
India, Kashmir, and the Muslim Identity

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Territory has always played a pivotal role in inter-state rivalry. John A Vasquez has said that the value of territories increases due to their strategic locations, such as if they provide access to the sea or are a source of water. But territories acquire another important dimension if they are home to ethnic and religious communities that form part of the neighbouring state.¹ The state of Kashmir presents one such enduring conflict where the separatist demands in the state of Jammu and Kashmir (J&K), coupled with the irredentist claim of Pakistan, have helped in shaping a narrative in India. The popular assumption in India is that ‘Muslim separatism’ got manifested in the form of the country’s partition in 1947 and the prevalent contention is that Muslims had a choice of political identity but they chose one based on religion.² This has resulted in an unintended linking of the Kashmiris’ demand for greater autonomy or a separate state with the identity of Muslims in the rest of India.

The territory of Kashmir has been accorded intangible and symbolic values, bringing the conflict to an impasse. The conflict over J&K, the only Muslim-majority state in India, has had an indelible impact on the Muslim identity in the rest of the India. The presence of a nationalising state: India; a national minority: Muslims; and an external national homeland (whether real or projected): in this case Pakistan, has complicated the issue. Kashmir is both the cause and effect of the rivalry between India

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and Pakistan. The Indian secularists consider the state's accession to the Union of India as imperative for the four pillars of its foundation: secularism, democracy, federalism and nationalism.³ Pakistan, on the other hand, staked its irredentist claim on Kashmir as a Muslim-majority territory contiguous to it. The vigour of Pakistan's claim increased, more so after East Pakistan broke off in 1971 to form Bangladesh, discrediting the very idea of Pakistan as the home of the South Asian Muslims.

The interference of Pakistan in the movement in Kashmir that has its genesis in 1931 owing to the unequal relationship between the ruler (the Hindu Dogra king) and the ruled (the poor Muslim peasantry), meant that over a period of time, the movement aligned itself along communal lines.⁴ The rest of India also saw a rise of political self-consciousness among the elites in the second largest community in the country that had ruled the country during what is popularly termed as the Mughal Era, suddenly projected as a minority, leading to the partition of the country into India and Pakistan.⁵ And, as Muslims projected themselves as a national minority – a political stance to claim certain collective cultural or political rights – they created a triadic nexus between India-Pakistan and the Muslim community.⁶ This triadic nexus also got extrapolated in the politics of Kashmir and the players involved – India and Pakistan – got bound by their intractable positions as the clamour for independence become stronger among Kashmiri Muslims.

Further, the manifestation of the Kashmir dispute along religious lines has bolstered the strength of the Hindu nationalists across the country, who have pinned the issue to the question of the loyalty of the Muslim community as a whole towards India.⁷ In this backdrop, the issue of freedom pursued in the Kashmir Valley, has made its “inalienable” association with India's nationalism. The state of J&K has been heavily polarised today, in contrast to the one at the time of India's independence, as evident from the mass protests of Hindus in Jammu, and of Muslims in the Kashmir Valley, that arose following the Amarnath Yatra Land transfer

issue in 2008.⁸ The Kashmiri Pandits (Hindus) continue to be in exile since their exodus from the Valley of Kashmir in 1990, and a generation of Kashmiri Muslims since then has grown up without any memory of coexistence with the other community. Moreover, the Hindus of the Jammu region for long have been grieving against the social, economic and political partisan politics played by the politicians of Kashmir and want merger of the state with India. The populace of the Kashmir Valley in turn has been holding New Delhi responsible for snatching away its right of self-determination. So the communal politics in the state of Jammu and Kashmir is a reflection of the communal tension in India as a whole, but with a role reversal, as the national minority community is a majority in the state.

History of Kashmir

The facts regarding the genesis of the Kashmir conflict at the time of independence are largely established. The Hindu ruler of the Muslim-majority state signed the Instrument of Accession with India on October 26, 1947, in lieu of New Delhi's military support against the Pakistan-backed tribesmen from the North-Western Frontier Province (NWFP). The tribesmen had attacked J&K to forcibly liberate the Muslims of Kashmir. The subjects of Hari Singh, who had started an uprising in 1931, under the leadership of Sheikh Abdullah, accepted the Instrument of Accession along with the assurance of the Indian government to protect the autonomy of the state. By November 1947, both India and Pakistan formulated public positions that would make it difficult for both of them to retreat.

In supporting the decision to accede to New Delhi, Sheikh Abdullah identified greater similarity between the basic tenets of the idea of India, that is, secularism and Kashmiriyat. Nearly a year after J&K leader Sheikh Abdullah defended India's stand in his speech in the UN Security Council meeting by saying: "It was because I and my organisation never

believed in the formula that Muslims and Hindus form separate nations. We neither believe in the two-nation theory, nor in communal hatred or communalism itself. We believed that religion had no place in politics. Therefore, when we launched our movement of ‘Quit Kashmir’ it was not only Muslims who suffered, but our Hindu and Sikh comrades as well.”⁹ It was not before the 1990s that the call for freedom took a violent turn and an armed insurgency began in the state. The rising insurgency in Kashmir found an ally in the radicalisation taking place in Pakistan following the 1971 War. This eventually led some leaders in Kashmir to seek a separate homeland for the Kashmiri Muslims, who constitute nearly 99 percent of the population of the Kashmir Valley after Kashmiri Pandits were driven out by the violent campaign against them in 1990 by militants. To sum it up, initially the Kashmiris – both Hindus and Muslims—had considered themselves vitally different from their counterparts in the rest of the country. But, the movement that started against the “unequal relationship” between the rulers and the ruled, gave way to a communal bias as “political consciousness” spread to Kashmir.

India, the Kashmir Dispute and Muslim Identity

For India, the restructuring of nationalism took place at independence as Pakistan was carved out as a Muslim Homeland. India, instead of choosing the nationality of race, decided to opt for the nationality of territory, cutting across religions, and was home to nearly 13 percent of Muslims at the time of independence.¹⁰ The secularism of India has been anchored in the Constitution, but the presence of the triad of the nationalising host state of India, the presence of a national minority of Muslims, in whose name an external national homeland of Pakistan was claimed in 1947, never let the Hindu-Muslim cleavage heal in post-independent India.¹¹ The revival of the Kashmiri freedom movement aided by the insurgency from across the Line of Control (LoC) dividing India and Pakistan further shaped the Muslim identity in the rest of India

as well.¹² It was done through careful symbol selection and manipulation by politically active elites of both the Hindu and Muslim communities and, presently, Kashmir has become an important symbol in projecting the Hindu and Muslim divide.¹³

The predicaments of the Muslims in the rest of India owing to Pakistan's intervention in Kashmir were expressed by a group of non-Kashmiri Muslims in a memorandum to the United Nations in 1951. Signed by 14 distinguished Indian Muslims of that time, the memorandum questioned Pakistan's constant announcement about their "determination to protect and safeguard the interests of Muslims in India". "This naturally aroused suspicion amongst the Hindus against us and our loyalty to India was questioned," said the memorandum. Regarding Kashmir and its impact on the fortune of Muslims it said: "In its oft-proclaimed anxiety to rescue the 3 million Muslims from what it describes as the tyranny of a handful of Hindus in the State (Jammu and Kashmir), Pakistan evidently is prepared to sacrifice the interests of 40 million Muslims in India—a strange exhibition of concern for the welfare of fellow Muslims. Our misguided brothers in Pakistan do not realise that if Muslims in Pakistan can wage a war against Hindus in Kashmir why should not Hindus, sooner or later, retaliate against Muslims in India?"¹⁴

At the same time, failing to gain the support of the minority communities of Hindus and Buddhists in J&K, the leaders of Kashmiri Muslims, even Sheikh Abdullah, projected the Kashmiri movement for self-determination as one against the dominance of the Hindu-majority India.¹⁵ Booker Prize winner and political activist Arundhati Roy, talking about the Kashmir conflict in her essay, said: "It allows Hindu chauvinists to target and victimize Muslims in India by holding them hostage to the freedom struggle being waged by Muslims in Kashmir."¹⁶

The triadic configuration by Rogers Brubaker establishes the relationship among nationalising states, national minorities and external homelands. As per this configuration, nationalising states are poly-ethnic

and are still in the stage of nation-building, making it imperative for them to promote to varying degrees the language, culture, demographic position, economic flourishing or political hegemony. Then there are self-conscious national minorities striving for greater cultural or territorial autonomy. Muslims are the national minority of India and not Sikhs, Jains or Buddhists. Therefore, the Kashmiri Muslims' demand for more freedom has a negative impact on the greater Muslim identity in India. And the triad is completed by a projected external national 'homeland' of the minorities. Pakistan, on the basis of a common religion with the Muslims of India, closely monitors their situation, protests alleged violation of their rights and asserts its obligation to defend their interests.

The separatist leaders have been constantly invoking the common religious thread between Kashmir and Pakistan to assert secession from India. In 2008, separatist leader Syed Ali Shah Geelani said during one of the protests that Pakistan had been created as the home of Islam, and that goal should never be subverted. He said that just as Pakistan belonged to Kashmir, Kashmir belonged to Pakistan.¹⁷ It is such stances of the Kashmiri leaders that give fodder to the Hindu chauvinists outside the Valley and then the ensuing stereotyping of the rest of the Muslims and their putative nationalism towards Pakistan. While Pakistan can hardly afford to give formal citizenship to the Muslims of India, its continuous monitoring of their situation and interference in their affairs; and the privileges given to the Muslims from the Kashmir Valley and the rest of the country have given rise to two mutually antagonistic nationalisms: one towards India and the other towards Pakistan. The recent example has been the suspension of 67 Kashmiri: Muslim students from a university in northern India after they rooted for the Pakistani team during a cricket match on March 03, 2014, and the immediate response from Pakistan and Pakistan-based terror outfit Jamaat-ud-Dawa (JuD) separately offering scholarships to the expelled

students highlighted this third party intervention attempting to exploit the existing fissures in the society.

Conclusion

Under international law, a state has the right to protect its citizens even when they live in other states. But it cannot legitimately claim to protect its ethnic co-nationals living in another state and holding legal citizenship of that state. While the Kashmiris' right to strive for self-determination is indisputable, Pakistan's irredentist claim on the basis of a movement that saw a resurgence in the 1990s (a considerably long time after Maharaja Hari Singh signed the Instrument of Accession with India) complicates the situation. Monitoring is the key aspect of the triadic relations and Pakistan, projecting itself as the homeland of South Asian Muslims, takes full leverage of that situation. Pakistan, backing the movement in Kashmir, can react back on the nationalising state, that is, India, where the minority might be accused of disloyalty in reaction. Hindu fundamentalists have already been claiming the "attitude of Muslims that Muslims were different from the nation" as the main reason for the country's partition.¹⁸ They contend that the success of the movement in Kashmir is deemed pernicious for the secular fabric of India and will have a "domino-effect" in the poly-ethnic society of India. In India, the question of minority is intricately linked with the Kashmir conflict, and to many, the conflict reflects a struggle for the creation of Pakistan – an event commemorated as a tragedy in India and celebrated in Pakistan as a momentous occasion. Pakistan might be exploiting its ethno-religious ties with the Kashmir Valley driven by geo-political reasons and denotes it an "unfinished" business" of the partition. But India, trying to save its secular fabric, finds it difficult to hand over the Muslim-majority state of J&K to a 'Muslim' Pakistan just because of religion. More so when the existence of this minority puts a question mark on the creation of Pakistan itself.¹⁹

Notes

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3. Sumit Ganguly and Kanti Bajpai, "India and the Crisis in Kashmir," *Asian Survey*, Vol. 34, No. 5, May 1994, pp. 401-416.
4. P Talbot, "Kashmir and Hyderabad," *World Politics*, Vol. 1, No. 3, pp. 321-332, 1949.
5. MJ Akbar, *Tinderbox: The Past and Future of Pakistan* (Harper Collins, 1949).
6. JR Bowem, "The Myth of Global Ethnic Conflict," *Journal of Democracy*, Vol. 7, No. 4, 1996.
7. A Varshney, "India, Pakistan and Kashmir: Antinomies of Nationalism," *Asian Survey*, Vol. 31, No. 11, pp. 997-1019, 1991.
8. RC Tremblay, "Nation, Identity and the Intervening Role of the State: A Study of the Secessionist Movement in Kashmir," *Pacific Affairs*, Vol. 69, No. 4, pp. 471-497, 1996.
9. The UN Security Council (UNSC) meeting was convened on February 06, 1948, to hear India's complaint against the attack of the Pakistan-backed tribesmen who entered Jammu and Kashmir to liberate Kashmir by force. (Sheikh Abdullah's statement to the Security Council, Official Records, Third Year, Nos. 16-35, February 6, 1948).
10. A Varshney, *Ethnic Conflict and Civic Life: Hindus and Muslims in India* (Yale University, 2002).
11. R Brubaker, *Nationalism Reframed: Nationhood and the National Question in the New Europe* (Cambridge University Press, 1996), pp. 55-76.
12. P Swami, *India-Pakistan and the Secret Jihad: The Covert War in Kashmir, 1947-2004* (Routledge, 2007).
13. Ian Copland, "Islam and Political Mobilization in Kashmir, 1931-34," *Pacific Affairs*, Vol. 54, No. 2, Summer, 1981, pp. 228-259.
14. For more details, see Varshney, n. 7.
15. Ibid.
16. Arundhati Roy, "Land and Freedom," *The Guardian*, August 22, 2008.
17. Ibid.
18. Ibid.
19. SP Cohen, *The Future of Pakistan* (Washington DC: Brookings Institution Press, 2011); also see, SP Cohen, *Shooting for a Century: The India-Pakistan Conundrum* (Oxford University Press, 2013).