, interests, and political orientation (Edmunds and Turner 2002: 13–14). However, who labors for *azaadi* (resistance) by taking part in (risky) street protests depends to a large extent on a person's positionality – class, gender, and location.

Navigating the Militarized Space

Indian rule over Kashmir has two broad dimensions: legal and spatial. India has usurped Kashmiri sovereignty through what Duschinski and Ghosh (2017) call "occupational constitutionalism." Establishing political dominance and territorial control over Kashmir by constituting legal mechanisms, India has also created a state of permanent emergency and crisis in Kashmir by making preventive detention as the key component of its coercive governance (ibid.: 20). The legal aspect of Indian rule is complemented by the spatial occupation, which was consolidated following the outbreak of the armed insurgency in the late 1980s – when India adopted the military strategy of area dominance to quell the popular uprising. This entailed placing numerous armed units of Indian army and paramilitary in the military camps that were set up inside and around the civilian areas of Kashmir. This elaborate system of control and surveillance allowed India to rapidly mobilize its troops to quell anti-India protests and kill the insurgents with armed

units within Operation Sectors/Zones reinforcing each other swiftly. Anthropologist Mohamad Junaid (2019) draws an apt picture of the architecture of this militarized occupation:

> Housed in camps, cantonments, and bunkers – built inside schools, hospitals, public buildings, and orchards – and checking public movement through watch towers, check-points, CCTV cameras, and mobile patrols, Indian military occupied almost all public spaces in Kashmir. Kashmir was continuously divided and re-divided into military sectors, operational zones, and special police ranges. A totalizing counterinsurgency grid, underpinned by a logic of "security" and "control," was laid over the region which not only prevented protests but also created elaborate restrictions on everyday life, pushing Kashmiris further toward armed struggle.
>
> *(Junaid 2019: 5)*

This vast multifarious militarization affects everyone, from subaltern to middle class to businesspeople, demarcating the permissible boundaries of movement and action for Kashmiri civilians. Some places are more vulnerable to the ill-effects of such militarization than others, such as the areas closer to the Line of Control and the villages where media cannot reach easily (Bhan 2014). A hard fact of everyday life in Kashmir, excessive militarization has damaged ecology (Kanth and Ghosh 2015) as well as the mental health of people, and exacerbated the vulnerability of and unease among women, particularly in rural areas where socio-economic structure requires women to be mobile outside their homes. It is in this space marked by deep militarization that the Kashmiri youth must corporeally and discursively perform their dissent and assert themselves politically.

Resisting with Stones

Initially, stone-throwing protests (called *kanni-jang* in local parlance) in Kashmir were confined to a few pockets of Srinagar (the inner-city neighborhood of Maisuma and the old city areas or Downtown) and Baramulla. In 2009, around 278 stone-throwing incidents were reported in Kashmir for which the police arrested 493 persons.[7] In the first two months of 2010, the police arrested a further 419 persons. According to the J&K government data, 3408 stone-throwing incidents were reported during the first three years of the 2010s: 2794 (2010), 330 (2011), and 284 (2012).[8] When the 2016 anti-India uprising erupted, stone-throwing protests surged once again, with more than 2300 incidents reported between July and December.[9] By July 2019, incidents of stone throwing had witnessed a "significant drop" of 40 incidents by mid-year, but the abrogation of Article 370 in August triggered a fresh bout of stone-throwing protests, despite New Delhi putting Kashmir under an unprecedented communication lockdown and saturating the region with the highest ever military presence.[10] Approximately 1193 stone-throwing incidents were reported in the post-August 2019 period, while the number for the entire year (2019) stood at 1999 incidents, the highest since 2017.[11]

As armed militancy re-emerged from south Kashmir around 2013 and turned into a full-blown insurgency by 2015, regular gunfights broke out between armed groups and Indian soldiers. To create an opening for the trapped rebels, young Kashmiris started disrupting the gunfights by hurling stones at Indian troops. On a few occasions, these tactics worked but at a high cost. Indian troops killed nearly 60 pro-rebel protestors near the gunfight sites in 2018 alone.[12] These developments created a new security challenge for India, with Inspector General of (J&K) Police Vijay Kumar terming stone pelting as a larger issue than militancy (Yusuf 2021).

The View From New Delhi

The Indian state blames Pakistan or Kashmiri "separatist" groups for anti-India protests in Kashmir. For example, India's Ministry of Home Affairs (2017: 6) writes about the 2016 anti-India uprising: "The year 2016 has seen a change in Pak tactics following a strategy of the superimposition of militancy over civil resistance through radicalization by vested interests and social media." Indian media, which often toe the official line on the Kashmir issue, framed the stone-throwing protests as a work of a separatist syndicate or psychologically disturbed youth or paid agents of Pakistan. For example, Lieutenant General Ata Syed Hasnain, who served as the top commanding officer of Indian army in Kashmir in the post-2008 period, remarked on a TV program *NDTV Dialogues* in April 2017 that "the whole issue of street protest today has reached a level of professional management." General Hasnain claimed that post-2008 youth-led street protests were organized by the Kashmiri separatist groups through their cadres.[13] Another panelist on the show, Hardeep Puri, the former Indian diplomat to United Nations, characterized Kashmiri stone throwers as "misguided elements" who lack parental control. Writing in *The Hindu*, Indian journalist Malini Parthasarathy described the youth-led agitations in Kashmir as "spontaneous gatherings reacting to events," that is, to the civilian killings by Indian troops.[14] These characterizations of anti-India protests in Kashmir have pervaded the official and non-official Indian discourses since 2008.

There were a few exceptions in Indian media, especially the web-based independent news portals, who showed a more or less balanced picture. In November 2016, *ScoopWhoop* did a report after Indian Defense Minister Manohar Parrikar claimed that Kashmiri protestors were paid INR 500 for throwing stones at Indian forces. *ScoopWhoop* refuted these claims through data-driven analysis and foregrounding Kashmiri voices. One Kashmiri interlocutor was quoted as saying, half-jokingly: "If it's all about money, why doesn't Indian government give every Kashmiri a Rs 2,000 note to stop asking for Azadi."[15]

Most international observers underlined the political nature of the stone-throwing protests, some comparing the Kashmir case with the Palestinian struggle. For example, British journalist and filmmaker Adrian Levy argued in 2010 that the Kashmiri youth were

> expressing much more intifada kind of rage. . . . They are reacting against over securitization of Kashmir, resulting in stone pelting that is very difficult for India or for any country to deal with. This is dangerous. It is fire that is burning.[16]

Nonetheless, incessant negative framing by influential Indian news channels led to the caricaturing of young Kashmiri protesters as mindless social deviants. Constant use (and disapproving enunciation) of the term *pather-baaz* – as the Hindi news channels called the young Kashmiri demonstrators – made the protest tactic of stone throwing into some sort of a professional appellation for people with criminal predispositions and antisocial tendencies.[17] Rather than seeing it as the part of a repertoire of contention that developed in the particular socio-historical context, stone throwing was projected almost as an extension (or manifestation) of the innate aggressiveness of the Muslim male. This constant vilification of the young protesters led to the gross misrepresentation and criminalization of the pro-*azaadi* protests.

Indian media's antagonistic reporting against the Kashmiri youth protesters partly stemmed from the fact that stone throwing would sometimes injure Indian soldiers, who are hero-worshipped in mainland India as "our jawans," who are part of the pantheon of Indian nationalism and who receive unconditional support from the Indian public. From an Indian perspective, the

hostility of Kashmiri youth toward Indian soldiers was "anti-national." The political context that determines the hostile relationship between Indian soldiers and Kashmiri youth, as well as the findings of the different surveys that majority of Kashmiris do not consider themselves "Indian" and thus cannot be treated as "anti-national," was either missed or willfully ignored.

Dynamics of Violence and Nonviolence in Kashmir

Media reports and discussions on Kashmir protests tend to subsume the nuances and complexities under the broad-brush of violence, which is the defining term through which they frame the episodes of contention. The phrase "radicalization" is uncritically thrown around to frame Kashmiri youth subjectivity. Emphasis on this term by Indian commentators and officials is perhaps due to its linkage with War on Terror discourses that help in delegitimizing the protests by Muslim youth. But what is often lost in these simplistic media reports and discussions is the fact that political movements, usually, contain within them differing tendencies and approaches toward social and political change and varied forms and modes of resistance. Dominant media framing of pro-*azaadi* protests as mindless violence, with stone-throwing Kashmiri youth shown as the lead actor of these protests, invisiblises the peaceful protests and protesters, who often outnumber the people who usually take part in the stone-throwing protests. Violent events overshadow the nonviolent ones in media reports, because they serve a purpose for the state.

Violent protests often occur because any form of protest that remotely expresses a pro-*azaadi* thought is disallowed in Kashmir. The state either contrives or actively provokes a violent response from a gathering of the pro-*azaadi* protestors in order to gain justification for retribution against them. This is an easier and faster way to put down a protest demonstration by not only dispersing the crowd but also creating deterrence against its resumption through the sheer display of state violence. The fence-sitters and ambivalent bystanders, who might potentially get drawn into a protest if it becomes a local spectacle, are deterred when the cost of participation is increased. When the coercive apparatuses of the state coordinate to suppress the public sphere, they curb the active protest and also dismantle the psychological structure that could make the next one possible by creating disincentives.

India employed this strategy when the pro-*azaadi* protests had begun to take an organized form during the 2016 uprising. The Jammu Kashmir Coalition of Civil Society (JKCCS) documented several cases where Indian armed forces disrupted nonviolent pro-azaadi rallies. On September 6, 2016, JKCCS noted in its press report:

> In the week spanning from 29 August to 5 September, a total of eighty public meetings/rallies were held across all districts of Kashmir among which government forcibly disrupted 36 rallies, using extensive of force against the assembled people; shelling with bullets, tear gas shells and pellets. The government forces, in many instances, vandalized the venue of these pro-freedom rallies, set ablaze the tents and threw away the food items which were cooked by local organizers for the participants of the rallies.[18]
>
> *(Raiot 2016)*

Interestingly, though not unprecedentedly, after weeks of stone-throwing protests, which erupted spontaneously following the killing of Burhan Wani on July 8, 2016, people had eventually started thronging to the peaceful rallies, making a remarkable transition (within the same episode of contention) from one form of protest to another. Jamaat-e-Islami, a robust

cadre-based organization with deep roots in several rural pockets of Kashmir, was instrumental in organizing these rallies in which young people participated in large numbers. While the APHC leadership knew they would not be allowed to organize rallies like in 2008, they adopted an innovative way to sustain the protests through "strike calendars," which "set up a quasi-parallel political authority, and with it, a parallel temporal and social order for Kashmiris." When people refused to follow the official order of things and voluntarily restricted their own movement, they marked their disobedience and displayed "a reclamation of control and arguably a performance of sovereignty" (Trishal 2019). Part of this nonviolent protest program was graffiti writing in which youth majorly partook (Amin and Majid 2018).

The Mobilized Generation

Since 2008, approximately 4000 people have been killed in Kashmir, including 2000 rebels belonging to different militant organizations (JKCCS 2019: 9). Most of the rebels killed in the last five years have been young Kashmiris, most of whom received only rudimentary training in arms to fight the vastly strong Indian military. Dying in quick succession due to unrelenting military raids, the Kashmiri rebels could not achieve much militarily, though they receive support from the civilian population, particularly the youth, who throng to their funerals in large numbers. On July 9, 2016, at iconic rebel leader Burhan Wani's funeral in Tral, approximately 200,000 people assembled, including children and women.[19] Before him, when Pakistani militant Abdur Rehman (alias Abu Qasim) was killed in a gunfight on October 29, 2015, a massive crowd of men, women, and children converged in the premises of the Secondary School Bugam in Kulgam district.[20] On June 26, 2018, a similar scene was witnessed at Sopat-Tangpora village of Devsar tehsil in the Kulgam district where the local rebel Shakoor Ahmad Dar's funeral was attended by thousands of mourners, who chanted pro-freedom, pro-Islam, and anti-India slogans.[21] R., a young student from south Kashmir who participated in the October 29, 2015, procession, said he had not seen such a large funerary procession in his life. For him, "it was an instinctual reaction, respect for people with highest integrity, fighting for us" that made him leave his home and join the funeral. He had received a WhatsApp message from his friends about the gunfight that killed the militant. R. not only participated in what he calls "the collective mourning" by walking to a village 5 kilometers from his home but also live tweeted about the event while sitting on the compound wall of the government school where the public had gathered for the funeral. "I watched a large group of girls, they made their way through the crowd while passionately raising slogans that had made their faces red. It was a surreal experience," said R.[22]

Inshah Malik (2018) argues that the funerary processions of fallen rebels have become a site of political contestation for Kashmiri women. By thronging to the funeral processions, women not only have transformed the religiously informed culture of mourning in Kashmir, where men and women have separate roles, but also defied the state by mourning for those Kashmiri bodies that the state has designated as "non-grievable." Through such strong assertions in the public sphere, Kashmiri women have "provided a new political cohesion to their Kashmiri political community" (ibid.: 64) and brought out "a more robust pro-women politics within the resistance movement" (ibid.: 66). In these funerals, young women in colorful dupattas can be seen raising their fists during sloganeering, some jostling for the last glimpse of the fallen rebel, and some mourning or watching silently behind the covered face on their windowsills. Most of these events occur in the hinterland where women are mobile or publicly more engaged due to the agrarian structure of the society.

Youth and Students in Resistance

A more urban-based political mobilization involving the participation of young women occurred on April 17, 2017. Women students across Kashmir hit the streets and at some places clashed with the police after the news spread of Indian paramilitary barging into a government degree college in Pulwama and thrashing its students. The tech-savvy Kashmiri youth recorded these protests on their smartphones and instantly broadcasted videos online to attract the world's attention.[23] The *New York Times*, *Washington Post*, *Daily Mail*, *Arab News*, *Sun Herald*, and many others carried the news about the student revolt. The *New York Times* report of April 17 carried the headline: "About 100 Kashmir Students Hurt in Clash with Indian Troops." Stone-throwing women students became the defining picture of these protests.

Analyzing the student protests that occurred between 1964 and 1974 and in April 2017, Mir Fatimah Kanth (2018) argues that the participation of contemporary young Kashmiri women in the Kashmiri resistance forms "a part of the continuum of a largely undocumented and intergenerational history of Kashmiri women's participation in the struggle against the Indian state, spread over the last six decades" (ibid.: 42). However, their role has been underestimated if not overlooked. Framing of their participation has also been problematic because when their political act is interpreted as an exceptional spectacle that then "denies them the position of genuine political actors having their own creative and subversive engagements with the resistance movement" (ibid.: 46).

Nevertheless, one cannot ignore the element of class and location in the account of young Kashmiri women's participation in the street protests. While a middle-class Kashmiri woman may find it easier or be willing to join a protest rally inside the premises of an educational institution, she is unlikely to join a pro-*azaadi* protest march organized near her home. The main disincentive in this case is the familial pressure encapsulated in the idea of *shareef gharich koor* (woman of a noble family) who is not supposed to partake in such activities. Of course, deep militarization of civilian areas which a street protest must confront is a big disincentive too, but a middle-class neighborhood in the Srinagar city does not present the same condition of violent militarization as a municipal town in Pulwama or Baramulla districts. Certain localities labor more for *azaadi* than others. That is, however, not to say that the middle-class women have not faced repression when they resisted the state within their colleges and universities. In the 1970s, the J&K administration had adopted harsh methods to deal with the raging student activism in Kashmir. Coercion and corporal punishment were employed to discipline the colleges and repress student activism, leading to "a visible atmosphere of suffocation in the women's colleges" (Puri 1975).

As Huzaifa Pandit (2019: 112) writes, "the whole project of student politics in the Kashmir Valley has historically been associated with the larger question of the political agency of a dispossessed Muslim population under foreign occupation." As such, the administration of the University of Kashmir (KU) – whose chancellor is always New Delhi appointed governor of J&K – tend to keep a tight control over student activism on the campus. In 2009, the university administration banned the Kashmir University Students Union (KUSU), apprehending that the organization may disrupt the scheduled annual convocation that was to be presided over by then Indian President Patibha Patil.[24]

In the absence of institutional avenues such as formal student unions, female students are forced to march on roads within the university premises to register their protests – and they face many hurdles. For example, Sara, who was a sociology master's student at KU in 2015–2017, says that when students mobilized from their departments the protests were "comparatively normal," in the sense that the main problem they faced during such protests was the "uncomfortable

glances from the police and the administration." However, they faced major hurdles when they wanted to protest from their hostels. Sara (2020) recounted:

> Firstly, they would lock the main door and not open it. I remember twice or thrice girls had to break the lock to come out for the protest. Other than that the hostel administration would warn us that they'd call our parents up. Mostly they would use religion and morality to scare us like they'd say that women who belong to decent families don't do all this, and sometimes they'd accuse us of roaming around with men in the name of protests.[25]

Sara says that the university administration used moral discourses to dissuade them from taking part in politics. Their parents were called to the campus to create pressure on their wards:

> Right in the beginning, parents of girl hostellers were invited for a short interactive session where they were told how religion and morality doesn't allow women to be in the "battlefield." In a very subtle way, our parents were told that "good women" should be more focused on studies than on these "protests." And same age-old cliché that university is only a place for studies, not politics.

Defying the university administration is fraught with risks. Zooni, a master's student in the social work department, told me how she was summoned by the KU proctor and threatened for taking part in protests. Some students were on the watch list and remained usual suspects, who would be summoned by the proctor whenever any student protests happened on the campus, whether against a fee hike or in support of the Kashmiri self-determination movement. Despite these intimidations, some students remained politically active on the campus through a small network of trusted colleagues, who organized pro-*azaadi* programs whenever they were able to do so. Sometimes students spontaneously gathered in the lawns of the Iqbal library in reaction to events. For example, on May 6, 2018, they held a funeral in-absentia for the rebels, including an assistant professor of sociology from KU, who had been killed in a gunfight in Shopian district. On December 15, 2018, after Indian troops killed seven unarmed Kashmiri civilians in the Sirnoo and Kharpora villages of the Pulwama district, hundreds of students converged on the lawns of the KU library and chanted pro-*azaadi* and anti-India slogans.

Policing the Student and Youth Activists

One of the tactics often used by the J&K police to pressure student activists is to "summon" them to police stations. Members of All Jammu Kashmir Students Union (AJKSU) told me that they have faced constant harassment both from the university administration and the police. "Working in a conflict zone and running a student organization is always difficult, that too when the student activism has been banned by the state," Tajamul, president of AJKSU, told me. AJKSU emerged after the devastating 2014 floods in Kashmir, but real trouble for its members started after the group, in tandem with KUSU, mobilized thousands of students during the April 2017 student uprising.

> All the members including me received calls from CID [Central Intelligence Department] asking us to report to our local police stations. Some of our top members were taken to "CARGO" [an interrogation center in Srinagar] for questioning. Later a fake

> news was circulated by major news portals that AJKSU is run by the PDP [Peoples' Democratic Party, a pro-Indian party]. Thus, forced us to close it [the group],

Ghazi Muzamil, an AJKSU member, told me.[26]

"I was summoned by police, CID and the then Chief Minister and Education Minister also. I faced lot of things which I was not supposed to, which I had not thought about," says Tajamul, then a 25-year-old MBA student. In May 2017, after the Punjab police raided his accommodation in the Zirakpur area of Mohali district in the Indian state of Punjab, he was immediately thrown out by the landlord on the direction of the police. "Student activism in Kashmir in linked with the [pro-*azaadi*] resistance and the state knows if they let student activism to flourish here [in Kashmir] it will turn into Hurriyat," says Tajamul.

It was the KUSU that had initially given the call for peaceful protests against "the brutality perpetrated by Indian forces on students [of the Pulwama college]" (see Figure 7.1). AJKSU supported KUSU's call. But, while KUSU call was for one-day peaceful protest, AJKSU had asked students to continue protests until action was not taken against those involved in assaulting the Pulwama college students. "Frankly, we were not prepared for the response we got, we didn't expect that our call will be so effective," says Tajamul.

There are more than 280 higher secondary schools and 46 government degree colleges in Kashmir. It was the students of these educational institutions who had poured onto the streets, marched and protested across Kashmir in April 2017 on the call of KUSU and AJKSU. In an interview with *FreePressKashmir*, a KUSU leader told journalist Bilal Handoo that theirs was indeed only a one-day protest call. However, he added, "Students witnessing and facing oppression were long seething in rage. They were awaiting a moment for a collective outburst. When that moment came, we only gave them direction."

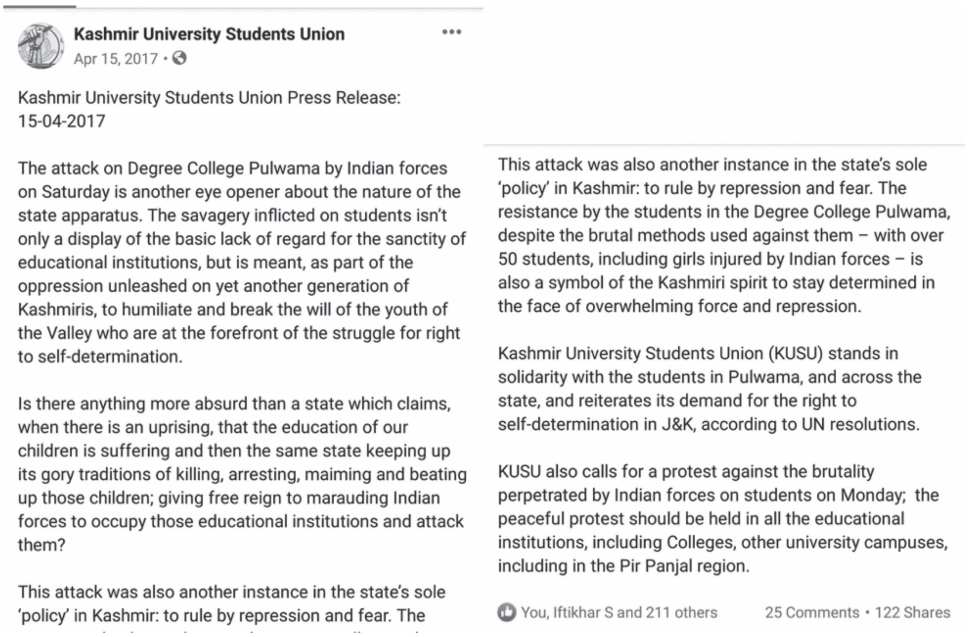


Figure 7.1 Screenshot of the KUSU Press Release of April 15, 2017, on Facebook

Police came down hard on young protestors, detaining around 20 students in a police station in Pulwama town. Police cases were registered against many others, including six students from Government Degree College Baramulla who were booked under FIR 61/2017 Sections 307, 168, and 148. In September 2017, India's central counterterrorism agency, the National Investigation Agency (NIA), began questioning nearly 60 students, including KUSU and AJKSU leaders. After being summoned, harassed, and threatened by the police and other security agencies most of the AJKSU members resigned from the organization by July 2017. R., a former member of the KUSU, told me that absence of organizational structure helped the organization survive, since the authorities cannot zero-in on anyone because there are no leaders, no member is formally listed anywhere. The KU administration, he claimed, uses informers (co-opted students and cafeteria personnel) to keep an eye on the suspected student activists in the campus hostels. The KUSU remains a shadow organization and operates discreetly, but "by publicly owning the protests, AJKSU guys brought trouble to themselves," said R.

Conclusion

The 2008 uprising impacted the new youth generation in Kashmir and initiated them into the Azaadi movement. The revolutionary force generated by the 2008 uprising augmented an insurgent consciousness among the Kashmiri youth and this insurgent consciousness is widely dispersed and variedly expressed. It has found its way into different forms of resistance, such as art, music, poetry, and varied genres of writing. For example, during the last three uprisings (2008, 2010, and 2016), innovative protest songs and dances have been created by Kashmiris that capture their collective aspiration and "their decades-long resistance against occupation and repression" (Zargar 2019). Stone throwing is also an expression of this insurgent consciousness. Stone pelting manifests politics of the mobilized youth generation but also lack of political opportunity in general.

While forms of political participation have changed, the street remains the main theatre of political action (or spectacle) for youth, though street protests are risky because the public sphere is violently kept out of bounds by the state forces for political protests through indiscriminate use of pellet guns and tear gas (Kaur 2020). Funerary processions of the fallen rebels become an occasion when the youth reclaim the public sphere. However, in street-based political participation, class dynamics play a role, with youth from mostly working-class backgrounds fronting such high-risk protests.

Successful intergenerational transmission of insurgent consciousness means that a critical mass of Kashmiri youth is already mobilized. Pro-*azaadi* organizations do not necessarily need to reach out to enlist their support because their support is a given. In varied forms and through different modes, Kashmiri youth do articulate and transmit collective action frames of the pro-Azaadi organizations. Narratives, social interactions, and practices geared toward national liberation, therefore, prevail in the Kashmiri society.

The Indian state and nationalist media frame deeply ingrained insurgent consciousness among Kashmiri youth as "radicalization." Since Kashmiris are mostly Muslims, invoking the politically loaded term "radicalization" in their case links it with the War on Terror discourses, which tend to view Muslim youth as a problematic demographic category. Negative connotations of the term thus help in delegitimizing the popular sovereignty demands of the Kashmiri population.

Youth around the world share common concerns and anxieties related to general issues of employment, livelihood, and health. They have been at the forefront of protest demonstrations against authoritarian regimes in the Middle East and Latin America and have played a decisive role in progressive politics in Europe. However, unlike their contemporaries around the world,

Muslim youth cope with a difficult post-9/11 geopolitical scenario, to which they are particularly vulnerable. The unique historical location of Muslim youth makes them a "generational subset" (Bayet and Herrera 2010) because of the way the war and violence in much of the Muslim-majority world and the pervasive discourses of Islamophobia affect their psychology and life courses. Complexities of this generational subset in terms of the variegated responses to the challenges of late modernity and local political situations are often overshadowed by the simplistic monolithic image of Muslim youth being a "radicalized population" or always at the cusp of extremism.

Violence against the Kashmiri youth stem from the varied sides of the "Indian state," which is a fluid entity comprised of the core institutions (executive, military, police, and judiciary) and a diverse ensemble of social and political forces, including nationalist media and militant right-wing organizations. Kashmiri youth face not only physical violence on the streets by Indian security forces but also psychological assault by Indian media and the social media users who abuse and demonize them if they try to express their distinct national identity and ask for the right to Kashmiri self-determination. India political elite has shaped what is the essence of being India and how this essence is to be embodied and performed by a nationalist Indian. This internalized common sense or banal nationalism responds to the events and entities that are deemed as "anti-national" by taking cues from the symbolic representation of the nation as encapsulated in terms like "national security" and "*bharat ki akhandata*" (integrity of India). Pro-azaadi youth and their political activism is anathema to these notions and hence repression against Kashmiri youth dissidents is widely supported within India.

Relentless state crackdown has not allowed proper institutionalization of the Kashmiri resistance and hugely undermined the training in the discipline of nonviolent protest methods. And yet, episodes of contention in Kashmir have included both violent and nonviolent protests. During the 2016 uprising, people carried out nonviolent protests including the candlelight vigils, processions, graffiti writing, blackouts, roadside prayers, and the longest strike in Kashmir's history (Dreze 2016). Kashmiri youth claim the streets by assertively assembling on them, and they claim the streets by also voluntarily disappearing from them as a strategic method of showing defiance to the order of the state during strikes. They have received grievous injuries on their bodies by taking part in high-risk stone-throwing protests. While many have been deterred by the pellet guns, some still take part in such protests, as the data shows.

As repression has increased in Kashmir during the recent times (Freedom House 2020), critical opprobrium of the pro-Indian parties has intensified and become widespread among the youth. The APHC has also received criticism for lacking strategic thought and action plan to guide the resistance. To "de-radicalize" and wean the Kashmiri youth away from *azaadi* politics, New Delhi has deployed the developmental narrative and formulated youth-oriented schemes under the rubric of "Mission Youth" for which the Indian government has earmarked INR 300 *crore* or US$41 million (Pargal 2021). But with Article 370 gone and the Modi regime, seemingly, on the course of altering Kashmir's demography as the final solution of the Kashmir issue, young Kashmiris now feel vindicated in their condemnation of the political elite and see resistance as more important than ever before to save the distinct identity of Kashmir. While under the current situation of severely curtailed civil and political liberties, the possibility of an organized political mobilization remains unlikely in the near term, the Kashmiri resistance can be expected to stay alive underground. And, whenever political opportunity opens, the youth-led resistance may burst forth publicly and abruptly, as happened in 2008, 2010, 2016, and 2017.

Notes

1 Between 2010–2018, nearly 470 local youths have joined different anti-India armed groups in Kashmir (Jaleel 2018).
2 Even though some critics pointed out that this economic package did not create jobs. See Armand Hussain Talib, "Packages of Deceit," *Greater Kashmir*, March 14, 2015, www.greaterkashmir.com/news/gk-magazine/packages-of-deceit/.
3 Under Azad, the then J&K government had started assembling school kids in the Sher-e-Kashmir International Conference Centre (SKICC) in Srinagar for elocution and debate on Gandhi, as a way to Indianize them.
4 "223 People Killed in Kashmir Unrests in 2008, 2010, 2016: Govt Tells House," *Hindustan Times*, February 10, 2017, www.hindustantimes.com/india-news/223-people-killed-in-kashmir-unrests-in-2008-2010-2016-govt-tells-house/story-f835qWXDdfOcqAI4DsF2HO.html.
5 "Amarnath land row – Chronology of events," *Greater Kashmir*, August 19, 2008, www.greaterkashmir.com/news/gk-magazine/amarnath-land-row-chronology-of-events/.
6 This is what Doug McAdam (1986) calls "biographical availability," which, he argues, was one of the reasons for massive participation of young people in the Freedom Summer campaign of the 1960s during the Civil Rights Movement in the US.
7 The main reason for this sudden upsurge in stone-throwing was the rape and murder of Asiya and Neelofar in the Shopian town in May 2009.
8 "117 Force men, 93 civilians Among 614 killed in Militant Violence in 3 Yrs: Govt," *Rising Kashmir*, October 8, 2013, www.jammu-kashmir.com/archives/archives2013/kashmir20131008b.html.
9 Faisul Yaseen, "JK Govt Figures Catch Parrikar on Wrong Foot," *Rising Kashmir*, November 16, 2016, www.risingkashmir.in/news/jk-govtfigurescatch-parrikar-on-wrong-foot.
10 India dispatched additional 46,000 troops to Kashmir within a span of 10 days, from 25 July to 5 August 2019. These numbers exclude the 85,000 paramilitary forces who were already Kashmir for the security of Amarnath Yatra and elections. When combined with J&K Police force (over 83,000 personnel), Indian army soldiers (200,000) and auxiliaries and intelligence agencies, the strength of Indian security personnel in Kashmir number approximately 500,000.
11 "1,999 stone-pelting incidents in 2019 in J-K, 1,193 post abrogation of Article 370," *The Economic Times*, January 7, 2020, https://economictimes.indiatimes.com/news/politics-and-nation/1999-stone-pelting-incidents-in-2019-in-j-k-1193-post-abrogation-of-article-370/articleshow/73129411.cms?from=mdr.
12 "57 Civilians Killed Near Gunfight Sites in Kashmir This Year," *Rising Kashmir*, December 16, 2018, www.risingkashmir.com/news/57-civilians-killed-near-gunfight-sites-in-kashmir-this-year-339733.html.
13 He further said: "I have been watching stone throwers from the day one. In fact, if you ask me the stone throwing started from my headquarter at Baramulla in 2008. Right there it started with professional stone throwers, those who were drug addicts primarily, many of these radi-wallahs [costermongers] from Baramullah who were compensated 300 rupees a day to throw a stone." *The NDTV Dialogues*: Kashmir, Indi-Pakistan, and the Way Ahead, *YouTube*, April 16, 2017, www.youtube.com/watch?v=gX3hgIe3Fas&t=85s.
14 M. Parthasarathy, "Understanding Kashmir's Stone Pelters," *The Hindu*, August 4, 2010, www.thehindu.com/opinion/lead/Understanding-Kashmirs-stone-pelters/article16120870.ece.
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16 As quoted in the *Conveyor* magazine of April 2010 (Vol. 2 No 4, p. 8).
17 For example, Aj Tak Hindi news channel report on 25 July 2017 said, "Kashmir ke pathar gang ke khilaaf NIA ki badi chott. 48 chehroon ki pehchaan. NIA ne pathar bazoon ka kiya tayaar dossier." [trans. A big step of NIA against the stone-pelting gang of Kashmir. 48 faces identified. NIA prepared the dossier against the stone-pelters].
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22 Author interview. June 2020. E-correspondence.
23 In 2016, Reliance JIO had introduced the world's cheapest 4G internet data and a large number of Kashmiri youth had subscribed to the service.
24 During a big rally on the campus, KUSU had called for a boycott of the president because the state had failed to hold accountable the perpetrators of rape and murder of Asiya and Neelofar of Shopian.
25 Author interview January 2020. Email correspondence.
26 Ibid.

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8

THE WRIT OF LIBERTY IN THE COURTS OF KASHMIR

Shrimoyee Nandini Ghosh and Haley Duschinski

Introduction

On July 29, 2020, the Supreme Court of India, India's highest constitutional court, was hearing the habeas corpus appeal of Mian Qayoom, the 76-year-old lawyer and president of the Jammu & Kashmir (J&K) High Court Bar Association. Qayoom was among hundreds of political dissidents and activists held in preventive detention under the J&K Public Safety Act (PSA) after being picked up in midnight raids in the week preceding the constitutional amendment of August 5, 2019. While most political detention cases in Kashmir are never heard and adjudicated, Qayoom's habeas corpus challenge had travelled from the J&K High Court, where it was rejected, to the Indian Supreme Court. Speaking for the bench, Supreme Court Chief Justice Koul stated that "it is time for all wounds to be healed and look to the future within the domain of our country. . . . Hope is something which creates the future and we are hopeful" (Talwar 2020). The court applauded the state's benevolence in allowing Qayoom to be released early to be able to spend the festival of Eid with his family, advising him to "also adopt a more constructive approach to the future" and the government to "consider how to bring complete normalcy [in Kashmir] at the earliest." The three-judge bench indicated that it appreciated the state's "constructive approach" and ordered Qayoom's "conditional release" on the basis of an affidavit that he would not travel to Srinagar until August 7 – the date of the official lapse of his detention order, and two days after the first anniversary of the abrogation – and would not make or issue any public statements. Since Qayoom was being set at liberty, the court found it unnecessary to rule on the central question of the state's violation of Qayoom's right to life and liberty through illegal detention. The Supreme Court's failure to rule on the illegality of Qayoom's detention and overturn the J&K High Court judgment even as it ordered Qayoom's conditional release meant that the lower court's decision serves as precedent and shapes the law relating to PSA detention decisions.

Viewing the court's failure to consider the liberty question in this case as yet another act of "judicial evasion" in a tranche of similar instances involving the illegal detentions of Kashmiri political prisoners, Indian constitutional scholars made comparisons to the mass detentions through suspension of habeas corpus during the Indian emergency of 1976. At the time of the abrogation, India preemptively curtailed massive popular protest and dissent by imposing a severely repressive siege, including troop deployments, communications blockades, undeclared

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curfews, widespread detentions, and other human rights violations. It justified this state of siege as a necessary step to impose a special and temporary legal order during a time of crisis. But the current legal order, including suspension of habeas corpus, is not special or temporary. It is a persistent and persisting feature of the emergency legal order in Kashmir. And in constructing Kashmir as a space of beauty, hope, and healing "within the domain of our country," the constitutional court did not simply evade questions of liberty and rule of law in the specific instance of the case before it, or in the region more generally. It rather staged the rule *by* Indian law over Kashmir, invisibilizing the pervasive suspension of rights and liberties in the region while legitimizing the use of law as an instrument of counterinsurgency governance, coercive pacification, and militarized goodwill.

Often called the "writ of liberty," the writ of habeas corpus is an extraordinary prerogative of a court to ask state authorities to "produce the body" of an individual in custody so the court can review the legality of the arrest or detention. The suspension of the right of habeas corpus is generally accepted as indicating the suspension of ordinary law and the prevalence of an emergency law framework. Widely recognized as a cornerstone of rule of law and a powerful remedy against state abuses including enforced disappearance, habeas corpus petitions have been extensively used by Kashmiri lawyers as a remedy in thousands of cases of enforced disappearance, particularly in the 1990s, and illegal detention, especially under preventive detention laws.

In his work on the colonial jurisprudence of emergency, Nasser Hussain (2003) argues that habeas corpus jurisprudence was a means of normalizing emergency through invocations of the "writ of liberty" and ideas of rule of law. He identifies a central paradox: why was the writ of habeas corpus available to colonial subjects in a legal regime underwritten by racialized hierarchies and the logic of conquest? From the point of view of governance, the permanent insecurity of the colonial state rendered absolute executive and martial powers of detention necessary and the availability of habeas corpus impractical. Yet the outright exclusion of habeas corpus was politically unviable and ideologically inconvenient due to its centrality to notions of British justice and rule of law. The colonial jurisprudence of emergency thus hinges upon "a maneuver of suspension" whereby the law suspends itself through its own operations (ibid.: 92; see also Lokaneeta 2021; Reynolds 2017: 86). In this reading, habeas corpus jurisprudence through invocations of the "writ of liberty" became a means of juridicalizing and legitimizing sovereign power by drawing natives into the gravitational force field of British jurisdiction. John Reynolds expands on Hussain's work by tracing the linkages of imperialism, race, and emergency in historical as well as contemporary legal regimes, reminding us that "emergency law has been (and remains) deeply implicated in settler coloniality and related processes of occupation, dispossession and discrimination" (Reynolds 2017: 11).

As we have argued elsewhere, India's domination and control over Kashmir is based on a normalized logic of permanent emergency that produces and is produced by a jurisdiction of suspicion "with its origins in colonial power relations, entrenched in the constitutional foundations of the postcolonial Indian state" (Duschinski and Ghosh 2017: 2; Ghosh 2020). This permanent emergency in Kashmir operates through an everyday preventive detention regime that "intermingles the systems, techniques, and jurisdictions of criminal process, administrative detention, and military warfare" (Ghosh and Duschinski 2020). The production, circulation, and control of files operate as a key modality of power and governance – what we have called "paperwork warfare" that allows the counterinsurgency state to create a self-enclosed and lawless yet legally saturated carceral grid, driven by the imperative to keep political dissidents in permanent limbo using the "striated jurisdictional topography" (Singha 2015) of administrative

detentions, criminal and constitutional cases, blurring distinctions between legally permissible and arbitrary invocations of ordinary and extraordinary law (Ghosh and Duschinski 2020).

This chapter extends these arguments by turning an ethnographic gaze on how habeas corpus litigation in Kashmir operates as a mode of normalizing and consolidating the practices of arbitrary detentions and state terror through languages and performances of rule of law. Such policing and judicial practices are a form of counterinsurgency lawfare (Raman 2018). They constitute Kashmir as a legalized permanent emergency, where executive and military powers are constantly expanded and judicially authorized, while seemingly upholding constitutionalism and rule of law. Through analysis of ethnographic data on habeas corpus hearings in preventive detention cases under the PSA in the J&K High Court in 2016–2017, we argue that this legalized permanent emergency is sustained and legitimized through judicial performances in the habeas corpus courtroom. During this period, the J&K High Court heard many habeas corpus cases following a period of intense popular protest, police repression, and mass arrests in the summer of 2016. We analyze the ways in which judicial performances of legality and rule of law in these courts effectively draw incarcerated bodies further into the terrifying circuit of contingency, delay, and deferral, underlining the routinized and permanent nature of the suspension of law itself. Our argument is that the legal and political exigencies of settler colonialism, militarization, and occupation require "a maneuver of suspension" of habeas corpus (Hussain 2003: 92) that reveals the contradictions at the heart of the counterinsurgency state's constitutional court.

This chapter is based on our long-standing fieldwork as legal and political anthropologists focusing on the complexities of law, power, and militarized violence in Indian-controlled Kashmir. The Indian state's policy of denial of the armed conflict and human rights abuses has meant that scholars, journalists, and human rights researchers must work under conditions of official and unofficial travel restrictions, threats of detention and deportation, and pervasive scrutiny, suspicion, and surveillance. While based in Kashmir, Ghosh conducted the ethnographic research for this analysis by watching courtroom proceedings, collecting documents, and conducting interviews with detainees, their families, and their lawyers during a period of upheaval and crackdown in the Kashmir Valley across six months in 2016–17. During this time, she also acted as part of the legal team that challenged the PSA detention of human rights defender Khurram Parvez through her role as a legal researcher for the Kashmir-based human rights documentation center, Jammu and Kashmir Coalition of Civil Society (JKCCS). Ghosh's dual positionality as a lawyer and anthropologist allowed her to "pass" as a legal insider and helped her navigate some of the risks and intricacies of carrying out field research in Kashmir. Across several years, we have adopted a methodological approach of "collaboration at a distance" through virtual modes of synchronous and asynchronous communication, document sharing, and write up (see Ghosh and Duschinski 2020). This approach aligns with our broader ethos of scholarly collaboration, participation, and engagement as critical scholars conducting politically engaged and public facing empirical research on occupation, settler colonialism, and self-determination in Kashmir.

In the next section, we describe the everyday legality of Kashmir's detention regime and its techniques for holding custodial bodies in limbo through deferral, delay, and non-adjudication. We then situate habeas corpus litigation in Kashmir within this context of counterinsurgency lawfare, arguing that the exercise of habeas corpus deepens and extends the hold of the carceral grid even as it claims to provide remedy against illegal detention and state abuse. We conclude with ethnographic analysis of how judicial scripts and performances of militarized humanitarianism and constitutionalism juridicalize the relationship of persuasion and punishment, simultaneously authorizing and suspending the rule of law.

The Body in Custody

In the everyday legality of Kashmir, criminal, constitutional, and administrative jurisdictions are claimed over incarcerated individuals through exercise of the power to detain and release at will. We have analyzed this cyclical and fluctuating system of contingent illegal and legal detentions as the "carceral grid," a mode of political containment operationalized through an assemblage of densely enmeshed files, intelligence dossiers, police databases, court cases, and constitutional discourses (Ghosh and Duschinski 2020). The temporalities of infinite deferral, delay, and incarceration convert PSA into the "ultimate weapon" in the state's arsenal of lawfare,

> lawfare: its use of its own rules – of its duly enacted penal codes, its administrative law, its states of emergency, its charters and mandates and warrants, its norms of engagement – to impose a sense of order upon its subordinates by means of violence rendered legible, legal, and legitimate by its own sovereign word.
>
> *(Comaroff and Comaroff 2006: 30)*

Stories of detainees' entries into the carceral grid often begin with arbitrary and undocumented detention in the police station following a police sweep and heightened security measures, which routinely accompany a plethora of contingencies, which may include military operations against militants and police action against protests, visits by official or diplomatic delegations, or religious and Indian national holidays. The identification and targeting of individuals is determined by circumstances of a detainee's political affiliations, biography, or location that serve as an "index of tendencies" (Berda 2017: 50) signifying their propensity for "anti-national" or "anti-social" conduct. Individuals, mainly young adult males or adolescents, are typically abducted without warrant or warning and taken to the nearest jail or sub-jail, which are specially notified prison facilities usually located in or near the district police headquarters.

Often detainees' families receive no intimation of the arrest. For instance, when visiting Kupwara sub-jail in September 2016, Ghosh heard of sixteen teenage boys from Pattan, a town two districts away, who were being held incommunicado, with no information provided to their families. In such cases, families may find out the location of their detained husbands or sons through socialized circuits of police information. During this period of undocumented custody, families may bargain with police, frequently through bribes, for release or assurances that the detainee will not be transported or tortured. Families receive assurances that the detainee will be released shortly after "questioning" – a euphemism for interrogation through torture. They, or the detainee themselves, may secure their release by signing either official bonds of good behavior under Section 107 of the Criminal Procedure Code, or unofficial illegal bonds promising not to re-offend. Following the mass arbitrary detentions in August 2019, police formalized the long-standing practice of issuing community bonds by making village elders sign guarantees of good behavior, undertaking on the pain of fines and imprisonment that local youth identified as troublemakers would not re-offend.

The looming threat of a PSA order, under which a juvenile detainee may be indefinitely swallowed up by the carceral grid, operates as a means of keeping prolonged detentions secret and undocumented and perpetuates a system of police extortion and corruption. During Ghosh's fieldwork, a criminal defense lawyer in Baramulla described the pervasiveness of undocumented detentions and the vulnerabilities and uncertainties of families who were seeking the release of detainees at the local police station level without resorting to the

courts, which could "provoke" police into applying the PSA and thus solidifying and formalizing the hold of the carceral grid.

> Any time, if you go to the police lines or [Joint Interrogation Centers], you will see at least two or three boys – routinely. I'm talking about in normal times, not when the situation is bad. Boys are routinely in illegal detention and families are waiting and begging and negotiating.

The oscillation between punitive and persuasive police powers is intimately negotiated in the field of preventive policing through kinship bonds, gifts, and influence as families appeal to local police, who may be family or neighbors, to pass on messages, allow access to detained children, and ensure detention in the relative familiarity of the local lock-up, along with others from their area (for more on predictive and preventive policing in India, see Narayan 2020, 2021). Police exercise their "provisional agency" (Jauregui 2014: 2016) by holding undocumented detainees hostage as they bargain with families for bribes, constantly deferring their release, yet virtuously reassuring families of their children's welfare and that "the Act" – the colloquial term for a PSA order – will not be applied. This exercise of provisional agency brings families and police together in a space of complicity, collaboration, and compromise (Fazili 2018).

Under PSA, detainees are held in regular prison facilities and juvenile detention homes with no concession to their status as political prisoners, though they are not charged with or convicted of any crime. The police only intimate the family of the application of the PSA after the detainee is transferred to prison, often hundreds of kilometers outside Jammu and Kashmir, so that the family cannot challenge the order before its execution. And PSA detainees often become charged through FIRs of suspected involvement in incidents of "rioting," "destruction of property," and mob violence, which are used as shorthand to signal the danger that detainees pose to public order and security. These FIRs are never investigated or effectively tried though the criminal justice system, but hundreds remain "open," or pending investigation, in the police archives for years, being deployed repeatedly against various individual suspects in multiple simultaneous or subsequent PSA detention orders. A lawyer based in Srinagar described the fluctuating and terror-filled nature of the carceral grid's hold over suspicious bodies through the power of the PSA:

> If the initial illegal detention is challenged, then the police may invoke an existing open FIR as justification for the detention. If the court issues a bail order before the police are ready for a release, then the police may arrest the individual from the court-room immediately following release on another FIR. When all else fails, they always have the ability to use the record of multiple FIRs to detain under PSA.

The PSA is a central pillar and "ultimate weapon" in the hyperlegal emergency system that accelerates and deepens the indefinite circulation of custodial bodies and paperwork across multiple jurisdictions of bureaucracy, police, courts, and prisons. The Baramulla-based criminal defense lawyer drew attention to the menace inherent in the workings of a legal system, where police have the power to override all mechanisms of judicial accountability:

> Everyone is afraid of PSA because there is no remedy, no lawyer, no bail. You are stuck indefinitely in hell. Kashmir is a place where the [Sub Inspector] is more powerful than a High Court judge, because no matter how many times the court releases him, [the police] can continually implicate suspects in PSA cases.

Counterinsurgency Lawfare and the Writ of Liberty

Once the ultimate weapon is used, the only remedy is to file a petition for a writ of habeas corpus in the J&K High Court, often a day's journey away from the detainee's family home, or the Supreme Court of India challenging the detention order on limited constitutional grounds of procedural fairness. These habeas challenges are usually filed on a pro bono basis on behalf of families of political prisoners by members of the J&K High Court Bar Association at Srinagar. This Kashmir Bar Association (KBA), of which Mian Qayoom was President at the time of his detention, has played an exemplary role across the past three decades in using the state's own legal system to challenge the effects of emergency laws including illegal detentions, detentions of individuals in distant locations outside the state, and improper treatment of detainees within state facilities (Duschinski and Hoffman 2011). Working under conditions of counterinsurgency lawfare, KBA lawyers "function collectively as an authoritative normative community and powerful institutional actor, working within the parameters of the Indian legal system while simultaneously supporting and maintaining solidarity with the movement for self-determination, and contesting the legitimacy of Indian state rule" (ibid. 2011: 8; Hoffman and Duschinski 2020; for the role of lawyers in comparable contexts, see Bisharat 1995; Geva 2016; Hajjar 2005; McEvoy 2011).

The Indian Supreme Court has repeatedly held that provisions of preventive detention laws must be construed as restrictively as possible, given the huge amplitude they provide for the abuse of executive discretion and the arbitrary deprivation of liberty. In J&K, PSA detention orders are usually challenged on the grounds of a number of standardized illegalities including the non-supply of documents to the detainee, the non-application of mind by the detaining authority, the invocation of vague and unsubstantiated charges, and the blind copying of language from police dossiers. Grounds of detention include vague and unsourced allegations replete with references to "inputs" from "discreet agencies," collected through intelligence methods and surveillance tactics that necessarily remain outside of judicial review.

In his recent analysis of 100 cases of preventive detention orders passed between July and October 2016 in which habeas corpus petitions were filed in the J&K High Court, Gaurav Bhawnani (2018) demonstrates how case after case shows the same forms of unconstitutional executive action, including notable but not unusual cases of political prisoners who have been imprisoned almost continuously for over a decade with more than 30 consecutive illegal detention orders quashed. Bhawani identifies patterns consistently recurring across the cases including frequent illegal and undocumented detentions both before the order is passed and after the order is quashed by the High Court, midnight transportation from Kashmir Valley to distant jails in Jammu district, and delays in holding hearings that often surpass the period of the legal detention order itself.

In the vast majority of habeas corpus cases, the J&K High Court quashes detention after detention on the basis of legally flawed orders, citing Supreme Court precedents on the paramountcy of individual liberty and the exceptionality of preventive detention. Indeed, the High Court quashing of these prima facie illegal orders is often a foregone conclusion, as case after case shows familiar and repetitive patterns of the same grounds of challenge. In a recent analysis of 210 case studies of PSA detentions between 2012 and 2018, Amnesty International (2019) found that the J&K High Court most often found PSA detentions to be unconstitutional because of several repeated patterns of illegality including: procedural and technical lapses in the drafting of PSA orders; vague and unsubstantiated information; detention of minors; repeat and identical orders; illegal and revolving-door detentions; non-supply of copies of documents; and evidence of non-application of mind by detaining authorities such as fundamental errors of fact and matters of record.

As Ghosh noted in her courtroom observations, the J&K High Court routinely heard and quashed PSA orders – upwards of ten orders in a single sitting – for failing to satisfy the constitutional tests of reasonableness and non-arbitrariness of state actions. These quashings typically took place 12 to 18 months following the initial detention, after routinized delays and deferrals granted by the writ court, despite laws and rules of case flow management stating that "matters of liberty" must be expeditiously disposed of by the court within 15 days of the filing of the habeas corpus plea. The court continued to treat each case as an individual and aberrant case of illegality, performatively reiterating the application of constitutional due process norms while ignoring the institutionalized and entrenched system of unconstitutional detentions and deliberate abuse of process by the counterinsurgency police and bureaucracy.

Following the High Court's orders for release after the quashing of an illegal detention order, the detainee is officially released from prison but immediately transported in a police vehicle to the Joint Interrogation Centre (JIC) run by Counter Insurgency Kashmir (CIK) unit of the J&K Police for a "debrief" and then held at the police station of the area concerned under one the numerous open FIRs cited in the detention order. The individual must then individually apply for bail under the ordinary criminal process in each of the mentioned FIRs. During this time, he circulates between various police jurisdictions and courts, allowing authorities time to execute a fresh PSA detention order if they consider it necessary. Only a clearance from counterinsurgency police authorities can ensure his eventual release, but he remains marked as a threat and vulnerable to repeated cycles of indefinite illegal and legal criminal and administrative detentions.

The quashing orders are written in standardized registers of constitutionalism, rule of law, and individual rights and liberties, citing a host of familiar precedents relating to Article 21 and reiterating the legal impermissibility of everyday bureaucratic practices of detention, such as identical orders and non-application of mind. The High Court's routinized practice of quashing one illegal order after another on the basis of technical grounds serves to obscure the terrorizing operations of the counterinsurgency carceral grid.

Judicial Maneuvers in the Habeas Corpus Courtroom

In the first few weeks of the summer uprising of 2017, the Kashmir Bar Association launched a strike against the daily cycle of civilian killings and use of unlawful force by authorities. While lawyers continued to help families draft and file habeas corpus pleas and briefed them on what to say, petitioner families appeared in court in person without legal representation. It was common to see rural and poor families, sometimes including the very elderly or young children, often women, thronging the court's corridors and sitting for hours, awaiting their habeas corpus hearings in the visitor's galleries of the ceremonial, wood paneled courtroom. They stood before judges, ill at ease in the surroundings of the overtly ceremonial courtroom, supplicating the judges with folded hands for the release of their missing children, bringing home the full weight of the law's terrifying and magisterial power. As "normalcy" returned to the courtroom, lawyers began to appear again. In this section we draw on the courtroom performances and scripts of militarized humanitarianism and constitutionalism to ethnographically describe the maneuver of suspension and the work of habeas corpus jurisprudence, in the regime of permanent emergency and perpetual war.

In October 2017, Ghosh attended the habeas corpus hearing of a case involving a 20-year-old vegetable vendor named Zubair who had been arrested in May and whose PSA dossier mentioned 21 FIRs relating to incidents of rioting and incitement to violence but did not refer to him specifically. The legal proceedings took place in the J&K High Court. Zubair's legal

counsel was Shafqat Mir, a senior member of the bar who represented many terrorists accused as well as a large number PSA detainees and victims of rights violations. In the back rows of the courtroom, Zubair's brother Zeeshan strained to hear what was being said. Ghosh noted the tension in his body and his attitude of intent listening to the court proceedings.

Zubair's family was from the old town of Baramulla, a locality known for its history of resistance politics, and Zeeshan was a local stone-pelting boy. Zubair had been first picked up by plainclothes police of the Criminal Investigation Department (CID) from his hospital bed in May 2017. Ten months earlier, he had been shot during a street protest by state armed forces using pellet shotguns, a crowd control technique extensively deployed by soldiers and police in Kashmir to maim and mark protesters who can later be identified and arrested from checkpoints or hospital wards as they seek treatment (Physicians for Human Rights 2016). Zubair had undergone two surgeries to remove hundreds of lead pellets embedded in his stomach. Two days after his second surgery, he had been picked up and illegally detained for nine days at the local police station while his family bargained and bribed police for his release. His family applied to have him transferred on the basis of his surgeries and the Block Medical Officer's report, but the court rejected the application. Zubair's family said that he was selling vegetables at the square when protests broke out and the police began firing at the crowd. His police dossier used the standardized language of such documents to refer to him as a "habitual stone pelter" and an "anti-social" and "unruly element."

At the habeas corpus hearing, Shafqat Mir rose and stood before the court. A small wiry man with an electric energy and staccato delivery style, Shafqat was known as "the people's lawyer" for his enduring commitment to fighting systemic oppression in the courts by providing free legal aid to everyday Kashmiris who had been trapped in the carceral grid because of their commitment to the freedom struggle. After his death in January 2020, his associate remembered him by saying, "Being a sympathizer of the movement, he stood up for our right to Azadi and remained a vehement opponent of the Indian occupation. He was simply mirroring the general sentiment of the Kashmiri people" (Malik 2020). He was also known for his empathy in dealing with clients and their families. In the fall of 2017, he could often be found between cases sitting on a sofa in the spacious lobby of the High Court, engaging in intense discussion with his associates, his clients' families, and visiting researchers. He approached all of these interlocutors with a spirit of generosity and kindness. In Zubair's case, Shafqat had decided to personally appear in court because on the previous court date, Zeeshan had become so frustrated with the delayed proceedings that he had almost come to blows with the firm's young junior lawyer. Shafqat wanted to argue the law, knowing that judges often preferred to accelerate the process by focusing not on law but rather on injuries, family circumstances, or other humanitarian grounds.

Shafqat Mir began by taking the court through the many facts and procedural illegalities that rendered the detention order invalid.

> At this point he was interrupted by the Judge: "Why should you attack security forces?"
>
> Shafqat appeared not to hear this query, and continued to enumerate the technical grounds on which the detention order was violative of the "procedure laid down by law" and cite constitutional precedents on preventive detentions. "First, they filed the PSA ten months after the date of the incident. Second, he was already in custody, under the criminal investigations of the FIR, so what is the need for resorting to PSA? One FIR relates to a mob incident on 14.9.2016. On that day of the FIR, he was undergoing surgery in hospital. I have produced the medical records."

The State counsel broke in here, to point out the notorious criminality of the boy. "There are 11 FIRs against him in 2016 alone. A total of 21 cases against him." Referring to the preventive detention order he quoted, "He is an unruly, disorderly person."

The Judge however raised the question of the legal requirements for establishing the need for the extraordinary detention without trial. He said: "Why not use the ordinary law of the land, why preventive detention? Was it based on the subjective satisfaction of the District Magistrate? His last activity is 10 months before his detention, so why PSA now?"

The State Counsel began to read out stock phrases from the PSA grounds of detention and referred once again to his "notoriety" and the 21 police complaints against him. "He is a well known unruly element, my lord."

The Judge nodded. "Of course he is no gentleman. He is a habitual. But you have not shown me how subjective satisfaction that he is a threat is met, when he was already in police custody."

The State Counsel continued to read from the file.

The Judge looked grim and dissatisfied. "There is an absence of justification or explanation in the PSA order [for the delay] and the fact remains he was already in your custody facing trial, what was the need? Do you have anything else?"

State counsel: "Your Lordship may grant me time till 4pm, I will bring you the case law."

Judge: "List Tomorrow."

The quashing took place after two further hearings, stretching over weeks, but Zubair's brother Zeeshan informed Ghosh in December, two months after this hearing, that Zubair was still being held in Jammu. The family had been told that Zubair needed to be bailed out in all 21 pending FIRs, and he had at that time been bailed out in two of them. He was awaiting the next bail hearing in the lower court in their district. In their final conversation some months later, Zeeshan informed Ghosh that Zubair had been transferred to their district and was still being bailed out in the 21 FIRs, circulating between the criminal court and police detention facilities as he was re-arrested immediately as he was bailed out in every case. His wounds from the shotgun injuries had still not healed, and required urgent medical attention, but they were glad they could at least meet him in the local police lines, which doubled as a sub-jail.

This script follows the contours of dozens of such encounters that Ghosh observed, where specific courtroom representations about the procedural legality of detentions and rights of detainee were subsumed under the sign of the disorderly "habitual" offender. In many such encounters, this was further emphasized through courtroom talk couched in languages of paternalism, persuasion, and pacification rather than punishment through the criminal justice system. The constitutional courtroom became a staging grounds for judicial performances of militarized humanitarianism and counterinsurgency governance that characterize techniques of population-centric counterinsurgency warfare, aimed at winning over Kashmiri "hearts and minds," with the absent body of the youthful yet maimed Kashmiri stone pelter a specter of hope, peace, and transfiguration (Bhan 2013; Bhan and Trisal 2017).

Both lawyers and judges engaged in the scripted performance with the outcome – the quashing of the illegal order – already known. For instance, certain lawyers would ask families to always be present in person at hearings in lieu of their absent sons and loved ones. Lawyers underlined the importance of the family's presentation of abjectness before the judges, pointing to their age, infirmity, distress, and poverty. Judges in response would ask

parents to monitor the future conduct of their "delinquent" and "miscreant" wards, scolding them for failing to properly parent their offspring and asking them sternly to ensure their orderly conduct on pain of further detention. In this performance, judges would studiously avoid mentioning the political nature of the acts that had ostensibly led to the detentions, indexed in the PSA dossier's repeated references to "secessionist ideology" and "anti-national elements." Instead, courtroom talk emphasized themes of "misguided youth," "reformation," and "normalcy." In one exchange, the lawyer and the judge both agreed that the boy must find a nice girl and get married so that he would "settle down and stop indulging in such activities."

Conclusion

Emergency laws including national security and preventive detention laws in contemporary South Asia do not represent tensions, contradictions, or the extra-constitutional, unconstitutional, or exceptional suspensions of the rule of law. Rather, they operate as constitutive and permanent features of violent political regimes of containment and exclusion in constitutional democracies (Kalhan 2010; Nesiah 2010). As Reynolds (2017: 213) writes, "the filtering of colonial violence through (normalised colonial emergency) law aims to legitimise its performance for both external and internal audiences." On the one hand, India frames Kashmiri political mobilizations as secessionist, anti-national, and terrorist threats to public order and national security, thereby necessitating its imposition of emergency legality across decades. On the other hand, India must demonstrate its constitutional and democratic commitments, both domestically and internationally, through representations of rule of law, the availability of effective domestic judicial remedies, and the existence of a robust and independent judiciary. In Kashmir, legal discourses and performances of preventive detention law and habeas corpus hearings are premised upon Kashmir's coercive integration within Indian jurisdiction, even as they exclude Kashmiris from constitutional protections of life and liberty available to citizens under Indian law. Instead, judicial performances of constitutionalism and humanitarianism function as modes of obscuring questions of illegal custody and collective punishment, drawing custodial bodies and profiled communities further into the carceral grid of counterinsurgency law.

Iterative courtroom performances of constitutionalism in habeas corpus hearings provide judges with the opportunity to intervene "objectively" to routinely and repeatedly quash illegal detentions based on the minutiae of the individual file, while remaining seemingly blind to the politically contingent and fictionalized trajectories of the documentation and the inevitability of the endless cycle of state terror and collective punishment it serves to conceal. Courtroom performances juridicalize the relationship of persuasion and punishment that lies at the heart of counterinsurgency lawfare. Whether the habeas corpus challenge is successful or not, the courtroom proceedings illuminate the workings of the counterinsurgency state aimed at pacification of a popular resistance movement, through population-centric military policy and doctrine. In this context, the maneuvers of suspension, tactics of everyday delay and deferral, reproductions of contingency, and invocations of humanitarian concerns and constitutional norms in judicial discourse serve to draw Kashmir into the force field of Indian jurisdiction, authorized through India's terrorizing and permanent stranglehold over their bodies. Such discourses reconfigure the violence of the counterinsurgency state that sees the political Kashmiri as a security threat to the Indian nation who must be marked as a suspect and thereafter neutralized by permanent excision from social and political life through incarceration or coercive transformation.

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9

TRADE, BOUNDARIES, AND SELF-DETERMINATION

Aditi Saraf

Introduction

In Kashmir, the political and symbolic importance of trade outstrips calculative statistical outcomes. Rather, the past and present of economic regulation in Kashmir, the political activism of traders' collectives, and the importance of the marketplace as a site for protest activities clarifies the political importance of trade in being deeply entangled with ideas of sovereignty. In my broader research, I argue that the networks of trade and exchange map out the political geography of a frontier, connecting the Kashmir region with heterogeneous highland spaces in Tibet, Xinjiang, and Afghanistan. Once trade partners in trans-Himalayan caravan networks – currently sundered by Asia's most militarized and intractable borders – these spaces bear out thorny relationships with forms of nationalism imposed upon them. In this context, trade concerns not only political economy but also serves to re-politicize the realm of the spatial conceived as "social relations stretched out" (Massey 1994).

A concept that provides a corresponding heuristic is that of "the frontier." The term is generally used to refer to geographical and cultural peripheries: zones that are viewed as both political barriers and sites of contact and exchange. At the same time, the frontiers are also deeply implicated in histories of colonial violence, expansion as well as resistance. As such, frontiers dramatize unsettled questions of borders, identity, and community by manifesting histories and practices that had to be discounted in order to establish the self-presence of more dominant forms of space and identity, such as that of a bounded nation-state (Saraf 2020a). Kashmir's historical trade relationships that radiate beyond present-day borders into the highlands of south and central Asia offer a lens into precisely such material and affective geographies that extend national boundaries. Tracing the history of mobile trade networks, and efforts to control, usurp, or redirect them also helps us understand the paradox of the lines of control that territorially demarcate Kashmir as simultaneously violently entrenched and irrepressibly disputed.

Recent years have seen a renewed interest in frontiers as spaces of indeterminacy and volatility, conditions that are relevant to understanding the constraints and possibilities amidst which the work of trade occurs in the Kashmir region. Kashmir has been a zone of enduring struggle, both as site of an ongoing movement for self-determination and intense territorial rivalry since the Partition of British India in 1947. Three wars caused the lands of the former Himalayan kingdom to be divided between India, Pakistan, and China. The highly militarized Line of

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Control (LoC) serves as the de facto border between the Indian and Pakistan administered parts of the former Himalayan kingdom. After years of disenchantment with Indian rule, a popular armed movement for freedom – *azaadi* – was launched in the Kashmir Valley in 1989 and resulted in more than a decade of armed militancy. Met with direct state violence and emergency laws that grant immunity to Indian military forces, various legal and extra-legal forms of coercion, torture, detention, and killings have constituted a "permanent state" of emergency (Duschinski and Ghosh 2017) for subduing the dissident population of an unstable border state. Since August 2019, the unilateral mutilation of Article 370, the removal of land rights and the bifurcation of Jammu and Kashmir has heightened the violent forms of political intransigency and uncertainty that have characterized the Kashmir dispute since the beginning of the *Azaadi* movement.

The Moral and Political Economy of Trade

My fieldwork in Kashmir was provoked by the question of how quotidian activities of buying and selling, provisioning and payments, are publicly and privately sustained during prolonged political violence. Pursuing this query in the marketplaces of Kashmir, it became clear that one way of maintaining public lives and relationships was through reliance on historical trade relationships (Saraf 2020b). Cutting across rigid categories of communal identity and militarized boundaries, such networks are based on diverse religious and ethnic communities engaging in the common goals of exchange and provisioning. Supply chains for commodities and the material sediments of their human and nonhuman agents – brokers, but also bills, advertising pamphlets, and trade directories – extended networks not only into the Indian mainland but also westward and northward across heavily militarized borders, activating a field for expressing alliances and empathies that were not permitted in polarized political languages of the mainstream. Intersections of trade, commerce, and livelihoods in Kashmir, as elsewhere at frontier outposts, produced internal logics of autonomy and self-sufficiency that did not depend on external recognition for legitimacy (Hansen 2005). Training focus on the work of trade, as expressed in this setting, provided significant ways of marking the history of Kashmir as a frontier prior to its splitting and subsequent absorption by the Indian state – a history that is important for understanding contemporary idioms of freedom (*azaadi*) envisioned by traders as cross-border mobility and the ability to trade freely with all partners. Despite the hardening of de facto boundaries and the criminalization of crosscutting connections, frontiers are not coincident with national borders.

Inhabiting the space of the frontier had a changing impact on the work practices of traders who never fully assimilated into the nation-state and its territorial legal regimes. Despite having to work consistently amid violence and indeterminacy that visibly curtailed trade, the flow of goods and payments persisted as traders participated in multiple networks – ethnic, historical, national, and para-statal. Participation in these networks in turn, allowed traders to sustain their practices in a contested zone where legal and regulatory institutions taken for granted elsewhere are rendered unstable, and forms of surveillance and security are all pervasive. At the same time, trade networks – past and present – also enable expressions of solidarity with Kashmiris living in areas under Pakistan's administration, as well as connections with communities beyond the geopolitical entities of "India" and "Pakistan" – such as in Kabul and Kashgar – in the highlands that forged what I call the trans-Himalayan trade-ecumene.

In the context of the self-determination movement, this was particularly evident during the agitation that followed the Amarnath Land transfer in 2008, when the administrative decision to transfer about 100 acres of forest land for the construction of temporary facilities for Hindu

pilgrims caused the Muslim majority Kashmir Valley to erupt in protests against what was perceived as religiously motivated encroachment upon their lands. In response, an "economic blockade" was imposed on by the Hindu-majority neighboring district of Jammu by cutting off all transport and cargo on the Jammu-Srinagar highway, the main vehicular channel connecting the Kashmir Valley to the Indian mainland. Protestors in Kashmir then took out massive marches to the Line of Control (LoC), chanting slogans that expressed the desire to "break the LoC" and exchange in the markets of Muzaffarabad and Rawalpindi: cities in Pakistan that were conjoined with Srinagar in regional webs of trade before the partition of British India. Traders' collectives entered the political sphere with vigorous demands to be allowed to trade freely with all partners. I was told during informal conversations in 2013 that due to the Amarnath land agitation, relations between the respective traders' collectives in Kashmir and Jammu deteriorated to a point where their members stopped talking to their counterparts. Apparently, relations thawed only after intervention and mediation by their colleagues and trade delegates from Azad Jammu Kashmir (under Pakistan administration). In this way, trade and traders' networks were a field for both expressing and mediating the politics of self-determination. These events also led to the inauguration of the regulatory artifact of "cross-LoC trade" that I discuss later in the chapter.

Reflecting on the widespread food riots in the English countryside in the late eighteenth century, the English historian E.P. Thompson (1971) elaborated the term "moral economy" to show how markets both dramatize and generate political and moral evaluations rooted in exchange communities. Thompson argued that political acts by the English peasants sought to establish commonly held notions of fair price, just exchange and right to charity that drew on feudal values to oppose the risks and uncertainties of the free market economy. Rather than think the moral economy as entrenched within an enclosed community, I conjugate the concept of the "moral economy" with that of "the frontier" to emphasize potentials for studying mobility together with the transecting nature of trade networks and social movements. That such concerns underpinned key aspects of sovereign control escaped neither the princely durbar nor the colonial and postcolonial state. Recognizing that trade networks were crucial for diplomatic mediation, economic provisioning, and self-sufficiency, colonial and postcolonial strategies of occupation and integration continue to be shaped by strategies of blocking, controlling, and redirecting networks of exchange.

In what follows, I first describe conceptual links among frontiers, mobility, and territoriality. I then describe how the marketplace or bazaar becomes a productive site for investigating social movements and solidarities. Finally, I show how colonial and postcolonial governments used the control of trade networks and routes to consolidate contested boundaries and argue that the contemporary scrutiny, surveillance, and suppression of trade and traders has become an increasingly important component of the Indian state's militarized governmentality in Kashmir.

Frontiers and "Itinerant Territoriality"

Against global upheavals, frontier ethnography conspicuously moved from colonial concerns around how to govern an unruly people toward engagements with frontier regions as sites for studying political order outside the nation-state (Leach 1954; Phanjoubam 2015). Rather than view frontier societies as primitive or stagnant, such ethnographies adopted a synchronic and historical perspective to elaborate distinctive indigenous forms of order that emerge from a dynamic and unstable interface with broader political configurations, as well as "institutionalized dissidence" (Gellner 1969), self-consciously maintained through a balance between religious and secular authority.

Correspondingly, frontiers also emerged as privileged arenas for studying the formation and transformations of ethnic groups as well as the relations between them. In the 1969 publication of *Ethnic Groups and Boundaries*, Barth and his colleagues rejected the view that ethnic groups were organic bounded entities that were ecologically situated and shared a common culture. Drawing on his fieldwork amongst Pathans in the Swat Valley as well as among nomadic peoples in Kurdistan, Barth emphasized the mutual maintenance of boundaries and boundary-crossing flows and exchanges, arguing that boundaries were simultaneously stable and in constant flux. Barth's theoretical framework emphasized the continual negotiation of boundaries and ongoing interaction with proximate others in the process of group formation – in other words, that boundary production and boundary-crossing were two sides of the same coin. This resonated with Uberoi's structural configuration of the Hindu-Kush Himalayan region as a "wall [that] is also a corridor," a "revolving door" rather than an "open and shut gate" (1978). Observing that human activity invariably "leaks" through boundaries (2000), Barth argued that the productivity of boundary zones provided opportunities not just for state-like entities such as military and customs officials, but also refuge and retreat for political dissidents. In the more quotidian dimension, boundaries activated a constant field of "affordances" for "mediators, traders and middlepersons of all kinds" (28–29).

These "affordances" ascribed to the frontier by Barth mark it out as a site of exchange, circulation, and mobility. Movements through frontiers and their crossings produce contingent notions of licit and illicit exchanges. Writing on endogenous ideas of space and boundaries in Africa, Achille Mbembe (2000) highlights the "relative lack of congruence between the territory of the state and areas of exchange," arguing that rather than being delimited by boundaries in the classical sense, political entities were formed by "an imbrication of multiple spaces, constantly joined, rejoined and recombined through wars, conquests and the mobility of goods and persons" (263). Mbembe coins the term "itinerant territoriality" to designate precolonial territoriality operating through "thrusts, detachments and scissions," but the analytic of itinerancy extends well into the postcolonial present.

Bringing the preceding perspectives to critically bear upon Kashmir studies helps to understand how mobile trade networks sustained social movements under repressive regimes. In addition, following these networks allows us to discern alternate geographies of belonging that cut across rigid categories of communalized identity and militarized boundaries. In Kashmir, the political dispute is seen in terms of territorial rivalry between India and Pakistan, correspondingly acquiring communal overtones of warfare between antagonistic categories of Hindus and Muslims. While conducting ethnographic fieldwork in the markets of Srinagar, however, I came across ideas of space and identity that questioned and subverted such statist discourses. They gestured toward alternative political claims and attachments forged in the distinctive regional histories of trade. For instance, through a striking riparian metaphor, one of my interlocutors urged me to visualize Kashmir as a tributary of the "Silk Road" imagined as a river, with Kashmir as part of a tributary that yoked together the "Kaaf" states [whose names began with the urdu letter *kaaf*]: Kabul, Kashgar, and Kashmir. As I encountered representations of spatial imaginaries hat bypassed the cartographic entities of India and Pakistan, I was also struck by how many of these places – former trade partners such as Kabul and Kashgar but also Yarkand, Khotan, and Lhasa strain against forms of contemporary nationalism imposed upon them.

This focus on boundaries and movement (Aggarwal 2004; Sökefeld 2015) by engaging trade networks also intersects scholarship under "Indian Ocean" and "inter-Asian" studies of connection, circulation, partiality, and trans-regionality beyond the analytic foci of globalization, and which are extended into historical patterns of interaction and exchange. Such patterns occur between societies that have recognized each other over centuries, through social and religious

infrastructures that long precede the establishment of nation-states (Chatterjee 2013; Duara 1995; Ho 2017). Yet a focus on Kashmir also challenges some of the emphasis on mobility in this literature (Marsden 2018), where in the current context traders in Kashmir operate amidst an overwhelming sense of confinement amid curfews, communications blackouts, and militarized boundary maintenance through checkpoints, blockades, and the unyielding nature of the Line of Control.

The Public Life of Resistance

The bazaar or the marketplace has been a historically important public arena for investigating interaction, communication, and exchange in Muslim societies (Baig 2014; Gilmartin 1988; Gilsenan 1982; Geertz 1979; Javed 2018) – perhaps unsurprising given the doctrinal defense of commerce as useful and worthy within Islam and the role of the mercantile classes in the spread of Islam around the globe. The space of the market is considered to be an important arena of sociability and organization of communal life in the city outside the kinship group. The "bazaar-mosque" dyad has been an important trope in this regard, signaling not only the spatial proximity of the two but also the fact that the purpose of business calculations far exceeded exchanges of material commodities and assayed religious, political, and cultural values. Of course, in South Asia this is not unique to Islam – other historians have spoken of the temple and bazaar too as a central knot in the social fabric of cities (Freitag 1989; Ostor 1984). As a node of traffic for various persons and modes of exchange, the marketplace is thus both locally embedded and outwardly exposed. As a place without a single locus of authority, where exchange and politics interact in dynamic ways, bazaars become sites of investigation for forms of urban solidarity and collective action that ground and often develop into broad-based social movements (Keshavarzian 2007; see also Spector 2017).

In Kashmir, the built environment as well as everyday exchange activities in the marketplace directly register the imprint of political violence and resistance – material traces of marches and massacres, the shifting terrains of "normalcy" and losses caused by curfews and shutdowns. The resurgence of the *azaadi* movement since 2008 witnessed mass rallies and public protests against Indian rule gaining immense popular support (Kak 2011). In the summer of 2010, news of civilians being killed in yet another "fake encounter" caused the Valley to erupt in massive demonstrations. Cyclical waves of protests against civilian killings followed the incident, leading to further civilian mortality caused by the police and paramilitary forces opening fire at protest demonstrations, which in turn led to bigger processions.

The protests, programmed around calendars, often commenced in the summer to coincide with the rise in economic activity, and gained momentum around landmark symbolic anniversaries such as Martyr's Day on July 13 and the Independence Days of Pakistan and India that fall on August 14 and 15, respectively. The calendars marked out periods for suspension of businesses, the shutting down of markets, banks, schools, and universities and indicated days of "slackening" (*dheel*) with concessions for shopping, fasting, and celebration of local festivals. The marketplace thus became an important site for publicly expressing and registering resistance against state authority. The bazaar and its inhabitants did not just comply with the shutdowns – indeed, their participation was essential to the success of the protests – but various traders' collectives also vigorously implemented strikes or *hartals* of their own to suspend market transactions and frame political demands.

One of my key field sites, Srinagar's main retail center Lal Chowk, adjoined the state secretariat as well as the volatile neighborhood of Maisuma (Sharma 2020), the location of the Srinagar office of the Jammu Kashmir Liberation Front (JKLF) – an important component part of the

Hurriyat coalition. Thus Lal Chowk was an important venue for carrying out protest marches, for implementing defiant hartals and shutdowns and for gauging ordinary responses toward the ongoing dispute. My interlocutors considered Lal Chowk to be a metonym for protests against Indian rule, particularly because of attention it received in TV news media: "Whenever there's an uprising here, flocks of cameras descend upon Lal Chowk and beam it to drawing rooms in Delhi – most Indians know Kashmir through images of Lal Chowk."

Traders in Lal Chowk generally complied with the hartal calls given by political leadership of traders' bodies. Sometimes these extended for months, leading to losses amounting to millions of dollars for the trade and business communities and affiliated workers. In markets not as central or visible as Lal Chowk, I observed that traders, shopkeepers, and clients often adapted their daily rhythms with an eye to the shutdown: for example, by changing their opening and closing time to the period between the pre-dawn *fajr* prayers and sunrise, or by exchanging from the backdoor for a couple of hours in the day while staying shuttered down in order to maintain optics of the total hartal.

Upon asking how they remembered the long summer of protests in 2010, I occasionally received divided, ambivalent responses from some traders in Lal Chowk. While no one disputed the importance of the *tehreek* (movement), the role of class in shaping these responses was striking. Well-to-do traders with long, intergenerational practices and resources that saw their families through the furlough period remembered the protests enthusiastically. Some insisted that local networks of *mohalla* (neighborhood) committees and *bait ul-maal* (house of wealth/provisions) mobilized to ensure workers (*mazdoor*) who carried out tasks like lifting, weighing, and transporting goods did not suffer from lack of food or shelter. Some who were visibly less prosperous, and more precarious, hinted at elements of coercion and fervently hoped never to experience such disruption again. The threat to livelihoods that long periods of shutdown posed has also been actively mobilized as a punitive counterinsurgency strategy, evinced in prolonged curfews and the lockdowns enforced by the Indian state apparatus. The lockdown that followed the mutilation of Article 370 in August 2019 reportedly cost the economy in Kashmir more than 2.4 billion dollars (Kashmir Chamber of Commerce and Industry, notification dated December 17, 2019).

Undoubtedly Lal Chowk is space of not just commercial but also immense symbolic potential. Traders often mentioned the area's political significance for the liberation movement: named after the Red Square in Moscow, this is where India's first Prime Minister Jawaharlal Nehru, following the Dogra accession in 1947, publicly promised that Kashmir's political future would be "decided by the people." Viewed as the promise of plebiscite, it was subsequently aggressively revoked. Since, Lal Chowk has witnessed some of the most explosive confrontations of the *azaadi* movement. The ruins of the Palladium Cinema – that now functions as a bunker where soldiers keep watch behind barricades and barbwire, is a prominent feature of the space. In 1985, I was told, crowds that filed out from Palladium after watching the *Lion of the Desert* – a historical action film based on Omar Mukhtar, the Libyan Bedouin leader who fought the Italians in the Second World War – were inspired by the protagonist's story to launch an armed insurrection against Indian rule.

The clock tower, Ghantaghar, was another important landmark. The tallest structure situated in the market's square, it zoomed into focus in the Indian mainstream media in the early 1990s when the president of the Hindu-nationalist Bharatiya Janata Party (BJP) insisted on hoisting the Indian flag on top of the tower, particularly to mark the culmination of an infamous *rath yatra* – "chariot pilgrimage" – undertaken in a Toyota truck bedecked like an Aryan chariot to extend the sacred cartography of Hindu India into Kashmir (Jaffrelot 2009). For a while thereafter, the *ghantaghar* became the locus of competitive flag-hoisting by state officials, Indian soldiers and Kashmiri rebels until the ritual of flag-hoisting at the clock tower was disallowed in 2009.

Lal Chowk's terrain carries marks of devastating state violence. The Lal Chowk fire of April 1993 was allegedly started by soldiers from the Border Security Force (BSF) in retaliation for local residents burning down an abandoned army bunker (Report by Human Rights Watch 1995). More than a hundred civilians were killed in the blaze, which was followed by indiscriminate shooting – many died while trying to escape by jumping into the nearby river Jhelum. The graves of some of the victims lie on the banks, close to the market. Over the decades, several establishments in the area had witnessed deaths and destruction following grenade attacks and exchange of gunfire between rebels and state forces. Tracks of violence accumulated on the material landscape of the market and became a part of local teratology. At a different location, the decrepit red-brick facade of the Qausa building overlooked a busy crossing in downtown Srinagar. The building was once used as a torture and interrogation center by the state forces, and since then no one dared inhabit it again. The owner of the shop at the opposite corner said that on certain nights, disembodied screams from tortured souls emanated from its empty shell. These public, prominently located structures served as reminders of the horrors inflicted on ordinary people in the ongoing war, especially by the state's brutal counterinsurgency strategies.

The marketplace did not simply bear witness to performances of state power and resistance. Traders' networks also kept up the flow of essential provisions during prolonged curfews, strikes, and other forms of depredation. Commodities were secured through informal networks as well as informal practices of "credit" or deferred payment. Traders were also cognizant of political influences that seeped in from beyond the geographical coordinates of subcontinental South Asia. Recalling the rise of the armed movement in 1989, some traders suggested that the protest in Kashmir were inspired by independence movements that were being launched in parts of central Asia around the breakup of the Soviet Union. The political significance of trade and the political activism of traders can be better understood against the history of the enduring entanglements of commerce and sovereignty in the region, that we turn to in the next section.

Manipulating Boundaries, Redirecting Trade

At least since the colonial era, regulatory fabrications that suspended ordinary trade in order to redirect goods and people – what I term "trade artifacts" – were regularly deployed in the Kashmir region. As such, trade artifacts were harnessed to imperial, national as well as vernacular projects of boundary-making. Focusing on "reorientations" in the northern areas of Gilgit-Baltistan, Chad Haines writes how the "structuring of circulation" both constituted and transformed the frontier under colonial rule (2004). Rather than the mappable space, Haines describes how the frontier demarcated a "sphere" of state policy, in which ensuring *access* to trans-Karakorum trade (routes, ease of transport, availability of fodder for pack animals, and espionage) initially consumed colonial anxieties and insinuated colonial domination. Territorial demarcations remained vague and more importantly, manipulable, until the establishment of the Gilgit Agency encoded frontier spatiality through administrative reforms, the control of trans-frontier linkages, and integration of the region through new routes and their securitization (see also Ali 2019; Gupta 2019). Haines also notes that such transformations offered new possibilities to the inhabitants of these spaces while cutting off others.

After independence and partition of British India, the control of routes and access intensified along with increased militarization and securitization of the disputed region. Partition blocked off historical caravan trade routes extending from Kashmir through lands presently under territorial control of China and Pakistan. As part of the territorializing project, the Indian state made strategic infrastructural interventions in Kashmir and Ladakh to secure connectivity against its rivals Pakistan and China and redirect routes of access, provisioning and

mobility exclusively to the Indian mainland. Territorial control also became closely associated with economic integration through allocating massive economic packages and developmental spending, thereby producing a heavily indebted state economy in Jammu and Kashmir (Schaffer 2005). Simultaneously, the disputed rims of the former Himalayan kingdom were built up, militarized, and rigidified in contrast to the manipulability of mid-colonial boundaries. Scholars working in Kashmir have described the impact of such developments not just on borderland residents but also as a way of theorizing the operations of a paranoid state apparatus (Bhan 2013; Robinson 2013; Zia 2019). At present the highly militarized Line of Control (LoC) divides Indian-administered from Pakistan-administered Kashmir. Despite not being an internationally recognized border, the de facto nature of the LoC has dire implications for inhabitants on either side.

What follows is a brief description of a recent trade artifact colloquially termed as "cross-LoC trade" that was evolved as a "confidence building measure" in the bitterly contested region. Cross-LoC trade was established in 2008 against the backdrop of long-standing economic dependency and civilian anger toward state violence. A Joint Chamber was established to promote economic interaction, with representatives from the business elite from both India and Pakistan administered areas of Jammu Kashmir. Following several talks, meetings, and mediations, two Trade Facilitation Centres or TFCs were opened on one of Asia's most hostile borders. One connected Chakan da Bagh in the Jammu sector to Rawalkot in AJK, and the other Uri in the Kashmir sector to Muzaffarabad in AJK. Publicized with much fanfare, cross-LoC trade was welcomed as a "pragmatic" and "normalizing" gesture to enhance goodwill and social interaction across the LoC.

With both India and Pakistan claiming authority over the highland region through distinct framings, strange customs were evolved to ensure that protocols of exchange were not legally tantamount to acknowledging the LoC as an international border. Therefore, trade was restricted to bartering in primary produce procured "originally" in either part of divided Kashmir. Special care toward language meant goods were "traded in" and "traded out" instead of "imported" and "exported," and the exchange was not monetized. As non-monetized barter trade, no customs or taxes were paid on the goods that complied with the "origin clause" of being produced locally either part of divided Kashmir, although contentiously, non-local goods often formed the bulk of cross-LoC exchange. Furthermore, neither formal banking nor phone communication linking the divided region. Statistically speaking the actual commerce was negligible but the exchange was suffused by outsized symbolism, particularly for supposedly facilitating "social" connections across the LoC. As a regulatory fabrication, it was relegated to a remote and highly militarized border region cordoned off from everyday spaces of exchange, watched over by several security and intelligence agencies, and circumscribed by highly specified and cumbrous "standard operating procedures."

For more than a decade, despite several logistical and political setbacks, cross-LoC trade was sustained by numerous traders and civil society actors, particularly those inhabiting areas adjoining the LoC and deeply invested in fostering and reviving cross-border kinship and social ties through economic exchange (Hussain and Singla 2020; Kira 2011). Since "blind trade" through barter had to be carried out without financial infrastructure or face-to-face interaction, much of cross-LoC exchange was carried out by traders with relatives across the de facto border – members of divided families – which itself, however, resulted in increased scrutiny and suspicion (Mir and Gattoo 2018; Qadri 2013). Traders' representatives too also refused to impose or pay tax on contentious non-local goods coming in from the "other side," insisting that divided Jammu Kashmir was to be treated as a single "free economic zone" (personal communication, February 2013).

On April 18, 2019, India's Ministry of Home Affairs announced the sudden, indefinite suspension of cross-LoC trade, citing that the trade routes were being "misused by the Pakistan based elements for funneling illegal weapons, narcotics and fake currency etc" (MHA notice). Timed to demonstrate the central government's resolve to erase cross-border support for militancy before the national elections commenced, in Kashmir the suspension caused prices of high-demand commodities like dates and prayer mats that were sourced through the trade and affected the livelihoods of traders, transporters, and laborers engaged in cross-LoC trade.

Many lamented that cross-LoC trade was doomed from the beginning due to its genesis in a "political" rather than an "economic" decision, that is, in being oriented toward generating social connections across the LoC rather than developing business relationships (Drabu 2019). While cross-LoC trade was definitely more a political than commercial exercise, I suggest that with its bizarre protocols it was less significant for producing cross-border social connections than for managing contested sovereignty in this deeply disputed frontier region. As an artifice of highly securitized, non-monetized and therefore non-taxed barter trade, it became important for enacting forms of boundary construction around questions of the payment or non-payment of customs, what commodities were to be permitted for barter trade, and for surveying and regulating mobility across the Line of Control. Since 2014, the rise of the BJP at the center and aggressive suppression of Kashmiri political demands made cross-LoC trade increasingly vulnerable. Right-wing politicians lobbying for its closure attacked cross-LoC trade as a threat to national security, a conduit for drugs as well as informal *hawala* transfers that funded anti-state activities from Pakistan. After demonetization in November 2016, financial intelligence and anti-terror agencies became particularly active in Kashmir and Uri, subjecting a large number of traders both at the LoC and elsewhere to increased scrutiny, investigations, and arrests.

Conclusion

The bizarre protocols of cross-LoC trade thus become comprehensible as being devised and enforced primarily to repress older geographies of contiguity and commerce in the borderlands for establishing the self-presence of nation-states. In this functional-farcical role of managing conflict, cross-LoC trade falls into an arena of political-economic negotiations over – and performances of – sovereignty, thus partaking in the history of political control through trade in the frontier borderlands. For the Indian state, it offered a means to defer the political problem of Kashmir's self-determination by "connecting" a divided region though trade, thereby suppressing the history of its violent severance. It also provided the state ample possibility for criminalizing the same "connections," depending on political expedience. For traders, however, who engaged cross-LOC commerce in all its absurdity and elasticity, its artifactual form served to activate transversal ideas of belonging, community, profit within an undivided political-economic zone, that are not permissible under the national regulatory regimes of rival states.

Thus, what looks like an aberration from the vantage of international trade takes on new significance when set against the archive of trade and politics. The establishment of cross-LoC trade was yet another attempt to control, redirect and trespass upon the vital networks of exchange that have historically ranged across the region, mixing political and cultural with economic exchange. As a canvas for expressing alternative forms of sovereignty, community, and belonging, networks of exchange and boundary making have consistently challenged colonial, princely, and postcolonial nation-statist authority. Presently, the sudden demise of cross-LoC trade is congruent with a more aggressive approach toward occupying the frontier, through the removal of all regulatory artifacts in which contestations of state sovereignty may be expressed, including Article 370 and 35A. Establishing intensified forms of economic integration (national

marketing agencies such as NAFED India taking over the procurement of horticultural produce), resource extraction (exclusive mining rights granted to external companies), and punitive measures (criminalization of traders engaged in cross-border trade), the Indian state has demonstrated its intransigence toward the rivaling potentials expressed in crosscutting networks of trade and exchange. Yet, since the history of trade persistently accounts for the region's political defiance, the impact of the various laws put in place for its control and regulation cannot be assessed from a perspective confined to the present moment.

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10
SENSORY REMEMBRANCE
Retelling the 1990s in Downtown Srinagar

Bhavneet Kaur

Introduction

In September 2015, I navigated through the lanes of Shamaswari locality in the Khanqah area of downtown Srinagar[1] to trace the families of those who were killed during the armed movement of the 1990s, popularly known as the *namtich tehreek*.[2] Sabia,[3] one of my research participants, was unable to engage in a detailed conversation about the political killing of her brother but exhibited an embodied response. Just as I was leaving her home, she started telling me: "*Bohot dard hota hai. Iske bare main soch kar, andar se dard uthta hai. Gehri chott hai yeh, kabhi nahi bharegi* (It pains me deeply. Even the thought of it causes gut-wrenching pain. It is a deep wound that will never heal)." She broke down after saying this, her body started shivering, and her low voice dissolved into faint sobs. Keeping her hands tightly wrapped around her chest and staring blankly at the small patch of a vegetable garden in her maternal home that she was visiting at the time of the interview, she said,

> today I have heard someone say my brother's name after many years. I do not even speak about him with my other brothers and sister because saying his name out aloud makes it unbearable. But that does not mean I don't remember him, entire Kashmir can forget about him, but I can't. Even today I can't sit alone in a room because these thoughts and images start haunting me.

The memory of her brother was not anchored in concrete details of his killing – when, why, and by whom[4] – but was condensed into the pain that she still carries for him. His death is documented not through dates but through the effect of grief, an enduring and continuing sentiment of mourning for the prematurely and violently killed younger brother. Her grief becomes a testimony. It did not lend itself to the material conditions under which the killing of the brother took place, but it opened up a form of remembrance, reminiscence, or what Seremetakis calls "a third stream of anamnesis" (2019: 34) that casts a longer shadow over the lives of people where memory can take forms outside or at the margins of speech.

This weaving together of the memory of a violent past by Sabia in the form of an embodied visceral pain, 25 years after the killing of her brother, compelled me to ask: how do we might locate these emotional, intimate, and often invisibilized practices of remembrance within

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the larger political movement? Sabia's incipient vignette produces an alternate affectivity of remembrance, and therefore resistance, that is too unbearable to find home in language (Das 1995: 183). Her brother's violent death has become a private shrine in which she is the solitary mourner. Through her and other similar isolated shrines of grief spread all over downtown, I explore the question of how one might interprets remembrance that lies at the margins of speech, in the form of gaps, silences, and embodied pain?

The broader political context allows us to understand that the killing of Sabia's brother was not an aberration or mistake, but in fact was what death under occupations often are: "arbitrary, automated and requiring no plausible reason to occur" (Junaid 2018b: 32). The beginning of the armed movement for self-determination in Kashmir in the late 1980s and the concomitant military occupation by the Indian state fundamentally altered the topography of downtown Srinagar wherein each day familiar, intimate sites of sociality were being transformed into zones of unrelenting violence and vulnerabilities, resulting in an endless spiral of killed and disappeared bodies (Chatterjee et al. 2009). In this social space, extraordinary violence takes on an ordinary and routine texture precisely because it offers no tangible break from this "continuum of violence" (Scheper-Hughes 2008). Through the imposition of a disciplinary regime of control along with the extrajudicial powers and legal impunity that it has through draconian laws,[5] the Indian state attempts to coerce, stifle, and erase alternate histories of people and their lived experiences. In this context, memory becomes the only way to challenge hegemonic narratives and preserve counter histories. This compelled me to pursue a primary line of inquiry in this chapter, that is, what are the complex practices of remembrance through which people retell the past that is sedimented with continuing inscriptions of violence?

Many scholars from Kashmir (Duschinski et al. 2018; Falak 2018; Junaid 2013; Zia 2019) have foregrounded and engaged with the question of memory and the complex forms that it takes. One critical investigation of memory by Zia (2019) in her recent work on enforced disappearances is particularly useful here. By examining how traditional wedding songs, *wanawun*, were transformed post-1990s from being songs of celebration to being interlaced with motifs of loss, grief, and political assertion, she asks: "the essential question is not only how memory *becomes* in times of oppression and war but also what becomes of memory?" (2019: 200). Drawing from my own ethnographic fieldwork in downtown Srinagar, I seek to inquire into the varied forms, dispositions, and textures that "telling" of memory takes. Underlying the challenge of memory or of retelling the past in downtown Srinagar, one of my research participants, Peer Yousuf, told me in 2015, "people will not talk about *tehreek* because they *do not want* to talk about it anymore, they *do not want* to visit their wounds again" (emphasis added). While there was a consensus among people that *namtich tehreek* was the darkest period of political violence they have lived through, there was a simultaneous denial of any concrete personal memory or information[6] because of the persistent political climate of fear and repression. The fear of state backlash and the entrenched network of collaborators initially led to reticence, silence, and denial during some of the conversations, but some of these silences were mandated through something other than fear, as we saw partially in Sabia's vignette. These silences are political enactments that may remain on the peripheries of or overlap with the visible, collective, and tangible sites of remembrance. The wedding songs in Zia's ethnography become one such sensory site where the embodied memory of loss overlaps and intersects with the visible and collective practice of singing traditional songs.

The retelling of the precarious violent past during my own fieldwork from 2015 onwards was suffused with a montage of overlapping and intersecting remembrance practices that I collated ethnographically from local shopkeepers and residents of downtown. In capturing this

subjective experience of memory, I arrived at practices of remembrance that were more culturally mediated and tangibly observed, such as visual sites of martyrs' graveyards (Junaid 2018a: 248),[7] memorial taps (Parrey 2011), public exhibition of photographs of martyrs, and individual testimonies/narratives, but I also come across a range of "incipient and inchoate" (Jackson 2015: 456) practices that were intimate, incomprehensible, and embodied experiences of suffering. Through an immersion into these quotidian practices, I argue that "telling" does not necessarily entail a verbal or a definitive form, instead it takes on and animates all forms and remnants of remembrances through which the social world of the 1990s in downtown can be re-imagined by those who lived through it. A family remembrance of their martyred kin can be through a diverse assemblage of forms ranging from visiting the tangible site of the martyr's graveyard to having intangible "visitational dreams" (Falak 2018: 80) where there is a reunion with the dead.

By drawing attention to and incorporating the sensory, embodied, and intangible forms of remembrance, we can see that the everyday emotions, experiences, rhythms, and vulnerabilities cannot be mediated completely through speech, memorials, and tangible remnants. The affective world of remembrance that these sensory forms, such as snippets of folksongs, an obscure artifact, a broken refrain, or a silent dream create corresponds to the ethos of the past as it was lived, embodied, endured, feared, and lost. Later I focus on two such sensory forms of remembrance: one, the intermediate or transitive world of dreams oscillating between life and death, and, two, preservation of memory through intimate everyday artifacts such as *pheran*[8] (Kaur 2020), currency notes, a vegetable, a song, and a radio. I refer to both these forms as the extra-linguistic or sensory perceptions of remembrance.

Sensory Remembrance

The purpose of exploring these extra-linguistic and sensory circulations of remembrance of *namtich tehreek* is to suggest that, in the unending political struggle for self-determination in Kashmir, everyday social life becomes permeable to political forces and produces what I call a *perpetuity of grief*. What is distinctive about this grief is that political violence is continuous, so it is not an event that can be restricted to the past but it encapsulates and inundates entire life spans of people and the subsequent generations. This perpetuity of grief is foregrounded in multiple research interviews wherein participants would frequently describe how the experience of *tehreek* became a fundamental and inalienable part of their everyday lives. From the same area of Shamaswari, one of the participants, Hameeda, told me in 2015, "*humne apni poori zindagi bas tehreek dekhi, aur kuch dekha hi nahi* (we spent all our life witnessing the political movement, we did not see anything else)." I argue that the nature of violence that is being examined here does not allow a re-assembling of life; on the contrary what comes across is the very striking nature of pain or grief itself as perennial and ineffaceable, that extends itself onto everything and therefore acquires forms of remembering that cannot always be neatly framed or interpreted within dominant frames of memory.

This imbrication of the political with the intimate social lives of people is also resonant of the Palestinian struggle wherein Segal (2016) undertakes an ethnography of endurance that testifies to "the slow grind of violence that is not spectacularly catastrophic, not generally categorized by immediate and large-scale death. What is most violent about the situation in occupied Palestine is that it continues without end" (2016: 16). In this context, where framing and articulation of grief in the form of a narrative or a story has become a "standing language" (Segal 2016: 6) for representing memory of the past in Palestine, Segal (2016) compels us to think of what

lies outside these established pre-fixed forms? And what practices of remembrance acquire the property of being sayable and what remain unsayable?

Thus, the social anthropology of *tehreek* is not a compilation of the iconic events and dates of violence that sometimes provokes us to capture Kashmir as a state of exception, but it is an affective mediation into what Seremetakis calls "a sensorium of trauma (and grief) as an everyday practice" (2019: 7). Through this I address a gap in the anthropology of remembrance in conflict spaces wherein compulsive attention to the tangible and sayable undermines and invisibilizes[9] the sensate or sensory recalls of the past that are either intricately interwoven with the former or exist as singular practices that demand equal representation and weight. I argue that the conceptual category of remembrance not only partakes of that which is visible, tangible, and sayable but also that which accounts for what Stoler and Strassler call "the emotional economy of the everyday" (2000: 6). It refers to sentiments and sensory perceptions that "provide traces of dispositions and sentiments often found beyond narrative availability" (ibid.: 39). This form of remembrance excavates alternate affectivities that have been unexamined before but are critical to the ethnographic task of retelling the past.

Artifacts as Sacred Memory Forms

During fieldwork in downtown, some everyday objects in research participants' homes acquired a unique sensory dimension as memory forms. These objects that came to the surface were not symbolic artifacts that speak for themselves or encapsulate histories of resistance such as a *kangri*[10] in the context of Kashmir. During the resistance movement against the powerful Dogra empire and subsequently against Indian regime, the kangri as a material artifact assumed a collective and symbolic dimension of resistance, but the constellation of artifacts that were unearthed during field interviews were devoid of any such collective symbolic representation. On the contrary, these everyday objects record memories in their bodies and very crucially "allow experience to retain its strangeness and untranslatability" (Marks 2000: 199) but their sensory dimension has remained largely effaced and undermined. I will now discuss three artifacts that emerged during field interviews and that trigger deep emotions: *pheran* (cloak), *bumtschoent* (quince apple), and currency notes.

Pheran as a Prayer Mat

When I entered the tiny courtyard of their Battamaloo home, Ruksana's hands were lathered with soap from the clothes she was washing. She was not expecting a stranger to break the monotony of her morning chores with questions about Nasir. She stood near the frothy bucket full of clothes, silently, perhaps ruminating what memories of Nasir should she recount: those from when he was alive or those that tormented her after he was killed. Ruksana rummaged through the oft-repeated details, stoically: "her brother Nasir Iqbal Shah, roll number card for 1st year exams, taking the bus to Nawakadal degree college, bomb blast at Battamaloo bus stop, dead body in their courtyard, 1st May 1991, Wednesday and a pheran" (Kaur 2020).[11] These were details that were chiseled into her heart, she just had to read them aloud in the form of a narrative and get back to washing clothes. Both the acts, of remembering her dead brother and washing clothes, coalesced seamlessly into the terrain of everyday life. Even though her mother refrained from participating in the conversation, her grief for the dead son was palpable because memory is both: a silence and a storm. Memory moves, sticks, slides, and opens up emotions that are shaped by contact with objects (Ahmed 1994: 18). For Ruksana's mother, that particular

object was Nisar's *pheran* (cloak) that became the only available anchor of remembrance for her to register the death of her violently killed young son. Ruksana says,

> It was a Wednesday morning. Since then, for last 26 years, our mother remembers him from the hour of *fazr* prayer in the morning to *isha namaaz* at night. She has replaced the *jai-namaaz*[12] with Nisar's pheran. He was wearing this pheran when he was killed and when he was last brought to this courtyard. My mother considers this pheran as an artifact of her dead son's palpable life: to be preserved, to be nurtured, to be prayed on.
>
> *(quoted in Kaur 2020)*

Here, an attempt is being made to delineate that even after 25 years of Nasir's killing his mother and sister have distinct practices of remembering the painful event of the past. Their grief is constantly re-actualized and circulated in the everyday through narratives/verbal testimony in the case of Ruksana, and through objects and silences in case of her mother. In the ethnographic vignette delineated earlier, it is the pheran/cloak of the dead son that was preserved and embodied with layered memories of the past. The usage of the pheran as a prayer mat by the mother invokes a sensory and divinatory anthropology of remembrance wherein articulation of grief in the form of speech is suspended and transcended to a disposition of silence through the very conduit of faith in Islam, the prayer mat or the *jai-namaaz*. The extent to which an artifact is entangled with local cultural practices, history, politics, and memory is reflected through the silent dialogues that occur between a grieving mother and a prayer mat. The pheran-prayer mat, therefore, acquires a sensory dimension that allows us to locate remembrance as a culturally and politically mediated practice. This nonverbal form of remembrance through an object does not become an iconographic representation of *namtich tehreek* but allows an immersion into the quotidian that remains sensorially un-examined in the context of downtown Srinagar. By itself, the pheran as a piece of clothing has a sanctioned cultural meaning and a pre-defined condition of consumption but the pheran as a memory form "becomes the carrier of surplus meanings" (Seremetakis 1996: 11). It is this surplus meaning produced by the sensory object that becomes crucial for the work of remembrance wherein a pheran can embody multiplicities of sensory circulations: a piece of clothing, a symbol of Kashmiri cultural identity, a symbolic source of warmth in winter, and a prayer mat.

Bumtschoent: The Last Uncooked Meal

In another ethnographic vignette, the *bumtschoent* (quince apple) emerged as a memory form through which Noor Jehan, mother of Sharib (a civilian killed by Border Security Force in his bakery shop at Naid Kadal on August 30, 1999), recapitulates the last exchange between them through the kitchen window. She says, "at one moment he was standing here at the kitchen window joking with us and giving us *bumtschoent* and mutton that he got for dinner.[13] Just a few moments later, he was lying dead on the floor of the bakery" (2016). The lingering memory of the last uncooked meal of mutton with *bumtschoent* becomes the sensory anchor around which the narrative of his death is shared. It remains an indelible and painful sensorial experience for the family to remember Sharib through a vegetable. These sensory memories of the past were not the ethnographic pursuits of fieldwork, yet their complex integration and interplay with other forms of remembrance became a crucial mode of encountering the social world of downtown Srinagar. What becomes important here is that the sensory memories of *bumtschoent* do not efface other remnants of the past but supplement them by overlapping with other memories

such as the tangible remains of the bullet marks still preserved on the doors and shutters of the bakery shop where Sharib was killed. By illustrating this, I argue that forms of remembrance oscillate or overlap between the visual/tangible/linguistic traces of the past and an inarticulate and incomprehensible world wherein "the senses provide an alternate entry point into the history of memory, a site for recovering forgotten or erased experiences that re-integrate the sensorial with the material" (Porcello et al. 2010: 54).

Currency Notes as Nishaani

In re-imagining the social world of 1990s and its afterlife in downtown Srinagar where political killings have become a part and parcel of everyday sociality, it becomes necessary to understand that memory is a culturally mediated practice.[14] In the locality of Malaratta in downtown Srinagar in 2017, another ordinary object resurfaced that embodies the visceral lived relationship between two brothers. Ten months elder to him, Ali, recalls his 12-year-old brother Aamir who was killed on September 22, 1991, in the cross-firing between the Indian army and local militants. Ali resurrects the micro-details of the last conversation between them, before Aamir left home that morning:

> We collected Rs 9 each to buy an audio cassette of Ataullah Khan Eskhelvi's "nazm"/ poetry, "*ishq main hum tumhein kya bataein*" to play on father's tape-recorder because it was Aamir's favourite, he would keep singing that song. In the morning he wore my slippers to go to our uncle's home nearby and told me that we will go buy the cassette in the evening. But the same afternoon, he was killed in cross firing and his dead body was brought back home on a vegetable cart. I keep remembering part of the lyrics of this song, *ae lehat apni mitti se kehde, dag lagne na paaye kaffan ko* (O Grave, tell your soil that there should be no stain on the shroud). These words feel powerful and prescient of what happened to him, he became a part of the song. He was not wearing the slippers, but he still had his share of the cassette money, Rs 9, in his pocket. One note of Rs 5 and two notes of Rs 2. I have kept that money safely in a box because it has become a *nishaani* for me. . . . We call it *tobruk* . . . a pure thing.

In religious places such as mosques and shrines in Kashmir, the sacralized peace offering made to God/the local saint is distributed amongst people as *tobruk* because it is considered sacred and pure. It can range from a simple offering of dates or shelled almonds to an elaborate meal of *tehri* (yellowed rice) and *kehwa* (saffron tea). However, in the unique context in which Ali equates a material artifact to the status of *tobruk* provides an anthropological insight into remembrance in itself as a blessing, a divine benediction that can be embedded in objects that trigger deep emotions. Coupled with the other description, *nishani*, which means a sign, mark, or imprint, the three ordinary currency notes that were to potentially contribute to the purchase of a favorite audio cassette became a sacred and a divine marker of the violence in Kashmir in which human life has become perishable and disposable.

The circulation of these sacralized objects of the everyday in homes of downtown Srinagar and their sensory embodiments allowed a different kind of retelling of the *tehreek* that was not dependent on archival records, testimonies, memorials, or photographs. The recovery of these artifacts allows us to posit that the imperceptible layer of memories and sensory exchanges between the object and the person generates a surplus of meanings that transforms them from their mere physical existence as things or objects to multisensory memory forms.

The Sociality of Dreaming: In-Between Life and Death

While tracing the multiple sensory circulations that operate within the intangible world of remembrances in downtown Srinagar, I arrived at narratives that were initially beyond the sociological grasp of this research and could only be understood as an incongruous occurrence of divinatory nature. Since the ethnographic work was focused on the political movement starting from the late 1980s onwards, tracing the families of those who were subjected to political killings by the Indian state apparatus became particularly tough as most of the parents had already passed away. Conducting fieldwork interviews in the absence of the parents of those subjected to political killings was difficult and I had to rely on the surviving family members (either an elder son, a daughter, or a daughter-in-law) who would share the memories of the parents and in doing so, very crucially, recreated the pivotal moment of the passing away of these parents.

In some of these surviving relatives' accounts, what emerged as the most viscerally experienced and embodied form of remembrance was the figure of the dying parent in a verbal dialogue with the absent and dead son. In these sensitive moments just before their own deaths, the grieving parents, mostly mothers, remembered through their dreams. These dreams featured lucid visions and verbal exchanges with a son who was killed many years ago. In one such ethnography from Bohri Kadal area of downtown Srinagar in 2015, Ruhi remembers the day her mother passed away in 2000:

> That afternoon in her sleep my mother started muttering "*Bilal, aa jao chai piyo*" (Bilal, come have tea). She asked me in her subconscious state to make tea for Bilal, my brother who was killed in 1994. When she opened her eyes and could not see him, she asked me, "*Woh aaya tha na, kahaan gaya?*" (He had come, where has he gone?) Just within a few hours of this dream, she passed away the same day.

The dream becomes a vision or a warning sign that allows an immersion into the sensory and embodied dimension of remembrance. The appearance of the dead son in the dream is considered as a sacred form of communication between a grieving mother and a violently killed son. I argue that this moment of transitory meeting encapsulates a "sociality of dreaming" (Seremetakis 2019: 168) that allows submerged sentiments and emotions to come to the surface through the "involuntary circuit of the senses" (Seremetakis1996).

In the second account that I came across in Kailashpora locality in 2015, a daughter-in-law, Saima, explicated the lives of her in-laws who lost two sons during the armed movement of 1990s. She said, "*unke liye toh duniya hi jal gayi thi*" (for them the world itself had burnt to ashes). The father-in-law, Mohammad Idris, used to have a conversation with the photos of his sons, asking them rhetorically what has happened to them and where have they gone. One day as he was returning after offering *fateh khwaani* (remembrance prayers for the dead) for his younger son buried in the Khanqah martyrs' graveyard, he got a heart attack and died the same day in 1997.

However, for her mother-in-law, Razia Bano, the experience of violent pain and the feeling of loss could not be catalogued and narrated into linguistic forms. Therefore, she would hold the pillows from her bed on her lap and start singing lullabies for her two *lakht-e-jigars* (beloved sons), Bilal and Urooj:

> *maye chanye rovun raat doh*
> *ho ho bukaryo yur walo*

Because of you my love, my days and nights are exhausted
I am asking you to come back.

Razia nursed hope and despair concomitantly, for 12 years. Through her murmured singing all day, she offered a *phonetics of grief* in a world where the intensity of violence had made unavailable the syntax for pain, the language for grief. The sensorial entanglement of hope, despair, and wait opened a new extra-linguistic and embodied register for remembrance. When language cannot assimilate a human experience, what are the ways in which memories of the past can be made shareable; however surreptitiously or momentarily?

The silence Razia enforced upon herself after the violent killing of her two sons had induced a certain opaqueness to her experience. At the same time, the lullabies she sang kept afloat the refrains of her hope, of her remembrance: *ho ho bukaryo yur walo* (I am asking you to come back). Saima recounted that her mother-in-law would sing songs, borrowed from folklore, sung and hummed, for her absent sons. For her, remembrance through songs was not a flash of painful memory or an "irruption" in the order of things; rather it was an embodiment of grief, of viscerally storing memory into the interstices of her being, a dull pain emanating from the wound of loss, relentlessly, and seamlessly, making it the rhythm of her incorrigible life. These reverberations of death of her young sons offered Razia no break, no tangible escape from the sweep of their memory. It unfolded, perhaps, like the trauma of Partition, wherein Das says, "one could become voiceless – not in the sense that one does not have words – but that these words become frozen, numb, without life" (2006: 8). Razia would plaintively sing or murmur Kashmiri folksongs all day about absence, about longing, about pain, about hope on her old Philips radio. It became the only artifact onto and through which she could register the interiority and intensity of her pain. She would passionately sing or pleadingly murmur a famous folksong, *Roshay*, to not allow a break in the communication she was furtively having with her absent sons. The lyrics of this song became the phonetics of her grief.

Tsolhama roshay roshay
Walo myeun poshay madno

You have run away from me and gone far off my beloved,
Come back, my love, my flower.[15]

The singing of lullabies and folksongs as a mode of communication with her dead sons is a prelude to the sociality of dreaming wherein the alternate world of seeing the sons acquires a reality, even if for a few fleeting moments. The idea of communicating and speaking with the dead son becomes an involuntary and embodied form of remembrance. Saima recalls that one early Sunday morning in 2005 when a Kashmiri song started playing on the radio, "*Khabar tscha subhuk ye dam rozea na rozea*" (Don't know whether my breath will last till tomorrow morning),[16] Razia started telling Saima something uncanny, "*yeh aaya hai Urooj*" (Urooj has come), "*uska rooh aata hai*" (his spirit keeps appearing). Saima said, "after this we knew that something was about to happen to her. At around 12am that night she got a heart attack and on the way to the hospital she died."

It can be said that for the aging grieving parent, the world of dreams and divination is a mediating space, a threshold between life and death, between the real and the illusory that they inhabit simultaneously. Is it possible to register these sensory perceptions of dreaming and seeing spirits as sensory forms of remembrance or are they just seen as hallucinations? How do we

understand remembrance that culminates in dreams? Falak (2018: 80, emphasis added) ascribes a share of history to these dreams by saying that,

> for many women, dream-visions remain significant ways of maintaining ties with the dead and the disappeared. Walter Benjamin (1996) reminds us that "Dreaming has a share in history." In this context, I understand dreams as everyday practices of resistance and memory, which are shaped by the political conditions and *in turn have political implications*.

Therefore, the anthropology of dreams allows us to interpret the body of the grieving parent as occupying two distinct temporalities that locate them simultaneously in the rhythms of the present as well as in the irretrievable loss of the past. Rather than interpreting or translating the language in the dream, I argue that the dream itself needs to be located as a sensory, social, and political text through which repressed, unvoiced, and embodied memories of the *namtich tehreek* leak through the cracks of history and become inheritable.

Conclusion

In this chapter, I have identified sensory and extra-linguistic practices of remembrance to ask what happens when material memorials obliterate and when narratives fail? To understand the perpetuity of grief which is embodied by families whose kin were violently killed during 1990s, I argue that a narrative or a testimony that allows violent experiences of the past to be formulated into words is crucial, yet it cannot be an all-encompassing singular form of representation of memory. Therefore, I have foregrounded "an emotional economy of the everyday" (Stoler and Strassler 2000: 6) through the narratives/snippets of the research participants. These sensory practices of remembrance such as sacralization of artifacts, embodied dreams, and phonetics of folksongs allow an alternate recounting and retelling of *tehreek* by capturing emotions that were viscerally sensed, felt, embodied, and remembered but were at the margins of or outside linguistic and tangible forms.

Notes

1 Downtown is the main city or old part of Srinagar city and has historically been known as *Sheher-e-Khas*. I chose to identify it as the primary site of ethnographic enquiry because it is considered to be the axiomatic precipitator of tehreek, particularly post-1947 and during the armed movement in early1990s.
2 *Namtich tehreek* is a composition of the Kashmiri word "*namtich,*" which means the 1990s, and the Urdu word "*tehreek,*" which means movement. *Namtich tehreek* or the political movement of the 1990s, although a temporal event within the larger political movement (*tehreek*), is also significantly different because it acquired an armed configuration.
3 All the names used in this chapter are changed to protect the identity of the research participants.
4 The author was informed that Sabia's brother was killed by the armed forces. A shopkeeper near their home in Shamaswari gave a tentative list of names, based on oral memory, of those who were martyred in 1990s from this locality. But Sabia herself did not speak about the circumstances that led to the killing.
5 AFSPA or Armed Forces Special Powers Act was implemented in 1990 in the state of Jammu and Kashmir along with other acts such as Jammu and Kashmir Disturbed Areas Act and Jammu and Kashmir Public Safety Act (already implemented since 1978). The corpus of these laws provides extra-judicial powers and impunity to the armed personnel that has led to a regime of preventive and indefinite detentions, custodial killings and enforced disappearances in Kashmir (see Duschinski and Ghosh 2020).

6 This denial of personal memory can be understood in another context. Das, in her work on violence and the work of time, analyses stories of partition that were "framed by the anonymous collective voice: 'it was heard those days', or 'strange were the stories one heard'. No one ever authored those stories; they were only heard" (2006: 88).
7 In his work on the social imagination of martyrs' graveyards in Kashmir, Junaid proposes that graveyards are not "quiet remnants of violence, passively receiving dead bodies" (2018a: 249) rather he conceptualized epitaphs of graveyards as "counterhistories."
8 A traditionally loose warm cloak worn by people in Kashmir during winters.
9 Seremetakis (1996) addresses this gap by saying that historical experience is relegated to forgetfulness because "the senses as the bearers and record-keepers of involuntary and pervasive material experience, and therefore as potential sources of alternative memory and temporality are precisely that which is frequently subjected to social forgetfulness and thereby constitute the sphere of hidden historical otherness" (1996: 20).
10 *Kangri* is a Kashmiri indigenous heating device used in winters in which an earthen pot filled with hot coal is used under the *pheran*/cloak to warm the body. During the Dogra regime when unarmed civilians were attacked by the Dogra army, people would throw the kangris they were using in the direction of the soldier. This form of resistance acquired a gendered dimension in the post 1980s context when Indian army would conduct crackdowns and do mass illegal detentions of young boys. At that time women have been reported to unfurl their kangris in the direction of the soldier to allow the boys to escape. However, it is not a common practice because doing so would put the person at a grave risk because the soldiers were armed and clearly more powerful. Yet the image of kangri retains this symbolic resistance attached to it over the years.
11 This ethnographic vignette has appeared in the article, "Politics of Emotions: Everyday affective circulation of women's resistance and grief in Kashmir" (Kaur 2020).
12 A prayer mat.
13 In Kashmir, mutton cooked with quince apple is a delicacy at homes. Sharib was going to attend a wedding lunch in the afternoon before he was killed, so the mutton and quince apple that he procured in the morning and gave to his mother were in preparation for dinner that night.
14 Seremetakis (1996) argues that "mnemonic processes are intertwined with the sensory order in such a manner as to render each perception a re-perception . . . Memory cannot be confined to a mentalist or subjective sphere. It is a culturally mediated material practice that is activated by embodied acts and semantically dense objects" (1996: 9)
15 Verses from a popular Kashmiri song, *Roshay,* written by Habba Khatoon (a female poet and wife of Yousuf Shah Chak, the last independent Muslim ruler of Kashmir).
16 Verses from a popular Kashmiri song, *Ganimat Shaam-e-gham*.

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SECTION III

Memories, Futures, Imaginations

Deepti Misri

The chapters in this section consider the relationship between the imagination of Kashmir's many pasts and the political futures envisioned explicitly and implicitly by Kashmiris. They also exemplify the methodological breadth of Kashmir studies, as authors turn to fictional and ethnographic narratives, as well as embodied and gestural archives such as children's play and food preparation practices to explore how Kashmiris remember their past and dream their future.

A number of chapters in this section take up literary and poetic texts as sites for the articulation of Kashmiri aspirations. Amit R. Baishya scrutinizes Kashmiri artists' revisitation of Saadat Hasan Manto's iconic Partition story "Tetwal ka Kutta" (The Dog of Tetwal). Detailing the intertextual resonances across Manto's text, Malik Sajad's *Munnu: A Boy from Kashmir*, and Arif Ayaz Parrey and Waseem Helal's "Tamasha-e-Tetwal" (Cacophony Over Tetwal), Baishya details how the latter artists implicitly point to Manto's own erasure of Kashmir as a disputed territory and seek to recraft the geographic imagination around Kashmir through their own fictions. Whereas Kashmir is an "absent presence" in Manto, appearing merely "as a bone of contention between India and Pakistan," the latter Kashmiri artists depart from that scheme. Drawing on animal studies, Baishya examines the figure of the stray dog in all of these fictions, showing how Sajad, Helal, and Parrey also move beyond Manto's use of the dog as a figure for the indeterminacy of "no man's land," to instead present stray dogs as a material presence in the zone of occupation.

Huzaifa Pandit revisits the iconic Kashmiri American poet Agha Shahid Ali, breaking with a generation of celebratory approaches to Ali's poetry and its powerful calls to freedom, in order to situate Ali's poetics within a sobering and complex analysis of the poet's own class and caste lineages in Kashmir. Pandit situates Ali as a member of the local upper-caste Kashmiri Muslim elite, a landowning class whose interests have historically been at great odds with the peasant and artisan classes who comprised the majority of Kashmiri Muslims, and whose labor was extracted by upper-caste Brahmins as well as elite Muslim families such as the Syeds, Naqshbandis, and Aghas during the Afghan, Sikh, and Dogra eras. Taking up Ali's renowned collection of poems *The Country Without a Post Office*, Pandit carefully interrogates Ali's use of images steeped in a colonial nostalgia for the markers of such elite status, notwithstanding the overall anti-colonial tenor of his poetry. Such images range from the colonial "Villa of Peace" in "A Pastoral," with its cedar stands and ornate staircases to the Koran wrapped in a *jamawar* shawl (a prohibitively expensive artifact produced under extractive conditions by Kashmiri Muslim

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male shawl weavers), laid on a walnut table in his poem "Return to Harmony 3." Pandit's reading of Ali's oeuvre asks us to attend to how counter-colonial imaginaries may be enmeshed with hegemonic class and colonial imaginaries, and it is the reader's task to watch for such an enmeshment in poetic as well as other modes of imagining a decolonial future.

Like Pandit, Rakhshan Rizwan is interested in detailing how a close critical attention to fictional, poetic, and other artistic forms may push us toward more complex and nuanced understandings of anti-colonial imaginaries and their articulations with other discursive modes. Rizwan takes up the Indian writer Arundhati Roy's novel *The Ministry of Utmost Happiness* (2017). Examining the novel in light of literary scholarship on the genre of the human rights novel, Rizwan observes the novel's construction as "a narrative super-container" that encloses a range of genres associated with human rights documentation. Rizwan details how Roy's fictional text complicates human rights narratology, with its straightforward representations of victims, bystanders, and perpetrators. Roy's novel instead, Rizwan writes, deliberately "add(s) layers of emotional noise to the cut and dry findings that characterize a traditional human rights report." For example, Roy restages the actual story of Major Avtar Singh, an Indian army official accused of murdering human rights defender Jalil Andrabi and other Kashmiris who had witnessed the killing. In her fictional treatment of this incident, Roy shows how perpetrators may use their own intimate knowledge of state violence to easily mimic testimonial language and present themselves as victims. The text thereby trains us to scrutinize the markers of veracity and realist description that are often taken as signifiers of truth in human rights reports.

Haris Zargar explores the intimate memories of the kin of killed militants to interrogate the state's figuration of militants as members of an "erratic fringe." Noting the need to take seriously the motivations and aspirations of those who take up arms and lay down their lives in the context of occupation, Zargar presents material from detailed interviews with the family members of three well-known militant commanders, in order to consider how family members recollect the values and choices of their rebellious kin. Zargar asserts the value of oral testimony in interrupting the depersonalizing and dehumanizing discourses of the state, which presents them either as brainwashed "victims" of ideology or as villainous antisocial figures. Across the interviews, Zargar notes how family members of militants emphasized "the caring and 'compassionate' nature of their rebel member," offering circumstantial details that explained the decisions of the Kashmiri youth to join militant outfits. Against the dominant Indian state and media narratives of militant youth as violent and terroristic, the family members of slain militants sought to foreground aspects of their personalities with care, self-awareness, introversion, and empathy for others. In other words, they are figured as agents of revolutionary love rather than of violence.

Moving away from textual and oral narratives, Sarbani Sharma looks at the embodied practice of children's play in the Eidgah neighborhood in Srinagar, not far from the martyr's graveyard, and thereby a space suffused with a memory of violence. In particular, Sharma considers the "fictive frames" of children's play in this context, where the (male) children cast themselves as playing on the Pakistani cricket team rather than an Indian one, and affectionately imagine one of their batsmen as "our Shahid Afridi." Sharma considers how this complex construction of affinity for Pakistan among the children runs counter to "what they learn in their school, families, and Indian national media," and at the same time interrupts the Indian imagination of the Kashmiri child as either innocent victim or as a criminal agent on par with adults. Sharma's chapter also implicitly opens up the question of what girls' play looks like in Kashmir; what affective affiliations might be embedded therein; and whether and how girls' play also imaginatively mediates the relationship between Kashmiri and Indian nationalisms in similar or different ways.

Finally, Anisa Bhutia turns our attention to food, as she considers the practices, associations, and memories around food among the Khache, a community that traces its lineage to Kashmiri Muslim traders who settled in Tibet around the fifteenth century, and "returned" to Kashmir following the Dalai Lama's flight to India after the 1959 Tibetan uprising against Chinese rule. Bhutia presents food practices as a conductor of memory and histories of travel across Kashmir and Central Asia. Her examination of the menu and décor of the Lhasa Restaurant as well as of Khache food preparation practices at home reveal a complex negotiation between Tibetan and Kashmiri identities and selves—in the absence of pork on the menu and the presence of wazwan, for instance; or the fact that in the domestic kitchen, Kashmiri dishes like *hakh* and Tibetan *logo momo* are served together, while Indian staples such as rice and dal are also favored, an imprint of the community's passage through the Indian state. In light of the histories of regional cosmopolitanism and movement across Tibet, Kashmir, and India, Bhutia's chapter also raises key questions about who is a "Kashmiri." Herself from the Khache community and born in Kalimpong, Bhutia had ties to Kashmir through her relatives, which have deepened through her own scholarly visits to Kashmir. As she writes: "As years have passed, I have found some form of understanding of myself as Kashmiri." Her grounded and contextual understanding of Kashmiri identity and location invoke a cosmopolitan imagination of Kashmiriness that transcends state-centric histories and geographies.


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11

DOGS OF WAR, WAR DOGS

The Afterlives of Manto in Two Kashmiri Graphic Novels

Amit R. Baishya

Introduction

Saadat Hasan Manto's Urdu short story "*Tetwal ka Kutta*" (2007) (Translation: The Dog of Tetwal; henceforth "Tetwal") has had afterlives in two contemporary graphic productions from Kashmir – Malik Sajad's *künstlerroman Munnu: A Boy from Kashmir* (2015) and Arif Ayaz Parrey and Waseem Helal's graphic-segment "Tamasha-e-Tetwal" in the anthology *This Side, That Side: Restorying Partition* (2013).[1] This chapter analyzes the intertextual resonances and critical departures from Manto in the two Kashmiri graphic productions via two perspectives: (1) the polyvalent circulation of stray dogs as symbols, material presences, and interspecies cohabitants, and (2) the erasure of Tetwal/Kashmir as historically specific locales in Manto's oeuvre.

While dogs are among the most humanized of animals, their status teeters ambivalently between sentimental anthropomorphism, images of bestiality, and/or sheer abjection.[2] This ambivalence impacts their representations in literature and cinema where their presence is often read through the registers of symbolism or allegory (for example, the stray dog as a substitute for the figure of the refugee in "Tetwal"). Humans identify sentimentally especially with domesticated dogs by endowing them a human "face." Humans also other dogs by denying them face or endowing them a feral face. Phrases such as "like a dog" – an important one for this chapter – are signifiers for their abject status.

The ambivalence toward dogs becomes even more prominent if canines are strays. Many Euro-American cultures see dogs

> only as faithful companions and helpers in a large number of human activities. . . . We tend to see dogs as a product of the human capacity to bend nature to our needs and, as such, we like to think that dogs are acceptable only as far as they are under our full control.
> *(Boitani 2014: v–vi)*

Stray dogs in Euro-American contexts often invoke images of sheer abjection or of untamed feralness. These views on stray dogs do not map isomorphically to South Asian contexts, although the spread of neoliberal forms of pet ownership in urban India, allied with biopolitical measures enacted against the menace of "stray" populations have changed interspecies relationships.[3] South Asian urban and rural locales are "trans-species" environments (Narayanan 2017:

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3). Populations in such locales interact with stray dogs through a wide continuum of affective relationalities ranging from disgust to care.

This ambivalence toward stray dogs also emerges in a militarized zone like Kashmir, where street dogs have been considered "tools" of the Indian occupation. Bhan and Bose (2020: 4) write: "Kashmiris have appropriated canines as a metaphor for the brutality of the state as evidenced by the pervasiveness of urban graffiti demanding 'Indian dogs return to India.'"[4] The personhood endowed to dogs runs parallel to the depersonalization of Kashmiris.

However, there are other ways of relating to street dogs in Kashmir. Consider the ambivalence in the following passages from Ather Zia's article "Of the Dog Days in Kashmir" (2012):

> Since 2005, there have been seven fatal attacks and the Srinagar hospital has received more than 20,000 dog bite cases. People are afraid to step out alone after hours for the fear of being attacked. . .
>
> In early days of militancy it was common for the Indian troops to raise stray dogs around the bunkers. These dogs became default guard-dogs – a kind of animal militia. . . . Kashmiris are not dog people, if anything they hate them. . .
>
> Nowadays the presence of dogs in Kashmir . . . is deeply metaphoric of what is happening or what has happened to Kashmir. The way dogs run amok in the city, in large packs during the day and especially at nights gives an impression of being in a jungle.

Two aspects are worth highlighting here: (1) the figure of the stray dog as a feral presence and tool of the military, and (2) the presence of stray packs as the metaphorical sign for the erasure of the boundary between urban space and the untamed jungle (given the conditions of militarized occupation in Kashmir, "jungle" has specific connotations of the suspension of law and the prevalence of terror). However, Zia's unequivocal statement that Kashmiris "hate" dogs can be complicated by placing it alongside another passage in her essay:

> It is quite usual to spot a fresh litter mewing at alley corners. People despite the problems they face on account of the unbridled dog aggression, will try to keep the young pups and their mother comfortable especially in the cold winter. They collect rags, gunny bags and cardboard pieces to make a snug nest, and make sure that the mother has a meal to eat.

What this passage highlights are the convivial relationships between humans and stray canines that cohabit urban space. It would not be incorrect to say that in Kashmir, comparable albeit not the same as in other South Asian locales, stray dogs oscillate ambivalently in a wide spectrum of relationships in the interzone between "nature" and "culture." Bhan and Bose write: "Indian street dogs . . . acquire multiple meanings (in Kashmir), simultaneously encompassing associations with militarized violence, a virulent version of neoliberalized Hinduism, and spirited resistance to the national security state" (ibid.: 6). Analyzing the multiple meanings that accrue from human-canine interfaces will be a major task of this chapter.

My second task here is to analyze the critique of Manto's erasure of the specificity of Kashmir. The critique is relatively oblique in *Munnu* but is directly stated in "Tamasha-e-Tetwal." The geopolitically important Tetwal (or Tithwal) is in the Neelum Valley which is

> some 90 miles long. It rises as the Kishenganga in the mountain complex to the west of Dras, between Kargil and Srinagar. It then runs north-west, crossing the LOC into

> Pakistani-administered Kashmir, then west before running to the south, and again turning to the west before joining the Jhelum river just by Muzaffarabad.
>
> At several points the Neelum is the LOC between Indian and Pakistani positions; and much of the Valley is overlooked by Indian positions. The Indians also command the heights above Tithwal sector, while the Pakistanis sometimes command strategic heights overlooking Indian positions. The Neelum has been a front-line between two hostile neighbours since 1948.
>
> *(Evans 2005: 40)*

The phrase "since 1948" hides a traumatic history of partition and spatial rearrangement. The Neelum River, known as the Kishenganga in Indian-occupied Kashmir, is the dividing line between the towns of Tetwal in India and Nauseri in Pakistan. Discussing the historical and spatial dislocations engendered by partition, Ershad Mahmud (2018: 215) writes:

> Before 1947 Tithwal was a major hub of trade and social activities for the entire region, with families in Neelum Valley sending their children across the bridge spanning the Neelum River to attend the Tithwal High School. Local people in Neelum Valley and GilgitBaltistan traveled and traded along this route, passing through Tithwal on the way to Leepa Valley. . . . Since 1947, people traveling between Neelum and Leepa Valleys have been forced to traverse a long route that takes thirteen long hours rather than a more direct route through Tithwal, which takes no more than four hours.

Cut here to Manto, whose two Tetwal-front stories – "Tetwal" and "*Aakhri Salute*" (2019) (Translation: The Last Salute) – erase this complex history of interconnection altogether. Furthermore, the two Tetwal-front stories, although set in Kashmir, do not have a single Kashmiri character. Kashmir is represented as a bone of contention between India and Pakistan. The claims of nation(s) over contested territory are naturalized.

Kashmir/Kashmiri is mentioned 33 times in Manto's satirical "Pundit Manto's First Letter to Pundit Nehru" (1996) (both Manto and Nehru trace their origins to Kashmir). For a letter from one "Kashmiri" to another, an omission occurs when partition is mentioned: "It was the time when Radcliffe had turned India into two slices of a single loaf of bread. It is regrettable that they have not been toasted yet. You're toasting it from that side, and we, from this side" (165). The image of a single loaf of bread cut into two slices erases Kashmir as a specific locale with its own history. The erasure of Kashmir's specificity is one of the unfortunate afterlives of Manto's legacy and both graphic productions contend with it critically.

Kutte ki Maut: "Tetwal"

The dog that arrives from elsewhere into the diegetic space of "Tetwal" is a stranger without history. In a previous publication, I critiqued the overwhelming tendency toward allegorical interpretations of "Tetwal" that easily substitute the stray dog with the refugee.[5] Focusing on the dog's responsive bark and the communicative aspects of its wagging tail as "living signs" via Eduardo Kohn's (2013) biosemiotics-inflected anthropological approach, I attempted to free the canine from an allegorical interpretation. This is not my focus here as I tarry with the allegorical reading of "Tetwal" and focus on the homologies between human and canine personhood and subsequent depersonalization.

The pastoral setting of the story, reminiscent of the representation of Kashmir as "paradise" in the colonial Indian imaginary, seems idyllic:

> The weather was pleasant; the wind wafted across, spreading the scent of wildflowers . . . nature was immersed in its necessary work – the birds chirped as before, the flowers continued to bloom.
>
> *(Manto 2007: 80)*

The discordant note in this idyll comes from "occasional bursts of fire" from the entrenched Indian and Pakistani soldiers: "Each time a shot echoed in the hills, the chirping birds would cry out in alarm and fly up" (ibid.: 80). After these jarring interruptions, the pastoral idyll seemingly continues. We get a glimpse of the Pakistani and Indian army camps and learn that there is a space in-between that functions as a no-man's zone. The lone traveller across this no-man's zone is a stray dog, that suddenly appears, leaves and reappears in the two camps as a "*bin bulaye mehman*" (uninvited guest) (ibid.: 84).

The first entrance of the dog is through the sonic dimension – the Indian soldiers hear the dog bark (*bhaukna*) (ibid.: 82). The subsequent call-and-response of songs and barking show that the dog is not simply a "reactive" being, but one that responds to the call of the other.[6] This depiction of reciprocal responsiveness and the phrase – *bin bulaye mehman* – are key as the story poses the questions: what hospitality is due to the stranger who arrives from an indeterminate elsewhere? What is the form of relationality that can be forged with an "uninvited guest"? The possibility of violence is ubiquitous – "Subedar Himmat Khan picked up a pebble and threw it at the dog" (Manto 2007: 84). However, a significant portion of "Tetwal" shows a fragile form of relationality shaping between the dog and the soldiers. The sharing of food, addressing the dog with songs and hearing it bark in response, and the wagging of the dog's tail emerge as the indices of this fragile interspecies relationality. It seems like the "*bin bulaye mehman*" has been allowed to stay.

Things change suddenly and terrifyingly from the point where the unnamed dog is endowed a national "identity." This endowment of quasi-legal identity to the stranger by the soldiers accentuates its status as fungible property. This mock-endowment of a legal persona by the soldiers of the two countries show how, within the law, the paradox of simultaneous ignobility and absolute goodness endowed to canines becomes "the working definition of the dog: so empty of substance that it can accrue to itself all kinds of projections" (Dayan 2011: 232). The Indian soldiers put an "ID card" (this term is absent in "Tetwal," but I am gesturing toward *Munnu*) around its neck that states: "This is a Hindustani dog" (Manto 2007: 84). The Pakistani soldiers respond by writing: "This is a Pakistani dog" (ibid.: 84).

This act of endowing the dog an "ID Card" is a mock-serious attempt at giving it a legal *persona*. Hannah Arendt (1977: 97) writes that in its original theatrical sense, the Latin *persona* was "the mask affixed to the actor's face by the exigencies of the play." The mask hid the actor's "natural" face and replaced it with a representational one through which the voice sounded. The word became a metaphor and travelled from theatrical usage to legal terminology:

> The distinction between a private individual in Rome and a Roman citizen was that the latter had a *persona*, a legal personality . . . it was as though the law had affixed to him the part he was expected to play on the public scene, with the provision . . . that his own voice would be able to sound through. . . . Without his persona, there would be an individual without rights and duties, perhaps a 'natural man' – that is a human being or *homo* in the original meaning of the word, indicating someone outside the

> range of the law and the body politic of the citizens . . . but certainly a politically irrelevant being.
>
> *(Ibid.: 97)*

Rights and identity markers like cards and passports are a modality of modern legal personae that the law affixes on a subject. They are forms of protective persona-as-mask that enable us to participate in a "human artifice" like the state, an incorporation into (national) community that is mock-seriously attached to the dog in "Tetwal."

These actions of endowing quasi-legal personhood to the dog as it shuttles between the two camps leads to a volley of bullets being exchanged by both sides with the dog caught in-between. As it is fired upon by both sides, the dog stops, runs with its "tail between its legs," and flaps its ears violently (Manto 2007: 86). This reference to the tail caught between the legs is the last time we witness this communicative corporeal organ in the diegetic space. The disappearance of the tail from the story coincides with the obliteration of hospitality to the "*bin bulaye mehman*." Moreover, when a bullet strikes the dog in its leg, "its cry (*cheekh*) pierced the sky" (ibid.: 86). The specific tenor of the dog's barking (*bhaukna*) is translatable within the discourses of hospitality and interspecies reciprocity. But the *cheekh* becomes mere background noise (*phone*) that is rendered outside the realm of the political. The pain and terror of the other brooks no response.

Besides the treatment of the dog as an empty slate, two statements accentuate how it is treated *like a dog*. I imply here the descent into what Jacques Derrida (1995: 267) calls the "noncriminal putting to death" of the animal figure. To be relegated to this status is to be placed outside the orbit of the law. This process is inaugurated early when Jamadar Harnam Singh (a character who recurs in "Tamasha-e-Tetwal") says: "Like the Pakistanis, Pakistani dogs will be shot" (Manto 2007: 83). The chilling imperative is that the enemy other is *like a dog* that can be noncriminally put to death. This aspect is accentuated by the Pakistani Subedar Himmat Khan, who says: "Look, friend, don't commit treachery . . . the punishment for a traitor is death" (ibid.: 85). The juxtaposition of "friend" with the injunction against treachery reveals how an absolute friend-enemy distinction characterizes the striated realm of the political in this zone of war.

After the dog is killed and its corpse lies inert in the no-man's zone, "Tetwal" concludes with laconic reports of the reactions of the soldiers:

> Subedar Himmat Khan expressed regret. "*Tch tch* . . . the poor thing became a martyr (*shahid*)!"
>
> Jamadar Harnam Singh took the warm barrel of the gun in his hand and said, "He died a dog's death (*kutte ki maut*)."
>
> *(Ibid.: 87)*

With typical irony, Manto juxtaposes two expressions that have radically different significations – *shahid* and *kutte ki maut*. In the *Qu'ran*, the word "*shahid*" means "both witness and martyr" (Cook 2007: 16). This latter sense of *shahid*-as-martyr became more prominent in the Hadith and jihad literature parallel with and subsequent to the *Qu'ran* and has had different and complicated histories in the Sunni, Shiite, and Sufi traditions. What is common to the wide semantic range of the word is that to be *shahid* is to be inserted into an economy of sacrifice. Sacrifice presupposes value, an aspect that can be contrasted with the value-less kill of the dog. The dog is killed but not sacrificed, and therein lies the cruel irony of Harnam Singh's pronouncement.[7]

"*Kutte ki maut*," in contrast, signifies a particularly degraded form of death. I discuss elsewhere how this invocation of a degrading form of death draws from cultural grammars of disgust concerning "lowly" canines in South Asia, drawing from the long cultural histories of both Hindu and Islamic traditions (Baishya 2019: 56–58). Harnam's Singh's statement is also the last statement in "Tetwal," and captures how the unnamed dog is produced as bare life, a mere natural being whose ephemeral juridico-legal *persona* is stripped away, rendering it faceless and devoid of relationality. It is abandoned as meaningless matter in a no-man's zone. The fragile possibility of hospitality and interspecies cohabitation is shattered by the imperatives of hypermasculine predatory nationalisms.

Like a Dog: *Munnu*

While street dogs inhabit many panels in *Munnu*, I am interested in exploring the ambivalence in the phrase "like a dog" here. Sajad has discussed how Manto's "courage" inspired him (Ravi 2015). This debt to Manto is evident in the two direct references to "Tetwal" in *Munnu*. The story is directly referenced when a book by Manto lies open on Munnu's bedside. The story he is reading is "The Dog of Tithwal" (Sajad 2015: 241). More importantly, it comes back in the panel (see Figure 11.1) on the exigencies of being a journalist in Kashmir.

We notice two dogs with placards that read "Identity Cards" (a meta-textual reference to Sajad's career as a comics journalist) referencing the signs on the dog's neck in "Tetwal" (ibid.: 163). The ID card, a "signature of the state" (Das 2006: 162–183), endows the subject with a persona in conditions of militarized occupation. Not to have one means that the subject can be transformed into bare life. The bleed between human and canine personhood is ironically shown by the figural substitution of the dog for the human/Hangul in the cartoon. If humans are treated like dogs by the colonial occupiers, the inverted intertextual reference in *Munnu* ironically shows that the fictional endowment of IDs to dogs function as a metaphor for depersonalization at large in a permanent state of siege. The biopolitical and zoopolitical bleed into each other.

Munnu also captures mundane modalities of quotidian existence, encompassing both subjugation and resistance, in an urban situation of "late modern colonial occupation" – a "concatenation of multiple powers: disciplinary, biopolitical and necropolitical" (Mbembe 2003: 29). Achille Mbembe uses the Schmittian concept of the state of siege to describe conditions of everyday militarized occupation. Its features include the lack of distinction between internal and external enemies, freedom given to military commanders to kill or maim, the destruction of local civil institutions, and severe restrictions on movement in public spaces (ibid.: 30). Critical Kashmir Studies scholars have deployed this term to describe the situation in Kashmir as one of the "in-betweenness of occupations, their construction as a 'place' that is neither at war nor at peace, and . . . on . . . temporality as ruptured time (that) bring(s) to fore the lived experience of military occupations" (Bhan, Duschinski and Zia 2018: 13).

Munnu documents the lived experience and ruptured temporalities of militarized occupation in Kashmir. Two commonly represented quotidian practices in *Munnu* are walking and (the adult) Munnu riding his bike through the heavily policed streets of Srinagar. Munnu's many encounters with Srinagar's street dogs occur when he walks through the city. Mohammad Junaid (2019: 3) uses "counter-mapping" to describe how Kashmiris, when walking through streets, "had developed instinctive cartographic strategies, including verbal and bodily practices of information sharing, to create a situational awareness of the occupation, allowing them to evade military's control and surveillance." I use counter-mapping to read a key scene in the latter half of *Munnu*, when the eponymous protagonist has to evade military checkpoints to get

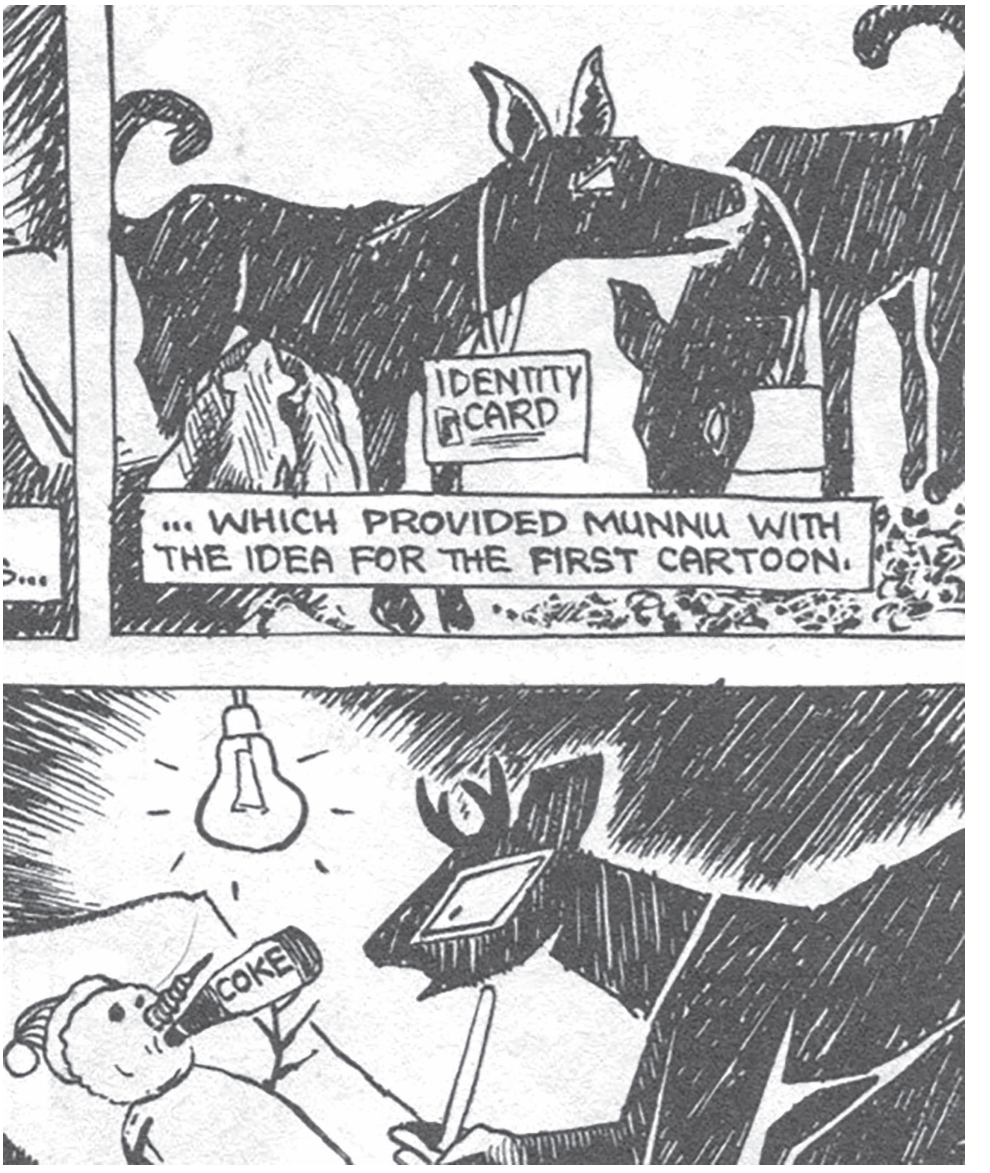


Figure 11.1 Munnu as Journalist

his sick mother to hospital. Munnu wears his press ID, which sometimes gives him a layer of security as he passes through checkpoints. However, he tells his mother that he will "shave" and asks her to wear colorful clothes so that they can be spotted from a distance. His mother suggests that they should put her MRI film over the headlights and carry all their medicines as an extra layer of security. If the military stops them, she will show them her stitches. Improvising in this way, Munnu and his mother set off. Munnu tells her that when he shouts "pothole," she should hold her breath to avoid the jolts (Sajad 2015: 322–323). Munnu and his mother are stopped multiple times. Once he is almost beaten up. However, the instinctive cartographic strategies

devised by him in cahoots with his mother along with them performing rituals of subjection at the checkpoints enable them to slowly wend their way.

At a pivotal moment during their journey, the actual presence of street dogs and a representation of animalization merge to take us back to "like a dog" (see Figure 11.2).



Figure 11.2 Images of Motherhood and Care in *Munnu*

The image in the first panel is archetypal – we notice a street dog suckling her puppies. In contrast, while Munnu's mother has been an agent of care throughout, the baton passes from mother to son. The image in the third panel is that of animalized abjection. Munnu is on all-fours before an Indian soldier, seemingly about to lick his boots. If, as a child, Munnu is disgusted by dogs fornicating and the subsequent revelation by his friend that canines lick their own vomit (ibid.: 95–97), this representation of the prostrate figure of the adult Munnu shows how he is willing to abase himself *like* a dog to give his beloved mother a chance for treatment.

In a perceptive reading of J.M. Coetzee's *Disgrace* (2000), Calina Ciobanu (2012) offers a different interpretation of "like a dog." Focusing on the double iteration of "like a dog" first by Lucy and then by David Lurie, Ciobanu says that Coetzee's "posthumanist ethics"

> derives from the possibility of taking a phrase like "like a dog" and making it mean something new – something that levels hierarchies and stresses the elements of sameness in the simile ("*like* a dog") over its points of exclusion and difference ("like *a dog* [*as opposed to a human*]").
>
> *(Ibid.: 687)*

What Ciobanu says fuses with a key ethical insight from critical animal studies that to claim animal is to open imaginaries of "human" selfhood for encounters with alternative ways of being and existing in the world.[8] I find this shift of emphasis from "like" to "a dog" suggestive, and wager that the remarkable closing sequences of *Munnu* invite us to take a congruent ethical leap (see Figure 11.3). In my previous iteration of *Munnu* (Baishya 2018), I read this scene through the bridging of the interspecies divide between the brutalized, disabled woman and a pack of street dogs through the modalities of the voice and of haptic contact (Munnu comes across her being sexually assaulted by a Kashmiri auto-driver and his companions as he runs away from a snarling pack of street dogs during a dark night).

But what if we reconsider this scene by making an imaginative leap into a perspective of canine otherness? If we consider that possibility, the attribution of feral-ness transfers from the "animals" to the "humans" (the Kashmiri "brothers" who assault the woman). Furthermore, if the dogs are able to connect with the abject woman, then Ciobanu may be correct in suggesting that such scenes reveal "the radical potentiality of the literary, that to be 'like a dog' in this new world is not necessarily to be subhuman" (Ciobanu 2012: 686). I suggest that *Munnu* closes by asking us to consider the destabilizing potentials of such a radical ethical overhaul that upends traditional distinctions between "human" and "animal." Bhan and Bose (2020: 3), I think, gesture at something similar when they write that instead of

> treating dogs and humans as mutually distinct entities. . . [they] . . . take cues from multispecies ethnography to show the "effects of [human] entanglements with other kinds of living selves," and their implications for what it means to be human in fraught political contexts of racism, slavery, mass incarcerations, genocide, occupation, and war.

While *Munnu* is a powerful representation of states of dehumanization in necropolitical zones, it also shows how becoming human is imaginable through unprecedented and contingent interspecies connections with nonhuman selves.

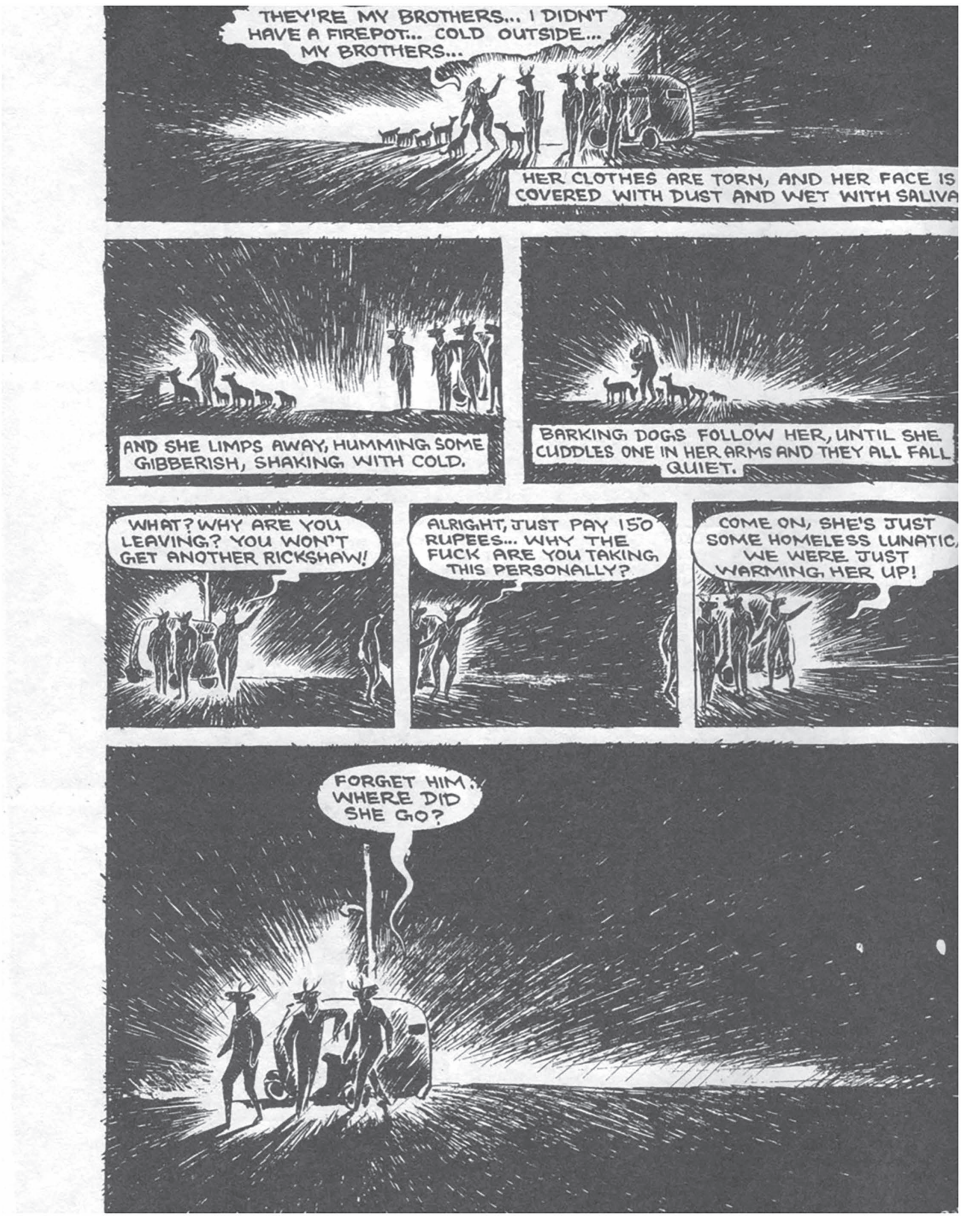


Figure 11.3 Concluding Coda of *Munnu*

War Dogs: "Tamasha-e-Tetwal"

A direct critique of Manto emerges in "Tamasha-e-Tetwal." The first five panels of this segment unveil a scene of everyday life in the border town of Tetwal. A stray dog wakes up and walks slowly across a hilly landscape, later revealed to be in the Indian side of the border. We move to the first panel on the next page where a group of Pakistani soldiers in a bunker directly

echo lines from Manto's story: ' "A dog, *janab*.' 'Waiting for the bus, I suppose.' 'No *janab*, a real dog'" (Helal and Parrey 2013: 115). Segueing into a panel that shows us what the soldier spies from his binoculars, we notice the head and tail of the dog in the foreground, and three human figures, one standing and two sitting, in the background. Of the seated figures, one is a Muslim and the other a Pandit. The standing figure, a bearded man soon revealed to be a reporter from elsewhere is referred to as the "dog," showing the bleed between processes of othering and speciesism. Metaphorical and actual dogs seem to share the same space.

The intertextual echoes with Manto are accentuated on the second panel on the next page, where two specimens of writing occupy the background (ibid.: 116). The first one is a glimpse of a file titled "Harnam Singh Case Files" and a newspaper fragment with the headline "Kashmiri Local of Tetwal Shot Dead. Protest in Area." It is possible that Harnam Singh was investigated because he gave the Kashmiri local what he would probably call "*kutte ki maut*." A segment of a photograph of what seems like a border-post and a bridge over a river spills out from the space behind the case file. This peering photographic segment is reproduced in the immediately succeeding panel. We are again in the physical space of Tetwal. The no-man's zone is the Kishenganga river. A bridge connects the two sides, one lying in Pakistan and the other in India. Two megaphones are superimposed on the photograph on opposing sides, each blaring nationalist slogans in Urdu and Hindi. The noxious legacy of religious-linguistic nationalism in the subcontinent [Hindi as Hindu/Indian; Urdu as Muslim/Pakistani] visually divides the panel into two Manichean units that separates the "geo-body" (Winichakul 1997) of one national space from another. As Haji Sahib, the aged person and repository of community memory that the reporter has come to meet says, the "whoosh of the river" which "was the constant music of our lives" is relentlessly assaulted by the "terrible babel of propaganda" in both languages (Parrey and Helal 2013: 120).

Stray dogs reappear as the reporter's gaze falls on a woman who is talking to someone on the Pakistani side. By this time, the reporter's interview with Haji Sahib is over, and he is waiting for a bus to take him back. In two full-page spreads, we see the Pakistani side and the Indian one (a dog follows the woman on the Indian side) (ibid.: 122–123). The use of two full-page spreads with distinct frames and with the negative space of the gutter spilling from one page into the other accentuates the real-life separations of national boundaries. The reporter witnesses how quotidian contacts between populations on the two sides persist despite the rigidity of boundaries. The woman and the man exchange news about their children, and then the man throws a sack of mushrooms across the river. The woman informs the reporter that "the mushrooms are much greener and bigger" on the other side (ibid.: 125). The no-man's zone as *terra nullius* in "Tetwal" emerges as an improvised transit of exchange – a counter-mapping of the ordinary in a border-zone. The last view of the dog is in the background of the second panel of the same page, as it seems to be looking intently toward the other side (ibid.: 125). While the dog moves easily across and through the space of the panels in its counter-mapping of Tetwal, the river as no-man's zone marks a limit it seems unable to ford. Conversely, the dog's fluid movement across panels as opposed to the constricted movement of the human figures who are trapped within panels could also be a gesture, to adapt Mona Bhan and Haley Duschinski's (2020) resonant phrase about Llandudno goats, that "inspires hope for future freedom from the violent time and space of the postcolonial nation."

In a series of wordless panels at the end, we see the reporter taking his camera out and clicking pictures of the idyllic-looking landscape with the bridge fording both sides just before he alights the bus (Parrey and Helal 2013: 126). The loudspeakers meanwhile blare on (see Figure 11.4).

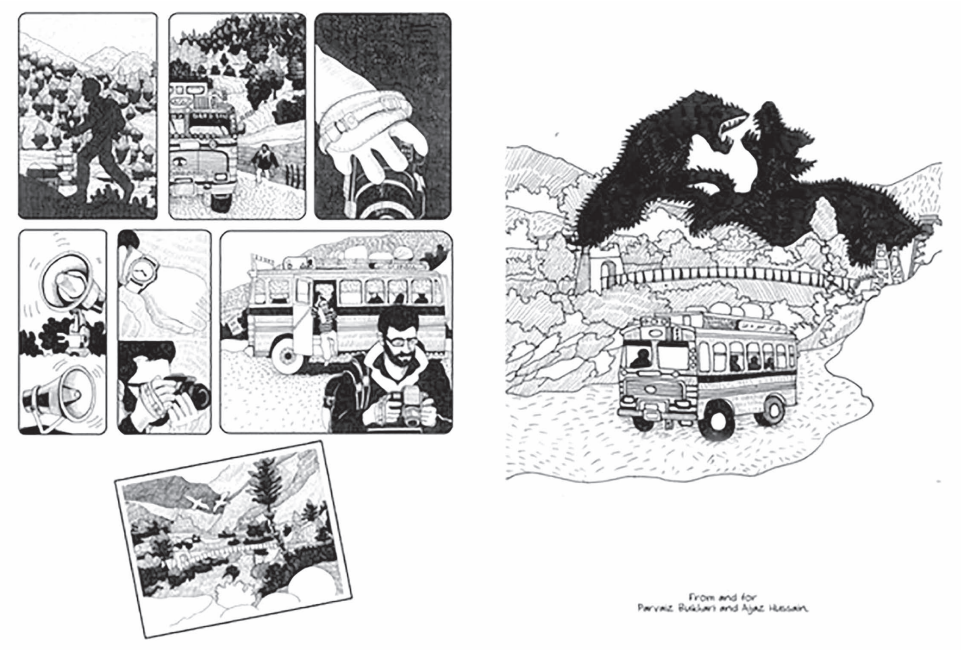


Figure 11.4 Conclusion of Tamasha-e-Tetwal

In the "mute" photograph which is reproduced in a slightly askew fashion as the last panel of the first page, two white birds fly from opposite sides and converge in the middle (ibid.: 125). The sound of warfare disturbed the birds in the idyllic opening of "Tetwal." Are these two birds disturbed by the propaganda blaring from the loudspeakers in what is a visual reference to the opening of "Tetwal"? Contrarily, if we eliminate the sonic background, which the "mute" capture by the photograph does, do these white birds symbolize the futility of Manichean border-making and gesture toward possibilities of peace? Detached from context, that is what the picture-postcard quality of the photograph may communicate. The placement of the photograph in a slightly askew fashion however maintains the ambiguity of the *mise-en-scene*.

Metaphorical dogs reappear in the full-page spread on the last page (ibid.: 126). Crucially, framing is dispensed with, signifying the never-ending aspect of the conflict. The background of the image is dominated by the gigantic figures of two feral dogs fighting. The metaphorical representation of two national behemoths as feral dogs counterpoints the slow rhythms of the quotidian existence of an actual dog at the beginning.

The Strange Case of Missing Kashmir in Manto: Footnotes of History

To approach "Tamasha-e-Tetwal"'s critique of Manto further, let's return to what Haji Sahib tells the reporter (see Figure 11.5).

In the second panel, the Manichean division of national space signified by the loudspeakers blaring Urdu and Hindi fuse in the airspace into a sonic babble. While land becomes the *nomos* for the nation-states (Schmitt 2006), air seems to unbind Manichean spatial divisions in the



Figure 11.5 Conversation With Haji Sahib

comic-fragment (the birds meeting halfway, sounds merging into each other).[9] The terrestrial is a site of intense conflict, but airspace may be a fugitive herald of freedom.

Haji Sahib's subsequent musings are a critique of "Tetwal," especially interpretations of the dog. Taking a swipe at legions of interpretations of the story ("too much noise") that read it as the representation of a dispute between the behemoths of India and Pakistan, the old man critiques the erasure of Kashmir as territory. Hence, the satirical edge to the title – in the *tamasha* (noise) around the story, the actual condition of Tetwal/Kashmir is elided. Hence the attempt to show via the mushroom episode that quotidian contact among populations across the border persist and endure despite the cleavages instituted by the official geo-bodies of the two postcolonial nation-states.

"Tamasha-e-Tetwal" shares an agonistic relationship with Manto's famous story. But what of *Munnu*, given that Sajad has publicly stated his debts to Manto? To tease out this critique, we should consider the anxiety of influence that another figure imposes on the character of Munnu: Joe Sacco. The illustrious Maltese-American graphic novelist, a gold standard for comics journalism, is presented as a model for Munnu to emulate. "Brother" presents Sacco's *The Fixer* (2003) as a paradigm of nonfictional comics reportage (Sajad 2015: 220–223). Munnu goes on a mission to collect testimonials for writing a possible Sacco-like text (ibid.: 226–235). Although Munnu is eventually forced to "sell" his story with the reductive title "Kashmiri Intifada," the culminating point of his artistic coming-of-age is when he refuses to make his text a pale shadow of Sacco's *Palestine* (2001). Moreover, his choice to present Kashmiris as anthropomorphized hangul – "endangered species" – is also a refusal to mimic Sacco's photorealist documentary style (Sajad 2015: 333–335). Munnu's growth as an artist and his gradual forging of a distinct voice emerges via him shedding the anxiety of influence cast by Sacco's looming shadow.

However, Sajad surreptitiously critiques Manto through a strategic deployment of Sacco. In a chapter titled "Footnotes" in *Footnotes in Gaza* (2009: 8–9), Sacco's narrator says:

> This is the story of footnotes to the sideshow of a forgotten war. The war pitted Egypt against the strange alliance of Britain, France and Israel in 1956; the sideshow was the ongoing raids and counter-raids across the Gaza border. . . . And the footnotes . . . well, like most footnotes, they dropped to the bottom of history's pages, where they barely hang on. History can do without its footnotes. Footnotes are inessential at best; at worst they trip up the greater narrative.

We can trace a direct line between what Sacco writes and Sajad's narration of a history of Kashmir from mythic to contemporary times in the chapter titled "Footnotes" (Sajad 2015: 197–211). What is crucial in "Footnotes" is an image of militarized space that is reproduced twice – first on the title page of the chapter (see Figure 11.6), and then again with narrative commentary within the chapter:

> The UN resolution was never acted upon, and the ceasefire line was renamed the line of control (L.O.C.) in 1972 and demarcated with a dotted line on the map. . . . The L.O.C. blocked traditional routes and people from both sides of the fence were cut off from each other.
>
> *(Ibid.: 209)*

Colonial occupation, as Frantz Fanon (2005: 1) writes, is the violent imposition of a *tabula rasa* on lands that have prior histories of their own. The preceding visual representation of

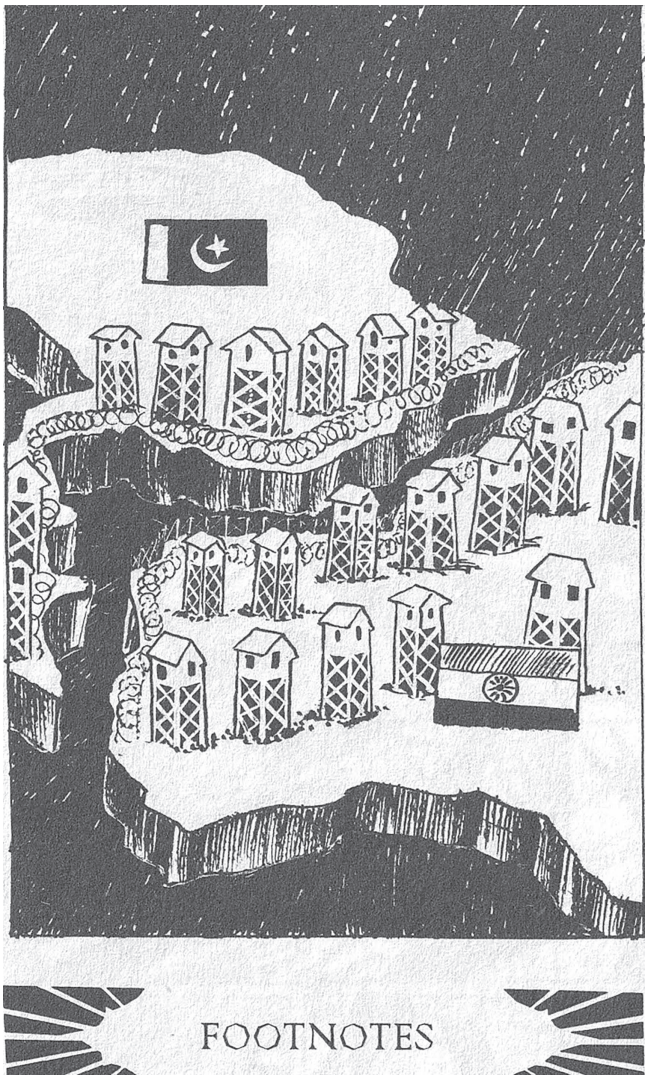


Figure 11.6 Militarized Space in Munnu

Kashmir is a representation of the *tabula rasa* created by continuing colonial occupations. Kashmir is militarily designated as either Indian or Pakistani space, with a marked cleavage in between that represents the L.O.C. Histories prior to this colonization of space, like the ones Ershad Mahmud evokes about Tithwal, are erased or, in Sacco's terms, drop to the bottom of history's pages. The visual representation of the bifurcation of Kashmir and its militarization and the narratorial comments in "Footnotes" represents this process of erasure that is constantly at work.

Unfortunately, one of the participants in this "racket of partition" may not simply be the "rulers," but Manto himself. Caught within the "imaginary" Manichean binary instituted by partition's racket, Manto, despite all his wisdom, misses the "real" historical specificity of Kashmir. As for the war-dogs of the two bread-slices that periodically threaten to release the dogs of war, with hypernationalist *tamasha* as an unnecessary bonus, the less said the better!

Notes

1 I also follow the Hindi version of "Tetwal" published on *rekhta.com*. The Hindi/Urdu terms used in the text are cited from this source.
2 For well-known treatments of dogs from a variety of perspectives in critical theory (feminist, queer, post-humanist, critical race) see Haraway 2007; Kuzniar 2013; Boisseron 2018; Dayan 2018; McHugh 2019; Weaver 2021.
3 See Bhan and Bose 2020 for neoliberalization and pet ownership. For stray dogs in Indian urban spaces, see Narayanan 2017; Srinivasan 2019; Nadal 2020.
4 The image of "Indian Dogs Go Back" also appears in Sajad (2015: 66).
5 See Baishya 2019.
6 For the distinction and deconstruction of response and reaction, see Derrida 2008.
7 For bare life (*vita nuda*) and life that can be killed and not sacrificed, see Agamben 1998.
8 For the term "claiming animal" see Taylor 2017. Sunaura Taylor is a disability studies theorist/activist who works on the intersections of disability and animality.
9 Airspace, of course, is a *nomos* of its own. It isn't a space of unbridled freedom and can be a locus of control. See Graham 2018.

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12

COSMOPOLITANISM, FOOD, AND MEMORY

The Lhasa Restaurant of Srinagar

Anisa Bhutia

Introduction

My happiness knew no bounds when a steaming plate of *momo* (dumplings) and *thukpa* (noodles with soup) welcomed me in the Lhasa Restaurant. It reminded me of the food in my home. I was thousands of kilometers away from my hometown Kalimpong in the Eastern Himalayas. But I was in another stretch of the Himalayas, another beautiful landscape of mountains in Srinagar, Kashmir. Today, I was not here in the restaurant for an interview but just to assuage my hunger pangs. I was a customer in this restaurant. As I looked around at the decor of the restaurant, I could clearly see the different cultural influences. Contrary to the assumption of how *momo* – at least in India – are usually made by Tibetan Buddhist communities,[1] this restaurant was started by a Muslim, specifically a *Khache* (loosely translated as a Tibetan Muslim).[2]

People who travelled from Kashmir to Tibet were called *Khache* in Tibet, but whether the term means "Kashmiri" or "Muslim" in general is not clear (Yoeli-Tlalim 2011: 4). The use of the word *Khache* in this chapter is specifically for the Tibetan Muslim community who have repatriated to Kashmir from Tibet and the Himalayan regions of Kalimpong, Darjeeling, and Nepal.[3] As I have noted elsewhere, "It is important here to note that the meaning of *Khache* differs from people to people and period to period" (Bhutia 2018: 29). Drawing from Tibetan studies scholar José Cabezón's work, Singh (2015: 4) recounts that there were two important ways that Islam entered Tibet: first by the eastern trade networks from the Silk Routes, and second from the western route via Ladakh. Further, Gaborieau (1995: 21) provides another possible route for the entry of Islam into Tibet from South Asia, via Kashmiri merchants who settled in cities such as Lahore, Calcutta, and Dhaka. During the reign of the Fifth Dalai Lama, *Khache* became more prominent in Tibet. They received tax-free land, they were exempted from eating meat during the Buddhist festival, and they were provided land where they ultimately built a mosque (Batt 1990: 28). All of these different instances showed that they were outsiders in Tibet. Atwill (2016: 601) mentions that "*Khache* were some sort of perpetual non-native."

It was during the reign of the Fifth Dalai Lama, that the *Khache* community got recognition through land in Tibet (Jest 1995). All the *Khache* community members till date refer to the Dalai Lama as a King, possibly out of respect for providing them land where the community lived and also built the first mosque of Tibet, "in the garden called the Khache-lingka" (ibid.: 8). When in Tibet, the Dalai Lama and the *kashag* (governing council of Tibet) did not

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interfere with the *Khache*, the *Poonj/Paanch* (a five-man committee) looked after the welfare and administrative issues of the *Khache* community (Nadwi 2004: 112). It was during the time of the Cultural Revolution when Tibet was under the Chinese occupation and religious freedom was curbed, that they decided to approach the Indian Consul General at Lhasa.[4] Tibetan Muslims ultimately came to Kashmir after rigorous negotiation with the Indian government in the 1960, the back and forth of which is recorded in the White Paper entitled "List of Heads of Families of Muslims of Indian Origin Residing at Lhasa and Other Places of Tibet for Trade Purpose."

The first place that they came to was Kalimpong, a frontier town in the current West Bengal state of India, where a smaller population of the community still resides. It was the *Poonj/Paanch* committee that decided for the community to settle in Kashmir, their ancestral place. When they reached Srinagar city, they were given a piece of land for refurbishment and the houses were established in Eidgah and Hawal. The sites were adorned with big boards that proudly claimed it as an establishment for the "Tibetan Refugees."

The central and state forces categorized this community in different ways, such as refugees and outsiders. Though the categories help us understand how they came into being, they tell us little about their everyday lives. This chapter moves away from state-given categories to examine how this movement from Kashmir to Tibet and then back to Kashmir has shaped their lives. I elaborate on how the Tibetan and Kashmiri identity of the community plays out through a focus on food.

Food provides stories of migration and entangled histories of displaced or even repatriated communities. I argue that food has the capacity to tell the history and the present of a community. Using food as a lens, I examine the lesser-known cosmopolitan history of the *Khache* community. For the *Khache* community food becomes a way of connecting, but also a way of navigating the different territories and nation-states. Food then ultimately becomes a way of bringing alive the "imagined community."

Through a historical study of trade in Ladakh region of Jammu and Kashmir, Fewkes (2012: 279) argues that Ladakhi traders played an important role in trading networks as they "understood multiple perspective and culturally relevant contexts, becoming cosmopolitan in order to be successful." Appiah (2005: 213) argues that cosmopolitan means the "universal morality" and a responsibility of being a "world citizen," whereas Notar (2008: 618) argues that cosmopolitan means openness to the world and an interaction among different cultures, where movement is not always compulsory.

While the *Khache* community were called Kashmiri Muslims in Tibet, in Kashmir, they are referred to as Tibetan Muslims. This shift shows their connection with Kashmir as well as Tibet, adding to their various other networks, which all shaped their cosmopolitan understanding of the world. Harper and Amrith (2014: 8) claim that "cosmopolitanism [is] messy, inconsistent, lived rather than theorized." Taking forward this argument of lived cosmopolitanism, I present a study of the Lhasa Restaurant, *Khache*, and Kashmir. I further argue that it is through the engagements of such sites and their everyday practices that we can understand the importance of individual and social history of people and places.

Recent scholarship has challenged the narrative that only "global cities" produce cosmopolitan individuals or spaces. Notar (2008: 619) argues that the "cosmopolitanism and other forms of identification (religious, ethnic, regional) are mutually exclusive and may reinforce each other." Taking the case studies of cafe owners in Dali (Northwestern Yunan in China), he explores the possibilities of different forms of cosmopolitanism: local, political, borderland. In all these explorations, he considers "cosmopolitan" as a part of an openness to the world. On the other hand, referring to Shami (2000), Marsden (2008: 235) explores the idea of how "peoples

older experiences of mobility" shapes their current cosmopolitan trans-regional networks. For me this idea of cosmopolitanism gets performed in the everyday lives of food.

My research on the *Khache* community, apart from being a lifelong personal journey, started academically in 2012.[5] In this chapter, I build upon narratives that I conducted during my fieldwork in Srinagar city in 2015.[6] I begin the next section with the location of the Lhasa Restaurant, followed by a discussion of its menu. The restaurant has made a name for itself and is important in the cultural setting of Kashmir as a place where one can find authentic "Tibetan *momo*."

Journey of the Lhasa Restaurant

As I walked alongside the beautiful Dal Lake that is located in the central tourist area of Srinagar, a small board on the road read: "For Lhasa Restaurant turn right." I noticed it for the first time when I was walking by the Dal Lake for my interview that was to be conducted in the restaurant with Faiz Shah, the owner of the restaurant.[7] His father had started the restaurant after their arrival in Srinagar. The restaurant opened in 1976 to introduce Tibetan cuisine in the Valley. As I approached the restaurant, a very small faint sticker entitled "Save Tibet" welcomed me. Probably, it was Faiz's father who had stuck it on the entrance of the restaurant. It acted as a faint reminder of the fact that the community had come from Tibet.

Faiz had never seen Tibet, but he had lived it through his father's memories and conversations. It was an imagined Tibet, which he had heard about through the voices of many elderly people. During one of our initial interviews Faiz mentioned, "My dad was very patriotic; he named the restaurant the Lhasa Restaurant. He was very strict in not allowing any other kind of food to be made here except Tibetan." This showed his father's love for the region where he was born, a place he had to leave during the Tibetan Cultural Revolution of 1959. Tibet as a place was always cosmopolitan with traders from different parts of the world and so was Kashmir. As Kashmir scholars Bhan and Duschinski (2020) write, "Kashmiri cosmopolitan identities are deeply rooted in their dense cultural, religious, and economic exchanges with regions in Central Asia." While discussing the importance of Tibet and its frontiers in international history of the cold war era, Wasif Sulmaan Khan (2015: 99–100), takes the case of "Hamite . . . a Tibetan Muslim of Kashmiri ancestry . . . and how difficult it was to categorise people in Tibet. He was Tibetan, Kashmiri, Indian and Chinese."

Like his father, it was the elderly people in the community who were attached to Tibet. They were trying to keep alive the memory of Lhasa in different ways. For Faiz's father, it was naming the restaurant the Lhasa Restaurant. For many elderly women in the community, it was wearing *chuba* (Tibetan traditional dress) with a *hijab*. These were emotional ways of paying homage to the place where they once lived. The elderly people, when they came from Tibet, considered the repatriation as a temporary fix. The idea of home was fluid for them, attached largely to different memories. In the beginning, the community replicated what their ancestors once did, when they came to Tibet from Kashmir and other regions. While keeping these memories alive and acting on them, the people also in turn are keeping their cosmopolitan lives alive.

Memories of Lhasa in Kashmir

The idea of home for some meant Tibet, the place which they had to leave, to come and settle in India. Tibet was attached to their everyday lives through memory, food, dress, and language. And when in Tibet so was Kashmir, as some of my respondents mentioned: they used utensils

like *samovar* (kettle) and *trami* (traditional arrangement of food in a serving plate), traditionally used for cooking and serving food in Kashmir. These were the ways the community kept their Kashmiri tradition alive in Tibet. This simple division of the transnational community of Tibetan Muslims in two distinct categories of Tibetan and/or Kashmiri is problematic, however, because each of these identities is reproduced in complex ways on an everyday basis.

Kashmir has always been home to different communities. *Khache* is just one community that I have discussed in this chapter but there are many other communities in Kashmir that add to its cosmopolitan image. Bhan, Misri, and Zia (2020: 297–299), through the curated narratives of people's lived experience in Kashmir, show how food played an important role in forging or impeding everyday relationships across communities. Bamzai (2020: 311) shows how food was shared between individuals from two religious communities, sometimes even against societal norms (ibid.: 315). Wahid (2001: 219), through his personal narratives of belonging to a Ladakhi Muslim family, explores his history and elaborates how the "stories of bandits," "the trans-Himalaya trade," "was a way of life that was lost to us." Home kept shifting for trading communities like the *Khache*.

Even when in Kashmir as far back as the 1950s, many *Khache* still considered Tibet to be their home. This was largely the reason why the elders did not want to be Kashmiri "State Subjects," a political identity for the people of J&K, which was granted to them by the former chief minister of Kashmir, Sheikh Abdullah, during his initial years in power. Various respondents told me that, "it was a mistake our elders made because they were illiterate and did not understand the value of the documents." The *Khache* community were mostly traders who had been doing business in Tibet and the state subject documents did not hold much relevance for them. Bhutia (2017) writes, "for the older generation, the documents would merely be a piece of paper and nothing more, it did not determine who they were." Additionally, Khan (2015: 66) mentions that traders and travellers "moved as easily between identities as one did through the mountain passes." But documents have started to play an important role, especially in contemporary nation-states, as they become an important part of claiming nationality and citizenship.[8] On the one hand, the community has documents in the form of White Papers, which allows them to claim Kashmiri ancestry, but on the other hand, not having the "state subject" document creates a dilemma. They feel trapped in such a situation where their Kashmiri ancestry is doubted. In the words of McGranahan (2010: 24), it could be argued that the community lives in the "arrested history" of being in Tibet even after returning to their homeland. McGranahan (ibid.: 19) argues that history and memory, though connected, are two different things: history is narratives with a proper beginning, middle, and end, whereas memory does not have any such pre-assigned forms. "History is narrative and . . . memory is what drives this narration" (McGranahan 2010). Many of my respondents mentioned, "We never had any land in Tibet," problematizing a singular narrative of their history of home meaning Tibet. But these arrested histories are questioned and adjusted in spaces of homes like the kitchen. Further, it is food that has the capacity to slowly capture the history of movements of communities. This history also keeps changing and reformulating itself in different ways through different actors.

The Restaurant's Menu and Its Trajectories

It was only after Faiz's father passed away that he started introducing other cuisines in the restaurant, namely, Indian, Kashmiri, and Chinese. With the rise in competition, there was a dire need to change things to bring something new to his customers. As he noted, "earlier it was the

foreigners who visited the restaurant. Nowadays there is a mixed crowd, they want choices for their food. This was the reason for introducing different cuisines in the restaurant."

After his father passed away, he has tried to keep the "imagined Tibet" alive by not changing the inscription at the entrance of the restaurant, keeping the interiors the same. It is the intergenerational memory that exists in the community. Although Faiz has never seen Tibet; he has imagined it through his elders' recounting. The imagination, however, was not as strong as the lived reality of the people. This is probably why he was not so insistent on keeping the same menu as his father.

Memory plays an important role in the community as it is passed on by elders through their conversations, and mostly for women through their food in the kitchen. Zutshi (2015) writes that it was the Kashmiri cuisine that helped her share the past of her grandparents and mother in Kashmir. Similarly, I see Faiz respecting the shared memory of his father by retaining the Tibetan cuisine in the menu. Bringing out the complex nuances of belonging through food, Kikon (2015: 322) elaborates on the making of Akhuni, a delicacy enjoyed in the Eastern Himalayas and argues that it presents "a kind of sensory imagined community." Anderson's (2006: 6) idea of imagined communities that are bound by sovereignty is problematized by Kikon (2015: 331) through the "dietary map of the eastern Himalayan societies." Further, food when cooked at a domestic space of kitchens at home has a different meaning than when cooked in the restaurants.

The New Menu of the Restaurant

With the increasing demand of the customers, new foods were getting a place on the menu of Lhasa Restaurant. In recent years, it was no longer only a place located right in the center of the Dal Lake where you get decent *momo*, but a place where customers wanted to experience different cuisines and the restaurant's beautiful interiors. It is important to note that there have been many changes in the decoration and even the menu of the Lhasa Restaurant since I last visited Srinagar. The menu I observed was in the year 2015, one year after a devastating flood had destroyed many businesses in Srinagar. In 2015, the Lhasa Restaurant was going through refurnishing after the flood as the water had damaged the restaurant.

When you open the menu of the restaurant, you are welcomed with an exquisite calligraphy and a brief description of Lhasa, Tibet's capital. In the description, Lhasa is referred to as a "terra incognito," "nowhere land," and "roof of the world." Further it mentions the different cuisines that can be found in the restaurant namely, "Kashmiri, Tibetan, Chinese, and Indian." The amalgamation of different cuisines is also guided by the philosophy of Yin and Yang in the menu. Between the Tibetan Menu and Chinese menu, the symbol of Yin and Yang represents the restaurant as exotic and oriental. In Tibetan cuisine you have *gyathuk* (noodles made with eggs, flour and bone soup), *thukpa*, *momo*, and others. Unlike the *momo* with pork, beef, and chicken filling that you get in Majnu ka Tilla, a predominantly Tibetan-populated area in Delhi, in the Lhasa Restaurant you do not get pork *momo*. In the Kashmiri cuisine you have the *wazwaan* and in Indian cuisine you have the *palak paneer* (spinach and cottage cheese) and some vegetarian dishes. The availability of Indian cuisine provides an option for the Indian tourists who come to Srinagar. Providing a diverse cuisine is a way for Faiz and his family to continue to earn a livelihood. In addition to the Tibetan and Kashmiri cuisine, there is also the presence of other cuisines based on the frequency of the travellers from a particular region.

The array of various dishes that you get in the Lhasa Restaurant is also an ode to the travel that Faiz has done for his work and education. He was born in Srinagar, but he moved to Kalimpong to pursue his education. He was in Kalimpong until high school; he enrolled in

a *madrasa*, and in one of the privately run Christian schools in Kalimpong, St. Augustine's. His college years were spent in New Delhi and later he came back to Kashmir to study hotel management, only to be sent away to Nepal during the 1990s, when militancy peaked in Kashmir.[8]

During our initial meetings, Faiz offered me food and asked, "What would you like to have for lunch? Kashmiri, Chinese, Indian, all the delicacies are available in the restaurant." I always left the decision to him, and I remember there being *chowmein* (stir-fried noodles), chicken fried rice, and chicken manchurian on the table. Through its different foods, the restaurant reminded me of home, and I was always ecstatic to visit the Lhasa Restaurant and the people who worked there.

Food has the possibility of connecting people and places. Aijazi (2019) writes that it is in the kitchen that "women exert their power in the everyday, challenging stereotypes of their lack of participation in Kashmir's political and social life." Focusing on Sudha Kauls novel, *The Tiger Ladies*, a memoir and an autobiography, Rizwan (2020: 138) elaborates how cosmopolitanism is enacted in private spaces like kitchens and homes. Rizwan (ibid.) writes, "Kashmiri women in *The Tiger Ladies* have cosmopolitan 'inner maps' that cannot be changed by the demarcations of postcolonial cartography." When I was invited for food in everyone's kitchen, they were inviting me to their inner domestic spaces. The plate that was served to me was a representation of their stories, their migrations and their life. The food cooked and served at home has a history and labor (usually of women) that often gets overlooked. But it is different from the cooking in the restaurant. Unlike the kitchen in houses, the restaurant is also a means of earning livelihood. Thus, in this space food is also about generating an economy. The chef and all the waiters were male in the Lhasa Restaurant. In domestic settings, it is usually women who merge different techniques of adapting to a new environment and cooking, whereas in the restaurant it is the chefs who cook and male waiters who serve.

Vinod and His Cosmopolitan Service

I sat at a table for four waiting for Faiz. There were easily more than ten such tables in the room. Slowly, customers arrived, and the restaurant was crowded, even for a weekday. Two middle-aged people entered the restaurant; they smiled at Vinod. I gathered that they were regulars at the restaurant. Vinod is the most sought-after waiter in the restaurant. He is the oldest waiter, and has been working at the restaurant for 30 years, since the time of Faiz's father.

The different style of cooking the food and knowing the food makes him a cosmopolitan. Many times, as we ate our food, Vinod passed by, checking if there was anything that we wanted. Once, he went to the table next to us and explained the difference between *gyathuk* (a Tibetan dish) and *wazwaan* (a Kashmiri dish) to the tourists with such ease, as if he had made it himself. In the meantime, two regular customers left the restaurant, thanking Vinod for his wonderful service. We were seated at the table beside the aquarium; our food, which had arrived hot, had already gone cold. Noticing this, Vinod asked us if we wanted it to be warmed. He was an observant person who knew the regular customers, a new face and the researcher who came to visit his boss.

Gidwani and Sivaramkrishnan (2003: 339) explore rural cosmopolitanism through the lens of circular migrants, people who move in terms of work, by capturing their "invisible histories of movements." Vinod is from Nepal and travelled to Kashmir for work. Having stayed in Srinagar for three decades, he is familiar with Kashmiri customers who visit the restaurant to eat. When he visits home, he takes this cosmopolitan understanding of Kashmir through the Lhasa Restaurant with him to his family members.

The cosmopolitan form of understanding is neither local, national, nor global, but an exclusive form of identity that arises from the wider links referred to as "resolute localism" (Ho 2006: 68 quoted in Marsden 2008: 216). Faiz's cosmopolitanism is in his travels and history that is linked with trade, but Vinod is also equally cosmopolitan through his travel and understanding of the different nuances of the food that he serves. Another time as I entered the Lhasa Restaurant, Vinod recognized me and told me, "Sir is not there today, he has gone to Delhi." Faiz had informed me that he would be visiting Delhi for some days. Regardless, my hunger pangs and the close proximity to the restaurant had made me pay a visit.

Rehan and My Kashmiri(?) Identity

One of the waiters, Rehan, who is from Kashmir, gave me the menu and asked me eagerly, "Are you also Kashmiri, madam?" I did not have an answer. I simply smiled and nodded along and ordered a chicken *thukpa*. The nod was open for interpretation by the people; I did not know what it was supposed to represent. I have not grown up in Kashmir, and due to personal reasons managed to visit Kashmir only a few times. I was born and raised in Kalimpong but always had heard of Kashmir and its importance in our community through conversations and shared collective histories. What was the hesitancy in calling myself a Kashmiri? As years have passed, I have found some form of understanding of myself as Kashmiri. The visits have increased; the phone calls have started becoming frequent. It is no longer only a part of my collective history but also a part of my everyday life. During fieldwork, I came across many new relatives that I had not known of. It was a connection to my history, my family, and ultimately my community. I did not have an answer then and I certainly do not now as I write this chapter. But I do know that some of my relatives and the community in Kashmir call themselves Kashmiri and would have certain hesitation returning to Tibet even if Tibet becomes free. It is for them that I write this chapter and for the community's history to be recorded; be it through food or otherwise.

The Outer Garden and Farima

Tashi Delek (greetings), a phrase in the Tibetan Buddhist language, could be seen at the end of the garden, on a big poster. It welcomed me to another space of the restaurant, the backyard. Tables and chairs surrounded the outdoor garden. Almost all the tables were full; there were two foreigners sitting in one corner. Seated across them were people celebrating a friend's birthday. Next to them there was a person eating *momo*. We crossed all of them and came to his house, which had its entryway behind the *Tashi Delek* poster. Faiz along with his *Ammi* and his brothers stayed in this house, behind the restaurant. As we climbed the stairs, he showed me on the left-hand side there was the kitchen where the food was made for the restaurant.

As his *Ammi* prayed, he asked me to wait in a room. I had met Farima, Faiz's mother, when I first visited Kashmir in March 2015. Shah had invited us to his home; I had met her in this same room where I was waiting for her. The floor was covered with a carpet and there was a sofa. As Shah went to check on his mother, I noticed on the back of the door lay some black *burqas*. The house was at an elevated plane, it was a two-storied building behind Lhasa Restaurant. I could hear the footsteps of people approaching. The son and mother conversed in Tibetan, when he needed to explain anything to her in detail. He introduced me as the person who had come a few months back and was researching on the community.

Farima was born in Tibet; she studied in the madrasa in Lhasa. Faiz told me, "Ammi can speak Urdu, Hindi, even Farsi. She learned Persian when in Lhasa." Knowing different languages

was a prerequisite to be able to talk to different people who were largely involved in trading. Through an ethnohistorical study of trade in Leh, where different ethnic communities were involved in trading, Fewkes (2009: 69) argues that the mixture of tongues could possibly help in the greater economic prospects and "the South and Central Asian traders had a common trading vocabulary fashioned of a mixture of words from several regional languages and dialect." When I first saw her, she was sitting right beside my mom and me. We were conversing and we asked Faiz, "When would your mother be joining us?" To this his reply was, "She is sitting right beside you." We had mistaken her for Faiz's elder sister or a relative. She seemed young for her age; but as she approached me that day, I could see the wrinkles on her face upon a closer look, which were not visible from afar. Like Faiz, she was also very soft-spoken. When I asked her about her health, she said that her body ached sometimes these days as the cold was setting in, and the winter chills had started troubling her. As she was not well, after a cup of tea, I bid them farewell and started approaching the backyard.

Insider/Outsider Dilemma

In one of my visits, Faiz asked me to join them for lunch in his house. I did not have to walk up the stairs that day. Right beside the restaurant, there was the kitchen of the house. Faiz's mom was there with one of their relatives. We waited for Faiz to arrive; he had gone to the restaurant to meet some people. While I was in the kitchen, his relative, a young woman, asked me, "Are you Tibetan?" to which I replied yes. She continued, "But you do not look like us, you look Kashmiri." I did not know how to respond, so I just smiled. The question of being a Tibetan or Kashmiri gets complicated for me as I have relatives here, but I have not lived here. My everyday realities of being a Tibetan, Kashmiri, and Nepali get intertwined with these questions. This further elaborates on the insider-outsider dilemma that I have to encounter every single time, as a researcher, as a community member, and a woman. Talking about her German mother, Indian father, and further mixed background of both her paternal and maternal families, Narayan (1993: 673) "wonders whether any person of mixed ancestry can so neatly be split down in the middle, excluding all vectors that have shaped them." The place where one grows up and the social and cultural upbringing also equally plays a role in developing a person along with one's ancestry.

The community is spread mostly along the Himalayas and the everyday lives of the people are different depending upon their locality, but the food mostly remains the same. It is the food that provides an "imagined community" for the *Khache*. There are some foods that get attached and some that get developed as and when people move. In my understanding, once a person from the community starts researching their own, there is a certain sense of comfort but there is also a sense of distance. Statements like "she looks like us," "she is one of us," "now you have studied so much what kitchen work you will do," were frequently heard during my fieldwork. All this further strengthened my understanding that one can never completely be an insider/outsider when researching one's own.

When Faiz arrived, we started keeping the dishes on the *dastarkhān* (a cloth spread on the floor or a table to eat meals). While eating, he said, "I like the Indian style food better; *roti* [bread], *daal* [lentin soup], *sabzi* [vegetable]. What about you?" I simply thought about it for a while and replied, "I like noodles and *momo*, but I don't mind *daal*, *chawal* [rice] either." That day, the women of the house had cooked *hak* (locally grown collard greens, a staple in the Kashmiri diet) and chicken. Supski (2013: 28) writes that cooking is an important part of enjoying food because it captures so much of "everyday life, thought and activity across time, place and generation." The different influences of the movements of the community can be seen through

the Lhasa Restaurant and also through the kitchens of the households. In the Lhasa Restaurant, this image of multiculturalism further gets heightened due to the different interiors of the restaurant, to which I now turn.

Symbols and Multiple Identities

When I was in the restaurant as a customer, I could see the Tibetan influences in its interiors. When I was on my own, I noticed the eight lucky symbols in Buddhism that Shah had mentioned to me in our prior conversations. The vaguely familiar Tibetan interiors were on full display. But Faiz had specified to me that they were the "eight auspicious symbols in the Tibetan culture." He further mentioned, "My uncle himself painted the interiors of the restaurant; starting from the eight symbols to the walls, he painted all of them himself." It was a way of honoring the once lived life in Tibet. Knowing the details of it being auspicious symbols shows his cosmopolitan understanding of the Tibetan Buddhist community.

As I started eating, I looked around the walls painted with these symbols. I had seen these symbols when I was in Dharamshala during my internship in 2013. A friend had gifted me a bag with these symbols; they had told me that these were lucky symbols (see Figure 12.1). It



Figure 12.1 Some auspicious symbols in the Lhasa Restaurant through paintings

Source: Photo by the author

was in Srinagar that I came to know about the importance of the eight symbols in the Buddhist culture through Faiz. These symbols are called *Asthamangala* in Sanskrit. The word *astha* means eight and *mangala* means auspicious. The origins of these symbols can be traced back to Buddhism in India.

In Buddhism, these symbols represent the good fortune and offerings made by God to Sakyamuni Buddha after he gained enlightenment. These symbols can be presented individually or together; when used together they form a collective vase (Beer 1999: 171). It has immense importance in Buddhist culture. These symbols could be seen in the Lhasa Restaurant, painted on the walls, though the sharpness of the colors had faded largely due to the floods of 2014. There were now only seven on the walls. The *golden fish* was the one that was missing. As if compensating for its absence, there was an aquarium beside my table with two fish swimming in it. It was the same table where I had sat with Faiz, on the first day of my fieldwork.

The *victory banner* represents a sign of a victory; the *treasure vase* refers to the inexhaustible treasures of life. The *wheel* holds an important place in the Buddhist way of life, it is considered auspicious according to Buddhist teachings. The *wheel* is literally considered to be the "wheel of spirituality" and it symbolizes spiritual transformation (Beer 1999: 185). The *golden fish* refer to the happiness and complete freedom that they receive in water; symbolically they also represent fertility (ibid.: 176). The *white conch shells* represent the deep melodious sound that one can hear when playing the conch; it has its linkages with the origins of the trumpet in India. The *parasol* represents the symbol of both royalty and protection. It is supposed to protect the people from the direct heat of the sun and wind chill. The *eternal knot* is supposed to represent the eternal wisdom of the Buddha. The *lotus* symbolizes the purified body and mind and a blissful liberation of both (Beer 1999: 173). The existence of these symbols in his restaurant speaks about Faiz and his family's close affiliation to the Tibetan identity. Maybe these are the symbols, but these representations make Mehfuz – Faiz Shah's brother – feel more Tibetan, as pointed out to me by his friend during my encounters in the field.

After eating my *thukpa*, I moved to the bill counter to make my payment. Above the counter, there was an Arabic calligraphy representing the family's Muslim identity, and on the counter, the sign of the endless knot representing their Tibetan identity. The presence of these symbols shows the merging of the identity of the *Khache*. What we see is the envisioned Lhasa of Faiz Shah; they are his negotiations of being a Tibetan and Kashmiri Muslim, and these symbols in his restaurant remind him of his cosmopolitan past and present.

Conclusion: *Logo Momo* and *Hak*[9]

In this chapter, I have argued that Lhasa Restaurant comprises different forms of cosmopolitanism. In order to make these claims, I have drawn upon my research on food and memory of the *Khache* community. Specifically, in the Lhasa Restaurant, I show how food, memory, and symbols play an integral part in making the site cosmopolitan. Additionally, through the food cooked in kitchen spaces, I show how people engage in cosmopolitan imaginaries and practices in their everyday life. The different cuisines that one gets at the Lhasa Restaurant are sometimes cooked even in the households of the community members. But for obvious reasons, as the restaurant is also an economic place, there are certain dishes that are sold in the restaurant only.

On the last day of my fieldwork, I was invited for dinner in one of the houses; the family had made *hak* and *logo momo*. The *logo momo* represents Tibetan food whereas *hak* represents Kashmiri food. With the different movements of the community, different foods get introduced in the kitchen. In the Lhasa Restaurant, the addition of different cuisines shows the knowledge and the travel of Faiz Shah's movement through Kashmir, Kalimpong, Nepal, and Delhi. Additionally,

another aspect of cosmopolitanism can be seen through the lens of Vinod, the waiter. Unlike Faiz, he has not travelled much but he is deeply familiar with different foods and their smells; how they are cooked and served, and their historic, social, and cultural importance in the menu. Further, the community's rich history of trade and movement can also be witnessed through Faiz's mother and the multiple languages that she speaks. Additionally, the symbols present in the restaurant remind us of the once lived memories of the older generations in Tibet. Moving away from the state narratives, this chapter presents a case of an everyday life of practice in the form of food and memories that often gets overlooked in the understanding of belonging and surviving in Kashmir.

Notes

1 In mainland India, it is not just the Tibetan Buddhist communities that make *momo*. In my hometown of Kalimpong located in the eastern Himalayas, *momo* is largely made and consumed by the larger Nepali population of the region. Any conversation with the people from the Himalayas brings forth a heated discussion about where the dish originated.
2 For an elaborate discussion of how *Khache* came to be translated as "Tibetan Muslim" see Bhutia (2018).
3 There are various categories of *Khache* as *Wapaling Khache, Barkor Kache, Gya Kache, Singpa Khache* etc. These meanings were sometimes associated with the regions and sometimes with nationality. For a detailed analysis of this different meaning of *Khache* see: Yoeli-Tlalim (2011), Altner (2011), Akasoy, Burnett and Yoeli-Tlalim (2011), and Atwill (2016).
4 Many respondents shared how no one sold them groceries in the bazaar as they were Muslims. Some also shared instances of how their relatives were imprisoned. One of the most traumatic incidents was when, as my interlocutor recounted, "some of our older community members were locked in a room and asked to pray for food as we believed in religion."
5 My first academic research journey of my community was during my Masters where I completed research based on my fieldwork on Dharamshala and Kalimpong. For the masters dissertation see Bhutia (2014).
6 The fieldwork conducted in 2015 in Srinagar resulted in my M.Phil dissertation. This essay builds upon my M.Phil work and further elaborates on my field experiences. For my M.Phil dissertation see Bhutia (2016).
7 The names of the respondents have been changed for the sake of anonymity.
8 We can see the importance of the documents increasing day-by-day with the recent National Register of Citizens (NRC) by the government to document "real" citizens of India. In such cases communities that have a history of movement and who live in borderlands face an uncertain future. For brief reading on NRC see (Ghosh 2020; Schneidermann and Ghosh 2019).
9 Logo momo is pan fried and steamed bread.

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13
THE COUNTRY OF PRIVILEGE
Problematizing the Country Without a Post Office

Huzaifa Pandit

Introduction

Agha Shahid Ali's *The Country Without a Post Office* published in 1997 has often been reduced to a catalogue of extraordinary topographies of trauma, loss, and death that erupted in Kashmir beginning with 1990. However, this reductive reading does no justice to the complexity of the poems, which offer a countermovement in the form of a nostalgia that is based on possession of privilege and cultural wealth. The reading offered here draws attention to the contradictory longings in him, resisting a binarizing and totalizing approach to imagining the nation: Kashmir/India, Oppressed/Oppressor, Victim/Assailant, and draws forth the necessity of re-mapping Kashmiri identity in historical space and time. This binary needs to be dismantled since it is a replication of the way the state functions. The state functions by marking binaries of acceptability/non-acceptability, accessible/inaccessible, civilian/terrorist, and marks spaces out clearly – camp, road, police station, interrogation center, checkpoint, bunker, road. These spaces are opaque since the general Kashmiri population is not permitted to access or be informed about these spaces as they are imposed on the public without their consent. Moreover, since poetry conflates geographies and times, the contradictions and contests in the text become an articulation of not the fixed space of a nation-state, but a vehicle of potentialities – a disruptive and transformative space of contrapuntal trajectories where divergent and distant spaces blend by aid of an imagination. This imagination exists in constant negotiation and tension between routes and roots of subjugation and resistance. The narrations of collective trauma, thereof, can be employed to generate a greater mutuality and inclusiveness. Such spaces move beyond mere representative allegories, and actively debates and depicts the protean politics of occupation, and resists portrayal of monolithic counter-responses.

The title poem "Country Without a Post Office" exhibits this contradictory movement and draws from the images already used in the poem "A Pastoral," which precedes it. The poem transposes the images – the desolate homes, fire, the lamps being lit, smoke, the undelivered letters, the maps and the Mirror, saffron, soaked blood, along with the sounds – the call for prayer, the calling out to people lost – it's Us, it's Us, as well as the protagonists: The Muezzin, the soldiers, the estranged friend who is now a refugee, and the speaker returning from exile:

> I have returned in rain
> to find him, to learn why he never wrote.

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I've brought cash, a currency of paisleys
to buy the new stamps, rare already, blank,
no nation named on them.
. . .
When the muezzin
died, the city was robbed of every Call.
. . .
It's raining as I write this. I have no prayer.
It's just a shout, held in, it's Us! It's Us!
whose letters are cries that break like bodies
in prisons.

(Ali 2009: 177–178)

To this paraphernalia of images, Shahid adds the paisley. A paisley is a motif shaped like an upturned tear drop with a curved upper end, and sometimes thought to represent an almond or blossom. Both images traditionally signify feminine beauty: almond symbolizes shapely eyes, and blossom delicacy of body and tender complexion. Unsurprisingly then the Kashmiri shawl, a rage in colonial Europe especially France and England, became associated with paisley, since its femininity gels well with the occidental gaze that feminizes the colony. This offers a reminder that Shahid's poetry must be examined in in a more critical way than it has been previously studied. Paisley does not merely evoke the binary of oppressed versus oppressor, but also a historical context. It is a reiteration of the oriental imagery of associating Kashmir with a passive mother/beloved in need of rescue, and Shahid interposes his self to perform this messianic role.

Shahid offers cash, a currency of paisley to buy "new stamps, rare already, blank, no nation named after them" in order to bribe his way to find the lost correspondent. This transaction is a grim reminder of the commerce of occupation under which the occupational forces, local police, and their accomplices especially the dreaded Ikhwan ran a well-oiled network of extortion. Moreover, the transaction reenacts the 1846 Treaty of Amritsar, by which Jammu and Kashmir was created and sold to Maharaja Gulab Singh in lieu of 75 lakh rupees (Nanak Shahi) and the recognition of British supremacy among other things to be marked by a gift of three pairs of Cashmere shawls.

Shahid affirms the symbolic value of the motif, the shawl and its role in colonial imaginaries. By underscoring obtaining of news and recovery only after payment of paisley, the poem invokes the material dimension of occupation, and the complicity of the elite Muslim class in perpetuating it. Among other things the treaty had material effects. Gulab Singh intended to make good his purchase of Kashmir and single-mindedly pursued a regime of extreme taxation that "enlarged an already burdensome taxation system from the pre-Dogra period to such an extent that his rapacity and avarice assumed legendary proportions." It was said of Gulab Singh in 1850 that, incapable of looking beyond "his money bags," he imposed a "capitation tax on every individual practicing any labour, trade profession or employment collected *daily*" (Rai 2004: 63). It is no coincidence that the first seeds of the anti-colonial movement were sown by shawl weavers protesting penury, and the formal anti-colonial movement was "a confluence of several shifting strands among which included a demand for Muslim empowerment and class empowerment (the local peasant and artisan being the most impoverished and affected populace)" (Pandit 2015). By offering the currency of paisley as the price to redeem and recover the precolonial pastoral in a "shrine of words," Shahid reiterates the mercenary nature of occupation, and its ideological underpinning. Moreover, the speaker can afford to purchase new rare stamps with paisley, when all other stamps are cancelled and the post offices dead. This privilege

mirrors the privilege enjoyed historically by elite Muslim class in Kashmir. In a country where the common Muslim faced deprivation, extreme poverty, no access to education, elite Muslim families like Naqshbandis and Aghas during the Afghan, Sikh, and Dogra rule bucked this trend. Similarly, Shahid's forefathers enjoyed access to the court as royal physicians and important police functionaries, while his father also worked in various capacities in the state administration, not to mention their sprawling *jagirs* including *Ismwar Jagirs* (retained for the lifetime) and *Hak-i-asami Jagirs* (permanent hereditary) of 500 kanals in Mujgund and 120 kanals at Nawab-Bagh Baghbanpora, Srinagar (Rizvi and Qizilbash 2017). In an interview Agha Ashraf Ali supplied evidence of this privilege: "At his peak my grandfather was making 2500 rupees a month, this at a time when you could get in Kashmir 64 large breads for a single rupee, which also happened to be the average teacher's salary at the time" (Lepeska 2020: 8). Similarly, the Naqshbandis had jagirs worth Rs 2500, even as they lost a significant portion to the Dogra state, their privilege of administering several shrines in Srinagar, particularly the shine of Khwaja Naqshband Sahab and access to the considerable financial resources of the shrine remained intact. The Shaals, similarly enjoyed ownership of lands, orchards, and houses spread over Kashmir (Zutshi 2012: 130). When Anjuman Nusratul Islam was founded to work for the cause of education of Kashmiri Muslims, its sphere was limited and remained around Srinagar only. Out of 600 contributors to the school, only 20 were from outside Srinagar. The convocations were held in Persian and Urdu, languages of the elites, neither of which were spoken or understood by the lower classes (Arsilan 2018).

The possession of paisley currency then is a re-articulation of immunity from the routine deprivation and violence of colonialism by virtue of location and class. It mirrors the return of his predecessors, though this time it is not in service of the state, but rather against it. It is also interesting to note that the location of peace in "A Pastoral" is a colonial style Villa with a large garden and amply furnished, as indicated by the cedar stand (Ali 2009: 170–171):

> We shall meet again, in Srinagar,
> by the gates of the Villa of Peace
> . . .
> In the drawer of the cedar stand,
> white in the verandah, we'll find letters:

Similarly, in "Return to Harmony 3," Shahid outlines the cultural and traditional capital of his family:

> The Koran still protects the house, lying strangely wrapped in a *jamawar* shawl where my mother had left it on the walnut table by the fireplace. I pick up the dead phone. . . . On my shelf, by Ritsos and Rike and Cavefy and Lorca and Iqbal and Amaichai and Paz, my parents are beautiful in their wedding brocades, so startlingly young.
>
> *(Ali 2009: 200)*

The prohibitively expensive Jamawar Shawl, the telephone (a rare luxury even in the 90s), the cosmopolitanism of the reading list, and the brocade worn by the photographed couple (photography during that time being an expensive luxury) are sufficient indicators of Shahid's class. His gesture to nullify colonialism by blank stamps (which stamp out the seals of colonial treaties and interventions) is rooted in a nostalgia for this privilege, even though it is employed as a counter-colonial instrument. This seepage of class consciousness informs Shahid's lament for Kashmir – what is sorely missed first is this old elite bonhomie, and therefore his discomfiture

with the movement that rose in Kashmir as it challenges the old class boundaries and disvalues the old cultural wealth so dear to Shahid and his family. The world order envisioned by militancy is premised upon Sunni Islamic imaginaries, which has no use nor respect for the old cultural Muslim elite. This is not to take away from the significance of Shahid's poetry as a means of archiving the conflict, and as a counter-colonial gesture but to simply acknowledge that like every author, he is a product of particular historical forces and circumstances, over which he could exert little control. As Moscaliuc (2017: 158) observes, "Writing does not happen within a void but within histories regulated by asymmetrical power relations and often, as in Ali's case at the intersection of dissimilar and often conflicting cultures and traditions." It is important to account for these historical forces since they not only contextualize literary production, but also offer an insight into the contradictions, intersections, and multiplicities of imaginaries of histories of production. History, especially in counter-colonial imaginations, is sought to be framed within hegemonic imaginaries of a common identity and belonging. This ignores the rich complexities of histories, which are conceived by competing, contradictory and intersecting vectors that defy easy and simplistic conceptions of identity, and history that coalesce into "nationhood." Shahid's evocation of nostalgia is a reminder against viewing counter-colonial gestures as motivated by a single, generic belief in a nationalist idyll, rather it is shaped by diverse and often competing interests. It is an attestation of the contradictions manifest in Shahid that caution against the unconditional celebration of his poetry as the voice of Kashmiri subalternity.

This recovery through nostalgia opens up one of the key debates in postcolonial criticism – the subject of location of the author. Who is best placed to theorize and represent the resistance against colonialism? The author within the colonized land and therefore materially and viscerally affected by colonialism or the diasporic author affluent and trained in the cultural matrix of the colonial metropolis, but retaining a strong bond of identification and empathy with the homeland (even if not interested in a return as in case of Shahid), while possessing the advantage of perspective and distance? In many postcolonial literary contexts, diasporic authors and poets have been seen as capable of articulating the silences and fractures of colonial knowledge systems through their hybridized subjectivities. However, in the case of literatures engaging with a postcolonial occupation like Kashmir, such as *The Country Without a Post Office*, the question acquires a greater urgency and force. Poems like "Dear Shahid," "The Correspondent," and "I See Kashmir from New Delhi at Midnight" explore this dialectic of identity and location, exploring simultaneously a collective experience and yet a continuous exile from that experience, owing to the poet's own class position and privilege.

The poem "I See Kashmir From New Delhi at Midnight" offers an example of this duality. In this poem, Ali explores the collective trauma of Kashmir using the figure of Rizwan, a young Kashmiri boy who has been shot dead by security forces. The poem exhibits a duality by drawing from the collective experience of subalternity. At the same time, it also mourns a past that is shaped by class privilege, and drew sustenance from the immense cultural wealth that accrued to the class. Both aspects merit detailed examination.

Trauma is explored in the poem by setting the narrative in a liminal space, which allows a convergence of Kashmir and Delhi. The speaker wills the distant mountains into glass so that they reflect the reality of a Kashmir sunk into turmoil. The title of the poem sets the mood of the poem, which is a lament not only on the tragedy of Kashmir, but also an elegy on the demise of a cherished belief in the democratic fabric of independent India. Built after the sacking of old city of Delhi by British, the city emerged as a signifier of colonial authority, and continued to be so after Independence. New Delhi, therefore, is employed as a metonym for government and political power, New Delhi being the site of the Indian parliament.

From Kashmir, the gaze of New Delhi is believed popularly to be a hostile one. By setting his gaze from Delhi, Shahid acknowledges his former pride in the city which he celebrated as a homeland in *The Half Inch Himalayas*. However, frozen recollections have been replaced by exact representation. The timing of the poem is also allusive as midnight reminds of the time when independent India came into existence on August 15, 1947. Nehru (2007: 21, italics mine) famously said:

> Long years ago, we made a tryst with destiny, and now the time comes when we shall redeem our pledge, not wholly or in full measure, but very substantially. *At the stroke of the midnight hour, when the world sleeps, India will awake to life and freedom*. A moment comes, which comes but rarely in history, when we step out from the old to the new, when an age ends, and when the soul of a nation, long suppressed, finds utterance.

The poem invokes this historical moment to draw the parallels between India and Kashmir, reminding readers the soul of the Valley too has been long suppressed in want of utterance. Thus in "After the August Wedding in Lahore, Pakistan," Ali (2009: 241) laments:

> Freedom's terrible thirst, flooding Kashmir,
> Is bringing love to its tormented glass.
> Stranger who will inherit the last night
> Of the past? Of what shall I not sing, and sing?

Both poems employ the motif of glass to reflect the torment, the great pain of the Valley. They offer the glass as an instrument to reflect back to the Indian nation its colonial reflection, and evoke in it an understanding of its practices that are a mirror image of the colonial state's treatment of the Indian colony. The poems evoke Partition to draw parallels between the great tragedy occasioned due to a brutal and insensitive occupation, and the tragedy playing out in the Valley where partition was re-enacted as Kashmiri Pandits migrated from the Valley. The poems evoke the night of August 1947 to invoke the promise of freedom, that both India and Pakistan promised their tormented subjects but failed to extend. The last line "Of what shall I not sing, and sing" evokes a disillusionment with the childhood and youthful loyalty to the idea of India and Kashmir. As one rudely awakened from nostalgia, he must emerge as a stranger to what was once well-known, and the link with the past severed. In the dry plains, he must "wear dry ice" to cool off the passions of old loyalty and see in the mirror of distant mountains the subject of his songs. Therefore, the epigram of the poem "I See Kashmir From New Delhi at Midnight" quotes Yeats: "Now is time to be/ Whenever green is worn. . ./ A terrible beauty is born." "Green" – the color of the Islamic flag – could be seen as a marker of Shahid's shifting nationalism yet the "terrible beauty" is sufficient to indicate his discomfiture, as noted earlier.

The green taken with the terrible beauty must be taken with the rawness of the wound – the wound of Kashmir and trauma that refuses to heal, but continually reiterates its own existence. Dedicated to close friend of Shahid's father, Maulvi Hai, the poem is a dirge for his son Rizwan, who stands as a metaphor for the wasted youth of Kashmir. Muzamil Jaleel (2016: 12) reports "18-year-old Rizwan was killed by soldiers near my village in Bandipore. Rizwan's father, Molvi Abdul Hai, was a close friend of Shahid's father and the two families were close." Hameeda Nayeem adds, "He is among those unburied boys who never returned. His father later on built a college in memory of his son, named *Rizwaan College of Education*, where

the poor are given free education" (quoted in Shabir 2013). The poem envisions his restless spirit haunting the Valley and the speaker enjoining him to shift his loyalties to Kashmir:

> "Rizwan, it's you, Rizwan, it's you," I cry out
> as he steps closer, the sleeves of his phiren torn.
> "Each night put Kashmir in your dreams," he says,
> then touches me, his hands crusted with snow,
> whispers, "I have been cold a long, long time." (Ali 2009: 179)

Like the ghost in Hamlet, the ghost of Rizwan signifies the rot in Kashmir, and extracts a promise of revenge and remembrance. The shadowy ghost takes the speaker on a tour of the strife torn Srinagar illuminating the various forms of the state brutality in the interrogation centers: "Drippings from a suspended burning tire/ are falling on the back of a prisoner,/ the naked boy screaming: 'I know nothing'"; the curfewed roads at night: "From Zero bridge/ a shadow chased by searchlights is running/ away to find its body"; the massacres and funerals: "I follow him through blood on the road/ left behind, as they ran from the funeral,/ victims of the firing"; arson: "Black on edges of flames/ it cannot extinguish the neighbourhoods/ the homes set ablaze by midnight soldiers/ Kashmir is burning"; and more poignantly, the agony of parents crushed by death of their children: "Don't tell my father I have died, he says. . . . From windows we hear grieving mothers" (Ali 2009: 178, 179). Although the funeral specifically refers to the funeral of Mirwaiz Maulvi Farooq, who led Friday prayers at Jamia Masjid in Srinagar (also the workplace of Maulvi Hai, who led prayers other than Friday), which was fired upon by armed paramilitary forces at Hawal Srinagar leading to the death of 67 people and injuries to 200 others (Associated Press 1990), the description is broadly commonplace in Kashmir where funerals are often fired upon with bullets, pellets, tear gas, and pepper gas shells. The poem, therefore, at one level stays true to its promise to Rizwan and catalogues the sufferings of the Valley in a moving, elegiac lyricism indicting the state for the mayhem unleashed on Kashmir. This is in keeping with the first movement in Shahid where he seeks to use poetry as a catalogue of the turmoil and trauma of Kashmir.

Yet in a contrarian movement it is important to note that Shahid chooses to anoint Rizwan as a symbol of the brutalities of war, and the funeral of Maulvi Farooq as an archetypal symbol of the bloody war to represent the massacres. In the poem "Dear Shahid," Rizwan is mourned again: "You must have heard Rizwan was killed. Rizwan: Guardian of the Gates of Paradise. Only eighteen years old" (Ali 2009: 194). At one level, the choice of Rizwan makes sense, as he is the namesake of one of the gates of Paradise, according to Islamic theology. His anointment, therefore, fits well with the discourse of martyrdom discussed earlier, and therefore an accurate reflection of popular memory. Yet, his anointment and the dedication along with the choice of Mirwaiz's funeral also reflects Shahid's discomfiture with the movement. One, Rizwan's death represents a blow to the traditional hierarchies from which elite Muslims benefited. Rizwan's choice to adopt a militant path, rather than the traditional role of preaching effectively ensures that the family bastion is lost, especially considering the son of Mirwaiz Mohamad Farooq – Umar, chose to succeed his father ensuring the position is not lost to the family. No wonder the ghost wishes to spare the father the news of his death pleading "Don't tell my father I have died" (ibid.: 152). It is the college in his name that rescues him from being just a statistic in the footnotes of history as just another militant among thousands and ensures his "martyrdom" is commemorated. The setting up of a college involves applying for and seeking recognition by state as conforming to regulatory standards set by the very state against which Rizwan fought. Rizwan, therefore, explains the paradox of life under occupation where the occupied seeks release from the occupier, yet also depend on subservience to it for their survival. However,

the college is also a site of transferring cultural capital, and is therefore a function of both the cultural and material wealth of the Hai family much like Shahid's family. Shahid's commemoration of Rizwan through the poem exemplifies this cultural capital that determines who is worth commemorating in art and who is to be forgotten. Rizwan then emerges as an alter-ego of Shahid, and the lament for him is equally a lament for the old world-order in which the supremacy of the traditional elite is under severe threat. It is not entirely irrelevant to note that the stanza compares the falling snow to ash:

> From windows we hear
> grieving mothers, and snow begins to fall
> on us, like ash. (ibid.: 152)

Snow is indicative of winter, which has forever been associated with death and decay. Besides snow is compared to ash, which indicates a charring, and is again associated with complete destruction. Both images suggest a dismantling and death of old structures and hierarchies, which are grieved over as much by Shahid as by the mothers in the poem. Consider, the poem uses the first-person plural "us" to indicate him and Maulvi Hai to whom the poem is dedicated. The specter of both persona looms over the poem as Shahid frequently invokes "we" – first person plural, to frame the action of the poem. Both of them represent the old elite whose authority and legacy are gradually eroding in the fires kindled by turmoil.

The assassination of Mirwaiz at the hands of militants (generally acknowledged, never confirmed) presents a striking example of this threat. The Mirwaiz family has historically enjoyed great prestige in the Valley, and have influenced the course of the politics in the Valley. Mirwaiz Muhamad Yusuf Shah, the predecessor and uncle of Mirwaiz Faruq was in fact the joint founder of Muslim Conference that emerged as the first platform for the anti-Dogra sentiment. His shocking assassination implied that old bonds of respect and authority meant little in the new scheme of things, and so with the death of Rizwan indicates Shahid's anxiety at the unravelling of Kashmir frozen in his nostalgia, for which he seeks consolation:

> The shadow slips out, beckons *Console Me*,
> and somehow there, across five hundred miles,
> I'm sheened in moonlight, in emptied Srinagar,
> but without any assurance for him.

On a note not dissimilar, the poem also contains a brief digression as it briefly mourns the exiling of Pandits:

> By that dazzling light
> we see men removing statues from temples.
> We beg them, "Who will protect us if you leave?"
> They don't answer, they just disappear
> on the road to the plains, clutching the gods. (Ali 2009: 180)

Shahid subverts the Islamic contours of the armed movement by referring to the Hindu gods as protectors, acknowledging their divinity, contrary to the monotheistic premises of Islam. Furthermore, at the end he ties the threads at Shah-e-Hamdan shrine presumably at Khanqah. Taken together, the two phenomena reflect Shahid's belief in pluralism and a more syncretic culture, which was part of his upbringing. Ghosh recalls that Shahid spoke often of a time in his

childhood when he had been seized by the desire to create a small Hindu temple in his room in Srinagar. He was initially hesitant to tell his parents but when he did, they responded with an enthusiasm equal to his own. His mother bought him statues (*murtis*) and other accoutrements and for a while he was assiduous in conducting pujas at this shrine. "Whenever people talk to me about Muslim fanaticism," he said to me once, "I tell them how my mother helped me make a temple in my room. What do you make of that? I ask them" (Ghosh 2017: 209). Such "secular" and "pluralistic" upbringing is not surprising as it is largely in keeping with the atheistic tenor of the Fabian-socialist culture that the Nehruvian elite prided upon in professing. Nehru, the progenitor of socialism in India explained in his biography that he was essentially a "typical bourgeois, brought up in bourgeois surroundings with all the early prejudices that this training has given me" (quoted in Mohan 1975: 184). Notably, he argued that he explained this doubling thus: "Is there a necessary contradiction in the two terms? I suppose I am temperamentally and by training an individualist and intellectually a socialist I hope that socialism does not kill or suppress individuality" (quoted in Mohan 1975: 189). It limited religion to a cultural expression than a deterministic belief system. Nehru who greatly shaped the tenor of Congress' socialism "rejected the idea of a personal God. According to Nehru, too much dependence on supernatural factors could lead, and had often led, to a loss of self-reliance in man and to a blunting of his capacity on creative ability" (Kapoor and Singh 2005: 508). Since Agha Ashraf Ali, the father of Shahid, was greatly influenced by this tilt of socialism, it was inevitable that the same may be transferred to Shahid too. In an interview, Shahid bluntly put out that his religion was "Screw and let's screw," and that his wish was "to live in Manhattan, in San Francisco, in Copenhagen, in Amsterdam, in Paris, in Rome, in New Delhi, in Bombay." Cosmopolitanism was a natural by-product of this culture, and the Fabian-socialist tenor of the mid-twentieth-century Britain further ensured a cultivation of this worldview in the elite natives who looked up to the colonial master as a model of civilization and progressiveness. Shahid himself belonged to this elite.[1]

Equipped thus with a cosmopolitan, secular worldview, they transferred the cultural capital to Shahid who is completely at ease with a worldview that can fuse the ghazal singer Begum Akhter with the mystic poet Lal Ded, Hindu temples with Muslim shrines. In an interview, Shahid explained:

> Religion was never a big issue in our house. . . . But if somebody asked me what I was, I would just say, 'I'm a Muslim' because that was in my name and it was just natural to say it. It implied no more than that.
>
> *(Ali 1990)*

The attachment to shrines and temples is therefore not just an individual choice, but one deeply determined by class and culture of that class which cultivated such an outlook to consolidate their difference from the plebeian population. This does not suggest that only the elite class was attached to shrines, but rather that the class derives significant cultural wealth and political power by consolidating and utilizing their power over the shrines. Shahid's poetry, therefore, abounds with this allusion to cultural capital accumulation. The lament on the destruction of the shrine of Sheikh Noor-ud-din at Chaar e Shareef is particularly evocative in his poem "I Dream I am the Only Passenger on Flight 423 to Srinagar":

> It's 1994: ARMY LAYS SIEGE TO SHRINE,
> . . .
> Was it thus
> that Lal Ded – robed in the brilliant green
> of Paradise – rose from her ashes, fabulous

. . .
She blessed her true heir: Sheikh Noor-ud-Din.
He still speaks through five centuries of poets.
I hear his voice: "Fire moves on its quick knees –
through Chrar-e-Sharif – toward my shrine. Know it's
. . .
We begin
our descent. "All threads must be untied
before springtime. Ask all – Muslim and Brahmin –
if their wish came true?" He appears beside
me, cloaked in black: "Alas! Death has bent my back.
It is too late for threads at Chrar-e-Sharif." (Ali 2009: 186)

This poem has been read as proof of Shahid's syncretic outlook that combines Lala Ded, the mystic Shaivite poet renowned for her *vyakhs*, greatly revered by Kashmiri Hindus; Sheikh Noor-ud-din, saint and poet renowned for his *Shrukhs*; and the missionary scholar Syed Mir Ali Hamdani, greatly revered by all. This syncretism loosely defined as "Kashmiriyat" or "Kashmiri sufism," both used interchangeably, is often used as a binary to contrast the fundamentalist and rigid "wahhabism" supposed to have enveloped Kashmir post-1990s. Shahid is, therefore, considered to be the torchbearer of the inclusive and pluralistic variety of religion. In the poem, Shahid is read as evoking an alternate and more fluid node of religion that is more inclusive and multicultural in its essence. Therefore, Ananya Jahanara Kabir (2009: 141) argues "Shahid turns away from mosques and their associations of a public, regulated Islam of congregations and prayers in favor of shrines of Kashmiri Sufi saints associated with more vernacular and individual forms of devotion." While Shahid's belief in a syncretic and pluralistic culture is in terms of his personal practice, and his poetry is well documented, that this belief in such syncretism is a function of Shahid's class consciousness is often overlooked.

Shahid's lament for the demise of this multicultural and syncretic Islam only underscores the immense political role these shrines played in the history of Kashmir from the time of sultans. It demands an investigation into the historical role of these shrines as centers from which power and legitimacy accrue to parties competing for it. The significance attached by Shahid to the shrines must be examined in this historical context, as deeply embedded in his class memory, not just as a common feature of pluralistic south Asian religious imageries. Zutshi (2017: 52) writes:

> Urban shrines, particularly those of Srinagar have played an important role in Kashmiri society and political culture as arbiters of Kashmiri Muslim community identities. . . . Along with other major shrines, the Khanqah came to exercise a symbolic power over the city, its inhabitant and its sacred past, and as a result became the centre of rival Kashmiri noble groups and their sufi supporters and detractors. Since the shrine was a means to assert both political and religious legitimacy, these groups attempted to gain control over its management, and through it the whole Muslim community itself.

This religo-political nexus unsurprisingly achieved greater significance in the late nineteenth century, when the anti-colonial sentiment pervaded the subcontinent. Sheikh Abdullah was among the first to employ the shrines to gain political advantage. Mridu Rai (2004: 267) notes Sheikh Abdullah rose to prominence only after allying himself with the shrines and approval of

the other Mirwaiz – the Mirwaiz of the Sheikh Hamdan shrine at Khanqah as the shrine had a massive following in Kashmir.

Similarly, his canvassing for the construction of shrine of Hazratbal greatly cemented his position as the tallest leader of the state. After 1947, the shrines starting from the relic movement have evolved as pro-state spaces controlled and employed by the state as true inheritors of the often overstated syncretic, and non-political Islam as counter to the political secessionist Muslim identity often associated generically with Wahhabism. These shrines are directly administered by the state under the Jammu and Kashmir, Muslim Wakf Act, 1959, and the immense revenue generated by these shrines is directly split between the government and the shrine caretakers who claim succession from the saint interned/revered in the shrine. The political symbolism of the shrines is not lost upon the state or political leadership on both sides of the spectrum – the mainstream and separatist. Both are often seen publicly offering ceremonial namaz like Eid Namaz at the shrines like Hazratbal or Syed Sahab Sonwar. Shahid's foregrounding of the shrines, therefore, only points out that the notion of syncretism is rooted deeply in the politics of legitimacy of the state, and contestation of that power. His preference toward the syncretic variety is a rearticulating of this symbolic power and immense cultural capital that flows directly from it. It is the articulation of a historical memory, of a childhood ingratiation into this hierarchy wherein the shrine offers a "secular" and "fluid" belief system that itself is the function of a particular class consciousness. The evoking of shrines is a direct reference to that old world frozen in Shahid's immigrant memory where his class prided itself in its syncretism and intermingling – a privilege unavailable to the plebeian class. This does not imply that syncretic belief systems are only the prerogative of elite, but simply that the Nehruvian atheistic tenor necessitated effacing of religion in public life in keeping with the Western binary of faith as private and state as secular. However, this obsessive urge to embrace an expression of atheism was not well embedded, and found expression in the following of shrines, and the subsequent pride in a shared culture between Pandits and Muslims. On the ground level there were distinct cracks between the Pandits and Muslims, where Pandits were always seen as pro-India and pro-state and thus antagonist to the plebiscite-supporting majority. Besides, significant differences existed where some Hindu spaces like the kitchen were off limits for Muslims. This co-existence was accessible only to a certain class of Muslims, and by and large it was not a common factor of lived experiences of non-elite classes. In other words, Shahid is articulating the privileged milieu (a habitus) that determines him, and the anxiety at the loss of such syncretism also betrays among other things an anxiety at the loss of this immense symbolic power that had been the unchallenged possession of the Muslim elite. Shahid's location in the diaspora implies his account of Kashmir is marked not only by a factual representation of the crisis unfolding there, but also undermined by an anxiety of losing the nation frozen in his immigrant imagination. In "Tonight," Ali (2009: 374) in an unguarded moment provides a clear glimpse of this longing:

> Mughul ceilings, let your mirrored convexities
> Multiply me at once under your spell tonight.

The exasperated cry for being enchanted by Mughal ceilings, at once a signature of old villas, and a metaphor for refined taste is a sure marker of the nostalgia for the cultural capital. Seeking them as a panacea against the harsh grating memory of the mirrors which reflect excesses and disintegration, he seeks a multiplication, a strengthening rather than fragmentation to counter the expelling from rupture's road. The cry for a nostalgic restoration is undiluted here, and provides a clear inkling of this trajectory in Shahid's work.

Shahid's poetry, especially *The Country Without a Post Office*, must be examined not only as a linear and unambiguous representation of Indian atrocities on Kashmir. It must also be read as resisting simplistic narratives of the relationship between contemporary history and the nostalgic melancholy for the erstwhile empire, the nodes of remembrances, and the specificities of this memory, and finally the relationship between memory and the subject. The contradictions, re-articulations, and modernist bricolage must all be seen as a way of unholding, a mirroring of community trauma, witness and meanings of living in a contested history. The poems in their multitude of forms, fractures, allusions, and contexts foreground the failure to mean, rather than meanings and therefore the limits of meaning. A significant hazard of occupation is its endeavor to produce meanings from striated space that is "a gridded, linear, metric, optic, state space" carved from "government institutions, fixed concepts and essentialised spaces" (Ashcroft 2005: 12).

Shahid's poetry challenges these conventions by resisting the chronologies, and oppressive discursive spaces by making poetry the vehicle of potentiality and possibility rather than a static space of mourning. Although this mourning is determined by a deep desire for decolonization, yet paradoxically it also yearns for some continuum of the cultural capital amassed from original colonization, which manifests itself in new-old forms and spaces that articulate the different (sometimes contradictory) longings at different times. Both these contradictory strands exist in a simultaneity in his poetry, erasing and foregrounding each other, arguing that public memory and poetic testimony must necessarily be guarded against generic, binarizing, and hegemonic epochs. Rather, the contradictions and fractures of Shahid's poetry are a reminder that narratives of nationhood – Kashmir or India are not fixed, and natural facts that unfold in history due to some immanent eternal force.

The contestations and cleavages in Shahid's poetry are a reminder both of his poetic genius and the limitations of such genius. While Shahid has been read uncritically and in a celebratory tone, it only reifies the potential of ideology to go for the simplest solutions. In such a solution, the slightest criticism is seen as greatest sacrilege as the oppressed are sanctified and every aspect of their actions are cherished as admirable. Reading his poet uncritically is akin to erasing the nostalgic strain in his poetry that longs for restoration of colonial privilege. This strain contradicts the testifying impulse in his poetry that can be read as a codified narrative of the trauma of survivor as an instrument of reclaiming agency and power. In seeking to understand this cleavage in Shahid, his poetry can be read as resisting the binarizing and totalizing approach to imagining the nation of Kashmir and draws forth the necessity of remapping Kashmiri identity in historical space and time. The articulation of contradictory identities, as evoked by Shahid, only disturb the narrative of national(ist) identities, and (post/colonial) utopias by foregrounding local pasts and scrambled futures. *The Country Without a Post Office*, specifically, must be seen as resistance to this teleological discourse of a singular national identity – Kashmiri or Indian. Rather it must necessarily be seen as fragmented, plural, and riven by contradictions, in order for it to be truly illustrative of the ground realities.

Note

1 Shahid's ancestor, Agha Syed Hussein, was the first matriculate from Kashmir in 1894 and was educated at top colleges, Aitchison and Mayo colleges, both colonial educational institutions. His daughter, Begum Zaffar Ali, was the grandmother of Shahid and the first Kashmiri matriculate of the Valley in 1930. With the Maharaja's encouragement, she enrolled in Lady Mclegon College, Lahore where she graduated in Domestic Science and liberal arts. Later she joined the state government as a teacher and eventually became the Inspector of Schools in Kashmiri. Shahid's father, Agha Ashraf Ali, went on a Fulbright Scholarship to the United States in 1960 where he received the first PhD at the Ball State University in Muncie, Indiana, in 1964 (Rizvi and Qizilbash 2017).

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14

MIXING GENRE, MAKING TRUTH CLAIMS

Human Rights Storytelling in Arundhati Roy's *The Ministry of Utmost Happiness*

Rakhshan Rizwan

Introduction

Published nearly two decades after the Booker award–winning *The God of Small Things* (1997), Arundhati Roy's *The Ministry of Utmost Happiness* (2017) has been lauded as the "most awaited fiction of the past two decades" ("The Ministry of Utmost Happiness Released" 2017). This novel carries generous traces of Roy's political activism; it tackles the fraught and contentious issue of Kashmir and to this end, *The Ministry of Utmost Happiness* (abbreviated as "The Ministry" in this chapter) is thematically connected to her nonfictional writings.

The discourse on Kashmir has mostly been dominated by Indian and Pakistani binaristic national narratives. According to the Indian national narrative, Kashmir is 'atoot ang' which means a fundamental, unassailable, indivisible, and unbreakable part of the Indian geo-body (Kaul 2011: 191). The atoot ang narrative privileges the signing of the Instrument of Accession by Maharaja Hari Singh, the Dogra ruler of the former princely state of Jammu and Kashmir and considers this as the legal precept for laying forceful claim to Kashmir (Dasgupta 2018). As per the Pakistani narrative, Kashmir is Pakistan's "shah rag," or jugular vein, which means that it is the ideological lifeline that sustains the republic and lends credence to the Two-Nation Theory, the principal by which Pakistan was formed. Kashmir as Pakistan's "shah rag" or its jugular vein, is a metaphor that implies a similar physical closeness and codependence as that of the unbreakable cartographic body of the Indian nation. A third narrative presents a liberal-benevolent portrait of Kashmiris as victims of human rights violations. While this narrative commendably takes to task the other two narratives and exposes the Indian state's human rights excesses in the Valley of Kashmir, it at times falls into the trap of perpetuating a limited repertoire of representations of Kashmir.

Arundhati Roy has historically been a powerful proponent of the Kashmiri cause. In 2010, her remark that Kashmir was *not* an integral part of India (atoot ang), a political position in direct contradiction to India's long-standing posturing on the region, resulted in her being threatened with sedition charges by India's home ministry (Chamberlain 2010). The chapter focuses on the use of multiple genres within Roy's postmodern text, particularly the human rights report, the testimony and the magical realistic novel, to forward a critique of the *limitations* of the conventional human

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rights narrative and to contrast it with fictional modes of narration that function *differently*. While she is cautious to not disavow these forms, highlighting their political import and their efficacy in bringing about justice, she demonstrates how literary forms can be used to fill in critical gaps in both narrative-making and representation that are found in human rights genres.

This chapter first examines the significance of genre within the field of "Human Rights and Literature." Following this, it delves into the specific ways in which Roy's novel critiques traditional human rights genres such as the human rights report, and testimony, exposing their malleability, and highlighting how the literary novel can be instrumental in filling in and compensating for many of the semantic absences that can be found in these generic forms. Lastly, it analyzes the deployment of a magical realistic aesthetic in her novel, to draw attention to a form of human rights advocacy through literature, which is not reliant on a stable victim/perpetrator binary but still manages to offer a rich exposition of the Indian occupation in Kashmir.

Human Rights and Literary Genre

Michael Ignatieff (2002) states that human rights are the "dominant moral vocabulary in foreign affairs" in the post–Cold War world. According to Pramod K. Nayar (2016), narratives in the field of rights can be defined as "literary texts where the human subject's social ontology is eroded, and which therefore implicitly demonstrate how the subject can only develop and grow in conditions that sustain life" (xiii). John Beverley (1989: 13–14) famously identified the testimonio as the generic vehicle through which marginalized people tell their stories, labelling it a "novel or novella-length narrative" in which the narrator is the "real witness or protagonist of the events." Joseph Slaughter (2009: 25) argued that, among the different genres of literature, the novel, particularly, the Bildungsroman, has been useful in articulating and advocating for the rights of human beings. For this reason, he referred to the Bildungsroman as the "novelistic wing of human rights . . . that disseminates its norms." This genre is particularly effective in the way it "inverts the affirmative rights claim of the idealist genre by publicizing the discrepancy between the rhetoric of liberty, equality and fraternity and the inegalitarian social formations and relations in which that rhetoric is put into practice" (ibid.: 182). In my own work elsewhere, I posit that Kashmiri novels use human rights discourses for the purposes of advocacy but deploy a distinctive language of pleasure rather than of physical pain to represent the state of having and losing rights (Rizwan 2020: 91). I identify the bildungsroman as a dominant generic form, which is used to emplot the coming of age of the protagonist, within the canon of Anglophone Kashmiri writing (53).

Crystal Parikh (2018: 2) in *Writing Human Rights* focuses on human rights through the "ethical deliberations staged in narratives authored by contemporary American writers of color," probing the forms of subjectivities and communities imagined in this strain of minor literature. In line with Slaughter, she too elevates the bildungsroman as a transnationally mobile human rights form that is "endlessly transposable across the globe" and of special relevance to American writers of color insofar as it is deployed by them to produce the figure of the subject of human rights (ibid.: 21–22). In recent scholarship, James Dawes (2018: 22) identifies the US novel of human rights as a genre category that "tells myriad stories" but typically follows "two different kinds of plots: the justice plot or the escape plot." The justice plot, he posits, is related to the detective novel and involves "a narrative of return" in which a human rights atrocity occurs and is subsequently investigated (ibid.: 22–23). On the other hand, the escape plot looks to the picaresque and features a "narrative of departure" in which incremental human rights violations ultimately lead to flight from the damning situation (ibid.: 22–23). *The Ministry* conforms to the justice plot insofar as its protagonist, Tilo, mounts an investigation and gathers evidence

following the committing of a human rights atrocity, and the exoneration of the perpetrator shortly afterwards. Roy's novel is divided into two parts, with each part revolving around a different marginalized protagonist. The first part chronicles the story of Tilo, a seemingly casteless architect and human rights fact-finder, and the other of Anjum, a Muslim transgender character who lives in a Delhi graveyard where she founds Jannat Guest House, a lodging for social pariahs, untouchables, vagrants, and outcasts. The two parts of the novel are not insular and self-contained, as both Anjum and Tilo meet each other at specific points of the plot. However, I will take the second part of the novel as my primary focus; it traces Tilo's self-development and *bildung* as a South Indian, Syrian Christian woman who is born out of wedlock in Kerala and the product of her mother's illicit love affair with an untouchable subject.

The Human Rights Report

Tilo, because of her peculiar and disadvantaged circumstances, is perceived by her university friends as a person without a "past, a family, a community, a people, or even a home" (Roy 2017: 155). Nevertheless, she learns to navigate the precarity of her situation with a combination of self-reliance, eccentricity, and an endearing charm. During her third year at Delhi university, Tilo participates in a theatrical production of *Norman, Is That You?*, a play written by the American playwrights Ron Clark and Sam Bobrick in 1970. Here, she meets her co-actors, Naga, Musa, and Biplab and the four of them become inseparable. After graduating, their fates once again intersect in Kashmir. Naga, a vocal social justice activist, voraciously supports the politics of the Radical Left and pursues journalism. He is eventually posted to Srinagar, the summer capital of Kashmir, where he works as the Kashmir correspondent for a prominent Indian newspaper. Meanwhile, Biplab Dasgupta is appointed the deputy station head of the Intelligence Bureau and transferred to Srinagar during the same time Naga is stationed there as a local correspondent. Musa Yeswi, a Kashmiri member of their group who is closest to Tilo out of the three of them, also returns to Kashmir following the culmination of his university education, marries a Kashmiri woman named Arifa and eventually fathers a baby girl. Their marital bliss is short-lived; both Arifa Yeswi and her infant child Miss Jebeen are shot by Indian soldiers while watching a funeral procession from the verandah of their home. Following this, Musa reinvents himself as Commander Gulrez, a feared Kashmiri guerrilla fighter and leader of the Hizb-ul-Mujahidden, a well-known militant outfit operating in the Valley. He also reconnects with Tilo, his former romantic partner, and they begin amassing evidentiary materials related to human rights atrocities committed by the Indian armed forces in the Valley of Kashmir.

I posit that Tilo's human rights fact-finding is the thematic core of Roy's novel. Evidence for the significance of human rights as an analytical framework for the text is present in *The Ministry* itself which uses human rights vocabulary liberally, highlighting its usefulness as an ethical tool in bringing atrocities to light, and advocating for the rights of the marginalized while simultaneously flagging its weaknesses. Tilo moves to Delhi where she contacts Biplab and requests to use the room he is subletting for her activities as a "freelance illustrator and graphic designer," a foil for her actual work as a human rights worker (187). During her tenancy, Biplab wanders into her room and discovers her disorderly and self-managed archive of "photographs (numbered, captioned) pinned on noticeboards . . . towers of documents stacked neatly on the floor, and in labelled Post-its stuck on bookshelves" (189). Despite, the apparent messiness of evidentiary files and documents, there is a method to the madness: the photographs are titled and numbered and Post-it notes are strategically placed to label and organize the data. Vivid representations of Tilo's occupation suggest that she works as a lay human rights fact-finder attempting to compile, caption and report the evidence that she had either discovered and collected herself or that

which has come into her possession through her former lover, the architect-turned-militant, Musa. In collecting and protecting this personal debris, she begins to "unravel" the mysteries not only of her relationship with Musa but also of the conflict and military occupation present in Kashmir (270). The novel affirms and recognizes the political import of her work, depicting the process of fact-finding in the following words:

> Tilo had been a weird, part-time stenographer to a full-time military occupation . . . she took odd pictures. She wrote strange things down. She collected scraps of stories and inexplicable memorabilia that appeared to have no purpose. . . . She was not writing for a newspaper or magazine, she was not writing a book or making a film. She paid no attention to things that most people would have considered important. Over the years, her peculiar, ragged archive grew peculiarly dangerous. It was an archive of recoveries, not from a flood, but from another kind of disaster. . . [she] ordered it according to some elaborate logic of her own that she intuited but did not understand. *(270)*

Dudai (2006: 783) writes that "the human rights movement has given us a new vocabulary, new standards, new mechanisms and a new literary form: the human rights report." The generic format of the human rights report involves "fact-finding," where the organization documents various factual aspects of a practice which it considers to be a "human rights violation" (ibid.: 783–784). Philip Alston and Sarah Knuckey (2016: 3) argue that fact-finding "is at the heart of human rights advocacy. . . . In recent years, there has been a huge increase in the number and variety of fact-finding mechanisms established." Human rights fact-finding is typically defined as an "in situ or on-the-ground type activity that involves documenting or investigating abuses by speaking with witnesses . . . inspecting or monitoring the scene of any violations, [and] collecting physical and documentary evidence" (ibid.: 9). In other words, fact-finders may use both "quantitative and qualitative methods . . . to 'triangulate' accurate findings" (Satterthwaite and Simeone 2016: 345). Qualitative data is defined as testimonies of victims, witnesses, survivors, and government officials and is collected in the context of personal interviews or focus groups (ibid.: 338–339). In *The Ministry*, qualitative data, including interviews and testimonies, constitutes the primary form of evidentiary material and these testimonies are collected and reported by Tilo in the course of her investigative work in Kashmir or are part of ongoing and completed official investigations contained in case files that Musa entrusts to her care.

Fact-finders compile their human rights findings into reports. According to the *United Nations Manual on Human Rights Reporting*, a human rights report should have a factual and an analytical component with the factual component providing "an accurate account of the facts based on the information gathered during the monitoring activity" (United Nations Office of the High Commissioner on Human Rights 2011: 7). The argumentative thrust of a human rights report therefore appears to derive from its unrestricted access to the uncontested and incontrovertible "truth," which is represented using forms of literary realism in an idiom that is free of embellishment, symbolism, and metaphor. The language that human rights practitioners are required to use is meant to be "simple and neutral language, without subjective elements, jargon or unnecessary adjectives" (ibid.: 5). Facts surrounding the human rights atrocity, as per the UN manual, are required to be presented in the form of a singular "narrative of facts" and the questions "Who did what to whom? When? Where? How? Why?" are to be answered by the human rights officer. This narrative of facts is typically accompanied by "an analysis of the responsibilities of the alleged perpetrators, whether institutions or individuals" (ibid.: 7).

Roy includes a series of short and evocative vignettes, which extend to a few paragraphs, but which are powerful narrative fragments that testify to the heterogeneity and multiplicity of experiences of oppression and atrocity as experienced by different Kashmiri subjects. The stories and testimonies are presented as having been collected and compiled by the lay human rights fact-finder, Tilo. The vignettes are contained in Tilo's diary which bears the title, *The Reader's Digest Book of English Grammar and Comprehension for Very Young Children*; the title functions as a decoy to not attract the suspicion of anyone who happens to discover this incriminating document. One of the vignettes titled, *The Old Man and His Sons*, relates the unlawful abduction and detention of the father of a militant, Aziz Ganai, and mimics the form and structure of a human rights report as described by the United Nations Manual:

> When Manzoor Ahmed Ganai became a militant, soldiers went to his home and picked up his father, the handsome always dapper Aziz Ganai. . . . On the day Manzoor Ahmed Ganai was killed, smiling soldiers opened the door of his father's cell. "Jenaab, you wanted Azadi? Mubarak ho aapko. Congratulations! Today your wish had come true. Your freedom has come." . . . The people of the village cried more for the shambling wreck who came running through the orchard in rags with wild eyes . . . than they did for the boy who had been murdered.
>
> Q1: Why did the villagers cry more for the shambling wreck?
> Q2: Why did the wreck shamble? (Roy 2017: 271)

The first part of the vignette is a testimony collected within the course of Tilo's fact-finding mission in Kashmir, which enables the designation of victims and perpetrators. Culpability is clearly attributed to the Indian soldiers who extrajudicially murder Manzoor Ganai, and the former militant and his father are identified as the victims. The metafictional questions that follow, both beginning with the "Why" refrain, intertextually reference a traditional human rights report, by echoing the requirements of the UN Manual to form a narrative of facts. Moreover, the questions posed expand the ambit of a narrative of facts beyond the assignment of victim and perpetrator by excavating the heightened emotional pain of the subjects involved – Aziz Ganai and the mourning villagers. The novel uses evocative images of Aziz's "wild eyes" and his transformation into a "shambling wreck" to powerfully capture his physical and psychic devastation at the loss of his son. Roy includes finely observed details surrounding the human rights atrocity, which while not directly relating to the incident itself, are responsible for the victim's heightened agony. She considers these an essential component of the truth-claim being articulated by the vignette. The soldiers do not merely murder Ganai's son, but they also carry his corporeal remains as war booty to his house, while jeering at the Kashmiri demand for azaadi. Many of the vignettes in Roy's novel transcend representations of victims, bystanders and perpetrators, containing potent but seemingly absurd, or unanswerable questions at the end whose function, it would appear, is to probe the visceral, affective, often unrepresentable core of a human rights crime and to add layers of emotional noise to the cut and dry findings that characterize a traditional human rights report. The opening out of Roy's literary narrative through vignettes and metafictional questions in Roy's novel is meant to involve the implied reader in generating the under-emphasized affective core of the human rights atrocity and to draw attention to the uniqueness of each victim of the occupation and to probe the fact of emotional pain which underlies each situation.

Testimony

While adumbrating on the ethical work that human rights workers perform within Kashmir, the novel remains cognizant of the possibility of the hijacking of human rights discourse by perpetrators. *The Ministry* explicates on the ability of human rights activists, such as Tilo to speak truth to power and to take a repressive state to task for its atrocities but simultaneously depicts the limitations of human rights discourse to do the same. Nowhere does this dichotomy come to the fore as effectively as in Roy's fictionalized representation of a real incident: the murder of a prominent Kashmiri human rights lawyer, Jalil Andrabi, by Major Avtar Singh. In March 1996, Singh kidnapped and brutally tortured Andrabi, and a few days afterwards his body was discovered in the Jhelum River (Ganai 2012). Despite the issuance of arrest warrants and requests to impound his passport, Amrik Singh fled to the United States with the assistance of the Indian state (ibid.). In 2012, Singh was charged for the murder of his wife and children and taken into custody by the police (ibid.). In Roy's novel, Major Amrik Singh is described as a notorious member of the Indian army who is implicated in the abduction and extrajudicial murder of a "well-known lawyer and human rights activist," Jalib Qadiri (Roy 2017: 175). The narrator, Biplab, describes Qadri as a "nuisance, a brash, abrasive man who died not knowing the meaning of nuance" and who, on the night he is apprehended by Amrik Singh, is scheduled to testify at an "international human rights conference" (ibid.: 175).

After being involved in his extrajudicial murder, Amrik Singh files for asylum in the United States on the grounds that his life is endangered in India and he is a victim of police corruption and extortion and a target of Islamic militants. In addition to testimonies contained within vignettes, The *Ministry* also contains standalone testimonies that are generated as part of Amrik and his wife's psychological evaluations. A testimony is a human rights form that can be defined as a "declaration of personal experience in the absence of that experience" which may serve as a "tool for uncovering hidden truths" (Park-Fuller 2000: 21). Testimonies are one of the "trademarks" and crucial defining features of the human rights report (Dudai 2006: 790). They are frequently used by NGOs and human rights workers to provide the reader with subjective and highly personalized language to strike an emotional chord with them and let them hear the unmediated and unfiltered "voice" of the victim (ibid.: 790). Shoshana Felman and Dori Laub (1991: 5) define a testimony as a "performative speech act" and to testify as a "vow to tell, to promise, and produce one's own speech as material evidence of truth." At the same time, they warn that a testimony cannot be viewed as "a totalizable account of . . . events" because in a testimony, language itself is "in trial" (ibid.: 5).

In the novelistic retelling of the story, his wife, Loveleen, falsely testifies to being tortured by the local police in Kashmir, after her husband is implicated in the murder of a human rights activist:

> In 1995 a human rights lawyer by the name of Jalib Qadri was kidnapped and killed and my husband was blamed by the local police and we felt that Muslims were framing him. . . . One policeman took my son. They stole all my jewelry. All the while they kicked and beat me and said, "This is the family of Amrik Singh who killed our leader." In the police headquarters they tied me to a wood plank and kicked and slapped and beat me. They beat me on my head with a rubber plank. They told me, "We will make you a mad vegetable for the rest of your life." A man with metal shoes kicked and crushed my chest and stomach. Then they rolled wooden poles down my

> legs. Then they attached sticky things on my body and thumbs and gave me electric shocks again and again.
>
> *(Roy 20 17: 199)*

While the instability of language as a communicative medium is an issue that must be contended with when collecting testimony, there is the additional possibility of recording and valorizing false testimony, a potential pitfall of first-person witnessing that Roy's novel highlights, by using Amrik Singh and his wife's testimony, as an example of a false witnessing of events that did not take place. Amrik Singh and his wife hijack the language of human rights and Kashmiri atrocity narratives to position themselves as victims rather than perpetrators of state-sanctioned violence. Roy uses an *actual* incident to illustrate this point to place additional emphasis on and foreground the real-life implications of the misuse of human rights language to exonerate perpetrators of blame and further their cause. Loveleen appropriates her husband's intimate knowledge of the torture to create a believable and reliable narrative of oppression. "Verisimilitude is everything," Tilo comments laconically, "As for her detailed and knowledgeable account of use torture, I hope her husband only tutored her in his techniques and didn't actually use them on her" (202). Employing realism to imitate accounts of torture in Kashmir, Loveleen is able to convince the Dr. Ralph Bauer of the truthfulness of her testimony, leading him to identify them as victims of torture and "indefinite periods of incarceration and separation" and recommending them for asylum (203). Sidonie Smith and Julia Watson (2016) bring to light the problem with the genre of the testimony, arguing that the "scandals and controversies that ensue from allegations of false witnessing unsettle relations among witnesses, publishers, activists, and readers, forcing us to confront the vulnerability of life writing and our attachments to its premise of truth-telling" (591).

This vulnerability, expertly imagined in Roy's novel, contests the reliance of the human rights process on the genre of testimony, evincing the possibility of falsification and fabrication of facts within first-person testimonial narratives. Commending Amrik and Loveleen on their ability to exploit the testimony as a generic form which intrinsically mobilizes sympathy for the witnessing subject, *The Ministry* summarizes the episode as follows:

> They certainly knew how to go about their business, those two. How was poor old Ralph Bauer, LCSW, to know that their story rang so true because it was true, except that the victims and the perpetrators had swapped roles?
>
> *(Roy 2017: 203)*

As mentioned earlier, the assignment of blame is an essential component of a narrative of facts as described in a human rights report. Here, that narrative is reversed such that the perpetrator disguises himself as a victim and exploits knowledge of human rights crimes he had committed to achieve legal residence in the United States.

The casting of differently motivated political actors into the victim/oppressor binary format is a standard practice in human rights advocacy which is reliant on the creation of "a poor, suffering and ennobled saint" and an "evil monolithic powerful oppressor" to be persuasive and effective (Hogan 2010: 241). The testimonial narratives of witnesses contain rights claims using the "discourse of 'victim' and 'perpetrator' to enlist reader sympathy and call for international intervention [and as such] they are situated within the contemporary politics of naming, shaming, redress, and reconciliation" (Smith and Watson 2016: 599). Makau Mutua (2001: 201) famously coined the metaphor of "savages-victims-saviors (SVS)" to describe the human rights

movement. According to him, "the grand narrative of human rights contains a subtext that depicts an epochal contest pitting savages, on the one hand, against victims on the other" (ibid.: 201). Within the "human rights story . . . the state [is presented] as the classic savage, an ogre forever bent on the consumption of humans," whereas the victim is depicted as a "powerless, helpless innocent" (ibid.: 202–203).

In *The Ministry*, the state is implicated through its agents. Amrik Singh wields the instrumentality of the state through the torture of deviant Kashmiri bodies. By positioning himself as the victim of crimes he perpetrated, he removes the "aura of authenticity" that characterizes the testimonial narrative (Smith and Watson 2016: 600). The narrative focalization in a testimony, as we have observed, is usually on the victim experience and any unsavory representation of the victim, or the emergence of doubts regarding their reliability, is bound to undermine the truth claims articulated by them. The representation of this incident also exposes the sophisticated machinations of the Indian state, which does not just function as the "classic savage" but turns its military agents into victims and beneficiaries of asylum on humanitarian grounds in other countries. This is primarily done through legislation such as the Armed Forces Special Powers Act (AFSPA), which grants immunity to all "members of the security forces from prosecution from alleged human rights violations" and as such, violates international human rights conventions (Amnesty International). Roy's novel question the effectiveness of human rights language and processes in a space where the human rights of Kashmiris have been legislated out of existence. *The Ministry* takes the critique a step further and pinpoints the irony of the Amrik Singh case and the discrepant position of the state with respect to human rights norms. Despite the Indian state's sustained violation of human rights law through the retention of the draconian AFSPA, state functionaries aided a perpetrator's safe passage to the United States, through a reliance on humanitarian clauses.

Magical Realism

Roy problematizes the pliability of human rights norms and criticizes the capacities of genres as diverse as the human rights report and the testimony to describe the full breadth and complexity of the occupation in Kashmir. This section explores her deployment of the conventions of the magic realistic novel to portray the flood that ravaged the Valley of Kashmir in September 2014. According to *The Guardian*, the flood came about in the aftermath of monsoon rains that caused the levels of the Jhelum River to rise dramatically, and resulted in the deaths of 460 people and the displacement of nearly a million (Burke and Boone 2014). In Srinagar alone, 200 people were killed, and several residents were stranded in the upper portions of their houses, unable to escape (Burke and Boone 2014). Roy uses magical realism to describe the flood that inundated Kashmir in 2014. In a recent interview published in the *Los Angeles Review of Books*, she vehemently dismisses the classification of her novel as magical realism, stating that turning the realism of her lived experiences into "a genre of literature is to deny our reality in some ways" (Nguyen 2018). However, while her novel on the whole cannot be classified as a magical realist text, it has recurring magical realistic elements. At its heart, magical realism is defined as a combination of "realism and the fantastic in such a way that magical elements grow organically out of the reality portrayed" (Faris 1995: 163). The genre is considered synonymous with the works of the writers, Marquez, Borges, and Allende and comes across in their depiction of rural South America (Bruso 2012: 54). Oftentimes, South American magical realist texts were used to mount a critique of brutal military regimes. For instance, Allende in *The House of the Spirits* heavily criticizes Pinochet's inhumane military dictatorship, and through the magical realistic

aesthetic, resuscitates the dead, and brings them back as ghosts such that they may be able to testify to atrocity and memorialize countless others who fell victims to the regime (Hart 2003: 119).

In a similar vein, I posit that Roy deploys certain conventions of the magical realistic novel toward on a limited scale to push the limits of human rights discourse, and to expose the contradictions of the Indian neo-colonial military occupation of the Valley of Kashmir, as demonstrated in this passage:

> A drowned city was a spectacle. A drowned civil war was a phenomenon. The army performed stunning helicopter rescues for TV crews. In live round-the-clock bulletins news anchors marveled at how much brave Indian soldiers were doing for ungrateful, surly Kashmiris who did not really deserve to be rescued. When the flood receded, it left behind and uninhabitable city, encased in mud. Shops full of mud, houses full of mud, banks full of mud, refrigerators, cupboards and bookshelves full of mud. . . . During the weeks the flood lasted, Tilo had no news of Musa. She did not even know whether he was in Kashmir or not . . . On those nights, while she waited for news of him, she put herself to sleep with heavy doses of sleeping pills, but during the day while she was wide awake, she dreamed of the flood. Of rain and rushing water, dense with coils of razor wire masquerading as weeds. The fish were machine guns with fins and barrels that ruddered through the swift current like mermaids' tails, so you could not tell who they were really pointed at, and who would die when they were fired. Soldiers and militants grappled with each other underwater, in slow motion, like in the old James Bonds films. . . . Cats, dogs, yaks, and chickens swam around in circles. Affidavits, interrogation transcripts and army press releases folded themselves into paper boats and rowed themselves to safety. Politicians and TV anchors, both men and women, from the Valley as well as mainland, went prancing past in sequined bathing suits, like a chorus line of seahorses, executing beautifully choreographed aqua-ballet routines, diving, surfacing, twirling, pointing their toes, happy in the debris-filled water, smiling broadly, their teeth glimmering like barbed wire in the sun.
>
> *(Roy 2017: 265)*

Here, the representations of the destruction caused by the flooding are juxtaposed against dream-like elements in the form of fantastical re-imaginings of politicians, militants and soldiers, the chief players in the political tableau of Kashmir. Roy uses magical realism to satirize the performative and rehearsed quality with which agents on the ground conduct themselves; soldiers display faux bravado, performing "stunning helicopter rescues" for the television crews, while media personnel and political personalities, disingenuous and disconnected from the misery on the ground, swim in floodwaters wearing sequined and ornate costumes, enabling the morbid commodification of crisis. There is a sense of harmony and constructed unity in the depiction of different political actors in the Valley "grappling" with each other in the floodwaters. The image of the flood also works to unglue the different components that constitute Kashmir as a pastoral but heavily militarized and violent space: militants and soldiers are no longer perpetrators of state and anti-state violence, positioned at opposite ends of the ideological spectrum, but are in fact performers playing their part in the tableau and swimming underwater like villains from a Bond movie in which ordinary Kashmiris are collateral. The waters of the flood function metaphorically insofar as they are instrumental in unmooring and disarticulating the different

components and actors in Kashmir – the soldiers, militants, media personnel, and politicians – from their dominant contexts. These subjects are integral to any representation of atrocity in Kashmir and in *The Ministry* are re-mapped using the genre of the magical realistic novel, such that the that the relationships between different political agents and their relationship to the territory of Kashmir are left purposefully tenuous and vague, open to subversive interpretation and renegotiation. As such, the magical realistic aesthetic deployed here scrambles the narrative codes of the standard human rights story, which has an identifiable victim and a perpetrator, and a clearly laid out narrative of facts. The scrambling of codes is meant to expose the farcical reality of military occupation in Kashmir, where oppressors allegedly double as saviors of the people of the Valley, and this covert discursive cover-up of their crimes is done through an expansive propaganda machinery.

The coverage of the flood in 2014 was an especially illustrative example of this, with *The Times of India* lauding the Indian army's relief efforts and announcing its conversion from an occupier to a "humanitarian agency" devoted to rescuing Kashmiris in a bid to "win the hearts and minds of the local populace" (Pandit 2014). Supplemented with photographs of the Indian military repairing bridges broken by the flash floods in Poonch and in Jammu, such representations are at the core of the media whitewashing of the role of the army in the region, and central to Roy's incisive critique in which television personnel are described as "a chorus line of seahorses." This dual positioning of Indian soldiers as both saviors and perpetrators of violence against Kashmiris, in Roy's text, also unmasks the Indian government's claim to be functioning as "protectors" of the people. The saving of people who have been deemed expendable threats in the past only to have them be legitimate targets of state violence in the future exposes fundamental contradictions in the military occupation of Kashmir.

Roy, in effect, overcomes what Chimamanda Ngozi Adichie, refers to as the "danger of a single story." Adichie posits that the "single story creates stereotypes, and the problem with stereotypes is not that they are untrue, but that they are incomplete. They make one story become the only story" (Adichie 2009). In the preceding passage for instance, the "truth" being represented relates to the *absurdity* and moral quandary of Indian soldiers who police and surveil Kashmiri bodies, fatally shooting them at them at the slightest provocation, and yet rescue those same Kashmiris from the ravages of the flood, only to have them dutifully return to their life of servitude under the occupation. This rendition is, in effect, a larger commentary on the Indian neo-colonial project in the Valley of Kashmir, in which Kashmir and Kashmiris are claimed as part of the geo-body of the Indian nation, and labelled an indivisible part of the nation, but also subjected to the worst human rights excesses to keep them within the ranks of loyal citizenry. The satirical juxtaposition of realistic and fantastical elements in portrayals of the flood serves to drive home the illogicality of the situation while simultaneously highlighting the wretchedness of the everyday lived experience of Kashmiris.

Roy's novel functions as a narrative super-container, enclosing different human rights forms to show how easily they can be exploited by functionaries of the state to further its stranglehold over a people and exonerate itself of blame. *The Ministry* cuts across multiple genres to expose its own materiality and to closely attend to questions of authenticity, form, and narrativity within both fictional and nonfictional human rights forms. Traditionally closed and specialized human rights forms, such as the human rights report and the testimony, are shown as effective but, to an extent, are limited by genre conventions to retell and repurpose the same stories. On the contrary, literary fiction is shown as well-equipped to expose the gaps in the traditional human rights narrative while bringing the full breadth of the complexity and perversion of the Indian occupation of Kashmir to the fore.

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15

CACHED RESISTANCE

The "Unheard" Narratives of Militancy in Kashmir

Haris Zargar

Introduction

Militancy first erupted in the erstwhile state[1] of Jammu and Kashmir over three decades back in the late 1980s with the Valley's first militant organization Jammu and Kashmir Liberation Front (JKLF) initiating an armed offensive against the Indian rule (Evans 2007). This territorial dispute between rivals India and Pakistan, since the partition of Indian sub-continent in 1947, transformed into a full-fledged guerrilla crusade, in which Kashmiris became central actors of the conflict. With hundreds of Kashmiri men crossing over to neighboring Pakistan to receive arms training, new militant groups such as Hizbul Mujahideen (Hizb), Harkat-ul-Mujahideen, Al-Badr, Lashkar-e-Taiba (LeT), and Jaish-e-Mohammed (JeM) emerged on the Valley's political landscape by the end of the last millennia (Schofield 2000). This militancy, consequently, was largely led by Pakistan-based groups like LeT and JeM by the beginning of the new century, although Kashmiris continued to constitute a significant number in the insurgent ranks (Mir 2019).

With the 9/11 twin tower attacks notably altering the geopolitics of South Asia, Islamabad effectively put the Kashmir dispute on the backburner (Hussain 2007). Kashmiris also restructured their political activism for the right to self-determination from an active armed campaign to non-armed political activities (Bukhari 2010). These new dynamics were evident during three consecutive summers of 2008, 2009, and 2010 – often referred as Kashmir's *intifada*, when a 100,000 youth led months-long public agitations calling for the end of Delhi's rule in the region (Jha 2016). These nonviolent demonstrations were clamped down heavily by the Indian state that led to the killing and arrests of several hundred young men (Rashid 2016). Upon this violent state repression and striking down of public dissent, a new phase of armed insurrection emerged in the Valley around 2012, wherein educated tech-savvy youth began joining militant ranks. Popular militant commanders such as Burhan Wani, Riyaz Naikoo, Sameer Tiger, and so on, associated with the Hizb, became household names and were eulogized by the Valley's population for leasing new life to Kashmir's *tehreek* (political movement). The number of local youth joining the rebel groups started to rise significantly, which spiked further following the killing of young charismatic commander Burhan Wani in July 2016. Many of these men were government employers, research scholars, engineers, college students, police officials, and so on (Mir 2019).

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Varying explanations were offered for the spurt in youth joining the militancy in Kashmir, which include a rise in pan-Islamization, radicalization[2] and lack of employment opportunities (Um-Roommana and Bhat 2018; Hussain 2007; Shah 2019). Some also asserted that the use of strongarm tactics by the state forces, as well as the glorification of militants by pro-independence groups like All Parties Hurriyat Conference (APHC or Hurriyat), were also behind this phenomenon (Kakar 2018). These portrayals were arguably focused on constructing a distorted identity of militants in sync with the normative perspective of violent global insurgencies. There was little effort to know or reveal these individuals from a local standpoint. The narrative around Kashmir's insurgency fundamentally ignored the histories of individuals who were either directly involved in the armed campaign or their immediate family and friends. It arguably amplified the practice of "silencing" the dissenting perspectives in this highly restive and contested territory. Although local media reportage of the armed conflict provided some glimpses into the lives of those who make up today's militancy, the "dehumanizing" and "depersonalizing" of these young Kashmiris remain profound within the larger discourse on militancy in Kashmir.

The purpose of this chapter, therefore, is to gain a viewpoint of the families of militants, who share lived experiences of the militancy for a major part of their lives. It seeks to understand how these men are remembered by their immediate relatives and immortalized in the collective memory of the people. Through personal memories of kin, I look at the narratives of remembrance as recounted by the families of rebels. The objective is not to evaluate the broad existing literature on the contours of Kashmir conflict, but to echo the narratives that may provide a deeper understanding of mentalities and beliefs shared by Kashmiris that prompts them to challenge India's rule in the contentious region. This historicization through oral testimonies further aims to "personalize" the debate around the Valley's three-decade-long insurgency by bringing back at center of discourse the human characters, and not just the phenomenon that otherwise silences the raw human emotions, sufferings, and aspirations.

Memory and History

Over the years, scholars have used official documentary materials such as newspaper reports, court transcripts, state archives, police interrogation testimonies, and so on as sources to understand the underlying causes of militances or terrorism. This examination, although it dwells into the questions of "how" and "when," most often fails to provide any relevant response to the "why" questions of these phenomena (Olsen 2009). The analysis of Kashmir's ongoing militancy has arguably also followed a similar outline, which often eludes relevant inquisitions into understanding the Valley's protracted armed insurrection and role of the local populace.

Militancy as a phenomenon has often been examined through social psychology, in which human behavior is understood as "a manifestation of social interaction" and constructs identity in the context of social interactions, prevailing ideologies, social roles, or situated politics (Arena and Arrigo 2005). Such analytical standpoints are often designed to formulate policies and tools for state authorities to respond to militancy in which the militant actors are effectively stripped of their "humanity," for instance as "victims" of an ideology or a socio-political schema, or "vilified" as antisocial elements. It follows a similar literary discourse that is identified by Edward Said in his seminal work *Orientalism* (1977), in which scholars fabricate the "identity" of the subject under examination rather than revealing the subject. This literary discourse effectively serves to "historicize" oppressed societies and their political actions through racial, ethnic, gender, or cultural tropes that only further the perspective of the occupying colonial state.

Sengupta (2009) underlines that Said especially emphasized a spatial concept of colonialism, as he wrote about an "imaginative geography" that was imbricated with structures of power and hegemony in the imperial representations of the Orient. Contemporary approaches to colonial history aim to break down the barrier between the mutually exclusive strands of metropolitan history and colonial studies, thus emphasizing the entangled nature of the history of "metropole" and "colony" (*read India and Kashmir respectively, in the context of this chapter*).

Building on Said's work, postcolonial theory emerged as a school of thought in which questions of language and power, of the subjectivity of the subaltern, nature of cultural identity, nationalism, historiography, and so on are critically analyzed to deconstruct the underlying layers, structures, and forms that are embedded in the colonial past and postcolonial present. Within this perspective, postcolonial theory is concerned with the aftermath of colonialism, not just as a political or historical reality but also as a felt and lived experience that has adversely affected the subaltern subject, silenced through the dynamics of imperialism, oppression, and power, but that remains as a sedimented form of collective memory (Burney 2012).

Collective (or public) memory, therefore often appears fundamentally in opposition to official history as noted by French historian Pierre Nora in his seven-volume work, *Les Lieux de Mémoire*. Nora underlines that history essentially operates in the "conquest and eradication of memory" (Rose 2017). For Nora (1989),

> memory is life, borne by living societies founded in its name. It remains in permanent evolution, open to the dialectic of remembering and forgetting, unconscious of its successive deformations, vulnerable to manipulation and appropriation, susceptible to being long dormant and periodically revived. History, on the other hand, is the reconstruction, always problematic and incomplete, of what is no longer.

Nora concluded that memory is absolute and spatial, while history is relative and temporal, because memory is an actual phenomenon of the present, while history is a reconstruction of the past (Rose 2017).

With the emergence of the remembrance discourse on the Holocaust and the rise of postcolonial studies, suffering became the focal highlight of memorial sites. Assmann (2009) adds that in this postcolonial narrative there is a question not only of perpetrators and victims but also of colonizers and colonized – the latter also qualifying as victims. Therefore, the postcolonial queries involve entangled histories of the oppressor and the victim.

History, while written about humans, has mostly ignored the personal lives of individuals as argued by Italian anthropologist Ernesto De Martino, who called the "ingenuous belief in history as past and something outside oneself" (De Martino 1941, quoted in Passerini 1987: 3). Nora (1989) further notes that what we call memory today is therefore not just memory but already history, and what are taken to be flare-ups of memory are actually its final consumption of history. He concludes that the quest for memory is the search for one's history (Nora 1989: 13). The concept of memory becomes a critical tool to understand human history especially in relations to identities, beliefs, and mentalities.

In her book *Fascism in Popular Memory*, Luisa Passerini (1987) – who recorded about seventy stories with the idea of understanding the fascist phenomenon in Italy – accentuates that the subjective dimension of phenomena does not allow a direct reconstruction of the past, but rather links past and present in a combination which is laden with symbolic significance. While these oral sources have to be placed in a proper framework, they are highly relevant to historical analysis. These testimonies are, first and foremost, statements of cultural identity

in which memory continuously adapts received traditions to present circumstances (Passerini 1987: 17).

Oral testimonies, most importantly, in the context where there is an oppressive power structure, do not only reconstruct the past but also preserve the narratives of silences and allow redefining the hegemonic discourses. Writing in the context of Chilean dictatorship, Raposo-Quintana (2009) highlights that the state's military version had dominated social space, and their official narrative was the only possible version to be mentioned in public. However, it was not only one. Memory works were constantly produced in different levels of the social networks, preserving what the army sought to conceal. Eventually, when historical situations changed, these oral works allowed elaboration, re-elaboration and production of memories and knowledge of this hard period in Chilean history.

From these perspectives, it is important to record the narratives of people who articulate the militancy in Kashmir from the standpoint of the victim or oppressed. Without registering these local narratives, it may be difficult to analyze and understand the meaning of Kashmir's recent political history and articulate sincerely as to what transpired on the ground for the past few decades. More importantly, without recognizing these perspectives, the ongoing political conflict and militancy in Kashmir shall remain oblivious of people's suffering and continue repressing the stories of the disenfranchised masses. The stories of militants through the memories of their family members not only reconstruct the past, but also demonstrate how the people describe and realize their own present.

Methodology

I have used qualitative interviews as a primary method to collate memoirs or oral testimonies for this chapter. I chose to conduct in-depth interviews with the families of three prominent militant commanders – Riyaz Naikoo, Majid Zargar, and Sabzar Ahmad Bhat, who had joined rebels ranks after 2012. These oral testimonies were recorded between the period of January 2019 and July 2019 at their respective homes with multiple respondents, who were mostly close family members. The families belong to different socio-economic backgrounds and reside in three different villages of South Kashmir – an area at the heart of the new wave of militancy in the Valley.

The interviews were conducted in a conversational manner keeping in view the sensitive nature of the subject for the respondents. Each interview lasted for about 30–35 minutes. Only one of the three militants was active at the time of the interview while two others had been killed in the years 2016 and 2017. The interviews were first recorded in the native Kashmiri language and then transcribed into English. Given the sensitivity of interviewing militant families, a local journalist first established contact with the families to receive consent for the conversation.

I first interacted with the four family members of Majid Zargar, a 23-year-old militant commander of LeT, at their residence in Quimoh area in South Kashmir's Kulgam district. The second interview was done with the three family members of Riyaz Naikoo, the 35-year-old commander of the Hizbul Mujahideen, who was killed in May 2020 and was active at the time of the interview. It was conducted at Naikoo residence in Beighpora village of Awantipora in South Kashmir's Pulwama district. The third interview was done with the mother and brother of 28-year-old Sabzar Ahmad Bhat – a close associate of Burhan Wani and at the time of his death *Hizb*'s operational chief in the Valley. It was held at their residence in South Kashmir's Tral.

The oral testimonies were then evaluated applying the Straussian approach to Grounded Theory (Strauss and Corbin 1990) that analyzes the data through an inductive process. In this process, a code was attributed to a particular discourse. For instance, if a participant talked about anything specific to religion, I ascribed a code – "religiosity" for that statement. Overlapping codes were then merged in the second round of evaluation. Thus, coding was done through a two-phase coding process that included open and selective coding.

During the preliminary analysis, the discourse revealed about 15 themes that were loosely developed through open coding. In the new cycle of analysis, I looked for patterns, recurring narratives, and contradictions, following which eight codes were registered (see Table 15.1). Two main themes appeared following another round of assessment and these codes were then categorized in two groups – *inspiration* and *persona* – which broadly provided insights into the two parallel portrayals. The narratives that detailed motivations/mentalities were labelled under *inspiration* while those that illustrated the individual were grouped under the *persona*.

The first thematic group – *inspiration* – was sub-classified into four topics: *oppression, peer influence, religiosity*, and *political activism*, which reflect the narratives about the impetus behind their members joining a rebel group. The second thematic group – *persona* – was catalogued under four elements: *compassionate, astuteness, public consciousness,* and *personal beliefs* that illustrate the discourses about how the families perceived their rebel member.

While analyzing the interviews, I was conscious of my prior knowledge and lived experience of the context of this study. As a Kashmiri, many of the responses from militants' family members felt quite personal, and there was a deep sense of familiarity with the narrative. It is important to highlight that my analysis, especially codification, was done primarily in correlation with the research question and the narrative of respondents, but perhaps may reflect an element of my personal perceptions or understandings of Kashmir's militancy.

Table 15.1 Microanalysis of the Anecdotal Narrative

Themes	*Codes*	*Narrative ascribed*
Inspiration	*Oppression*	Personally beaten or tortured; family harassed by police; public killings by state forces; witness to police violence etc.
	Peer influence	Family or friends involved previously in militancy; established contact with an active militant.
	Religiosity	Practicing Muslim; reading Islamic scriptures and texts; discussions on Muslim histories; a strong sense of Muslim identity etc.
	Political activism	Involved in protests; supported Kashmir's separation from India etc.
Persona	*Compassionate*	Helping family financially, providing support to neighbors or involved in social work; never angered anyone or denied help; emotionally very close to parents and siblings; caring toward animals etc.
	Astuteness	Diligent in studies; earning well; keen observers; hardworking and focused; no complaints; ambitious etc.
	Social consciousness	Debated state politics and followed news events; did charitable work; assertion to work for the people etc.
	Personal beliefs	Beliefs other than religious; strong sense of self/identity; aspired to participate in political-military activity; conviction to fight injustices etc.

Memories and Insights: Riyaz Naikoo

Asadullah Naikoo, who runs a tailoring shop outside his house, remembered his son as a "diligent," "compassionate" person, who was "good at studies" right from the very young age, and also someone with high "conviction" toward the resistance campaign in the Valley. A mathematics teacher by profession, Riyaz taught at a local school between 2010 and 2011, often providing free tuitions to many children in his native village (Javaid 2018).

He took charge of Hizb after the death of its commander Yasin Itoo in 2017, taking the *nom de guerre* of "Muhammad Bin Qasim." A tech-savvy militant commander, he was credited to keep the Hizb intact when the group fell in disarray following the killing of Burhan Wani and was the longest surviving militant commander in recent years (Masood 2020). Riyaz turned to militancy in 2012.

> We were expecting and hoping that he would pursue higher education outside the state after completing his bachelors. We were planning to get him married. Riyaz also insisted that he would marry after completing his degree. But, he left to join militant ranks soon after.[3]

When I asked the family how they felt about Riyaz joining the militancy, considering it is a difficult choice with death being a certainty, the family members said they were always concerned about his well-being and would feel distressed whenever there was news of an encounter between Indian forces and rebels in the Valley. They, however, noted that Riyaz's choice to become a militant made them feel "proud" and for taking up the "right cause" against what they termed the "tyranny and oppression" of the Indian state.

> This is something to feel proud about. We don't say he took a wrong path. Had he gotten himself involved in criminal activities like drugs or other such illicit trade, our family name would have been tarnished. We are relieved that he took the right path.[4]

Explaining Riyaz's rationale to join the insurgency, one of the family members highlighted the regular state repression faced by Kashmiri Muslims, and attack on the religious faith of native Muslims in the Valley.

> For a certain time initially, we believed that the gun only leads to bloodshed. But the kind of repression unleashed by India here, the face it showed. . . . We have a mosque nearby. One day they asked us to lock it down. As a Muslim, how can we tolerate such insults? I think it is better to pick up a gun than face such humiliation and desecration of our religion.[5]

The family also noted that they faced severe harassment and ill-treatment from the Indian armed forces after Riyaz joined militancy and that the family were pressured to ask him for surrender. The family said that Riyaz refused to lay down his arms asserting he was not going to shun the anti-India resistance movement.

> He told us categorically, he would not surrender. So we informed the police official, who kept nudging us to make Riyaz surrender, that he will never surrender and that the police should not harass us anymore.[6]

Deemed as one of the most prominent Kashmiri commanders in recent years, Riyaz was killed in his native village in May 2020 (Yasir, Schultz and Kirmani 2020).

Majid Zargar

Majid was once regarded as the "face of Lashkar-e-Taiba" in South Kashmir and was credited with reviving Lashkar in the Valley (The Kashmiriyat 2018). A resident of Quimoh in Kulgam district, he was killed in 42-hour-long combat with the Indian forces in December 2016. A secondary school pass-out, he had joined Lashkar at the age of nineteen in 2012 and swiftly rose through the ranks of the outfit. Initially functioning as the *Hizb* "over-ground" worker, he later joined LeT after killing two policemen (The Kashmiriyat 2018). For the Indian security agencies, Majid was a "dreaded" militant credited with high profile attacks on Indian forces in the Valley (Ali 2017).

Ghulam Mohammad Zargar, Majid's father and a timber businessman, recalls his son as a "bright child" with a keen interest in "religion and politics."[7] Majid's family had a history of men joining militant ranks before him as well. His elder brother had briefly joined the HM, but was arrested within a month. He was let off after serving a prison term. His two uncles were also militants and had been killed in the mid-1990s (The Kashmiriyat 2018).

Majid's mother, Dilshada, mentioned that Majid had a great deal of conviction for the *tehreek* and was highly motivated because of his religious belief. His father also asserted that this was perhaps the reason why Majid contributed "immensely" toward the anti-India insurgency.

The family remembered Majid as a highly disciplined and obedient child with a gentle demeanor, who was respectful toward everyone because and therefore was liked by his companions as well. Majid was known to be a close associate of top militant commanders, including Burhan Wani, Abu Dujana, Abu Qasim, and so on (Ali 2017).

> He would greet even a person younger than his age. If he would come across hundreds of people on his way, he would greet each one of them. When he would leave for school, he would carry a "miswaq" (teeth cleaning twig) in his mouth. He would eat food with three fingers.[8] . . . The few men (rebels) that would accompany Majid would insist only moving or staying with him.[9]

Dilshada fondly recalled the day when Majid left home to join the militancy. Her narration of the days provides a glimpse of how close she was to Majid, whom she believed was born to become a fighter for Kashmir's political cause.

> I was feeling unwell. I suffer from a heart ailment for which doctors have advised me not to work too much. So I usually end up resting in my room. That day he left, he had gone to drop his younger sister off at the 'darsgah' (an Islamic seminary). He returned and sat near me. I remember telling him that if he would sit around me regularly and talk, it would put me at peace. In the evening he left for prayers with his brother. While he was leaving for prayers I told him that our talking had already made me feel better. At that time I had no idea that he had already bid farewell to his sister when he had dropped her off.[10]

When Majid was engaged in the battle with Indian forces, hundreds gathered near the encounter site in an attempt to rescue him and his associate in which one civilian was killed. It was reported that the bodily remains of Majid were beyond recognition. Majid's family believed

that the police and Indian forces were furious with him for reviving militancy in the area and for launching several attacks on the state agencies, because of which they were also targeted regularly even after his killing.

> I don't think anyone in Kashmir would have been harassed like we are being. The forces are very angry at us. They break our windows, panes and doors. They also come inside and beat us all, even the womenfolk in the family. They are taking out their anger on us. They can't stand us, they even hate to look at our faces.[11]

Sabzar Ahmed Bhat

A childhood friend of Burhan Wani, he joined the militancy after Wani's elder brother, Khalid, was killed by Indian forces. Sabzar was the chief operational commander of the Hizb in South Kashmir for a brief period and was one of the popular rebels who enjoyed widespread adoration of the locals in the Valley, especially in his home town Tral in South Kashmir. He was known as a close associate of Wani, and was killed in May 2017 following a brief encounter at his native town (Munshi 2017).

Sabzar was 20 years old when he joined the militant ranks, and worked small jobs to earn a livelihood for the family. Eldest among three siblings, he was a school dropout owing to his father's ill health. Sabzar's mother, Jana, also recounts his son as well-natured, soft-spoken, and shy, who would never miss a prayer or speak in high tone with anyone. His brother also described Sabzar as a benevolent easy going person, who despite living a tough life, never complained, and was well-known among the locals.

> He was a good-looking man, but I could only identify him as when he was a toddler. You would argue he became a militant, but his demeanour was always mellow natured. Despite my son becoming a militant both the police and army didn't hurt me, only because they also recognised my son left for a cause and didn't hurt anyone needlessly. Once a local spy was caught and bought before Sabzar, and instead of hurting him, embraced him and told him that they were brothers, and ordered his release.[12]

Just like in the case of Riyaz Naikoo and Majid Zargar, Sabzar's family recounts him as a popular person who was well versed in Islamic studies, socially conscious, and upon their death drew a large number of people to their funerals. In the narrative of family, Sabzar is also an obedient child who is very attached to his family especially to his mother.

> He was very close to me and didn't leave the house until I would permit him. He would insist that he wouldn't travel or leave without my consent. He wouldn't tell me where he was going. On the day he left, it was only after insisting for a while I allowed him to go thinking he was travelling outside the valley with friends for leisure and would return in a few days. It was only the next day that one of my relatives called and informed us that Sabzar had joined militants.[13]

Sabzars' family also insisted that it was primarily because of the constant harassment and ill-treatment meted out by the state police and army that pushed him to join the *Hizb*. The discourse of state repression against the common folk, especially killings of local youth during a

protest by forces remain the dominant narrative for the families. In the case of Sabzar, the conversation kept bringing the fact that he was regularly targeted by the police agencies.

> He had never spoken to us about joining rebels. But whenever there were any protests in the areas, the police would pick him up regularly without any reason. He would be locked up days, and perhaps because of this, he was tired of being treated like with such injustice. The police would accuse him of being associated with the militant.[14]

Learnings From the Sketches

The memoirs offer compelling personal anecdotes informed by the question of what attracted these men to armed resistance. One of the predominant recurring discourses of participants about why their family members joined the militancy was "oppression," detailing how the state security apparatus had unleashed a wave of atrocities on the family and society at large. All the participants narrated in detail the different instances of how the state police forces would harass and abuse the family members.

> A lot of atrocities and harassment has been done to the family of Khumeni sahab (another local militant) as well. They have suffered. His brother is under arrest too.[15]
>
> The police and the army may come and beat or harass us, but what do we do. We are helpless . . . they would often come and hurl abuses, what can we do about that.[16]

Both during the interaction and analysis processes, I strongly felt that the testimonies have a major emphasis on how the state forces would arrest some family members regularly and hold them for months without any charge and conviction. All the participants insisted that state "oppression" had not only forced their members to join the insurgency, but also continued both before their members had become rebels and after the death of their militant members.

> Once the police arrived at our house and arrested both my husband and my younger son. They asked me where Sabzar was, alleging that he had snatched a gun from a cop.[17]
>
> My son was arrested and he was booked under the Public Safety Act (anti-terror law) . . . despite spending time in prison he would be asked to show his presence at the police station. The police were not looking for him, but they would still insist on his attendance.[18]

"Religiosity" was viewed by the participants as another "inspiring" factor in motivating their members to join militancy. When I inquired about how much the militants practiced religion, perceived their religious duties, or studied religious scriptures, it was revealed that all three had a deep religious belief. The religiosity of the rebels, however, was highlighted as a primary moral driver, an inspirational factor for seeking justice, and a source of validation for participating in the anti-India armed campaign. The families exalted religiosity as a sign of the rebel kin's righteousness and sense of justice, also often drawing similarities between their kin with "heroes" of Islamic history.

> Whenever I used to see him reading books, they would be about Islam. He would read about past Islamic struggles. He would read about Salahuddin Ayubi, and so on. . . .

> He used to be involved in a lot of aggressive attacks on (Indian) forces. He wanted to be a "fidayeen"[19] too and I think the main reason for him joining LeT instead of Hizb is because Islam is at the core of its ideology. Another reason might be the fact that the group attracted a lot of foreign fighters.[20]
>
> He (Sabzar) lived a hard life but never complained and would often pray five times a day.[21]

In my conversations with the families, I discovered that the militants often had someone in their immediate family or known friends who was affiliated with rebel groups. "Peer influence" was a significant factor drawing the men into the networks of militant groups.

> My eldest son had joined the Hizb for a month. He came back and was arrested. After serving some time in prison he was let off.[22]
>
> Majid was close to some of them (Lashkar commanders), particularly with Abu Qasim (Abdul Rehman).[23]

Our discussions also reaffirmed the fact that the existing political situation in the Valley had a significant impact on the men before they joined the armed movement. The families insisted that their rebel kin were well aware of the larger political conflict and repression in the state. They stated that the suppression of dissent, denial of holding protests and killings by state forces, meant that their family member joined the militancy both in reaction to state the state repression and because of their conviction toward the (nonviolent and violent) "political activism." The participants elaborated that the rebel member actively participated in public protests or was vocal about their anti-India stance or visited sites of encounters for demonstrations and so on. The process to join the political cause is illustrated as a willful action and not something accidental or out of compulsion.

> He (Majid) shot a CRPF gun in Lal chowk, Islamabad at point blank range with a pistol and took away his gun to enter the militancy. . . . You know as a child he would mostly walk in slippers even in the cold winters. I believe he is preparing himself for becoming a militant. . . . He would often debate with his brother and father about the happening in the valley. These would be fierce debates wherein he would insist on playing an active role. He would read books on historic events.[24]
>
> Sabzar joined the militancy days only after Khalid (Burhan Wani's brother) was killed, even though he barely knew either Burhan or Khalid. He was very upset and cried a lot upon hearing about Khalid's killing. . . . I think he would have left for militancy much earlier. But perhaps he was waiting for us to shift to our newly made house. He thought maybe it would become difficult for us to move in case he joined rebels.[25]

In all the conversations, the families especially talked in great detail about the personality traits of their rebel kin. Their narratives revealed in detail how families remembered their rebel family members, which, in essence, offered a broad canvas to understand the behavior and personality of these militants. These broadly provide an additional layer of information to examine if there are patterns or convergence in the contexts of youth who become militants.

The families put a high degree of emphasis to the caring and "compassionate" nature of their rebel members, with the narrative predominantly built on circumstantial factors that convinced the Kashmiri youth to join the insurgency. This discourse emphasized that these individuals

took up violent activism against their personalities, which otherwise was mostly caring, introverted, and well-mannered.

> He (Sabzar) was a shy person and despite being well built, he was very soft spoken and reserved. You would argue he became a militant, but his demeanour was always mellow natured. . . . Once a local spy was caught and bought before Sabzar, and instead of hurting him, embraced him and told him that they were brothers, and ordered his release.[26]
>
> After finishing his bachelors, three of his friends went to study outside Kashmir. He told me it would require some Rs 7000 for admission. I gave him the money that I had kept aside for his further education, and told him to join that institute. But he never went. And before he left to join the militant ranks, he gave that money to his mother.
>
> He (Riyaz) came to visit us only when his grandmother was unwell. Despite the surveillance, he tried visiting her often.[27]

Moreover, the families often illustrated their kin as "smart" and "intelligent" individuals, with a significant emphasis on their educational attributes. The discourse demonstrates that the family member believed that their rebel kin made the "rational" and thoughtful choice, also asserting that they were conscious beings that could clearly distinguish right from wrong. This perhaps was often stated to demonstrate that the decision to join the militancy was not a matter of indoctrination but something that came as a matter of conscientious appeal.

> He (Riyaz) always wanted to become a teacher, and studied mathematics. When he was receiving his formal education, we never required to engage a private tutor for him. Never did he ever fail in any exams.[28]
>
> He was giving the final examination when he joined the militants. He had appeared for four subjects and in the four papers he had appeared, he had scored 85% marks. He was a very bright child.[29]
>
> Sabzar ouss yaaro ka yaar (Sabzar was best friend of friends). When he was martyred, people from across the valley turned up for his funeral.[30]

The narrative of these personal memoirs show that the respondents strongly believed that their rebel kin had a deep sense of "social consciousness," which was beyond any personal ambitions. This often involved being active in social works or aiming to take a profession that helped others.

> He would support local children from the underprivileged background with studies and provided free tuitions to many. He was very actively imparting religious education to some children as well.[31]

During our conversations, the rebels were highlighted as having high conviction toward the resistance movement in the Valley. This narrative had a significant emphasis on the personal tribulations and sufferings endured by the militants toward the political cause.

> When he used to tell me that he would become a militant, I would insist upon him to focus on studies. He would only respond saying that only he would pay for his sins on the day of judgment. . . . He would be often hit with pellets, rubber bullets but would never show us anything (injuries, scars). He wouldn't tell us or accept that he

has been injured or anything. People would often tell us he may have been hit but he would never acknowledge anything.[32]

Riyaz told us bluntly if he has taken any money, property or other such material things from me or from the family? He told us categorically, he would not surrender. He would not betray his oath.[33]

Key Findings and Conclusion

For the families of men who joined the militancy in Kashmir, the narrative of wrongdoing by the state forces, personal conviction toward anti-India resistance, deep religious sanctimony remains at the heart of their narratives. Constant victimization, harassment, and sacrilege of Muslim religious sentiment at the hands of state security apparatus is assertively underscored in the discourse, especially to the queries on why many young men take up arms against the Indian state in the Valley. Driven by a deep sense of religiosity and socio-political consciousness – as understood and perceived by their families – there is a clear reflection within the narrative that the cause espoused by an individual is not only for justice but also something unavoidable given the complexity and nature of conflict in the region. They see rebels as highly conscious individuals that have a deep sense of compassion, self-awareness, and empathy toward others. In this discourse, the families perceive their rebel kin as a victim of the wrongdoing by the oppressive state and compelled into reaction by the larger socio-political realities of the Valley. Interestingly, there was no word on economic dimensions within this narrative. Although one of the families is financially weak, they never spoke of facing financial constraints or their member taking up arms for financial reasons.

These memoirs are imperative to know the local actors of the armed insurrection in Kashmir, whose personal histories are intertwined both with the lives of the common folk as well as within the different contours of the political conflict. These "silenced" discourses are important to record Kashmir political history and armed insurgency that may be critical to reconstruct the Valley's history away from the official accounts. These are certainly not the only silenced narratives that prevail, and much more remains unheard. Although this study is small in its scope due to a limited survey sample, it is vital to underscore the importance of the insights provided by family members of actors that are central actors in the theatre of war in Kashmir.

Notes

1 The semi-autonomous state of Jammu and Kashmir was downsized into two Union Territories by the Indian government on August 5, 2019, under the J&K Reorganisation Act of 2019 (Sharma 2019).
2 Radicalisation here should be understood in terms of socio-religious indoctrination.
3 Excerpt from the conversation with Riyaz Naikoo's family, Beighpora village, Kashmir, March 2019.
4 Ibid.
5 Ibid.
6 Ibid.
7 Excerpts from conversation with Majid Zargar's family, Quimoh, Kashmir, March 2019.
8 In Islam, it is considered a meritorious act if a Muslim eats with three fingers.
9 Excerpts from conversation with Majid Zargar's family, Quimoh, Kashmir, March 2019.
10 Ibid.
11 Ibid.
12 Excerpts from the interview with Sabzar's brother and mother, Tral, Kashmir, January 2019.
13 Ibid.
14 Ibid.
15 Excerpts from conversation with Majid Zargar's family, Quimoh, Kashmir, March 2019.
16 Excerpt from the conversation with Riyaz Naikoo's family, Beighpora village, Kashmir, March 2019.

17 Excerpts from the interview with Sabzar's brother and mother, Tral, Kashmir, January 2019.
18 Excerpts from conversation with Majid Zargar's family, Quimoh, Kashmir, March 2019.
19 Militants who are willing to "sacrifice themselves" while fighting.
20 Excerpts from conversation with Majid Zargar's family, Quimoh, Kashmir, March 2019.
21 Excerpts from the interview with Sabzar's brother and mother, Tral, Kashmir, January 2019.
22 Excerpt from the personal interview with Naikoo's family, Beighpora village, Kashmir, March 2019.
23 Excerpts from conversation with Majid Zargar's family, Quimoh, Kashmir, March 2019.
24 Ibid.
25 Excerpts from the interview with Sabzar's brother and mother, Tral, Kashmir, January 2019.
26 Ibid.
27 Excerpt from the personal interview with Naikoo's family, Beighpora village, Kashmir, March 2019.
28 Ibid.
29 Excerpts from the interview with Sabzar's brother and mother, Tral, Kashmir, January 2019.
30 Ibid.
31 Excerpt from the personal interview with Naikoo's family, Beighpora village, Kashmir, March 2019.
32 Excerpts from conversation with Majid Zargar's family, Quimoh, Kashmir, March 2019.
33 Excerpt from the personal interview with Naikoo's family, Beighpora village, Kashmir, March 2019.

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16
PLAYING CRICKET IN EIDGAH
Affective Labor in Kashmiri Childhood(s)

Sarbani Sharma

The Figure of the Kashmiri Child

On August 26, 2016, nearly a month and a half after the commander of Hizb-ul Mujahideen's south Kashmir division, Burhan Muzaffar Wani, was killed in an armed encounter with Indian armed forces, the Chief Minister of the erstwhile state of Jammu and Kashmir, Mehbooba Mufti, held a press conference with the Union Home Minister Rajnath Singh in Srinagar. During the press conference, Chief Minister Mufti infamously responded to a query from the journalist in the audience about the death and mass blinding of several children since July 2016 by saying, "Had the kid gone to buy a toffee from an army camp? A 15-year-old boy who attacked a police station, had he gone to buy milk?"

Though Mehbooba Mufti was a locally elected representative of the state, her comments were not exceptionally unique regarding the condition of Kashmiri children, whose lives have been marred by relentless violence and crisis for several decades now. The comments reiterated the complex frames through which the afflicted childhood in Kashmir has to be understood. In the view of the state and security establishments, children, especially young boys, in Kashmir, although affected by political violence, were now agents in perpetuating the violence that disrupted public law and order. In everyday life in Kashmir, it was impossible to miss how the trauma of the violence and disruption in regular schooling and educational activities had left several generations of children exposed to prolonged psychological, physical, and social disabilities. In 2016–2017, more than 60 percent of working hours in schools and colleges was lost due to curfews and state-sanctioned disruptions in regular functioning of schools and colleges.[1] Children disabled by the state without access basic right to education and child development are frequently labelled as agents and conspirators in disturbing public order. The "problem" of violence committed by children is purportedly resolved by state and security establishment by arresting them, which in turn pushes children back into the abyss of violence, thereby initiating a new cycle of violence, suffering and prosecution. Therefore, the figure of the Kashmiri child oscillates between twin narratives: the innocent child killed in armed conflict whose future needs to be secured through good governance and talent appreciation; and the unruly and criminalized Kashmiri child who needs to be constantly disciplined.

Killing, maiming, and blinding of children by Indian armed forces have been a significant part of the human rights violations committed by the armed forces over several decades.

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Children are impacted not only by these direct armed hostilities, but also through the armaments left behind after an armed encounter while they roam or play, "nonviolent" mob control techniques or even the regular disruption of their schooling and learning routine. Violence against children in conflict zones thereby serves twin purposes. The first is to humiliate and subjugate the "enemy." The second is to limit the agency of children by forcing them to choose between survival in a context of resource scarcity in a conflict zone, rebelling against their families to pick up arms, or running away in order to resist being a passive recipient of violence and injustice (Korbin 2003). Based on an extensive study conducted by Jammu and Kashmir Coalition for Civil Society (JKCCS), the 15-year period from 2003 to 2017 witnessed no fewer than 318 killings of children in the age group of 1 to 17. This constitutes 6.95 percent of total civilian killings in various incidents of violence in Jammu and Kashmir during that period (JKCCS 2018). The JKCCS report on impact of violence on children in Kashmir also notes how detention of children under repressive laws like Public Safety Act (PSA)[2] has seen substantial rise in numbers particularly in the past decade (Duschinski and Ghosh 2017). The patterns of use of PSA to arrest children reveals the putative purpose of arresting children was predominantly to punish and persecute them. In some cases, these arrests were beginning a process of cultivating an "anti-state element," wherein police will routinely harass and arrest these young children whenever there is an anti-government protest in the area (JKCCS 2018: 17). Indian media and judicial discourses circulate the image of the "unruly and criminalized" Kashmiri child who participates in stone-pelting and attacks armed forces, as they call for discipling and punishment, much like the way Mufti justifies violent armed assault on children.[3] In most cases, the criminal justice system operates in conjunction with the state's political mechanism that understands arrests of children as a technique of discipling the child through timely punishment that ends up stripping children off their basic human and legal rights (Shalhoub-Kevorkian and Odeh 2018). Either way, children in Kashmir are bereft of a childhood that is considered safe and secure.

Contemporary literature on children, war and militarism has argued that essentialist notions of childhood and militarism have been productively intertwined, to inform assumptions about how children and childhood have worked as symbolic constructions and powerful rhetorical tools (Frühstück 2017: 1). Sabine Frühstück's work on children's games in the context of military empires argues that children's games can be considered as manifestations and generators of rhetoric about the nature of children and the roles they ought to play (ibid.: 22). By sanctifying the child's vulnerability, innocence, and moral authority, both the military and the political and popular culture at large have successfully instrumentalized the child while also silencing it (ibid.: 212). In that sense, attributions of childhood as innocent or incapable of independent thought and actions enable the metaphorical child to do a great deal of political work in the affective imagination of children and adults.

There is little doubt that surrounding environmental factors influences children's lives. Children's spatial lives are bound up in a web of personal emotional biographies and family practices, as well as local and global factors (Leonard 2010: 330). Conflict zones marred by relentless violence have even greater effect of spatiality and its role in meaning-making processes for individuals and communities living in such geographies where contradictions of aspirations and belonging to a repertoire of nationalism has held a much difficult history of violence and repression (Akesson 2014, 2016). While young people often occupy shared spaces with adults, they modify adult meanings of place through their interaction with their everyday environments (Scheper-Hughes and Sargent 1998). This means that while there may be continuities between adults' and children's perspectives on spaces and places, a more nuanced understanding of space necessitates paying attention to the possible discontinuities as well. Children's lives in the spaces

of their play and games with their peers and extension of the play within their homes offer us a window to learn how trajectories of aspiration and affective labor of love and hate built through a discursive process of meaning making of reality help them navigate through the environs (Scheper-Hughes 1992).

In this chapter, I destabilize the figure of the Kashmiri Child by attending to the realm of *play* in the life of Kashmiri boys, who regularly play cricket in the open ground of Eidgah, located in the western end of central Srinagar city. Inspired by Roberte Hamayon (2017) who explores the paradoxical nature of play and what anthropologists can gain by attending to the nuances of play in a given society, I consider how the act of *playing as if* one were Pakistani cricketer Shahid Afridi (one of the most reputed Pakistani cricketers) can inform us about the social and political world that young boys in Kashmir inhabit. Can the aspirations for belonging to Pakistan, expressed by the young boys during play, be understood as affective labor of loving and negotiating the complex terrains of nationalism? If so, can conceptualizing play as generative apparatus of sociality inform us about childhood as it is lived in Kashmir, beyond the caricatured figure of the Kashmiri child? What do these vignettes from Kashmiri childhood tell us about the complex play of nationalism in Kashmiri context? Inspired by Batesonian framework, Hamayon (ibid.: 327) argues that playing is "a rhythmical movement in a limited space referring to another realm of reality." Further, play is a process that is constructed by players; the structure of play is not a sufficient condition for there to be play. Foregrounding the agency of players, she argues that only players can allow for there to be play (ibid.: 84–85). Humayon underlines that play can indeed refer to nothing and at the same time play only partially negates the meaning that the acts that constitute it as a modality of action. Hence, a "play frame" is implicitly a fiction with the appearance of a reality. A fictional frame reflecting an empirical reality is therefore a possibility that an act of play provides. In her work, she provides the example that a little girl bathing her doll indeed intends to "bathe" and "wash" it; this bath, which would be called fictional, and is "purposely created by her imagination and perceived as having a value of reality in the field of imagination, resembles the one that her mother gives her, but only resembles it, and the little girl knows this" (ibid.: 85). Every game, no matter how informal or rudimentary, reflects some form of reality: "Each type of game shows a different facet of the identity and alterity relation between players, which always define the self and the other, be he or she an opponent or a partner" (ibid.: 169).

To me, the game of cricket played by Kashmiri boys *as if* they were a Pakistani team is an ethnographic moment that allows fiction to gauge a specific form of reality in Kashmir. The fictional moment of playing as if one was a Pakistani team that is purposefully created by imagination as – one that has a certain value of reality – is an opening into the view of life lived in that geography. Though fictional, this "play frame of cricket" destabilizes the binaries of narratives that caricature Kashmiri lives much like the way violence warps and weaves through everyday life. In the following sections, I begin by presenting vignettes of a group of young boys playing cricket in Eidgah ground in Srinagar who impersonate themselves as famous Pakistani cricketers. In the sections thereafter, I consider how affective labor of loving Pakistan is performed by these young boys and then reflect upon the complicated contours of belonging, and nationalism in Kashmir.

Fictional Frames of *Being* Shahid Afridi

I was visiting the Martyr's Graveyard in the Eidgah ground in Srinagar when a lime green Cosco cricket ball hit my right leg while standing near the gate of the graveyard. When I paid attention to the screams of "six" emerging across the graveyard, a boy in a blue t-shirt

standing on the other side of graveyard railing asked me to hand him over the ball. Perceiving from my demeanor that I was a non-local person and presumably a journalist, he asked me, "Will you go and tell this to everyone in India how our brothers are killed every day?" Before I could respond, his friends who were waiting for the ball called him back. After about 45 minutes dusk settled in, and the boys started winding up their sports gear and discussing the timing for next day's match. In a few minutes, the boy in the blue t-shirt came running toward me toward the edge of the Eidgah field. While I was waiting for an auto rickshaw to return back home. He was still catching up with his breath but continued asking me: Where are you going? Will you come tomorrow also? Why did you come to the graveyard? Do you play cricket? Before awaiting my answers to any of those questions, he slowed down his pace and assertively said,

> did you notice, we were playing as Pakistani cricket team, not Indian team? The guy who was batting today is our Shahid Afridi. He plays very well, did you see how many sixers he shot? I am a fast bowler, it's very tough for the batsmen to score runs when I am bowling. I will be bowling tomorrow.

I asked him, "What is your name?" He promptly replied, "Mudasir!"[4] By then he got summoned from his friends standing behind him, asking if he quickly wanted to grab some *nadir-mounje* (lotus root fritters). As Mudasir sprinted back to go, on a departing note he said again, "Didi, come again tomorrow at 4:30pm."

As I aproached Eidgah in search of public transportation to north of Srinagar the next day, I saw the children playing on the other side of the Eidgah field to avoid the wet soil and puddles of water on the ground brought by the rain showers of the previous night. There were about seven or eight boys in the age group of 8–12 years divided into two groups. There was only one batsman, and the other player at the other end of the stumps was only a runner without a cricket bat. Both the players used a single cricket bat to strike the ball. The wicket keeper was wearing gloves only for one hand, and he was in a semi-ducked position at least three feet away from the stumps. The stumps consisted of single wooden stick and two bricks on each side supporting the stick, to perform the job of the stump for their game. The bowler ran at least two meters before swinging the ball, and it was a total of five overs match. The boys soon noticed that I was watching them play. Mudasir tried to sneak in gestures toward to me to pay attention toward his bowling skills and often while fielding came running to ask me if I liked cricket. When the batsmen kept hitting repeated sixers on all balls, those fielding kept cheering him "Go Afridi!" I found it amusing that the fielders were also cheering for the batsmen. The bowler kept yelling at the fielders after every ball for being *mound-gopun* (lazy cattle) while fielding. Each fielder kept telling the other a better technique to be put in use for a catch or kept placing blame on the lack of spin in the ball for the underperformance. Barring the batsmen, almost all of them spoke spontaneously at the same pitch of voice. Probably the cacophony made them realize the joys of the game. More balls were delivered by another bowler, a boy who was slightly taller and a faster runner than the previous ones. The batsman continued to perform consistently. From what I perceived, the fact that he never got "out" was the criteria to declare him and his "side" of the team as the winner of the match. Unlike the formal broadcasted cricket matches, it was difficult to decipher who was playing with whom on which side. Soon it was sunset, and mobile phones in the players' pockets started ringing; assumedly parents were beckoning sons back home at twilight.

As I encountered Mudasir and his friends sporadically at Eidgah over the next few weeks, he would enthusiastically explain to me how good the game was on a given day based on a

combination of parameters. There was always extensive explanation about new techniques that the boys had discussed for improving their game. Some of the young players who had elder brothers at home would bring tips and share anecdotes of their brothers' games with the team, adding to the collective learning and sharing knowledge of the game of cricket.

It was evident that there was a huge difference between the formal game of cricket and the informal game, popularly called as "gully cricket" in the Indian subcontinent. For these Eidgah boys, the game of gully cricket defined an event of sportsmanship and an opportunity to play a game as if it was real formal cricket. Street or gully cricket is understood as a stripped-down version of formal international cricket, which is one of the most avidly followed recreational sports amongst men in South Asia. Formal international cricket consists of three formats: test cricket, where two teams with 11 players each play for over three to four days; One Day International (ODI) format, comprising 50 overs innings by each team to be completed within a specific number of hours; and lastly T20 speed cricket, a relatively recent format of playing 20 overs innings by each team. Without digressing further into technical details of the formal game of cricket here, it is important to underline that in gully cricket, the formation of competing teams is adaptable. Since the number of boys playing gully cricket at a given time might be less than 22, the teams formed are primarily based on the bowlers and fielders as one team against the batsmen who usually plays short innings of six to ten overs. Each "over" consists of five or six balls delivered to the batsman on strike. Needless to say, it is gully cricket players and teams who subsequently consolidate into more coherent formal teams for inter-neighborhood, inter-city or various small-scale league matches and subsequently graduate to join national level teams and international clubs.

For most South Asian countries even today, gully cricket and formal cricket continue to be predominantly sports for boys. This could be possibly explained by the nature of gully cricket, which is usually played in open grounds, neighborhood lanes, or porches of building complexes under the gaze of the public eye and presence. The word "gully" itself refers to a narrow lane lined with houses or buildings on both sides. Gully cricket is usually coordinated and organized by boys of a neighborhood, who sustain intimate friendships amongst themselves and conduct small scale money collection drives that help them to procure balls and other basic accessories for the game. The very informality and passion with which boys and young men play gully cricket in South Asia, in many variations and across class locations, makes cricket one of the most popular sports played and consumed in South Asia. Almost every reputed player in South Asia ranging from Waqar Younis, Imran Khan, Kapil Dev, Mohammad Rafique, Virat Kohli to Sanath Jayasuriya, with various training and career trajectories in international cricket have all recounted gully cricket as their first socialization with the game. Traditionally access to public spaces with unobstructed freedom to move one's body in a democratic manner has not been inaccessible to most girls and women in South Asia. This could explain why despite the recent formation of national women's cricket teams in most South Asian countries, the popularity and commercial value of the game remain anchored to men's cricket in South Asia.

Returning to the vignette of Mudasir and his friends playing gully cricket in a Srinagar neighborhood *as if they were* a Pakistani team, I offer this reflective piece on what such children's game can help us understand about childhood and textures of life and the social in Kashmir. I read the informal rules of the game – the boys' impersonation of Pakistani cricket players and their articulated refusal to support and aspire to be the Indian cricket team – as evidence of the interiority formed in the lives of these young boys, seemingly reflecting the social and political world they lived in. This by no means intends to generalize and homogenize the cricketing practice and childhood experiences in Kashmir, for Eidgah is only one of the many

quintessential neighborhoods in the western end of central Srinagar. Eidgah as space and its neighborhood are uniquely identified with the vast open ground for three primary purposes. First, it provides space for large congregations for biannual Eid *namaaz*.[5] Second, it serves as the biggest trading venues in Srinagar for Gujjar and Bakarwal communities to sell their sheep or goats before Eid-Ul-Azha. Third and most importantly, Eidgah hosts one of the oldest martyr's graveyards in Srinagar city. The demographic population of Eidgah consists of the middle to upper-middle mercantile and service class who traditionally lived in downtown Srinagar but later moved to the edges of downtown to accommodate growing family needs of space and property expansion. Much recently post-2008, Eidgah has often transformed a site of fierce battleground between armed forces and mourners during the burial of martyrs in the graveyard and with *namaazis* (a term referred to people who offer prayers) post Eid *namaaz* protests. Therefore, it was not unusual for children of the neighborhood to see Eid *namaaz* ending with bloodshed or waking up to smell of tear gas shells and stone pelting outside their homes.

After almost two weeks of sporadic encounters with Mudasir, I met Mudasir's mother who had stopped by in her car near the graveyard to pick up Mudasir to attend to a social invitation. On seeing me wait near the car while Mudasir packed his bags, she inquired if I was the same person who Mudasir spoke to, believing me to be a journalist. Mudasir's mother, who was an entrepreneur, generously invited me to her home for a warm and hearty meal upon learning that I lived in a hostel in Srinagar. Over the years, Mudasir's mother became one ofbmy closest acquaintances in Srinagar. On learning that I was from Delhi and that Mudasir had told me about their admiration for Pakistani cricket team, she hastily told me,

> These kids keep playing all the time. They pick up from adult conversations and God knows how they understand these matters about which cricket team to support and who to hate. Pakistani players are popular in Kashmir for obvious reasons, but sometimes Mudasir even likes Sachin Tendulkar. Life is so uncertain and complicated here, and kids pick up these complex matters very fast.

Mudasir's mother's response toward his game of cricket and the complex interplay of nationalism in cricket indicates the intricacies of parenting and childhood in a long drawn political dispute. Her response signals the inevitability of competing nationalist fandoms in Kashmir as well as a possible discomfort with talking to an Indian guest about textures of affinity with Pakistan while being mindful of civility and care in her hospitality as well as the latent anxieties and struggles of parenting a child in such geographies. Aatina Nisar Malik's (2020) recent work on Kashmiri children and young adults playing Player Unknown's Battlegrounds (PUBG) and Military-Mujahid games in downtown Srinagar initiates a much-needed conversation on how children wrapped in multiple catastrophes find ways through the acts of play and games to navigate their social and political crisis. For Malik (ibid.: 10–11) playing, in the case of both Military-Mujahid and PUBG,

> is an embodied practice where players experience emotional and affective experiences that shape their subjectivity and agency, thus contributing to their sense of identity. The "virtual and actual" in terms of online and offline experiences (for PUBG), and "imaginary and actual" (for both Military-Mujahid and PUBG) thus are not mutually exclusive but continuous and flowing into each other, imbued with meaningful emotions, affects and actions constituting reality in the everyday of children.

Malik (ibid.: 7) refrains from freezing the identity of Kashmir childhood through the perpetual trope of lack, victimhood, and criminalization, and rather

> locates children's agency through playing at the intersection of "becomings" and "beings," that is, children's subjectivities and agency are no doubt shaped by the process of socio-spatial processes of subjectification, but children do not passively follow it but are social actors in their own right, actively taking part in matters that affect and interest them.

The fictional play frame of cricket, therefore, becomes a method for the children as well as for me as an anthropologist to destabilize the narrative of the innocent killed or maimed Kashmiri child and the forever unruly criminalized children, to unravel the complex and striated everyday lives of children in Kashmir. In the following section, I analyze the work of the game of cricket in Kashmir and the dilemmas of postcolonial nationalism in a conflict zone.

Making of India in Kashmir: The Work of Cricket and Pakistan

Apart from the several other verticals that enabled the performance of "othering" and hating Pakistan, cricket as sports has come to be a placeholder of sedimented identities and a practice that materially and emotionally communicated the performance of becoming an Indian and a Pakistani. Being one of the most popular sports played and enjoyed in both the countries despite its colonial inheritance from the British nationalism and politics seamlessly swaddled around the game.

> Cricket like all sports is a relational idiom, a sphere of activity which expresses, in concentrated forms, the values, prejudices, divisions and unifying symbols of a society . . . sport is a microcosm of the fissures and tensions of a deeply divided society: fissures that both reflects and plays upon, mitigates as well as intensifies.
>
> *(Guha 1998: 157)*

It is in this context that I foreground how the complex terrains of nationalism are navigated by Kashmiri children who have been exposed to a life in Kashmir of "double interminability," which can be defined as a positionality forced upon every Kashmiri to navigate between the contemporaneous reality of continuous conflict and unrest on the one hand, and a constant struggle to achieve the desired goal of azaadi on the other. This simultaneity of constant war and unrest results in a continuous struggle for azaadi and forces the people of Kashmir to be in a position that cannot be sustained for long. And, at the same time, the so-called "peace" and "normalcy" projected by statist narratives renews this result in a continuous struggle for azaadi (Sharma 2020: 29). Much has been written about the role of cricket in the social, economic, and political landscape of the postcolonial states of India and South Asia at large (Dain and Calder 2007; Guha 1998: MacLean 2009; Mehta 2009). In this section, I attend to the repertoire of children playing cricket in Kashmir, which offers a window to explore the complex landscape of nationalism and its processual historical trajectories. This is much like the way Akesson (2014, 2016) articulates that conflict zones marred by relentless violence have even greater effect of spatiality and its role in meaning making processes for individuals and communities wherein contradictions of aspirations and belonging to a repertoire of nationalism has held a much difficult history of violence and repression. Contextualizing the complex contradictions of nationalism that are imposed upon the body politic of Kashmir, unraveling the dynamics of playing

a sport like cricket will help comprehend and conceptualize the everyday life in Kashmir away from the binaries of national-anti national, loyalty-treachery or love-hate.

Children's voices and actions exemplify the textures of love, yearning, and belonging around the idea of Pakistan, which exists in the public life of the Kashmir Valley as a debate and as an idea. In most conversations circulating in everyday life of Kashmir Valley, the love for Pakistan is disseminated across various publics through numerous vectors of aspiration, affinity and association. For many, the aspiration to assimilate the Kashmir Valley with Pakistan informs a template of a logical solution to the prolonged Kashmir dispute – one that will, at last, settle the two-nation theory of 1947 Partition of the Indian subcontinent. For some, the love for Pakistan and a constant laboring to associate oneself with a nation-state that one has perhaps neither visited, nor been aware of its inherent multiplicities, is also an act of gratitude. This feeling of gratitude is understood as the appreciation for all the support and advocacy that is perceived to be provided by the Pakistani state for the Kashmiri right to self-determination movement. To others, Pakistan is not necessarily imagined as a nation-state that would resolve the problems that have plagued Kashmiris but is seen instead as a space of affinity to Kashmiris, being a Muslim-majority nation that permits participation in a similar ethical and religious universe of Islamic piety and faith systems.

Notwithstanding the variations in these affective relationships to Pakistan and the internal contestations about efficiency and utility of the Pakistani state's role as a stakeholder in the conflict, the affective relationship is a lasting presence in the public life of Kashmir Valley. It is with the latter sense that several Kashmiri households consume Pakistani popular soap operas, fashion and beauty websites, and television and YouTube channels on Islamic spirituality and debates on the plurality of Islamic piety. Despite the recent ban on Pakistani satellite channels of news and entertainment in Kashmir, the coming of age in television media with over the top (OTT) platforms like Amazon Prime, Netflix, and Hotstar have further diversified the consumption of entertainment content that circumvented state-driven censorship laws so far. Though separated by wide social, cultural, and linguistic lifeworlds, the affinity and association with Pakistan are also related to the strong trading relations and free movement of people and kinship networks before 1947, between cities like Rawalpindi in present-day Pakistan and places like Srinagar in the Kashmir Valley. As historians of 1947 Partition have elaborated, the movement of people, goods, and relationships were drastically altered only with the drawing of borders on territories to mark formations of nation-states (Chatterjee 1993; Manchanda 2001; Noorani 1996). Yet, post-Partition era of the Indian subcontinent left individuals and numerous communities with the perplexing tasks of forming new universal "national" identities drawn from the fragmented and multicultural newly formed India and Pakistan.

There is little doubt that geographies like Kashmir that drew extensive social, cultural, and religious systems and symbols from Central Asia and Persia (Rai 2004; Zutshi 2003), far beyond the socio-cultural landscape of South Asia, found even its elite, apathetic and exploitative political class in a dilemma to choose its political fate with either of the newly formed India and Pakistan (Snedden 2012). Hafsa Kanjwal's writings on post-partition narratives of Kashmiri Muslims illustrate the ways in which Kashmiri Muslims found themselves divided between the new nation-states of India and Pakistan, which as separate political community that had its own political visions did not seamlessly fit into the political trajectories of either (Kanjwal 2018: 41). Her interlocutors underline how specifically Kashmiri Muslims in the

> Indian-held state of Jammu and Kashmir had to deal with multiple contradictions and dilemmas. One, as contestations over the future of Kashmir still remained unresolved, they witnessed the erosion of Kashmir's autonomy and the promises of a United

> Nations-mandated plebiscite, as well as intense political repression . . . paradoxically, Kashmiri Muslims had to negotiate their own aspirations for modernity and progress after decades of poverty and misrule under their princely rulers, the Dogras.
>
> *(Kanjwal 2018: 41)*

The event of the Partition, its ensuing violence, the gendered and incommensurable expectations of the national integration project undertaken during the formative years of drafting Indian Constitution accompanied by upper caste-class Hindu imagination of a modern Indian nation-state rendered the fluid yet singular identities of identities redundant. The imagination of converting an "idea of India" (Embree 1989) into "India as Nation-State" overnight by drawing borders and formulating a constitution for the vast diverse population led to hasty annexations of territories and provinces. These "nation-building" or national integration pursuits neither affirmed the two-nation theory-rule of the partition nor resonated with the political emotions and visions of the diverse fragmented population. This led to a series of colonial overtures by the postcolonial state of India. Lately, the soft overtones of upper caste-class imagination of Indian nation have taken the form of settler colonialism under the "Hindutva driven ethno-nationalist project of national integration of Kashmir" (Zia 2020).

Indian nationalism and patriotism were always processual, and they had to be incubated through multiple social, political, and cultural struggles for centuries together. Hence, it developed a distinct character, one that was different from the modern European nationalisms and constitutional patriotism. A few decades into the postcolonial era, nationalism and patriotism in India evolved only against the semantics of an "Anti-National." With the rise of populist and *Hindutva* establishment in India, nationalism and patriotism further transformed onto a continuous ahistorical testification process, through which one had to repeatedly qualify arbitrary loyalty tests and worthiness of citizenship by annihilating all practices of dissent and democratic engagement with differences. Therefore, Indian nationalism and patriotism came to be developed and performed only under the behest of existence of Pakistan as a nation-state, which came to be defined as the eternal enemy, the "them" and the forever "other." It is through the act of opposing and hating the eternal enemy and the incommensurable "other" through a certain manner of public performativity that the contemporary "us" and "we" in India nationalism and patriotism have come to be formed.

To reiterate the discussion from Frühstück (2017), understanding games and play enable us to acknowledge the great deal of political work done in the affective imagination of children and adults. The schools that Kashmiri children attend follow a curriculum that never addresses the questions and debates of ongoing right to self-determination movement in Kashmir (Junaid 2018) that frame their everyday lives nor do they contextualize the Pakistani historical perspectives on 1947 Partition of the Indian subcontinent. Under the practices of such pedagogy in school, complex socialization at home on being a Kashmiri Muslim, learning to survive in a conflict-zone and loving and admiring a neighboring nation – it impresses upon me to look into the game of cricket in Eidgah itself as an act of navigating through the structures of repression by engaging in an affective labor of love and joy. Structures of repression operating on children are not limited to censoring any voice of dissent but also permeate structural violence that criminalizes any alternative form of articulation and belonging other than the one caricatured to be under the banner of "Indian national unity." It is still not uncommon to hear of arrests and criminal prosecution for cheering and supporting the cricket team of Pakistan in India.[6] This is despite the fact that the imagination of "nation," "nationalism," "national unity," and "national territory" in the Indian subcontinent have all been outcomes of prolonged anti-colonial struggles and violent nation-state formation processes, both of which were inundated with several

debates of desired political visions of various communities which were never operating in absolute isolation (Goswami 2004). Discussing the unique scope of Indian anti-colonial nationalism, historians like Joya Chatterji (2013) have challenged the idea that an all-India nationalism dominated other types of local, regional, and linguistic solidarities or nationalisms. On the contrary, it had to jostle and negotiate with them, "seeking to co-opt them to its cause, and when they threatened its core purposes, attempting to snuff them out" (Aziz 2017: 406). Therefore, in the making of Indian nationalism in a geography like Kashmir it has always been crucial to mobilize cricket devoid of its sportsmanship and to conduct constant rhetorical work of "othering" Pakistan. The symbolic significance of these mobilizations using a sport swaddled with nationalism drive deep into the conscious as well as unconscious processes of child socialization in Kashmir.

Cricket as Nationalist "Playbor"

To return to Mudasir and his friends playing cricket through the fictional frame of being Shahid Afridi, I do not read this as an act of deliberate provocation against the Indian state as a result of socialization by their adults. Nor do I read it as a reflection of a conclusive merging of Kashmiri identity with Pakistani national identity. Instead, following Hamayon's (2017) argument that fictional frames such as play reflect on empirical realities, I understand the Kashmiri boys' adoration of Pakistani cricketers like Shahid Afridi as a reflection of the complex negotiations of nationalism and patriotism that frame everyday life in Kashmir. I underline the conscious articulation by boys like Mudasir about negotiating the dilemmatic positions forced upon the Kashmiri body politic that is repeatedly assaulted, repressed, and violated by the Indian state. The instance of seeing a non-local like myself, presumably an Indian, and asking if the voices of those who lay dead in martyr's graveyard in Eidgah would be communicated to publics in India is a realization that boys playing cricket on the periphery of a martyr's graveyard are not devoid of influences on their game of cricket. Mudasir's mother's narrative that children in Kashmir have innocuous ways of comprehending complex processes like nationalism and politics of "support" and "opposition" in the game of cricket, reinforces the argument that the act of play itself is a labor of navigating through the complex politics of Kashmiri aspiration of freedom.

Emotive and rigorous games like cricket form a huge impact on the ways in which players imagine their body, achievement, and identification of self (Thangaraj 2010). The leisure activity of playing a game like cricket could possibly be seen as an apparatus to collapse the distinction between an assumed "non-productive" leisure activity and a conscious activity for value addition of one's sporting skills drawing upon specific genealogies of inspiration loaded with explicit political meanings. Recent literature in cultural studies have deliberated upon the relationship between play and labor, sometimes referred to as "playbor" (play-labor) specifically in the context of digital gaming world. For Trebor Scholz (2012: 9), it has become imperative to think about the anatomy of playbor for it has today become impossible to differentiate clearly between nonproductive leisure activity existing within the sphere of play and productive activity existing within the workplace. Hence, through the discussion on new forms of labor, time and investment has renewed within the field of digital labor, its parallels and inspirations can be still found in the non-virtual spheres too. In the same volume, an essay by Abigail De Kosnik (2012) on "Fandom as Free Labor" elaborates upon Dick Hebdige's (2005) work on subcultures to articulate the work done by fan and affinity groups, which articulates how fans act upon commodities and imbue them with worth via their performances that consist of displays of certain expressions and specific actions. In Hebdige's study, the work performed by subcultures on commodities, the work of meaning-making, the work of recontextualizing commodities as crucial components of their performances of attitude and style, is undertaken in self-interest, for

subcultures wish more than anything to be visibly distinctive and apart from the rest of society. An affinity group invests time, effort, and imagination in everyday objects in order to make those objects serve their needs, which include helping to consolidate and represent the group's collective identity, which often stands in clear opposition to societal norms (Hebdige 2005: 6).

Building on this analysis, I suggest that Mudasir and his friends constitute such an affinity group. They may be seen as engaged in a form of playbor or "fan labor," as their expressed affinity with the Pakistani cricket team and its players consolidates and commodifies the object of Pakistani cricket team or the image of Shahid Afridi. Hebdige's work helps us understand the value of paying attention to the nature of time, effort, and imagination into a game like a cricket invested by young boys like Mudasir, who are constantly navigating through dilemmas of nationalisms in a never-ending conflict that continuously represses the existence and survival as a Kashmiri. Playing a game like cricket by Kashmiri children through fictional frames, therefore, provides a possibility of playbor of nationalism for the children to destabilize what they learn in their school, families, and Indian national media, while also moving away from the binary caricatures of a Kashmiri child. The children's conscious choice to imitate and adore Pakistani players like Shahid Afridi while playing in the vicinity of Eidgah Martyr's graveyard constitutes them as an affinity group who wish to invest time, labor and imagination to conceptualize alternative thoughts of belonging and resistance while simultaneously working upon their individual and collective skills of cricketing as a game.

While my doctoral project of comprehending the multiple articulations and aspirations of Azaadi through the multiple voices and lives of various Kashmiri adults was the result of intentional and concentrated pursuits, the voices and actions of children drew my attention serendipitously. Meeting and listening to the boys in Eidgah was in several ways, a step away from the polemics of long-standing political discourse on Kashmir, now ubiquitously sedimented in every texture of life. Most significantly it offered a unique glimpse in the paradoxes and complexities of nationalism that plague a life in a militarized territory like Kashmir. It is in this context of relentless cycles of violence and crisis that fold into the everyday life of Kashmir that I insist on paying attention to the realm of play of a Kashmiri child that could take us beyond the oscillating caricatures that assign innocence or criminality to Kashmiri children. The chapter underlines the ways in which children's practices of expressing their emotions around play are influenced by multiple pedagogues in their lives, which take us beyond the image of a Kashmiri Child as a passive victim of violence or a criminalized child innately attracted to violence.

Notes

1 For a detailed report on loss of working hours in schools and colleges in Kashmir, see *Hindustan Times 2017*.
2 Public Safety Act (PSA) is the most frequently used preventive detention law used by the state in Kashmir to detain any individual without any trial for two years.
3 For report on de-radicalization camps for Kashmir children and youth, see *The Wire* 2020.
4 All names of individuals have been changed to protect their identity and safety. At the time I conducted ethnographic fieldwork in Kashmir between 2012 and 2014, institutional review boards for human subjects research were not commonplace in my university in India. As a researcher who studies occupation and its various impacts on Kashmiris, I was deeply aware and conscious of how irreconcilable power differences between researchers and vulnerable populations – particularly in contexts of prolonged conflict – can wittingly or unwittingly compromise the safety of informants. During the period of my fieldwork, I consciously chose not to pursue structured and systematic data collection on children in Kashmir. Instead, I offer here a reflective meditation on how young Kashmiri boys rely on their everyday "play" to fashion their identities amidst enduring forms of violence.
5 Mandatory congregational prayers on the day of Eid, obligatory upon practicing Muslims.
6 For detailed analysis on series of such criminal prosecution in India, see BBC World Service 2014.

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SECTION IV

Religion, History, Politics

Hafsa Kanjwal

How do we understand the role of religion and religious identities in Kashmir's past and present? The chapters in this section approach this question from a variety of perspectives – including the hagiopolitics of repression to assemblages to sacred necropolitics to traces – all the while imbuing religion and religious figures as critical to understanding developments in Kashmir. Iconic Kashmiri historical figures like Lal Ded, Nund Reshi, and Mir Sayyid Ali Hamadani are revisited in Dean Accardi and Rafiq A. Pirzada's two chapters. Accardi examines the histories of how these Kashmiri local saints become part of a "hagiopolitics of repression" in which

> religious figures revered by the local population for the divine order and power they represent are systematically reappropriated and reconfigured to no longer serve the needs of the people but rather to reinforce the dominance of the ruling regime.

Pirzada moves beyond existing narratives of the processes of Islamization in medieval Kashmir by foregrounding the analytic of "assemblages" to describe the "dynamic process of adoption, adaption and reconfiguration of earlier traditions and spaces undertaken through a complex yet creative network of relationships and multiplicities invoking emigrant Sufi sayyids, ulema, sultans, nobles, rishis, neo-convert elites, and landed aristocracy." In this chapter, Kashmiri local saints like Nund Reshi and Ali Hamadani play a crucial role in serving as conduits between the Perso-Islamicate tradition and the existing Brahmanical order. Bringing the Islamic tradition to the present, Umer Jan extends Achille Mbembe's concept of necropolitics to argue for a "sacred necropolitics," which takes into account the agency of subjects upon whom the biopolitical sovereignty of death is enacted. He argues that Kashmiri rebels and the population at large has appropriated necropolitics by wresting "away the sovereign right of the allocation of death from the structures of India's (necropolitical) military occupation." Here, shahadat, or martyrdom, becomes an important component of anti-India resistance.

A number of chapters in this section also explore the relationship between Kashmiri Muslims and Pandits. Accardi presents asceticism as something that brings together Hindus and Muslims under a shared conceptual framework that also "shaped religious and political discourses and practices that undergirded the establishment of an early modern state in Kashmir." At the same time, he critiques discourses of kashmiriyat, arguing that figures like Lal Ded have been mistakenly appropriated as promoting syncretism or interreligious harmony. Discourses that

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foreground kashmiriyat as being "authentically Kashmiri" run the risk of situating political opinions not in line with the "syncretic ethos of kashmiriyat" as precluding one being called Kashmiri or having legitimate political aspirations. The danger of this lies in "deciding current politics of the basis of cultural essence and aligning the present with the past instead of the will of those governed." Similarly, Mohamad Junaid challenges the discourses of syncretism and Kashmiriyat that underscore the "taming" of Kashmiri Islam, in which Kashmir was "essentially a Hindu space in which Islam had gradually lost its orthodoxy." He shows how tehreek history-writers in Kashmir challenge colonial Brahman accounts of Kashmir as essentially a Hindu civilization. More importantly, he argues that Kashmiris as a people do not reject syncretism, but highlight how it "historically emerged through centuries of cultural, religious, material and linguistic interactions and traffic with the Persianate world, Central Asia, and subcontinent." The analytic of assemblage that Pirzada invokes is also resonant here.

Ankur Datta's chapter foregrounds how the displacement and departure of Kashmiri Pandits is marked by ambiguity as it raises different imaginaries of Kashmir as a homeland and as home. He poignantly refers to the keys and material objects owned by Kashmiri Pandits in Jammu and New Delhi as "traces" of a displaced present, "portals to homes and homelands somewhere else." These traces also emerge in the "re-establishment" of shines and temples in these new cities, which become part of a "project of remembrance." He concludes with reflections on the return of Kashmiri Pandits to the Valley, and asks how in the context of present violence, a future that is difficult to predict, and a past that is a wasteland, "what kind of homeland will Pandits return to?"

Bringing our attention to the processes of knowledge productions and epistemology, Mohamad Junaid and Gowhar Fazili's two chapters expose the hypocrisy in both Indian liberal and scholarly discourses on Kashmir. Junaid argues that Kashmiri "tehreek history-writers see Indian historiography as an ideological scaffolding for Indian control over Kashmir" and that "the emergence of tehreek history-writers and their work can be fully understood only by reading them as oppositional logics to the official Indian historiography." In particular, he provides a critique of the subaltern studies school in leaving "unexamined the question of postcolonial occupation" which "makes invisible the politics of those subordinated groups like Kashmiris who view India not just as external but as an occupier state." Fazili situates this erasure by Indian liberals in particular by speaking of a "malleability of ethics," in which he argues for a "deeper cultural orientation towards the notion of truth that makes it impossible to negotiate claims based on ethics." This malleability is situated in the "deep-rooted regressive Brahmanical values and intellectual traditions." In turn, he argues that the Indian occupation in Kashmir should be seen as not only a "realist neo-colonial project driven by national interest but an outcome of a deeper cultural problem with what passes off as Indian values." In an interesting contrast with Jan's discussion of martyrdom, Fazili argues that the Brahmanical order lacks a concept of martyrdom – which rejuvenates community and ethical orders through acts of moral courage and "bearing witness to truth against the will of the powerful at the risk of losing ones life."

Finally, almost all of the chapters in this section assert Kashmiri selfhoods and notions of self-sovereignty. These emerge in Accardi's chapter, which argues for the "possibility for Kashmiris to redefine and redeploy those saints in ways that render saints an alternative geography of resistance." Saints do not simply play the role of providing miracles, but are also "integral to alternative frameworks to pursue justice, build community, engage in social and political activism and produce countermemory." It emerges in Pirzada's discussion of the auradi fatiha, which serves as an iconic example of an assemblage. Kashmiri notions of selfhood also appear in Datta's discussion of Mashaemit Gharrih, an online multimedia space that brings together a younger generation of Kashmiri Muslim and Pandit youth. By allowing for "different voices

to be presented on their own terms through connections, similarities and differences," Datta argues that "possibilities of imagining home can emerge which account for and acknowledge different histories and experiences of violence and suffering." Junaid's discussion of tehreek history-writing – which "finds expression in Kashmiri literature, political tracts, art, poetry, and social media commentaries" – represents "acts of anti-colonial memory and form a reservoir of critical knowledge," asserting notions of selfhood and sovereignty that counter Indian historiographical accounts. And finally, in Jan's discussion, the practices at martyr's funerals and the last phone calls of Kashmiri rebels to their families which are subsequently shared across a "digital culture of subversion" represent a dominant mode of popular political resistance in Kashmir. By imbuing death with characteristics of the sacred, Kashmiris are able to wrest away the sovereign right of the allocation of death from India's occupation.


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17

RELIGIOUS AND POLITICAL POWER IN KASHMIR

Recollecting the Past for the (Post)colonial Present

Dean Accardi

Introduction

Kashmir is increasingly referred to as "the most dangerous place in the world" (Winter-Levy 2019; Editorial Board 2019; Popham 2000; Mir 2020). Situated at the borders of India, Pakistan, and China, Kashmir has been the focus of four official wars, countless military skirmishes, and ongoing armed resistance. Yet, far from losing their heritage and culture amidst such upheaval, Kashmiris find their cherished local saints invoked by nearly every party wishing to assert claims over the rightful belonging and future of Kashmir.

This chapter analyzes two notable instances in the recent past in which local Kashmiri saints were invoked to make claims over Kashmir's political belonging: Pakistani President Zia-ul-Haq's 1987 memorialization of 'Ali Hamadani to justify his regime's Islamization programs and Pakistan's political claims over Kashmir; and Indian Prime Minister Modi's 2015 speech that invoked Lal Ded, Nund Rishi, and *Kashmiriyat* to claim Kashmir rightfully belongs to India. To provide context and contrast to Modi's use of *Kashmiriyat*, this chapter also examines a prior invocation of Lal Ded and Nund Rishi for *Kashmiriyat* by Nyla Ali Khan, scholar and granddaughter of Sheikh Mohammad Abdullah. These analyses highlight the dangers of using Kashmiri saints to fulfill agendas of imperialism and settler colonialism, mapping what I call "the hagiopolitics of repression" deployed against Kashmiris. However, the state's reliance upon the popular social imaginary of these saints renders them a possible alternative geography of resistance, serving as means to disrupt current state usage of these figures and the agendas for which they are invoked and provide an alternative means to assert Kashmiri self-sovereignty.

Before engaging in these analyses, however, one must first understand the broader contexts in which these saints exist. Who are these saints? How were they constellated together in the past, and how did representations of these saints serve sociopolitical purposes in the past? Moreover, how do these historical saints and their shrines continue to provide vital significance for contemporary Kashmiri social life and religious practice?

Saints of the Kashmiri Sultanate

This chapter discusses four early modern Kashmiri saints that continue to play a prominent role in Kashmiri identity, religion, and politics: Lal Ded, Nund Rishi, 'Ali Hamadani, and Hamza

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Makhdum Sahib. All four of these saints lived during the Kashmiri Sultanate (1320–1586 CE), a period that looms large over Kashmiri public memory and identity. Many Kashmiris consider this period "the last time Kashmiris ruled themselves" – that is, before Kashmir was conquered and ruled successively by the Mughals, Afghan Durranis, Punjabi Sikhs, Dogras of Jammu, and currently India and Pakistan. As a result, figures from this period are often revered as founders of Kashmiri culture and thus serve as a potent means by which to assert claims over Kashmir. Furthermore, from the tributes to these saints found in Allama Muhammad Iqbal's *Javid Nama* and Sheikh Mohammad Abdullah's *Atish-e-Chinar*; to 'Ali Hamadani's shrine and mosque complex, the Khanqah-i-Mualla, being a major center of political agitation for Kashmiri independence in the 1940s; to Srinagar being home to a Lal Ded Maternity Hospital, Nund Rishi College of Education, and Sheikh ul Alam Airport, there is little doubt these saints continue to play a vital role in everyday life in contemporary Kashmir.

Who, then, are these saints? Uncovering the real-life details of living, breathing saints of the premodern past is a difficult if not impossible task. However, a general overview is tentatively provided based upon commonalities found across a broad reading of historical sources.

Accounts of Nund Rishi tend to agree that he was born into rather poor circumstances in the late fourteenth century. His spiritual inclinations led him to a life of intense asceticism involving fasting, chastity, poverty, and wilderness living for the purposes of religious devotion. While some accounts assert he was initiated and/or instructed by Sufi masters of his day, most concur that Nund Rishi was foremost an Uwaisi, meaning his true initiation and religious instruction came from beings in the spiritual world, such as deceased Sufi masters, prophets, and angels. Nund Rishi's intense asceticism, devotion, miracles, and teachings drew attention and admiration from the Kashmiri populace as well as from other eminent Sufi masters – attracting many devotees to his newly founded Rishi Order of Sufis.

Nund Rishi appears to have chosen the term *Rishi* to connect his ascetic religious practices to *rishis* of Kashmir's ancient past. Such positive appropriation of religiosities preceding the birth of the Prophet Muhammad attests to a view that Islam is eternal and Divinity consistent such that if someone had produced genuine miracles in the past, that miracle-worker must have been a saintly recipient of God's blessings and thus worthy of emulation. Nund Rishi is even said to have professed himself the immediate spiritual successor of Lal Ded – who is often considered a non-Muslim (Hindu, Shaiva, or otherwise) or at least born non-Muslim.

In contrast to Nund Rishi, there is simultaneously less historical evidence and more contestation over Lal Ded. She has been claimed as an archetypal Hindu *bhakti* saint, a proponent of Kashmir Shaivism, an elite Sufi mystic, a pious Muslim woman, a syncretic saint embodying Kashmir and its people, and/or the first poet of the modern Kashmiri language. Born into a non-Muslim family in the early decades of the fourteenth century, Lal Ded turned against the social expectations of adolescent girls and chose to adopt the life of an itinerant naked ascetic. Many stories circulate of her confronting religious authorities of her day as their social and spiritual equal, if not superior.

Unlike Lal Ded and Nund Rishi, 'Ali Hamadani lived most of his life outside of Kashmir. Born in the early fourteenth century to a prominent Sayyid family in the city of Hamadan, 'Ali Hamadani spent much of his early life in discipleship to the Kubrawi Sufi saint 'Ala al-Daula Simnani (1261–1336). In the 1370s, 'Ali Hamadani began to travel extensively, including to Kashmir, where sultans granted him and his followers substantial landholdings and noble status. After establishing religious institutions and spreading Kubrawi Sufi teachings across Kashmir, Hamadani died during his travel out of the Valley. While he was buried in Khatlan in current day Tajikistan, several of his valuable possessions have been housed and venerated ever since in the Khanqah-i-Mu'alla mosque complex in Srinagar. 'Ali Hamadani is celebrated across the

world today for his high Islamic scholarship and legal erudition. However, the earliest histories and hagiographies of ʻAli Hamadani from Kashmir depict him not as a courtly legal scholar but as an extremely self-disciplined, austere, miracle-wielding mystic saint of the Kubrawi Sufi Order who guided Kashmiri elites and commoners alike. ʻAli Hamadani thus resembles Lal Ded and Nund Rishi in being an ascetical, mystical saint in early Kashmiri accounts.

Hamza Makhdum was born into the Lone Raina family of Kashmiri nobles at the end of the fifteenth century. After studying extensively at the *madrasa* of the Kubrawi Sufi master Isma'il Shah, Hamza received initiation into the Suhrawardi Sufi Order from Sayyid Jamal al-Din Bukhari. While other Suhrawardi Sufis are said to have previously visited Kashmir, it is Sheikh Hamza Makhdum Sahib elevated the Suhrawardi Order to prominence in Kashmir. He was granted a prominent location to engage his religious practices and teach his disciples on the slopes of Koh-i-Maran, a.k.a. Hari Parbat, the very same hill in the center of Srinagar where the Sultanate court and royal cemetery were located. Both well-educated elites and commoners became his disciples, providing a venue in which vertical and horizontal social alliances were forged. Unlike his Suhrawardi predecessors, Hamza Makhdum embraced asceticism due to his close relationship with Hardi Rishi, a latter saint of Nund Rishi's Rishi Sufi Order. Hamza Makhdum thus brought together a vast, intertwining social network spanning a significant cross-section of Kashmiri society. In turn, his disciples composed hagiographies that interwove Suhrawardi, Rishi, and Kubrawi Sufi Orders and saints. In doing so, these writings simultaneously captured the breadth of the Kashmir's religious landscape of the day and rendered these diverse traditions consistent and coherent in ideology and practice, positioning ascetical mystical sainthood at the center of religious and political life in early modern Kashmir.

Most hagiographies and histories written during the Kashmiri Sultanate assert that these saints interacted and influenced one another all while respecting each other's advanced spiritual status. While it is comforting to believe that such saints interacted with one another in such a congenial manner due to their virtue and benevolence, critical analysis of these writings with the knowledge that most historians and hagiographers of the Kashmiri Sultanate were simultaneously religious leaders and members of the royal court reveals other sociopolitical motives for honoring these saints and representing camaraderie among them. For instance, by connecting Sufi Orders and their leaders with revered non-Muslim religious figures and sites across the Kashmiri landscape, these writings simultaneously nativized Islamic figures and Sufi Orders (i.e., made Islam "Kashmiri") as well as "Islamicized" the soil (i.e., made Kashmir "Islamic") (Zutshi 2014).

However, since this reflexive sanctifying process requires mutually dependent Muslim and non-Muslim elements to be effective, these writings do not produce a religiously exclusive Kashmir. Rather, Hindu and Muslim religious figures are intimately interwoven with each other and the land of Kashmir itself. Furthermore, hagiographers and historians of early modern Kashmir also recorded, participated in, and promoted a pervasive and widespread acknowledgement of the authority of asceticism. This common grammar of asceticism they articulated not only brought together Hindus and Muslims under a shared conceptual framework, but also shaped religious and political discourses and practices that undergirded the establishment of an early modern state in Kashmir. Therefore, these saints and the early modern writings about them were imbricated with the sociopolitical contestations of their day, and partly because of this, they became deeply embedded in Kashmiri identities and politics from that time forward. Thus, while we may correctly identify current invocations of these saints as "re-appropriations," it is imperative to understand that these saints have been appropriated from the very beginning, serving social and political ends from the very start.

The Popular Life of Saints

These saints of the Kashmiri Sultanate and their shrines continue to play a vital role in contemporary Kashmiri social life. In her dissertation "Muslim Life and Rituals: A Case-Study of Major Shrines of Kashmir," Gousia Khan details the everyday practices Kashmiris perform at a number of prominent saint shrines across Kashmir as well as the ideas they hold toward those revered saints (G. Khan 2007). Regarding devotion at the shrine of Sheikh Hamza Makhum Sahib, Khan notes how both "traditional" and "modern educated" Kashmiris invoke Hamza Makhdum to aid them in their everyday affairs, including some who "could not think of starting their day without seeking the blessings of the Shaikh." Khan asserts that saints' shrines are "visited by hundreds of men and women every day . . . from various quarters of Srinagar and every nook and corner of the Kashmir Valley" (51–52) in hope that a saint's intercession before God can lead to divine aid in their everyday life. While some individuals visit Sheikh Hamza's shrine for concrete aims, such as asking the saint to help restore the well-being of someone seriously ill, numerous others visit Makhdum's shrine for less transactional purposes, such as devotees seeking elevated spiritual states or people simply seeking peace and respite from tumultuous everyday life. Thus, saint shrines in Kashmir do not simply function as sites to seek divine favors, but also serve as community centers – gathering places for forging social connections as well as a place to seek psychological and emotional relief and betterment.

It should come as no surprise, then, that these shrines take on a political value, as political concerns draw together a breadth of one's social, emotional, and personal lives. Khan rightly calls attention to the fact that a saint's shrine is often referred to as a *Darbar-i-Sultan* ("Sultan's Court"). This term is not merely metaphorical: saints are considered the Lord/God's friends or representatives (*auliya*), each with their own demarcated territorial domain (*vilayat*) over which they assert authority and are thus responsible – their shrines serving as their administrative headquarters. Thus imagined as a kind of alternative bureaucratic order, saints' shrines serve well as sites to address the broader sociopolitical affairs of Kashmir, especially when the official political apparatus is thought to be failing the people it is theoretically meant to serve. To this end, Khan recounts stories in which Sheikh Hamza Makhdum is said to have directly intervened in pertinent political matters in Kashmir's past, such as the claim that it was Makhdum who "drove out" the "tribal invaders" in October 1947. Khan is hesitant to confirm or deny such claims but notes that there can be no doubt that such notions contributed to saint shrines becoming significant political centers of Kashmiri politics over the last century.

> The Shaikh's spiritual intervention may appear to be preposterous on sound historical reasons. But as a student of social history, I cannot ignore completely the subliminal impact of historical (tribal invasion) and spiritual forces (the Shaikh's supposed political interference) on the Kashmiri mind. This also explains why the shrine of Shaikh Hamza Makhdum, like the Dargah of Hazratbal, became a strong bastion of the National Conference after 1947.
>
> *(G. Khan 2007: 58)*

Indeed, the fact that many Kashmiris believe "most matters ranging from domestic affairs to politics of the Kashmir Valley are decided in the court of Shaikh Hamza" (G. Khan 2007: 57) is of great historical importance if one is seeking a robust understanding of the social, cultural, and political history of Kashmir. Such an intertwining of religion and politics – despite the assertions of modernist philosophers – does not mark Kashmiris as backward, irrational, or unmodern, for indeed we find many scholars today analyzing what appears to be our current postsecular

world, from Lara Deeb's *Enchanted Modern* in Lebanon (Deeb 2006) to examinations of the obvious role of Evangelical Protestant religiosity in current American politics. Rather, early modern saints like Sheikh Hamza Makhdum Sahib play a significant role in how Kashmiris seek to understand themselves and their society, how they navigate and integrate the personal and the political into what it means to be Kashmiri in their public and private lives, and indeed how one is to act upon those understandings to engage the tumultuous world all around.

Ather Zia's engagement with Zooneh in *Resisting Disappearances* provides an excellent example of how saints and their shrines are integral to an individual's negotiating the difficulties of contemporary life in Kashmir (Zia 2019: 39–43). Zooneh's son Syed Ahmed was a victim of enforced disappearance, being abducted from a marketplace by Indian counterinsurgency forces. Police and courts proved ineffective if not blatantly obstructive in locating her son or even his body, yet Zooneh did not abandon her cause but rather engaged in practices that Zia identifies and theorizes as a practice of "affective law," which resists the official (false) narratives provided by agents of the state. Zia also aptly notes, "Zooneh's resistance is not necessarily to dismantle the official narratives but to provide 'memory alternatives' or countermemory" (36).

Part of Zooneh's practices of affective law and resistance involves appealing to the saints, who are thought to champion justice and – wielding an agency beyond the state – may be able to bring true justice withheld to her by the state. Mirroring the kinds of statements of devotees of Makhdum Sahib documented by Gousia Khan, Zia quotes Zooneh as declaring,

> They [saints] are the ones really ruling Kashmir, and the entire universe, but they are invisible; their *saya* [shadow] is on everything. Only they have the power to return my son. Useless Bhaarti [Indian], earthly laws bind these judges, lawyers, and all the government officers. . . . But my saints are *majaz* [lawful/competent]. . . . My saints are invisible miracle-makers even if they are not visible to our eyes.
>
> *(40)*

Accordingly, Zooneh frames her appeal to this alternative court of justice of the saints and attendant activism as "a visible form of *ibadat* [worship]" (40) which includes almsgiving, attending saint shrines, and active involvement with the Association of the Parents of Disappeared Persons (APDP). Thus, for Zooneh, the saints are not just the potential providers of miracles to solve one's problems, but are integral to alternative frameworks to pursue justice, build community, engage in social and political activism, and produce countermemory.

In these ways, the saints become integral to how many Kashmiris navigate the tumultuous circumstances of everyday life in Kashmir. However, the relationship is reciprocal – the saints are seen as actively concerned and involved in Kashmiri life, society, and politics, and likewise the saints, their legacies, and their shrines are actively shaped by those invoking them in everyday life, rendering them potent figures for Kashmiri identity, society, and politics precisely through how they are infused with popular memory and veneration. It is no surprise, then, that many political leaders decide to incorporate the saints into their political agendas for Kashmir.

Pasts for the Present: 'Ali Hamadani and Zia-ul-Haq

In October 1987, the first Shah-e-Hamadan International Conference was held in Muzaffarabad, Azad Jammu and Kashmir, Pakistan, to pay tribute to 'Ali Hamadani and his life's work. Both scholars and Pakistani political elites participated in this conference, including President of Pakistan General Muhammad Zia-ul-Haq. While not explicitly mentioned in Zia-ul-Haq's speech, it is noteworthy that this conference took place in 1987, the same year as the Jammu

and Kashmir Legislative Assembly elections that involved such rampant electoral malfeasance and betrayal of political activists that it is credited with precipitating the armed uprising of 1989 and subsequent widespread political resistance in Kashmir. Those of renewed discontentment in Indian Occupied Kashmir were likely on Zia-ul-Haq's mind and in part those to whom his speech was directed.

After greeting the eminent participants in the conference, Zia-ul-Haq begins his speech:

> Sayyid Ali Hamadani was a multi-dimensional personality [who] lived in [a] Sufi way and instead of worldly pursuits chose the path of Shariat and "Tareeqat" with a stress on supplication and Sufism. Shah Hamadan adopted the method of selfless devotion, piety and purification of soul. Shah Hamadan in his more than 170 books dealt with the subject of faith and conviction, religious status of moral injunctions and prohibitions, secrets and mysteries of various forms of worship, rights of people and the obligations of Government.
>
> The great Sufi who could have attained power and glory and would have easily gained authority and rulership gave more importance to fasting, [a] life of self-control and isolation. He never deviated from his noble mission. The rulers sought his counsel and guidance. . . .
>
> The people whose own self had the quality of piety and purity of character were needed to fully realize the dream of establishing an Islamic welfare society in Pakistan.
>
> *(Hamadani and Riaz 1988: 19–20)*

In this passage, Zia-ul-Haq's depiction of 'Ali Hamadani mirrors the popular image of Hamadani, as one who "gave more importance to fasting, [a] life of self-control and isolation," that is, a pious, ascetic Sufi. However, at each turn, Zia-ul-Haq returns to focus on politics, governance, and rulership. In fact, the very pious religious pursuits with which Zia-ul-Haq first defines Hamadani are framed in terms of (at first in contrast to, and then in connection with) worldly, political power. Zia-ul-Haq is reconstructing of 'Ali Hamadani in terms of his own Pakistani Islamization programs ("fully realize the dream of establishing an Islamic welfare society in Pakistan"), advancing the idea that proper governance, especially that of Pakistan, should be based on the strict adherence to, and enforcement of, Islamic law alone, that is, presumably without consideration of worldly wealth and power.

As his speech continues, Zia-ul-Haq further articulates his reconstruction of 'Ali Hamadani in terms of Islamization.

> There is hardly any respect for the elders left in our society nor any love and affection for the younger generation, an attitude of free for all is prevailing, rights of the people are being neglected and the system of society is turning hollow and devoid of spiritual and social values. . . .
>
> In fact, he [Hamadani] moulded afresh the Valley of Kashmir into the shape of Islam, irrespective of distinctions between the king and the beggar, the rule and the ruled, the monarch and the people and was able to render such great spiritual achievement whose influences persisted not only to this day but would live forever.
>
> I would go even to the extent of declaring that if the conquests of Muhammad Bin Qasim had not been followed up by the work of . . . Ali Hamadani and other great men like him, "We would have had not Pakistan today nor Azad Jammu and Kashmir." Instead, "We would have been living under the dominance of non-Muslims without any will of our own to move a single step." . . .

> He [Hamadani] liked to live in isolation so that he could separate himself from the world of fun and frivolousness. But he did not renounce the world. When he found anyone, from a common citizen to the ruler of the time, deviating from the right path he would not spare him from moral stricture and his strictures were effective. . . . In this connection I mention a couple of fables about Prophet Hazrat Yusuf (peace be upon him) one relating to art of rulership and [an]other connected with rights of the parents. Both the incidents were very instructive in their own way and invited attention to Islam which what to speak of human being did not tolerate the death of a hungry dog on the bank of a distant river but today the adherents of the same faith like to avoid payment of zakat when they were rolling in millions. . . .
>
> I hope that such a conference would become a permanent feature so that the mission and teachings of the great Sufi and reformer were brought home to the youth and people at large as a perpetual source of inspiration and guidance.
>
> *(Hamadani and Riaz 1988: 21–22)*

Zia-ul-Haq performs a series of rhetorical maneuvers in this portion of his speech. First, he laments the current state of Pakistani society and culture, which he says is suffused with rampant moral failure. Second, he contrasts this moral failure to the piety and austerity of Hamadani – that is, invoking the popular image of Hamadani as an ascetic, mystical Sufi – and he elevates this Hamadani as a model for the current people of Pakistan. Third, he alludes to the two-nation theory as undergirding the modern Pakistani state, highlighting the notions (1) that Islam and South Asian Islamic religiosity and culture should be considered wholly separate, distinct, and developed in mutual exclusion from non-Muslim religiosities, cultures, and political paradigms in South Asia, especially Hindu; and (2) that Muslims cannot be ruled by non-Muslims or their faith would be suppressed. Fourth, he shifts the representation of Hamadani from his popular image as an austere, ascetic, miracle-wielding Sufi to one of a legal scholar, a *mufti*, who would police anyone who deviated from the religious strictures he set down – an image acutely parallel to Zia-ul-Haq's own political alliance with conservative *muftis*, his Islamization policies, and his harsh enforcement of the Hudood Ordinances. Fifth, he publicly shames those Pakistani elites who oppose his Islamization programs as desiring wealth above all else ("avoid payment of zakat when they were rolling in millions") and in doing so render themselves corrupt Muslims whom Hamadani himself would chastise, thus justifying his own crackdown on his political opposition. Bringing these all together, Zia-ul-Haq establishes himself and his Islamization programs as simultaneously fulfilling the revered Hamadani's work and the raison d'être for Pakistan's existence.

However, Zia-ul-Haq's selective reinterpretation of Hamadani's legacy to glorify himself and justify his political actions is neither smoothly executed nor easily accepted. The fact that Zia-ul-Haq identifies Hamadani first as an ascetic Sufi who "gave more importance to fasting, [a] life of self-control and isolation" and then returns to this aspect of Hamadani throughout his attempt to reframe Hamadani in terms of Islamization belies the fact that ascetic sainthood continues to form the basis of Hamadani's popular authority. Indeed, this paradigm of authority based in asceticism seems so deeply rooted in the legacy of Hamadani that Zia-ul-Haq could not avoid mentioning it when invoking Hamadani even though it appears to work against Zia-ul-Haq's own desire to foreground the enforcement of conservative jurisprudence as the true basis of Islam and the Pakistani state. Without incorporating the popular image of Hamadani as an ascetic Sufi, Zia-ul-Haq's assertions that Hamadani was a precursor to his own Islamization programs and justifies his crackdown of political opposition would appear a blatant self-serving fabrication of the past – or even a desecration of a beloved saint's legacy for his own selfish ends, an appalling hypocrisy from one claiming to be a champion of piety and Islam itself.

Consequently, Zia-ul-Haq may have inadvertently undermined his own agenda. Hamadani's authority is inextricably intertwined with a paradigm of ascetic religious authority that is shared with non-Muslim religious figures and sources of Kashmir. To invoke Hamadani is to recall a past in which the source of religious authority was not distinct across religious traditions, since both Muslims and non-Muslims during Hamadani's time accepted asceticism as a potent source of religious authority. Furthermore, it invokes a paradigm of Islamic religious authority that does not require jurisprudence, *muftis*, or state intervention. In other words, honoring 'Ali Hamadani as a hero of Pakistan in order to create an Islamic body politic founders on the politics of Hamadani's own ascetic body, which manifests an authority seemingly inescapably linked to non-Muslims and an Islam beyond that of the orthodox jurisprudence at the core of contemporary Islamization.

Lal Ded and Kashmiriyat

In her "Land of Lalla-Ded," Nyla Ali Khan identifies Lal Ded as a Sufi poetess and "a fitting symbol of the syncretic ethos of Kashmir," a "syncretic ethos of Kashmir [that] has been violated by the outburst of religious nationalism, secular nationalism, and ethnonationalism that have facilitated political and social structural violence" (N. Khan 2007: 23). The "syncretic ethos" Khan is referring to is central to her formulation of *Kashmiriyat*:

> The traditional communal harmony in Kashmir enabled the peaceful co-existence of Muslims and Hindus, mutual respect for their places of worship, and an ability to synthesize not just cultural but religious practices as well. The deep reverence for each other's shrines and the relics housed in those shrines is a well-entrenched aspect of the culture.
>
> *(25)*

This depiction of Kashmiri heritage and identity as being one of unique cultural and religious harmony may appear to be an apolitical description of Kashmiri culture, but it is not without an accompanying political vision.

> The notion of "Kashmiriyat" wasn't handed down to me an unachievable and abstract construct but, on the contrary, it was crystallized for me as the eradication of a feudal structure and its insidious ramifications; the right of the tiller to the land he worked on; . . . and the ability to look beyond one particular location in order to locate myself in a social world.
>
> *(N. Khan 2007: 33)*

Khan's list of concrete political agenda items imply *Kashmiriyat* is tied to a politics of increased social welfare programs that are concomitant with socio-political autonomy for Kashmir.

There are numerous problems with how Khan presents Lal Ded and *Kashmiriyat* here. Many stories of Lal Ded have little to do with syncretism or promoting interreligious harmony. Furthermore, Hafsa Kanjwal incisively critiques how this version of "*Kashmiriyat*," while appearing to accommodate both Hindu and Muslim Kashmiris, in fact erases much of Kashmiri Muslim history in its effort to project "even-handedness." Kanjwal also demonstrates how this narrative of Kashmiri history obfuscates how Kashmiri Muslims were treated as second- or third-class citizens during Dogra rule and post-Partition, policies aimed at redressing these inequities being met with strong opposition and then resentment by many elite, or at least comparatively

privileged, Kashmiri Pandits. Thus many Kashmiri Muslims view this proposed cultural historical narrative of *Kashmiriyat* with deep suspicion (Kanjwal 2018).

However, another serious issue with how Khan invokes Lal Ded here as an embodiment of this *Kashmiriyat* (and this *Kashmiriyat* as Kashmir's true heritage and culture) is that it opens the door to shifting the debate over Kashmir's political belonging and what policies should govern over Kashmir away from the current will of Kashmiri people to questions of Kashmir's essence and past. Khan does indeed assert "the unacceptability of any political solution that did not take the aspirations and demands of the Kashmiri people into consideration" (N. Khan 2007: 33). However, she also implies that if the expressed will of the Kashmiri people opposes that which is articulated in her notion of *Kashmiriyat* – what she describes as "religious nationalism, secular nationalism, and ethnonationalism that have facilitated political and social structural violence" (23) – then *Kashmiriyat* should guide political policies over Kashmir against that which "violates" the "syncretic ethos of Kashmir." It is almost as if expressing political opinions that are not in line with the "syncretic ethos" of "*Kashmiriyat*" puts into question, or possibly precludes, one's being considered truly "Kashmiri," and thus those aspirations and demands are not worthy of consideration, or indeed should be quashed.

Deciding current politics on the basis of cultural essences and/or aligning the present with the past instead of the will of the people governed is a dangerous proposal. For example, if policies today are wholly decided according to reviving a glorious past or retaliating against a previous imperial regime, it forecloses the possibility of generating political options in the present that do not merely correspond to, and thus share the same framework as, the past (Scott 1995). This is not to say politics should not address historical grievances, but rather that such a historicist framework carries the possibility of shifting political debates away from the very real struggles, pains, and needs of the present to historical debates about what is the correct vision of the past out of which current political decisions should emerge. Likewise, if policies are decided according to upholding a particular notion of a people's true essence, it not only carries the possibility of serving as a litmus test for belonging – which disenfranchises certain members of society and could quickly devolve into ethnic cleansing and or even genocide – but it also can once again shift political debates away from addressing the current struggles of the people to defining abstract notions.

These approaches to politics that delegate responsibility for political decision-making to something other than the people governed and their expressed needs also frequently serve to reinscribe political power to only those elites who have the requisite education and social standing to authoritatively assert their understandings as objective facts over and above any contrary claims made by everyday people. Furthermore, by shifting those decisions into the domains of historical scholarship and philosophical abstraction, politicians are able to effectively deny ethical responsibility for their political decisions since those decisions are merely extensions of objective facts and not their own choices. Indeed, in such a scheme, no one is ultimately responsible for political decisions: scholars can claim their scholarship is objectively true and produced without consideration of political implications, and politicians can claim their policies are merely responses to those facts rather than choices reflecting their own desires.

Secondary consequences of such a political paradigm may also include fostering anti-intellectualism or even a reconfiguration of a society's culture and everyday practices. Tying a regime of disenfranchisement that is unresponsive to the needs of the people to scholarship can result in the political frustration of the masses being accompanied by hostility toward the kind of knowledge and knowledge-production their disenfranchisement was contingent upon. Moreover, if certain revered figures like Lal Ded or other saints are understood as an embodiment of both Kashmiri identity and a particular politics, then revering Lal Ded becomes both a litmus

test for belonging and an endorsement of those politics. Then if one opposes those politics, one is compelled to no longer revere Lal Ded, but in doing so, one's belonging and status as a true Kashmiri are put into question. Such a paradigm in time generates resentment toward such figures, as they have become tied to the furthering of people's oppression and disenfranchisement, which in turn potentially produces hostilities toward institutions connected with those figures and others who revere those figures, shifting a society's cultural landscape with regard to those figures.

Modi's Kashmiriyat

A perfect example of the dangers of shifting politics away from the will of the people to arguments of essences and the past – and the kind of co-optation and hostilities it can produce – is how Indian Prime Minister Narendra Modi and his Bharatiya Janata Party (BJP) have deployed *Kashmiriyat* to justify Indian imperialism over Kashmir. In November 2015, Modi visited Srinagar to promote his own political vision of an Indian Kashmir. Before his arrival, BJP organizers posted banners throughout Srinagar proclaiming, "We welcome you to the land of Nund Rishi, Lal Ded" (M. Khan 2016). In his speech later that day, after repeatedly invoking the phrase "Kashmiriyat, Jammuriyat, Insaniyat" ("Kashmiri-ness, Jammu-ness, human-ness"), subtly eliding any distinction between the three, Modi declared,

> Brothers and sisters, without *Kashmiriyat* India is incomplete, not just Kashmir itself. It is because of this, this *Kashmiriyat* – which is the pride of India – that of anyone who is truly without communalism, [it can be said that] he emerged from this soil alone. From where did that Sufi tradition come from? It was from this very soil that it taught connection – that it taught to make kinship. And that very tradition, that is our *Kashmiriyat*.
>
> *(Modi 2015)*

Less than a year after that visit, Modi's concluding remarks at the All Party Meeting on Jammu & Kashmir reinforced this notion:

> Jammu & Kashmir is often called the crown of India. In fact, Jammu & Kashmir is a symbol of the age old commitment of equanimity towards all creeds (sarv-panth sambhaav), where Hindus, Sikhs, Buddhists and Muslims have been living together for centuries. The state of Jammu & Kashmir is the symbol of our founding fathers' faith which defines us as Indian in spite of our diversity. Jammu & Kashmir is not only a matter of our territorial integrity but also defines our nationhood. . . .
>
> It is also a fact that Kashmiri Pandits have been displaced from their centuries-old ancestral dwellings in [the] Kashmir Valley. Such atrocity against a particular community is the misdeed of terrorists trained and armed with weapons by Pakistan and their sympathizers. These can never be the deeds of those who believe in "Kashmiriyat."
>
> *(*The Hindu *2016)*

Twisting the understanding of *Kashmiriyat* and the saints used to symbolize it, Modi reappropriates not only revered early modern Kashmiri saints but *Kashmiriyat* itself as in fact India's heritage and tradition, making Kashmir and its claims to a unique cultural heritage instead a subset of Indian culture and nationhood. Furthermore, through conflating Kashmiri armed resistance to Indian military occupation with violence enacted on Kashmiri Hindus and

India's "sworn enemy" Pakistan, Modi positions himself as *the* authority on *Kashmiriyat* and Kashmiri resistance fighters as either disingenuous or untrue to their cause.

Directed toward local Kashmiri Muslims, this speech appears to lock Kashmiris into an unwinnable "Good Muslim, Bad Muslim" paradigm, in which Muslims are prompted to abandon all personal, social, religious, and political commitments to prove their patriotism and loyalty to a neoliberal order of non-Muslim majoritarian domination or be considered backwards, seditious terrorists (Mamdani 2004). However, directed toward a non-Muslim Indian audience, this speech dog whistles the insidious "Going Muslim" paradigm insightfully deconstructed by Huma Dar (2009) and Deepti Misri (2016). Built on the Islamophobic premise that "Muslims may be more extreme because their religion is founded on bellicose conquest, a contempt for infidels and an obligation for piety that is more extensive than in other schemes" (Varadarajan 2009), the "Going Muslim" paradigm ensures that Muslims are never afforded full citizenship nor full human rights, a cornerstone of the Hindutva ideology championed by Modi's Bharatiya Janatiya Party. In this "Going Muslim" scheme, no matter how much Muslims may try to prove themselves to be "Good Muslims" through fully submitting to extreme patriotism to the non-Muslim majoritarian state, they are nevertheless viewed with suspicion, for at any moment, even a "good Muslim" might "go Muslim," suddenly shedding all that "goodness" in a flash and becoming a terrorist, like a sleeper agent. By conceptualizing Muslims as perpetual outsiders to be viewed with constant suspicion, this "Going Muslims" paradigm subjects Muslims to perpetual imperial subjugation no matter their official legal status.

However, this brings us to a central question: why are these authoritarian leaders invoking locally revered Kashmiri saints at all? Why do authoritarian leaders feel the need to promote their oppressive policies to the people over which they will assert those policies anyway? Furthermore, why when doing so do they invoke locally revered figures? And finally, in each instance, they appear intent to first mention and incorporate popular memory and representations of those revered figures before altering them to fit their own agendas. Why not simply assert that the revered figures are in line with their policies and not bother trying to tie it to popular understandings of those figures?

I argue that such speeches attempt to control the discourse around potent social symbols and assert social control in the process. Zia-ul-Haq and Modi's speeches are instances of a broader hagiopolitics of repression over Kashmir in which religious figures revered by local populations for the divine order and power they represent are systematically re-appropriated and reconfigured to no longer serve the needs of the people but rather to reinforce the dominance of the ruling regime. However, if Kashmiris are largely unconvinced by these speeches and reject their assertions, why even recite them?

One answer is that the rhetoric impact of such speeches is insidiously effective even to an unreceptive audience. While initial instances of such re-appropriation may be quickly and easily dismissed, the repetition of state-sponsored reconfigurations of these saints could very well wear away at the previous legacies and popular memory, replacing it with its own. Or, much like with Lal Ded being defined as an embodiment of both Kashmiri identity and a particular politics of *Kashmiriyat*, constant repetition could lead to the saints being irrevocably associated with these regime's new propaganda program such that the populace eventually abandons such figures as their cultural symbols due to their now being so tainted with the regime's legacy. In either case, the local population is stripped of their previously revered figure, or at least their previous associations and symbolic value, resulting in Kashmiris being deprived of anchors to their independent cultural and religious identity that the saints previously vivified, in turn gradually eroding the unique cultural identity itself and/or the resistance to assimilation it previously affected.

Ironically, however, these same insidious processes expose several exploitable cracks in the edifice of an authoritarian regime's attempted hegemonic domination. That such tactics require rhetorical continuity with past and popular notions of the saints to be effective means that subject populations can exert some agency over the frameworks of the authoritarian re-appropriations of local culture. In short, saints can become a geography of resistance. Far from simply rejecting the re-appropriated version and defiantly asserting their own, the resistance can capitalize on the dominating regime's dependence on these local saints and traditions, even amplifying it, and then shift the meaning of those saints and traditions to serve their own ends such that subsequent state invocations of those saints serve the people's reconfigured purposes rather than that of the state; in short, exploiting state processes of repression for resistance.

Conclusion

When the policies and politics to rule over Kashmir are shifted from the will and needs of the Kashmiri people to upholding an abstract notion of *Kashmiriyat* established in an idea of Kashmir's true cultural heritage, which in turn is built upon a particular authoritative historical interpretation of Kashmir's past saints rather than how everyday Kashmiris remember, invoke, and integrate those saints into their daily lives and political actions, that political paradigm can be easily co-opted by other political elites like Modi and the BJP government to serve their own political aims without any deference or recourse to the Kashmiri people themselves. The Modi government's unilateral abrogation of Articles 370 and 35A of the Indian constitution on August 5, 2019, and subsequent military lockdown of Kashmir – all enacted without the consent of the Kashmiri people – appears less surprising and less politically impermissible when a paradigm of legitimate rule over Kashmir even against the will of Kashmiris themselves had already been justified.

However, it is hoped that the re-appropriation of Kashmir's saints to fulfill agendas of imperialism and settler colonialism can lead to their own undoing. Past appropriations and political usages of saints always persist, haunt, and potentially interrupt new re-appropriations. Authoritarian leaders may deploy what I call a "hagiopolitics of repression" to hegemonically assert power over Kashmir, relying upon popular memory and reverence of these saints to simultaneously imbue their political agenda with the saints' authority and strip the saints of their popular symbolic value. However, tying the state's agenda to the popular memory of these saints opens the possibility for Kashmiris to redefine and redeploy those saints in ways that render saints an alternative geography of resistance, exploiting the state's insidious methods to instead serve resistance to state oppression.

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18

TEHREEK HISTORY WRITERS OF KASHMIR

Reconstructing Memory at the Margins of Postcolonial Empire

Mohamad Junaid

Introduction

> My memory is again in the way of your history.
>
> *– Agha Shahid Ali, Kashmiri poet*

"How come Indians who write so much about the British colonialism," Rehman exclaimed, "won't see India's rule in Kashmir as a colonial occupation!" Sitting along the banks of Jhelum in Srinagar in 2014, we were discussing the difficulties I was having writing the "historical background" section of my research on young Kashmiri activists. He was bitter as he recognized in my predicament his own diagnosis of Indian historiography. Then in his late 60s, Rehman had read, as he told me, "almost all Indian books on Kashmir" and had come to an unsentimental conclusion about memory and forgetting in nation-states: "*Sarkaer* (official) historians," he said, "produce selective amnesia among citizens" to present the state with an "aura of logic and permanence." For him, *sarkaer* historians were those who saw India's control over Kashmir as natural and Kashmir itself as a footnote to India's state-building project.

Rehman's views were not isolated sentiments. In my interviews with Kashmiri academics, student-activists, journalists, writers, and poets about the region's political history, there was more or less a consensus that Indian historiography had prioritized "nationalism" over "truth." Invariably, they saw India as a "*qabiz qaum*" (occupying nation) practicing "*samrajiyat*" (imperialism). Accordingly, for them, the long-standing Kashmiri resistance movement against Indian rule was a matter of "national liberation," and not "separatism" as typically proclaimed by Indian commentators, who assumed a harmonious preexisting union between the Indian state and Kashmir. These ideas were part of an explanatory framework that had enabled a "non-official" understanding of Indian control in Kashmir and of political events, while presenting a coherent *raison d'être* of the resistance movement. Essentially, the framework involved contestations over the representation of Kashmir's history within the Indian historical discourse. For these reasons, one can subsume it under the rubric of *Tehreek*, the term Kashmiris use for their historical and cross-generational movement for self-determination.

I use "Tehreek" to refer to that movement, but also to describe the persistent oppositional perspectives shared as an explanatory framework among Kashmiri intellectuals who justify the

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goal of self-determination. Tehreek as an explanatory framework acts simultaneously as a public discourse, a style of argumentation, and a habit of mind. It has found expression in Kashmiri literature, political tracts, art, poetry, and social media commentaries. As such it is capacious, if not coterminous with the entirety of modern Kashmiri political culture. And, as I describe in this chapter, a key expression of this framework – history writing – has become a powerful critique of Indian historiography on Kashmir. Yet, it is in a curious position of being quite visible as a default discourse with which all Kashmiris contend, and being remarkably invisible in the expert analyses of Kashmir as a "political dispute."

As a political conflict, Kashmir has long been a topic of expert debate and academic writing in South Asia, but there has been practically no serious engagement with Kashmiri political discourse. Even when addressed, it is subjected to pseudo-psychological analyses. For instance, Pratap Mehta, a leading Indian intellectual, claims that Kashmiri political "utterances" are trapped in a "web of misunderstandings," riven by an "odor of conspiracy," and lead to the "dark cave of suspicion." He grandiloquently asserts: "In all narratives about Kashmir, there is only a subtext, no text" (Mehta 2010: 2). But there is *text* – about Kashmir, by Kashmiris. Much of that text is not addressed to Indian readers, for it does not consider India to be its geographical, historical, or cultural referent. Even then, the genre of history-writing in Kashmir that engages Tehreek movement's key claim of the right to self-determination is both substantial and specifically addresses the Indian state's ideological apparatus and the place of Indian historiography within it. For Indian experts not to know and yet make claims is part of the politics of disregard that anthropologist Ann Stoler recognized as symptomatic of "imperial disposition" (Stoler 2010: 255).[1]

Tehreek history-writing not only counters India's ideological claims but also shapes political subjectivity in Kashmir. Aside from religious texts and literature, Tehreek history writings remain the most widely read texts in the region, to the extent that they have created their own lively public sphere. Rehman was a Tehreek intellectual, not a history writer, but his own thinking had been shaped after reading Tehreek history writers' accounts. Through engagements with him and other Kashmiri intellectuals, and in my own pursuit of a relatively stable account of Kashmir's modern history, I grew interested in understanding the shape of this unreciprocated dialogue Kashmiris seemed to have painstakingly sustained over and despite the violence of the Indian state. How did the autobiography of a dominant postcolonial state like India appear to those, like Rehman, who lived in its colonized margins? How did Kashmiri history writers respond to India's self-image as a "postcolonial democracy"?

In this chapter, I draw upon the work of those I call "Tehreek history writers" and read it against the grain of Indian narratives on Kashmir. I trace the anti-colonial themes in Tehreek history (henceforth TH) writings as their authors seek to retell Kashmir's past and present. As activist-writers broadly aligned with the self-determination movement, TH writers see Indian historiography as an ideological scaffolding for Indian control over Kashmir. Accordingly, they question its foundational claims on Kashmir. Though shaped by the experience of living under a regime of military occupation,[2] I contend that the emergence of TH writers and their work can be fully understood only with reference to the "official" Indian historiography. In themselves, however, they represent acts of anti-colonial memory and form a reservoir of critical knowledge.

Postcolonial Occupation and Amnesia

In 1947, Indian national leaders inherited an empire from the British, and as Kashmir was annexed under India's rule, this new postcolonial elite would treat Kashmiris, who refused to

accept New Delhi's authority, just as viciously as the British had treated dissidents in its colonies. India introduced repressive colonial-era laws to crush Kashmiri mobilizations for independence[3] and its rule in Kashmir came to be marked by a grievous record on human rights, a militarized governance, and the abandonment of democratic principles. The Indian mainstream discourse on Kashmir left little doubt that India viewed Kashmiris as colonial subjects whose basic freedoms were subservient to India's own cultural conception of "territorial integrity," whose political rights could be denied in the name of "national interest" and "security," and who could not be trusted to govern themselves.[4]

Indian nationalist historians had been copious in writing teleological narratives of India under such elaborate signs as "the Idea of India" and "Discovery of India." These accounts exalted India as "regaining her lost ancient glory" (that is, pre-Muslim past) or as being guided by "righteous principles" (as opposed to the "insufficiently imagined" Pakistan) – both of these notions then converged in accounts of India annexing Kashmir as a unilinear story of righteous progress and national integration.[5] For their part, Indian "postcolonialist" critics questioned such nationalist accounts, mainly by emphasizing a disjunction between the Indian elites and subaltern groups.[6] They also produced valuable insights into unacknowledged forms of experience and knowledge within postcolonies,[7] occasionally even recognizing continuities between colonial and postcolonial states.[8] However, they didn't go far enough, and replicated some of the same invisibilities and silences associated with the scopic and epistemic regimes of Indian nationalist historiography. The political topos of Indian postcolonialism remained primarily structured by the logics of disjunction, disruption, or dialogue posited between the former colonizers (British) and the *formerly* colonized subjects (Indians). Writing 40 years after India's independence, Edward Said, in his foreword to *Selected Subaltern Studies*, the pivotal text in Indian postcolonial scholarship, said as much when he wrote: "I do not think it is an exaggeration to say . . . that rewriting Indian history today is an extension of the struggle between subaltern and elite, and between the Indian masses and the British raj" (1988: vi).

Subaltern Studies, a prominent expression of Indian postcolonial historiography, made a point of the constitutive heterogeneity of colonial subjects (Spivak 1988: 10–11), but omitted using its own conceptual tools to analyze the *constitutive hierarchies* in postcolonial India. Most conspicuously, it left unexamined the question of postcolonial occupation, that is claims made by non-dominant subjects of the postcolonial state about the colonial forms and practices of power and knowledge administered under India after 1947. "Postcolonial occupation" denoted the condition where former colonies declared themselves "independent" but proceeded to reproduce themselves in the colonial image, mainly by reifying colonial cartography and occupying territories of non-dominant nations that were previously under colonial occupation.[9] In particular, Indian postcolonialists not only failed to examine the contention of Kashmiris who saw a colonial redux in India's rule in Kashmir, they also assumed the silence of Kashmiris – which is nothing but a political act, one of ignoring instead of ignorance, an "averted gaze," to use Stoler's phrase (2010: 255). In recent departures, some Subaltern Studies scholars have dismissed even those early concepts that took the postcolonial state as "external" to the subaltern groups, and now see these groups engaging with the state as a "political society" (Chatterjee 2012). This new formulation may explain the politics of certain non-elite groups within India's mainstream political sphere, but it makes invisible to scholarship the politics of those subordinated groups, like Kashmiris, who view India not just as external but as an occupier state.

It is important to examine these omissions in Indian nationalist *and* postcolonial writings, and some scholars have begun to do so (Dar 2007; Kabir 2009; Kaul 2011; Anderson 2013; Osuri 2017; Kanjwal 2019). However, it needs to be recognized that such an examination would not be possible without the resistance movements that grew against postcolonial occupation. Here

Said's method of *contrapuntal reading* of the "empire's cultural archive" is valuable. He argues that there has to be "a simultaneous awareness both of the metropolitan history that is narrated and of those other histories against which (and together with which) the dominating discourse acts" (Said 2012: 51). Just as Said's musical metaphor uncovers a "principle of domination" running throughout European texts about the colonized world, in the Indian texts about Kashmir a similar pattern can be discerned – except for the rhetoric of universalism, which is not eschewed but replaced with "India" itself unreflexively standing in for the universal. However, instead of simply playing off Indian texts about Kashmir against each other to trace this pattern, we must grant a provisional privilege to the work of TH writers and read their narratives against as well as over the dominant Indian ones.

In challenging the Indian historiography on Kashmir, TH writers, I argue, are reclaiming a subjugated knowledge and shaping Kashmiri political subjectivity by creating and politicizing memory. Indeed, memory is not by its very nature critical of power; it is politicized when what the official history authorizes as historical facts are at variance with the people's actual experiences and their memories of those experiences (Crapanzano 2004: 167). In subjugated societies, the concern with memory arises because genuine sources of remembrance or commemoration are absent in the dominant accounts and in the archives (Trouillot 1995; Stoler 2010). If memory exists at all, it is through a process of *remembering*, which requires active creation (Feierman 1990). Creation here does not imply "invention" or an "instrumental or planned selective appropriation of the past" (Hobsbawm and Ranger 2012; Ranger 1993), but an active contestation with and deployment of silenced pasts against official histories. This form of remembering, to use Homi Bhabha's words, is never a "quiet act of introspection or retrospection" but a process of "intense discovery and disorientation." To remember in subjugated societies, writes Bhabha, is "a painful re-membering, a putting together of the dismembered past to make sense of the trauma of the present" (2012: 90).

Like all acts of gathering traumatic memory, TH writings essentially exist as fragments. My attempt to find patterns in their writings itself takes the form of gathering. By bringing together their dispersed arguments and texts, this chapter affirms what TH writers themselves believe in, that history is not in the background but at the forefront, and the Kashmiri movement for self-determination is first and foremost about narrating Kashmiris back into their own history.

Tehreek History Writers

My interest in TH writers grew for two reasons. First, like them, it was hard to ignore the silences about the occupation in Kashmir within the Indian historiography, especially in the writings of the much-celebrated Subaltern Studies collective. The silence was conspicuous because Subaltern Studies appeared to have the conceptual tools suited precisely for an analysis of such an occupation[10] and had otherwise critiqued Indian nationalist historiography on other counts. Of the 83 articles published in the dozen volumes of their flagship publication *Subaltern Studies: Writings on South Asian History and Society* (1982 to 2005), there was not a single article on Kashmir – even during the 1990s when the collective had gained global recognition (Ludden 2002) and Kashmir was under intense military repression. If Kashmir was evoked at all, it was subsumed under the overarching master-sign "India." This included artifacts of the Kashmiri past, which were appropriated as "Indian history."[11] In their rhetoric against "elite historiography," the collective appeared to assume *subaltern* experience, before and after 1947, as shared more or less uniformly across the geographical construct that became India, leaving unanalyzed "Indian history" itself as a master narrative under whose sign discrepant subaltern histories – including Kashmiri ones – had become silenced.[12] To me, this silence was nothing

but a "sanctioned ignorance . . . inseparable from colonial domination" – reflecting Subaltern Studies group's own indictment of elite historiography (Spivak 1988: 7). TH writing, by contrast, was an oppositional historiographical praxis: a people denied the right to narrate their own past had taken it upon themselves to write it.

Second, my interest in TH writers grew as I discerned an emergent attentiveness to new historical discourses among young Kashmiri activists. Especially after mass protests in 2008 in Kashmir,[13] many of them were reading and referencing TH writings. For them, political activism for Kashmiri independence involved not just confronting Indian state's violence, but also an active commitment to countering Indian accounts of Kashmir's history. Indian officials described these activists as "agitators" and "anti-nationals" to be punitively contained or brainwashed, but the latter possessed a historical knowledge that, in their own estimation, made them invulnerable to Indian propaganda.

In my count, there are around two dozen Kashmiris who have undertaken history writing as a vocation and a mode of challenging the Indian nationalist historiography. Early examples include Yusuf Saraf's *Kashmiris Fight for Freedom* (1979), G.M.D. Sufi's *Kashir: Being a History of Kashmir* (1948), and Prem Nath Bazaz's *The History of the Struggle* (1954). Akhtar Mohiuddin's *Fresh Approach to the History of Kashmir* (1998) is an archetype of this genre. Among contemporary writers, Zahir-ud-Din's *Flashback* (2013) and Khalid Bashir's *Kashmir: Exposing the Myth Behind the Narrative* (2017) have been influential among younger activists. In Urdu, P.G. Rasool's *Mumlikat Kay Aakhri Din* ("The Last Days of the Republic," 2001) and Munshi Ishaq's *Nida-e-Haq* ("Call of Truth," 2014) are significant texts. Historical autobiographies, Sheikh Abdullah's *Atish-e-Chinar* ("The Fire of Chinar," 1985) and Syed Ali Geelani's multivolume *Rudad-e-Qafas* ("The Secrets of Prison," 1995), can all be seen as part of the TH writing genre.[14] While the differences between some of these texts are significant,[15] what are remarkable are the common themes that relate them to each other. Due to limits of space, I can trace only some of these common themes, especially the representation of 1947 events, the colonial nature of Indian control, and the reconstruction of Kashmir's history to challenge Indological discourses.

I use the term *history writers* instead of historians for these writers simply because they are not professional historians. They are neither based in academic institutions, nor do they claim authority based on training in historical methods. They – some of whom are no longer alive – come from varied backgrounds, and include activists, political leaders, former judges, journalists, local literary figures, or even former bureaucrats. A few of them have momentarily been in relative positions of power, like Sheikh Abdullah who was the Prime Minister (1948–1953) and Chief Minister (1975–1981) of Kashmir, but almost all have experienced or continue to experience different degrees of imprisonment, exile, excommunication, repression or harassment. Like professional historians, though, they have devoted considerable intellectual effort and passion to their work.[16] Also pertinent to mention is that while history writing is an important element of their works, many of them produce considerable writings in other genres as well.[17]

TH writers are autodidacts and self-motivated. Those I interviewed said they had either "felt the desire" to "record the present for the future generations" or were "thrown into writing" to show the "true picture of the Kashmir question." What unites them is their shared understanding of the Tehreek movement's origins and the acceptance of its key claims. For them, the movement started in 1931 – more precisely on July 13, 1931, when the forces of the state's Hindu-Dogra rulers massacred Muslim-Kashmiri protestors outside a jail in Srinagar, leading to the first mass demonstrations for equal rights and sovereignty of Kashmiris "as a people." TH writers uphold three central Tehreek claims: "1947" marks the beginning of Indian occupation, not a transition to "freedom" (as the Indian nationalist historiography frames the event);

Kashmir is a realm in its own right, distinct from India; and the "Kashmir question" is about the right to self-determination.

Early TH writings emerged after 1953, as the Indian control grew with Nehru arresting his hitherto-favored Sheikh Abdullah and fracturing his National Conference, and, unwittingly, loosening Abdullah's authoritarian hold over Kashmiri public sphere. India backtracked on the promise of plebiscite and claimed Kashmir on the contention that the last Dogra ruler had signed an "Instrument of Accession" with India. TH writers found this claim not just against democratic principles and a repeat of the colonial predilection to give feudal princes arbitrary powers over people's fates, but also contradicting the actual course of the events in 1947. This became the initial spur to their writings. TH writers, however, wrote mostly in the aftermath of the pro-independence protests and armed movement in 1989–1990, a period marked by India's violent counterinsurgency campaign.

TH writers did not form a "school" or a group and have remained independent of each other. Only in some cases have I found a conscious or sustained mutual engagement with each other's texts, even though they all share the same interpretive frameworks and conceptual themes. When the state isn't proactively suppressing them, TH writings circulate within Kashmiri activist circles and even within the broader Kashmiri public sphere. However, Indian officials see TH writings as seditious or, at the minimum, a subversive discourse best kept under control. In Kashmir's state-run and private schools only Indian nationalist history texts are allowed.

TH writers' works are often self-published or are serially published in local newspapers. Though some adopt a formal tone, like Geelani whose *Rudad-e-Qafas* is written in a high Urdu prose, others like Zahir-ud-Din write in a conversational style. The writings are mostly in English and Urdu, rarely in Kashmiri – understandably because, institutionally denied learning their native language in schools, most Kashmiris speak their tongue but can hardly read or write in it. Younger Kashmiris, however, read and write in English and Urdu, and TH writers see them as their main audience. Their writings also circulate over the internet. However, the Indian government's draconian digital surveillance of Kashmiris has led to a recourse to closed social media groups and anonymous accounts, which a TH writer told me was like adopting "guerrilla writing tactics" under a system "determined to deprive the movement of all intellectual support."

In short, my anthropological interest in TH writers is about tracing a genealogy of Kashmir's political present by – to borrow Clifford Geertz's phrase – "looking over the shoulders of those already doing so." Later, I briefly outline how TH writers signify key events in ways that fundamentally diverge from Indian accounts, how they read the dilemmas of Kashmir's present as traumatic remnants from the past, and how they contest dominant paradigms of Indian writings on Kashmir.

Recasting "1947"

In narrating the Tehreek movement, the historical injustice of "foreign control" remains the cardinal trope in TH writing, and Kashmiri emancipation via "self-determination" its key moral principle. These ideas course through their writings like an "interpretive master code" repurposed for a subversive project.[18] The code inhabits TH writings in a form analogous to how the aspiration of *azaadi* (freedom, or national liberation) and resistance to Indian occupation inhabit Tehreek activism, as an infallible moral disposition that enables a *non-official* apprehension of political experiences and events. The continued Kashmiri resistance reinforces the TH writers' worldview, even as TH writings shape Kashmiri political subjectivity. Within this code or framework, the year "1947" symbolizes the foundational trauma.

Unlike in India and Pakistan, where 1947 is officially celebrated as the year of independence, TH writers see it as a year of external "annexation" as well as internal "political blunders." They trace an essential continuity in the Kashmiri historical relation to "the state" before and after 1947, when the Dogra dynasty (in power since 1846) handed control to India. Accordingly, they represent the anti-feudal struggle before 1947 and the anti-occupation struggle after 1947 as part of one unbroken movement: Tehreek. 1947 is thus traumatic not because any fundamental change in Kashmir's condition took place; it is traumatic because a singular possibility of freedom was forcibly taken *as well as* naively lost.

India invaded and annexed Kashmir in October 1947. The invasion accompanied suppression of ongoing rebellions that had broken out all over the region against Dogra rule. It also provided a cover for Dogra forces and their Hindu nationalist allies from India to carry out an ethnic cleansing of Muslims in the Dogra-stronghold of Jammu. In a matter of few months, most of Jammu's Muslims would be either killed or forcibly dislocated. TH writers cite newspaper reports of the era to claim that close to 237,000 were killed, while a few claim numbers as high as half-a-million. They describe this ethnic cleansing as the "Jammu Massacre." By the spring of 1948, Kashmir itself would be cleaved into two by Indian and Pakistani forces, severing many historical subjects of the state from each other. In the years ahead, the Jammu Massacre was erased from official memory (Rashid 2020), but the event's significance became even more pronounced in TH writings.

TH writers see 1947 as a year of "blunders" largely due to Sheikh Abdullah's "naivete" or "opportunism" – the charge depends on how much one blames Abdullah for India's annexation of Kashmir. In August 1947, when the British asked "princely rulers" to accede to either India or Pakistan, Kashmir's Dogra ruler hesitated. But by October, when growing unrest within the state made his position untenable, he acceded with India. According to TH writers, the accession went against the popular desire for independence. It also flouted the Partition logic; he was, they argue, bound to consider the state's Muslim majority and geographical contiguity. Why a Hindu ruler went against the "required choice" – to join Pakistan – is not a mystery to those TH writers who would have favored Kashmir's accession to Pakistan. For others, he did contemplate independence, but Indian leaders convinced him that a Hindu-majority India would protect his interests against his subjects. Under the pretext that tribesmen from the Northwest frontier had launched attacks against the state,[19] the Dogra ruler hurriedly signed the Instrument of Accession and gave control to Indian forces invading Kashmir, provoking a war with Pakistan. Abdullah, the key Kashmiri leader and just released from a Dogra prison, endorsed this decision, believing that India would honor its pledge to hold a "plebiscite" once the hostilities were over. India never held the plebiscite. Instead, in 1953, as Abdullah started publicly questioning the accession, he was removed as the Prime Minister and arrested.

In TH writings, Abdullah's motives are extensively discussed. He is alternately seen as favoring independence, autonomy under India, and even joining Pakistan – but based on his terms, that is via the plebiscite. He is also seen as a "tall leader" (for land redistribution), immoral (for leaving Jammu's Muslims to their own fate), or naïve (for trusting Indian leaders like Nehru). Though his may have been acts of political naivete in 1947, Abdullah's later compromises, especially in 1974–1975 when he dropped the plebiscite demand to secure a demoted position of "chief minister," became the privileged prism for more contemporary TH writers to see Abdullah's entire political career as opportunism rather than just miscalculations. However, unlike in Indian accounts that see Abdullah as representing all Kashmiris (even while treating him with suspicion), he is but one among many Kashmiri leaders who feature in TH writings. For instance, his position regarding the Jammu Massacre is seen as inextricably tied to his tragic rivalry with the Muslim Conference leader from Jammu, Chaudhary Gulam Abbas.

The events of 1947 are not the only ones recast in TH writings; other dates are also invested with meanings, either as traumatic or as resurgence. 1586, for instance, when Mughals first took control from Kashmiri rulers, is the year Kashmir is seen as having lost its "independence," with Mughals becoming the first of a series of "foreign rulers." In this reframing, 1846 is also critical. That year the British East India Company, via the Treaty of Amritsar, "sold Kashmir and its people" to the Dogra warlords of Jammu. In contrast to these events of loss, 1931 is cathartically remembered as one when Kashmiris "finally rose up for their emancipation" in revolt against the Dogras. In the same vein, 1990 is the year of the second mass uprising, this time for freedom from Indian control. Kashmir's political history is thus narrated as a "long struggle" for self-determination and freedom from foreign control. TH writers like Zahir-ud-Din point to several other instances of revolt and protest in nineteenth- and early twentieth-century Kashmir as part of this struggle, though these were localized instances, unlike the mass mobilizations of 1931 and 1990.

Colonial Continuities

TH writers draw from historic anti-imperialist movements, especially Palestine, which remains a key reservoir of anti-occupation metaphors. But they also invoke India's own anti-colonial movement – its prominent figures and metaphors – to justify the Kashmiri struggle. To validate armed resistance, they might turn to Bhagat Singh, the Punjabi revolutionary revered in Indian anti-colonial narratives. For the ethics of hunger strikes, public fasts, or voluntary arrests, they might invoke Gandhi – if only with a twinging sense of betrayal that marks Gandhi's role in India's annexation of Kashmir.[20] Symbolization of Kashmiri protest also mirrors anti-colonial practices in British India. Major political campaigns, like the 2010 "Quit Kashmir" protests echoed the "Quit India" campaign of 1942 and was first adopted as early as 1944 during the anti-Dogra struggle. Use of terms like *hartal* (strike), *chalo* (march), or *samraj* (empire) in TH writings suggests symbolic proximity to South Asia's anti-colonial past.

Such invocation is not contextless borrowing but is undergirded by actual connections between British colonial practices and laws in India and Indian practices and laws in Kashmir. Laws like the Public Safety Act or the Armed Forces Special Powers Act not only resemble repressive laws the British applied in India but are in letter and spirit the *same* laws. It is not hard to see, therefore, why TH writers trace similarities between the practices and the language of Indian counterinsurgency in Kashmir and what India's own historians uncovered in the archives of British counterinsurgency campaigns.

In recasting the events of 1947 and invoking colonial continuities, TH writings throw into sharp relief the *ideology* in Indian historiography. Below, I briefly outline two paradigmatic-ideological modes of Indian writing that symbolically appropriate Kashmir as "integral" to India, and which provoke TH writers' counterclaims. The first relates to India's state ideology, and the second to the civilizational discourse of Indian nationalism. Both share assumptions even if their political objectives appear different.

Indian Historiography and the Appropriation of Kashmir

India's state ideology was shaped principally by Nehru and his emphasis on "secularism" as India's self-identity. In his mind, Kashmir occupied a strategic and sentimental place (Anderson 2013: 80), with its Muslim majority exemplifying India's exceptional status as a tolerant, secular state. In India, secularism was notionally understood as equal treatment of all religions, and technically it meant relative autonomy of minority religious groups in regulating their own civil

affairs. In the Indian secularist discourse on Kashmir, however, "secularism" indexed a peculiar notion of "syncretism," one not so much about cultural or religious intermingling (as commonly understood by the idea), as about the taming, or "moderation" of Islam's assumed fanaticism under Hinduism's influence. Historians working closely with Indian government agencies posited a gentle heterodox "Sufi Kashmiri Islam" as different from the extremist orthodox "Pakistani or Arab Islam."[21] The "gentleness" of Kashmiri Islam was attributed to its unproblematic co-habitation under a broader "Hindu" or "Indic" culture. In secularist accounts, Kashmir is seen as an essentially Hindu space in which Islam had gradually lost its orthodoxy (Parmu 1969; Bamzai 1994).

As the historian Mridu Rai argues, within the Indian secularist discourse, *Kashmiriyat* (Kashmiriness) was deployed as an ideological vessel to mark this symbolic role for Kashmir (Rai 2004: 224–225). Official historians narrowly denoted Kashmiriyat as a quality (syncretism) and as a "regional" character, carefully avoiding describing it in "national" terms, as understood by Kashmiris like Abdullah who had evoked it as a political strategy to build inter-religious bridges after 1931. In practice, the term has acted as an ideological inoculation against Kashmiri demands for economic and political rights. Official accounts depict Kashmiri Muslims protesting for rights or resources under the Dogra or the Indian state as relapsing into religious fundamentalism and not being true to Kashmiriyat.

In constructing Kashmiri identity in terms of Kashmiriyat, official secularist historians purged it of its political content, conveniently postulating Kashmir to have found a natural home within a "secular" India instead of a "communal" Pakistan. Disregarding Kashmiri aspirations for independence, they proclaimed 1947 to have already ushered "freedom" for Kashmiris. Within the secularist paradigm, post-1947 Tehreek mobilizations are characterized as "separatism" driven by "Islamic fundamentalists" and "Pakistani proxies," and not as an authentic Kashmiri movement. Kashmiris are represented at best as "alienated," not as conscious subjects of their own history, and treated as "subversive" for being naïvely receptive to Pakistani manipulation that threatens not just India's territorial integrity but also its secular foundations (Ganguly and Bajpai 1994). These ideological uses of Kashmiriyat do not sit well with the TH writers' understanding of the pre-1947 social order in Kashmir when religious identity was almost coterminous with class identity. For them, Indian secularist accounts had not asked how a syncretistic Kashmiriyat could have existed under the feudal Dogra-Hindu state, which had practically disempowered Kashmiri Muslims into serfdom, while elevating Hindu upper castes as a privileged minority (Rai 2004).

The second – and the hegemonic – paradigm of Indian writing on Kashmir draws from a civilizational discourse within Indian nationalist historiography known as "Indology" (which mirrors the West's orientalist discourse).[22] This paradigm, which literary historian Aamir Mufti has called the "sacred-secular *Indic complex*" (2010: 272–273), was shaped by colonial accounts of India as essentially a Hindu civilization.[23] This civilization had presumably degenerated under medieval Muslim rule, from which it had then been liberated by the British. In the twentieth century, this account was reconstructed by Hindu nationalists, and was later adopted by Nehru in his *Discovery of India*, who presented a teleological account of the "Indian nation" from what is described as the "glorious age of Hinduism" in ancient India, through the medieval period of "Muslim interruptions," to the modern Hindu "reawakening." But while Nehru emphasized a secular postcolonial nation-building, Hindu nationalists denounced secularism as "appeasement" of Muslims and saw the erasure of Muslim identity as key to the return of a "glorious Hindu era." Both Nehru and the Hindu nationalists deploy in their writings the territorial symbol of *Bharat Mata* (Mother India goddess) as a bodily metaphor for India (Ramaswamy 2001). For the Hindu nationalists the symbol represents India as a sacred body beset by Muslim "enemies"; for Nehru, the Hindu icon is an organic spirit pervading "all Indians."

Within Indology, Kashmir is portrayed as a cradle of the ancient Hindu-Sanskrit civilization, and therefore intrinsically connected with India (for instance, Kaul 2018). The roots of Indological discourse on Kashmir lie in the late nineteenth-century Dogra state, which, in search of legitimacy as Hindu sovereignty over a predominantly Muslim population, sought to locate Kashmir as part of the sacred pan-Hindu geography. The British, seeking to stabilize imperial frontiers in the Great Game, provided the Dogra claims ideological support. Early Indologists like Aurel Stein, a British official deputed to Kashmir, collaborated with upper-caste Hindus in the Dogra court and used Indological philology and archaeology (Rai 2009) to consolidate the notion that Kashmir was a Hindu realm. These colonial-Brahmin collaborations posited a grand Hindu past buried under a degenerated Muslim present desperate for excavation.

In this civilizational paradigm, Kashmir's anti-feudal and anti-occupation struggles are represented as attacks against the Hindu state, "genocide" of Kashmir's Hindus, and as acts of "Islamic terrorism." The conversion of Kashmiris to Islam, from the 14th C onward, is represented as "forced conversion." Some versions of this narrative see Kashmiris as essentially Hindus, who must renounce Islam and "return" to their "original religion." Far from countenancing Tehreek as legitimate, it is seen as an Islamic affront on the Hindu body-politic, requiring punitive excision.

Oppositional Logics of Tehreek History Writing

TH writers' responses to Indian paradigms of writing on Kashmir are consistent, if fragmented. In this last section, I highlight a few examples of these responses from three TH writers. As a critique of Indian nationalist paradigms, two main oppositional logics can be discerned in TH writing, both seeking to place Kashmiris as actors in their own unfolding history. Before these logics can be outlined, however, a few qualifications must be stated outright. First, TH writers do not reject syncretism, but refuse to see it through the "Hindu-Muslim" lens in the manner of Indian secularist historiography. Instead, they affirm Kashmiri society to have historically emerged though centuries of cultural, religious, material, and linguistic interactions and traffic with the Persianate world, Central Asia, and the subcontinent.[24] Second, though they represent Kashmiris as "a people," TH writers are neither preoccupied with a nationalist teleology, nor do they see a grand design in history itself. Finally, "Kashmir" as a geographical referent in their writings is place-centered, and a layered landscape of events, memories, and identity, unlike in Indian historiography in which "India" as a territorial referent is spatially imagined, sacralized, and indistinguishable from the map of the British Indian Empire.

The first oppositional logic, exemplified by Akhtar Mohiuddin's text *Fresh Approach to the History of Kashmir*, contests the Indological claims of the pre-1947 colonial-Brahmin and the post-1947 Indian nationalist historians, while tracing alternative sources and trajectories of Kashmiri history. Mohiuddin, for instance, suggested that the caste system and a desire to escape its strictures may have been the key forces behind Kashmir's historical transformations. According to his account, the Brahmanical-caste system was externally imposed upon indigenous Kashmiri communities after the Aryan-Vedic influx into Kashmir around 1500 BCE, and eventually resistance to caste led to mass conversions, first to Buddhism and later to Islam. Discarding the colonial-Brahmin "origin story" of Kashmir which privileged Brahmanical myths as facts, Mohiuddin connected Kashmiri past with the pre-Vedic Indus Valley Civilization by analyzing archaeological finds at Neolithic sites such as Burzahom in central Kashmir, and by decentering Sanskrit and revealing the proto-Dravidian roots of the Kashmiri language. He demonstrated that Aurel Stein's use of Sanskrit-mythological texts in his archaeological search for a "civilizational" past was erroneous.[25] Mohiuddin's short but compelling account has inspired more recent TH writings that continue to challenge colonial-Brahmin accounts.[26]

The second oppositional logic in TH writing, typified by Zahir-ud-Din's books *Bouquet* and *Flashback*, is centered on illuminating events and figures significant to the Tehreek movement, but invisibilized in dominant narratives. These are events and figures forgotten within the Partition stories and in the accounts of India-Pakistan elite politics. Zahir-ud-Din's is a revisionist account of Kashmiri protests from the nineteenth century to the 1990s. Like other TH writers, he has a moral view of history, believing the annexation in 1947 to be unfair and unjust to Kashmiris. His writings usually take the form of micro-histories of events and actors, especially those associated with the Plebiscite Front, a Kashmiri party created after 1953 to demand the right to self-determination. His "archives," in his own words, are "the voices of old activists" who participated in Tehreek, especially those who challenged Abdullah. "History does not forgive anyone; we have to put people in the witness box," he told me in 2014. Accordingly, he evaluates the "roles" different actors had played, even as he compiles and serializes hundreds of oral accounts. His work primarily reveals the disaffection within the National Conference over the accession with India as reflecting the general Kashmiri disposition. Zahir-ud-Din argues that Jammu Massacre was intrinsic to the events that led to the Treaty of Accession, and its silencing was an early, disquieting sign of how India intended to rule Kashmir without regard for the lives and aspirations of its people. He also uses short historical vignettes to shed light on texts – legal documents, political tracts, assembly speeches – that support Kashmir's case for independence.

Another approach within TH writing has taken the form of "chronicle," more or less, in the way Hayden White (2014) defines it as an ostensibly narrative-less recording of calendrical events.[27] Shakil Bakshi, part of a student organization instrumental in the 1990 uprising, for instance, maintains a public diary called "Today in History." His entries are factual notes on political events in Kashmir. His accumulating diary, which he sometimes publishes on social media, lists events, like "massacres," "deaths," "arson by Indian soldiers," "public statements," or "visits of dignitaries" that occur on particular days. This mode of history writing creates a shadow archive of violence in Kashmir, an archive of the fractured or dis-membered present that may be discovered later but of which no official record would have existed otherwise.

These organizing logics of TH writing cannot be subsumed as nationalist or ethnic history because they respond critically to the dominant nationalist paradigms and mobilize a different set of imagery than the one typically deployed to mass-produce a nationalist imagination. TH writers do not summon a "glorious past" or a future of "greatness." We must not read their evolving accounts simply to find historical "truths" or as a more accurate history. We must, instead, trace the sharp focus they cast on key assumptions of the hegemonic, official account, as well as on the nexus of power and knowledge within the postcolony. TH writings evoke a restlessness with postcolonial historical representation and challenge the categories of the postcolonial archive. As seditious recitations of history, they trouble both the subtle and the not-so-subtle ruses of postcolonial authority.

Among TH writers there is a deep sense of colonial *déjà vu*. Even a cursory look at the historical accounts of colonialism in India and the forms of Indian control in post-1947 Kashmir would reveal the obvious resemblances. Yet, India's postcolonial historiography remained silent. As the Indian state deployed explicit colonial laws and practices to create a punitive state of emergency in the region after 1990, India's postcolonialist historiography averted its gaze. Given this nexus of power and knowledge, TH writers suggest that Kashmir has been turned into a structural component of the Indian nationalism[28] – a necessary colonial residue. The hegemonic mode in which postcolonial India is imagined requires Kashmir as a colony to simultaneously furnish the new state its self-identity and affirm its destiny as a postcolonial empire, which would, in form and aspiration, replicate past subcontinental empires.[29]

Mohiuddin, Zahir-ud-Din, and Bakshi all grew up in Srinagar's Batehmalyun area. A poorer neighborhood of the city, Batehmalyun is crammed under the weight of a large Indian military base, which replaced the Dogra forces stationed there till 1947. Batehmalyun was also the scene of state-led arson several times, most traumatically in 1965, when Indian soldiers burnt the area down. All three writers were closely associated with the Tehreek. Mohiuddin, who died in 2002, joined the Hurriyat Conference, a Tehreek formation, for some time in the early 1990s. Zahir-ud-Din was a student activist. Bakshi led a radical group of youth, some of whom were the first to take up arms against the state in 1990, even though Bakshi himself chose "resistance in the form of writing," as he prefers to say. Their being born in Batehmalyun is coincidental, but their shared experiences despite growing up there at different times (Mohiuddin lived in Batehmalyun during the Dogra era, while Zahir-ud-Din and Bakshi during the 1970s and 1980s) shows "colonial continuity" is not just an abstract concept but a felt, lived experience.

Postscript

Postcolonial historiography in India has addressed the question of "difference," that is those forms of life and experience that remain unaccounted for or outside the purview of the dominant European epistemes. But it has not addressed that which remains uncannily "similar" to colonialism within the postcolonial state. It disregards the continuing forms of state-imperial practices, constitutive hierarchies, and legalized spaces of exception. Its attention remains fixated on India's colonial past, even within a present so thoroughly disfigured by India's own colonial practices in places like Kashmir. No insights from their studies of colonialism are allowed to "travel" to understand postcolonial occupation, either theoretically "from situation to situation, from one period to another" as Said put it (1983: 226), or in the most basic sense from India to Kashmir (even though the distance from Delhi to Srinagar is a fraction of that from Delhi to London). Even when Indian postcolonialists grudgingly acknowledge colonial traces in Indian control in Kashmir, their analyses remain trapped in nationalist cartographic imaginaries.

In 2019, India revoked the last remnants of Jammu and Kashmir's "autonomy," dismembered the state into two directly controlled "union territories," detained thousands of Kashmiris, and passed new landownership laws that opened Kashmir for Indian settlers – an outright settler colonial project. Partha Chatterjee, a key Subaltern Studies collective member, wrote of this as a "test bed of a new model of internal colonialism" (2019). While Chatterjee described the Indian policy in Kashmir as involving a dual logic of "democracy at home" and "autocracy in the colonies," which reflects his formulation of "rule of colonial difference," (1993: 14–34), his emphasis on "internal colonialism" continued to center "India" as a naturalized space of analysis and posit Kashmiris as having no claim to an independent history and territory.[30] Overlooking Kashmir's anti-feudal movement and the foundational violence that accompanied India's annexation of Kashmir, Chatterjee presents the events of 1947 simply as a "dominion state" versus "princely state" constitutional affair complicated by some princes "toying with the idea of not joining either India or Pakistan." Underlying Chatterjee's view is the recurring assumption that Kashmir had found a natural home within the Indian federal set-up like all other "princely states." Instead of a question of popular sovereignty to be resolved via an established process of decolonization, he sees Kashmir as a constitutional hiccup in the Indian state-building process, and as such a sub-plot of Indian history to be resolved as a "domestic" Indian affair under new rules India itself would have to create. Unsurprisingly, evoking Kashmir as an internality of Indian statehood echoed the official rhetoric that "Kashmir is an internal matter of India."

In this ongoing context, TH writers remind us that if colonialism was based in physical and epistemic violence, so is the postcolonial occupation. Though they seek answers in history, their

tenor of urgency reflects an ethical commitment to ending the colonial violence in Kashmir. In their pursuit, they have created an archive of the present and sought to re-suture memory in Kashmir. While intensely focused on their own condition, their work unwittingly addresses the wider phenomenon of postcolonial occupation. For them, Kashmir is incipiently connected to those other conquered peoples and regions currently under colonial forms of control. Crucially, TH writers have cast a critical optic on the willful ignorance within Indian postcolonial historiography. If Kashmir has been an epistemic black hole within modes of writing that theorize India as a postcolony, TH writers have squelched spaces in the margins and given themselves the permission to narrate their own history.

Notes

1 These "imperial dispositions" are marked by "an ability to excuse oneself from wrought engagement" and a "refusal to witness" by those with privilege and standing (Stoler 2010: 256).
2 On military occupation in Kashmir, see Visweswaran (2012); Junaid (2013); Duschinski et al. (2018).
3 These laws included: Enemy Agents Ordinance (1948), Public Safety Act (1978), Disturbed Areas Act (1990), and Armed Forces Special Powers Act (1990), etc.
4 Several Indian writings reveal this view explicitly, including the ex-governor of Kashmir, Jagmohan's *My Frozen Turbulence in Kashmir* (1991), or former head of India's external intelligence, A.S. Dulat's *Kashmir: The Vajpayee Years* (2015). Others are journalistic accounts but have prominently shaped the Indian view of Kashmir, including Tavleen Singh's *Kashmir: A Tragedy of Errors* (1995) and M.J. Akbar's *Kashmir: Behind the Vale* (2002).
5 In this, Nehru's *The Discovery of India* (1946) is the foundational text, about which writes historian Sanjay Subrahmanyam, "Somewhat paradoxically, in view of his later reputation as an apostle of secularism, Nehru . . . accepted a very negative view of Islam . . . portray(ing) the situation in India after AD 1200. . . as the decline and atrophy of an already perfect civilization" (2013: 3). Among more recent works in this unstoppable genre are Sunil Khilnani's *The Idea of India* (1999) and Ramachandra Guha's *India After Gandhi* (2006).
6 For an early manifesto of these critics, see Guha (1988).
7 On postcolonial historiography in India, see Chakrabarty (2000).
8 For instance, Sundar (2007).
9 Joseph Massad uses the expression "post-colonial colony" to delineate this phenomenon. He writes: "The United States, Rhodesia, South Africa, and Israel . . . instituted themselves as post-colonial states . . . and instituted their political status as "independent" in order to render their present a post-colonial era. Yet, the conquered peoples of these territories continue . . . to inhabit these spaces as colonial spaces, and to live in eras that are thoroughly colonial" (Massad 2006: 13). I use "postcolonial occupation" instead of "postcolonial colony" to distinguish regions not explicitly subject to settler colonialism (at least until recently) but nevertheless under colonial forms of control.
10 Guha's "Prose of Counter-Insurgency" (1983, vol 3. *Subaltern Studies*) for instance, articulated a framework that could have enabled them to discard the tired colonial metaphors in Indian writings on Kashmir.
11 For instance, Guha opens his book *Dominance without Hegemony* (1997) by calling Kalhana's *Rajtarangini* (a poetic chronicle of Kashmir's ancient rulers) an "Indian" text.
12 Dipesh Chakravarty, a Subaltern Studies historian, appropriately sought to provincialize "Europe" as a "hyperreal category" and an "indeterminate geographical referent" of the academic discourse of history, but, in the same breath, he laments how another hyperreal category "India," and "Indian history," were in a position of subalternity to this discourse (1992: 1–2).
13 That year protests against Indian government's land transfer policies led to some of the largest pro-independence demonstrations in Kashmir.
14 There are historical accounts of Kashmir by Kashmiri historians, like *Kashmir's Transition to Islam* by Ishaq Khan (1994), which enter Tehreek discourse but aren't a part of the TH writing genre as they follow academic conventions. Additionally, Kashmir has a premodern tradition of "history writing" – from mytho-poetic accounts, like Kalhana's *Rajtarangni* ("The River of Kings," 12th C) to mystical ones, like Hasan Koihami's *Tareekh-e-Hasan* ("History by Hassan," 3 vols., 1880s), which double up as chronicles of their times.

15 For instance, while Abdullah doesn't say much about the 1947 ethnic cleansing of Jammu's Muslims, others see it as a foundational event. Abdullah's autobiography takes the tone of an apologia, prominently using the trope of "personal betrayal" by Indian leaders to interpret political events in Kashmir. I include it as part of TH genre only because it engages Tehreek themes and remains a contested text among TH writers.
16 In other contexts, such practitioners might be called "homespun historians" (Peterson and Macola 2009). I avoid using the term because of its patronizing connotations.
17 Mohiuddin, for instance, was a short story writer, who took up history writing toward the end of his life.
18 Hayden White argues that such codes are "operation(s) by which the contents of experience which resist description in unambiguous prose representations can be prefiguratively grasped and prepared for conscious apprehension" (2014: 34–38). On "master codes," see Bennington (1994: 74–78).
19 The frontier tribesmen had historically shared cultural, geographical, and kinship ties with Kashmir and had likely heard of the Jammu massacre from fleeing Muslim refugees. India claimed Pakistan sent them. Among Kashmiris the tribesmen came to be remembered for their lack of organization rather than their war-fighting skills.
20 Gandhi had persuaded the Dogra ruler to accede with India and supported the invasion of Kashmir (Anderson 2013: 86–88).
21 India's Ministries of Education and Information and Broadcasting were at the forefront, deputing historians and journalists to write on Kashmir. During the 1960s, the education minister and later external affairs minister M. C. Chagla himself wrote a book on the subject *Kashmir 1947–1965*, published by the Information and Broadcasting ministry's Publications Division.
22 For an overview of Indology, see Inden (1994). Inden writes as an Indologist himself and shares several unexamined assumptions with other Indologists he criticizes.
23 Mufti locates the roots of Indology in Orientalism which privileged the Aryan-Vedic Sanskrit texts as the essence of the subcontinent as a "single cultural entity" and which brought "the 'nation-thinking' . . . to bear upon culture and society in the subcontinent" (473).
24 Abdul Ahad Azad's *Kashmiri Language and Poetry* is an early example of this historical "syncretism."
25 The colonial-Brahmin narratives had primarily used Kalhana's *Rajatarangini* as a historical source material. For more, see Junaid (2019).
26 For example, Bashir (2017).
27 White argues chronicles are facts – acting as "primitive elements" of history – and involve selecting and arranging data to make it comprehensible to audiences (5–11).
28 Visweswaran has also suggested that not only is India's occupation in Kashmir "new imperialism," but occupation itself and its otherization of Kashmiris has been foundational to the postcolonial state form (2012: 443).
29 *Discovery of India* is full of a romantic longing for past empires. Quite revealingly, on August 15, 1947, Nehru stood on the ramparts of the Mughal-built Red Fort in Delhi and raised the Indian flag, its hitherto Gandhian *charkha* replaced with the Mauryan *chakra*. Nehru was symbolically laying claim over a historic continuity with the two largest empires that the subcontinent had ever seen, Mauryan and Mughal.
30 The framework of "internal colonialism" has been previously used by Gyandendra Pandey, another Subaltern Studies scholar, to show how Dalits and Muslims remained colonized in postcolonial India, but since they were both "widely distributed" and "have no independent territory," they "cannot escape." He goes on to say, "they cannot easily lay claim to an independent history and culture . . . they gain their identity at least in part by their incorporation into the dominant culture or society" (Pandey 2006: 1781). Quite clearly, this framework does not apply to Kashmiris, who, contra Chatterjee's assumptions do have a consolidated territory in which they have been historically present.

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19

REMEMBERING HOME, IMAGINING THE FUTURE

Changing Meanings of Home Among Kashmiri Pandits

Ankur Datta

Introduction

Since 1990 the Kashmiri Pandits, as the Hindu minority of the Kashmir Valley are known, have been affected by a mass displacement that took place with the beginning of the current conflict in Jammu and Kashmir between the Indian state and a movement for independence in Kashmir from the Indian state. The displacement of the Pandits has been controversial and occupies a space that remains difficult to navigate. One explanation of their flight is that the Pandits were attacked over the faith affiliation and alleged association with the Indian state, while the other explanation is that their departure was engineered by the Indian state to discredit the movement for independence. It is a fact that they represent one of most significant groups of conflict induced Internally Displaced Persons in the region.

In this chapter I retrace earlier work with the Pandits on the questions of home and homeland. I explore if meanings of home have changed over time, keeping in mind the persistence of conflict in Kashmir, the state of exile and displacement for many Pandits and recent events such as the abrogation of Article 370. What was and is now home for the Pandits? Where may they find home in the future? The material that I draw upon consists of ethnographic research I conducted a few years ago in Jammu and New Delhi (2005–2007, short trips in 2008, 2012, 2017), interactions with colleagues in relation to work on Kashmir, and knots that I continue to struggle with in my work.

Traces of Home

What do we call home? Where is it located? While home in an immediate sense speaks to place, it is more than a built structure. For an anthropologist like Mary Douglas, home is produced through routinized practices in a particular context that orient life (1991: 289–290). Home therefore consists of tangible structures and practices and relationships (Blunt and Dowling 2006). In contrast homelessness in that sense can then be read as an absence or denial of a life, practices and relationships that orient one in the world. In earlier work I have explored how Pandits related to place. What appeared then was a significant tension between the achievement of routine everyday life to varying degrees of success and failure and the making of home.

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Most conversations about home seemed to speak to structures, relationships, and a landscape left behind in Kashmir, which were at odds with life in the present in Jammu (see Datta 2017a). While articulations of the past, nostalgia and memory remains important, in hindsight there were other ways of thinking about home, in the past and in the present. As I was often reminded by people from the field, they may have a house in Jammu or New Delhi or anywhere else, a life that may thrive or stagnate, but it did not mean that they felt at "home" where they were attuned to the rhythms of life (see Stewart 2011).

In her work on migrants in Rome, Napolitano writes about an anthropology of *traces*. A city like Rome is marked by different periods of history all of which leave a trace on the landscape. These traces go beyond the material and are best seen as knots where stories condense (Napolitano 2014: 57). This excerpt from an essay by a young writer by the name of Pratush Koul who grew up in Jammu is particularly revealing and connects well to the idea of the trace:

> Recently, while getting the walls of our house in Jammu painted, my parents chanced upon a bunch of keys hidden inside an old box on a shelf. Father held the keys close to his chest. Mother broke down. I asked them about the keys. They made me sit next them and told me about each one of the keys. "This big key unlocked the drawing room," they said. "This small one unlocked the kitchen. This one unlocked the bedroom and this one unlocked the granary," they went on and on.
>
> Dad and Mom then handed the keys over to me. I wondered if the keys served a purpose any more. Of what value were they now? I realised that the bunch of keys to a house not there might be the most valuable possession of our family.
>
> *(Koul 2019: 82–83)*

Traces are found everywhere in different forms across many households. One of the first things that struck me, when I began fieldwork in Jammu in 2005 and moved around the city visiting the different camps and neighborhoods, were the doors to a household. Often a door would reveal not only a person's name and quarter/house number, but also the name of a neighborhood, a village, or a district in Kashmir. These doors seemed to be portals to homes and homelands somewhere else. While going through descriptions of households in the camps or elsewhere in my old fieldnotes, I came across mentions of things, such as photographs of scenes of a life in Kashmir. In some households, photographs of a recent life in Jammu predominated instead, alongside other markers of life such as out of date calendars and posters of scenery from sites outside Kashmir. Objects such as old carpets, small deities or images of the Hindu pantheon specific to the region, or even dried leaves from a chinar tree, which I treated then as background detail, now speak to a life and history like Pratush's keys.

Yet new traces also emerge such as the re-establishing of shrines from Kashmir in cities such as Jammu and New Delhi. Some of these shrines include the construction of a temple in Jammu as a replacement for the Uma temple in South Kashmir, which had been vandalized and allowed to decay, to the various replicas of existing Kashmiri shrines built in Jammu which seeks to simulate the experience of its original to the extent possible. The reception of the replicas is not always certain. The replica of the Kheer Bhavani temple, that was built in Jammu was accepted by some migrants whereas others disagreed as ecological elements such as spring water, which was essential to the "original" could not be replicated (see Datta 2019).

The replica of Hari Parbat however is especially intriguing. Hari Parbat is a hill in Srinagar that looms over the city. Apart from a Mughal fort that is visible, the hill is also known for a being a home to places of worship for Muslims, Hindus and Sikhs: the Makhdum Saab Dargah, the Sharika Temple, and the Gurudwara Chati Patshahi. Conversations on Hari Parbat with Pandits

would often open up a discussion of faith, landscape, routine and eventful life in the city. The replica of Hari Parbat that I have visited is located in a village in the Indian state of Haryana and built in an area which incorporated a hill. Much of this was possible with the involvement of a Kashmiri Pandit who was associated with a prominent NGO located near the chosen site. The village is as far removed from the city of Srinagar as it can be. During one of my first visits to the replica back in 2007, I was amused by the sight of camels close to the gates of the main temple premises. However, when one crosses the temple gate, visitors have to climb a flight of stairs leading to the top of the hill. The crest of the hill where the temple structure is located simulates the experience of visiting the "real temple." During a visit several years later, I saw more of the complex was built up, which now included a field with a large tableau of mountains and figures in pherans.

The replicas of shrines emerge out of a politics and project of remembrance, even though they are not exact copies, but reformulations of what exists or existed. The replica does not include the other shrines at the original hill. Other pressures can emerge as well. I was told by many Pandits how traditionally offerings to deities such as Sharika required meat related products such as offal, which were discontinued in exile as people from local Hindu communities would frown upon the practice. The replicas in any case speak to a sacred geography that is deeply meaningful for the Pandits in relation to a displaced present (Singh 2014). Furthermore, they serve as new traces of life and home now being remade outside Kashmir that will be interesting to revisit when the displacement and exile becomes a deep history with the passing of time. What will this accretion of traces do to changing meanings for home for the Pandits over time, in terms of lives, built structures, and even ideas of homeland, especially when such sites become a part of everyday life outside Kashmir?

Other Possibilities of Home

When I lived in Jammu from 2005–2007 for fieldwork during my doctoral studies, every conversation with the Pandits emphasized nostalgia for homes, homelands, landmarks, and other sites in Kashmir. Much of the pain of exile emerged out of a contrast between home in the past in Kashmir and home in the present in Jammu. Whenever I would ask my respondents why they left, the narrative of the 19th of January would emerge which drew on large crowds, violence, and fear. Yet if I pressed on and asked them what they thought may have led to that situation, what often followed was an expression of bewilderment. This pervades much of the writing in a series of texts put together by the writers such as Arvind and Siddharth Gigoo and Varad Sharma (for example see Gigoo and Sharma 2015), who invited many displaced Pandits to contribute short texts about their homes and lives they left behind, their flight from the Valley, and the early years in Jammu and elsewhere as they remade life. These texts have emerged at a time when a public memory is crystallizing their experiences. Interestingly many of the essays, testimonies, and memorials after a point spill into each other, as they repeat similar experiences and motifs. This is not to dismiss their efforts, as many of the contributors are not professional writers. In any case, this project produces a certain archive where home is defined by overwhelming loss for a certain generation.

Shorter visits and encounters I had over the years suggest newer possibilities. When I first returned to Jammu after completing my doctorate in 2012, things felt uneven as the camp that was the focus of my ethnographic work had been shut down by then. While everyone knew the camps would be shut at some point, with populations consolidated at a place called Jagti located just outside Jammu city, their closure was an important moment and marked the end of an era. During that visit I returned to Purkhu camp, where I did fieldwork, emptied of people. The basic structures of the One Room Tenements (ORT), which were the housing units assigned

to each family, were still visible though the walls separating quarters were demolished, covering the lanes in rubble. Names painted on fallen doors, frayed posters and old announcements remained on the few walls left standing as testament to people who once lived there. An area that developed a life of its own over the years and that had become home had easily been taken apart. Other camps such as Muthi camp have not only been emptied but have become sites of new construction work, thereby effacing any remaining trace of the camp.

Jagti in some ways seemed an improvement, providing families an apartment with attached bathrooms, kitchens and more space as opposed to the single box like room of 9 feet by 14 feet. It appeared no different from any other lower-middle income residential apartment complex in design seen across North India. When I went to visit the family I knew best from Purkhu at Jagti after my doctoral studies, I had taken a copy of my thesis to show them what I had written and watched them quickly flip through dry text to a few photographs of Purkhu camp. This family was deeply nostalgic for Kashmir and often spoke of nothing else. Yet I was surprised to see how they dwelled on the few photographs of Purkhu Camp I had included in my thesis. While they looked at the photos, a neighbor of theirs who also lived in Purkhu camp at one time had come over to visit as well and also started to show an interest in the photos. Together, they started to locate each photograph of camp quarters and lanes and the families who lived there. This family, who otherwise hated the camp at one time, mourned the loss of that which had been built there.

That the city of Jammu has become a possible home apart from Kashmir is apparent in encounters and conversations with a younger generation who grew up or were born outside Kashmir. While they shared their parent's nostalgia, many of them were quite open about Jammu being "home." During a visit to Jagti, I remember watching Rohan Bhatt, who is around my age and whose family I have often written about, lecturing a group of boys who were close to finishing school and about to head out into the world. Rohan's lecture, one I heard many times before from him, referred to Kashmir as *rishiwaer* or the abode of sages and how it is their home. The boys, while respectful, replied "whatever you say brother, Jammu is our home." In earlier work I had written about how the Pandits were often dismissive of Jammu as a city. A common statement I encountered then was "*Yahan pe bas bandar, dangar aur mandir*" (all there is here are monkeys, donkeys and temples). This sentiment however is changing. Many younger Pandits seek to leave Jammu for reasons of work, education or for any other opportunity. However, while Kashmir remains a point of origin, Jammu is the place where home in terms of relations are to be found. There are also indications of a political settlement in the city as well in different forms. Earlier work I had engaged in draws on a history of some antagonism with locals in the early 1990s when the Pandits first arrived in Jammu (see Datta 2017a). In 2008, a wave of protests took place in Kashmir, due to a plan by the state government to transfer land in Kashmir to the Shree Amarnath Shrine Board which manages the Hindu pilgrimage to the Amarnath caves. These protests were the first large-scale protests to take place after several years and brought to the fore a new generation of protestors. However, when the state government revoked the land transfer, protests took place for the first time in Jammu ostensibly against the Valley's politics. There was also a sense of things having changed apparently with the participation of some Pandits in the Jammu protests. While it is difficult to discern the involvement of the Pandits in those protests, it seemed that their participation earned them "respect" from locals such as the Dogras.

While further work may confirm this shift, these sentiments also point to the changing senses of where home is to be found. If home is to be seen in terms of social and political relationships and new lived structures, then for a younger generation, cities like Jammu become home in the present while Kashmir remains a part of an idealized past. How do such notions of

home connect to homeland? In an essay by Indu Kilam, a poet, translator, and professor based in Jammu since displacement, we are taken along on a trip to Kashmir to attend a wedding. What emerges in the short text is an overwhelming sense of tension between returning to a city that was both familiar and a source of bewilderment. It is the at end of the essay where things become especially poignant, when she gets ready to return to Jammu:

> Sitting in the aircraft to be flown back, I thought of what I had left behind-the murky dark waters of the Dal, sad and poignant tales, apprehension and distrust writ large on the faces of friends, sad poetry of my friend Naseem, who was and continues to be my soul-mate, stories of rape, violence and death-no this was not my land-it was not worth being mine. Landing at the small, decrepit airport of Jammu, where I am still called a "migrant," I noticed a gulmohar tree laden with beautiful, burnt-orange flowers and I realized that Jammu has its colours too. Ironically, it took a long time for me to realize this.
>
> *(Kilam 2015: 146)*

Another essay by the filmmaker Ajay Raina takes the reader to an even more uncertain space. Raina writes about his imagination of Kashmir in relation to his life and work. From discussing his desires of making a film on Kashmir to his own politics and movements in his life, there is a tension that marks exile. He also discusses his film "Tell them, the tree they had planted has now grown," which documents his return to Kashmir some years before. While Raina writes that this film is one he "hates to watch but likes to show to others" (2015: 128), what I am intrigued by is an apparent tension that is captured in his homecoming. Raina's film has its share of critics from some liberal audiences. The film does not present a flattering picture of different armed groups and their connection to Islamist politics, from which violence against Pandits is presented. A well-known documentary filmmaker even dismissed it as a right-wing film (See Kramer 2018; Raina 2015: 129). However, the film also follows Raina's journey back to Kashmir, visiting Srinagar and eventually his ancestral village and documents his attempts at making sense of what happened as well. It follows connections, reconnections, and images of encounters which may not be known to outsiders, regardless of their politics.

Raina occupies a difficult location. While his film is criticized as one sided, he is also involved with a travelling film program that shows films on Kashmir featuring all perspectives which has been attacked by Hindu nationalist activists. This criticism misses out tensions that are apparent in coming to terms with the displacement of the Pandits and of the matter of return. What does it mean to return home, albeit one that has changed? Does it help alleviate a state of unsettledness? What happens when one is forced to deal with and rethink their preconceptions, and when one of those pertains to finding home? While loss is critical in Raina's work, it is not an inventory of property, objects, or "culture," which are common tropes. Rather it is the loss of certainty. When he writes about a visit in 2013 and reacts to the pollution that affects the Dal lake, a waterbody he knew so well, he asks "Where is that Dal? Now that the imagination has died, exile is itself a great relief. Let another revolution come" (Raina 2015: 131).

The process of coming to terms with home takes time. For Kilam this is clearly obvious, as at the time that I conducted research in Jammu, which predates the essay I refer to, the tension and difference between Jammu and Kashmir was immensely stark. For someone like Raina, that process seems to remain incomplete as exile becomes the state of being in the world, which does not mean Kashmir, or its idea, is left behind. As he wrote in an email exchange:

> I prefer the idea of being in exile to the idea of returning home . . . which is not home anymore, but only a wound. If at some point of time, home was in Kashmir.

> Now, Kashmir is home, definitely. Because, howsoever I try, it's one thing that will keep following me.

An Uncertain Homeland

On August 5, 2019, the Indian government led by the ruling National Democratic Alliance of the Bharatiya Janata Party (BJP) pushed a resolution for the abrogation of Article 370, splitting Jammu and Kashmir into two Union Territories, Jammu and Kashmir and Ladakh. While the abrogation of Article 370 was a campaign promise of the BJP, the ease with which it was achieved in the Indian parliament was surprising and revealing of changes in the Indian polity. The abrogation was preceded by a period of expanding the heavy military presence in Kashmir and followed by a severe lockdown and disruption to communication systems that continues to the present. While reports spoke of outrage in the Kashmir Valley over this decision, Jammu in contrast was reported to be largely supportive.

News reports suggested that the Pandits supported the abrogation and saw it as righting a historical wrong. While they were affected by the lockdown and communication blackout in the state, though not to the extent as was the case in Kashmir, at that moment, it seems they were coming to terms to a new possibility. One of my closest respondents had said they were mostly happy and satisfied at the turn of events. Another respondent, whose family I have often written about, defended the manner in which it was done, arguing that if it followed the constitutionally mandated way "the people there (in Kashmir) would not have allowed it." Others I spoke to in the months to follow reiterated that there was little opposition to the abrogation in Jammu. Yet some people I knew expressed mixed feelings about the fact that a locked down atmosphere persisted in Kashmir and how one's homeland has become a political experiment.

How do Pandits approach a notion of homeland in light of recent events? One of the earliest endeavors is *Panun Kashmir* or Our Kashmir, which argued that Pandits and Muslims can no longer share the same space and demanded the carving of a Pandit homeland from Kashmir, which would be a union territory of India and where the Indian constitution would prevail (see PKM 2004). While Panun Kashmir and its different factions were well-known, it was difficult to assess their effect in everyday life. Interestingly its reception among migrants varied. While the project had its supporters, it also had critics among migrants. One resident of Purkhu camp I had interviewed back in 2006 dismissed their plan as carving a Pandit state would justify letting Muslims have their own state, which the government of India would not allow. Another elderly man I had met in Nagrota camp criticized the demand of Panun Kashmir to invite Indians from the mainland to settle in Kashmir as a distinctive point. According to him, one would need outsiders to come as Pandits being Brahmins will not provide labor such as cleaning the streets. During fieldwork in 2005–2007 it seemed that Panun Kashmir worked best as a form of political organization in the diaspora that provided a myth of return, which is seen across displaced and refugee populations (Al Madawi 1994).

While the Pandits in Jammu are otherwise in their state of Jammu and Kashmir, they embody a quality of diasporic life as defined by being dispersed from a homeland or a place of origin, share multiple attachments and working out localizing strategies for life where they live (James1994: 303). Brian Axel (2002) points to a tension involved in being in diaspora and the idea of homeland that defined them as a people which produces a "diasporic imaginary." Hence I saw Panun Kashmir as a diasporic imaginary which produced an idea of homeland that sustains and constitutes community for the Pandits who have become associated with life outside Kashmir. This was apparent in conversations with activists who supported a Pandit homeland as an idea but whose

professional ambitions would take them further from the Valley rather than see a settlement and resumption of life in Kashmir (see Datta 2017b). As Zetter (1999) points out, a myth of return does not mythologize return but rather mythologizes home in the past to sustain the present. Another question that is difficult to answer is whether a project like Panun Kashmir matches current policies and their effects on Jammu and Kashmir. Will Panun Kashmir matter now?

Homelands are not static entities as the abrogation clearly shows. The celebration by Pandits as reported was accompanied by statements about how the Pandits can now return, though as a young Pandit journalist I spoke to pointed out, they may be seen as settlers and occupiers and not as a people returning home. The current process in Jammu and Kashmir speaks more to the political ambitions of the BJP and Hindu Nationalism rather than any consideration of a Hindu population in the region. What is missed out is that there have been many Pandits returning to Kashmir from time to time to work in various government departments. Pandit colonies were being constructed over the last few years and some people I know would keep returning to connect with friends and others they knew. But whether such returns will lead to resettlement and restoration of lives left behind three decades ago is difficult to answer, and requires an attention to the biographies and desires of those taking the return journey. Anyone returning to Kashmir will be returning to a militarized landscape inhabited by a population they may not agree with. Rather than return, they will be coming to a landscape subject to tremendous violence and risk to life. In a present marked by violence, where the future is difficult to predict and the past is a wasteland, what kind of homeland will Pandits return to?

A Vital Politics of Remembrance

> In 1990, when a popular armed insurgency against the Indian state broke out, the minority Pandit community fearing for their lives had to flee Kashmir. An intensive state led crackdown followed in Kashmir killing thousands of native Muslims. Whilst minority Pandit community suffered in scorching heat in refugee camps away from home, the Muslims faced the brunt in their homes.
>
> Although Kashmiri Muslim and Pandits share intertwined histories, culture and livelihood for centuries, the conflict exploited the fault lines. Conflict unsettled many equations in Kashmir, with both communities getting entangled in different polarized narratives.
>
> Many however would say the brotherhood at individual levels between Kashmiri Pandits and Muslims has survived.[1]

And so begins *Mashaemit Gharrih-the forgotten homes*, a multimodal digital project put together by four student journalists-Hanan Zafar, Akhilesh Nagari, Arpita Singh, and Tahira Noor Khan.[2] Mashaemit Gharrih is a project that seeks to engage with the idea of home in Kashmir. While the Pandit displacement is the focus of this project, what is equally striking are the connections made between Pandits and Muslims and life among Kashmiris outside and inside the Valley. Mashaemit Gharrih features videos, interviews, and articles published by the contributors, a photo gallery of contemporary life in Kashmir along with notes by the four journalists regarding their experiences and columns by invited commentators. Let us start with the homepage.

What is striking are range of voices provided through several video presentations. The first video visitors encounter is of the poet Afaan, a young Kashmiri who came of age and witnessed the resurgence of protests in 2008 when he expressed his anger at the state by becoming one

of the "stone pelters." The conversation with Afaan takes place in New Delhi along one of its many anonymous roadways and flyovers when he shares his experiences and thoughts of home. Another video features the Kashmiri Pandit performance artist Inder Salim. Both Afaan and Inder Salim are artists who are shaped by and reflect upon their experiences inviting us to new perspectives on being Kashmiri. While Afaan reflects on being away from home, I keep thinking of a box of used charcoal Inder Salim points to as nostalgia in his video. The other two videos feature a conversation between one Pandit and one Muslim, who reflect on their friendship, and a special feature of Pandit Rajendra Koul, a migrant who devotes his life to the republishing and distribution of his father's poetry among young Kashmiris today. The video feature of Rajendra Koul is particularly moving when he talks of his father's work and his attempts at preserving and recovering the Kashmiri language.

What sets this this initiative apart is an ability to bring Pandit and Muslim voices together in some kind of dialogue. By presenting Afaan, Inder Salim, and Rajendra Koul and their testimonies, and the conversation of two friends together, visitors to the site can hear people speak on their own terms and not in a form locked in a competition or a zero-sum game that defines most conversations about Pandits and Muslims. Each of the voices presented throughout the website speaks on its own terms without drowning out the other and offers a multidirectional reading of memory, a kind of back forth movement that can be shared (see Rothberg 2009: 17).

For Hanan and Akhilesh, the Kashmiri connection and giving every voice a space is essential to this project. Hanan, who in conversation was clear that home is in Kashmir, was inspired by how little understanding there was of Kashmir in relation to politics and its people, especially among people from India he met at college. This sense of exploring the very layers compelles his interest in the project leading to the website. Born to migrant Pandits, Akhilesh shared a complex history of movement. While his parents and their families were displaced and made the exit south to Jammu like thousands of others, Akhilesh ended up growing up in different towns as his parents were in transferable professions, until his mother returned to Jammu as a final settlement. For Akhilesh, who in conversation said that home is where his family is, the "migration"/"exodus" appears to be processed between relatives and family angry at their condition and at Muslims and other relatives like his late grandfather who held on to a sentiment and memory of better times and friendship with Muslims. For both Akhilesh and Hanan, who come from different experiential histories of conflict, the project is a way to consider and acknowledge all voices and thereby bypassing competing differences. As Akhilesh pointed out in conversation, what matters is finding connections amidst the different voices being shared

Mashaemit Gharrih also compels one to revisit the idea of home. Tahira, the visual editor of the project, referred to herself a "silent spectator," and found herself reflect on her sense of belonging:

> I think working on Mashaemit Gharrih has made me more empathetic with the experiences and demands of the Kashmiri people for self-determination. It has also made me unhappier and restless. I was growing up as a patriotic Indian but a series of events back to back scare me. I am scared for the future and the society that we are becoming. Current times, a lot of times make me feel alien to the country that I grew up in. It's the country I love and have called home. I do not have an alternate homeland. So the project has unsettled my identity and sense of home all the more.

The power of Mashaemit Gharrih lies in its presentation of voices from different contexts and scales regarding the meaning of home. While the visitor confronts ruminations, remembrances or stories of preservation and salvaging what was once lost, the viewer is also taken to the

contemporary in the form of the photo essay of contemporary life in the Kashmir. There is an unsettledness of time as visitors are confronted with the past and present simultaneously, where the past is revisited without being ossified while the present continues to unsettle. There is an overwhelming sense not only of sentiments of home, but also one a sense of "homeawayness" where the boundary between being at home and away from home is constantly being crossed (Chen 2018: 32, 52). It is this tension that this project captures for its visitors, reclaiming a counter-political space for some Kashmiris.

Conclusion

This chapter engages with changing meanings of home for the Kashmiri Pandits who were displaced in 1990. It emerges from earlier work which explores home as an idea and home making as a process of remaking life. What stood out was a sense of home first being defined by loss and secondly by recovering from loss in everyday ordinary life. While the Pandits got on with the business of life and survival with some measure of dignity over the years, a sense of loss remains. Critical to this was a politics of nostalgia, where anything like houses, the weather and relationships in the past made the present pale in comparison. Home seemed marked by a tension for a community becoming defined by movement, displacement, and diaspora in practice, if not in name, and yet yearning for a rooting in place.

This chapter brings up other possibilities that point to how the meaning of home and homeland may have changed over time. One of the first approaches emerges through a revisiting of older ethnographic data and searching for traces that remind one of homes left behind in Kashmir and of marks made by the Pandits over the years in Jammu. These traces serve as markers and connections to the past and an engagement with the present and the future. I have also brought in conversations that consider a younger generation that has recently come of age for whom Jammu becomes home. In that sense the impossibilities of home gradually give way to possibility instead.

Homeland speaks to larger forms of political community. As Douglas points out, home is defined by routine and relationships. Regardless of its material form, home "starts by bringing some space under control" (Douglas 1991: 289). If we extend this idea and see homeland projects as a form of ordering space, an imaginary of homelands past, present and future becomes clear. But I wonder if the idea of home as ordering space suggests that a homeland is best understood as an aspiration. It will be interesting is to see how certain imaginaries of ordering life confront existing political realities and possibilities, and how it will influence an ordering and orientation of life outside Kashmir.

In such circumstance, projects like Mashaemit Gharrih provide a vital space in the discussion of home and homelands. By allowing for different voices to be presented on their own terms, through connections, similarities and differences, possibilities of imagining home can emerge which account for and acknowledge different histories and experiences of violence and suffering. By foregrounding these ideas in conversations, art and reportage, a connection is made across different sites, time scapes and crucially, generations. Multidirectional projects like Mashaemit Gharrih point to homemaking as a process, where one is constantly working and moving toward home, working with objects and symbols, different languages and media on offer through which a sense of self can be formed (see Selwyn and Frost 2018). Whether the Pandits are finally able to achieve a sense of home where life can be lived with acknowledgement, dignity and justice in the face of a protracted conflict and displacement is another matter.

Notes

1 See https://mashaemitgarrih.wixsite.com/forgotten-homes/introductory-text.
2 See https://mashaemitgarrih.wixsite.com/forgotten-homes.

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20

LIBERAL SILENCE ON KASHMIR AND THE MALLEABILITY OF ETHICS IN INDIA

Gowhar Fazili

Introduction

The chapter seeks to understand the persistence of a long-standing condition: the refusal of the Indian state and society to countenance a meaningful political process that would let the people of Jammu and Kashmir (J&K) determine their political future without fear and repression. It seeks to explicate how and why the Indian state, its liberal establishment, and more widely the society at large, have been complicit in this refusal. Taking unilateral change in the constitutional and political status of the erstwhile J&K on August 5, 2019 in what was the only Muslim majority state in a supposedly secular India as a starting point, I ask: What explains the lack of public outrage over the issue in the country, particularly among its liberal sections, despite the historical centrality of J&K state and its fate in India to their self-image as inheritors of a secular, democratic tradition? What enabled the Indian state to carry out such a monumental change in the part of J&K under its control with absolute disregard to its people, despite its avowed commitment to the rule of law, constitutionalism, democracy, minority rights, and federal principles enshrined in its constitution – the grounds on which it assumes a moral high ground relative to the supposedly totalitarian regimes like China or feebler democracies like Pakistan? What made it possible for the response of the Indian opposition and diversity of political interests (regional parties, minority groups, leftist and centrist parties, and civil society formations representing a range of social concerns) in the country to remain subdued on the changes in J&K brought about by the Indian state in violation of the social contract – that is, the respect for the will of the people – in which the postcolonial polity in India is supposed to be grounded? Given the lack of outrage, the various political interests in India appear to have fallen in line with the right-wing central government on the issue.

Although the latest political assault on the people of Kashmir has been most drastic in its import, it is not an exception within the ongoing political drift in India. With the introduction of the amendment bills like CAA and NRC that prioritize granting of citizenship rights to the people of certain communities over others, clearly excluding Muslims, we see Muslims in India on the verge of being formally rendered less than equal citizens. The legal safeguards for cultural, economic and political rights of minorities, and various other socially and economically underprivileged and excluded groups are being steadily dismantled. The regime has

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undermined the state governments run by the parties in opposition, and has more generally, encroached on constitutional powers of the states. It has simultaneously hollowed out the judiciary, the investigative agencies and various other institutions meant to safeguard individual and group rights. While the liberal elite and marginal interests in India have offered a measure of resistance on some fronts, however feeble and diminishing in intensity,[1] on Kashmir there is a marked silence, as though there were an unspoken consensus among Indians on the issue. But for a few opinion pieces by intellectuals condemning the move in Kashmir,[2] the manner in which it was carried out, or its long-term implications for the rest of India, much of Indian society has been conspicuous in its silence, if not overtly triumphant. What makes this silence and triumphalism possible? What explains the ease with which the liberal elite in India, and Indians generally, yield ethical ground and fall in line with the imperatives of power and the state?

By liberal elite I mean the political and intellectual leadership largely drawn from a certain cross-section of caste, class and community that has inherited power from the British and has dominated the moral discourse in the subcontinent for the better part of the last century. This includes the Nehruvians, the Gandhians, and the leadership of a range of center-left formations that have not only controlled the state and bureaucracy but also the public discourse through their extraordinary overrepresentation in politics, academia, cultural domains (cinema, literature, music, art), and media. It is this class that appropriated the legacy of the struggle for independence and strove to give postcolonial India a moral face. Despite India's serious failings with regards to how it has dealt with the oppressed and excluded groups, this class has provided the state with legitimacy through its active participation in state building. The liberals claim that though justice may get delayed under the existing regime in which they are invested, it will not be denied in the long run. Things are expected to get better as time goes by. In reality, on many fronts, like systematic denial of political rights to the people of Jammu and Kashmir, the status of minorities in India, the status of the oppressed castes, communities, and genders more widely, things in India seem to have become increasingly worse over the time, even while the liberal elite has conveniently come to terms with each stage of this worsening condition. What makes the commitment to the "civilizational values of compassion and tolerance" supposedly at the heart of "the Idea of India" so feeble and unsubstantial?[3]

I address this question through a reevaluation of the moral foundations of the Indian society and state, and its political culture at large. I argue that the liberal framework through which India has been examined in the past and the language of rights in which claims have been made against it by various marginalized groups may have been misplaced from the very beginning. The rights-based claim-making assumes that the social order against which these are made is committed to certain basic values like the equality of all human beings and respect for human dignity, the autonomy and free will of individuals, and, by extension, the autonomy of the diverse cultures and meaningful communities they inhabit. For a nation to be ethical, this commitment must be demonstrable not only in word but also in deed. Besides the obvious discrepancy between word and deed of the Indian leadership and intellectual class, the relative ease with which they are able to backtrack on their stated principles and falter in fulfilling their commitments to various groups at critical junctures warrants examination. The intellectual dishonesty in refusing to come to terms with this sordid legacy and the ability to continue functioning as unfazed moral beings is what I call the malleability of ethics. While a degree of self-delusion among the dominant groups may be widespread, like the belief among people in White-dominated cultures that they are not racist despite overwhelming historical and empirical evidence to the contrary, I argue that in India a deeper cultural orientation toward the idea of truth makes it impossible to negotiate claims based on ethics. In Western societies the idea of

ethics has evolved in conjunction with long-drawn-out struggles. It is possible to stage resistance against racism, social and political injustice from within their cultural traditions. However, it is not so in India. It is this profound lack that makes it increasingly impossible for the oppressed to make claims on the state or the society which was possible around the time of India's independence from the British. I will engage with the idea of ethics in the Hindu Brahmanical tradition to which, I argue, this malleability of ethics can be traced. I will briefly engage with the ideas of Ambedkar, Kosambi, and Uberoi who take a less romantic view of India's ancient, medieval, and modern past – the tenacity of its deep-rooted regressive, Brahmanical values and intellectual traditions, its enduring social architecture based on marking and then oppressing entire communities of people, and its inherent potential to resist progressive change, to further explain what I mean by the malleability of ethics in India.

Apart from the cultural problem with the idea of truth and ethics, the *longue-durée* calculus of the Indian state, as in many modern states, has been to concentrate power in the hands of a few – a small section of people located at the intersection of caste, class, and community. This intersection, which in the ultimate analysis is an upper caste, upper class, Hindu formation, perceives itself and its heritage to be at the heart of Indian nationhood, rendering the rest as lacking in legitimacy, if not altogether dispensable. While majoritarian regimes across the world exhibit somewhat similar attitudes toward marginal groups, I interpret the lack of concern in the Indian society over India's treatment of the people of Kashmir and the systematic undermining of their political rights to be rooted in a peculiar relationship that the hegemonic upper-caste culture in India has to the notions of *truth* and *ethics* that renders them exceptionally malleable.

The Bogey of Secular Democracy in Kashmir

Postcolonial India's relationship to J&K is from the inception grounded in violence and deception. The everyday physical and psychological violence that the Indian state has been able to unleash in Kashmir with impunity for decades, is not a result of extra-legal or unconstitutional exceptions that can be mitigated through litigation or electoral democracy, but inscribed into the very fabric of the relationship forged under duress between the two. This violence, materialized through a range of cartographic, constitutional, and juridical maneuvers, initiated under exceptional circumstances and reinforced over time, has been aptly termed as "occupational constitutionalism" by Duschinski and Ghosh (2017). Through a close examination of a range of legal proceedings between 1917 and 1950, Duschinski and Ghosh (ibid.) demonstrate the reinforcement of "India's authoritarian rule" which systematically "undermined J&K's sovereign status." Recent developments in J&K need to be seen in continuation with the legacy of such constitutionalism.

Even as it is a continuation of India's constitutional occupation of Kashmir, the hubris that the state demonstrated on August 5 warrants a fresh reevaluation of the frameworks through which India has been understood in the past. The old platitudes about the nature of postcolonial India, its leadership and its intellectual traditions have become untenable. Though already under serious challenge by the emerging, independent scholarship on Kashmir (see for example, Rai 2004; Kak 2011; Robinson 2013; Duschinski et al. 2018; Kanth 2018). August 5 brings the violence of Indian intellectual and academic enterprise in Kashmir into a fresh perspective. Not only the "idea of India," the moment of crisis warrants that the ways in which the past, the present and the future of Kashmir has been inscribed, receive fresh scrutiny. We must see Indian occupation in Kashmir not only as a realist, neo-colonial project driven by national interest, but an outcome of a deeper cultural problem with what passes off as Indian values.

On August 5, 2019, the Indian Parliament, through an unprecedented "legal" maneuver, deoperationalized Articles 370 and 35A of the Indian constitution, the two constitutional provisions through which the relationship between J&K and the Indian state had been forged.[4] This action initiated the dissolution of the State of Jammu and Kashmir, its splitting into two Union Territories – Ladakh, and Jammu & Kashmir – both to be administered directly by the central government. Resulting in a fundamental cartographic change in an internationally disputed region, the action has profound implications for the manner in which the people of the fragmented territory would henceforth be governed. It nullifies all special rights and privileges as state subjects that the people had incrementally earned through a long-drawn-out political struggle against the erstwhile princely state prior to the establishment of independent Pakistan and India. With the deoperationalization, all the symbols and rituals that memorialized the long drawn people's struggle in Kashmir, such as the Martyrs' Day marking the uprising of July 13, 1931, the state flag, the official commemoration of Sheikh Abdullah's anniversary, formally incorporated by the state government into its everyday practice have been expunged, effectively rendering Kashmir into a landmass without meaning, a place without a people's history.

Significantly such monumental changes were carried out unilaterally by the government of the self-proclaimed "largest democracy in the world," executed suddenly, stealthily, unconstitutionally, without a debate, without a pretense of consultation with the people to whom the transformation would apply, and literally under the barrel of the gun. Understandably, such brazen imposition required that India contain public reaction in Kashmir through mass incarceration of political leaders, activists as well as ordinary citizens, including the leadership of the state-propped political formations nurtured by it all along. The whole population was preemptively put under curfew for an unspecified period of time and deprived of all possible means of communication. An unprecedented reinforcement of armed forces was brought into Kashmir, a place already notorious for being the world's most militarized zone.[5] The Supreme Court of India, the court of the last resort, readily fell in line and dragged its feet on the appeals challenging the constitutionality of the state action. In the immediate aftermath, the courts refused to intervene even in defense of personal liberty and freedom of press – the two priorities in constitutional democracies that guarantee fundamental rights.[6]

Interestingly, the ruling BJP claimed that it had not subjected the people of Kashmir to anything worse than what Jawaharlal Nehru had already done to them.[7] The primeval betrayal attributed to Nehru carried out immediately after India's independence involved incorporation of J&K into the Indian union through subterfuge, without ascertaining the will of the people. Sending in its army supposedly to prevent a forced takeover of the state by "tribal invaders" from Pakistan, the Indian state promised the people the right to decide their political future after the restoration of "peace." However, as India consolidated its armed presence in Kashmir, it backtracked on the promise and over the time expunged all references to it. Given the forced incorporation, the possibility of political freedom and dignity in Kashmir has been undermined by the Indian establishment from the very beginning. This undermining was carried out not by the overtly xenophobic regime that is now in power but by the leadership that is globally celebrated as having been progressive, liberal, secular, and democratic, and considered to be the true inheritor of the anti-colonial struggle in India. Nehru, the quintessential liberal leader, removed the elected Prime Minister of Jammu and Kashmir, Sheikh Mohammad Abdullah, from power in 1953 and put him in prison to consolidate India's control over the region. This was meant to appease the Jan Sangh and Praja Parishad in Jammu, a Hindu right-wing formation earlier involved in the ethnic cleansing of Muslims from the region (Korbel 1953; Puri 2003; Snedden 2001). These formations and their sympathizers within the Congress party were unhappy with

the sweeping land reforms, limited autonomy of J&K and the fact that the state was being run by a popular leader who happened to be a Kashmiri Muslim. The coup was carried out even while the constitution of Jammu and Kashmir was being drafted by a committee propped up by India and the terms of the promised plebiscite were still being negotiated between rival dominions of India and Pakistan, both claiming the entire region under the auspices of the United Nations.

The subsequent governments of Bakshi, Shamsuddin, Sadiq, and Qasim installed by the center, understandably after extensive repression in the state,[8] did its unquestioned bidding. In the process the terms on which the temporary and conditional accession to India had been made by the erstwhile princely ruler, Maharaja Hari Singh, were incrementally diluted. Assenting to successive presidential orders, they enabled India to chip away at the "special status" until it remained so only in name. Once again, this undermining of the interim federal arrangement put in place until the August 5 "final solution"[9] of the "Kashmir problem," was carried out by the supposedly secular-liberal-democratic-progressive formation that remained dominant in India for most part of the last century. It is this regime, and not the communal-fascistic formation that has now come to power, that institutionalized mass repression in Kashmir, and prevented a dignified and democratic resolution of the problem. This raises the question as to whether there is any substantive difference between the avowedly liberal and the apparently communal regimes in India when it comes to the question of Kashmir. Such disregard for democratic principles and disrespect for the will of the people, immediately after decolonization and ever since, also brings into question the ethical foundations of the nationalist movement in India and its entire leadership.

For long, Indian leadership touted J&K as the litmus test for its commitment to secularism and principles of federalism (see, e.g., Gandhi's hope in Pyarelal 1958: 499–500). Repeated assurances to honor the will of the people were made by Indian leadership at the various stages of the struggle only to be rescinded at a later date. This included Gandhi, Nehru, Patel, and, more recently, Narsimha Rao, Atal Bihari Vajpayee, and various other stalwarts of Indian leadership. Yet India projects itself to the world as a secular democracy committed to rule of law, social justice, freedom of expression and various other political rights. What enables Indian elite to live at peace with such radical dissonance between the self-image, the "Idea of India," and its objective reality?

In the context of Kashmir, as mentioned, Nehru managed to retain his liberal, secular credentials despite having betrayed his long-standing personal friendship and political alliance with Sheikh Mohammad Abdullah in Kashmir as early as 1953, and having betrayed the people of Kashmir on the right to decide on the question of accession after making repeated promises in public while privately not intending to fulfil them.[10] These were not the sole illiberal acts that stand out in Nehru's wider Kashmir policy. On the contrary, the practice of rewarding the collaborators and punishing people with independent political opinion through incarceration, torture, and exile continued until he died of a stroke in 1964. On his death bed, perhaps in a rare moment of conscience, he ordered Abdullah's release, withdrew charges of sedition against him, and sent him to Pakistan to broker a political settlement. Nehru died even while Abdullah was in Pakistan. Destiny did not allow him to redeem himself through this last gesture.

The subsequent governments in India did not pursue the process. In fact, Abdullah and his colleagues were once again incarcerated, and his organization, the Plebiscite Front, was once again banned. Abdullah was eventually released and rehabilitated as the Chief Minister of Kashmir in 1974 only after he agreed to abandon the demand for plebiscite and fell in line with India under the changed geo-strategic circumstances.

A.G. Noorani (1999) provides a damning insight into divergence between Nehru's words in public and words in private, particularly on the question of Kashmir's accession and autonomy. The malleability of ethics observed in Nehru, the foremost Indian leader, immediately after decolonization must not be seen merely as his personal failing. Instead, it stands for the wider lack of commitment to ethics in Indian leadership more widely, including the intellectuals who continue to hold such leadership in high esteem.

In the section that follows, I observe a continuity between the upper caste leadership of the nationalist movement in India and the contemporary liberal intellectuals in their lack of commitment to ethics. I begin with their reactions to the events of August 5, 2019 in Kashmir.

Feeble Outrage of the Indian Liberal Class

Critical reflection in India on the deed of August 5 has been rather sparse. A few contemplative pieces that stood out in the immediate aftermath include *The Economist* editorial under the title "Modi's *Bad* Move" (emphasis added),[11] Pratab Bhanu Mehta's rather awkward and insensitive description of what followed the change as "Kashmirization of India"[12] and Partha Chatterjee's analysis of it as the "new model of *internal* colonialism" (emphasis added).[13] Three months after the event, Rodenbeck, South Asia Bureau Chief of *The Economist*, described the "autonomy" that Kashmir never actually enjoyed as a "useful fiction"[14] that had allowed India and the world to ignore the political situation in Kashmir, framing its replacement with naked hard reality of brute force an unnecessary and unmitigated political disaster. Each of these analyses betrays primary concern with the consequences of the move for India and its image abroad, and only secondarily, if at all, the vacuousness of Indian values and the brazenness of its occupation of Kashmir. Mehta externalizes the problem by blaming it on BJP and its recourse to "raw power" as though it were being used in Kashmir for the first time. His focus is on the implications of the move on the minorities in India and implicitly on the liberal elite and not the unresolved question of national self determination in Kashmir. Mehta does seem to notice something deeper that plagues Indian society but stops short of developing the idea: "There is a kind of cruel aestheticism in our politics where audacious evil will be celebrated for its audacity, and mundane goods will invite contempt because they are mundane." This suggests that something is deeply wrong with the Indian civilization, though for Mehta in essence it still remains "great": "What is playing out in Kashmir is the warped psyche of a *great* civilisation at its insecure worst." His parting shot, though poetic in resonance, is deeply troubling in the order of priority it sets and its condescension toward Kashmir: "The BJP thinks it is going to Indianise Kashmir. But, instead, what we will see is potentially the Kashmirisation of India."

Chatterjee concedes that though India may have managed to occupy much of the territory in J&K, its policies in the region have turned Kashmir into a colony. However, like Mehta his focus is on the implications of the move for "Indian people" portending their "catastrophic" outcome. The "political consequences" that concern Chatterjee largely pertain to the federal arrangement in India and not in principle the unacceptability of the occupation in Kashmir that has only become more brazen now. His chief worry is about "India becoming the laboratory for developing the constitutional rules of *internal* colonialism" while he broods over the fact that "those who may be its next victims" like linguistic, regional and cultural entities in India do not seem to be too concerned.

The Indian elite largely from the upper castes routinely make public gestures of sympathy and support in favor of the communities of people effectively disenfranchised by the Indian state, including the people of Kashmir. Yet there is no point at which they are individually or collectively willing to take a stand against the state, forego their privileges in protest and say,

"thus far and no further." Public outrage in India, like Gandhian morality, is often high on rhetoric but low on substance. This is not to say that there are no exceptions to the rule. For instance, a previously little-known South Indian Civil Servant, Kanan Gopinathan, became the lone Indian to resign from his position as a mark of protest against the unconstitutional, unethical move in Kashmir. One must not doubt his motivation, unless time proves otherwise. But as a rule, token gestures notwithstanding, for Indian liberals there is no value so sacrosanct for which they are willing to stake everything, or anything at all. What is to be defended from the creeping majoritarianism is always a receding line. There is no value that is non-negotiable. This is unlike their counterparts in democracies like the United States, much of Europe, and Asia Pacific, non-democracies like the much of the Middle East and Africa, and even occupations run by countries like Israel where individuals or groups of people with social capital and/or conscience keep on putting their lives and careers at stake through their opposition to injustices carried out by the state in their name. Historically, such conscientious objectors have refused to fight wars on behalf of communities and establishments to which they belong and face serious personal consequences. A few spokespersons of the Left and liberal formations in India have registered a token opposition to the dismantling and dismembering of J&K. But the baffling rapidity and ease with which Indian elite adjusts to new normals introduced by the state is not unlike what their predecessors did under similar circumstances in the past, with regards to the undermining of the mandate in various state governments, the minorities in India, the labor rights in collusion with corporate houses, the oppressed castes, the indigenous people, and, of course, the occupation of Kashmir.

Indian establishment consistently underplays the significance of the process that is unfolding in Kashmir. Indian liberals continue to act as though the Indian state is still legitimate and retain faith in the inherent virtuousness of India, attributing it to its ancient heritage of "tolerance and compassion," despite steady dismantling of the foundational principles in which postcolonial India was supposed to have been grounded. The trope of development continues to be used by well-meaning Indians who entertain the hope that the constitutional changes in Kashmir will bring about progress and prosperity to its people, even if it comes at the cost of ethical principles, and the people's dignity and their lives.[15] Rather than confronting the inherent violence at the heart of the "idea of India," the liberal classes continue to retain the latter as an inherently noble idea, which they imagine can eventually be recovered from the morass of current politics. This in my view is not merely a disingenuous advocacy of self-interest, but indicative of a deeper phenomenon particular to the subcontinent: a peculiar malleability of ethics that has deeper cultural roots. It is to these roots that I turn in the next section.

The Exceptional Malleability of Ethics

Why did postcolonial India fail to make a transition from a deeply hierarchical, oppressive and unjust society that it had historically been to an egalitarian one? Why was such transition difficult for India despite the apparent promise, the substantial resources at hand, and the international goodwill and opportunity at its disposal? Why, even after formally committing itself to social justice, equality, and democracy in letter, did India fail to adhere to these principles in spirit?

It is of critical importance to understand how the upper caste leadership involved in the anti-colonial nationalist struggle managed to maintain a progressive façade and yet at critical moments impede, if not outrightly oppose, substantive progressive political changes in favor of the dispossessed.[16]

During the nationalist struggle, the Indian elite deployed liberal values like liberty, equality, justice, and secularism which they borrowed from the imperial West and indigenized by forging their local genealogies. But as soon as India became independent, they failed to live up to them in substance.[17] Dragging their feet on political commitments to various vulnerable constituencies that had come under their sway, they consolidated their power at the cost of the ethical principles they claimed to uphold. And yet this betrayal did not alter their self-image or their public image.

B.R. Ambedkar in his last speech to the constituent assembly on November 25, 1949, while India was on the verge of declaring itself a people's republic, was prescient. He expressed his apprehension as to why India may not be able to sustain itself as an independent, constitutional democracy in the long run. To avoid this *fait-accompli* Indian society, in his view, would have to undergo a fundamental transformation from being loyal to castes and creeds to being a community sworn to three codependent values: liberty, equality, and fraternity. Ambedkar (1949) held the view that Indian society is inherently inimical to these values, particularly, those of equality and fraternity.[18]

For Ambedkar, India is not and cannot become a nation since it lacks a sense of fraternity (fellow-feeling not derived from sectional interest), and hence also lacks a sense of equality and liberty. In his view, no constitution, however perfect, would safeguard India from losing its political liberty unless it worked toward ensuring economic, social, and political justice to all. For India to become a nation, the transition from a "political democracy (formal democracy) to a social democracy (substantive democracy)," was indispensable. After inheriting it from the British, it is precisely such transfer of power to the people that the elite refused to make. Thus despite granting formal rights to people, India failed to transition from a state and society maintained through hierarchy, domination, hatred, condescension, humiliation and exclusion of significant sections of the society, to an egalitarian one. It is this failure that enables us to understand why the liberal leadership in India refused proportional representation to Muslims and Dalits and how it is able to come to terms with its occupation in Kashmir minus fundamental political rights in perpetuity. India is willing to accept inclusion of people within the existing hierarchies of power but not fraternity among equals.

Ambedkar claims that the essence of the dominant political culture in India, particularly the Hindu values that undergird that culture, is creation and maintenance of hierarchy (1949). This idea in his view is sustained through a perpetuation of "false beliefs in the sanity, superiority and sanctity of Hindu Civilization." Ambedkar reflects on why the so-called Indian "civilization," which for him is essentially a Brahmanical project, has failed to produce thinkers like Voltaire who would assert intellectual independence from their respective castes and question religious orthodoxies of their times. He argues that Indian scholarship, largely dominated by upper castes, is invested in the maintenance of the status-quo and hence does not challenge the existing orthodoxies but instead aims to master ideas and use that mastery to maintain and restrict privilege. It is in this characteristic that he locates the paucity of "honesty and integrity" of Indian intellectuals (ibid.). The dominant intellectual culture in India is not only opposed to iconoclasm and change in the status quo, but also geared toward preventing anyone else from undertaking the task (see Ambedkar 1948).

Gandhi remained secular and progressive in his own eyes and in the eyes of his admirers despite having resisted "annihilation of caste" and prevented communal award in favor of the Dalits using emotional blackmail while in alignment with the Hindu Mahasabha.[19] He wanted the untouchables and minorities to repose their trust in the generosity and good will of the upper caste Hindus rather than secure political autonomy and self-representation for themselves through separate electorates.

Blatant contradictions in the words and deeds of Indian leadership do not trouble their admirers or alter how such leadership is represented in much of the scholarly writing in India.[20] Large swathes of Indian scholarship are invested in building icons without blemish. The complex philosophical tomes that have thus been generated are structures to be reckoned with, structures that obscure facts rather than elucidate them. Much of Indian scholarship is unconcerned with the moral failings of Indian leadership, the political culture they generated and its consequences for the vulnerable communities of people in the sub-continent.

While we often assume that the idea of justice and commitment to principles to be an innate human tendency, the idea may well be historical and culturally contingent. To illustrate this, J.P.S. Uberoi's (2011) exploration of the idea of martyrdom in relation to truth and nonviolence is useful. Uberoi traces the deep tradition of martyrdom and its intertwinement with the idea of truth and justice in Judaism, Christianity, Islam, and Sikhism, with the noticeable exception of Hinduism proper.[21] Uberoi makes an astute observation with regards to Gandhi and his attempts to appropriate ideas of "tragedy" and "martyrdom" in their relation to "bearing witness to truth" from the Sikhs. Gandhi in his view wanted to put the idea of sacrificing one's life for an idea or a principle, a concept hyper present in the Sikh tradition, to the service of the Indian nationhood (ibid.). Uberoi implicitly suggests that the wider Indian society, and Hinduism in particular, lacked such a tradition hence the need to somehow fill in for it.

Despite his overt adherence to Hinduism, Gandhi's Hindu opponents described him as a "Christian in disguise" precisely for such flirtations with traditions other than *Savarna* (Upper Caste Hindu). His eclectic approach to values drawn from multiple traditions, while struggling to hold on to the core beliefs that undergrid the Brahmanical order, including the Varna system, perhaps well-meaning and intended to keep everyone together at all costs, was deeply problematic. It generated irreconcilable ethical conundrums for which Ambedkar (1937) called him out in mutual correspondence that followed the cancelling of his speech on the Annihilation of Caste.

I claim that the remarkable malleability of ethics in India has to do with the values derived from the dominant cultural regime, which happens to be Brahmanical, for the regime the ideas of truth, justice, ethics and compassion do not carry the same meaning as they do in many other traditions. The source of this peculiar relationship to values can be traced back to deep cultural history. D.D. Kosambi (1961), a Left historian of great originality, reflects on the Gita, the religious text that surprisingly served as an inspiration to a whole range of upper-caste activists and political formations sworn to opposing ideological visions during the nationalists struggle in India. This included the advocates of terror as a strategy for liberation, the exclusivist Hindu supremacists inspired by Italian and German fascism, the secularists, the traditionalists, as well as the modernists and atheists.[22] Kosambi examines the eclectic nature of the text and attributes it to the novel Brahmanical strategy of appropriating and hegemonizing a whole range of parallel moral conceptions that prevailed in the sub-continent during the time of its development. The text in his view provides us access to how this hegemony was forged without any serious engagement with the ethical import of these competing conceptions or working through the fundamental contradictions that exist between them. They are simply woven together and presented as different manifestations of the same divine reality. The moral pluralism thus established enabled the class parasitical on the existing mode of production, in tandem with the ruling class, to assimilate whole communities into the hierarchical Hindu order, while simultaneously stymieing the emergence of critical faculty that undergirds all ethics. In his view, anyone intent on doing so could make the text mean practically anything he wished.

Much academic writing on the subject that has followed is conservative (see for example Hindery 1976; Lele 1988; Sreekumar 2012; Davis 2015), in that it attempts to soften the

implications of Kosambi's and Ambedkar's earlier radical claims on the Gita and tries to recover some form of ethical value from the ancient Hindu text. Rather than wrestling with the idea frontally, we are enjoined to keep the justifications that the texts have to offer in favor of the maintenance of caste and gender hierarchy aside, and then appreciate its aesthetic value. Regardless of whether one buys Kosambi's materialist understanding of the Gita entirely or not, we are forced to appreciate his ability to cut through wooly nonsense and ask questions that have relevance to the social situation we face – the remarkable persistence of the structures of inequality and injustice in India and the willingness of the Indian elite to live with the situation, even while claiming superiority of their ethics. Kosambi attempts to trace the antecedents of this ability to the past. Rather than engage in nostalgia or aestheticization of the civilizational past which in the ultimate analysis serves to maintain the status quo – a tendency that plagues much of pre-and postcolonial nationalist historiography in India in its engagement with antiquity – he arrives at the questions that matter to those on the wrong side of the history and tries to answer them.

This is not to suggest that the subcontinent has not at various moments in its past come face-to-face with alternative ethical imaginings, or that India is not inhabited by a diversity of people who derive their values from multiple moral regimes other than Brahmanism. For historical reasons, however, neo-Brahmanism is the moral regime that has been ascendant in colonial and postcolonial India (to explore reasons for this, see Cohn 1996; Chatterjee 1993a). This regime infects not just a particular community (Hindus) or a nation-state (India) in the subcontinent, but is more ubiquitous, leaving its differential impact on the classes and communities of people effectively in power as well as the people contesting it, including figures like Shaikh Abdullah in Kashmir and those who have followed his example.

In Western contexts, liberal values of equality, liberty, and justice are products of major revolutionary upheavals that drew upon deeper ethical traditions, even as they tore down old orders and unleashed new ethical imaginings. For this reason, despite profound failings of these societies, certain democratic values are engrained in public consciousness and in the intellectual traditions that follow. Even while Western societies continue to struggle with problems of race, immigration, and cultural difference, and white supremacist formations seek to legitimize racism and inequality by drawing upon certain interpretations of religion, pseudoscience or other forms of moral authority, given a genuine legacy of egalitarian struggles that inspire significant sections of these societies, including many whites, such claims face stiff resistance from within. Similarly the idea of martyrdom, bearing witness to truth against the will of the powerful at the risk of losing one's life, the rejuvenation of community and ethical orders through acts of moral courage, are deep legacies in various cultural and religious traditions across the world, a feature that the Brahmanical order that prevails in India summarily lacks and has always lacked.

With the rise of the Hindutva regime, "baptism by blood" as in the Christian tradition, is achieved not through self-sacrifice, but by ritually spilling the blood of others who are sought to be excluded (see Gatade 2003). In Gujarat and elsewhere in India, the lower castes and tribal populations were brought into the Hindutva fold through their active participation in pogroms against the minorities. In Kashmir and other political struggles that contest Indian sovereignty such baptism is achieved through conscription of the co-opted into the armed forces and as counterinsurgents. These are then unleashed on undesirable populations (on Salwa Judum, see Guha et al. 2006). It is always the other who is made to pay the price for the nation. It involves sacrifice by proxy – *bali-dān* – the sacrificial killing of the other, a scapegoat to appease the demonic god, or the bloodthirsty spirit of the nation, and not as in the case of the idea of *shaheed* or a conscientious objector, the act of speaking truth to power, if need be, at the cost of one's life. The deaths of people in uniform for the "nation" are used as a form of blackmail

once again to suppress demands for justice and freedom made by the marginalized, and not to further such claims.

Remarkably, despite rampant injustice and dehumanization of people through history, much of Hindu India has a limited legacy of transformative social upheavals from the below. The rise of Buddhism, the medieval Bhakti Movement that challenged unjust religious orthodoxies, certain variants of Sufism and Sikhism in India can perhaps be seen as exceptions that involved attempts to generate alternative egalitarian social orders within their respective contexts. The modern Dalit assertion, tribal and peasant uprisings, working class struggles, and women's movements possess the emancipatory potential but have largely remained sectional. They have also to some extent been co-opted into the Brahmanical order through concessions they have made and by succumbing to the lure of majoritarian nationalism, thus failing to provide an effective consolidated front to challenge the moral hegemony of the upper-caste-class formation that has for long masqueraded as the liberal left in India. This has ensured that the wider socio-political structures and value systems in India remain largely intact.

Conclusion

What continues to make India's impunity possible vis-à-vis the political rights of various marginalized communities under its control, particularly those who inhabit internationally disputed regions like J&K? While "national interests" that dictate foreign policy collide with liberal ethics, how are unethical actions against whole populations legitimized by nations that proclaim to be grounded in ethics? How do associated individuals and political formations that claim to represent a particular ethical order come to terms with these contradictions?

The idea of sovereignty is central to the modern nation-state. This effectively means that the state is subject to no law, but instead is the source of all law. It is the "State of Exception," the power to defy all law including the one that the state establishes, which makes it sovereign. Modern states however assume this right in the name of public good. Liberal thinkers have at various stages of the development of the modern state attempted to introduce moral regimes like individual rights, federal principles, separation of powers, community rights and to enshrine values of justice, equality, and liberty in law so as to tame the state and regulate unbridled power it tends to often assume. Even as such rights make citizens stakeholders in the sovereign power of the state, by becoming the guarantor of such rights, the state in effect not only furthers its legitimacy but also its legal power over the citizens (Brown 1992). States guard their sovereignty jealously in ordinary circumstances, but more so when their legitimacy is challenged internally or externally. It is this impulse that drives India to claim that how it treats communities of people within its perceived boundaries is an "internal matter" and declare all internal and external calls for justice as a threat to its sovereignty. Evidently, more often than not, national interests trump over ethics. However, individuals and political formations that claim to uphold ethics are not bound by the imperatives of the state. Why then do moral regimes within their respective states fail to challenge the unethical actions of their states?

The upper caste, upper class leadership that inherited power in India had mastered the liberal language of rights during the nationalist struggle and learnt to deploy it effectively to extract political concessions from the British. After independence, the leadership that became the new establishment used this mastery over liberal discourse to market India as a fledgling secular democracy, a developing nation that seeks to perfect itself over time. Leaving India in the hands of the upper caste-class elite groomed in Western tradition must have seemed more palatable to the British than handing it over to the wider masses of people whose democratic inclusion would have potentially been too disruptive.

The upper caste-class elite consolidated their power even while appearing to speak for the whole subcontinent. The caste-class formation grudgingly accepted the unavoidable token representation from other sections of the society, so long as such representation did not threaten its interests and its unequivocal political and moral leadership. The co-option or marginalization of the representatives of other sections of society left much of the caste-class hierarchy in the society intact. While apparently over the last two decades there has been a change of regime from the Indian National Congress to the Bhartiya Janata Party, not much has actually changed in principle in India except for the rhetoric and increase in the suffering of people at the margins. It is the same castes and classes that are in power albeit more brazenly under the banner of Hindutva, an idea that has replaced progressive-secularism as the hegemonic political discourse.

I have argued in this chapter how both the liberal and majoritarian regimes in postcolonial India and the wider Indian society have been consistent in denying the possibility of political freedom and rights in Kashmir. I have suggested that this does not have to do with the weakness or failure of institutions or external factors that could be mitigated, but with the shakiness of the ethical foundations of the Brahmanical intellectual tradition that passes off as Indian culture. The malleability of ethics sourced in the Brahmanical tradition and its peculiar relationship to the idea of truth and ethics has pervaded Indian political culture all along, including the ideologies and political behavior of its foremost leaders. It is this malleability which enables India to systematically oppress the vulnerable, and yet believe so completely in the greatness of its civilization; to be enchanted with the powerful, to yield ethical ground before the regimes of power and yet simultaneously produce tomes to claim superior ethics and morality.

Though there are alternative egalitarian traditions that possess a better conception of justice in the subcontinent, unfortunately, it is the Brahmanical tradition and value system that has emerged victorious. This has produced a profoundly deranged society that thrives on the misery of the vulnerable, which never tires of consuming the specter of death and misery and yet believes absolutely in its own goodness.

As suggested, it is not possible to negotiate in the language of justice with a state and a society that fundamentally lacks a stable notion of ethics and justice and is merely dexterous in deploying these values instrumentally. Perhaps the way out for the oppressed is to undermine the legitimacy of the oppressive states and societies by calling out their vacuity to the wider world. It might be helpful for movements to withdraw from such states as far as possible and strengthen themselves from within by attempting to establish an alternative ethical order among the oppressed. They must somehow make it costly for the oppressive order to continue to perpetuate injustice, even while drawing inspiration from and seeking ethical alliances with communities of people who subscribe to better conceptions of ethics elsewhere.

Notes

1 For example, public show of solidarity with the protests around Rohit Vemula's suicide, lynching of Muslims and Dalits over alleged transportation or consumption of cow meat, introduction of citizens amendment acts like CAA and NRC, attack on Bhima Koregaon commemoration by Dalits and so on.

2 This includes the ones by Pratab Bhanu Mehta, Partha Chatterjee, and a few others cited and discussed later in the chapter.

3 See Sunil Khilnani's paeans to the inherent strengths of Indian Civilization in his *The Idea of India* (1997). Amartya Sen, who has endorsed the book, has written one of his own along similar lines: *The Argumentative Indian* (2005).

4 Noorani A G. August 5, 2019. Interview with Akshay Deshmane, "Kashmir: Scrapping Article 370 'Unconstitutional', 'Deceitful' Says Legal Expert A.G. Noorani," *Huffington Post*, www.huffingtonpost.in/entry/kashmir-article-370-scrapping-constitutional-expert-reacts-noorani_in_5d47e58de4b0aca341206135; Gautam Bhatia, "The Article 370 Amendments: Key Legal Issues,"

Personal Blog, August 5, 2019, https://indconlawphil.wordpress.com/2019/08/05/the-article-370-amendments-key-legal-issues/; Faizan Mustafa, "Article 370, Federalism and the Basic Structure of the Constitution," *The India Forum,* September 27, 2019, www.theindiaforum.in/article/article-370-federalism-and-basic-structure-constitution; Faizan Mustafa and Karan Thapar, "Neither Abrogated nor Removed," *The Wire*, August 28, 2019, https://thewire.in/rights/neither-abrogated-nor-removed-the-ploy-behind-centres-article-370-move; Faizan Mustafa, "Murder of Insaniyat," *Frontline*, August 30, 2019, https://frontline.thehindu.com/cover-story/article29049528.ece

5 Prabhash K. Dutta, "Kashmir: Why Centre is Sending Additional 38000 Troops to J&K," *India Today*, August 2, 2019, www.indiatoday.in/news-analysis/story/-if-situation-has-improved-then-why-send-38-000-troops-to-j-k-1576436–2019–08–02; Manjeet Singh Negi, "8,000 More Troops Deployed in Jammu and Kashmir after Govt Moves to Revoke Article 370," *India Today*, August 5, 2019, www.indiatoday.in/india/story/8000-troops-deployed-jammu-and-kashmir-govt-revoke-article-370-1577356–2019–08–05

6 M. Kaunain Sheriff et al, "J&K: Most Habeas Corpus Cases Dragged on as Court Slammed Govt on Due Process," *Indian Express*, August 4, 2020, https://indianexpress.com/article/india/jammu-kashmir-article-370-habeas-corpus-detention-psa-6538085/#:~:text=JUST%20TEN%20months%20ago%2C%20the,status%20of%20the%20erstwhile%20state; Kashmir see: Bhasin V. Union of India, *Global Freedom of Expression*, 2019, https://globalfreedomofexpression.columbia.edu/cases/bhasin-v-union-of-india/; Shruti Mahajan, "Turning the Clock Back: How the Supreme Court Has Dealt with Cases Arising Out of Last Year's Abrogation of Article 370," *Bar and Bench*, August 4, 2020, www.barandbench.com/columns/supreme-court-dealt-with-cases-abrogation-of-article-370-jammu-and-kashmir

7 Sandeep Bhardwaj, "No, Modi's Kashmir Policy Isn't New. He's Only Continuing what Nehru Started in the 1950s," *The Print*, August 8, 2019, https://theprint.in/opinion/no-modis-kashmir-policy-isnt-new-hes-only-continuing-what-nehru-started-in-the-1950s/273932/

8 Shaikh Abdullah claims in his autobiography that 3000 people were killed in repression that followed his dislodging (see Amin Tr. 2013).

9 Sounak Mukherjee, "'Final Solution': How the Right Wing is Unknowingly Comparing PM Modi with Hitler," *Money Control*, August 6, 2019, www.moneycontrol.com/news/politics/article-370-kashmir-final-solution-how-right-wing-is-unknowingly-comparing-pm-modi-with-hitler-4295321.html

10 Ambedkar experienced similar betrayal over his attempts to introduce reforms in personal laws through the Hindu Code Bill and resigned from the cabinet in response.

11 Editorial, "Modi's Revocation of Kashmir's Autonomy," *The Economist*, August 10, 2019, www.economist.com/leaders/2019/08/10/modis-revocation-of-kashmirs-autonomy

12 Pratap Bhanu Mehta, "The Story of Indian Democracy Written in Blood and Betrayal," *Indian Express*, August 6, 2019, https://indianexpress.com/article/opinion/columns/jammu-kashmir-article-370-scrapped-special-status-amit-shah-narendra-modi-bjp-5880797/

13 Partha Chatterjee, "Kashmir is the Test Bed for a New Model of Internal Colonialism," *The Wire*, August 28, 2019, https://thewire.in/government/kashmir-is-the-test-bed-for-a-new-model-of-internal-colonialism

14 Dr. Happymon Jacob, "Max Rodenbeck (South Asia Bureau Chief of The Economist)," *The Wire*, November 2, 2019, www.youtube.com/watch?v=aXvKnwo92Dk

15 See Tilak Devasher's defense of the move in "Kashmir Was Denied the Fruits of Indian Democracy," *Rediff.com*, August 6, 2019, www.rediff.com/news/interview/kashmir-was-denied-the-fruits-of-indian-democracy/20190806.htm

16 For example, on the issue of Dalit representation, see Basu (2000).

17 On the undermining of labour rights in India, see Chibber (2003) particularly his Chapter 5 on the Demobilization of the Labour Movement (pp. 110–126); on violence against Muslims in India, see Rauf (2011); on the undermining of the rights of forest dwellers, see Savyasaachi (2011); and on Women's movement and its struggle for rights since Independence, see Lateef (1977).

18 See Ambedkar's final speech to the Constituent Assembly, dated November 25, 1949.

19 See Mohammed Ayoob, "The Turning Point in 1932: on Dalit Representation," *The Hindu*, May 3, 2018, www.thehindu.com/opinion/op-ed/the-turning-point-in-1932/article23752117.ece

20 Notice the extraordinary investment of liberals like Guha 2007; Tharoor 2003; Chatterjee 1993b, Nandy 1983; Mehta 2014; Bilgrami 2002 and others in the legacy of these leaders.

21 The bravado and masculinity of the Kshatriya caste (warriors) to preserve their inherited fiefdoms and power over their subjects, though often celebrated by Indian nationalists as acts of bravery, is not the same thing as refusal to budge from a truth claim against the powerful at the cost of one's life. Among

the people involved in India's freedom struggle in whom we see a sense of self-sacrifice for public good are Bhagat Singh (who happened to be a self-professed atheist-Marxist from Sikh lineage) and his ideological associates.

22 Khudiram Bose was hanged with the Gita in his hand as was Nathuram Godse, Gandhi's assassin. Gandhi, Aurobindo, Tilak, Hegdewar, though ideologically divergent, all drew inspiration from the Gita.

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21

TERRITORY, IDENTITY, AND ISLAMIZATION IN MEDIEVAL KASHMIR

Rafiq A. Pirzada

Introduction

The scholarly discourse on medieval Islamization of Kashmir has mainly revolved around three main concerns. The first debates the comparative roles of prominent agents of Islamization, dominated by either emigrant Sūfi Sayyids or indigenous Rishīs; the second deals with the nature of Islam that flourished in its so-called "little" and "greater" traditions; and the third concerns the process of Islamization in terms of its social and political, syncretic and orthodox, and peaceful and violent forms. Over the last several decades, a new debate has emerged in Islamization scholarship between the proponents of Sūfi Shaykhs from Central Asia and Persia, most renowned among them Mīr Sayyid 'Ali Hamadāni, and those of the indigenous Rishī order, founded by Shaykh Nūruddīn Rishī. However, scant scholarly attention has been given to articulations of Islamic space in medieval Kashmir and the Perso-Islamicate territorialization of pre-Islamic medieval Kashmir from a politico-cultural perspective. Accordingly, this chapter considers Islamization as a dynamic process of adaption, adoption, and reconfiguration of earlier traditions and spaces undertaken through a complex yet creative network of relationships and multiplicities involving emigrant Sūfi Sayyids, their accompanying 'ulama and other *ṭawā'if*, sultans, nobles, indigenous rishīs, neo-convert elites, and landed aristocracy of medieval Kashmir.

Inspired by the notions of "territorialization" and "deterritorialization" (Deleuze and Guattari 1987) to explore the interplay of these multiplicities, this chapter steers the scholarly debate on medieval Islamization of Kashmir away from its focus on the prominent sectarian agents of Islamization and toward an exploration of heterogeneous multiplicities of Islamization networks among diverse socio-religious, socio-political, and religio-political assemblages in Kashmir between the fourteenth and sixteenth centuries. Specifically, this chapter focuses on the neo-converts of the early Islamization phase, who were crucial agents of the Islamization process for their material practices, and who formed conduits between the Persianate-Islamicate tradition and the existing Brahmanical order. I begin the chapter by exploring the complex network of relationships and multiplicities that emerged from the medieval encounter between the Persianate-Islamicate milieu and the pre-Islamic Brahmanical-Buddhist milieu of Kashmir. I discuss the religio-political and socio-political dimensions of Islamization of medieval Kashmir along with its territorializing agencies. In the next section, I delineate the deterritorializing

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formations of the indigenous Brahmanical order, highlighting how breakaway agents from within the Brahmanical order were instrumental in the Islamization of medieval Kashmir.

The "Nightingale's" Song From the *Běhat* River Banks[1]

Since the Protestant Reformation that splintered Catholic Europe, the dominant conception of religion in general has been that of "essences unconditioned by history" (Ernst 2005: 15) – that is, considering a religious tradition as a "pure" and unchanging homogeneous whole, "original" in its composition. Such an approach to religious studies, as Ernst (2005: 15) so astutely argues, "tends to make religions rather than people into agents," thereby excluding or marginalizing the role of a preacher, an author or a practitioner. Historiographically problematic terminologies like diffusion, influence, indigenous, foreign, and syncretic have come to function as major categories of analysis in religious studies. Much disparagingly applied to "Oriental" religions, syncretism has assumed a dangerous dichotomy with respect to the analysis of Islamization of medieval Kashmir. The underlying assumptions which have proliferated the Islamization studies of medieval Kashmir treat Islam either as a foreign religion, irrevocably inassimilable in the indigenous Brahmanical tradition. Or, conversely, conceived in its ascetic Sūfi or "folk" tradition it is seen as much closer to (and influenced by) the indigenous Rishī tradition, resistant to the intellectualist greater tradition, and thus easily assimilated (and assimilable) as an inalienable component of the so-called composite culture of Kashmir (Khan 2005; Rafiqi 2003).

As an effort out of this impasse I propose to highlight in my analysis of the Islamization of medieval Kashmir one of its substantive characterizations as a network of "assemblages" (*agencement*) and multiplicities, constituting an open, non-hierarchical, anti-genealogical system, in which multiple circumstances combined to create "a fabric of intense states" (Massumi 2013, xiii). An assemblage or a multiplicity may be perceived as *made* in simultaneous acts of articulation and segmentation, stratification and destratification, and movements of flight or escape, and reorganization of many heterogeneous sets of components, which establish open relations of liaisons and uniquely alliances between them. What aligns my own articulation of the Islamization process in medieval Kashmir with the formulations of assemblage and multiplicities is how remarkably the proliferation of a multiplicity or an assemblage stems from their capacity to emerge from events that splinter or splatter a particular strand of a milieu by grafting onto vestiges of its historical weave, or by advancing through entirely new strands into other milieus.

The early fourteenth-century Kashmir was marked by rampant economic decline and political fragmentation between morally base sovereigns, scheming feudatory chiefs (like Dāmarās and Lāvanyās) and armed hordes from the adjoining hill tribes of Rājapurī (*Khaśa* or Khakhas), which had set in early during the reign of the second Lohāra dynasty with the reigns of Uccalla (r.1101–1111) and Sussala (r.1112–1128). Moreover, the military encounters between Kashmīr and the Mongol Empire between 1235 and 1320 not only highlight the series of invasions that took place during this period, but also indicate that Kashmir at various intervals became a tributary state of the Mongol Empire, and on at least two occasions local Buddhist monks were appointed as Darughauchi on the patron-saint model (Wink 1991). Again, in 1320, when Suhādeva (r.1301–1320) failed to ward off another Mongol invasion by heavily taxing his subjects, including Brahmins, to pay tributes to the Chaghatayid khanate, Noyōn Dulaca (or Ḍalaca or Zulchu) invaded Kashmir through Zojī La Pass. This invasion, in the words of Jonarāja, reduced Kashmir to "a region before the creation, a vast field with few men, without food and full of grass" (Jonarāja: 141, quoted in Ahmad 1979: 5). The large-scale devastations caused by Mongol invasions shattered the power-structure of the Hindu Kingdom and caused great disorder and power-vacuums among the established native feudatory factions, paving way for new

factions to gain a foothold (Ahmad 1979: 5). It was in this social, political, and moral vacuum of the early fourteenth-century Kashmir that Sufis and Sultans would intervene, ally, and ultimately establish themselves as the new assemblage of Islamization.

Each assemblage or multiplicity forms a weave. A Sufi *silsilā*, a Rishī order, and a Sultan's royal court, all formed multiplicities. A *khānqāh* (hospice) along with its *Shaykh* and disciples, *khādims* (servants) and *laṅgar* (community kitchen), the connected mosque, the madrasā, the graveyard, artisan's workshop, and the local market together formed a multiplicity. Similarly, a formation of landed nobles (like Dāmarās, Māgrays, and Chăks) in early Kashmir formed a historically significant multiplicity. An agglomeration of courtly elites was another multiplicity. Thus, in the context of medieval Kashmir, there were multiplicities of Sufi *Silsilās*, shaykhs, rishīs, sultans, literary elites, nobles, artisans, and courtiers, all of which converged on the plane of Islamization, which acted as a plane of consistency. The convergence of all the castes in Hindu system, and all Sanskrit literary forms along with the regimes and networks of their patronage, production, and circulation, the conglomeration of agrahåras[2] assigned to individual brahmins, purohitas-corporations (*pārişadya*), resident purohitas (*thān^{a}pat^{i}s*), temples, and dharmaśālās in early medieval Kashmir converged in the Brahmanical order (Stein RT II.132).

More importantly though, there was the other side to each multiplicity, which exposed it to the dismantling of its organization, destratifying it through forces of flight – rupture, segmentation, escape, leaking, disappearance – that became the forces of its deterritorialization in their collaborative connections with other multiplicities. In the medieval encounter between the Persianate-Islamicate milieu and the Sanskrit-Brahmanical-Buddhist milieu there emerged lines of flight from both which facilitated connection, communication and gradual flattening of all multiplicities on a single plane of consistency – the plane of Islamization. Sultan Shams ud-Dīn Shāh Mīr, Rin-c'en (Rinchana Shāh), Mīr Sayyid 'Ali Hamadāni, Mīr Sayyid Mahmūd Baihaqi, and Mīr Shams ud-Dīn Irāqi offer some interesting examples of the lines of flight, which facilitated the territorialization of Persianate-Islamicate milieu upon the pre-Islamic space of medieval Kashmir, through a deterritorialization of its ethos.

Sultān Shams ud-Dīn Shāh Mīr (r.1339–1342), the founder of the Kashmir Sultanate, who embodied a shaykhly spirituality in his political ambitions, was led by the *firāsat* (*physiognomy*) of his ancestor Shaykh Waqūr Shah to leave Swādgīr (Swat) for Kashmir (Baloch and Rafiqi 1998; Schimmel 1980; Wink 2004). In spite of 'Ali Hamadāni's adherence to the Shāfi'ī school, he encouraged the newly converted Kashmiri Muslims to follow the Hanafī school, pertinently for its relatively flexible doctrine (Khan 2005: 4) which would be appropriate in a frontier territory such as Medieval Kashmir. In the same manner, being aware of the existing pre-Islamic traditions of medieval Kashmir, 'Ali Hamadāni's introduction of *Awrād-i-Fathiyyah*, a selective sacred formula of Qura'nic invocatory prayers compiled and collected by him from 400 *Mashāi'kh* and sanctioned by the Prophet himself in 'Ali Hamadāni's dream (Badakhshī, cited in Sofi 2017: 57–58) among Kashmir's neo-Muslim population constituted a line of flight from his Shāfi'ī lifeworld.

'Ali Hamadāni's extraordinarily perceptive decision to introduce loud choral recitation of the *Awrād-i-Fathiyyah* in Kashmir's mosques and shrines, a practice unique to Kashmir, and which was markedly reminiscent of the daily Brahmanical ritual of chanting *stotra*, or Sanskrit hymns of praise, in temples and at *tīrthas*, was an act of segmentation, destratification, and a strategic departure from the Islamic tradition, consciously undertaken by 'Ali Hamadāni to plunge into Kashmir's indigenous pre-Islamic milieu. My own ethnographic observations at *Mela Khīr Bhawāni*[3] in this connection were quite revelatory. During an early morning visit to the pilgrimage site, on the eve of the annual festival, in 2014, I heard the much familiar recitation of the Aurād, which forms the daily morning ambience of a Kashmiri neighborhood,

which I initially attributed to a nearby local mosque in the surrounding Muslim neighborhood of the pilgrimage site. Not quite sure from where exactly the loud recitations were coming, I curiously asked the local shopkeeper about it. To my utter disbelief he informed me that the recitations were the hymn chants from the Kashmiri Brahmin priests who were praying inside the temple in the premises of the pilgrimage site. The rhythm and the refrain of a recitation of the *Awrād* from a Kashmiri mosque and that of a *stotra* hymn chant from a Kashmiri Hindu temple, as I discovered, were indistinguishable, in spite of the fact that the former was recited in Arabic and the latter in Sanskrit.

More importantly, though, this daily practice of reciting the *Awrād* aloud in chorus after the Fajr and the Maghrib prayers, in its double deterritorializing refrain, was simultaneously a substantive reterritorializing act of Islamization. In its loud choral recitation of the Awrād, which concluded in a standing homage to the Prophet with folded hands,[4] the Islamic prayer fled its traditional Persianate-Islamicate ethos in a creative act of deterritorialization. In its strategic escape from the Persianate-Islamicate "plateau" as it spilled into the distinctly Kashmirian "kinesthetic melody" of reciting a predominantly *Tawhīdic* (asserting oneness of God) prayer in Arabic, it deterritorialized the Sanskrit hymn chant – an overwhelmingly familiar religious ritual in pre-Islamic Kashmir – by dislocating its *refrain* through an asignifying replacement of its content, while continuing with the same repetitive rhythm – of a Sanskrit hymn chant. A breakaway tune from the Iranian plateau thus launched forth in the Valley of Kashmir by plunging in the existing melodic formula of temple bells and hymn chants, characteristic of temporality and spatiality of the medieval Kashmir, thereby transforming both the *being* of the participant and the landscape. This plunging in, or spilling over, turned into the loud act of marking the recently inhabited territorial landscape of Kashmir as Islamic. In the call for *azān*, and the asignifying chants of *Awrād-i-Fathiyyah*, the pre-Islamic territory of Kashmir found a new owner in the "nightingale" (Bulbul Shah),[5] as much as the "nightingale" found a new territory – Kashmir.

For, in the absence of such deterritorializing ecstasies, it might not have been possible for a Persianate-Islamicate tradition to move out of its Persianate *lieu* and anchor itself in a frontier territory of the Sanskrit-Brahmanical-Buddhist Kashmir. On the other hand, however, Sayyid 'Ali Hamadāni was also acutely aware of establishing among the neo-converts the distinct ideals of the Islamic tradition, without losing touch with the kernel of what constituted Islamic practices. Accordingly, therefore, Sultan Qutub ud-Dīn (r.1373–1389) was readily instructed by the Shaykh to divorce the eldest of the two sisters he had taken as spouses, his marriage with the other sister was renewed (*tajdīd-i nikāh*), and he was also advised to discard his non-Muslim dress (Anonymous/Pandit 1614/1991: 35). It is, therefore, instructive to understand how 'Ali Hamadāni, in person and through practices, acted simultaneously as an exemplary agent of deterritorialization, territorialization and the consequent reterritorialization of Perso-Islamicate milieu upon the pre-Islamic milieu of medieval Kashmir.

It is noteworthy, however, that much of the deterritorialization of the early Kashmir's Brahmanical order, and also of its socio-political order, had actually started much earlier with the fall of the Second Lohāra dynasty, followed by three centuries of Sanskrit literary culture's decline and sudden "death" (Pollock 2001) from the thirteenth century, and the devastating Mongol invasion of the early fourteenth century. The arrival of Sūfi Shaykhs and the establishment of Muslim rule in Kashmir in 1320, when Rinchana converted to Islam at the hands of Bulbul Shah, however, triggered an unprecedented movement of segmentarity, destratification and disintegration in the pre-Islamic religio-social order. As a result of these movements of rupture in the pre-Islamic milieu of Kashmir, an increasing number of Hindus from the general population and high-caste socio-political elites converted to Islam and joined the territorializing forces of Islamization. The foremost among the chief agents of this movement, who can be called

the agents of rupture were the king Suhādeva; Rāvan Chand during Rinchana's (1320–1323) reign; Chandsardevā and Ujani Raina during Sultan Shahābud-Dīn's (1354–1373) rule; Ladī Magray during Sultan Qutub ud-Dīn's (1373–1389) rule; and Suha Bhatta during Sultan Sikandar Shāhmīrī's (1389–1413) reign.

Besides, matrimonial alliances between Sayyids and Sultans, Sultans and Hindu noble families, and Sayyids and Hindu chieftains broke open the boundaries of both, the Sayyids' genealogical hierarchy, and the indigenous socio-political order of Kashmir's Brahmanical order to Islamization. At the same time, however, the eccentric alliances and movements *out of* the indigenous Brahmanical order, which established fresh connections with the Islamicate multiplicities of the emigrant Muslim milieu, also constituted the potential sites of the Brahmanical re-emergence at a later stage in Kashmir's historical process. It is these potential sites of re-emergence which would later facilitate the reconstitution and restratification of a certain sort of Brahmanical assemblages, thereby restoring power to resurgent formations of the order in the form of the Dogra Hindu State (1846–1947). Here, however, it must suffice to say that the organizing vision of Kashmiri's pre-Islamic order was the maintenance of a closed socio-religious hierarchical structure shaped around rigid caste-hierarchy and the "purity" of rituals which included purity of spirit, land, rites, language, social and religious conduct, as well as purity of scriptural knowledge and mantras (Chakravarti 1993: 579).[6]

In medieval re-appropriations of the Purānic worldview, the physico-sacred geography of early medieval Kashmir exemplified, in its embodied and literary forms, a closed "highly locative world view" (Kaul S. 2018: 74) which largely remained closed off and inimical to an egalitarian worldview, marked off and safeguarded as it was against the latter by its innumerable *tīrthas* along the surrounding Himalayan mountain ranges enclosing the valley of Kashmir[7] in its "raised arms."[8] On the contrary, however, rupture, reencounter and reconstitution remained the *opus operatum* of Islamization, more specifically the Islamization of medieval Kashmir. In its strategic movement of *desire* away from the intellectual dichotomy of *shari'a* and *tarīqa*, esoteric and exoteric, high tradition and little tradition, doctrinal and folk, Sūfi and Rishī, the Perso-Islamicate assemblages of Kubrawī order stepped into and subverted the closed Brahmanical order of early medieval Kashmir, nibbling at the core of latter's lifeworld, and disarming it by binding together with its traditional lines, without connecting with its structure; thereby creating a meshwork with its ritual leitmotif, but never fully integrating within its order and worldview. In other words, the Islamization lines of flight, which ruptured out of their Persianate ritual-intellectual moorings, sniped at the locative lifeworld of the Brahmanical order in order to subvert it, and then stepped back out to *reconnect* with and keep its own milieu and worldview at an arm's length distance from it all, in a "rhizomatic" formation:

> You make a *rupture*, draw a line of flight, yet there is still a *danger* that you will reencounter organizations that restratify everything, formations that restore power to a signifier, attributions that reconstitute a subject.
>
> *(Deleuze and Guattari 2013/1987: 8–9, emphasis mine)*

The "rupture" and the "danger" were, I may argue, not only originary but more substantively creative as well as reconstitutive to the medieval Islamization processes, without being at the same time stratifying or hegemonic in an essentialist way.

In the context of Islamization of medieval Kashmir, the life of Shaykh Nūruddīn Rishī (1377–1440), also known as Nund Rishī or Shaykh al-Ālam, exemplified one of the greatest achievements of the rupture-snipe-reencounter-reconstitution dynamic of Islamization in its Persianate-Islamicate tradition. Following Shaykh Nūruddīn Rishī's life one is led to believe as

if the chief agents of the Kubrawī Sufi Order intently and persistently worked through Nund Rishī to step into the Śaivite ascetic counterculture of indigenous rishīs, who had practically fled from the social space and left it open for the hegemonic householder ethos of Kashmir's Brahmanical ascendancy. Following in the escapist dispositions of extreme asceticism of the most legendary Buddhist and Hindu *sanyāsīs* (renouncers), such as Palās Rishi, Zulka Rishī, and, more pronouncedly, Lalleśvarī (Lal Dĕd,), Nund Rishī was at the forefront of the counterculture of renouncers, braving the trials and humiliations of the prevalent Brahmanical householder tradition. In his insightful analysis of the socio-religious order of the time T.N. Madan (1988: 41–42) remarks:

> Why is it that the Pandits distrust and ridicule self-styled renouncers? [It has to do with] their commitment to the ideology of the householder. Apparently they are cynical about those who leave home . . . he [the renouncer] not only seeks release from the web of kinship and other worldly ties but also denigrates these as a trap and an illusion.

Stepping into the counterculture of renouncers, which nevertheless lived scattered on the fringes, the Kubrawī masters of the Persianate-Islamicate milieu weaned Nund Rishī away from extremely escapist dispositions of the Buddhist-Śaivite ascetic tradition, while nurturing his ascetic "habitus" with Persianate-Islamicate spirit and etiquette. His earlier escape to the nearby mountain cave where he stayed for twelve long years, surviving on wild leafy vegetables like *vopalhākh* (*utpalaśāka*), which was the common diet of ancient sanyāsīs and poor village folks, was the most material negation of worldly life (Khan 2005: 101). This phase of his life is steeped in Śaivite consciousness which he expressed in his Sanskritized Kashmiri poetical hymns, the *shrŭk*[i].[9] His first formative encounter with Persianate-Islamicate milieu occurs through his father's conversion to Islam at the hands of a Kubrawī master Sayyid Mohammad Hussayn Simnānī. The son would soon accompany his neo-Muslim father, Salar Sanz to the Khānqāh.

It was about fourteen years prior to his own visit to Kashmir that the great Kubrawī master Mīr Sayyid 'Ali Hamadānī had deputed his cousin Sayyid Mohammad Hussayn Simnānī on a mission to Kashmir in 1359 during Sultan Shahābud-Dīn's reign (1354–1373). Soon after his arrival a khānqāh was established in the rural hinterlands of Kashmir at Kulgām, 42 miles south of Srinagar. The sultan granted endowments for the maintenance of its *laṅgar*, which soon attracted the local population for its egalitarian practices. Quite significantly, the family name "Saṇz" had been retained by the Shaykh as he gave his neo-convert his new Muslim name. Nund Rishī was twelve years old when the Shaykh passed away. It is instructive to note yet another remarkable snipe at Kashmir's Buddhist-Saivite religio-spiritual worldview from the Persianate-Islamicate movement which came in 1393. This was the year when Mīr Sayyid 'Ali Hamadāni's illustrious son Mīr Mohammad Hamadānī arrived from Khatalān along with 600 Sufi shaykhs and attendants to continue the ongoing Islamization process in Kashmir after Hussayn Simnānī's death in 1390 (Diddamari 1746/2019,72). Sayyid Mohammad Hamadāni personally called upon Nund Rishī (Khan 2005: 83), departing from his aristocratic-shaykhly Persianate comportment, for a historical meeting that would prove a deterritorialization *par excellence* of the pre-Islamic medieval Kashmir. At the time of their meeting Nund Rishī had spent twelve long years in the *Shahmār Tang* cave, descended into extreme austerities and body mortification, renounced his householder way of life, and abandoned his mother, wife, and children.[10]

The encounter became for Nund Rishī the site of his line of flight away from the Buddhist-Śaivite spiritualism toward the Persianate-Islamicate one. Nund Rishī, who celebrated his

spiritual inheritance from the Saivite ascetic Lal Dĕd, was now keen to initiate into the fold of the Kubrawī Sufi order at the hands of its one of the most prolific Shaykhs, Mīr Mohammad Hamadāni. An exemplary riṣhī[11] who embodied the centuries-old Puranic vision of Kaśyapa, the legendary "originator" of Kashmir, Nund Rishī would soon denounce his renunciatory seclusion, leave the cave, and join the deterritorializing network of Islamization as its perfected *walīγ*[12] – "a protégé of Allah" – and shaykh. The Kubrawī order of the Persianate-Islamicate milieu thus assembled a new multiplicity as it extended into the centuries-old Purānic Rishī consciousness of Kashmir and deterritorialized its extreme austere practices through Nuruddin Rishi's transformation from a Śaivite renouncer to a Kubrawī *walīγ*. The Letter of Initiation (*Khat-ī Irshād*), written by Mīr Muhammad Hamadāni in 814AH/1411CE and addressed to Nuruddin Rishī, which is preserved at the *Khānqah-i Muʿallā* in Srinagar, formally received him into the exalted Kubrawī-Hamadānī line, and granted him permission to preach Islam, take disciples, train initiates, and practice Islamic pieties in the exalted *path* of the Sufi Shaykhs (Khan 2005: 256–257). The anti-genealogical alliances thus formed the organizing principle of the Sufi orders in their Islamization movements across the frontier territories such as medieval Kashmir.

Two main causes can be given for the Islamization of Perso-Indica in general and of medieval Kashmir in particular. The first cause was the doctrinal cause of Islam, its missionary aspect, organized around the techniques of *da'wa* (*inviting*), *tablīgh* (preaching) and *isha'at* (announcing) which were woven into the fabric of Islamic tradition. Closely linked to this doctrinal cause was the historicity of its *hijrat* (migration) and *hajj* (pilgrimage), which, while retaining in its traditional milieu a certain trace of nomadism, imparted to its organizational weave a missionary eccentricity of "leaving its home" for the "other lands" "for the cause of Allah" (Bulliet 1994: 67). The second cause was the direct consequence of the rise of "the high-tide of the Mongol Age" in Western Asia during the thirteenth and fourteenth centuries, which not only led to the sacking of Baghdad and the execution of the Abbasid caliph in 1258, by Mongol armies under Hulegu Khan, but also threatened the future of the Delhi Sultanate. But this cause has been studied rather simplistically, disregarding the complexity of relationship between Sufi Shaykhs and Mongol political elite who remained intimately intertwined.

Keenly aware of the "firestorm" of Mongol destruction unleashed at "the heart of the Islamic world," Eaton (2000: 166–167) notes that the Delhi Sultanate in particular and the Muslims of the later thirteenth century in general, "had come to see India as destined to play a very special role for Islam in the post-Mongol world." The establishment of Islam and Muslim rule on the Deccan plateau, and the establishment of the Bhamani Sultanate, were directly informed by both the causes mentioned earlier. In the context of medieval Kashmir, the eccentric and segmentary character of the Persianate-Islamicate tradition, the persecution of Sufis in Central Asia and Persia under Mongols, as well as the intimate liaisons between Mongol ruling elite and Kubrawī Sūfi Shaykhs, all contributed to the emigration of Sufi Shaykhs and the establishment of Persianate-Islamicate socio-polity. It was for this multiplicitous morphology constituted as the cause, hijrat, hajj and nomadism in the Islamic tradition that drove both Muslim rulers and Muslim Shaykhs to other lands where new lines of territorialization, stratification, and re-organization emerged. These lines of reterritorialization and reconstitution tied back to old lines across ruptures and frontiers, thereby, forming translocal multiplicities, locally global "terrains of exchange" between Persianate-Islamicate worldview and the pre-Islamic Hindu-Buddhist milieu of Kashmir, which, unlike Nile Green's (2014: 7) conception of vertical structuration of the "cross-fertilizations of culture," were transversal, anti-structural, as well as anti-genealogical.

The Map of the Terrain: The Khānqāh, the Mosque, the Graveyard, and the Market

Rian Thum, in his ethnographic study of Uyghur history, highlights a material connection between the shrines in Altishahr and the tazkirāhs written about them, arguing that the shrine, like the text, "was a fulcrum of historical meaning, in the sense that texts about the past were attracted to the shrine, circulated there, and . . . disputed there" (2014: 96–97). According to Thum, by viewing shrines themselves as the material manifestations of the past, they thus become both "the context of historical practice and the very stuff of history" (2014: 96–97). Thum is particularly referring to the role of these sites (shrines) in the daily life and rituals (such as pilgrimages and festivals) of the communities tied to them, and how texts – about these sites and the lives of their Shaykhs – are firmly tied to particular points on the landscape:

> Shrines provided pilgrims a physical and geographical link to the past, which further drew history into the realm of personal experience, much like the museum and monuments of certain other societies.
>
> *(2014: 96–97)*

The shrine, or the khānqāh, as an intense concretion of Islamization and an important site of daily life, stood on the local terrain, not as a lonely local institution, but as the central landmark in the heart of an integrated network of the connected mosque, the local graveyard, and the connected market. At the dawn of the medieval Islamization of Kashmir in the early fourteenth century, which was coeval with the establishment of the Muslim rule in the region, the first khānqāh that was built by the disciple ruler Rinchana Shāh for Bulbul Shāh stood together with a grand mosque, and the palace of the ruler. The grand mosque of Rinchana extended to the early medieval Buddhist quarter of Bodhgīr. Later, the tomb of the ruler and the graveyard of the prominent companions of the Shaykh and the '*ulama* of the time were built in the premises of the Shaykh's tomb and Khānqāh-i Bulbul Lankar. Interestingly, it was the same locality where, long before the fourteenth-century Islamization wave, the first Muslim city quarter of the earliest emigrant Muslim traders, artists and butchers might have lived, and which is presently known as Malchamār, the modern variant of its reference to the early medieval derogatory designation for Muslims as *Mlecchas* – the "impure outsiders."

Conceived within a Persianate literary tradition, the sixteenth- and seventeenth-century Persian narratives of Kashmir's transition to Islam, which also included besides tazkirāhs and tārīkhs various *Rishīnāmās* and *Nūrnāmās*, recreated in continuum a discursive landscape of Islamization by mapping the narrative meshwork of Kashmir's encounter with Islam through the activities of Muslim Shaykhs, Sultans, and Rishīs upon Kashmir's pre-Islamic landscape. In this sense, therefore, as the heterogeneous assemblages of Islamization worked upon the terrains of pre-Islamic medieval Kashmir through concrete acts of religious, social, political and economic interventions, the narratives of these activities and the consequent transformation of Kashmir's pre-Islamic terrain, were not conceived in any imaginary space, but remained tied to the concrete activities and the sites of Islamization. Thus the popular conversion-debate between Shaykh Nūruddīn Rishī and the great Brahman Priest Bam Sād (Bhīma Sādhi) at the latter's Bamzu cave-temple in southern Kashmir, as it appeared in the sixteenth-century Rishīnāmā of Baba Khalīl, is significant for the fact that not only did the great priest convert, but he retained the famous cave temple as his new reconfigured Muslim shrine (Digby 1970: 14). Remarkably, the first name "Bām" in his new Muslim name, Baba Bām al-Dīn, adopted by the priest is an onomatopoeic imitation of his Brahman first name "Bam."

Furthermore, tied up with the material reconfiguration of the sacred place is the conversion narrative, enunciated in an idiom and cultural imaginary that appealed to the religious economy of Bam Sād's Śaivite worldview. Bam Sād, apparently seeking to know how to worship the Shaykh's God, inquired:

> Kusū Pŏṣ te Kusū Pāṣāṇai [Which animal to which Idol Shall I Sacrifice]
> Kumū Kosam Lāgas Pūzāi [Which flowers in Worship shall I Offer]
> Kave[i] Karîth Tīrath Zăl Čha:v[i]zeys [In Water of Which Tīratha Shall I bathe Him]
> Kave[i] Mantar[e] Īşar Nindri Vŭzey [With what Hymns Shall Īśvara Wake]

Shayk al-Ālam replied:

> Yatshi Pŏṣ te Patshi Pāṣāṇay [Devotion as Animal, Faith as the Idol]
> Bhāvik[i] Kosam Lag[i]zeys Pūzāy [Flowers of Character, do Offer in Worship]
> Shash Gagne[i]Tīrath Zăl Čhāv[i]zeys [Water of the Six Skies of Consciousness to Bathe in]
> Tshvap[i] Mantar[e] Īşar Nindri Vŭzey [With Hymns of Silence Shall Īśvara Wake]
> *(Quoted in Basheer 2014: 49–50; translation mine)*

Notwithstanding the prevalent credulous nature of the dialogue, the authors of Rishīnāmās used the "formulaic elements" (Behl 2012: 23) of Kashmiri Śaivite language and rituals to articulate a Persiante-Islamicate Sufi *Sulūk* (path), thereby dislocating the Śaivite ideology by steering its symbolic vocabulary away from its outward observances of fetishized austerity, animal sacrifice and idolatry into visualization of Sufi *Sulūk* stations. At the social level, the historical reality that the conversion anecdotes of Rishīnāmās were being recited, circulated, and reproduced in oral accounts by storytellers, bards *(bhānds*), and *dervish* dancers (*Dhambael Dāstān*) across Kashmir "at social gatherings" (Khan 2005: 181), events like weddings and *'Urs* anniversaries of local saints, had not been lost on the compilers who were themselves devout adherents of the new faith which they were consciously propagating among Kashmiri masses.

In the material culture realm, the reconfiguration of old Buddhist and Hindu sacred sites like vihārās, tīrthas, and temple sites into Islamic sacred sites such as mosques, shrines, and graveyards were perhaps the most expressive acts of what might be called creative reconciliation with the past, which facilitated not only the deterritorialization of pre-Islamic heritage into Islamicate heritage but also led to the Islamization of Kashmiri landscape through a reconfiguration and re-articulation of its sacred space within a Persianate-Islamicate language and imagery. The typical architecture of the Buddhist vihārā was imitated in the khānqāh design (Andersen 2012). We find many parallels to the "continuity of sacredness" in the eighth-century Islamization of Buddhist Afghanistan after Umayyad conquest of Bactra (Balkh) in 708–709 (Azad 2017). In her study on the Islamization in Afghanistan, Arezou Azad (2017: 53) argues that while the Buddhist meaning of many prominent Buddhist sites of the medieval city of Balkh was lost in their multiple reconfigurations, first as Zoroastrian and later as Islamic sacred sites, their sacredness was retained.

The most prominent Buddhist monastery of Balkh, *Nava vihāra* or "New Monastery" was transmitted through Sasanian origin myths as the very site where the prophet Zoroaster died and where his patron, Gushtasp, had built the city thus assuming the name Gushtasp's Mound. And later, in the twelfth century, Shaykh al-Islam al-Wa'iz, the author of the *Faza'il-i Balkh*, rearticulated the Navavihāra as the final resting place (Persianized to *Naw Bahār*) of the Prophet Ayyūb, Job the Forbearer in Biblical tradition (Azad 2017: 53). Similarly, the capital city of the newly established Kashmir Sultanate in medieval Kashmir was built around the same site

where the ancient city of Pravarapurā stood. The ancient city is said to have been founded by the Gonanda king Pravarasena II (r.530–590) during the early sixth century on the banks of the Vitasta River (Jhelum) around the foothills of the Hariparvat Hill (Stein, RT, III-337–363). During his visit to Kashmir in 631 CE, the Chinese traveller Hiuen-Tsiang identified this city as "the new capital" and located it as "situated on the eastern bank of a great river, two and a half miles long from north to south" (Stein, RT. II.339–349).

During the Kashmir Sultanate period, the Khānqāh-i Bulbul Lankar, Rinchan Masjid, the Jāmi'a Masjid, Khānqāh-i Mu'alā, Mazār-i Salātīn, the shrines of Shaykh Hamza Makhdūmi and Shaykh Bahauddin Ganj Bakhsh, and the earliest Muslim graveyard in the premises of the shrine of Baha ud-din Ganj Bakhsh, all of them were built around the foothills of the Hariparvat on the right bank, the site of the ancient Pravarapurā. Not surprisingly thus, it is also the same site of Pravarapurā, Hiuen-Tsiang's "the new capital," where the central core of the old city of "the downtown" Srinagar is presently located. While the old sites of Pravarapurā lost their old meanings in their acculturation induced by Islamization, these sites retained their sacred character, thus becoming, at the same time, sites of creative reconciliation with their pre-Islamic past for the overwhelming majority of Kashmiri Hindus and Buddhists who converted to Islam. The pre-Islamic past was therefore not suppressed but recast in shaping a different present. Creative reconciliation with the past among Kashmiris during their transition to Islam involved acts of forging new identities without disowning or forgetting their past, for entirely renouncing their centuries-old traditions by rejecting or disrespecting them would have made their transition to Islam very traumatic. Since these transitions were meant to instill a better and peaceful future, they had to be gradual, creative, and reconciliatory. Shaykh Nūruddīn's life and his founding of the Rishi Order were exemplary practices of creative reconciliation with the past within a Persianate-Islamicate milieu of Kashmir.

Shaykh al-Ālam's own life and poetry offer a deep understanding of both the ontological crisis that the indigenous rishīs had to go through during the Islamization process, and how he overcame this crisis through creative reconciliation. Both – the crisis and its overcoming – were apparently at work in the process of transition. Shaykh al-Ālam initially declared during his dialogue with Mīr Mohammad Hamadāni that he was Uwaysī in spiritual lineage – named after Uways al-Qaranīy; Uwaysis are those sūfīs who claim their direct chain of authority and transmission of spiritual guidance to the Prophet Mohammad, with no intermediate Sūfī links in between (Kāmil 1965: 33; Khan 2005: 46). Here, a rishī who was obviously not linked to any Sūfī *silsilā*, and therefore in order to legitimize his position of authority as a Muslim saint in a transitory Islamic space, claimed both sūfīhood and allegiance to a *silsilā*. The event and the act reveal the ontological crisis of integrating into the Persianate-Islamicate tradition that was taking shape and shaping Kashmir into a new world system. In one of the most popularly remembered *shruk's* attributed to him, Shaykh al-Ālam announces his *silsilā*, establishing his unbroken lineage with the Prophet (Kāmil 1965: 135):

Awwal Rishī Ahmad Rishī, Do'yim Hazrat Owais Āw
Tri'yim Rishī Zalkar Rishi, Tchorim Hazrat Palās Āw
Pontchim Rishī Rume[i] Rishī, Shi'yim Hazrat Mirān Āw
Sati'mis Korham Hash Nādashī, Be[i] Kus Rishī Me[i] Kya Nāw

Here a new lineage, which is anti-genealogical, is established by Shaykh al-Ālam, linking him to the Prophet Mohammad through an unbroken chain of intermediaries who include earlier ascetics from pre-Islamic Kashmir through renowned Sūfīs from the Prophet's own time. This unique *silsilā* and its spiritual authority, which emanated from the Prophet himself, extended forward to the Shaykh's own time; furthermore, it advanced outwards in space along new

lines from Arab to Ajam in Kashmir, where it took on a particularized territorial form and character in its cosmological juxtaposition of the Arabian spacetime in Kashmir's legendary one. The nature of territoriality which was constituted through this complex movement of the Islamic tradition in space and time cannot be captured in the notions of indigenous, emigrant, or syncretic. This territoriality is simultaneously deterritorializing, as it is constituted in dynamic networks, which are not genealogical, nor static, but cosmographic, yet located in particular geographical spaces as constellations, stabilized around sites of Islamicate milieu, such as mosque, khānqāh, tomb, graveyard, madrasā, garden, fort, canal, as well as the tied-up texts and so on. In fact, the individual life of a Sūfī in itself is not bound up in a particular territorial spacetime. The Sūfī life and the Sūfī identity – and by extension Muslim identity – is not necessarily *rooted*, but *routed* in a territorial spacetime which can only be mapped, but not traced.

Conclusion

Aural Stein (1900 RT.II, 367), while paying great attention to the "*Topographia sacra*" of the Kashmir Valley in his translation of Kalhanā's *Rājataraṅgiṇī*, presciently notes that

> there is scarcely a village which has not its sacred spring or grove for the Hindu and its Ziārat for the Mohammadan. Established as the latter shrines almost invariably are, by the side of the Hindu places of worship and often with the very stones taken from them, they plainly attest the abiding nature of local worship in Kaśmīr.

Notwithstanding the suggestive "syncretic" undertone of the "abiding nature of local worship," Stein was nevertheless witnessing and recording, at the same time, the apotheosis of a great transformation of the early cultural geography of Kashmir in its turn toward Islamization. The mass conversion of the pre-Islamic Kashmir "happened," and by the late nineteenth century was "complete" in its historical *rupture* from the ancient pre-Islamic past which had so vividly echoed in Kalhanā's reverent statement: "In that [land, Kashmir] which *Keśava* (Viṣṇu) and *Īśāna* (Śiva) adorn as *Cakrabhṛt* and *Vijayeśa*, as well as in other, there is not a space as large as a grain of sesamum without a *Tīrtha*" (Stein RT 1900, I.38).

Rather than engaging in a sterile debate of the nature of this mass conversion – whether "violent" or "syncretic," or else "light" or "fundamental" – this study highlighted the value in exploring the processes and the agents of Islamization. By analyzing the networks and practices of the multiplicities of Islamization, this chapter demonstrated how Islamization networks of Sūfi Orders, particularly the Kubrawīs, forged open, anti-genealogical affiliations and alliances with other social, religious, and political formations through strategies of deterritorialization and reterritorialization. Returning to the much-ignored intimate relations between Mongol elite and Sufi Shaykhs, the antecedents to these intimate heterogeneous alliances existed in the most proliferous formations, which Kubrawīs formed with the Mongol political elites in thirteenth-century Eurasia, also the most turbulent period in the Islamic history. To recount Hamid Algar's (1982) piercing description, it was against the calamitous background of barbarian invasion of Mongols from the east and Crusaders from the west that numerous channels of development were established by Kubrawī Sufis

> to produce one of the richest and most brilliant epochs in the history of Sufism, almost as if all that had gone before constituted a preparation for what has been termed "a fresh flowering or second youth" of Islam.
>
> *(Algar 1982: 1; Lings 1971: 11–12)*

No suppression or persecution, whatsoever, seemed to stop these supreme Sūfi masters, from Najmal-Din Kubrā (b.1145/46), the founder of the Kubrawī order, and his various disciples to a host of other Sūfis from the Kubrawī line, as well as other Sufi orders, to snipe at and dislocate Mongol *Yasa*, the secret cultural-legal code by which Mongols lived (McChesney 1996, 2000), as "Shari'a-consciousness" spilled over into Genghisid lifeworld and spread through it like Zamzam water seeping through grasslands of Inner Asian Steppe. Soon after the execution of Najm al-Dīn Kubra during the Mongol conquest of Khwārzam in 1221, his disciple Seyf al-Dīn Bākarzī (d. 1260) established a well-endowed khānqāh in Bukhāra, and it was here that Berke Khān, the fifth ruler of the Golden Horde, came to accept Islam. Again after the establishment of the khānqāh at Bahrābād in Khurāsāṇ, by his father, the Kubrawī master Sa'd al-Dīn Hamūya, Sadr al-Dīn Ebrāhīm presided over the conversion of the Ilkhanīd ruler Gāzān Khān in 1295 (Algar 1982: 5). For a holistic understanding of Islamization in medieval Kashmir it is therefore important that alongside the Mongol sacking of the Abbasid Baghdad and the persecution of many Muslim Shaykhs and Sūfī masters we also consider the close alliances and intimate bonds between Mongol and Muslim religious-aristocratic circles which facilitated Islamization movements into the Mongol Empire.

While we enrich the rather simplistic accounts ascribing Sayyid 'Ali Hamadāni' and his disciples' arrival in Kashmir to Timur's expulsion of the Sayyids of Hamadān with the knowledge of the intimate Kubrawī-Mongol alliances, we may also pay particular attention to the deep *anxieties* that the "hydro-consciousness"[13] of the Persianate-Islamicate Sufi orders of Islamization caused within the Brahmanical elite of the pre-Islamic milieu of medieval Kashmir. For it were these *anxieties* too that shaped the newly embraced Kashmiri Muslim subjectivity of the "converted" Kashmiri masses of the medieval Kashmir into an Otherness that continues to haunt their present. Two Sanskrit historians, Jonarāja and Śrīvara, under the patronage of Sultan Zayn al-'Ābidīn (r.1420–1470) and Sultan Muhammad Shāh (r.1484–1537), in their efforts to *revive* Kalhanā's historical project, struggled to accommodate Persianate-Islamicate *ethos* in Kalhanā's *totalizing* Sanskrit worldview, deeply imbricated in a Kashmiri Śaivite Brahmanical order. Clearly identifying themselves as Brahmins (*dvija*), the works of both echo the elite interests of Kalhana's *Rājataraṅgiṇī*, so that a concern with Śaivite hegemony lurks in "*svadeśa-consciousness*," which they try to re-articulate in an Islamicate court milieu. As expected, therefore, Jonarāja, in a nostalgic return to the twelfth-century Kashmir, transports back to the fifteen-century milieu of Kashmir Sultanate, the specter of the Ghūrid Muslim warrior of Jayanaka's *Pṛthvīrājavijaya* (Obrock 2015).

Thus, in spite of *being* accepted by Jonarāja as a comprehensible subjectivity in fifteenth-century Kashmir, which carried with it a concomitant "land," own "rites," and a "belief," the Muslim could also *become* "the impeccable dangerous other," an unpredictable determination – "the enemy of the land, the cow, and refined speech; and the enemy with a weapon" (Jonarāja, quoted in Obrock 2015: 82–83). However, these constructions of Kashmiri Muslim Otherness must not divert our attention from the historical-social reality that mass conversion of the indigenous medieval Kashmiri society happened, and that these masses in their adherence to the new religion, connected with it, related to it, talked about it, and recounted the innumerable tales of their conversion in the most engaging, intimate ways through oral, literary and ritual venues, from medieval era down to the present. Combining the hermeneutics of *desire* and the phenomenology of *supplication* in their new religious practices the Persianate-Sufi ethics offered its new Kashmiri adherents novel venues for a collective catharsis. As Śrīvara was adapting Abdur Raḥmān Jāmī's Persian narrative poem (*mathnavī*) the *Yūsuf wa Zulaykhā* into Sanskrit *Ślokakathā*, the *Kathākautuka*, the latter's Sufi supplications (*munājāt*) reverberated from Kashmiri Muslim venues as the "secret cries" of catharsis in melodic chorus. Two of Jāmī's

ecstatic supplications, both in Persian as well as Kashmiri renderings, became the daily collective "private talk" (Arabic, *najwā-kum*) during the ritual prayers of Muslim devotees in khānqāhs, mosques and ziārats across Kashmir:

> Ya Ilāh al-Ālamīn Bār[i] Gunāh Āwardah Am
> Bar Darat Aīṇ Bār Bā Pusht-i Dūna Āwardah Am
> *(quoted in Sayyid-Kāmli undated, 36)*

The nineteenth-century popular *na'atiya* poet of Kashmiri language, Sayyid Sanāullāh Krīrī (1813–1875) reverentially adapted the two most exquisite *supplications*, Imām Ali ibn Husayn Zayn al-Ābidīn's *qasīda* (ode), introduced by Sayyid 'Ali Hamadānī (in Arabic), and Jāmī's munājāt (in Persian), into Kashmiri idiom, consciousness and melody. All three versions – Arabic, Persian, and Kashmiri – are recited in Kashmiri mosques and khānqāhs with ecstatic fervor as part of the pre-dawn supplication, *Du'ā-i Subah* (S'adī1979: 21; Sayyid-Kāmlī, undated, 333):

Imām Zayn al-Ābidīn's Arabic qasīda:

> In Nilta Yā Rī Hassabā Yăwman Ilāh h-Ărdil Haram
> Balligh Salāmi Rawzatan Fī-han Nabīyyŭl Mohtaram

Jāmī's Persian munājāt:

> Nasīmā Jānib-e Bat'hā Guzar Kun,
> Zi Ahwālam Muhammad Rā Khabar Kun

Sanāullāh Krīrī's Kashmiri:

> Hā Wāv[e] Wātakh Nā Totuy[i], Yeti Dāf Trā:vīth Mustafā
> Ahwāl Myēnī Tas Wanǣkh, Suy Hō Karyem Dādyen Dawā

The *munājāt*, *nā'at*, *mawlūd*, and *khatm-khawāni* thus became the most intimate rituals of collective supplications in which the narrative world of hermeneutic enunciation tied up with the phenomenological world of collective supplications of the desirous masses. It was primarily at these loud venues, from khānqāhs and mosques to village festivals and *urs*, that the adherents of a new faith were shaped into a distinct community of Kashmiri Muslims, and from where Persianate-Islamicate ethos seeped into and flowed through the Kashmiri soil.

Notes

1 *Běhat* is the name given by the medieval Persian hagiographers and historians to the *Jhelum* River.
2 Agrahåras in Kalhanā's *Rājataraṅgiṇī, a*s noted by Stein, referred to "jāgirs, villages, or piece of land, revenue of which was assigned to an individual, corporation or religious institution." For example, Kalhanā first described king Lava's bestowing of the Agrahåras of *Levāra* and *Kuruhāra* to the community of Brahmins in Livar village on the right bank of the Liddar, and Kular village respectively (RT I. 87–88).
3 It is a religious festival celebrated by Kashmiri Hindus to this day at the ancient *tīrtha* of Tul[a]mul village, close to the confluence of Jhelum and Sindhu rivers, 14 miles east of Srinagar.
4 See for example, Ishaq Khan (2005: X, 70) and Advaitavadini Kaul (2018: 15) who have noted a much familiar practice of Hindu prayer among Kashmiri Hindus since early medieval times, of loudly chanting Vedic/tantric hymns of praise to invoke gods while "standing with folded hands."
5 The first known Muslim missionary to arrive in Kashmir with his 1000 followers, and on whose hands Rinchana embraced Islam, was Sayyid Sharaf ud-din (a Sufi Shaykh of the Suharwardī order), popularly known as *Bulbul* (nightingale) Shah.

6 The fourteenth-century Kashmiri Śaivite ascetic Lal Dĕd openly protested in her *vākhs* against the exploitative ritual practices of the Saivite Brahmanism, for its embedded caste-ridden social inequalities, fetishized austerity, and animal sacrifice. For example, in one of her subversive utterances, "she confronts the priest with the brutal exaction demanded by his idolatry" (Lal Ded 2011: 15):

"It covers your shame, keeps you from shivering,
Grass and water are all the food it asks.
Who taught you, priest-man,
to feed this breathing thing to your thing of stone?"

7 Bheḍagiri (Gaṅgobheda), Nandikshetra (Haramukh) in the north, ShāradaPīth, Neel Kunda (Verināga), and Amarnāth are some of the prominent *tīrthas* bordering Kashmir valley.

8 Kalhanā refers to the personified Kashmir in *the Rājataraṅgiṇī*, RT I, 31 (Stein 1900).

9 Nirguna Tsèh Royat^{e} Ditam [Parmeśvarā, manifest thyself unto me]
Chus Beh Choney Nāv Sarān [Thy name alone do I contemplate]
Băgĕh, Kailāś Khạ̄rith Nitam [Lord, lift me to the Mount Kailash]
Chuham Tsẏetas Tseh'Meharbān [I'm conscious of thy kindness] (Kāmil 1965, 62; translation mine)

10 During one of his mother's many visits to the cave, as she untiringly tried to persuade Nund Rishī to return home, the latter argued his conviction to his mother in a *shruk* (Azād 1962: 164):

Ănd Vān Nyērith Tăpt Sarhā, [Far off in the forests would I meditate]
Ăhar Karhā Vopăl Hākas te Hănḍī [Survive on wild teasels and dandelions]

11 The term refers to the " 'great yogis' or 'sages' who after intense meditation (*tapas*) realized the supreme truth and eternal knowledge, which they composed into hymns" (Scharfe 2002: 13–15).

12 The term refers to an exalted group of holy people in traditional Islamic piety who included, "Surely God's friends (*awliyā Allāhi*): no fear shall be on them, neither shall they sorrow," (Qur'an, 5:54).

13 I reformulate here Annette Balkema's (2001: 55) notion of "hydro-consciousness" to describe the eccentricities within Persianate-Islamicate Sufi orders of breaking off, branching out, seeping in, spilling over, and spreading through plough-lines of flight, which at the same time imparted to their flow and practices the power of penetration and organization.

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22

EXAMINING SACRED NECROPOLITICS AS POPULAR RESISTANCE IN INDIA-CONTROLLED KASHMIR

Umer Jan

Introduction

The armed rebellion in India-controlled Kashmir has acquired deeply symbolic characteristics in recent times. With the advent of digital media and, consequently, an information battlespace, images and representations have taken a critical, if not primal, role within the armed resistance against India's military occupation in Kashmir. During the past decade or so, while Kashmir's armed rebellion rages on with renewed vigor and, as usual, overwhelming popular support, the extent of its military success remains debatable. The sheer magnitude of the Indian state's counterinsurgency operation in Kashmir makes pure military gains hard to come by which, in turn, makes the armed rebellion more a battle of perceptions rather than exercise in kinetic operations with hardcore military objectives. This, in no way, is meant to undermine or question either the intensity of a particular military operation or the commitment of rebels that fill the militant ranks in Kashmir. In fact, the practical effort that is needed to keep an armed insurgency running, with meagre resources and under existential pressures from India's bloated counterinsurgency mechanisms, needs broader attention from a military-strategic standpoint. Nevertheless, in the absence of regular military gains, the notion and objective of *Shahadat* or martyrdom is central to the recruitment and functioning of the insurgency in Kashmir, all of whose recruits are Muslim men from either India/Pakistan controlled Kashmir or mainland Pakistan.

In this chapter, I first explore the modalities of *Shahadat* or martyrdom within the discourse of Islam and other Abrahamic religions, in addition to explaining how Kashmiri rebels within the mostly indigenous armed rebellion and the population in general have adopted this as a paradigm of anti-India resistance. I do this in order to elucidate the continuity of insurgent praxis and position Kashmiri reliance on martyrdom within a historical continuum, rather than upholding it as an instance of exceptional, *terroristic* expression, as it is often presented within the dominant discourse of the states. Expanding on Achille Mbembe's concept of necropolitics (2019), I contend how his thesis does not take into account the agency of subjects upon whom this biopolitical sovereignty of death is enacted. Through this exposition, I establish how Kashmiris, particularly armed rebels, have appropriated necropolitics and imbued it with religious characteristics to resist the necropolitics of Indian state. By wresting away the sovereign right

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of the allocation of death from the structures of India's military occupation, Kashmir's sacred necropolitics has become a dominant mode of popular political resistance.

I introduce the term "sacred necropolitics" to refer to an entire field of collective resistance, encompassing diverse performative acts, in India-controlled Kashmir. This collective resistance is almost always directed toward the Indian state, which is derided by most of the Kashmiri population as a foreign, occupying power. Kashmir's sacred necropolitics, the source of which is its insurgent people, appropriates the rituals associated with dying, death and afterlife to challenge India's brutal military occupation of the region. As the Indian state continues to crack down on all expressions of public protest in Kashmir, the people have found out a conduit for collective action in, and around, death. This collective appropriation of death as popular political resistance, by imbuing death with characteristics of the sacred, is what, in this chapter, I call *sacred necropolitics*.

Armed Insurgency in Kashmir: A Context

The armed resistance against Indian rule in Kashmir intensified in the late 1980s and early 1990s. Having exhausted all other means to persuade the Indian state toward fulfilling Kashmiris' inherent, and internationally guaranteed, right to self-determination, Kashmiri people embraced armed rebellion for ending the Indian rule by force. Kashmiri men began to travel to the Pakistani-controlled parts of Kashmir, where the Pakistani state trained, armed, and funded them. Simultaneously, Kashmiri women also began to play a central role in the functioning of armed rebellion through acting as weapon couriers or, according to Inshah Malik (2019), actively assisting in collective political mobilization. Broadly, the rebel groups enjoyed widespread social popularity and support, regardless of their ideological affiliations, whether it be the Jammu Kashmir Liberation Front (JKLF) that espoused a Kashmiri nationalist cause or Hizb-ul-Mujahideen (Hizb) that remains in support of Kashmir's merger with Pakistan. Paul Staniland (2014: 72) notes that preexisting social ties – both "horizontal" and "vertical" – enabled the rebel groups to create "wartime organizations" swiftly. The nature of these ties, Staniland proposes, had an impact on the sustainability of these rebel groups in future. Under pressure from India's brutal counterinsurgency measures that included widespread human rights abuses against rebels and civilian population as well as intra and inter-group rivalries, the JKLF declared a unilateral ceasefire in 1994.

Consequently, the pro-Pakistan Hizb has since dominated the armed rebellion. Owing to its strong horizontal social ties, as Staniland mentions, and deeply entrenched religious, social and political grassroots networks as well as notable sponsorship by the Pakistani state, Hizb was able to consolidate its position more effectively than other rebel factions. The group declared a unilateral ceasefire in July 2000 but rescinded it later that year and, at present, remains engaged in military hostilities against the Indian military forces. Other, relatively new, militant groups such as Lashkar-e-Taiba (Lashkar) and Jaish-e-Muhammad (Jaish) also remain active within the Kashmiri insurgent movement. Both these groups recruit locally but are led from Pakistan and have consistently organized high-profile attacks against military and civilian targets inside Kashmir and India. Although Lashkar has maintained limited effectiveness within the Afghan theatre, it is considered close to the Pakistan's Inter-Services Intelligence (ISI) (Tankel 2010). Conversely, Jaish's relationship with the Pakistani security establishment has been much more complex and, in some instances, antagonistic (Zahid 2019). Other than the central aim of ending India's military occupation over Kashmir, to varying extents, all of these groups are driven by the ideals of militant Islam or, more specifically, *Jihad*, whose interpretation varies from establishing an

Islamic state through violent struggle to personal spiritual reformation. The importance of *Jihad* within the insurgency in Kashmir can be gauged from the speeches and writings of the leaders and recruits of these groups as well as their charters, websites, and press releases. A central tenet of this notion of *Jihad* is the embrace of martyrdom or *Shahadat*.

Indian State's Necropolitics in Kashmir

Achille Mbembe, very rightfully, points out the ways in which necropower or necropolitics creates "death-worlds, that is, new and unique forms of social existence in which vast populations are subjected to living conditions that confer upon them the status of the living dead" (2019: 92). The Indian state's exercise of territorial sovereignty in Kashmir through necropolitics constitutes acts of systematic human rights abuses against the local population, who deeply resent Indian rule, and militarized control of public spaces (Hassan 2018; Osuri 2018). Also, with the modification of domicile and property rights, as India has now begun to accelerate the appropriation of land in Kashmir for both military use as well as initiating foreign settlement, India's relationship to Kashmir fits what Mbembe calls a splintering colonial occupation (2018: 79–81). This colonial occupation, Mbembe writes, consists of

> writing of new spatial relations (territorialisation) ultimately amounted to the production of boundaries and hierarchies, zones and enclaves; the subversion of existing property arrangements; the differential classification of people; resource extraction; and, finally, the manufacturing of a large reservoir of cultural imaginaries.
>
> *(Ibid.: 79)*

In India-controlled Kashmir, this splintering colonial occupation can be observed in multiple forms. Mohamad Junaid, in his ethnographic exposition of how the initiation of Indian rule redefined relations of Kashmiris with public spaces, writes that

> Kashmir was continuously divided and re-divided into military sectors, operational zones, and special police ranges. A totalizing counterinsurgency grid, underpinned by a logic of "security" and "control," was laid over the region which not only prevented protests but also created elaborate restrictions on everyday life.
>
> *(Junaid 2020: 206)*

Also, a system of virtual apartheid has been set up by the Indian state that grants privileges of movement and access to public spaces to Indian military personnel, tourists, and religious/nationalist pilgrims against the native population (Hassan 2019; Misgar 2019). Recently, in February 2020, mineral mining rights have been entirely transferred to the non-indigenous commercial groups (Observer News Service). This has been augmented by changes in the Control of Building Operations Act, 1988, and the J&K Development Act, 1970, the laws that regulate construction of buildings and other public infrastructure in India-controlled Kashmir (Javaid 2020). According to the new regulations, the Indian state- at its volition- can now notify a certain are as *strategic* to enable the Indian military to carry out unhindered construction within it. Also, construction of hundreds of thousands of new housing units have been approved. Considering that Jammu and Kashmir (the official designation for India-controlled Kashmir) has one of the lowest rates of homeless people in comparison to India's other states (Singh, Koiri and Shukla 2018), a sudden interest in house constructions by the Indian government has to be viewed within the framework of ongoing settler colonialism and consequent demographic

engineering. This becomes especially stark considering that India's decision to scrap the region's nominal political autonomy, and amendment in property rights, has often been compared to the Israeli colonization of the West Bank (Bhasin 2020; Parker 2019; Beilin 2019; Osuri and Zia 2020; Mushtaq and Amin 2020).

Martyrdom in Abrahamic Faiths

Martyrdom has always had a distinctive position within the Abrahamic religions, of which Islam is a part. In fact, according to Meir Hatina (2014: 19), the enactment of martyrdom was a consistent feature within settled societies of the Mediterranean basin. Hatina writes,

> The practice (within these areas) per se began with the coalescence of various ancient philosophical streams, especially stoicism. The philosopher manifested the superiority of wisdom over feeling, and his own superiority over a corrupt and corrupting world, by putting an end to his life or assisting others to do so. Exemplars were philosophers and holy men toward the end of the Roman Empire who chose this dramatic practice as a symbol of opposition to unjust authority.

During Greek and Roman empires, the persecution of Jews enforced the role of martyrdom in Jewish life and theology (ibid.: 20). This passive attitude of self-sacrifice was appropriated into an active approach for territorial annexation by the Zionist movement, that demanded "sacrifice" for consolidation of national sovereignty. Taking this forward, it has been consistently observed, the Israeli Defence Forces (IDF) operate within a theocratic framework of sacrifice that "helps maintain the war spirit" within the organization (Levy 2012). Additionally, this theocratization, Levy Writes, increases the potential "arsenal" of symbolic rewards within the IDF while simultaneously decreasing a need for material rewards (ibid.: 24). It is imperative to mention here that the Zionism, and IDF, do not singlehandedly encompass either the Jewish theological doctrines or evolution of Jewish militancy and culture of martyrdom.

Conferring the category of martyrdom over Jewish victims of the First Crusade (1096 A.D.) persists among religious and secular Jews, according to Jeremy Cohen (2004: 159). The martyrdom culture is also heavily evidenced in the literature pertaining to numerous instances of collective and individual Jewish resistance during the Holocaust, including uprisings in the Ghettos and concentration camps (Henry 2014; United States Holocaust Memorial Museum 2000). Although Shira Lander (2003) suggests that multiple Jewish traditions problematize the notion of martyrdom within Holocaust because of the fact that, during these atrocities, death, in no way, was a matter of choice. Shira writes, "With the exception of some early post-Shoah orthodox rabbinic responses to the Holocaust maintained today by ultra-orthodox groups, most Jews find that the concept of martyrdom as divine judgment is blasphemous when applied to the Shoah."

Coming to the Christian tradition of martyrdom, it evidently began with the crucifixion of Jesus that continues to be one of the foundational facets of Christian theology and belief. Signifying a redemptive act in service of people, Christian theology maintains that Jesus was crucified to atone for the humanity's sins. While many Christian scholarly traditions present the crucifixion as a passive act of sacrifice, the simple fact that it continues to resonate within contemporary Christian culture makes it anything but unassertive. The representation of self-sacrifice as passive rather than an act of active resistance needs to be challenged because, in many ways, these acts mostly require tremendous initiative on the part of the actor, especially when carried out for communal motivations. In the apostolic age, the veneration of martyrdom

increased because of the significant addition in the number of martyrs (Ayoub 1987: 68). Ayoub maintains that a rich and elaborate cult of martyrdom evolved within the early Christian culture so much so that when Polycarp (AD 69–155), a bishop who is now venerated as a saint within multiple denominations, was immolated by the Romans, Christians had to be forcefully prevented from gathering his remains for any future veneration. This culture continued with renewed vigor during the Crusades. During the Middle Ages, those who were believed to have been martyred in the cause of faith were held in renown by the Christians (Smith 2002: 189). In his influential *Summa Theologiae*, Thomas Aquinas (AD 1225–1274), one of the most magisterial theologians within the Catholic church, elaborates on the question of martyrdom. Replying to various contemporary objections on the virtue of martyrdom, Aquinas presents it as an act of "virtue," "fortitude," and "most perfect of human acts" (1981: 2292). Aquinas challenges these objections by deploying sources from the Bible. In one of the replies to the exigency of death in martyrdom, Aquinas writes that "the perfect notion of martyrdom requires that a man suffer death for Christ's sake" (ibid.). The presence of differing opinions also based on Biblical sources, however, makes it clear that the notion of martyrdom remained contested within the medieval Christian societies. According to Hatina, certain proponents within early Christian theology argued that true martyrdom must result from the will of God, not of the man, and therefore, belief and obedience in God's will were also seen as a certain kind of martyrdom (2014: 29). Although, visible acts of self-sacrifice – especially at public spaces in large urban centers – elicited widespread popular discussion of Christian values, thereby aiding the cause of the nascent Christian church (Bowersock 1995: 42). While Roman Catholicism developed biographical documents on martyrs, "a martyrological lexicon," the tombs of martyrs became a focus of community rituals and were seen as public property and literature commemorating the martyrs (*acta martyrum*) assumed huge popularity during Christianity's formative years (Brown 1981: 10–11; Hatina 2014: 30). In a collected version of the acts of martyrs, Herbert Musurillo (1972: xi) writes that study of Christian church is incomplete without the discussion of early martyrs, thereby attesting the importance of the phenomenon of martyrdom within the religion and its believers.

In the Islamic tradition, the origins of the notion of martyrdom can be traced to its foundational text, the Quran. The concept of martyrdom in Quran is closely tied with the struggle for the cause of the faith and the martyrs remain a deeply venerated category. Multiple verses in the text attest to this, the oft repeated ones being from chapters Al-Baqarah and Al-Imran, "But do not think of those that have been slain in God's cause dead. Nay, they are alive! With their Sustainer, have they, their sustenance" and "And say not of those who are slain in God's cause, 'They are dead': nay, they are alive, but you perceive it not." Other verses that refer to the status of martyrdom in the Quran also accord the martyrs with an exalted status as well as a guarantee for a secure afterlife. The Arabic term for martyrdom which also appears in the Quran, the *Shahid*, also, literally, refers to the act of witnessing. Etymologically, this is close to the English, Greek and Syriac words of martyr, *martus* and *sahda*, respectively, that also, literally, mean witnessing. The idea of *witnessing* in the broader theme of martyrdom appears in the Christian tradition, which could refer to anything from witnessing the crucifixion and resurrection of Christ to confession of faith to God (Ayoub 1987: 67).

Coming back to the Islamic traditions, the word *Shahid* is repeated more than 50 times in the Quran and can hold diverse meanings, from someone who bears witness to the oneness of God and prophethood of Muhammad, which is the foundational principle of the religion, to anyone who dies in the "way of Allah" (cause of faith). The act and metaphor of *witnessing*, therefore, holds a distinctive place within Abrahamic religions and, in many ways, signifies an ultimate authenticity of the belief, especially when a person is willing to expend their life as a witness – a

martyr or a *Shahid*. According to Mahmoud M. Ayoub (1987), within some branches of Islamic theology and jurisprudence, while legitimization of martyrdom is contingent upon advancing the aims of the faith, holding secondary motives such as fighting for booty, a display of bravery and in defense of wealth, family, or land does not dilute the status of martyrdom in any way until faith is the primary motive. Quoting a prominent medieval scholar of the science of Hadith (traditions of the Prophet Muhammad), Ayoub translates: "So long as the main purpose remains that the word of God be uppermost (which is here defined as defending the cause of Islam), it matters not what other reasons may exist as secondary causes" (al-Asqalani, in Ayoub 1987: 70). Although this interpretation is contested by other Islamic traditions, the hierarchal approval of other motives within Islam represents a pragmatic departure from both Judaic and Christian definitions of martyrdom. Nevertheless, the history of the formative years of Islam contains an abundance of evidence wherein- during wars-Muslim military commanders often felt "frustrated by the presence, under their command, of heaven-seeking volunteers (*muttawwiaa*)" and therefore had to rely more on the troops who displayed "greater prudence and . . . reluctance to die" (Bonner 2006: 76).

The performative culture of martyrdom has also been a consistent feature within Muslim societies. Apart from an extensive written and oral recollections in praise of martyrs who died for the Muslim cause, when a Muslim is deemed to be a martyr, their family members and acquaintances are discouraged from mourning their death. Rather, they must express gratitude (ibid.). Moreover, in contrast to the dead Muslims who are washed and wrapped in a shroud before burial, Muslim martyrs are displayed on an open casket in the attire that they wore while dying and do not require the otherwise mandatory *Ghusl* (washing). This is because, according to the Islamic tradition, they have been already purified of all sins by their selfless act in service of the faith.

The burial spaces of martyrs are often separated from the regular graveyards and the former spaces often hold reverential status within Muslim societies. Also, special rituals and occasions are often associated with the remembrance of the martyrs' sacrifice, especially those slain during the formative years of Islam. This links back to the Quranic verses of the martyrs being not dead. In a temporal sense, the continued rituals of remembrance around martyrdom do keep them *alive* through performativity, and memory. Although, when it comes to the actual theological interpretations, there exists a vivid detail on how martyrs are alive under the protection of God. According to one Hadees (word of Prophet Muhammad),

> The souls of martyrs are alive in the bodies of green birds who have their nests in chandeliers hanging from the Throne of the Almighty. They eat the fruits of Paradise from wherever they wish, and they nestle among these chandeliers. Once their Lord cast a glance at them and he said: Do you want anything? They said: What more could we desire? We eat the fruit of Paradise from wherever we wish. Their Lord asked them the same question three times. When they saw that they will continue to be asked, they said: O' Lord, we wish that you could return our souls to our bodies so that we could be martyred in your way once again. When Allah saw that they had no needs, he left them to enjoy.
>
> *(Elias 2012)*

Martyrdom in India-Controlled Kashmir

As the popular resistance against India's necropolitical occupation continue in Kashmir, the popular tradition of venerating the martyrs (*Shahids*) has been a consistent feature of anti-occupation

politics. The martyrs, who sacrifice their lives in the fight against India's military occupation, and their families receive increased social recognition within the community, regardless of their position in the socio-economic hierarchy. Martyrdom, especially in the past 30 years of armed insurgency, has become a politically and socially loaded category, around which the performance of anti-occupation politics and discourse convalesces.

When one participates in the funerals of armed rebels or civilians killed by Indian forces, as I have done on multiple occasions across Kashmir, this veneration becomes really apparent. Take the instance of the funeral of Ishfaq Ahmad Malik, who was killed by the Indian forces in April 2018. In one of the pictures of his large funeral procession in Kashmir Valley's Shupian district, mourners can be seen touching Ishfaq's shoes in admiration (Syed 2018). In Muslim societies, touching the feet of a person is generally considered to be similar to idolatry – which is strictly forbidden in Islam. Although, within some Islamic sects that also exist in Kashmir, people touch the feet of someone who is believed to be excessively pious such as a *peer* (saint), it is generally frowned upon. However, in case of armed rebels who are believed to have sacrificed their life in the cause of Islam and Kashmir's *Azaedi* (freedom), mourners assemble in massive numbers and try to get as near to the body as possible. This is followed by touching the beard, feet, or other body parts of the martyr's corpse and then, in an act of reverence, touching one's own body as if one is trying to expropriate piousness, and attain salvation. During these funerals, the family members of the martyrs apply Henna on the hands and feet of the fallen rebel, in addition to showering him with sweets and confectionaries. This is done in imitation of the rituals that are generally carried out during elaborate marriage ceremonies in Kashmir. The mixing of celebratory and mourning rituals happens under the belief that the martyr has attained the highest level of spiritual salvation, *Jannah* (paradise), that can be accorded to a Muslim. The participants in these funeral processions see the bodies of rebels as "assets" (Gettleman 2018) that bolster the struggle against Indian occupation, while the processions represent a certain symbolic victory of recapturing public spaces from Indian military control.

The commemoration and veneration of martyrdom also has a spatial aspect in India-controlled Kashmir. Martyrs are mostly buried in designated graveyards which, due to the brutal intensity of Indian counterinsurgency operations since the late 1980s and 1990s, have cropped up in almost every village and town. These martyrs' graveyards or *Shaheed Mordguzars*, as they are known in Kashmiri, are attached with insurgent symbolism while also serving as repositories of insurgent memory. According to Mohamad Junaid (2018: 251), martyrs graveyards form a vital element within Kashmir's counternarratives against the attempted erasure of Indian state's history of violence in the region. The sense of permanence that these graveyards exhibit, as Junaid writes, makes them an instrument of "spatial resistance" against military occupation in Kashmir. Also, endurance of these sites of resistance has become crucial in the wake of intensification of India's settler colonial designs in the region. In December 2020, on a sunny winter afternoon, I visited a martyr's graveyard in Machpuna village in Kashmir's Pulwama district. The martyrs' graveyard, which has been created by appropriating land from the village's common graveyard, is separated from the latter by a chain fence and iron bars. It contains a single grave, of Firdous Ahmad Mir, a rebel commander who was killed during a gunfight with the Indian military in November 2018. Machpuna's martyrs' graveyard emanates a sense of symmetrical neatness thereby heightening its permanent character, and its emptiness, except for one grave, signifies Kashmiris' morbid foreboding. It is as if the graveyard remains forever prepared to inter more martyrs.

Since the Pakistani state watered down its support for armed rebellion in Kashmir by closing training camps in Pakistan-administered Kashmir and India put up a three-tier surveillance mechanism along the Line-of-Control, armed rebels in India-controlled Kashmir remain poorly

trained and equipped (Dixon 2003; Uppsala Conflict Data Program 2020; Ali 2019). While they have occasionally been able to carry out high-profile military operations, like the 2019 Pulwama bomb attack that killed 40 Indian paramilitaries and brought India and Pakistan to the brink of an all-out military conflict, the rebels in Kashmir heavily rely on performative non-kinetic symbolism to amplify their cause and within this symbolism, relaying the intent of sacred martyrdom becomes crucial. Take the instance of multiple videos and pictures that the rebels upload over different social media websites, in the immediate aftermath of joining the armed rebellion and subsequently. These pictures and videos mostly show the person, the rebel, touting a gun and pointing the index finger of his right hand to the sky, latter signifying the *Shahada* or witnessing the oneness of God which, as pointed out earlier, is etymologically close to *Shahid* (martyr or witness) and *Shahadat* (act of martyrdom). In these videos or audio clips, whose circulation through encrypted chat applications such as Telegram, WhatsApp and Signal has almost mandated the creation of a digital culture of subversion, the rebel recruits recurrently focus on two themes: first, the *Zulm*, oppression, that the Indian military occupation has unleashed in Kashmir in the form of extensive human rights abuses; and second, their choice of taking up arms in an attempt to end this occupation by fighting in *Khodai sinz watth*, the sacred path of God.

Moreover, in recent times, the armed rebels and their families have also recurrently recorded what are known as last or final calls. In these phone calls, a rebel who is caught in a gunfight with the Indian military and has no hope to escape alive calls back home for a final farewell. These deeply personal and intense phone calls, which are recorded and then circulated within social media channels, give a riveting insight into the dynamics of armed rebellion in Kashmir, particularly throwing some light on the motivations that drive the rebels despite facing overwhelming odds against India's enormous counterinsurgency grid. In the calls, rebels emphasize their proximate *Shahadat* (martyrdom) and urge the listeners to carry forward the *mission*, a euphemism for armed struggle against the Indian occupation. Parents often ask their sons to remain steadfast and discourage the young rebels from surrendering, which is seen as an act of weakness or betrayal and can condemn the rebel to a lifetime of penal humiliation. Farewells and promises of meeting in the afterlife with the extended family are also exchanged in these calls, and the rebel is requested to pray for the salvation of everyone. Uzma Falak (2018) aptly describes these phone calls as "artefacts of resistance" in which "textures of loss, stoicism, and resistance are magnified in the quotidian details."

Meanwhile, as the rebels are engaged in gunfights in a certain village or town, young women and men from and around the place gather in protest, throwing rocks at Indian military and paramilitaries in an attempt to rescue the rebels (Bhat 2017). These fearless acts often come at a deadly or debilitating cost for the protestors. This entire matrix of resistance, which I term sacred necropolitics, of elaborate funeral processions and correlated rituals, martyrs' graveyards, rescue attempts, final phone calls and digital propaganda associated with the rebel groups, is bound by the common thread of sacred death or martyrdom. Also, the voluntary confrontation with death cannot be simply termed as nihilistic but, as Hegel (1977: 19) says, forms an essential element of subject-formation.

Conclusions

As Indian state's necropolitics becomes more forceful and insidious in Kashmir, what I am interested in, and what I have tried to indicate in this chapter, is how Kashmiris have appropriated death to resist this necropower. Appropriating death through the performative rituals and discourse of the sacred – Islamic religion in the case of Kashmir – enables the people, who

live under the regime of necropower and colonial occupation, to forcefully resist their erasure and colonization as well as, according to Dar (2018), the state's power to dictate the terms of their life. This sacred necropolitics of resistance, however, as I have laid out, is not exclusive to Kashmir but is/has formed an important strategy of the assertion of agency by the people at the receiving end of systematic necropower – from early Christian converts to Jews during the Holocaust, and elsewhere. Continuing from that, the notion of *Shahadat* (martyrdom) forms a central feature of popular resistance against the Indian military occupation in India-controlled Kashmir not just in a finite, ontological sense but also as a dispersed political field entailing the popular. Thus, following Foucault's (1978) assertion of how power defines the contours of resistance, I imagine necropolitics as not just an expression of structural power that disseminates social "death" but as a form of resistance, appropriated by the agents – in this case the insurgent Kashmiris – on whom necropolitics is being enacted.

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SECTION V

Armed Conflict, Global War, Transnational Solidarities

Haley Duschinski

The chapters in this section view Kashmiri occupation and resistance through a global framework, analyzing the ways in which European colonialism and its legacies have shaped the legal and political structures of India's settler colonial project in Kashmir as well as the possibilities and limitations of solidarity movements among Indian liberal left networks and Kashmiri diaspora mobilizations. The first two chapters critically examine India's legal and political project in Kashmir across time, highlighting how the legacies of European colonialism have shaped the complexities of sovereignty and self-determination in the (post)colonial global order. Drawing on Third World Approaches to International Law, Haley Duschinski and Mona Bhan demonstrate how international legal frameworks of sovereignty and self-determination have paradoxically perpetuated India's settler colonial domination of Kashmir across time. The long-standing power imbalances in international law have produced a contemporary dynamic through which formerly colonized nations may "assert their sovereign status through vociferous proclamations of territorial integrity and violent enactments of military might," with devastating consequences for stateless peoples aspiring for sovereignty and self-determination. This condition of what Duschinski and Bhan call "third world imperialism" presents a "sovereignty trap" for indigenous peoples who are subjected to settler colonial violence and domination by (post)colonial powers. The authors trace the simultaneous expansion and foreclosure of possibilities of Kashmiri self-determination across a series of historical juridical and quasi-juridical moments. In their conclusion, they consider the role of scholars, lawyers, and activists in pursuing alternative approaches to international law "from the bottom up."

Tracing India's occupation of Kashmir across this (post)colonial period, Goldie Osuri considers how India's violent domination of Kashmir has endured, reminding us that the current right-wing Hindu nationalist terror campaign in Kashmir is not an exception but rather a particularly virulent version of the necropolitical norm. Osuri problematizes the idea of India as a postcolonial nation by examining the ways in which India's domination of Kashmir has played out through distinctive and overlapping formations of colonialism, imperialism, occupation, and settler colonialism – from the instantiation of particular forms of sovereignty with establishment of the Princely State of Jammu & Kashmir in 1846 through the most recent expansion of India's settler colonial project with the abrogation of Articles 370 and 35A on August 5, 2019. Through attention to the political, material, and epistemological legacies of European colonialism, Osuri develops a conceptual framework that reads classical definitions of colonialism

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through the lens of poststructuralist conceptualizations of sovereignty, biopolitics, and necropolitics. Her analysis demonstrates that "every Indian government has engaged in colonial tactics in Kashmir." It also shows how these shifting and overlapping conditions of domination and dispossession have shaped formations of rebellion and resistance. Taken together, the chapters by Duschinski and Bhan and Osuri establish the ways in which India's militarized settler colonial occupation of Kashmir has become entrenched through India's effective domestication of the international dispute in a global legal order that centers state sovereignty over its "internal affairs" even as it opens (and closes) space for indigenous freedom struggles.

The next three chapters analyze the possibilities and limitations of transnational solidarity. Ather Zia and Nitasha Kaul both examine the long-standing limitations of solidarity of the Indian left, including liberal, feminist, and progressive activist movements, for and with Kashmir. In "Sanctioned Ignorance Impedes Solidarity for Indian Occupied Kashmir," Zia analyzes the Indian left's refusal to acknowledge the realities of India's neocolonial military occupation and settler colonial project in Kashmir through the lens of Spivak's notion of "sanctioned ignorance," a constitutive disavowal that operates through a "dismissing of a particular context as being irrelevant." Attending to the institutional and ideological ways in which these silences have been produced and maintained across time, she considers hegemonic national narratives that have been imposed on Kashmir's history – for example, the trope of Kashmir as an *atoot ang*, or inseparable part, of India, and the overly simplistic notion of *Kashmiriyat* as religious syncretism between Kashmiri Muslims and Pandits. Zia argues that these long-standing practices of erasure through negation and appropriation of Kashmiri resistance across time have substantively reproduced "the barbarity of India's own policies and military occupation right from 1947." As Kaul points out, newly emergent Indian solidarity networks among university students, Dalit laborers, farmers, and religious minorities – which have strengthened since 2014 in response to the Modi regime's policies of violence and terror – have not fully incorporated support for the Kashmiri right to self-determination. She critiques Indian feminists as well as Indian Muslims for silence on India's military settler occupation of Kashmir during the Jawaharlal Nehru University sedition row of 2016 and the Shaheen Bagh protests of 2019–2020 as well as the "constitutional coup" of August 5, 2019.

Both Zia and Kaul consider the ways in which the Indian left's silence and erasure of Kashmiri resistance have further limited possibilities of transnational feminist, decolonial, and anti-occupation solidarities with Kashmir – and they offer visions on how such global solidarities might be achieved. Kaul emphasizes that Kashmiri women are speaking, but their voices are not being heard. She writes that "critical feminist consciousness, if it is to be in any way meaningful, intersectional, and decolonial, must engage simultaneously with multiply situated sites of oppressive nation-statist power to draw insights from and extend solidarities to the oppressed." Zia calls for a movement from sanctioned ignorance to dissident knowledge. "Full contextual understanding," she writes, "is a stepping-stone toward forging solidarity. This process requires an amalgam of situated knowledge, genuine acknowledgment, recognition of one's own positionality; all focused to alter the status quo and push a just resolution."

Hafsa Kanjwal's chapter examines the complexities of US-based, Indian-occupied Kashmiri Muslim diaspora mobilizations that have emerged in the aftermath of the abrogation of Articles 370 and 35(a) on August 5, 2019. "How," she asks, "does a small, less-resourced diaspora facilitate and amplify a longstanding resistance movement against an occupying power with significant material resources and global economic and political influence?" Her chapter draws on oral history interviews to tell the history of Kashmiri American diaspora advocacy efforts, especially since the 1990s, and then focuses on the post-2019 present, examining how the diaspora's location in the context of US empire shapes possibilities of "(mis)representation of

the situation in Kashmir, people's aspirations, and the nuances of the sustained political struggle." Carefully considering charged contestations over the boundaries of belonging in Kashmiri political communities, she emphasizes the need for Kashmiri Americans to pursue "serious and sustained engagement with questions of privilege, positionality, and representation." For example, she ethnographically analyzes how contestations over US flag waving at pro-Kashmir rallies in major US cities since 2019 have revealed political and generational divides within the diaspora community over race, class, and respectability in the context of US imperialism. In closing, she asks how the Kashmiri American diaspora might "pursue a model of transnational solidarity activism" that "refuse(s) an articulation in relation to competing identities, authenticities, or victimhood, while also maintaining cognizance of different forms of privilege and positionality."


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23

THIRD WORLD IMPERIALISM AND KASHMIR'S SOVEREIGNTY TRAP

Haley Duschinski and Mona Bhan

Introduction

Kashmir – which, along with Palestine, is the longest unresolved agenda item of the United Nations (UN) Security Council – was established as an international dispute between two newly sovereign (post)colonial nation-states at the onset of the era of decolonization in the years immediately following the Second World War and the creation of the UN. This chapter examines how the question of Kashmir's sovereignty has been shaped in and through international law since that time. We consider this question through the lens of Third World Approaches to International Law (TWAIL) scholarship, which foregrounds the multifaceted ways in which imperialism has shaped the formation and development of international law as a "predatory system that legitimizes, reproduces, and sustains the plunder and subordination of the Third World by the West" (Mutua 2000: 31). The TWAIL approach exposes the limits of foundational international law concepts of sovereignty, statehood, and self-determination (see, for example, Anghie et al. 2003; Chimni 2006). As Anghie (2014: 130) argues,

> many of the most important doctrines of international law, including most prominently sovereignty doctrine, were created through the colonial encounter; and they were created in such a manner as to render the non-European entity inferior, and therefore a suitable object of conquest and dispossession.

Across the postwar period, capitalism, imperialism, and racialized dynamics of difference have continued to shape hierarchies of domination and exclusion in international law (Anghie 2004; Saito 2020).

These global power dynamics have led some formerly colonized nations to assert their sovereign status through vociferous proclamations of territorial integrity and violent enactments of military might, with implications for indigenous and stateless peoples within their borders whose struggles for self-determination are framed as immoral and illegitimate (Anghie 2014: 140) – a dynamic that we call "third world imperialism." The tendencies of formerly colonized nations to themselves become settler colonies by disempowering, dispossessing, and disenfranchising indigenous peoples call into question easy distinctions between "colonial" and "postcolonial" designations (Reynolds 2017: 18–19; see also Osuri 2017; Reynolds and Xaiver 2016).

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Third world imperialism produces a trap for stateless peoples aspiring for sovereignty and self-determination in a system that is built to exclude them.

This chapter marks an initial effort to interrogate the ways in which the international legal order has trapped Kashmiri people's aspirations and movements across time. Since the inception of the Kashmir dispute, Kashmiris have been silenced, suppressed, and denied opportunities to determine their own political futures. As the political fate of the princely state of Jammu & Kashmir remained undecided in 1947, both India and Pakistan claimed the region in its entirety, and Kashmir's Hindu Dogra maharaja, an unpopular and unrepresentative head of state, signed an instrument of accession with India. The maharaja signed it under specific political conditions, and India's prime minister Jawaharlal Nehru treated it as a provisional accession to remain in effect until Kashmiris could decide their political fate through a plebiscite. But across decades, successive Indian administrations have failed to fulfill this promise, promoting a dominant narrative that the accession was full and final, and that it secured Kashmir as an integral part of India.

Although shaped in the legal and political context of the post–World War II global order, the Kashmiri movement for self-determination must be understood as an extension of the long-standing Kashmiri freedom struggle that predates Kashmir's classification as an international dispute in 1948 (Taseer 1973). In popular historical imagination, Kashmir's forced annexation has spanned centuries of rule by outsiders, starting with the Mughals in AD 1589 and continuing through periods of Afghan, Sikh, and Dogra rulers. The Kashmiri labor rebellion against the unjust practices of the Dogra kings in the 1930s constituted a key historic event that informed long-standing practices of resistance and rebellion in the region. Despite the long history of the freedom movement, Kashmir's recognized status as an internationally disputed territory has shaped how Kashmiris have deployed legally legible concepts of self-determination, statehood, and sovereignty to demand their political rights since 1947. The movement for Kashmiri self-determination has encompassed demands for merger with Pakistan as well as independence for a sovereign state that includes territories currently administered by India and Pakistan. The movement coheres around several fundamental recognitions: recognition of the provisionality of the princely state's accession to India; recognition of the illegal nature of India's occupation and annexation of Kashmiri territory; recognition of the impossibility of resolving the Kashmir dispute within the ambit of the Indian constitution; recognition of the primacy of Kashmiri voices in any efforts to resolve the political dispute; and recognition of the legally and politically binding nature of the plebiscite plan written into the UN Security Council resolutions. These principles are reflected in various articulations of the freedom struggle over time. For instance, Kashmiri resistance leader Syed Ali Shah Geelani consistently articulated his vision for self-determination by centering Kashmiris as the principal party in the trilateral dispute while also expressing strong political affinity for Pakistan on the basis of religiosity and ideology.

International law paradigms of sovereignty and self-determination produce a complicated paradox for stateless peoples who are subjected to settler colonial occupation and domination by (post)colonial powers. On the one hand, international law provides globally recognized frameworks for channeling the emancipatory and liberatory aspirations of oppressed and occupied peoples, such that their movements are recognized and deemed legitimate by liberal actors in international legal communities. On the other hand, such aspirations, once codified as movements for self-determination, may be blocked from realization by (post)colonial sovereign states that are themselves maneuvering for power within the global international order. Western observers may identify such movements as "intractable conflicts" that defy solutions. Conceptions of self-determination often conflict with norms of state territorial integrity since international legal regimes fail to think beyond principles of territorial integrity and principles

of non-interference (Westcott 2020: 129). "When the people in question occupy a territory that is contested between two sovereign states, as is the case in Kashmir," international legal institutions "defer to the norm of state sovereignty" instead of championing people's right of self-determination (ibid.: 127, 134). This chapter outlines how these paradoxes of international law have both defined and limited Kashmir's freedom struggle.

We examine how Kashmir's forced annexation to India since 1947 has proceeded through legal, political and economic interventions across time. We consider a series of historical moments that demonstrate the codification and solidification of the Kashmiri freedom struggle in accordance with international legal concepts, categories, and norms. We explore how the work of international law has both expanded and foreclosed possibilities of self-determination, perpetuating violence and injustice in the process. In the conclusion, we briefly reflect on what it might mean to center Kashmir in the pursuit of alternative approaches to international law, and the role of human rights activists, legal practitioners, and scholars in that process. As Shrimoyee Nandini Ghosh (2019) writes, the long-standing Kashmiri struggle for freedom and justice "is a provocation to unsettle the amnesias and alibis of empire, and truly address questions of international law from below." This chapter is a preliminary exploration of how liberation struggles, once caught up in the sovereignty trap, must negotiate claims for self-determination through the international legal order differently – in other words, how they might seek freedom and justice, not through the enduring mechanisms provided by the system that has been built to exclude them, but rather through historically produced and context-specific emancipatory pathways forged through the work of "international law from below."

The Accession

The United Nations established its role as a critically important institutional actor in the Kashmir dispute in the months and years following decolonization and partition on the subcontinent, when the newly independent nations of India and Pakistan went to war over Kashmir following the princely state's provisional accession to India on October 26, 1947. India formally referred the Kashmir dispute to the UN Security Council on January 1, 1948, following the escalation of hostilities between both countries in Kashmir. India's initial complaint to the UN claimed that the invasion of Kashmir had involved the participation of Pakistani nationals, and that Pakistan had actively assisted the invaders; it called on the Security Council to prevent Pakistani nationals from participating in the invasion and rendering assistance to the invaders (*Economic & Political Weekly* 1965). Two weeks later, Pakistan responded with a counter-complaint claiming that India had obtained the accession "by fraud and violence" and that

> large scale massacre and looting and atrocities of the Muslims of Jammu & Kashmir State have been perpetrated by the Maharaja of Jammu and Kashmir and the Indian Union and by the non-Muslims subjects of the Maharaja and of the Indian Union.

Because these initial complaints were lodged under Article 35 of the UN charter, the Security Council from the outset based its deliberations on Chapter VI dealing with Peaceful Settlement of Disputes, which limits the Council to recommendations short of determining the existence of an act of aggression and implementing sanctions (Korbel 1953: 500). Rather than addressing this fundamental legal conflict between the two nations, the Security Council from the outset approached intervention through the lens of political expediency and mediation rather than legal interpretation and adjudication. This approach played an important role in shaping the nature of UN interventions moving forward.

As outlined in these initial and subsequent submissions, the international dispute over Kashmir was, and continues to be, founded on a fundamental legal conflict between the two nations over the validity of the J&K maharaja's provisional accession to India. India's position was that the maharaja legally executed the Instrument of Accession on October 26, 1947; that Pakistani nationals participated in the tribal invasion of Kashmir; that Pakistan aided the tribal invasion; that these actions constituted acts of aggression against India; and that therefore Pakistan had no right to engage in any discussion or negotiation about a plebiscite to determine the future of the region – which India was committed to holding. Pakistan's position was that the maharaja's accession was illegally executed; that any tribal uprising constituted not an invasion but rather a response to India's "intensified campaign of persecution and oppression" against Kashmiri Muslims; and that a plebiscite could only be held "when peaceful conditions have been restored under a responsible, representative, and impartial administration." As Korbel pointed out in his article published just six years after the initial complaints, the Security Council moved forward without examining the legal validity of the accession, approaching the International Court of Justice for an advisory opinion on juridical issues, or invoking any provisions of Chapter VII of the Charter dealing with acts of aggression (Korbel 1953: 507; see also Brecher 1953: 205–207).

Legal experts at the time examined the question of the legal validity of the execution of the Instrument of Accession. British Foreign Office Legal Advisor Gerald Fitzmaurice issued a legal opinion in 1947 questioning the validity of Kashmir's accession to India, and the US State Department Legal Advisor agreed with this opinion, holding that the

> execution of an Instrument of Accession by the Maharajah in October 1947, could not finally accomplish the accession of Kashmir to either Dominion, in view of the circumstances prevailing at that time; the question of the future of Kashmir remained to be settled in some orderly fashion under relatively stable conditions; this question is an important element in the dispute; and, in proceedings before the Security Council, neither party is entitled to assert that rights were finally determined by the Maharajah's execution of an instrument of Accession.
>
> *(quoted in Noorani 2002; see also Lone 2018: 208)*

These findings resonated with Pakistan's position before the UN Security Council. But the Council sidestepped these fundamental legal questions and instead adopted the role of a mediator by issuing Resolutions 38 and 39 in January 1948 that accepted the legality of the Instrument of Accession at face value and sought to secure agreement from both parties for a path forward through a plebiscite process. In this way, Kashmir came under the ambit of UN jurisdiction through a paradox, as a stateless entity without legal recourse to challenge India's claims of accession through international statutes and institutions.

UN Security Council Resolutions

Kashmir's future was very much unresolved at this moment of decolonization, war, and upheaval on the subcontinent. Jammu & Kashmir was one of approximately 140 "fully empowered" princely states that "enjoyed full legislative and jurisdictional powers despite having accepted the Paramountcy of the British crown" (Lamb 1991: 4). With India's independence from the British and the lapse of British Paramountcy, all the princely states, including those that were fully empowered as well as those with more pronounced British control, were, as Lamb argues, for "all intents and purposes independent" (ibid.: 5). And in principle, independence remained an option for more than 500 princely states that had enjoyed internal autonomy under the British

(for a detailed historical account of these negotiations, see Menon 1956). In the case of the princely state of Jammu & Kashmir, it was clear to many British and Indian officials, including Lord Mountbatten, that the state might choose to remain independent after partition, although the prospect of an independent Kashmir did not align with British or Indian political interests (Lamb 1991: 107, 110). Key Indian officials recognized and even acknowledged the possibility of Kashmiri independence at this time. On January 15, 1948, Gopalswami Ayyangar, India's representative to the UN Security Council, stated in his speech before the Security Council during their deliberations on Kashmir that "on the 15th of August, when the Indian Independence Act came into force, Jammu and Kashmir, like other States, become free to decide whether she would accede to the one or other of the two Dominions, or remain independent" (UN Security Council 1948: 13).

> In accepting the accession [the Government of India] refused to take advantage of the immediate peril in which the State found itself and informed the Ruler that the accession should finally be settled by plebiscite as soon as peace had been restored. . . . On the question of accession, the Government of India has always enunciated the policy that in all cases of dispute the people of the State concerned should make the decision.
>
> *(ibid.: 20)*

He continued:

> The question of the future status of Kashmir vis-à-vis her neighbours and the world at large, and a further question, namely, whether she should withdraw from her accession to India, and either accede to Pakistan or remain independent, with a right to claim admission as a Member of the United Nations – all this we have recognized to be a matter for unfettered decision by the people of Kashmir, after normal life is restored to them.
>
> *(ibid.: 29)*

Even though the instrument of accession did not include a clear reference to ascertain the will of the people, Mountbatten's personal letter to the Maharaja, which is "an agreement relating to the accession which was made between the parties in connection with the conclusion of the Accession Agreement," outlines unequivocally the primacy accorded to people's will in deciding Kashmir's political fate (Howley 1991: 95). In his letter, Mountbatten states that "it is my government's wish that as soon as law and order have been restored in Kashmir and her soil cleared of the invader, the question of the state's accession should be settled by a reference to the people" (ibid.). As Howley further argues, it was clear that the provisionality of the accession and the stated commitment to ascertain the will of the people by multiple Indian politicians including Jawaharlal Nehru "gave rise to the whole issue of a Kashmir plebiscite," which "carried with it the possibility that the people might opt for independence or union with Pakistan" (ibid.).

The UN resolutions also reflected this commitment to people's will by requiring a plebiscite to ascertain the political fate of Kashmir. Starting in the midst of the war with Resolution 47 on April 21, 1948, the Security Council issued a series of resolutions outlining the conditions for a plebiscite to resolve the divergent claims on Kashmir. Resolution 47 stated that "India and Pakistan should do their utmost to bring about a cessation of all fighting" in Kashmir and withdraw their armed forces to a point of minimum strength "to create proper conditions for a free and impartial plebiscite to decide whether the State of Jammu and Kashmir is to accede to India or Pakistan." In an effort to address concerns that a plebiscite outcome might be influenced in

India's favor by Kashmiri leader Sheikh Abdullah, who had been appointed during the war on March 5, 1948 as prime minister of the J&K Administration, and by the presence of Indian troops including those supposedly meant to maintain law and order during the plebiscite, Resolution 47 also called for the UN Secretary General to appoint a Plebiscite Administrator, and for India to follow certain measures to ensure the impartiality and freedom of the plebiscite. Shortly after, the UN dispatched the United Nations Commission for India and Pakistan (UNCIP), established in Resolution 39 on January 20, 1948, to investigate and mediate the dispute and oversee the implementation of Resolution 47.

These resolutions not only acknowledged the inalienable right of the people to self-determination but also recognized their stakes in any decision-making process regarding the future of Jammu and Kashmir. UN Security Council Resolution 47 was clearly intended to foreground the principle of self-determination. However, its language limits the terms of the plebiscite to India and Pakistan and fails to include independence as a potential option for Kashmiris. In his analysis of UN involvement in Kashmir, Westcott (2020) argues that the UN's interventions from the very beginning prioritized the norm of state sovereignty over the principle of Kashmiri self-determination. Given the ongoing war, the UN's "concerns about international peace" assumed center stage as it focused on "brokering a truce between India and Pakistan" rather than establishing "the groundwork for a plebiscite" (ibid.: 133–134). Westcott further traces the UN's prioritization of state sovereignty through the UNCIP's failure to meaningfully engage with local political representatives, other than a single brief meeting with Sheikh Abdullah from September 1 to 9, 1948, and through its approach to the conflict as a territorial dispute rather than a nationalist political movement with its own history, meaning, and context (ibid.: 134). Sheikh Abdullah had envisioned Kashmir as an independent nation in his 1944 Naya Kashmir proposal, and he advocated strongly for Kashmiri independence in meetings with foreign dignitaries around this time (Lamb 1991: 189). "In choosing to recognise India and Pakistan as the only parties to the dispute," Westcott (2020: 135) writes, "UNCIP was deferring to the norm of state sovereignty rather than [engaging] in a genuine effort to advance the principle of self-determination."

The UN resolutions erased Kashmir's sovereignty and privileged India and Pakistan's competing claims over the region. This erasure demonstrates the systematic silencing of Kashmiri voices across time. And yet the UN resolutions are a key part of people's "political consciousness and cultural memory" since these acknowledge and "endorse their existence as a people" and affirm their right of self-determination (Junaid 2016). For Kashmiris, the UN resolutions – specifically, Part III of the UNCIP Resolution on August 13, 1948 stating that "The Government of India and the Government of Pakistan reaffirm their wish that the future status of the State of Jammu and Kashmir shall be determined in accordance with the will of the people," and UN Security Council Resolution 91 stating that the "the final disposition of the State of Jammu and Kashmir will be made in accordance with the will of the people" – are fundamental to Kashmiri aspirations for an alternative political future in which there will be determined through a UN-pledged free, fair, and impartial plebiscite.

After reviewing the situation across several trips to the subcontinent in 1948–1949, UNCIP adopted a three-part resolution on August 13, 1948, that included proposals for a ceasefire order and truce agreement and reaffirmed the desire for a plebiscite. Both countries accepted this resolution. UNCIP then sent its final recommendations for a detailed plebiscite process to India and Pakistan in December 1948. Both India and Pakistan accepted the UNCIP proposals, which were subsequently adopted in a UNCIP resolution on January 5, 1949, that stated "the question of the accession of the State of Jammu and Kashmir to India or Pakistan will be decided through the democratic method of free and impartial plebiscite." In alignment with UN

Security Council's Resolution 47, UNCIP's proposed plebiscite process included the appointment by the UN Secretary General of a Plebiscite Administrator with sweeping powers. This major UNCIP resolution was accepted by both countries but never implemented. During the period of its existence from 1948–1950, UNCIP negotiated an end to the first India-Pakistan war by securing agreement on the terms of a plebiscite, arranging a ceasefire that came into effect on January 1, 1949, and supervising the signing of the Karachi Agreement on July 27, 1949, that demarcated the ceasefire line, to be monitored by UN military observers. After the termination of UNCIP through UN Security Council Resolution 80 on March 14, 1950, the Security Council passed Resolution 91 on March 30, 1951, establishing the United Nations Military Observer Group in India and Pakistan (UNMOGIP) to observe and report ceasefire violations. UNMOGIP continues its mission to monitor, investigate, and report complaints of ceasefire violations through 44 installations stationed in the region overseeing the LOC.

With Resolution 80, the UN Security Council appointed Sir Owen Dixon, a prominent Australian jurist and member of the High Court of Justice, to assume the responsibilities of UNCIP as the UN Representative for India and Pakistan. During his six months in the position, Dixon sought to secure agreements from both prime ministers Liaquat Ali Khan and Jawaharlal Nehru for Kashmir's partition with limited plebiscite, or plebiscite in selected areas. Dixon's proposal assigned Ladakh to India and the Northern Areas and Azad Kashmir to Pakistan, split Jammu between the two countries, and called for a plebiscite in the Kashmir Valley. The Dixon plan for "partition plus plebiscite" ultimately fell apart over the question of whether or not a free and fair plebiscite could be held under Sheikh Abdullah's repressive administration, or whether there would need to be coalition government, a neutral third-party administration, or an executive body constituted of United Nations representatives – proposals that seemed to Nehru to entail the displacement of Abdullah's administration (see Korbel 1954a: 170–174). Nehru rejected these suggestions that Sheikh Abdullah's government would be held "in commission," or in abeyance, while the plebiscite was held (Noorani 2002, 2017a). Dixon left office on August 23, 1950. On the day that he issued his report to the UN, Dixon described his attempt to secure Nehru's agreement in *The Statesman*:

> In the end, I became convinced that India's agreement would never be obtained to demilitarization in any such form, or to provisions governing the period of the plebiscite of any such character, as would in my opinion permit the plebiscite being conducted in conditions sufficiently guarding against intimidation and other forms of influence and abuse by which the freedom and fairness of the plebiscite might be imperiled.
>
> *(quoted in Korbel 1954a: 172)*

The UN continued to exercise direct engagement through Security Council-sponsored mediation efforts throughout the 1950s.

The Judicial Domestication of the Kashmir Dispute

Throughout the 1950s, India's political rhetoric on Kashmir became increasingly rigid as Kashmir's accession was no longer seen as a provisional arrangement that required ratification by the people of the state. Despite the UN resolutions and broader mediation efforts, India proceeded to domesticate the international dispute over time through the application of executive as well as judicial power that constitutionally consolidated Indian jurisdiction over the portion of the former princely state temporarily under its administrative control (Duschinski and Ghosh 2017).

This constitutional consolidation began with the constitutional drafting processes that took place in India (1946–1949) and in the State of J&K (1951–1956). Because of the provisional nature of J&K's accession to India pending a UN-monitored plebiscite, J&K was the only state in the Indian federation to form a constituent assembly to draft a distinct and separate constitution. The J&K constituent assembly elections took place in September–October 1951, and the J&K constitution was adopted on November 17, 1956 (for discussion of how these developments played out at the UN, see Brecher 1953; Qadri 2019). In his speech to the J&K constituent assembly on November 5, 1951, Sheikh Abdullah called it the "repository" of Jammu and Kashmir's "sovereign authority," an institution that, he proclaimed, would safeguard "the democratic rights of all the citizens of the State." And yet, legal historians have argued that the formation of the J&K constituent assembly was India's attempt to legalize Kashmir's provisional and contested accession to India though a rigged constituent assembly election (Noorani 2011). Only National Conference candidates were allowed to contest the elections. Those whose perspectives on Kashmir's accession with India diverged from the Indian point of view were prevented from contesting, and their nomination papers were stolen (Lone 2020: 7).

The Indian position was that the constituent assembly elections were free and impartial, thus reflecting the will of the people. Kashmiris could therefore no longer exercise their right of self-determination (Mumtaz 2012). The UN Security Council, however, expressed unequivocally its stance on the formation of the J&K constituent assembly in Resolution 91, which stated that the "resolution adopted by the All Jammu and Kashmir National Conference" to convene a constituent assembly "for the purposes of determining the future shape and affiliations of the state of Jammu and Kashmir" would violate the fundamental principles outlined in Security Council Resolutions 49, 51, and 80 and UNCIP Resolutions from 1948 and 1949 that outline that the

> final disposition of the State of Jammu and Kashmir will be made in accordance with the will of the people expressed through the free and democratic of a free and an impartial plebiscite conducted under the auspices of the United Nations.

To allay the fears of the Security Council, India's Security Council representative, Benegal Rau, assured the UN on March 29, 1951, that "nothing would be done to prejudice the settlement on the future accession of Kashmir" (quoted in Chaudhri 1954: 82). He stated that

> some members of the Council appear to fear that in the process the Kashmir Constituent Assembly might express its opinion on the question of accession. The Constituent Assembly cannot be physically prevented from expressing its opinion on this question if it chooses. But the opinion will not bind my Government or prejudice the position of this Council.
>
> *(ibid.)*

Despite Rau's public proclamations that "the Constituent Assembly is not intended to prejudice the issues before the Security Council, or come in in its way" (quoted in Hasan 1956: 27), India now holds the constituent assembly's ratification of the accession in 1956 and its declaration that Kashmir was an integral part of India as proof of Kashmir's legitimate incorporation into the Indian Union.

Coming into effect on January 26, 1950, the Indian constitution included Article 370 in Part XXI titled "Temporary, Transitional and Special Provisions" to legally inscribe the special constitutional relationship between India and J&K, founded on Kashmir's sovereign status. Article

370 was designed to temporarily manage the constitutional relationship between J&K and India until the political will of the people could be established and a final settlement could be reached through the state's own constitutional drafting process. It contained provisions that limited the jurisdiction of the Indian constitution over J&K except in areas outlined in the Instrument of Accession. Article 370 clearly established that the J&K constituent assembly had the popular democratic authority to determine the nature of J&K's constitutional relationship to India moving forward, and it afforded power to the state assembly to abrogate Article 370 altogether, in which case the Indian constitution in its entirety would apply to the state.

As the J&K constitutional drafting process got underway, J&K prime minister Sheikh Abdullah and Indian prime minister Jawaharlal Nehru negotiated specific points of the constitutional relationship, on issues such as the jurisdiction of the Supreme Court and the application of the chapter of the Indian constitution on fundamental rights, through the Delhi Agreement in 1952. In August 1953, Sheikh Abdullah was dismissed as J&K prime minister, accused of conspiracy against the state, and imprisoned for 11 years in what was known as the Kashmir Conspiracy Case, until all charges were dropped in 1964. He was replaced as prime minister by Indian loyalist Ghulam Mohammad Bakshi, who "had a two-fold job of proving loyalty to New Delhi by not questioning the integration of Jammu and Kashmir into India and gaining the approval of the Kashmiris by proving to be their true leader" (Hassan 2009: 8). In February 1954, the purged J&K constituent assembly ratified the accession of J&K State to the Union of India, contradicting the resolutions of the UN Security Council (Korbel 1954b: 291–292.

India gradually eroded the special status of J&K through a series of presidential orders that extended India's central power to the sovereign J&K state. The Constitution (Application to Jammu and Kashmir) Order, 1950 established a framework for the division of powers between J&K and the central government, while the Constitution (Application to Jammu and Kashmir) Order, 1954, which superseded the previous order, implemented the stipulations of the Delhi Agreement and extended various aspects of India's constitution to J&K, with the approval of the J&K constituent assembly then in session. It defines "Permanent Residents" as individuals who were already state subjects on May 14, 1954, or had lived there for at least ten years on that date with a legally acquired property (see Duschinski and Ghosh 2017; Jagota 1960).

This process of constitutional consolidation was legally managed and sanctioned by the Supreme Court of India across time. In an important initial ruling *Prem Nath Koul vs. State of Jammu and Kashmir* (1959), the Supreme Court recognized the J&K constituent assembly as the final authority on the constitutional relationship between J&K and India and the provisional nature of Article 370. However, the court disregarded this precedent in all subsequent decisions, notably *Sampat Prakash vs. State of Jammu and Kashmir* (1968), *Puranlal Lakhanpal v. President of India* (1961), *Mohammad Maqbool Damnoo vs. State of Jammu and Kashmir* (1972), and, more recently, *State Bank of India v. Santosh Gupta* (2016).

Starting in the 1950s, the Indian Supreme Court actively eroded the special status of J&K and undermined possibilities for sovereignty and self-determination in Kashmir through deeply political juridical interpretation and application that constitute special treatment of J&K under the law. Instead of imposing checks and balances on Indian illegalities in Kashmir, the Supreme Court has emboldened the state through judicial decision making to deny Kashmiri political and human rights and to consolidate Kashmiri territory without upholding rule of law and justice paradigms. The Supreme Court has routinely violated its commitments to fair trial and due process for Kashmiris, while championing these same rights for people and communities in India. This has played out through the application of different standards for J&K in cases involving the death penalty, illegal detention, regulation of state-sponsored militias, and right to life, among others. The Supreme Court has failed to work "as an institution of legal redress"

and has brazenly "violated the neutrality of law and justice frameworks" by working in concert with India's majoritarian will (JKCCS, personal communication). Given this context, Kashmiri lawyers and civil society groups have repeatedly emphasized that recourse to the Indian judicial system is futile for an internationally recognized dispute such as Kashmir, as it fails to provide an "appropriate forum" for legal redress. As international law expert Parvez Imroz has stated,

> the judicial battles have and will expose the contradictions of the state, which says we are a democracy with a robust judiciary but acts as a totalitarian entity. Once you have exposed the state and its judicial mechanisms, you get the moral and legal right to reach out to the international community and ask for international humanitarian aid.
> *(quoted in Rather 2017)*

As Imroz suggests, such legal maneuvers demonstrate the ways in which India has pursued the project of third world imperialism across time by effectively denying Kashmir's sovereignty through domestic law.

The Indus Water Treaty

India and Pakistan's struggles over Kashmir were not limited to its territory alone but also included their prolonged dispute over Kashmir's water resources (Bhan 2014, 2021; Dar 2011; Wirsing 2008). After a series of water conflicts between India and Pakistan in 1948, the World Bank intervened in 1960 to broker a treaty between the two countries. The partitioning of India in 1947 had divided the waters of the Indus River system between the two nation-states, leading to a series of legal disputes, triggered by India's refusal to release waters from East Punjab into Pakistan. India and Pakistan's divergent conceptions of sovereignty over water, with the former based on "proprietary rights" while the latter based on the principle of prior use, shaped historic differences between the two rival nation-states and continue to drive their competing claims over the waters of the Indus River Basin (Haines 2016: 44, 49).

The Indus Water Treaty (IWT) was a bilateral transboundary water-sharing agreement signed by the prime ministers of India and Pakistan, Jawaharlal Nehru and Mohammad Ayub Khan, on September 19, 1960. The treaty divides the six main tributaries of the Indus River between India and Pakistan, granting India rights over the eastern rivers of the Indus River Basin (Ravi, Sutlej, and Beas) while allocating to Pakistan the western rivers of the Indus (Indus, Jhelum, and Chenab).

Although a stated objective of the agreement was to ensure optimal utilization of the rivers in the Indus basin, the treaty remains silent on Kashmir's politically contentious status and ignores the Kashmiri right to self-determination over their land and water resources (Bhan 2018; Nazakat and Nengroo 2012; Lone 2020). The erasure of Kashmiri sovereignty through an internationally mediated bilateral treaty has resulted in legal and financial consequences for Kashmiris who are unable to harness the waters of the Indus River Basin for local consumption and remain marginal to ongoing disputes over the river waters between India and Pakistan. A 2016 Right to Information application revealed that India's National Hydroelectric Power Corporation (NHPC) has earned 3 million USD in the last 14 years from electricity sales, while Jammu and Kashmir alone bought 115,636 million units of power from the NHPC between 2001 and 2016 in order to fulfill its domestic energy requirements (Nayak 2016; see also Parvaiz 2016).

The original terms of the IWT, and hence the original application of international law, secured the rights of India and Pakistan, two sovereign nation-states, over the waters of the

Indus River Basin, while negating the rights of Kashmiris as stateless people. The imperial legacies of international law, and specifically the IWT, consider sovereignty as a fundamental basis for allocating rights over transboundary river waters, thereby disregarding Kashmiri rights over their rivers, as well as their everyday access and ownership over resources. International law scholar Fozia Lone (2020) builds a legal case for why the IWT undermines the Kashmiri right to self-determination by invoking several international legal statutes that the IWT summarily ignores. She claims that the lack of provisions in the treaty that explicitly protect Kashmir's water rights is

> in conflict with the principles of *nemo dat quod non habet* (no one gives what he doesn't have) and Article 31 of the VCLT (Vienna Conventions on the Law of Treaties), which indicates that a treaty must take into account 'any relevant rules of international law applicable in the relations between the parties.'
>
> *(ibid.: 213)*

The IWT also violates Article 1 of the International Covenant on Economic, Social, and Cultural Rights, which declares the right to self-determination for all people, securing their rights over their natural wealth and resources (ibid.). No occupying power has the rights to usurp natural resources of an occupied territory according to the law of occupation, but the IWT violates international law through legal provisions that ignore Kashmiris as stakeholders and cement India and Pakistan's sole ownership over the waters of the Indus River Basin. The Indus Water Treaty is yet another illustration of how international law has upheld the principle of sovereignty in relation to resource use thereby undermining people's access to and control over key natural resources.

The Shimla Agreement, UNMOGIP, and International Civil Society

In the 1960s and 1970s, UN intervention in Kashmir waned as India actively sought to block UN influence amidst the backdrop of global cold war politics. After the UN Security Council secured the ceasefire line at the end of the second India-Pakistan war of 1965, the Soviet Union, an Indian ally, stepped in to broker the Tashkent Peace Agreement that ended the war. After passing 23 resolutions on Kashmir from 1948 to 1971, the Security Council passed its last resolution on Kashmir following the third India-Pakistan war in 1971, with the Soviet Union blocking any further resolutions. Following this war, the Simla Agreement between India and Pakistan in 1972 facilitated the withdrawal of troops and the exchange of prisoners of war while establishing the bilateral nature of the dispute.

The Simla Agreement states that

> pending the final settlement of any of the problems between the two countries, neither side shall unilaterally alter the situation and both shall prevent the organization, assistance or encouragement of any acts detrimental to the maintenance of peaceful and harmonious relations.

It continues:

> Both Governments agree that their respective Heads will meet again at a mutually convenient time in the future and that, in the meanwhile, the representatives of the two sides will meet to discuss further the modalities and arrangements for the

> establishment of durable peace and normalization of relations, including the questions of repatriation of prisoners of war and civilian internees, a final settlement of Jammu and Kashmir and the resumption of diplomatic relations.

Writing in 1989, Balraj Madhok, a prominent Hindu nationalist political activist, scholar, and parliamentarian from Jammu, commented on the Simla Agreement:

> The words "a final settlement of Jammu and Kashmir" are very significant. By insisting upon the inclusion of these words in the treaty, Bhutto made Indira Gandhi commit herself and her country to three things: that there is a dispute about Jammu and Kashmir, that Pakistan is a party to this dispute, that a final settlement of this dispute has yet to be arrived at. . . . By signing the agreement India explicitly accepted that there was a dispute and that Pakistan was a party to this dispute.

Madhok's interpretation of the Simla Agreement clearly affirms that it was not intended to sidestep the lingering question of Kashmir's "final settlement," and that it acknowledged the internationally disputed status of the state. Since the signing, India has consistently maintained that the Simla Agreement supersedes all prior UN resolutions on Kashmir – although the Agreement itself does not state that it intends to override them – and that the dispute must be resolved bilaterally between India and Pakistan. Pakistan maintains that this argument has no legal basis, that the UN Security Council resolutions continue to be legally binding, and that the UN has a responsibility to play a proactive role in resolving the dispute. Prior to 1972, the Chief Military Observer of UNMOGIP "played an important role as mediator and 'adjudicator' between both countries' high commands in many disputes that could not be settled locally" (Shucksmith and White 2015: 138). Since the Simla Agreement, Pakistan has continued to submit complaints about ceasefire violations to UNMOGIP, while India has ceased filing complaints and has restricted activities of UN Observers on the Indian-controlled side of the Line of Control (Shucksmith and White 2015: 138). India maintains that UMMOGIP's mandate has lapsed, when in fact it has not (Noorani 2009).

The Security Council has issued no new resolutions on Kashmir or the India-Pakistan situation since 1971, despite the rise of the armed struggle in 1989, the Kargil War in 1999, the escalation of troops on both sides of the LoC following the attack on the Indian Parliament in Delhi in 2001, and India's unilateral elimination of J&K's special constitutional status in 2019. In October 2001, the UNMOGIP Chief Military Observer Major General Hermann Loidolt publicly stated that "all of us are aware of the situation in Kashmir and the games both parties (India and Pakistan) are playing with this tormented country" (*Telegraph* 2001). The Indian External Affairs Minister denounced the statement and threatened action against the UN observer.

In the 1990s, international civil society organizations including Amnesty International, Human Rights Watch, and others offered significant attempts at intervention, prompting harsh condemnation from India. For example, a mission of the International Commission of Jurists (ICJ), a Geneva-based NGO with UN consultative status comprised of eminent jurists, visited both sides of the LOC in 1993 and issued a report two years later examining human rights within the larger context of the question of the right to self-determination (International Commission of Jurists 1995). The report concludes that "the people of the State of Jammu and Kashmir had a right, at the time of partition, to decide whether to accede to India or Pakistan," and that "the right of self determination . . . has neither been exercised

nor abandoned, and thus remains exercisable today." The government of India rejected the ICJ report, writing that the report

> comes through as a document of patent and pronounced bias, lacking in objectivity, historical perspective and accuracy, and one where the preconceived conclusion is sought to be established through contrived and artificial reasoning and sometimes by apparently simplistic naivety.
>
> *(International Commission of Jurists 1995: Appendix)*

Despite the silence from the UN Security Council (based in New York) over the past several decades, UN human rights bodies and mechanisms (based in Geneva) have taken note and expressed concerns about issues relating to human rights, militarization, and impunity in J&K. The human rights situation in Kashmir has rapidly and drastically deteriorated following the rise to power in India of Narendra Modi and his Hindu supremacist political apparatus in 2014, prompting increased attention and condemnation from a wide variety of UN special procedures mandates – through press statements, public reports, and private communications to India – as well as the UN Office of the High Commissioner for Human Rights in Geneva. In June 2018, UN High Commissioner Zeid Ra'ad Al Hussein released a ground-breaking report on human rights violations since 2016 in Kashmir (OHCHR 2018). It was the first time that the leading UN entity on human rights had issued such a report. The report calls for both India and Pakistan to cease human rights violations and "fully respect the right of self-determination of the people of Kashmir as protected under international law." It also calls for the Human Rights Council to pass a resolution to establish a UN-sponsored Commission of Inquiry into allegations of human rights in Kashmir. The OHCHR issued a follow-up report in June 2019. High Commissioner Zeid and his successor, Michelle Bachelet, have consistently expressed concern about the human rights situation in Indian-controlled Kashmir in their public statements and opening statements at the meetings of the Human Rights Council.

The Abrogation and Beyond

Since 2019, Narendra Modi's Hindu supremacist government has fulfilled promises to its right-wing nationalist base by unilaterally orchestrating sweeping constitutional changes to eliminate Kashmir's special status – actions that constitute illegal annexation under international law. On August 5, 2019, the government of India revoked important constitutional provisions – Article 370 granting partial autonomy to the State of Jammu and Kashmir, and Article 35A granting permanent residency rights to Kashmiris – and announced the creation of two separate federally administered Union Territories, through a series of convoluted legal and political maneuvers that "[transformed] the occupation, characterized by the de jure (in law) 'temporary' suspension of Kashmiri sovereignty, into a permanent and irreversible annexation of its territory in law and fact" (Ghosh 2019). Even though Article 370 had been hollowed out over the years through presidential orders that had extended India's constitution to the state (Noorani 2011), the constitutional article had provided Kashmiris a semblance of "constitutional security under which they manage[d] their limited autonomy and religious liberty" (Farooq and Javaid 2020: 5). In the absence of a plebiscite, Article 370 had operated as a constitutional marker of the region's special semi-autonomous status in the Indian federation due to the prolonged nature of the unresolved international dispute. The abrogation of Article 35A, also known as the Permanent Residents Law, which was introduced through the 1954 presidential order to continue

the prior provisions of territorial regulations under Article 370 of the Indian constitution, has had particularly devastating consequences. Article 35A authorized the J&K legislature to define permanent residents of the state and to restrict non-permanent residents from buying property, holding permanent jobs, or receiving educational scholarships in the state. The abrogation of Article 35A has essentially opened up the region to non-Kashmiri residents.

The constitutionality of the abrogation and reorganization has been challenged before the Supreme Court by approximately two dozen petitions filed by lawyers, activists, political parties, and private individuals. These petitions argue for the restoration of Article 370 as a key component of J&K's accession to and integration into the Indian federation. This position, of course, ultimately undermines Kashmiri claims regarding the right to self-determination under international law. In its handling of these matters, the Supreme Court has continued its long tradition of politicized special treatment of J&K under the law. Judicial decisions regarding these key constitutional issues are clearly time sensitive. The J&K People's Conference (JKPC) led by Sajjad Lone, which filed a writ petition in 2019 challenging the constitutionality of the presidential orders and the reorganization act, submitted another plea in November 2020 demanding early hearing of petitions, saying "the petitions ought to be heard and disposed of urgently as significant changes to the rights of the residents of the erstwhile State of Jammu and Kashmir have already been brought about by the Centre." However, the Constitutional Bench has not acted, and across the past three years, many laws, amendments, and orders have been passed in the intervening time, effecting significant and irreparable changes in the region that cannot be easily undone.

India's unilateral and anti-democratic revocation of Kashmir's semi-autonomous status through the abrogation of Articles 370 and 35A constitutes a forced annexation of disputed territory in contravention of international law and the various UN Security Council resolutions that guarantee Kashmiris the right to determine their political future based on a free, fair, and an impartial plebiscite. The abrogation has highlighted a fundamental paradox. India is actively seeking international recognition as a beacon of democracy and human rights by joining the UN Human Rights Council and pursuing a seat on the UN Security Council. At the same time, India has refused to engage with international bodies by rejecting the reports of the UN High Commissioner and refusing to respond to communications from UN special procedures, claiming that these interventions constitute infringements of their sovereignty. Although the international legal community has issued some responses to the abrogation, the lack of concrete international intervention reflects how international law continues to privilege the principles of national sovereignty and territorial integrity while refusing to acknowledge the imperialism of third world powers that violently deny people's right to self-determination.

Strategic Engagement Toward Liberation

In this chapter, we have outlined a series of historical moments that demonstrate the ways in which the Kashmiri freedom struggle has been constituted as an international dispute in and through the structures and institutions of international law in the post–World War II period. This international legal framework has produced a sovereignty trap for Kashmir by simultaneously opening and foreclosing the possibility of Kashmir's liberation from (post)colonial nation-states with deep investments in consolidating their own sovereign power. Despite the historical significance of Kashmir's freedom struggle, the moment of Kashmir's designation as an international dispute was also the moment of its entrapment as a territorial contestation between two newly emerging nation-states. India's domestication of the international dispute across successive political regimes through highly politicized patterns of legal adjudication and enforcement

as well as political, economic, and military maneuvers has obscured the underlying structures and processes of occupation and annexation. Following the abrogation in 2019, those who support the Kashmiri freedom struggle have been caught in the paradoxical position of advocating for the restoration of Article 370, the 1954 presidential order, and J&K statehood – all of which operated as tools for Kashmir's co-optation and consolidation in the Indian union at the time of the temporary accession. As long as Kashmiri histories and futures continue to be determined and adjudicated within the narrow confines of nation-state sovereignty politics and legal contestations over territories and resources, the emancipatory project of Kashmiri liberation remains deeply compromised.

International law may be fundamentally shaped by colonial and (post)colonial power imbalances. But recognition of imperialism's constitutive role in establishing this sovereignty trap does not necessitate the rejection of international law. Instead, a critical examination of international law's imperialist trappings opens possibilities for a fundamental restructuring of international law through investments in alternative and emancipatory forms of global justice. As Anghie (2014: 142) reminds us, "international law, after all, is created not only by states, but by the scholars, practitioners, and judges to articulate the meaning of that law, and give it effect." The transformation of international law beyond (post)colonial power relationships requires strategic engagements among solidarity networks of international lawyers and scholars "committed to protecting the interests and amplifying the voices of the peoples and movements systematically excluded from, and by, international law" (Natarajan et al. 2016: 1947–1948). *Kashmiri liberation requires a transformative approach to international law that is driven by people's long-standing affective histories, lived practices, and legal and extralegal struggles for power and control over land and resources that challenge the sovereignty claims of existing nation-states*.

Hilary Charlesworth (2002: 391) asks, "What might an international law of everyday life look like?" International law operates both as a legal and affective force; despite its imperial histories and erasures, communities who have suffered extreme forms of violence under third world imperialisms continue to turn to international law and institutions for redress. Legal scholars argue that a radical re-envisioning of international law should focus on "systematic, enduring, quotidian, everyday issues" (Hansel 2019) rather than only adjudicating "crisis" scenarios. A focus on the everyday processes and implementation of law – or how law comes to be, rather than simply is – must take into account how law and legal paradigms operate in specific sociopolitical contexts that shape how laws are interpreted and also how they shape people's political lives and aspirations. Legal anthropologists have established how international law, rather than being a rigid and uniform set of norms, shapes and is shaped by local histories and memories, specific sociopolitical events and moments, and local, national, and transnational civil society actors and advocacy networks. The context-based application and reinterpretation of "globally generated ideas" (Levitt and Merry 2009) by scholars and activists is what enables the "vernacularization" of international law.

An liberatory approach to international law requires, not a jettison of international frameworks and institutions, but rather sustained collaborative and deliberative partnerships among transnational networks of lawyers, scholars, and activists who are committed to the reconstitution of international law from below. Kashmiri human rights organizations have played a key role in situating Kashmiri aspirations within larger paradigms of international law through their labor of documenting structures of violence and impunity; consulting with domestic, regional, and international human rights organizations; creating space for critical discussions of law and power in comparative perspectives; and co-producing knowledge with scholars and researchers in Kashmir and abroad. Through this work, they reiterate and remind the international community that the Kashmir issue is not – contrary to Indian claims – India's internal matter, and

that it must therefore be resolved according to UN resolutions that guarantee Kashmiris the right to determine their own political future. As Critical Kashmir Studies scholars, our research, scholarship, and advocacy are shaped by our theoretical and methodological commitments to transforming the praxis of international law through the ongoing project of translating, negotiating, and contextualizing Kashmiri priorities and perspectives through our work within the academy and beyond.

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24

THE FORMS AND PRACTICES OF INDIAN SETTLER/ COLONIAL SOVEREIGNTY IN KASHMIR

Goldie Osuri

Introduction

Is the Indian "post" colonial nation-state colonial? This chapter discusses definitions and debates around the concepts of colonialism, imperialism, occupation, and settler colonialism, making an argument for their overlapping applicability in diagnosing the relationship between the Indian state and Indian-administered Jammu and Kashmir. The term Indian-administered Jammu and Kashmir is used here to foreground the continuing claim of state subjects of the erstwhile princely state of Jammu and Kashmir to self-determination through the United Nations' Security Council resolutions between 1948 and 1956. Alongside the term "administered," used where relevant to indicate its status of unrealized self-determination, this chapter will also deploy the term Indian-occupied Kashmir, concerned as it is with outlining the coloniality of the postcolonial Indian state.

Over the past few decades, the proliferation of academic scholarship drawing on postcolonial and decolonial theory across disciplines has meant examining not only the political and material legacy of European colonialisms, but also examining the colonial foundation of what constitutes knowledge itself. For both postcolonial and decolonial theory, the legacy of European Enlightenment, situated in the context of multiple forms of European colonialism, has been to map the world either as East/West or North/South through the binaries of reason and unreason, civilization and barbarism, religion and superstition, and history and pre-history (Bhambra 2014). Many of these critiques and calls to scholar-activism regarding dismantling of the legacies of European colonialism are crucial for the world in which we live. However, simultaneously, it is also imperative to examine how it is that a postcolonial state and its anti-colonial nationalism emerging from anti-colonial movements can be diagnosed as colonial precisely at the moment of independence from European colonial powers. Postcolonial nation-states sought to expand their sovereignty over peoples and territory – especially princely states within British India – who did not want to cede their sovereignty to the newly formed nation-states (Osuri 2017; Ankit 2018). In this regard, the case of Jammu and Kashmir presents an excellent example as a princely state whose accession, which may have been legally questionable, was based on the provision that the people of Kashmir would determine their political future (Lamb 1997). As the promise of self-determination was accorded but betrayed, the Indian postcolonial state can

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be deemed colonial as the state subject of Jammu and Kashmir cannot be said to have ceded sovereignty to the Indian state through popular "collective will" (Dar 2010; Duschinski and Ghosh 2017: 4; Lone 2018).

Such a diagnosis may be productive for deconstructing the binaries of "East" and "West" or "North" and "South" at the heart of postcolonial and decolonial theories in order to examine contemporary geopolitics. Theories and debates about colonialism often refer to the period of European colonialisms because these colonialisms have had a direct effect in terms of knowledge production about the non-European colonized and often inform the political, social and economic forms, organizations and institutions that constitute postcolonial states (Mazrui 2005). While these theories and debates appear to reference the binary between Europe and non-Europe, they are also relevant to the context of postcolonial colonialisms because of the conceptual understandings of colonialism they provide, albeit with a certain fine-tuning. In this section, I refer to a few of these theories and debates.

Valentin Y. Mudimbe (1988) provides a substantial definition of some overarching elements of European colonialism in the *Invention of Africa*. Drawing on the etymology of colonialism from the Latin word "colére" meaning "to cultivate or to design," Mudimbe comments on the fact that "the historical colonial experience does not and obviously cannot reflect the peaceful connotations of these words" (ibid.: 14). The *Invention of Africa* outlines three elements that constitute the arrangement of European colonialism: "the domination of physical space, the reformation of natives' minds, and the integration of local economic histories into the Western perspective" (ibid.: 15). As Mudimbe argues, these complementary projects form the "colonizing structure, which completely embraces the physical, human, and spiritual aspects of the colonizing experience" (ibid.: 15). The arrangement of these three elements – territory, knowledge, and political economy – can be said to be hallmarks of a classic understanding of colonialism, distinct from terms like settler colonialism, imperialism, or occupation. However, it is necessary to recognize that these terms also overlap; they highlight the interconnected histories which constitute our current political, economic and social order. For example, the invention of knowledge regarding "African" otherness as primitive and inferior, and "Whiteness as property" justified the political economy of the devastating trade of slaves from different regions of Africa to the Caribbean and to the Americas (Harris 1993; Shillam 2012). Destructive for the lives and worlds of African slaves as well as their present successors, the political economy of slavery, in turn, informed the economies of the settler colonialisms of the Americas, an economy built on massacres and the dispossession of Indigenous peoples (Harris 1993; Fitzgerald 2015). Indigenous peoples in the Americas, in Australia, and in Canada still live within settler colonial structures (Moreton-Robinson 2015; Bhandar 2018). Settler colonialism was not just an event, as Patrick Wolfe (2006) argued, but underpins the structure and logic of these nation-states.

The interconnected histories and terminologies of colonialism, imperialism, occupation and settler colonialism are also applicable to Indian-administered Jammu and Kashmir, as this chapter will demonstrate. In this sense, the concept of colonialism as a set of arrangements can be understood as something that is not static, but also subject to rearrangement, emphasizing different or variant forms of imperialism and occupation at different times, given changing political, economic, and social conditions. The three elements that Mudimbe (1988) emphasizes – territory, knowledge, and economy – involve the exercise of colonial authority or sovereignty. Understanding colonial sovereignty in Carl Schmitt's (1985) discussion of sovereignty as political authority and decisionism over the lives and deaths of people makes sense in the context of Indian rule, especially in the Kashmir Valley. Here even the rule of law, meant to be democratic and impartial, has been exercised through the institution of exceptions that involve the exercise of political decisionism as evident in Kashmir over the last few decades (Hussain 2003). The

exercise of colonial sovereignty can also be understood through Michel Foucault's (2003) notion of biopolitics or power over life, where biopolitics signifies the regulation and management of populations. Biopolitics or power over life through militarized governance indicates the Indian state's occupation and continual necropolitical engagement in Kashmir (Bhan, Duschinski and Zia 2018: 11). Necropolitics, Achille Mbembe (2003) has argued, extends the definition of biopolitics, where biopolitics is inadequate to describe the ways in which colonialism and death plays a role in the exercise of power. Jasbir Puar's (2017) identification of "the right to maim" demonstrates what they call a "triangulation of the hierarchies of living and dying" in relation to "deliberate maiming" (2017: 137). The right to maim also plays a crucial role in the exercise of Indian sovereignty over Kashmir as Ather Zia (2019a) demonstrates. This cluster of poststructural conceptual understandings of sovereignty, biopolitics, and necropolitics through which the Indian nation-state exercises colonial rule over Kashmir also illuminates the ways in which Kashmiri resistance movements have engaged with these forms of power in multifaceted gendered ways: through armed rebellion, stone pelting, unarmed protests (risking being maimed and killed), through international human rights engagements, and through poetry, writing, filmmaking, and art (Ali 2017; Mir 2018; Malik 2019).

Reshaping Sovereignty Through Dogra Rule

These resistance movements have a longer history of engagement with alien rule, and can be said to shape Kashmiri imaginations of *azaadi* or freedom from Indian colonial rule (Hussain 2018). This is why it is important to pay attention to the context of "Kashmir's modern history" which begins in 1846 through British acquisition of the regions occupied by the Sikh Empire (Zutshi 2018: 7). The details of this period help explain the context to Indian exercise of colonial sovereignty in relation to Indian-occupied Kashmir, which began in 1947 during the emergence of the newly formed states of India and Pakistan (an outcome of anti-colonial freedom movements against the British on the subcontinent). Some recounting of this history is necessary as it sheds light on the transfer of forms of colonial sovereignty where it concerned the region of Kashmir from one elite rule to the next. The 1846 Treaty of Amritsar sealed the British East India Company's sale of an entire region to a Dogra feudatory of the Sikh empire, Gulab Singh, whose betrayal of the Sikhs helped the British defeat the Sikh empire (Singh 1971). This region included Gilgit Baltistan and Azad Kashmir (now in Pakistan-administered Kashmir), Aksai Chin in East Ladakh (a region occupied by China), the Kashmir Valley, Ladakh and Jammu (now occupied by India). Inshah Malik points to Kashmiri resistance under a Sikh empire governor against the Dogra army's advance into Srinagar (2019: 24). As Malik states, "the Dogra Army had to seek British armed intervention to quash this rebellion and Kashmiris were in no position to resist the imperial army" (Malik 2019: 24).

British collaboration with the Dogras to create a buffer state for themselves against the Afghan empire and the Russian state made for a number of changes. Mridu Rai (2004) argues that British imposition of Dogra sovereignty also reshaped the exercise of sovereignty in the princely state of Jammu and Kashmir. She states that British sale of the region to the Dogra ruler, "endowed the individual ruler with a personalized form of sovereignty, erasing earlier traditions of layered authority shared simultaneously by various levels in Kashmiri society" (2004: 4). As the British emphasized the Rajputness, and consequently the Hinduness of the Dogras in order to legitimize them as rulers, Kashmiri Muslims, who were "the vast majority," "found themselves unrepresented in an enterprise of Dogra domination without legitimacy" (Rai 2004: 4). And Dogra rule proved to be repressive in its harsh taxation, instituting a system of forced labor, no representation in local or court administration, and blatant discrimination of Muslim subjects

in terms of religious freedom (Copland 1981; Rai 2004; Malik 2019). In these changes to the ways in which sovereignty was exercised, a particular kind of feudal biopolitical categorization of populations took place through colonial Orientalist framings of the categories of religion, race, gender, caste and class, a legacy which continues through Indian rule (Bhan 2018).

This exercise of Dogra feudal sovereignty, reshaped by British indirect colonial rule, also had the effect of shaping Kashmiri Muslim resistance and Kashmiri subjectivities in their resistance to Dogra rule. So, for example, by 1847, the first Dogra ruler Gulab Singh introduced such severe taxation on shawl weavers that they began fleeing Kashmir to go into neighboring Punjab (Malik 2019: 24). Amit Kumar (2013) has written of the significance of the Shawl Baf Tehreek or the shawl weavers movement protesting the high taxation which left shawl weavers in penury. Kashmiri shawls were already circulating in world trade since the sixteenth century (Zutshi 2009: 423). Robert Thorpe, a British army official, had noted that the high taxes on shawls meant that "two-thirds of the population perished due to starvation, and many villages in Kashmir were destroyed" (qtd. in Malik 2019: 25). Amit Kumar (2013) and Inshah Malik (2019) note that the shawl weavers' severe repression and resistance movement could be understood to be a modern collective awakening of Kashmiri national consciousness to foreign rule.

Given about a century of the cruelty of Dogra rule, it is no surprise that by the 1930s, Kashmiri mobilization against Dogra rule was significant and included not only artisans, but also the educated elite and resulted in protests and agitations (Copland 1981; Ali 2017). A number of associations were formed for the purpose of political mobilization. Inshah Malik (2019) states that women were often part of these protests and agitations. The July 13 firing on unarmed protestors in 1931 resulting in the death of 24 people including a woman named Mogel, "marked a serious political turn" (Malik 2019: 26). This day is marked as Martyrs Day. By 1946, after more than a decade of agitation and protests, Kashmiri leader Sheikh Abdullah launched the Quit Kashmir movement against Hindu Dogra rule. He was imprisoned by the Maharajah (Kak 2013: 290).

The Bloodied Transfer of Sovereign Power

By 1947, with the departure of the British, the newly independent "post" colonial states of India and Pakistan sought to expand their sovereignty by assimilating princely states that remained independent (Ankit 2016). Maharajah Hari Singh of the state of Jammu and Kashmir did not want to join either state. This was a bloodied time for the princely state of Jammu and Kashmir. The communal violence of the newly created India and Pakistan "spilled into Kashmir's Jammu Province" where 200,000 Muslims were killed, an act "endorsed" by the Maharajah (Zia 2019b: 56). The massacres were instrumental for a desired demographic change in the region of Jammu. Given news of these massacres, Kashmiris from the Poonch region staged an armed rebellion (Mahmud 2018: 214; Snedden 2015). The rebellion was bolstered by the support of "Pathan tribal militia" from the "North-West Frontier province and tribal areas" (Mahmud 2018: 214). The conflict became the first India-Pakistan war fought which ended on January 5, 1949. Given these conditions, and the proclamation of independent or Azad Kashmir on October 24 by those from Poonch, Mirpur and Muzaffarabad, the Maharajah hurriedly acceded to the Indian state on October 26, 1947 (Snedden 2015; Mahmud 2018). Sheikh Abdullah is said to have been "a willing partner in this deal" after his release from prison (Kak 2013: 290).

Historians have cast doubt on the chronology of the signing of the instrument of accession; if the accession was signed after the landing of Indian troops then one could say that the Indian army had invaded Kashmir (Lamb 1997: 157; Schofield 2010: 55–56). Even if we take the accession to be legal, it was made with the proviso that the people of Kashmir would be

able to determine their political future through a plebiscite or a referendum to join either India or Pakistan. The 1948 United Security Council Resolution 47 was the first to recommend a series of measures to the governments of India and Pakistan to cease the war and "to create proper conditions for a free and impartial plebiscite" for the people of the "State of Jammu and Kashmir" to accede to either state (Bhan Bhan, Duschinski, and Zia 2018: 20). In 1950, the UN brokered a cease-fire agreement and appointed UN Military Observers, with both countries agreeing to hold a free and fair plebiscite so that the people of Kashmir could decide their fate. Subsequent United Nations Security Council resolutions reiterated this condition. As Duschinski and Ghosh argue, "the legal foundations of contemporary claims for self-determination are a series of UN Security Council resolutions addressing the need for a plebiscite to determine the region's political future" (2017: 4). Duschinski and Ghosh further emphasize that the resolutions

> register the UN's commitments to bringing about a mediated settlement by ascertaining the collective will of Kashmiri people – a collective will expressed through a mass popular movement for *azaadi*, first from autocratic Dogra rule during the colonial period, and then from Indian rule.
>
> *(Duschinski and Ghosh 2017: 4)*

Kashmiri claim to self-determination, therefore, can be said to reside in the first instance in the will of the Kashmiri people which has never been ascertained. With reference to international law, Fozia Lone (2018) argues that Kashmiri claim to self-determination can also be evidenced with reference to the fact that the princely state of Jammu and Kashmir predates the states of India and Pakistan and that Kashmiris could be said to constitute a distinct people. The claim to self-determination articulated by the United Nations Security Council resides in the denied sovereignty of the people of the erstwhile princely state of Jammu and Kashmir. As this plebiscite was never held, this moment can also be regarded as the transfer of sovereignty from Dogra colonial rule to Indian colonial rule, one which held in abeyance a promise that was soon betrayed in subsequent years. Hence the history of the state of Jammu and Kashmir and the struggle of Kashmiris has been that of a denied sovereignty and the struggle for *azaadi* or freedom (Bhan Bhan, Duschinski, and Zia 2018; Osuri 2017). This moment constitutes the inauguration of Indian colonial rule. Simultaneously, the seeds of Indian settler colonialism were sown through the massacre of Muslims intended as a strategy for demographic change in Jammu (Mushtaq and Amin 2021).

Drawing on historical research on the accession of Junagadh, and with reference to the princely states of Kashmir and Hyderabad, Rakesh Ankit has theorized that the relationship between the princely states and the nations of India and Pakistan followed the logic of "appropriation and acquisition" through state violence and machinations (2018: 110). Ankit argues that Indian Hindu majoritarian state sovereignty was produced through "violence, constitutive or foundational of a new institutional and political order" (2016: 403). This new political order sought to expand its sovereignty over the erstwhile state of Jammu and Kashmir initially through the promise of a plebiscite, and then through the institution and adoption of Article 370 in the Indian Constitution. As Bhan, Duschinski, and Zia state, Article 370 gave "the people of the state the right to form their own constituent assembly, draft their own constitution, and choose their own flag" (2018: 16). The article also established the category of state subjects and prohibited "any non-resident from purchasing land in the state" (ibid.: 16). Defence, Foreign Affairs and Communications were to be governed by the Indian government. The principle of autonomy, however, was hollowed out by a number of legal mechanisms and presidential orders which ensured that the Indian government effectively controlled the sovereignty of Kashmir (Noorani

2011: 303–330). These phases of the erosion of Kashmiri autonomy and the subsequent militarization of Kashmir could be said to inaugurate India's occupation of Kashmir involving the tactics of imperialism as the next couple of sections demonstrate.

A Sovereign Exercise of "Occupational Constitutionalism"

The enactment of the Preventative Detention Act in 1954 and its subsequent amendments, Sumantra Bose has argued, turned "Indian-controlled Kashmir into a draconian police state in which civil rights and political liberties were virtually non-existent" (2007: 171). Duschinski and Ghosh have called this process one of "occupational constitutionalism" (2017: 4). Citing Lisa Hajjar's (2005) work on military occupation as "a distinctly illiberal type of political arrangement, combining elements of colonialism (foreign rule) and a state of emergency (martial law)," Duschinski and Ghosh state that India's relationship to Kashmir is

> a form of foreign dominance and control produced through the annexation of part of Kashmir's territory and its legal sovereignty to India in the aftermath of independence and reproduced through a series of legal mechanisms and processes across time that institute a state of emergency and permanent crisis in Kashmir.
>
> *(2017: 5)*

The political order of instituting Article 370 in Kashmir appears to demonstrate Indian imperial rule as an element of Indian colonial tactics in Kashmir. Edward Said has defined imperialism as "the practice, the theory, and the attitudes of a dominating metropolitan centre ruling a distant territory" (1994: 8). Said differentiates colonialism from imperialism by arguing that colonialism is often a "consequence of imperialism" through the "implanting of settlements" (1994: 8). Given the hollowing out Article 370 and the institution of a continual state of emergency in Kashmir, India's relationship to Kashmir can be argued as colonial rule, through the combination of the tactics of imperialism and military occupation (Kaul 2011; Anand 2012).

In many ways, until the 2019 nullification of Article 370 and the annexation of Kashmir, the alibi of democracy has been the mainstay of India's narrative regarding Kashmir. Democracy in Kashmir, however, has only been an alibi, and not the substance of the relationship between India and Kashmir (Junaid 2013). As Bhan, Duschinski, and Zia have argued, "Kashmir's provisionality" allowed for "the active maintenance of a façade of democracy" (2018: 17). The provisionality of autonomy, in other words, allowed for a continual framing of Kashmir "as a dangerous border zone and a threat to the integrity of the nation, and the continued implementation of laws of exception" (Bhan, Duschinski and Zia 2018: 17). Before the armed rebellion of 1989, India's relationship to Kashmir was characterized by political repression. Or as Mohamad Junaid comments, Indian rule involved "the manipulation of elections," the arrest of any political opponents who challenged this rule, and creation and support for a "small wealthy clique with interests wedded to the Indian control over Kashmir" (2013: 160).

Elections were first held in Kashmir in 1951, but these were held in "an atmosphere of dissent and repression" (Bhan, Duschinski and Zia 2018: 21). Describing the National Conference's (close to the Indian National Congress at the time) campaign during these elections, Pandit Rughonath Vaishnavi, a lawyer, political activist, and a founder member of the National Congress, described night raids on opponents of the National Congress who were "mainly Muslim conference workers and any other political big-wigs who did not see eye to eye with the NC" (qtd. in Bhan, Duschinski and Zia. 2018: 21). Yet by 1953, Sheikh Abdullah, leader of the National Conference Party and a close friend and ally of Pandit Jawahar Lal Nehru was

himself arrested. He is said to have formed a sub-committee in May 1953 which favored a "plebiscite in the entire territory to determine the core issue of legitimate sovereignty" (Bose 2003: 64). Prime Minister Nehru "justified Abdullah's eviction from office before India's Parliament" in September 1953,

> on the grounds that he had lost the confidence of the majority of his cabinet and by his actions caused "distress to the people." However, there was no convincing "democratic" justification for Abdullah's arrest (and prolonged imprisonment in a Jammu jail.
> *(ibid.: 66)*

In fact, charges against Sheikh Abdullah were dropped in 1963.

Between the 1950s and 1970s, successive puppet governments "adopted a new constitution for the state, confirming accessions and the formal special status relationship with India" (Tremblay 2018: 228). By 1956, India's Home Minister Gobind Ballabh Pant declared that Kashmir was an integral part of India, and that plebiscite was no longer possible. Members of the National Conference who constituted a new party called the Plebiscite Front were arrested when they announced that they would contest elections in 1972; they were arrested under the Preventive Detention Act (Bose 2007: 173; Faheem 2018). As Tremblay argues, these were "integrative politics" on the part of the Indian government (2018: 229). These politics of forced integration or direct control of Kashmiri sovereignty and a continual denial of the demand for plebiscite illuminates Indian strategies of colonial rule during these years. Citing Benvinisti (2013), Bhan, Duschinski, and Zia state that the "law of occupation" does not need to be a result of "actual fighting," but can be applicable "from the threat of the use of force, from an armistice agreement, from a peace agreement or from other processes through which a territory comes under the control of a foreign state" (2018: 10). The decades between the 1950s and the 1980s appear to describe such a process of colonial occupation.

The Practice of Military Occupation

This long history of manipulation of elections, political repression and the rigged elections of 1987 which followed the denial of the promise of self-determination resulted in the armed rebellion of 1989. While the official Indian narrative emphasizes Pakistani "cross-border terrorism" as part of its narrative, for Kashmiris this was an indigenous armed struggle against India which sought support from Pakistan. Bhan, Duschinski, and Zia note that "India sought to crush the rebellion through a massive counterinsurgency assault against insurgent and civilian populations, deploying more than 700,000 military and paramilitary forces in the region" (2018: 2). The deployment of military force was accompanied by the legal infrastructure of exception through both the declaration of the state of emergency as well as through laws that provided effective impunity to the armed forces, that is, the Armed Forces Special Powers Act and the Jammu and Kashmir Disturbed Areas Act which have been in place since the 1990s (Duschinski and Ghosh 2017: 5). Three decades later, "this counterinsurgency regime" of military occupation and impunity became a part of the everyday life of Kashmiris living in a "perpetual state of siege" with "everyday conditions of surveillance, punishment, and control" (Bhan, Duschinski and Zia 2018: 2).

The extent of the necropolitical collective punishment that inscribes Kashmiri experience of life from the 1990s has been extensively documented by local human rights organizations such as the Jammu and Kashmir Coalition of Civil Society in extremely difficult conditions.[1] These reports exist alongside significant reports by international human rights organizations such as

Human Rights Watch, Amnesty International, and Physicians for Human Rights on Kashmir. The United Nations' Office of the Human Rights Commissioner reports (2018, 2019) confirmed these human rights violations and recommended the establishment of a Commission of Inquiry, a recommendation that was rejected by the Indian government (*The Wire* 2019). Even a brief glimpse of these reports demonstrates the widespread, systematic, and necropolitical ways in which the Indian state through its military occupation has engaged in brutal torture, extrajudicial killings, mass rapes, and enforced disappearances over decades. Seema Kazi (2009, 2018), Batool et al. (2016), Kaul and Zia (2018), Zia (2019b), and Malik (2019) have discussed the integral ways in which gender has played a role in the sexual and gendered violence of the occupation, as well as the significant role that women have played in the struggle for political freedom. In the face of the massive scale of human rights violations, Kashmiris have staged local and international human rights and legal interventions in their calls for justice (Duschinski and Hoffman 2011; Mathur 2016; Zia and Duschinski 2018; Zia 2019b). Yet the brutality of the exercise of Indian colonial sovereignty continues to remain an everyday fact for Kashmiris.

Elsewhere, I have argued that the quest for sovereignty in relation to territorial integrity of the nation involves the "disintegration of those bodies always already suspect and anti-national through sexual torture, rape, maiming, disappearing and massacre" (Osuri 2015: 9). These very bodies "reappear in official documents and statements as those who *have to have been raped, tortured, and killed*, for the sake of an imagined bodily integrity of the nation" (ibid.: 9). Ather Zia has argued that the "motif of the body in the context of violence has been pivotal for tracing the contours of physical power practiced by the sovereign state on its subjects" (2018: 103). Discussing the 2013 execution of Afzal Guru, a Kashmiri hung to satisfy "the collective conscience" of the Indian nation for the crime of terrorism without proper evidence, Zia states that "the spectacle of the killable body is important for the consolidation of the nation-state project of India and for concretizing India's irrefutable sovereignty" (ibid.: 103). These spectacles have been routine on Indian media as well as social media especially since the mass Kashmiri civilian uprisings from 2008 on. These uprisings also illustrate popular support for the disproportionately small militancy. The "killable" Kashmiri body figures as part of India's sovereign right to kill and maim, demonstrated by the mass blinding of Kashmiri children in the wake of the killing of rebel commander Burhan Wani in 2016 (Waheed 2016; Zia 2019a). Deepti Misri (2019) has written of the international campaigns which highlighted these mass blindings and reclaimed the humanity of the vulnerable Kashmiri body as part of Kashmiri freedom activism. Despite indiscriminate killings and maiming, the mass public protests by Kashmiris continued, resulting in what Ather Zia (2016) has called "a referendum in blood." Alongside the intensifying necropolitical engagement of Indian colonial sovereignty since the 1990s, therefore, it is also important to remember the continual protest songs and dreams of Kashmiri resistance (Bhan Bhan, Duschinski, and Zia 2018; Zargar 2019).

One of the significant aspects of India's colonial occupation of Kashmir has been that *every* Indian government has engaged in colonial tactics in Kashmir. Public support for the discourse of "Kashmir is an integral part of India" seems to be largely the principle of all Indian political parties as well as the general public. Scholars from the discipline of international relations scholars, deemed to be India's Kashmir "experts," have discussed Kashmir through the lens of Pakistani "cross-border terrorism," assuming that Kashmir is a part of India rather than paying attention to Kashmiri narratives of self-determination (Pant 2004; Behera 2006). In the post-9/11 context of a global Islamophobia which structures the discourse of "counter-terrorism," this narrative has become India's mainstay framing in relation to Kashmir. Among a few significant figures of the Indian left, there has been, over the last decade, an awareness of India's colonial tactics and brutality in Kashmir. These include the writer Arundhati Roy (2011, 2019)

and Pankaj Mishra (2011), who had begun advocating for the freedom of Kashmir early on. Recently, some subaltern studies scholars like Partha Chatterjee (2019) have mentioned "internal colonialism" as a way of addressing India's engagement with Kashmir. Elsewhere I have analyzed how the discourse of "internal colonialism" is one that continues to understand Kashmir as a part of Indian territory rather than acknowledging Kashmiri claim to self-determination (Osuri 2017). Scholars like Ananya Jahanara Kabir (2009) and Nitasha Kaul (2018) have contributed to an understanding of India's cultural narratives steeped in Indian nationalism and a gendered form of Orientalism in relation to Kashmir as a "territory of desire." Amit Kumar and Fayaz Ahmad Dar (2015) have argued that Indian nationalist historiography repeats some of the errors of British colonial historiography in silencing Kashmiri subaltern history, a history that cannot be equated with Indian nationalist or subaltern histories.

A Settler Colonial Sovereignty

The August 5, 2019, siege of Kashmir accompanied by the nullification of Article 370 transformed India's colonial engagement in Kashmir into a structural settler colonial one Samreen Mushtaq and Mudasir Amin (2021) argue that the processes of settler colonialism had long been underway before the annexation. However, the unprecedented siege of August 2019, and the political and legal changes that demonstrate a formal structural Indian settler colonialism in Kashmir need to be marked. The siege was unprecedented in terms of a blanket communication shutdown which included the internet, mobile connectivity, and landlines, Indian armed forces were increased to over a million, and there were mass arrests including that of Kashmir's political leadership, leaders of the Jammu and Kashmir Bar Association, leaders of the Jammu and Kashmir Chamber of Commerce, social activists, and even scholars (Bhan, Duschinski and Osuri 2019). Since then, six fact-finding missions found evidence of extensive night raids, torture, and sexual assault.[2]

The siege can be said to be the third phase of a blatant undemocratic move in India's long durée of the colonial occupation of Kashmir. Article 370's nullification, also meant the dissolution of Article 35A of the Indian constitution, an article that confirmed the exclusive property rights of Kashmiris as "permanent residents" of the state. Accompanying this dissolution, the state of Indian-administered Jammu and Kashmir has now been bifurcated into two Union Territories directly controlled by the central government. No Kashmiri has had any say in these changes. Because any remnant of Kashmiri autonomy, or the sovereignty of native Kashmiris over land or property rights, is now no longer exclusive, the conditions for settler colonialism were realized through the May 2020 domicile law notification, which enabled the opportunity of domicile status to certain categories of Indian settlers (Mushtaq and Amin 2021). Alongside these changes, the Indian government called for corporate investments into Kashmir (Essa 2019).

The effects of the 2019 siege and the changes in Kashmir continue to be documented. But preliminary reports illustrated extensive damage not only in terms of human rights violations, but also Kashmir's economy as well as its fragile ecology (Kashmir Chamber of Commerce and Industry 2020; Parvaiz 2020; Jammu and Kashmir Coalition for Civil Society 2020). Ather Zia (2020) notes that the 2019 annexation of Kashmir is a realization of a long-held dream of Hindutva nationalists, nationalists who dream of a "Hindu nation," and who currently govern India. The blatant exclusion of Muslims from the 2019 Citizen Amendment Act (CAA), which guarantees the right of return for Hindu, Sikh, Buddhist, Christian, Jain, or Parsi refugees who entered India by December 31, 2014, from Pakistan, Bangladesh, and Afghanistan demonstrates the dream (or the nightmare) of a Hindu nation (*The Wire* 2020). Amidst unprecedented

protests in India against these moves, the Citizen Amendment Act was accompanied by the move to put together a National Registry of Citizens (*BBC News* 2019). Mukul Kesavan (2019) has argued that together these moves threaten to make many Indian Muslims stateless. As India continues on its fascist journey, Indian Muslims are demonized, and Kashmiri Muslims "are doubly marked as the demonized other" (Zia 2020).

Conclusion

Rachel Busbridge has argued that the framework of settler colonialism has brought a legibility to analyses of Palestine as an occupation in comparison to studies of the United States, Australia, and Canada (2018: 98). This legibility is both appropriate and required in relation to India's transformative necropolitical engagement in Kashmir. As Indian settler colonial fascism continues to prove catastrophic for Kashmiris even as they continue to resist, it is absolutely crucial to understand the history of India's engagement with Kashmir in terms of the overlapping terms of colonialism, imperialism and settler colonialism. To this end, while it is important to understand Hindutva fascism in the current era, it is important to map the colonial, imperial and settler colonial forms and practices through which Indian state violence continues to be exercised in Kashmir. Aime Cesaire (1972) once argued for tracing European fascism in the Nazi era to European colonialism. The same could be said with regard to tracing India's fascism in the current era to its settler/colonial relationship to Kashmir.

Notes

1 See the Jammu and Kashmir Coalition of Civil Society webpages for major human rights reports as well as an annual review of human rights in Jammu and Kashmir: http://jkccs.net

2 These are the reports from the fact-finding missions in the immediate aftermath of the August 2019 siege: Jean Dreze, Kavita Krishnan, Maimoona Mollah, and Vimal Bhai, *Caged Kashmir*, 14 August 2019, www.nchro.org/index.php/2019/08/14/kashmir-caged-a-fact-finding-report-by-jean-dreze-kavita-krishnan-maimoona-mollah-and-vimal-bhai/; National Federation of Indian Women, Pragatisheel Mahila Sangathan Delhi, and Muslim Women's Forum, "Women's Voice: Fact-finding report on Kashmir," September 24, 2019, http://en.maktoobmedia.com/2019/09/24/full-text-womens-voice-fact-finding-report-on-kashmir; Women against Sexual Violence and State Repression, *Zulm, Zakhm, Azaadi . . . The Voices of Kashmiri Women,* October 5, 2019, https://wssnet.org/2019/10/05/zulm-zakhm-azaadi-the-voices-of-kashmiri-women/; Anirudh Kala, Brinelle D'Souza, Revati Laul & Shabnam Hashmi, #KashmirCivilDisobedience: Trauma, Resistance, Resilience, Two Months On, 12 October 2019, <https://kashmirscholars.files.wordpress.com/2019/10/kashmir-civil-disobedience-a-citizens-report.pdf>; Nitya Ramakrishnan & Nandini Sundar, '"Go back to India and cover every statue of Gandhi so that he doesn't have to face this shame": Kashmiris mark the 150th Anniversary of Gandhi's birthday with *Satyagraha*', October 14, 2019, https://kashmirscholars.files.wordpress.com/2019/10/nitya-nandini-report-on-kashmir-public.pdf; Mihir Desai et al., Imprisoned Resistance: 5 August and its aftermath, October 31, 2019, www.pucl.org/sites/default/files/reports/Imprisoned%20Resistance-final%20for%20dissemination.pdf

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25

SANCTIONED IGNORANCE AND THE CRISIS OF SOLIDARITY FOR KASHMIR

Ather Zia

Introduction

In 1948 the issue of Kashmir and Palestine was amongst the first on the agenda of the newly formed United Nations. Yet in contemporary geopolitics, Kashmir is often relegated to a simple bilateral and territorial conflict between India and Pakistan. Over the years the right to self-determination of Kashmiri people mandated by the UN has been sidelined. Cold war politics facilitated the Indian government in gradually downgrading Kashmir to the point of calling it a domestic matter and a law-and-order situation. After 9/11, India has further subsumed Kashmiri resistance under the stereotype of "Islamic terrorism." In the last few decades, however, India's hegemonic discourse on Kashmir has begun to wane. The Kashmir issue became re-internationalized when India militarily and forcibly stripped Kashmir of its autonomy in 2019. This chapter deploys the concept of "sanctioned ignorance" (Spivak 1999) to trace how the Kashmir issue and the demands of Kashmiris have been overwritten, invalidated, and criminalized by India. The analysis contends that the Indian discourse obfuscated the Kashmir issue which led to the waning of international attention and solidarity for the Kashmiris. To forge a global solidarity for Kashmir will entail understanding the issue in its original historical context and reinstate it as a genuine people's resistance.

In Spivak's theorization, sanctioned ignorance appears as the Western colonial silencing of native people's voices and histories. Sanctioned ignorance traces how purposeful silencing through the "dismissing of a particular context as being irrelevant" (1985: 6) to propagate a specific, rather motivated way of looking at the world. Spivak's focus is on the indigenous scholars and students who are silenced in educational institutions which are predominantly Western European in their intellectual and philosophical traditions. The lens of sanctioned ignorance enables an understanding of how Western hegemonic knowledge and ethnocentric research have justified colonial conquest. This chapter while drawing on Spivak's theorization applies it in a different context that demonstrates how India's hegemonic discourse paves the way for settler colonial policies in Kashmir.[1] Scholars state that the increasingly neocolonial condition of the Indian nation-state demands an understanding of its "colonial constitutionality" (Barua 2010) and "recalibration of one of the central tenets of these studies: the division of the world into the Europe that colonized, and the non-Europe that was colonized" (Osuri 2019). Thus, India needs to be understood in terms of "postcolonial colonialism" (ibid.), even before 2014,

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when the Hindu supremacist vision came to fruition. In this light, the Indian occupation in Kashmir and its military goals become clear.

The dominant Indian nationalist ideologies project Kashmir as if it had no political history, identity, or aspiration prior to India becoming a country. The desire for self-determination is treated as deviance and the Kashmiri resistance is criminalized and punished as terrorism. All the ruling dispensations in India thus far have downgraded Kashmir from an international dispute to domestic dispute to be handled internally (Kaul 2018). For decades, explanations from the Indian administration about the dispute have made Pakistan hypervisible solely as the enemy state. A vested silence is maintained on its own the policies and the barbarity of its military occupation which began in 1947 itself (Duschinski et al. 2018; Lamb 1991; Snedden 2013). In Indian popular and political culture, from the secular parties to religious ones, Kashmir is seamlessly woven into the Indian nation-state. The Indian nation-state's ideas around gender, beauty, religion, and honor have influenced the country's Kashmir policy creating limits of legitimacy on how to talk about Kashmir (Julka 2021). The limits of legitimacy resonate with the contours of sanctioned ignorance – about what is made true and false about Kashmir in the Indian political discourse. Thus, the Indian vantage becomes legitimate and Kashmiri resistance becomes illicit. India's national honor, and sovereignty are seen as being threatened by the Kashmiri resistance.

The refusal to acknowledge Kashmir as a genuine political dispute ensures that any solidarity in Indian quarters, if any at all, is selective and shallow. Even amongst the Indian progressive sections, any support shown is often limited to amelioration of human rights violations or at the most removal of draconian laws in the Valley. Such a limited and selective solidarity ends up bolstering the hegemonic Indian narrative. It obfuscates "the lived realities of the occupied Kashmiri people" (Amin and Mushtaq 2020) and strengthens the Indian settler colonial project in Kashmir. This chapter argues that to overcome the sanctioned ignorance around Kashmir India must be acknowledged as a neocolonial power, and Kashmir as its long-held colony where the nation's settler colonial desires are coming to fruition (Duschinski et al. 2018; Ghosh 2019; Harvard Law Review 2020; Amin and Mushtaq 2020).

The renewal of Kashmir struggle was marked by the start of the armed insurrection in 1989. Since then, Kashmir has increasingly re-entered global discourse while confronting the Indian military occupation's increasingly disproportionate brutality. The Indian policy of military occupation in Kashmir is being increasingly challenged and disputed by Kashmiris on the ground. Even though under brutal repression, they protest India through a daily resistance which is cultural, political, and intellectual in nature (Duschinski and Hoffman 2011; Bhan et al. 2020). The Kashmiri Intifada, which is the name given to the cultural and political resistance movement that includes grassroots activism, civilian uprisings, street fighting, human rights advocacy, literature, and art, has also evolved (Zia 2020). An increasing number of Kashmiri activists, writers, journalists, scholars, and human rights defenders active both inside and outside Kashmir have continued to shed critical light on the voices of Kashmiris in an unprecedented manner (Kanjwal 2019a, 2019b).

In the last decade, Critical Kashmir Studies scholarship has coalesced around the centrality of Kashmiri people's right to self-determination and independence; demands which is rejected by the Indian government. The Critical Kashmir Studies scholarship illumines the region's often neglected history before and after 1947 and the purposeful negation of Kashmiri people's demands by the hegemonic powers (Rai 2004, 2018; Duschinski et al. 2018; Lone 2018; Malik 2019; Zia 2019; Hussain 2021). On August 5, 2019, Indian occupied Kashmir burst anew into the international conscience when India militarily and against its own constitution removed the region's quasi-autonomous status (Parthasathy 2019; Deshmane 2019). As Kashmiris in the

region were silenced, the diaspora and their allies were mobilized to garner support for the besieged people. August 2019 became another milestone in the re-internationalization of the issue. The crisis was so grave that Genocide Watch put out an alert on the region and *The Lancet* wrote an editorial on the ensuing humanitarian crisis (Stanton 2019).

In the last 30 years, global human rights organizations including Amnesty International, Human Rights Watch, Medicins Sans Frontiers, and the Red Cross have been able to report on Kashmir but not without increasing challenges. As recently as 2019, the International Committee of the Red Cross (ICRC) had to suspend its work in Kashmir after it was stripped of its autonomy (Mir 2020). In the early 1990s, a report by the International Commission of Jurists (1995) reported on not just human rights violations but also the need for implementing Kashmiri people's right to self-determination. The United Nations Military Observer Group maintains 44 installations in the region. In 2018, the United Nations Human Rights Commission (OHCHR) took full cognizance of the human rights violations committed by the Indian government since an uprising broke out in 2016. This OHCHR report became a milestone in the process of rejuvenating the Kashmir issue. Despite the UN having mandate on resolving the dispute, the Indian government, political and media elite as well as masses denounced the report as meddling in India's internal matter (Krishnan 2018). The report was called "fallacious, tendentious, and motivated" and its findings held as "overtly prejudiced" that sought to "build a false narrative" (Gopalan 2018). This report notably countered India's downgrading of Kashmir to a mere domestic dispute.

The following sections illuminate the ways in which sanctioned ignorance is bolstered through vocabularies of hegemony that impose Indian ownership over Kashmir, and selective solidarity which rather than help the Kashmiri cause ends up strengthening the Indian state's hold on Kashmir.

The Sanctioned Ignorance of *Atoot Ang* and *Kashmiriyat*

In Indian cultural and political discourse, an oft-repeated trope is that Kashmir is an "*atoot ang*" (inseparable part) of India. This claim is contrary to Kashmiris for whom accession to India was forced and temporary, and subject to the arbitration from the UN (Duschinski et al. 2018). It begs the question, how do the Indian government, politicians, and masses including celebrities and other opinion leaders accept Kashmir as an unbreakable part without consensus from Kashmiris. Even the special status assigned to Kashmir under Article 370 of the Indian constitution, now forcibly removed, is a testament to the uniqueness of Kashmiri nationalism. Despite India's policies to win their hearts and minds, Kashmiris never subscribed to the Indian identity (*Times of India* 2020; Kaul 2010). While the trope of *atoot ang* goes against the consensus of Kashmiris, it has become a mantra to gauge the patriotism of Indians themselves.

Most of the Indian opinion considers "Kashmir is a property of India – a valuable piece of real estate that Pakistan wants to grab – and that Kashmiris are a nuisance who must be taught to behave" (Chatterji 2018). However, Kashmir's history and politics before or after 1947 does not support the fact that Kashmir is an *atoot ang* of India. The relationship with India even under the special status was very much contested, coerced, and deemed temporary until the plebiscite was held. Yet Indian government's policies saw "integration" of Kashmir down the line as the only possibility, with or without people's consensus. In this, the weaponization of electoral democracy through client politicians, further solidified the trope *atoot ang* to justify India's control. The trope of integration requires a drastic shift from the history of Kashmir and the historical demands of its peoples. To achieve this, the process of coercive engagement began with Pandit Jawahar Lal Nehru the doyen of the "secular" Indian National Congress

(INC), India's oldest political party with roots in British politics. Nehru is India's first Prime Minister who lauded as single-handedly delivering Kashmir to India (Noorani 2019). On one hand Nehru promised to honor the Kashmiris' right to self-determination and simultaneously claimed that complete integration of Kashmir was only a matter of time because autonomy was already being eroded. The autonomy statute established a constitutional relationship with India which became a trojan horse inside Kashmir. It acted as a conduit to steadily implement laws that subsumed the promise of plebiscite and criminalized all movements for self-determination, thus eviscerating itself. In 2019, the INC minister publicly boasted that they had diluted Article 370 twelve times without creating a spectacle unlike the current government headed by the Hindu supremacist Bharatiya Janata Party (BJP). Indeed, previous governments had done it discreetly through puppet regimes, coups, coercion, rigged elections, and detention. Thus, the removal of autonomy by the BJP was only a culmination of old policies. Some opinions portray the removal of autonomy by the BJP as "radically different" (Chatterji 2018), which is misleading. It is well established that all Indian governments since 1947 have followed the same nationalist policy in Kashmir (Noorani 2014).

Critical Kashmir Studies scholars have challenged India's arguments, especially those that obfuscate Kashmir's historical demand for democratic sovereignty; present the Kashmir issue as Pakistan's proxy war; reduce Kashmiri resistance to the erroneous stereotype of "Islamic terrorism"; and relegate the dispute to a domestic law and order situation. Exhaustive re-analysis of historical events has established that in 1947 India acted as the aggressor (Lamb 1991; Schofield 2003; Osuri 2017; Lone 2018); that there is a discrepancy in the signing of the treaty of accession with India (Lamb 1991; Faheem 2018); and that the uprising in the western parts of Kashmir, which India reduces to a "tribal raid," was not a simply Pakistani invasion but rather a revolt led by Kashmiris (Lamb 1991; Snedden 2013; Duschinski et al. 2018; Zia 2019; Malik 2019; Hussain 2021). Questions have been raised on the validity of the fleeing and defeated king acceding the entire princely state, including the liberated region of Azad (free) Kashmir to India (Lamb 1991; Snedden 2013). These are only few of the important questions which the Indian historical narratives ignore to make Indian control over Kashmir appear natural and legitimate. However, in the last two decades a distinct shift is occurring around understanding Kashmir. From analyzing the Kashmir dispute using the exploratory lens of "internal colonialism" (Chatterji 2018) to a growing body of scholarship on Kashmir which seeks "clearer more accountable knowledge" (Osuri 2020) to ultimately overcoming the colonial unknowing[2] around Kashmir (Da Costa 2019). The questions around engaging with the "discomfort of Indian occupation" (Dar 2015) are becoming crucial in decolonizing knowledge about Kashmir.

Like *atoot ang*, the trope of *kashmiriyat* (Kashmiriness) has been imposed on Kashmiris. *Kashmiriyat* is a term that is supposed to invoke the ideal of religious syncretism between the native Kashmiri Muslims and Pandits (Brahmins). Critical Kashmir Studies and Kashmiri scholars argue that the word *kashmiriyat* is a notion invented after 1947 by National Conference a political party that was hugely influenced by Jawaharlal Nehru and favored joining India (Hassan 2010; Bhan, Misri, and Zia 2020). The suffix "iyat" which means the condition or state of being the thing or being in the role; it is often denoted by the word it is suffixed to, comes from Urdu. If at all Kashmiriness was to be a word in Kashmiri it would have been *kashrut* and not *kashmiriyat*. The sloganeering around *kashmiriyat* by the Indian government is denounced as propaganda by Kashmiri masses and scholars alike (Aslam 2018).

Kashmiri scholars both Pandit and Muslims warn that this manufactured wordplay on religious syncretism is deployed to simplistically serve Indian secularism (Rai 2004) and it does not attend to the nuances of religious difference (Zutshi 2003). The communal relations between

the Pandits and Muslims were unequal and marred by difference in status, caste, class, and political loyalties. The Muslims were a marginalized despite being an exponentially larger population and a dominant portion of the Pandit population were political and economic elite (Rai 2004). However, the Indian political narrative disingenuously imposes a simplistic harmony between the two communities (Wani 2011). Pakistan is cast as the sole reason for sowing discord in the Kashmiri society.

Selective Solidarity and Human Rights Violations

Solidarity for Kashmir from the Indian activist quarters, be it from individuals or collectives predicates only on curbing human rights violations by the Indian troops. They stop short of acknowledging Kashmir as a genuine political dispute, thus, behaving as if human rights violations exist in a vacuum. Calling for the prosecution of guilty army personnel is rare because it is seen unpatriotic and unfavorable (Navlakha 2011). A few Indian activists who dared to confront their government to treat Kashmir as a political dispute or condemned the army have been strategically persecuted or silenced (Bharadwaj 2020). There has not been a single prosecution of armed forces personnel by the Indian government. On the contrary they receive promotions, awards, on the spot commendations, and other recognitions (Singh 2017). The Indian troops inside Kashmir are protected by the Armed Forces Special Powers Act (AFSPA) which gives the armed and paramilitary forces sweeping powers that facilitate arbitrary arrest and detention, custodial and extrajudicial executions, torture, rape, and otherwise cruel, inhuman, degrading treatment, and it reinforces the impunity of offenders acting under it, including the authority to shoot to kill (Human Rights Watch 2006; OHCHR 2018). The Indian government hails AFPSA the holy grail without which their troops cannot function in Kashmir (*Economic Times* 2018). This becomes a tacit admission about the Indian government's inability to suppress Kashmiri resistance without violating basic human rights. Casting Kashmiri resistance unquestioningly in the stereotype of "Islamic terrorism" the Indian government aligns its military action in Kashmir with the global war on terrorism (Pandit 2019). This enables India to carry to carry out gross human rights violations in full glare of the global community while propagating its settler colonial policies without criticism.

The discourse around Kashmiris, be it generated in media, government, or masses projects their society as Islamic orthodoxy and uniquely misogynistic. Kashmiri women are framed as hapless victims of the male-dominated resistance movement. They are seen as stereotypically oppressed, dependent, passive, and without agency (Malik 2019; Zia 2019). Kashmiri men are hyper-fetishized as the stereotypes of "Islamists," "terrorists," and "orthodox" from whose clutches Kashmiri women and Kashmiri land must be freed. The specter of gender discrimination against Kashmiri women was made central by the Indian government in the removal of autonomy in 2019. Discrimination of women was made to appear as a natural outcome of the stereotype of Kashmiri Muslim patriarchy which in the common Indian narrative is portrayed as uniquely violent and oppressive to all women. Kashmir's autonomous status was framed as a shield for a virulent Muslim patriarchal structure that perpetrated gender injustice as exemplified by the women who married non-Kashmiris. Earlier in 2013, when Modi was campaigning as a Prime Ministerial candidate, he had called for ending gender discrimination against Kashmiri women (Yasir 2013). Modi had even used the example of the then Kashmir's Chief Minister Omar Abdullah's sister, who is married to a non-Kashmiri blatantly lying about how she was unable to buy property (ibid.). Even though this was refuted by Omar Abdullah himself as not having basis on ground or the law but in India, nor the people, nor media or activists registered this fact.

Kashmiris of all shades – legal experts, local politicians, activists, journalists, and scholars – deemed the gender discrimination argument to be dubious and strawman at best (Zia 2019). Yet this reasoning was received uncritically by the Indian masses and in the long run became pivotal in removal of autonomy. The Indian state blatantly projected itself as the protector of Kashmiri women's rights while its own record of human rights abuses and sexual violence in Kashmir which is internationally documented and denounced, was negated. And this despite Kashmiri women themselves voicing their dissent against the fetishization and stereotyping by the Indian government and masses (Bhasin 2019; Kanth 2018; Kaul and Zia 2020).

Even though in the recent decades some literature in India has emerged that presents a more nuanced analysis of Kashmiri women's experiences and agency (Kazi 2010; Manecksha 2016). Yet much of it propagates the trope of imperial feminism through trying to save Kashmiri women who are often patronized and seen as subjects that need rescuing from their men (Bhat 2017; Malik 2019; Zia 2020). The solidarity proffered by Indian feminist groups to Kashmiri women is limited to amelioration of the human rights violations. The human rights rhetoric has become a universalizing lens especially in the Western liberal feminist perspective through which women in global south must be rescued from aberrant violence (Abu Lughod 2002; Chowdhary 2009; Grewal 1998). Indeed, Kashmiri women are seen in isolation from their men and communities and exhorted as a separate category to be protected. Thus, when it comes to Kashmiri women Indian feminism deploys a brown version of Western imperial feminism.

Feminist scholars who work in South Asia (including Kashmiri feminist scholars) have previously highlighted that the solidarity Indian feminists offer to Kashmiri women is within the myopic frame of human rights issue while a deliberate silence is maintained on Kashmir's disputed political status (see "A Decolonial Statement on #MeToo in Kashmir" 2018; Ali et al. 2019).

The mere improvement of the human rights record of the Indian forces is not the end goal of Kashmiri's demands. The grave human rights abuses by the Indian military are a symptom of the occupation and repression of the real demand of the Kashmiris for liberation and the right to self-determination. The use of simplistic human rights discourse presumes women only as individual, autonomous beings who can be rescued, rather than as members of families or other group identities. This further demonizes the disempowered Kashmiri men as the oppressors of their women. While attempting to pit the Kashmiri men as against their women, India is promoted as the savior of Kashmiri women. Kashmiri men are not just demonized but marginalized and feminized as a group in a patriarchal military occupation. The spectrum of protecting human rights in Kashmir is limited to curbing military violence negating the fact that the right to self-determination is also a human right.

Following the removal of autonomy, many Indian politicians and citizens publicly celebrated the military conquest of Kashmir. Social media was flooded with misogynistic songs and racist tropes of "fair" Kashmiri women who were objectified as the spoils of war to be sexually harassed, kidnapped, or forcibly married. There was little to no protest on behalf of Kashmiri women from social justice or gender justice organizations. Thus, gender discrimination which the government of India had propped as a reason for the removal of autonomy seemed a ruse, in service of Indian hyper-religious and nationalist project in Kashmir.

Commenting on the activist groups who reported on Kashmir after August 2019, Kashmir Scholars Consultative and Advocacy Network (KSCAN, a group of Kashmir and Kashmiri scholars) noted that all were

> uniformly disturbing, documenting: mass detentions of elected officials, doctors, lawyers, and children as young as 12; use of torture and lethal force against civilians;

> dwindling supplies of life-saving medical treatments and the inability of patients to access hospitals; curtailing of religious freedoms; economic and ecological destruction; land grabs; and demographic change.
>
> *(KSCAN 2019)*

Recognizing the myth of the "backward" Kashmiri woman, the People's Union for Civil Liberties (PUCL) called for recognizing the dispute between peoples of Jammu and Kashmir and the Indian government and

> initiating an open a transparent unconditional dialogue with the peoples of Jammu and Kashmir and their representatives so as to address peoples' aspirations to determine and define their own destinies through democratic means and to find a political solution that respects the democratic will of the people in accordance with human rights and international law.
>
> *(PUCL 2019)*

Another group declared,

> the whole of Kashmir is, now, a prison, under military control. The decisions taken by the Modi Government on J&K are immoral, unconstitutional, and illegal. The means being adopted by the Modi Government to hold Kashmiris' captive and suppress potential protests are also immoral, unconstitutional, and illegal. We demand the immediate restoration of Articles 370 and 35A. We assert that no decision about the status or future of J&K should be taken without the will of its people.
>
> *(Dreze et al. 2019)*

Re-conquering Kashmir and the Crisis of Solidarity

Sanctioned ignorance relates to ways in which intellectual practices obscure contemporary concerns such as global capitalism and neocolonial processes. Sanctioned ignorance is, therefore, inseparable from colonial domination (Spivak 1985: 199). This was manifest during the siege of August 5, 2019, when India unliterally and militarily removed Kashmir's special autonomous status under Article 370. The Indian government justified the removal of Kashmir's autonomy by saying autonomy had impeded the region's development and gave a host of strawman arguments to support it (Zia 2019). For the Kashmiri people, living in a Muslim majority state, their long-standing fear of settler colonialism and its attendant evils of dispossession and cultural imperialism already in motion were openly imposed after August 2019 (Junaid 2019). Nearly all the eight million Kashmiris were imprisoned in their homes under a curfew and communication lockdown. There was a complete communication blackout, which meant no phones, no internet, and not even basic cable TV. While curfews, communication bans, and lockdowns are not new to Kashmiris, the intensity and the duration of the siege sent a shockwave across the international community. India broke its own record in the longest internet shutdown; over eight months which continued partially through the Covid-19 pandemic.

The injustice being meted on Kashmiris was celebrated by "much of the Indian public" sharing their "vulgar joy" as "*Kashmir Azad ho gaya aaj*" ("Kashmir has been freed today") (Anand 2019). The Indian government projected the forcible removal of Kashmir's autonomy as "integration" of Kashmir, where Kashmiris viewed it as "conquering" or re-annexation of

Kashmir. The brazen display of the "victor" and "conquerors" mentality by the Indian masses illustrates how deep the sanctioned ignorance permeates. There were not many Indian voices that protested the erasure of Kashmir's autonomy. The only disagreements pertained to the brazen indiscretion of the military spectacle and not the removal itself.

India in its early years of formation saw its role in anti-colonial movements vis-á-vis indigenous people's resistance. In some measure, it was an ally of Palestine despite its linkages with the Israeli settler state. Even though today India is deeply entrenched diplomatically and militarily with Israeli settler state, Indian government, and masses profess support for the Palestinian people (Osuri 2020). While the sentiment is that Palestine is under illegal occupation, the same understanding is not extended to Kashmir. The brazen neglect of "Kashmir being a Palestine that no one knows about" (Zia 2019) comes from the sanctioned ignorance which allows for Indians to see Kashmir as "not occupation." It appears that the sanctioned ignorance is also a deliberate ignorance to justify Indian settler colonization.

The world is fast-moving together for closer conversations on how to fight injustices wrecked by the neo-imperial and neoliberal order globally, including issues ranging from ecocide to maldevelopment to occupations and dispossession of local and indigenous peoples. Even though India has benefited from its postcolonial location and is heralded as the largest democracy in South Asia, however imperfect, its neocolonial desires manifest and solidify in Kashmir. In Kashmir, India has weaponized electoral democracy as a "politics" to camouflage its military occupation (Zia 2019). Duschinski and Ghosh (2017: 34) call India's strategy "occupational constitutionalism" a form of legal incorporation of Kashmir that "became sedimented through the work of the courts across time." Full contextual understanding, in the bright glare of history, for any issue is a stepping-stone toward forging solidarity. This process requires an amalgam of situated knowledge, genuine acknowledgment, recognition of one's own positionality; all focused to alter the status quo and push a just resolution. The recognition that Kashmir is under the Indian military occupation becomes imperative in lending a genuine solidarity to Kashmir and anything less stands as mere tokenism.

Notes

1 Thus far, nation-states like India itself have been understood quite successfully in postcolonial terms. The analytical lens of the subaltern, another Spivakian term, is preeminent in this school of thought. But where do zones like Kashmir and Kashmiri people fit in this context? For Kashmir, postcolonial theory might be guilty of hiding as much as it has exposed. This chapter deploys postcolonial analysis to understand the predicament of those invisibilized by the post colonies themselves.

2 "Colonial unknowing endeavors to render unintelligible the entanglements of racialization and colonization, occluding the mutable historicity of colonial structures and attributing finality to conquest and dispossession" (Vimalassery et al. 2016).

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26

KASHMIR, FEMINISMS, AND GLOBAL SOLIDARITIES

Nitasha Kaul

The Terms: Kashmir, Feminism, Solidarity

> In the 1980s, when photocopiers were still a distant dream, women sat in groups for nights on end to write posters and make copies of the literature to pass it on to members and followers. Posters of Zainab Al-Ghazali or Leila Khaled[1] were the highlights of such night groups. These collectives would meet at different places, mostly at homes. Hundreds of copies were made by women overnight, as Shareefe remembers: "Our hands would pain or feel numb from so much writing"
>
> *(Shareefe's interview in Bemun on April 15, 2013, quoted in Inshah Malik 2015: 65)*

> People – everyday people, masses of defiant people – took to the streets in East Berlin and simply, eloquently broke boundary rules and lived through the experience. Such people were not even a glimmer in the eye of reigning IR theories of the time. They still are not: IR was taken by surprise again when the same kinds of people rose against the autocrats of one after another Middle Eastern state in 2011. [fn.] The field seems hogtied to the notion that ordinary people cannot have the type of agency in international relations that can shift polarity or overpower embedded authoritarian regimes.
>
> *(Christine Sylvester 2013: 9)*

I begin by acknowledging the burdens of reflecting upon the itineraries of conceptual travel between the three terms – Kashmir, feminism, solidarity – each of them being vitally dense but ultimately partial signifiers of the projects they betoken and the people they affect and implicate in their folds. This is not a chapter about "the Kashmir issue" or women in conflict. Instead, here I consider what is made available to our understanding by thinking together the three terms: Kashmir, feminism, and solidarity. In the first part of this chapter, I argue that thinking these terms together can reveal the limitations and contradictions of solidarity when it comes to the Indian feminist response, and the Indian Muslim response, to Kashmir. In the second part, I discuss the relative global lack of solidarity with Kashmir in spite of the parallels with other occupations. I point to how this relates to an understanding of international relations where

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conflicts are widely made sense of in disembodied terms and nonviolent struggles are considered worthier than violent resistance. I conclude with a call for the urgnt need to generate trans-contextual solidarities.

The subheading here has been chosen deliberately in order to create a dissonance with the title of the chapter, and emphasize that each of these terms can, and must, be read in the plural, but often are not. There is not one Kashmir, but many; and the simple shift of this vocabulary allows us to move from the rigid and straitjacketed description of "the Kashmir issue" put forward by distant commentators who focus on territoriality, national interests, states, and rivalries. While this focus may be inherited from the methodological assumptions of their disciplines, it is nevertheless unjustified, because it powerfully constructs the narratives and understanding of an issue while claiming to merely reflect it. We need to understand "the Kashmir issue" as sensately experienced – in history, in memory, in pain, in loss, in desire, in longing, in suffering, in chanting, in awaiting, in celebrating, in mourning – by the very bodies of the people who *are* the "Kashmir issue." To reiterate, there is not one Kashmir, but many; and for multiple individuals or groups, the "issue" is different and deeply embedded in their diverse experiences of bodies and societies.

That there are feminisms in the plural has been forcefully registered, over the last decades by Black, postcolonial and Third World feminists, upon the consciousness of Western liberal feminists, who were drawn to the appeal of universalist emancipatory projects that were endogenously enlightened and benevolently capable of liberating Other women from their men and their oppressions. However, even in the second decade of the twenty-first century, these same feminists do not accept the rights of women who are not like them, to chart their own paths that combine adherence to religion with resistance to patriarchy and military occupation. Kashmiri Muslim women's resistance, as comprehended by South Asian, and specifically Indian, feminists is a case in point. To be heard, those who struggle for rights and justice in postcolonial imperial democracies must translate their demands into a "universal," secular idiom of expression. That is to say, victims of oppression and occupation are expected to dress and speak in certain ways, which are tone-deaf to the visible signifiers of Muslim and Islamic identity. Indians often emphasize that Kashmiri women are suffering through a denial of their human rights and that they need to be "liberated" from the tyrannies of Islam which are further exacerbated in a conflict zone. The conflict zone itself is seen as merely a reactive response to "terrorism" and "law and order" problem, rather than as resulting from a permanent state of militarization. These narratives are an alibi by the Indian government and its allies to keep administering/controlling a population that has not consented to such rule and, indeed, experiences the Indian presence as an occupation.

The literature on solidarity in politics, philosophy, and sociology has often proceeded along parallel trajectories, and here I will draw from what broadly passes under the term political solidarity (see Scholz 2008). Within this, it is not unusual to find "political solidarity" itself as being distinguished from "human solidarity"; further, it is generally asserted that an unconditional solidarity stemming from shared human existence is unrealistic. I find this a priori assumption to be problematic. There are different possible regimes of structuration that can shape individual moral capacities when it comes to the abilities to be in solidarity with others who are facing injustice or oppression. In short, my position here is close to a radical anti-national cosmopolitan ethics, in that global solidarities are not only possible, but quite crucially, ever more necessary. In this chapter, I will concern myself with what the presence/absence and directionalities of solidarities, especially of the kind espoused by critical feminist consciousness,[2] tells us about knowing and acting upon locations, privileges, and practices.

Contours of Indian Feminist/Muslim Solidarity With Kashmir

The inhabitants of the erstwhile princely state of Jammu and Kashmir have been marked by one of the longest-running political disputes in the world. While people in the different regions have been differently affected by human rights violations, loss of livelihoods, militarization, and armed struggle, all of them continue to be impacted by the conflict insofar as their lands and identities are hostage to de facto control by India and Pakistan.[3] Kashmir Valley, the nub of Indian-administered (occupied) Kashmir ranks amongst the highest militarized areas in the world. In the longer history of the region, multiple religious, ethnic, class and other identities have at various times moved up and down the hierarchies; however, for the last several decades, and especially since the 1990s, the communalization of the political dispute has meant that the population has been divided, dispossessed, and brutalized. Scholars have extensively documented various aspects of the history, politics, society of the region. In terms of atrocities and injustices faced by the people, the Kashmiri experiences are comparable to those of other oppressed peoples.

Given these realities, the following points are salient. Historically, there have been specific ideological constituencies of people in postcolonial India and Pakistan – broadly mapping the Right in Pakistan and the Left in India – who have advocated for the rights of Kashmiri Muslims. With very few exceptions, the situation of "Kashmir" during the twentieth century figured in the global imaginary as only a territorial dispute that features in the wars between the surrounding countries. The internal and indigenous political movements in the region itself were suppressed repeatedly. Through infrastructure and patronage, ethnic cleavages between the different regions of former princely state of J&K – Jammu, Kashmir Valley, Ladakh, Azad Kashmir, Gilgit Baltistan – were encouraged in the newer areas of IAK and PAK. The Pakistani state projected the people under its control as already free, and the Pakistani right-wing took up the cause of the rights of Indian Kashmiris with fervor. The extension of solidarity in this case was consonant with a co-religionist (Kashmiri Muslims as fellow Muslims) understanding of shared identity based on the two-nation theory with its thesis, influential for the subcontinental partition in 1947, that Hindus and Muslims are two separate nations.[4]

For its part, since independence, the Indian state has emphasized a self-congratulatory image of itself as a secular democratic pluralist postcolonial nation-state in sharp contrast to Pakistan, which is constructed as its radical Other.[5] This virtuous self-fashioning of nationalist public discourse in India, combined with an entrenched right-wing project,[6] which is steeped in virulent Brahminical supremacism and Islamophobia,[7] has meant that the Indian public was mostly unaware of the brutalizations carried out by the Indian armed forces, and of the struggles and resistance of Kashmiris. This includes Indian left liberals, feminists, and progressives, who, with very few notable exceptions, continued to stay silent on Kashmir, or at best, refer to the human rights abuses, but not to the right of Kashmiris to self-determination (see Dalwai 2019; Pandit 2020). In the first two decades of the twenty-first century, a gradual feminist acknowledgment of Kashmir has been produced by post 9/11 glocal politics, participation in fact-finding missions to Kashmir, immersion in reports by Kashmiri human rights activists, reading newer Kashmiri scholarship, and the growing parallels of colonial occupation of, and by, India, both in history and in contemporary times.

Although the post-2014 Modi-led BJP Hindutva project (with its onslaught of multidimensional violence and shutting down of dissent) is making new kinds of solidarities possible in India between different protesters such as university students, Dalit activists, farmers, religious minorities, Kashmir generally still figures at the "seditious" end of anti-nationalism's spectrum.

In other words, while critics and dissenters of the Hindutva project are labelled "anti-national," the harshest condemnation and the charge of "sedition" accrues to those who speak of the Kashmiri right to self-determination. Thus, these new articulations of solidarity also tend to emphasize human rights abuses rather than reference the basic facts of the historical-political dispute that make the abuses of the occupation, qua occupation, inevitable. Even so, every passing year brings more evidence of the fundamental need for an anti-nationalist feminist solidarity of Indians with the rights of Kashmiris. For instance, the blatant attacks on JNU student leaders (especially Kanhaiya Kumar, Umar Khalid, and Anirban Bhattacharya), who were charged with sedition in 2016 for allegedly having raised slogans for Kashmiri freedom (see Kaul 2018: 136–138), necessitated a statement of feminist solidarity, which never materialized. In 2019 again, there have been violent attacks on dissenters after the unilateral Indian abrogation of articles in the Indian Constitution that profoundly changed the political, legal and constitutional status of people living in Indian administered J&K without any consultation or consent from them, and was accompanied by mass arrests, arbitrary detentions, collective punishment, and enforced silencing (see Chatterji 2019; Kaul 2019a). In the months that followed the constitutional coup of August 5, 2019, several Indian feminists were part of fact-finding missions that went to the region and produced reports that explicitly documented the suffering and silencing of the people,[8] but none of the reports explicitly referred to the history of the political dispute, or called for Kashmiri self-determination.

Moreover, as Malik (2015) explains, the political expressions of Kashmiri *Muslim* women are in tension with Indian women's intervention. Noting the different phases of resistance to Indian control in Kashmir, she draws parallels with how the "tensions between 'West' and 'Islam' over the female body and rights are replicated in a similar fashion between Kashmir and India" (60). She aptly summarizes, "Indian feminism often disregards Kashmiri women's allegiance to the *azaadi* (freedom) movement, while Kashmiri women, in turn, abhor the nationalism in the Indian feminist project" (61). Narrating two kinds of interventions by women in the armed struggle for self-determination, the Islamist intervention and the Kashmiri nationalist intervention, Malik (ibid.; see also Malik 2018), in her insightful work, shows how women draw on different elements of their Muslim identities in their resistance against occupation and militarism only to have their actions reduced to religious-cultural terms. Thus, their dual challenge to the Indian state/occupation and to patriarchal norms in their communities is never fully recognized.

Freedom is a word that haunts the postcolonial world of the twenty-first century. Women, especially, have been in the vanguard, leading global protests in recent years, resisting for freedoms that are theirs by right. Freedom, or *azaadi*, is a word that resounds yet is insistently refused hearing. It is indeed paradoxical to note the ways in which "Free Kashmir" is interpreted in the political journeys of Indian solidarity. More than once, Indian activists have made the distinction between "freedom in India" and "freedom from India." The focus on "freedom in India" is a "safer" position espoused by most; it reflects a nostalgic longing for a romanticized and exotic Kashmir (and Kashmiris) that could be Indian were it not for continued and systematic Indian brutalities. In this cartographically intact imaginary of the Indian geo-body, the "head of Mother India," or Kashmir, is not marked as independent, or worse, Pakistani (for a feminist analysis of Indian obsession with Kashmir, see Kaul 2018). On the other hand, the few who speak of "freedom from India" are rained with punishments and labelled as "seditious anti-nationals." The continued insistence upon this difference and the general focus on "freedom in India" is indicative of the outer limits of Indian solidarities with the Kashmiri calls for "azaadi."

The understanding of, and solidarities with, Kashmiris in contemporary India have been perforce belated, uneven, and partial. As Uma Chakravarti (2008: 22, emphasis in original) explains in her thoughtful piece looking back at the intersection of gender, Indian state, and Kashmir:

> For most sections of the Indian middle class, Kashmir is a problem created by Pakistan and its prioritising of Muslim religious identity as the sole basis of nationalism. What gets erased in this construction is the long struggle for independence *within* Kashmir from a feudal monarchical rule of an oppressive social and political system.

Her essay also reveals the longer history of labelling Indians, especially women, who speak for Kashmiri rights as "anti-national," through the figure of Mridula Sarabhai,[9] who defied Nehru on his treatment of Sheikh Abdullah and was deemed anti-national and imprisoned. As a woman who had earlier been a prisoner in colonial India, Sarabhai "found little difference between imprisonment by the British and the nationalist governments" (27). Narrating her own "journey of realisation," Chakravarti quotes human rights lawyer Nandita Haksar (35, 37), "Let us look at the long and bitter conflict [in Kashmir] from a feminist perspective. Does it not occur to you that forced unions between peoples or nations are very similar to forced unions between men and women?"

Feminist inquiry and action, in spite of its multitudinous polyvocality, typically has an emancipatory/ethical impulse; it has been marked by noting the disorientations of "women" in relation to "nation." The dehumanizing feminization and oppression of women is akin to the feminization and oppression of the colonized. This is important to note in the context of Kashmir – *not only* because women are better peace builders, or because their suffering, resistance and mourning in conflict is more likely to generate solidarity in those who are indifferent and apathetic, *but* – *because* of the core resonance between the "freedom" sought by the marginalized and oppressed anywhere, and specifically the calls for "azaadi" in Kashmir. There is a similarity between dehumanizing feminization and colonization in how the consent of women and the colonized is violated and they are unable to be conceived as equal, human, rights-bearing individuals. Thus, self-determination is denied to subjugated populations facing colonial powers; their consent is deemed irrelevant and their experiences are sought to be manipulated in the guise of instructive paternalist control.

The unevenness of Indian solidarities with Kashmiris is also compounded by the historical refusal of Indian Muslims to speak for the rights of Kashmiri Muslims and against their oppression by the Indian state. This point is important because it challenges the portrayal of Kashmir as elementally a religious issue originating from a shared pan-Islamic project. Without a doubt, as Mridu Rai (2004) has argued, the oppressive Dogra era of Hindu Rulers-Muslim subjects was a prominent factor in an important stream of early twentieth-century Kashmiri nationalism in its religious and secular variants. However, the ancient hatred thesis of political conflict does not apply, and neither does a simplistic and naturalized Hindu versus Muslim divide. Identities are constructed along multiple vectors of interests and ideologies; the Indian nationalist position on Kashmir as espoused by Indian Muslims is reflective both of the successfully performative Indian nationalist subject, and also, of the precarity of such a subject when they are not the nation's ideal type. The tragic limits of Indian solidarity with Kashmir, irrespective of religion – for both Indian Hindus and Indian Muslims – were illustrated in an incident shared on social media in 2020 when a Kashmiri Muslim woman speaking about the Indian military oppression of Kashmiris outside the Jama Masjid in Delhi, was asked to stop or move elsewhere

by others, including Indian Muslims (Twitter, January 22, 2020). Although Indians (including Indian Muslims) have been protesting ever more in 2019–2020 at the multiplying suppression of their democratic rights, the presence of a Kashmiri Muslim woman, speaking about Indian injustice in Kashmir reflected an unacceptable risk to Indian protestors, as well as being indicative of how distant the brutalization of Kashmiris under Indian "democracy" is, to them.

The only version of Indian solidarity with Kashmiris, which is deemed legitimate (especially by the cheerleaders of Hindutva) is that extended to Kashmiri Pandits (KPs). Instead of requesting judicial inquiries into violence, rapes, massacres, and losses of both Kashmiri Muslims and Kashmiri Pandits, or addressing the conflict in order to move toward a just peace that would enable Kashmiri Pandits to return to their homes and Kashmiri Muslims to find justice, the proponents of Hindutva want Kashmir to be a rallying point for the Hindu nation. The tragedy of Kashmir's Hindu minority Pandit community and their exodus has been successfully weaponized; it is not viewed through the lens of anti-minority violence in conflict, or as resulting from the actions of a state that failed different kinds of Kashmiris, but presented almost exclusively as being about Hindu persecution, existential Islamic barbarism, and Pakistani machination (see Kaul 2016, 2017, 2019b; Misri and Bhan 2019; Trisal 2019).

In the Shaheen Bagh protests in Delhi from December 2019- March 2020, Indian Muslim women have been at the forefront of demanding nondiscriminatory access to citizenship under the Constitution. On 19th January 2020, the protestors commemorated the KP exodus a tragedy. This commemoration represented a selective symbolism insofar as no similar commemoration was made for other tragedies and repeated massacres faced by Kashmiri Muslims as people resisting the Indian state. The fact that Indian Muslims commemorated the exodus of KPs in the context of their protests against the Indian state's encroachment on their own rights to Indian citizenship while simultaneously failing to condemn the Indian military's violation of Kashmiri Muslims' civil liberties and human rights is a contradiction. It suggests that solidarity with KPs serves as a means to assert Indian citizenship and thus demonstrates the conditions of precarity for Muslim minorities in the imperial democracy of a postcolonial state.

(Non)Solidarities With Kashmir in the Global Register

If the conjunctions of thinking Kashmir, feminisms, and solidarities in the region present us with many incomplete and overlapping pictures, then the global feminist scenario, by and large, has been oblivious to Kashmir. Every few years, the word "Kashmir" breaks into the world news cycle with some new atrocity or accelerated and egregious violence committed upon its people, or fears of war between nuclear-armed India and Pakistan, or a natural disaster. And there it stops. Meanwhile, the relentless survival and resistance struggle of Kashmiris continues under conditions of military occupation. Even in the most intense phases of Kashmiri struggle and resistance, there has been little or no engagement by prominent global feminist movements, or even scholars.[10] Here, I am not referring to non-Kashmiri female scholars of Kashmir who are located in the West, but I am addressing the paucity of literature by global feminists on Kashmir. To explain this failure of engagement as an ethical act of Western and other feminists choosing to not speak for others does not persuade me (on this, see also Spivak 1988; Alcoff 1991). The alternative to "saving brown women from brown men" is not utter indifference about what happens in the "darker nations" and to those people.

Kashmiris, Muslims, and people of different genders, resisting for their rights at the periphery of a non-Western nation-state in a Euro-American centric late capitalist post-modernity, are manifestly alive to the dissimulations of multiple, sometimes competing, at other times contradictory, emancipatory discourses that are issued in the name of feminism or solidarity.

This is not to say that sincere feminist engagement of solidarity is impossible. In fact, several Kashmiri scholars, especially women located outside of Kashmir, who are thus able to bypass the restrictions, have worked very hard in recent times to generate connections in scholarship and activism with allies).[11]

Critical feminist consciousness, if it is to be in any way meaningful, intersectional, and decolonial, must engage simultaneously with multiply situated sites of oppressive nation-statist power to draw insights from and extend solidarities to the oppressed. Mohanty (2011: 76) asks an important question: "what does a radical, anti-imperialist feminist engagement consist of at this time?" Her argument is that the United States (in the US–Mexican borderlands), Israel (in the West Bank and Gaza), and India (in the Kashmir Valley) act as "neoliberal, securitised, imperial states" that "mobilise anatomies of violence anchored in colonial legacies and capitalist profit-making" (ibid.: 79, 83). She refers to how these countries have been engaged in endless wars since their founding years, as evidenced by military expenditures and the mutual relationships of military aid and defense supplies. She highlights a profound similarity in the forms of governmentality exercised by these states, especially as experienced by those who are at their borderlands and controlled by them in the name of rationales such as humanitarianism. Those bodies that are at the receiving end of such securitized regimes and cultures of impunity (see Duschinski 2009, 2010, Mohanty terms, "bio-militarised" (2011: 80).

> A bio-militarised body lives under a constant state of dispossession and with the lack of basic civil rights evident in the dissolution of citizenship in occupied or securitised zones. It is always particular dispossessed bodies – indigenous, immigrant, Muslim, race, class, and gender-marked bodies that are bio-deregulated or bio-militarised, never generic ones.

Kashmiri bodies, especially those of Kashmiri women, as Mushtaq and Bukhari (2018: 84) point out, are bio-militarized; they are victims of violence and their bodies are turned into symbolic battlefields. Feminism, like other progressive ideologies, is open to being subverted in content while being deployed in name.[12] In the manner of colonial narratives, the empowerment of women is used by the Indian state to paper over the question of its legitimacy.[13] "An important ethical question, then, is: how can the same state that employs violence, denies justice, kills, blinds, and rapes with impunity, claim to be empowering people in general and women in particular?" (ibid.: 87).

There is also the question of directionality, especially in view of the rather systematically nonlinear and nonreciprocal evidence of solidarities. For instance, I note that in the filmmaker Sanjay Kak's compilation of photographic work by Kashmiris between 1986 and 2016, there is evidence of graffiti in Kashmir Valley as far back as the 1980s that referred to solidarities with Palestine. The Indians too historically expressed solidarity with the Palestinian struggle, but this has proceeded apace with the growing Indian government alliance with Israel. As Osuri (2019: 12) asks, "If the Palestine issue is being discussed through the settler-colonial framework, what lens can be used to describe India's relationship to Kashmir?"[14]

An indispensable part of global solidarities with Kashmiris, is a relentless witnessing that must also translate into a fundamental letting in of Kashmir into the feminist understanding of international relations and war, not merely as an empirical site in the non-West where the default theoretical assumptions and conceptual schemas can be tested, or falsified owing to the "different"/"abnormal" nature of non-Western locations and populations, but as narratives of bodies that experience endless war. Feminist and critical perspectives in international relations are moving toward the understanding of war as an experience, as what Butler terms a sensate

regime. Doing so is to bring the experiencing body into the abstraction of war, as well as to exercise vigilance toward what looks and feels like war, but does not name itself as such. If we borrow Sylvester's framing of war as "a politics of injury," and study it as a social institution, then

> people count as participants who have experiences and agencies related to war. . . . *Experience is therefore the physical and emotional connections with war that people live – with their bodies and their minds and as social creatures in specific circumstances*.
> *(2013: 3–5, emphasis in original)*

This is not the same as a feminist focus on security, it is closer to the serious study of war in all its dimensions, as it affects the bodies of those who are its everyday participants, and also those who are its spectators (for instance, see Zia 2019). This latter is equally important because it allows for an understanding of the justifications that are projected and the emotions that are lined up with the "prescribed war scripts" (Sylvester 2013: 6). Such an epistemological reframing within disciplines that count war at their core would permit systematic analyses of Kashmir not as an unpeopled territorial site of potential wars between India and Pakistan, but as an inhabited space where people's bodies experience the politics of injury incessantly. It is then further possible to examine the work of hegemonic narratives of conflict, and ask how and why and whom do they console?

A final point to note is the relationship of global solidarities to the question of violent resistance. The basic distinction between force and violence is available to us from the Weberian idea of the state, where the violence of the state is "force" since the state is – in that means and not ends based – definition, a human community that successfully claims a monopoly over the legitimate use of physical force within a given territory. Thomas (2011) looks at the reasons for why "violence" as a concept is something not spoken about in the discipline of International Relations. Clearly, this has the potential to "create a discourse whereby state violence is accepted as legitimate and a normal part of the functioning of relations between states" (ibid.: 1835). Like the epistemic reformulations of war, the micropolitical and everyday questions of violence are only now being opened up to scrutiny in International (or more pertinently, inter-state) Relations, where they were kept in an ideological freeze so that violent resistance was sought to be understood without addressing enduring state violence. The question of political solidarity with violent resistance in liberation struggles against oppression or injustices has often divided opinions (consider, for instance, Arendt, Fanon, Sartre on violence and power). However, even philosophers (such as Scholz 2007: 50, emphases original) who have argued for the incompatibility between political solidarity and physically violent forms of activism and resistance, have conceded that this incompatibility is in principle, but harder to maintain in practice:

> in practice, it is much more difficult to make a strong claim that violence is not used or ought not to be used in response to oppression and injustice. Here we can learn from work on civil disobedience. . . . The principled stance of civil disobedience sets it *morally* apart from criminal activity even if it is *legally* similar. Just as those who practice civil disobedience must weigh the costs of breaking an unjust law against the damage to the rule of law, so too must those who act in resistance to oppression weigh the costs of using violence in self-defense against the damage to the unity of political solidarity.

These conversations have internalist as well as externalist aspects that Kashmiris and others need to approach. Thinking back to the cautions offered by critical Kashmiri feminists on the nature of superficial or problematic solidarities, scholarly analyses also might take seriously the

ways in which the occupation has been internalized in Kashmiri society, and how that inhibits the formation of solidarities within Kashmiris, even those in the Valley. It is in the nature of an occupation to inhibit such empathies, but beyond that, the contemporary role and trajectories of capital cry out for investigation; here I mean capital in all its material and ideological manifestations – as it stratifies social groups, sublimates into symbolism, generates possessions, imposes constraints, and creates political dis/trust.[15]

"Solidarity" is often used as a beautiful word, and as Armstrong and Prashad (2005: 221–222) explain, in taking a measure of solidarities by giving them "history, contradictions, and affect," there is always the fear that it may "rob them of their more supernatural qualities, but it may also allow for the development of more durable bonds among our unknown cohorts in the struggle." If more rigorous internalist understandings of solidarities are required in Kashmir, then equally, the pathways, connectivities, and interests that generate externalist solidarities on Kashmir outside of the region, especially in the West, also deserve more analysis for the ways in which they circulate on the digital sphere and intersect with technology and global feminist concerns (see Misri 2020); link up with diasporic sentiments to construct the contextual identity of "Kashmir," "Kashmiri," or "Kashmiriyat" (see Ali 2002); or circulate as solidarity movements in activist youth communities on university campuses (see Spencer 2019).

Conclusion

Of enduring importance in prolonged conflicts is the role of victim identities in individual and collective constructions of the self. What I call the "discourses of competing victimhoods," play a significant role in inhibiting the formation of solidarities between Kashmiri Pandits and Kashmiri Muslims. Over the decades, the interested parties have pushed for the successful communalization of an inherently political dispute, so that today the histories and memories of different Kashmiri communities are seen in parallel and against each other rather than within the same frame of oppression, injustice, and neglect that has plagued them all. Key in sustaining these injustices is the sustained alienation, abjection and distancing of Kashmiris; the legitimation of narratives of dispossession and oppression, the separation of imaginaries, and the systematization and institutionalization of knowledge that perpetuates the conflict. One may ask, what is the way out of a Gordian knot of such magnitude? (Kaul 2017):

> What else, but truths and reconciliations, recognition of the pain and suffering of each other as Kashmiris, solidarity and creation of processes to speak to each other in order to realize a future of peace and freedom, multiplying the representation of voices within a framework of trustworthy mediated dialogue, honoring of principles of human rights and self-determination, move towards alternative media that allows for honest understanding of issues in all their complexity, growing of the voices that speak for justice and humanity, and the writing of many, many stories that can be heard by those who need to empathize.

And in this, solidarities, across the intersectional messiness of global movements, are essential to grow (see Kanjwal 2016). It is not that the ways forward on making Kashmiri lives livable are not imaginable, do not exist, or cannot be realized. Kashmiri women scholars have collectively spoken in the powerful idiom of postcolonial criticality, saying that the question that people should ask is not "Can the Kashmiri women speak?" but rather "Can you hear them?" Kashmiri women, within and outside of Kashmir, have always been speaking, and their voices have not been heard (see Kaul and Zia 2018: 2020).

Today, quasi/authoritarian regimes around the world learn repertoires of action from each other; in the months following the Constitutional Coup in Kashmir in August 2019, the Iranian government too turned off the internet to tamp down on dissent and in Chile, the government fired on protestors with pellets. Solidarity with Kashmiris is a vital part of the critical global feminist struggles against economic-political-social disenfranchisement and dispossession. As we witness the proliferation of a deeply illiberal politics around the world – seemingly unstoppable and sustained by the forces of transnational capital and ever improved technology that has often turned the electoral legitimation of leadership in procedural democracies into a predictable algorithmic exercise – we must *understand and enact* solidarities across borders. The understanding across struggles is important, for our affinities have the potential to be both always already universal and also rhizomatically distributed, and this must underwrite the unconditional extensions of critical solidarities. At the forefront of the ongoing global protests and resistance against authoritarian rule, environmental destruction, human rights abuses and more, have been women. It is in this sense, that "women's work" is the work of revolution, deeply embedded in human solidarities that are vital to the preservation of the people and the planet.

Notes

1 These are iconic Muslim women who pioneered Islamist feminism and resistance in liberation movements. Zainab Al-Ghazali (1917–2005) was an Egyptian activist and founder of Muslim Women's Association, and Leila Khaled (1944–) is a militant Palestinian activist member of the Popular Front for the Liberation of Palestine.

2 As Reilly (2007: 187) notes, "A global feminist consciousness that challenges the systemic interplay of patriarchal, capitalist, and racist power relations is integral to contesting false universalization and neo-imperialist manifestations of supposedly cosmopolitan values."

3 In addition, there is the uninhabited territory under Chinese control.

4 It is not hard to find examples of progressive Pakistani writers or commentators, for instance Altaf Fatima, in the second part of the twentieth century, who did not speak about Kashmir in their work.

5 This right-wing project becomes ever more explicit with passing time as instances of Hindutva fundamentalism in India are referred to as 'India becoming Pakistan', or the countless instances where dissent in India is retorted at with allegations of anti-nationalism and the phrase "Go to Pakistan."

6 The Rashtriya Swayamsevak Sangh (RSS), a nationwide organization that is the ideological parent of Modi-led BJP, was founded in 1925. The "Sangh Parivar" family of Hindu nationalist organizations played an active role in national and regional politics both before and after the Indian Independence and partition, toward the goal of promoting their idea of the Hindu India.

7 See Dar (2015) for an interrogation of the silence and complicity of postcolonial/subaltern theorists in the Brahminical colonial project of India in Kashmir.

8 Several reports by Indian feminists and civil society activists chronicled the human rights abuses. These include – "Women's Voice: Fact Finding Report on Kashmir September 17th-21st 2019", "News Behind the Barbed Wire: Kashmir's Information Blockade", "Kashmir Caged: A fact-finding report", "#KashmirCivilDisobedience: A Citizen's Report."

9 Chakravarti (ibid., 27) tells us that Sarabhai was declared mad and put in an asylum: "Resistance to a blind nationalism and the demands of loyalty from its citizens by a nation-state in South Asia in the postcolonial period was indeed a madness if it was the position of a single individual, and that too a woman."

10 The evidence for this is not hard to locate. From 'Women in Movement: Feminism and Social Action' (Routledge, 1992) to 'New South Asian Feminisms: Paradoxes and Possibilities' (Zed 2012), the mention of Kashmir is conspicuously absent. Likewise, in the broader literature on humanitarian crises, intervention, security, state-making, there is no reference to Kashmir (for instance, see the Routledge series on international relations and global politics, or on intervention and statebuilding). Being a Kashmiri, feminist, and a politics and international relations scholar, having to constantly argue against this absence of Kashmir is also part of my own lived experience in both academia and feminist movements.

11 I refer here to the labor of organic, autonomous, digital and real transnational solidarities generated by scholars, contributors, volunteers, activists through SWK (Stand with Kashmir), KSCAN (Kashmir Scholars Consultative Action Network), Kashmir Solidarity Network (KSN), Critical Kashmir Studies Collective, and others.

12 See Mushtaq and Bukhari 2018, passim). Also, as Bhan (2013: 6) has noted in the context of using 'healing touch'/compassion/environmentalism as a strategy, the "tropes of heart warfare, healing, and compassion and their deployment by states are crucial to the emerging yet pervasive strategy of governance in war-torn regions."

13 See Kanjwal (2018) for a longer history of the state-led feminism in Kashmir.

14 This is, of course, a rhetorical question. In fact, in 2019, the Indian consul general in New York explicitly called for Israel style settlements in Kashmir for Kashmiri Pandits (see MEE Staff 2019).

15 See Kaul (2021) for further detail on this, especially the conceptualisation of "econonationalism" understood as the uses of a liberatory rationale of development for the purposes of coloniality in Kashmir.

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KASHMIR DIASPORA MOBILIZATIONS

Toward Transnational Solidarity in an Age of Settler Colonialism

Hafsa Kanjwal

Introduction

A few days before August 5, 2019, Kashmiri Americans affiliated with the group Stand with Kashmir, along with other diaspora Kashmiris and allies, rolled out the "Red for Kashmir" campaign, encouraging supporters to change their profile pictures to red across social media platforms to raise awareness of increasing levels of repression in Kashmir. By the time the Indian government de-operationalized Article 370 of the Indian constitution and demoted the region to a union territory directly under the Indian government a few days later, all forms of communication, including landlines, mobile services, and internet, had been shut down. Kashmir had been effectively cut off from the rest of the world. In that moment, the Kashmiri diaspora – a transnational network of individuals and families across the United States, United Kingdom, Canada, Europe, Australia, and the Middle East – effectively became the voice of a silenced people (Sadeque 2019).

Over the next few months, the diaspora drew attention to the historical and present-day dimensions of India's occupation and settler colonial project in Kashmir by organizing major protests, engaging in political advocacy campaigns with their elected officials and government representatives, and conducting a series of educational events in universities and community spaces. It was – as a number of participants in interviews for this project stated – unprecedented for the Kashmiri diaspora to be so politically mobilized on the issue since the early 1990s. Fearing that the Indian government had taken a drastic and irrevocable step that would pave the way for genocide of Kashmiri Muslims, the diaspora felt it had a moral responsibility to speak on behalf of their now silenced nation.

Diaspora mobilizations that emerge from conflict-generated regions are often involved in advocacy efforts which involve

> individual and collective action of identity-based social entrepreneurs who organize and encourage migrants to behave in a concerted way to make home-land oriented claims, bring about a political objective, or contribute to a cause.
>
> *(Koinova 2016: 501)*

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Part of this includes the harnessing of "material and symbolic resources to reach a collective goal." These mobilizations can occur through national (host country) or transnational networks. Yet, even amid these conflict-generated diaspora mobilizations – a number of contestations and dilemmas emerge.

As Kashmiri American movements gained traction in the months following August 5, it became clear that engaging in diaspora mobilization for Kashmir requires serious and sustained engagement with questions of privilege, positionality, and representation. Who constitutes the Kashmiri diaspora, and what should be its role? What is a transformative solidarity model for Kashmir, and what fault lines should be addressed to build it? And most important, how does a small, less-resourced diaspora facilitate and amplify a long-standing resistance movement against an occupying power with significant material resources and global economic and political influence?

Diaspora engagement on the issue of Kashmir is not new. British Kashmiris, especially those from Azad Kashmir, have engaged in significant activism across decades (Ali 2009; Ellis and Khan 1998;). In the UK in the late 1970s, Amanullah Khan founded the Jammu and Kashmir Liberation Front (JKLF), an explicitly pro-independence party that ultimately initiated the armed struggle in Indian occupied Kashmir (Sökefeld and Bolognani 2011). In the 1990s, both the US and UK diaspora were active in raising awareness of India's militarization, human rights violations, the resistance movement and the right to self-determination. Over the past few decades, diasporic activism has ebbed and flowed for reasons including fear and frustration, tensions over aspirational differences, privilege, and political apathy – as well as more foundational ideological concerns and questions surrounding the role of the diaspora in the politically contested context of Kashmir.

In this chapter, I critically analyze the complexities of diaspora mobilization and transnational solidarity work through examination of the US-based, Indian-occupied Kashmiri Muslim diaspora movement. My focus on the Kashmiri Muslim diaspora from the Indian-occupied Kashmir Valley is designed, not to restrict conceptualizations of the Kashmiri diaspora overall, but rather to narrow the scope of my project based on my own research and advocacy. I approach these questions through the lens of my own experiences as a Kashmiri American who was born in Kashmir and raised in the US, who has extensive networks of family and friends in Kashmir, and who regularly returns to Kashmir for research and family visits. My active engagement as a Kashmir scholar in the Kashmiri American diaspora mobilizations include detailed discussions with variously positioned individuals across a wide diaspora community network in the United States as well as the United Kingdom and Europe, planning and coordination of campus and community events, rallies, and summits, and communication with students, activists, researchers, journalists, and artists in Kashmir. My positionality as a Kashmiri American researcher is very much embedded in the structures of privilege that being in the United States provides me, and I continuously attempt to be self-reflexive by challenging interrogating identity categories and power dynamics. I have also conducted several oral history interviews with diaspora leadership from the 1990s and gathered informational materials from a number of relevant organizations. I argue that the Kashmiri American diaspora should pursue a model of transnational solidarity activism, and that this role must be mediated by a critical self-reflexivity on the part of the diaspora that engages with questions of privilege and positionality.

Thinking Through the Kashmir "Diaspora"

The term diaspora refers to "social groups that settle and establish themselves in another country and are internally heterogeneous. . . . Diasporas are rarely constituted by a single factor other

than the broadest of connections to a specific homeland" (Smith 2007: 5). Diaspora is a useful category, as it "configures certain conceptions of movement, settlement, and the attendant negotiations with power" (Bald et al. 2013: 7). However, as scholars have argued, the term can also be limiting. In the context of Kashmir, the term "diaspora" is complicated by the already contested nature of the former princely state of Jammu and Kashmir. Does the Kashmir diaspora, for example, only include individuals from the Kashmir Valley? How does it factor in Kashmiri Pandits, many of whom may not broadly identify with the movement for self-determination? Does it include people from Jammu and Ladakh? Azad Kashmir? Gilgit-Baltistan? Do Kashmiris who have settled in different cities in India or Pakistan constitute a diaspora? It is clear that the diaspora itself is diverse geographically, religiously, ethnically, politically, and linguistically. Different diaspora communities have varying political interests and aspirations – important distinctions to consider for broader diaspora mobilizations.

Scholars have also raised concerns over the ways in which the term diaspora flattens the multiplicity of displacements in time and space and whether the term diaspora can accommodate or coexist with a "politics of return" (Peteet 2007). Writing on the Palestinian diaspora, Peteet calls for a disaggregation of the term diaspora that would "facilitate more precise and complex understandings of different types of movements, their historical and political origins, and the role of violence" (Peteet 2007: 629). Similarly, the Kashmiri diaspora is diverse not only in terms of its demographic composition, but also in terms of the multiple reasons for which people were made to leave, even before 1947. This ranges from political and economic persecution, forced migration, ethnic cleansing, political oppression, and economic opportunity. Multiple historical contexts – including political and economic repression by the pre-1947 Dogra regime, ethnic cleansing of Jammu Muslims in 1947 by the Dogra Maharaja, migration of workers from Mirpur in Azad Kashmir to the United Kingdom, departure of Kashmiri Pandits and Muslims from the Valley in the early 1990s – have shaped the varying displacements of what could potentially constitute a "diaspora." Crucially, "uncritical invocations of diaspora risk minimizing the range of traumatic conditions that fuel displacement and the way these shape sociocultural formations and subjectivity" (Peteet 2007: 630). Thinking through the modes of diaspora mobilizations requires attention to this range of "traumatic conditions" as well as to the politics of return, given the region's division between two hostile nation-states, and the people originating or displaced from either side are rarely able to travel across.

Over the past few decades, scholarship in international relations and political science has focused on the role of diaspora communities in contributing to political developments in their "homeland." Much of this literature has focused on whether diasporas have contributed to their homeland in roles that can either create conflict or build peace (Smith 2007). More recent work has focused on the question of diaspora positionality – whether

> embedded in a certain context, diaspora political agents can take advantage of a conglomeration of unique socio-spatial characteristics of that place such as institutions, networks, resources, political culture, infrastructure, history, position of the state in the international system, and others.
>
> *(Koinova 2017: 603)*

Later in this chapter, I examine the ways in which the Kashmiri American diaspora is implicated in the processes of US empire.

In our conversations, Kashmiris in Kashmir often draw a distinction between the experiences of Kashmiris living "on the ground" and "under occupation," and the experiences of the "diaspora" who had the "privilege" to leave. This distinction expresses the sense that the

diaspora is disconnected from what is happening in Kashmir, given their spatial and temporal distance from the homeland. This corresponds to one of the primary criticisms of the Kashmiri-American diaspora: that they occupy a space of privilege, removed from realities on the ground, that makes it difficult for them to understand the depth of what is happening in Kashmir and to authentically speak about that experience. This critique is compounded by the sentiment that Kashmiri diasporas worldwide had not mobilized in meaningful ways prior to August 5, and that the new diaspora mobilizations may be driven by multiple motivations, such as securing one's economic interests amid a settler colonial project. This trust deficit poses significant challenges to Kashmiri diaspora communities in the United States and elsewhere.

Nonetheless, despite criticisms, many in Kashmir feel the diaspora has a role to play in advocating for Kashmir – although there are also multiple understandings of that role. Some argue that the diaspora can and should only take direction from "the ground," and not serve in any representative capacity for Kashmir, or claim to speak "for" the people of Kashmir, but rather amplify their voices. In this perspective, diaspora leadership should not emerge to serve in a representative capacity. This position suggests that any diasporic attempts to represent Kashmir would not derive legitimacy from "the ground."

Many in the diaspora do not necessarily see a striking binary between those in the diaspora and those in the "homeland" because itinerant migration patterns are constantly evolving and because many in the diaspora have also lived through and experienced life under occupation. Arguing against such distinctions based on notions of authenticity, they claim that political mobilizations driven by hierarchies of victimhood and suffering will lead to counterproductive forms of exclusion and fragmentation. They also argue that given the ways in which the Indian state has completely clamped down on any form of dissent in Kashmir and placed all of the resistance leadership under arrest or detention, the time may come where the diaspora will potentially have to play a bigger role in terms of representation, especially in international platforms.

The example of revolutionary movements (such as Palestine, Iran, and Algeria) is instructive to this discussion, given the formative role that those who were in exile – and thus away from the "ground" – played in shaping the contours of such movements. Given that formative thinking and organizing for major social and political movements happened among those in exile (some more successful than others), one of my interviewees, Imraan Mir, a Kashmiri American lawyer, posed the question: "Does the diaspora have a role in influencing and shaping the narrative that ultimately contributes to what people in Kashmir think about their future and their aspirations?" If the diaspora has a responsibility – given its tremendous privilege, which includes time, space, and resources – "how do they then ethically raise concerns about Kashmir, or use that privilege? Can privilege be used constructively to take the conversation or shape the outcome in a particular way?" (Mir, Interview). Here, the use of the term "privilege" is not perceived negatively, but rather as a responsibility – a call to action. A similar question that merits consideration is the role of the Kashmiri intelligentsia, a number of whom are spread across the United States, the United Kingdom, Canada, and elsewhere. Given the statist and functional educational systems that exist in Kashmir as well as political repression in Kashmir, can an intelligentsia come together from within the diaspora?

These questions do not have easy answers. I suggest that these categories continuously be negotiated and re-negotiated given the circumstances in Kashmir. More critically, another question that arises out of this set of concerns is who constitutes the "self" embodied in the movement for "self-determination." If the diaspora is included in this "self," then is the diaspora an integral part of the movement, and not simply a tool of amplification? And if the diaspora is not included in this "self," then what are the boundaries, and how are they negotiated?

A transnational solidarity model requires a radical shift away from past or present forms of mobilization that also complicate particular categories. And an engaged diaspora must remain cognizant and accountable of its privilege, engaging in continual reflection on the ways in which acts of (mis)representation may enact epistemic – or actual – violence on Kashmiris. Here, I take a cue from Bourgois and Schonberg, whose analysis of representational practices in relation to ethnography and photography can also apply to diaspora advocacy. They argue that representational practices are "torn between objectifying and humanizing, exploiting and giving voice, propagandizing and documenting injustice, stigmatizing and revealing; fomenting voyeurism and promoting empathy; stereotyping and analyzing" (Bourgois and Schonberg 2009: 15). This is a fine line to tread. How can we reimagine categories of belonging to Kashmir that refuse an articulation in relation to competing identities, authenticities, or victimhood, while also maintaining cognizance of different forms of privilege and positionality?

History of the Kashmiri American Muslim Diaspora

As with a number of other immigrant groups to the United States, it is important to situate the Kashmiri American Muslim diaspora in the backdrop of "shifting regimes of capital accumulation, drawing out a historical continuum moving from territorially based empire to neocolonialism" (Bald et al. 2013: 5). This includes understanding the role of wars, capitalist expansion, militarism, religious mobilization, and political movements in shaping the demographic contours of diaspora as well as the "longstanding and ongoing military, geopolitical, and economic pursuits" of the United States in South Asia.

While a small number of Kashmiris came to the United States for further education as early as the 1930s, the first substantial group of Kashmiri Americans that settled in the United States were professionals – mostly doctors – that arrived after the Immigration and Nationality Act of 1965 abolished an earlier quota system based on national origin and established a new immigration policy that attracted educated, skilled labor to the United States. The implementation of this act enabled physicians, engineers, and other professionals to come to the United States, mostly for economic opportunities. Many of them were from relatively privileged upper middle class or bureaucratic families in Kashmir, including those affiliated with the state government. Members of Islamic study circles and groups, including Jamaat-i-Islami, relocated to the US and UK after facing increasing repression from the J&K state government. The 1990s saw another wave of Kashmiri Muslim immigration to the United States, especially after the rise of the armed rebellion. Since 2000, a number of young professionals, many of them scientists or in information technology, have moved to the United States for education and employment, given the lack of opportunities in Kashmir, as well as increasing hostility toward Kashmiri Muslims in India. Over the past five decades, the causes of migration in the diaspora range from seeking economic and educational opportunities to fleeing political persecution and violence.

In the initial decades of Kashmiri presence in the US, there was some political activity. Farooq Kathwari, the Kashmiri American CEO and President of Ethan Allen, narrates that he arrived in the United States in the mid-1960s to attend business school in New York. At the time, Kashmir was a topic of heated debate at the United Nations. Kathwari established a committee for the future of Kashmir and wrote a manifesto making the case for a free Kashmir (Kathwari 2019: 74). According to Ghulam Nabi Mir, a Kashmiri American doctor who moved to the United States in 1974 and was instrumental in the early history of the Kashmiri American diaspora, the initial group of physicians were not politically active (Mir, Interview 2020). In subsequent years, a number of them wrote brochures about Kashmir and tried to raise awareness of the issue. The group initially sponsored a number of awareness raising activities and

was involved with the national Muslim Students Association, of which two of them, Ghulam Nabi Fai and Sayyid Syeed, had a leadership role (Fai, Interview 2020). One of their activities was collecting funds for orphans in Kashmir. In 1978, a group of Kashmiri Americans founded the Kashmir Muslim Association of North America (KMA) that continued awareness raising activities. Throughout the 1980s, the KMA would often meet in Buffalo, New York, the adopted home to a number of Kashmiri immigrants given a number of families that had initially settled there.

Political Advocacy in the 1990s

Significant political activity took hold in the 1990s. The start of the armed rebellion, massive civilian uprising, imposition of Governor's rule, and subsequent militarization and massacres of Kashmiri civilians resulted in what Maria Koinova calls a "critical juncture." This juncture led to a "transformative event" in which the diaspora dramatically increased its mobilization in response to reports of grave human rights violations (Koinova 2018). In 1990, the Kashmir American Council (KAC) was incorporated after nearly 100 Kashmiri Americans met at a home in Maryland. Ghulam Nabi Fai, who had been active with the Muslim Students Association and related diaspora advocacy efforts, was selected by an ad hoc board of community leaders to serve as its executive director. Separately, Farooq Kathwari organized the Committee for Solidarity in Kashmir, which included both Hindu and Muslim Kashmiris. The committee "found common ground and issued a number of statements calling for a fair settlement of the Kashmir issue" (Kathwari 2019: 204).

In our interview, Mir mentioned that the first gathering in Maryland attracted Kashmiri Americans from across the political spectrum, including some linked to the pro-Indian political parties in Kashmir. According to Mir, at that time, the ideological divisions that had begun to emerge in Kashmir between the JKLF, which supported an independent state, and the Jamaat-i-Islami, which supported merger with Pakistan, had not surfaced in the diaspora. Despite varying ideological loyalties among its leadership, the KAC focused on the human rights violations against Kashmiris as well as a resolution to the Kashmir issue that foreground Kashmiri aspirations. Even those affiliated with the India-leaning parties were welcome, as there appeared to be a collective realization "that there is a problem that needs to be resolved" (Mir, Interview 2020).

The KAC was a nonprofit member-based organization based in Washington, DC with local meetings in cities like New York, Los Angeles, and Buffalo that had a significant Kashmiri population. There was also a Central Coordinating Committee (CCC) made up of seven regional representatives across the country (Fai, Interview 2020). Due to its sizeable Kashmiri American population, Buffalo was given two representatives in the CCC in the KAC's Constitution. The CCC would meet in different cities across the United States where there was a significant Kashmiri presence. The KAC actively lobbied both Republican and Democratic Congressional representatives, met with White House, State Department, and National Security Council officials, and also sent reports and briefing documents to various foreign embassies, country missions to the United Nations, international organizations, and think tanks. The KAC published newsletters, pamphlets, and books on the history of the movement, occupation, lack of independent political processes, human rights violations, and other political topics. In 1990, they hired a lobbying firm to manage their outreach to Congress. The KAC also had close relationships with a number of American Muslim organizations, including the Islamic Society of North America (ISNA) and the Islamic Circle of North America (ICNA). KAC members met annually at

ISNA's Annual Convention, and they were often a part of the program, speaking at different sessions. In 1991, some KAC members and British Kashmiris started the World Kashmir Freedom Movement (WKFM) to focus specifically on international advocacy.

The KAC's largest events were the annual peace conferences on Kashmir, that would be held in Washington, DC and New York City. Conference invitees and participants were not only Congressional officials, but also US-based professors and think tank experts, as well as official government representatives and other prominent citizens from India and Pakistan. Indian and Pakistani officials and journalists were invited to attend and present their viewpoints. Indian officials never attended in their official capacity, though Pakistani officials would. The KAC and WKFM also organized conferences in London, Brussels, and Islamabad. Civil society and political leaders from both Kashmir and the diaspora would attend to meet with American officials. Other advocacy events included participation in a number of congressional hearings and briefings on human rights in South Asia, as well as UN-related conferences, and meetings with the State Department as well as the Organization of Islamic Cooperation (OIC). KAC lobbying efforts bore some limited successes. For example, in the 1990s, through its lobbyists in Congress, the KAC was able to convince the US Congress to halt development aid to India until India released members of the pro-freedom leadership from prison (Fai, Interview 2020). In addition, through their lobbying efforts with sympathetic congressional officials, four total resolutions were introduced in both the House and Senate regarding Kashmir. These resolutions foregrounded the right to self-determination as promised in successive UN resolutions and condemned the excessive use of force by the Indian forces, while also denouncing the violence of Kashmiri militant groups. They also called for journalists, human rights organizations, and humanitarian organizations to have access to Kashmir, and called for a cut in development aid to India until it improved its human rights in Kashmir (Relating to the Conflict in Kashmir 1995). While not all of the resolutions passed, and some were not able to make it to a vote, the criticism of India's human rights record in Kashmir allowed for the amplification of the Kashmir issue in the US Congress.

KAC and WKFM board members travelled to Pakistan and met with representatives of the different Kashmiri factions there to encourage unity. Diaspora leadership was intimately engaged with the Srinagar-based All Parties Hurriyat Conference leaders, speaking to them on a frequent basis. The KAC would organize, schedule, and host Hurriyat agendas and meetings when their leadership and representatives visited the US, although the Hurriyat never appointed any of the diaspora as their official representatives or spokespersons (Fai, Interview 2020). For example, Yasin Malik, the co-founder of the All Parties Hurriyet Conference and the Chairman of the Jammu Kashmir Liberation Front came to the United States in March 2001. The KAC organized his meetings with the editorial boards of various newspapers, government missions of various offices at the UN, ambassadors, congressional officials, think tanks, and State Department officials (Kashmir American Council 2001). Fai stated that leading offices in the US government, such as the State Department and the National Security Council, relied on the KAC to communicate with the resistance leadership in Kashmir.

The KAC's advocacy efforts focused on providing updated information on recent developments in Kashmir, including the human rights violations committed by Indian forces, as well as highlighting the role that the US should play in resolving the dispute. The KAC focused their attention on demilitarization, ending human rights violations and removing draconian laws, and fulfilling the right to self-determination, while refusing to endorse a settlement of either independence or alignment with Pakistan. As Mir said, the primary aim was "how not to see an Indian soldier in Kashmir." While the group did have internal discussions on multiple

possibilities for the future of Kashmir, Mir states they recognized that "political opinion can change depending on what is happening." All of their activities were centered on the premise that Kashmiris from all regions were an integral part of the Kashmir dispute, and that a legitimate leadership of Kashmiris must be included in all negotiations between India and Pakistan. They attempted to do outreach to officials and representatives from India and Pakistan, as well as the various units of the princely Jammu and Kashmir state.

For example, the KAC took a leading role in drafting the "Brussels Resolution," in April 2004 along with Kuldip Nayar, an Indian parliamentarian and the former High Commissioner of India to the United Kingdom. The resolution was a part of the "Discourse on Kashmir" jointly sponsored by the All Party Kashmir Group on Kashmir of the European Parliament and the ICHR Kashmir Center (The Brussels Resolution 2004). The resolution called for a peace mission of Kashmiri expatriates to India and Pakistan, a withdrawal of forces and bunkers from civilian areas, repeal of draconian laws, release of political prisoners, access to human rights organizations, and the freedom of movement for Hurriyet leaders.

Throughout the 1990s, the KAC faced increasing financial challenges. While Pakistani-Americans made substantial financial contributions, other Muslim-American communities offered only limited support. As these pressures mounted, the Indian government also retaliated against the diaspora leadership by denying a number of them visitor visas. Some of them remain unable to return to Kashmir.

Other members of the diaspora initiated working groups on Kashmir, and were involved in direct international diplomacy between India and Pakistan. After meeting with Indian, Pakistani, and Kashmiri leaders in 1994, and hearing about the vast gulf in understanding amongst the various stakeholders, Farooq Kathwari founded the Kashmir Study Group (KSG) in 1996, to "refocus the discussion on some meaningful options rather than on empty nationalistic slogans" (Kathwari 2019: 209). The group included congressional representatives, presidents of think tanks and nonprofit organizations, foreign policy experts, academics, and former ambassadors. Kathwari was the only member from Jammu and Kashmir, which he describes as a deliberate choice "since [I] was eager to avoid making KSG seem like a political organization of a lobbying group representing anyone with a vested interest in the conflict" (Kathwari 2019: 210). The group visited India, Pakistan, and Kashmir in 1997 and spoke to a wide range of people. The report *The Kashmir Dispute at Fifty* was published in 1997, and provided a set of 12 recommendations regarding short-term confidence-building measures and other steps. KSG had relationships with think tanks like the US Institute of Peace and the Carnegie Endowment for International Peace, and also held meetings between Indian, Pakistani, and US officials. Kathwari writes that he kept US officials abreast of his meetings with various political leaders in South Asia.

The Livingston Proposal was a result of these meetings; the proposal called for the establishment of self-governing entities in both the regions administered by India and Pakistan, and the establishment of an all-Kashmir body that would coordinate areas of broader interest such as regional trade, tourism, environment and water resources. The proposal also called for the demilitarization of all five entities with India and Pakistan responsible for the foreign affairs and defense of these entities. Kathwari mentions that various stakeholders had given their "cautious approval" to the framework of the proposal (Kathwari 2019: 217). During the Musharraf-Vajpayee years, in particular, Kathwari and the KSG played a role in back-channel diplomacy between the two countries. According to Kathwari, parts of the Livingston proposal would come to be adopted into the four-point plan between Musharraf and Vajpayee. Progress on the plan, however, came to a halt after the attack on the Indian parliament on December 12, 2001. While some discussions continued, Kathwari mentioned that some

> hard liners in India . . . had dug in their heels. . . . They insisted that India's leaders refuse to meet with their Pakistani counterparts without receiving significant up front concessions – a demand that effectively precluded serious talks.
>
> *(Kathwari 2019: 226)*

Subsequent attempts to create possibilities for dialogue, including through the Pugwash Conferences on Science and World Affairs 2005, would be derailed as a result of changing geopolitics in India and Pakistan. Nevertheless, Kathwari believes that the KSG's work to reframe the international debate about Kashmir bore some fruit –

> certain realities that were formerly little known have not become widely recognized . . . there is now a growing recognition that this region must have the ability to government itself, and that the self-governing option could also be provided to other regions of the former state of Jammu and Kashmir.
>
> *(Kathwari 2019: 236)*

In July 2011, KAC Director Fai was charged with participating in a long-term conspiracy to act as an agent of the Pakistani government in the US without registering with the Attorney General in violation of the Foreign Agents Registration Act (FARA). In December he pled guilty to conspiracy and tax violations (*USA vs. Syed Ghulam Nabi Fai* 2012). Fai's arrest gave rise to feelings of skepticism, resignation, and betrayal among many members of the Kashmiri American diaspora community. The lack of human and financial resources also dealt a significant blow to diasporic mobilization. The arrest was a transformative event, significantly increasing concerns over trust and surveillance, while decreasing support through donations and mobilizations. Meanwhile, developments in the subcontinent made the potential for peace talks elusive. Kashmiris who remained active in diaspora politics struggled to keep the Kashmir issue alive amongst the balance of the diaspora.

Over time, and especially in the 2000s, the Indian lobby and Indian Americans gained traction in the US, especially surrounding the passage of the controversial US-India nuclear agreement in 2005 (Mishra 2016; Kirk 2008; Mistry 2013–14; Kurien 2017). Well-funded and professional Indian Americans played a critical role in securing the agreement's passage in the US Congress. They also became more politically influential – both domestically, but also in India, as researchers noted a "saffronization" of Indian American politics that contributed to the rise of Hindu nationalism both in India and in the diaspora, as well as increasing Islamophobia (Biswas 2010; Rajagopal 2000; Kurien 2004; Jaffrelot and Therwath 2007). September 11 was yet another transformative event for US relations with South Asia. While the United States sought a working relationship with Pakistan for the War on Terror, it also began a robust engagement with India on matters concerning trade, defense, energy, technology, and containing China (van de Wetering 2016; Jaffrelot 2009; Jain 2016). India was able to appropriate the discourses surrounding the Global War on Terror in the context of Kashmir, and the US became increasingly hands-off the Kashmir dispute (Baruah 2007). Kashmir was simply not a priority. In the diaspora as well, concerns rose of political engagement in the post-9/11 context, especially for causes that were being painted as part of the War on Terror (Naber 2006; Takyar 2019; Maira 2016). Other diaspora groups, including prominent Palestinian Americans, had experienced severe surveillance and were targeted by the American authorities, such as the high-profile Holy Land Foundation case (Peled 2018).

Reflecting on the post-9/11 context, Mir commented that "it started to feel impossible, and many people lost hope in the cause . . . when things are hot, people sign on to it, when

the returns start diminishing, everyone falls off the band wagon." This fatigue is not unique to Kashmir. Especially in the context of prolonged crisis, when earlier mobilization efforts have been futile, diasporas find it difficult to be motivated and mobilize in meaningful ways. Individuals may question the impact of their efforts if they do not see positive outcomes over time, have no way to voice their political views in the homeland, and have been defeated by particular transformative events. Koinova analyzes this through a distinction between "sustained" and "episodic" mobilizations:

> Sustained mobilization occurs when organization of claim-making and material and symbolic resources takes place without interruption to address a common issue. Despite inevitable competition among individuals, there are common grievances, targets, action-oriented frames, and formal and informal networks engaged to proactively channel discontent. Episodic mobilization takes place when claims are made and resources drawn as necessary for specific events. Grievances may exist, but not be common, and claim-making is mostly reactive. A key distinguishing factor is the durability of claim-making through perpetuation and interconnection of initiatives, including organized gatherings, public statements, lobbying, books, blogs, and other activities.
>
> *(Koinova 2016: 503)*

For the Kashmir diaspora, this distinction is relevant as political mobilizations have primarily been episodic – the challenge, now, is how to engage in advocacy through more sustained means.

While political advocacy existed along an episodic continuum, the Kashmiri American diaspora has remained involved in various cultural and humanitarian efforts. Over the past two decades, this has resulted in a consistently sustained engagement with relief and humanitarian efforts. Many such efforts sought to remain "apolitical" and focus more on developmental or charitable work. Health care, education, culture, and women's empowerment were amongst the target areas. These included groups like Chinar International, the Guru Foundation, the Kathwari Foundation, Kashmir Earthquake Relief, Kashmircorps, the Kashmir Foundation of America, Revive Kashmir, Kashmer, Funkar, and the Kashmir Education Initiative, amongst others.

There was significant humanitarian diasporic mobilization during two main natural disasters: the earthquake of 2005 and the floods in 2014. The humanitarian and charity organizations involved had to maintain a strictly apolitical stance, especially given they were beholden to their Indian FCRA status in order to operate in Kashmir, a dilemma they continue to negotiate. The Kashmiri American Muslim diaspora has also sought to build a sense of community and belonging and preserve their culture and heritage create a social and cultural space through annual events such as the Kashmir Gathering of North America (KGNA), a three-day gathering that brings together Kashmiri Americans and Kashmiri Canadians for a series of social and cultural events, educational activities, and networking opportunities. In its inception, the gathering was explicitly apolitical. This was met by criticism by some diaspora members as well as those on the ground in Kashmir. They argued that while one can understand why humanitarian organizations might have to remain apolitical for pragmatic concerns, to isolate cultural and social spheres from the political in a space like KGNA is inherently problematic. Given that culture and identity are inherently political, the sentiment that one can remain "apolitical" exemplifies a number of fundamental concerns about the self-perception of the diaspora, especially in relation to respectability politics and US empire.

The preceding historical overview highlights that despite being vastly out-resourced and funded, the Kashmir American diaspora has the potential of playing an important role in bringing Kashmir to the attention of various US and UN bodies, and also serve in a mediating capacity to create a discourse surrounding the importance of a resolution, and push forward talks between India and Pakistan.

US Empire and the Kashmiri American Diaspora

One of the most important factors the Kashmiri American diaspora must acknowledge as they raise the Kashmir issue is how they are positioned and embedded in imperial frames in the context of US empire. As Engseng Ho writes in his analysis of the Muslim diaspora:

> The subversives who peopled such movements [diasporas] were mobile cosmopolitans whose agendas were presumably extraterritorial. . . . Their geographical mobility often meant crossing imperial and departmental jurisdictions, stretching the capacity of empire for political intelligence. . . . An inferior, subaltern entity which was nevertheless diasporic, cosmopolitan, and sophisticated like empire itself, and enough so to represent a potential threat.
>
> *(Ho 2004: 240)*

Thus, while the diaspora might have a certain privilege given its positionality (access to resources, different transnational networks), it can also potentially serve as a threat, especially in its imperial context, by privileging its perspectives and methods over that of the people in the homeland, as well as buying into the imperial logics of the country in which it resides, in this case the United States. There remains the "threat" of (mis)representation of the situation in Kashmir, people's aspirations, and the nuances of the sustained political struggle. For example, the diaspora might be compelled to craft a narrative that makes the Kashmir cause more palatable for the liberal, secular-leaning international audience. In my conversations with Kashmir-based activists, the threat of "misrepresentation" remains one of the primary concerns that people express about diaspora advocacy.

To exemplify this point, I focus attention on three key issues I have noted in relation to diaspora mobilization since August 2019: respectability politics, engagement with US imperial actors, and debates over the future of Kashmir.

In the immediate aftermath of August 5, the Kashmiri-American diaspora held diverse pro-Kashmir protests in cities including New York, Washington, DC, San Francisco, Atlanta, and Chicago. A number of these protests included the use of American flags. Although participants were protesting India's annexation of Kashmir, some members of the diaspora thought it was important to underscore that they were Americans first, and deeply patriotic. A number of people told me that they wanted to appear less "foreign" and "threatening" for average passersby, and that the flags would make them more approachable to "average Americans."

However, the group that had organized a number of these protests, Stand with Kashmir (SWK), had an official "no flags" policy due to the fraught and contested nature of nationalist symbols. In a memo to their regional leads, SWK emphasized that they encouraged participants to carry signs and images but to refrain from waving flags:

> We do not have to prove our loyalties to any state, but rather speak for universal values. Flags can be divisive, and alienate progressive allies. . . . We must understand that if we want allies from movements that speak out against American imperialism or police

> brutality, carrying an American flag, for example (a country that also engages in occupation and warfare) is in direct contrast to our principles.
>
> *(Email correspondence, Stand with Kashmir)*

This policy was met with criticism with some in the diaspora who felt that it was too aggressive and alienating.

In thinking though the politics of flags, I am attentive to the ways in which Muslim communities, especially after 9/11, have internalized Islamophobic rhetoric situating them as "foreign" or "the other." In doing so, they are constantly in the practice of having to reassert themselves in ways that make them palatable and conform to the average (read: white) American. This form of respectability politics views assertions of patriotism as being "authentically" American and a way to bridge the gap between minority and majority communities while highlighting their broader integration into American society. Yet, as we know from the example of Black Americans, respectability politics ultimately entrench rather than challenge the contours of mainstream identity politics, often to the detriment of multiple expressions of minority identities and in an attempt to accommodate neoliberalism (Harris 2014). Instead of pointing to the limitations of these discourses, for example, respectability succumbs to the logic of what counts as being "American." In addition, the relatively privileged class position of much of the Kashmiri American diaspora – in many ways a "model minority" in the racial hierarchies of the United States – creates a form of aspirational whiteness that also impacts how they view the terrain of advocacy. As a result, Kashmiri American advocacy remains anchored in the politics of race, class, and respectability. It is here, in particular, where a generational divide amongst first and second-generation activists can emerge. A number of those in the second generation have come to political consciousness in an era of criticism of US empire and racial politics and are much more familiar with the dangers or limitations of respectability politics. Their understanding of how advocacy should occur is in stark contrast to others who remain wedded to respectability.

Some in the diaspora were also keen on describing diaspora mobilizations as "peaceful" or "nonviolent," even just in statements of their group's work or mission. They pointed to the history of Muslim American activism, in particular, being criminalized in the US and how it was important to situate this activism as being "nonviolent," given the anxieties surrounding the War on Terror and its relationship to Kashmir. I was again struck by the internalization of Islamophobia in these conversations – this belief that Muslims must be *inherently* violent when doing any form of political advocacy, and that one needs to unilaterally assert oneself as the "nonviolent" Muslim in order to be acceptable. Here again, respectability politics conveys a message that there are still those who are "bad" Muslims – those who "we" are separate from. In buying into the logic of US empire (as well as Indian empire), and its own categorization of good vs. bad Muslims, this kind of respectability politics justifies anti-Muslim discourses while also criminalizing those for whom violence may be a part of a broader anti-colonial strategy. This tension raises questions about the binary between the diaspora and the ground. Does the diaspora have the moral authority to condemn the armed struggle in Kashmir? Even if it does not condemn or condone, how does it accurately represent the historical context of the armed struggle without falling into imperial narratives of "radicalization"?

Respectability politics expresses itself in other ways as well, primarily through the involvement of progressive allies or advocacy groups in certain actions. In a number of protests, solidarity organizations that stand against police brutality, such as like Black Lives Matter, were invited to speak, and they compared the militarized police infrastructure in the US and the violence it metes out against communities of color, in particular, with what was happening in Kashmir.

This pivot to an intersectional, transnational approach that foregrounds connections between multiple systems of oppression is critical for building a solidarity movement for Kashmir. However, some Kashmiri Americans again felt that it was not relevant to make those connections, and even if it was, "we might be alienating those who might sympathize with us." The "not all cops" mantra was an oft-repeated statement. I was particularly struck by a moment in a protest in NYC that was surrounded by the NYPD, when an older Kashmiri man started chanting "Thank you, NYPD" and some others followed, while other activists were aghast at the use of the slogan. Here again, respectability politics stands in the way of building meaningful relationships with those groups who also face different types of systemic oppression and institutionalized violence.

Linked to the question of respectability politics is another query pertaining to the efficacy of political advocacy in Washington, DC. To be sure, the diaspora faces a formidable rival – the pro-India lobby in the United States – as well as the increased economic and political ties between the United States and India. The scope for American action on Kashmir is limited given the reality of US-India relations. As Bald et al. (2013: 12) note,

> India has figured as a major focus of US capital expansion over the past two decades of neoliberal globalization. It is one of the fastest growing global markets for US goods, as well as a source of cheap outsourced labor for US technology, communications, and legal firms.

In addition, there is a sizable Indian-American professional class that has grown in size and wealth in recent decades. The US-based Campaign to Stop Funding Hate has revealed the growing power, size, and wealth of the Indian-American professional class. Indians are celebrated in US media reports as entrepreneurs and CEOs, and Bollywood and yoga continue to leverage significant soft power for India. The influence of Indian Americans is also "manifest in the quest flow of hundreds of thousands of NRI dollars to support the violently reactionary Hindu nationalist Sangh Parivar in India" (Bald et al. 2013: 12–13).

The small Kashmiri American diaspora is certainly no match for the pro-India lobby and its allies, which increasingly includes the pro-Israel lobby, white supremacists, and Kashmiri Pandit groups. This is evidenced by the ways in which pro-India lobbies, including groups like the Hindu American Foundation, were able to suspend the introduction of House Resolution 745, a bipartisan resolution that raised the issue of human rights in Kashmir in the aftermath of the abrogation (Kumar and Lacy 2020). Based on my own personal experiences, these groups also tried to repeatedly disrupt the talks and teach-ins in universities and community spaces across the country, labelling the speakers as "jihadist sympathizers" and "spreading Islamist propaganda." However, as iterated to me by Fai, this has been a long-standing practice of some members of the Indian and Kashmiri Pandit diaspora (Fai, Interview 2020).

While the pro-India lobby is highly mobilized and well connected, the Kashmiri diaspora, with the support of a number of progressive groups, managed to draw the attention of US elected officials, some of whom sent letters to the Indian embassy or the White House and made public statements on the human rights situation in Kashmir. The diaspora raised money for a number of congressional representatives. Nonetheless, Kashmiri American efforts to appeal to the US political establishment are fraught with contradictions. On House Resolution 745, many elected officials were approached by the pro-India lobby as well, and some later softened their criticism of India and did not insist that the resolution make it to the House floor. While I argue diaspora mobilization should include political advocacy and congressional lobbying, these efforts should bear in mind that the US has its own imperial foreign policy agenda and

interests. A strategy that solely focuses on political advocacy is not tenable, especially as it will be dependent on how the US positions its relationship with India as well as the Indian-American community. These contradictions raise the larger question of how a strategy that incorporates political advocacy can invoke the moral responsibility of the US while at the same time maintain a critique of US imperialism?

Finally, when it comes to the future of Kashmir, I argue that it is important for the diaspora to focus its efforts on calling for the right to self-determination, instead of articulating a particular future for the region. A number of diaspora groups are explicit in their stance of being either pro-Pakistan or pro-independence. However, the only ethical stance one can take is to foreground the will of the people, even while maintaining one's own personal perspective. Otherwise, the diaspora falls into the dangers of "misrepresentation" and can privilege their own positions over those in Kashmir.

This issue is also linked to the question of the Pakistan state and Pakistani American groups. The pro-India lobby leverages two main attacks against the Kashmiri diaspora: they claim that Pakistan is running and funding diaspora mobilizations, and that the diaspora is full of "ISI agents," thereby reinforcing the issue as a conflict between India and Pakistan and erasing the agency of Kashmiri Americans; and they link diaspora efforts with "Islamist" or "jihadist groups," especially as a number of American Muslim organizations have also raised concerns over India's actions in Kashmir. For some in the diaspora, the response to these attacks might be to portray a completely secular narrative that erases the religious specificities of Kashmir. To be sure, Kashmir is not "just" a Muslim issue; however, it is undeniable that Kashmiri Muslims are being targeted specifically due to their religious identity. To erase the importance of a Muslim identity to how many Kashmiris perceive their reality is disingenuous and again falls into the trap of "misrepresentation" for the sake of secular palatability.

Working with the government of Pakistan will be a fraught exercise for the Kashmir diaspora. Although Pakistan is one of the few countries that supports the right to self-determination, the post-August 5 diaspora mobilizations made it clear that advocacy for Kashmir should remain distinct from the Pakistan state's narrative. The international and domestic policy community perceives Pakistan as advocating for Kashmir to serve its own national interest. Thus, the diaspora must create its own space independent of the India vs. Pakistan binary, while still calling for the right to self-determination for Kashmiris. Exercise of the right to self-determination includes an option of merger with Pakistan. Any alliance with Pakistani state affiliates and individuals should also bear this concern in mind.

Building a Grassroots, Transnational Solidarity Model

In the United States, the political climate supporting Kashmir's self-determination is limited. Conversely, there is broad support relating to human rights concerns, given the number of supporting congressional statements after August 5, 2019. For diaspora mobilizations in the United States to gain ground, Kashmir needs to be embedded in domestic politics. This is increasingly possible given the influence and actions of the pro-India and Hindutva lobby. The rise of fascism in India provides an opportunity for the stranglehold of the "world's largest democracy" to give way, as US media, corporations, universities, and think-tanks will have to recalibrate their narratives on India. Although this will create space for the Kashmir narrative to gain traction, the space will remain limited as long as the US aligns its foreign policy interests with India. The diaspora, while having relative power compared to its numbers, cannot contend with the influence of the Indian lobby on its own. Therefore, it must engage both domestic and transnational channels and modes of solidarity to leverage support for Kashmir. These can include

providing humanitarian support, investing in human capital from Kashmir, starting a Boycott India campaign, establishing durable coalitions with transnational progressive and/or Muslim movements, and building grassroots solidarity efforts and political advocacy networks in the US. Furthermore, the rise of diasporic solidarity communities including progressive diaspora groups from South Asia, such as South Asian Americans Leading Together (SAALT) and South Asia Solidarity Initiative (SASI) allow for greater collaboration. Coalition-building is the diaspora's fundamental task, and it should include groups working on issues including climate change, militarism and war, and gender violence. These multipronged activities should involve a number of different diaspora groups.

This also entails an understanding of the importance of intersectionality informed by feminist models of anti-occupation struggles that foreground issues of positionality while also pointing to interlocking and multiple systems of oppression – such as class, caste, race, and gender – and how they determine people's lived realities. Another shift for the diaspora to consider is to reposition the question of Kashmir at the core of a number of other simultaneously ongoing political struggles and liberation movements (Salih, Welchman and Zambelli 2017). It is a critical time to create a kind of politics that is able to move beyond exclusively identitarian, religious, or sectarian impulses and is sustained by shared experiences of living under conditions of colonialism and occupation. In doing so, of course, the uniqueness of each individual struggle must be respected.

Thinking intersectionally also precipitates a move beyond a human rights or minority rights legal framework in the case of Kashmir, and toward an anti-colonial liberation framework. While the diaspora can strategically utilize a human rights framework when needed, it must also understand that a singular focus on human rights, ignoring liberation, can backfire. The focus on human rights oftentimes obfuscates the underlying political dynamics, can depoliticize the core issues, and is entangled with colonial and neoliberal power. For example, Amnesty International criticizes India's poor record on human rights in Jammu and Kashmir, but they do not acknowledge the root of the issue – which is political. Human rights organizations often duplicate the language of the colonizing powers. This occurs because the "reference point and authority" of a "juridical, rights-based discourse" are placed with and referred to "bodies, institutions, conventions, rulings and resolutions that are rooted in hegemonic, juridical structures rather than indigenous, justice and liberation centered ones" (Salih, Welchman and Zambelli 2017: 14).

The work of first and second generation diaspora Kashmiris points toward the increased use of a multifaceted approach relying broadly on a multisited embeddedness that entails a form of belonging to and engagement with multiple communities, contexts, and hybridities. For example, the Kashmiri Muslim diaspora in the US must contend not only with the occupation of the "homeland," but also with anti-Muslim racism and War on Terror frameworks that emerge both in the homeland as well as the United States. Here, the need for intersectional approaches is critical to resist multiple modes of oppression.

The opportunity now exists for the broader Kashmir diaspora intelligentsia – armed with its scholarship and networks – to reimagine the conditions of possibility for Kashmir, both epistemically but also materially. Some of this work is already occurring, as Kashmir scholars across multiple geograpies are challenging the prevailing academic discourses on Kashmir, and as more Kashmir-based scholars pursue their PhDs and publish critical scholarship on resistance and occupation. Advocacy efforts will continue to follow suit. Nonetheless, the success of diaspora engagement will rely on how much buy-in these efforts get from Kashmiris within Kashmir, and the ways in which the diaspora seeks to continuously be informed by considerations from the ground, rather than imposing its own frameworks.

Conclusion

August 5, 2019, served as another "critical juncture" in India's long-standing occupation of Kashmir. As a moment that significantly threatens Kashmiri identity, land, and livelihood, and precipitates a settler colonial project, it requires a thorough introspection by the diaspora of its advocacy on Kashmir. For a truly transformative transnational solidarity framework, the diaspora must move beyond identitarian claims and toward an intersectional approach that recognizes the multiple layers and vectors of oppression and seeks to dismantle internal hierarchies including race, gender, sexuality, and class, among others. The Kashmir issue is part of a broader network of colonial violence and occupation that is rooted in global interconnections. Youth activists in Kashmir certainly recognize this, as should the diaspora. Given that the diaspora itself inhabits multiple belongings and diverse allegiances, "liberation" must be defined beyond the more classic territorial and national boundaries.

The Kashmir diaspora and other allies – which increasingly include progressive South Asian organizations – can play an important role in how the US-India relationship matures. It is important to change the perception of India in the United States. At the moment, US support for the right to self-determination is minimal. But given the right opportunity, and the appropriate multipronged approach, including grassroots, institutional, and international awareness, the possibilities are endless. To succeed, the diaspora must focus on that which unites instead of divides. Ideology, personality, and ego, must be left aside. The work must be sustained and proactive, and not only responsive to transformative events. While the diaspora must be cognizant of its privilege and responsibility, it must also recall that the hard work of resistance is happening, every day, in Kashmir.

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