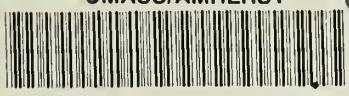




India : a secular democracy on the decline?

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INDIA: A SECULAR DEMOCRACY ON THE DECLINE?

A Thesis Presented
by
ARADHANA DAS

Submitted to the Graduate School of the
University of Massachusetts Amherst in partial fulfillment
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CHAPTER I

INTRODUCTION: INDIA, THE WORLD'S LARGEST DEMOCRACY?

Introduction

The debate on the most appropriate form of government appears to have been answered with the fall of the communist Soviet Union and its allies. These previously undemocratic countries have all made moves toward democratization. However, this conclusion as to the overwhelming success of the Western style democracy as the prototype political institution to be espoused is certainly not unanimous. This debate is best summarized by the work of Francis Fukuyama's "*The End of History*", and the opposing argument presented by Ken Jowitt in his "*The New World Disorder*".

Fukuyama asserts that it is democracy's inherent strengths, and due to the shortcomings of antidemocratic regimes that the democratic type of government has won the competition as to what is the most appropriate form of government. Fukuyama asserts that we may be witnessing "the end point of man's ideological evolution and the universalisation of Western liberal democracy as the final form of human government."¹ Not only does Fukuyama assert that liberal capitalism is the prevailing paradigm, but he additionally states that it is as a matter of fact, the *absolute end of history*. However, with the massive moves towards democratization world wide, Fukuyama also envisages a rising level of ethnic conflict, a well as the continuation of terrorism. Clearly, such a definitive statement based on the failure of anti-democratic regimes seems to be too idealistic.

In contrast to Fukuyama, Ken Jowitt's hypothesis is that though democracy has appeared to have won, the liberal democratic ideology is the

¹Fukuyama, Francis, "The End of History ", *The National Interest* 16 ,Summer 1989:3-18.

kind of ideology which will always leave some portion of dissatisfied human beings, and will therefore generate powerful anti-liberal movements from that section of the population. Therefore in contrast to Fukuyama who argues that there will be no other major government dominated by an anti-democratic ideology, due to the apparent success of democracy, Jowitt posits that there could be a new way of life where the ideology would be comparable to that of the democratic ideology. Jowitt suggests that, the world "will regularly witness the rise of both internal and external movements dedicated to destroying or reforming it-movements that in one form or another will stress ideals of group membership, expressive behavior, collective solidarity, and heroic action."² These other ideologies could include the pan-Islamic types of government etc.

Although Jowitt does not conclusively state which type of counter ideology will prevail, he does allow for those of us who believe that the Western style democratic institutions is not the only way to modernize. There does seem to be a world wide trend toward democratization, but there are some countries where existing democracies have been toppled, to be replaced with not any other particular type of government, but with chaos and anomie. Such a case is India.

India is a parliamentary secular democracy, modeled after the British Westminster type of government. However, the tenability of India as a secular democracy is dubious with the secessionist movements in various parts of the country. The states of Punjab and Kashmir, along with others like Assam, Nagaland etc., are all in the throes of a deep crisis. This thesis is a study of the conflict in the two states of Punjab and Kashmir, and the failure of democracy in both states.

²Jowitt, Ken, "The New World Disorder", *Journal of Democracy*, Winter 1991:11-20.

However, prior to identifying the actual crisis in India, it is first important to define what constitutes a democracy, and what leads to a crisis of governability such as the one India finds itself in.

What is a Democracy?

According to Schmitter and Karl, a "*Modern political democracy is a system of governance in which rulers are held accountable for their actions in the public realm by citizens acting indirectly through the competition and cooperation of their elected representatives.*"³ The existence of a democracy also includes:

1. *control over government decisions about policy is constitutionally vested in elected officials.*
2. *elected officials are chosen in frequent and fairly conducted elections with which coercion is comparatively uncommon.*
3. *practically all adults have the right to vote...*
4. *practically all adults have the right to run for elective office.*
5. *citizens have a right to express themselves without the danger of severe punishment...*
6. *citizens have a right to seek out alternative sources of information.*
7.*citizens also have the right to form relatively independent associations or organizations...*⁴

There are some prerequisites as to what constitutes a democracy. The literature overwhelmingly suggests that a wealthy nation has a greater chance to sustain a democracy. If the citizens live in poverty, it is not possible for the mass of the population to develop the self restraint necessary to avoid becoming demagogic.⁵ Therefore, a society divided between a large

³Schmitter , Phillippe C & Terry Lynn Karl, "What Democracy Is...and Is Not" in Larry Diamond and Marc F. Plattner, eds., The Global Resurgence of Democracy, Baltimore: Johns Hopkins University Press, Baltimore, 1993:40.

⁴Schmitter and Karl,1993, citing, Dahl, Robert, Dilemmas of Pluralist Democracy, New Haven: Yale University Press, 1982:11.

⁵Lipset, "Some Social Requisites of Democracy: Economic Development and Political Legitimacy" in *The American Political Science Review*, 1967:73; Huntington, Samuel P., "Democracy's Third Wave" 1989:22; Sanguinetti, Julio Maria 1990:57.;Ake, Claude, "Rethinking Africa's Democracy", 1993:73) all in Larry Diamond and Marc F. Plattner, eds.,

poor section, and a smaller rich elite will result in either an oligarchy or a tyranny.⁶ Lipset has been challenged by several scholars, particularly those writing on the English speaking Caribbean, which deviate from this model since these countries tend to be very poor, yet with strong democratic institutions.

Other important prerequisites for a democracy include the degree of urbanization and literacy. The greater the level of education the lower strata are more exposed to "cross pressures which will reduce the intensity of their commitment to given ideologies and make them less receptive to supporting extremist ones." This occurs by an increase in their involvement in an integrated national culture, as opposed to an isolated and distinct one, and therefore, the lower strata and the middle class form a coalition with middle class values which tend to be more moderate. Therefore, a large middle class is important because it is the one which plays a mitigating role in moderating conflict by rewarding moderate and democratic parties, and punishes more extremist ones.⁷

Also rather controversially, Lipset suggests that national income of a country is related to the political values of the upper classes since the lower the standard of living of the lower classes, for *psychological* reasons it becomes necessary for the upper classes to treat the lower strata as "vulgar, innately inferior, as a lower caste."⁸ Subsequently, the poorer country, the greater the tendency to engage in nepotism, since if there is sufficient wealth in the country redistribution can take place in an egalitarian fashion.

However, when there is not much wealth, there is fierce competition for the

The Global Resurgence of Democracy, Baltimore: Johns Hopkins University Press, Baltimore, 1993.

⁶Lipset, 1967:75.

⁷Lipset, 1967:83.

⁸Lipset, 1967:83.

scarce resources.⁹ Though his second point appears to be justifiable given the documented high levels of corruption, and extensive patronage networks existing in many developing societies, his argument attesting to the psychological need of the upper classes to treat the lower strata in a contemptible fashion is based on highly tenous grounds.

Additionally, political systems which do not allow the lower strata access to power except through revolutionary means inhibit the growth of legitimacy since groups which have pushed through forceful means tend to have hopes which often overestimate what the inherent limitations of political stability do permit. Therefore, democratic regimes under such stress will face the difficulty of being regarded as illegitimate. A major test of democracy is the extent to which nationals have a common "secular political culture" which maintains the various democratic practices.¹⁰ Additionally, Huntington suggests that one of the primary criterion for democracy is equitable and open competition between political parties without government harassment, or no restriction of opposition groups.¹¹ Additionally, for Tocqueville, the existence of voluntary associations are an important feature of democracies.

Therefore, the liberal tradition identifies several values as crucial for a democracy which includes belief in the legitimacy of a democracy (particularly amongst the elite), a tolerance for opposition, including their beliefs and preferences, a willingness to compromise, flexibility and cooperation, and moderation and civility of political discourse.¹²

⁹Lipset, 1967:85.

¹⁰Lipset, 1967:88.

¹¹Huntington, 1993:17.

¹²Diamond & Plattner, 1993:16.

In addition to defining what a democracy is, Schmitter and Karl have added what a democracy is not. According to them, democracies are not necessarily more efficient, either administratively or economically, they are not likely to appear more orderly, consensual, stable, or more governable, and they will not necessarily have more open economies. They suggest that democracy will not necessarily bring "economic growth, social peace, administrative efficiency, political harmony, free markets."¹³ According to them, none of the above are prerequisites for democracies.

In conclusion, there are at least four different theses for the existence of democracy. According to the colonial continuity thesis, democratic practices will flourish if institutions for self rule were placed during colonial times, and if the transition from colony to independent statehood did not occur with destruction of those institutions. The second thesis is the political culture thesis which suggests that democracy requires a commitment at the very least by the politically active elites to share in the liberal values and beliefs and in the existence of democracy, which include equality of all people, values toleration of opposition, free expression, moderation and compromise. The third thesis, the economic class structure thesis can be further divided into those that argue that economic development leads to more complex, educated and secularized societies, which opens the way for existence and creation of new groups which find expression in democratic channels. In contrast, Marxist scholars have suggested that the most important factor is not economic development, but rise of urban and rural middle classes, which could challenge monopoly of elites.¹⁴ Additionally,

¹³Schmitter & Karl, 1993:49-52.

¹⁴Valenzuela, Arturo, "Chile: Origins, Consolidation, and Breakdown of a Democratic Regime", in Larry Diamond, Juan J.Linz, & Seymour Martin Lipset, eds., Politics in Developing Countries: Comparing Experiences with Democracy, Boulder: Lynne Rienner Publishers, 1990:52-58.

there has to be some system of compromise and checks and balances. From the above, it seems to be that "democracy is most likely in wealthy capitalist countries with traditions of protodemocracy."¹⁵

Having defined what constitutes a democracy, it becomes important to identify what leads to a crisis in governability in democracies.

Crisis of Governability

Huntington suggests that there have been three different waves of democratization, each of which have been followed by a reverse wave. Each of these reverse waves succeeded in reducing the number of democratic countries.¹⁶ If we were to use Huntington's hypothesis, then clearly, India began its wave of democratization with independence, and to answer his question as to which stage we are currently at in the third wave, I posit that India is in the penultimate stages of democracy.

Huntington suggests that among the factors contributing to the move away from democracy in the first and second waves include,

"(i) the weakness of democratic values among key elite groups... (ii) severe economic setbacks which intensified conflict and enhanced the popularity of remedies that could only be imposed by authoritarian governments, (iii) social and political polarization... (iv) determination of conservative middle class and upper class groups to exclude populist and leftist movements from power, (v) breakdown of law and order resulting from terrorism or insurgency..."¹⁷

Another factor which contributes to decay of democracy is nationalism. One serious threat to democracy is religious intolerance, and

¹⁵Kohli, Atul,ed., India's Democracy: An Analysis of Changing State-Society Relations, Princeton: Princeton University Press, 1988:6.

¹⁶Huntington,1993:3.

¹⁷Huntington, 1993:9.

theocratic aspirations, resulting in terrorism and violence.¹⁸ Additionally, as long as religious ties reinforce secular politics, chances for compromise and therefore democracy remain weak. Religious politics do not include tolerance, and therefore the democracy will be weak and unstable. A stable democracy also requires relatively moderate tension among the various contending political forces. Political moderation includes the ability to deal with resolving key issues before new ones arise.¹⁹

Another threat to social integration can be seen when there is a cultural and institutional gap between the ruling center and the periphery found in most developing societies, (Shils, 1975, Weiner 1975) which poses a threat to social integration especially when there are rising expectations. Kahane suggests that most elites are then faced with the dilemma that if they enlarge economic and political participation to increase their support, their privileges as the ruling elite will be reduced. However, if they do not include such participation, and exploit their position to retain power, ironically, their legitimacy will be reduced. However, most elites choose the latter alternative though this causes frustration to accumulate in the periphery, and leading to an erosion of legitimacy and subsequently an increase in the possibility of disintegration.²⁰

Claude Ake also suggests that with reference to Africa, one argument against democracy in Africa is that since Africa is socially pluralistic, ethnic differences will be an obstacle to democratic governance. He suggests that

¹⁸Kolakowski, Leszek, "Uncertainties of a Democratic Age", in Larry Diamond and Marc F. Plattner, eds., The Global Resurgence of Democracy, Baltimore: Johns Hopkins University Press, Baltimore, 1993:323; Plattner, Marc F., "The Democratic Moment", in Larry Diamond and Marc F. Plattner, eds., The Global Resurgence of Democracy, Baltimore: Johns Hopkins University Press, Baltimore, 1993:35.

¹⁹Lipset, 1967:90-97.

²⁰Kahane, Reuven, Legitimation and Integration in Developing Societies: The Case of India, Boulder: Westview Press, 1982:2.

ethnic conflict must be firmly governed, since the liberties of democracy would inflate ethnic rivalries and therefore pose the danger of political disintegration.²¹ In addition, the threat of political disintegration leads governments to take away certain democratic principles, which further act as an obstacle to the existence of a democracy, as the Indian case shows. However, according to Ake, the problem lies not in the ethnic pluralistic society, but more in bad leadership. It is the leaders who politicize ethnicity in a quest for power and political support.²²

Importantly, democracy depends on popular legitimacy. Both Dalpino, who uses Thailand, and Diamond who uses Nigeria, state that political corruption was a potent factor in overturning the existence of a democracy. The political corruption in Thailand was a major source of public discontentment and led to the February 1991 military coup.²³ Similarly, democracy has been twice overturned in Nigeria because of the deep cynicism, economic mismanagement and political turmoil due to political corruption at the highest levels.²⁴ Both Dalpino and Diamond suggest that accountability is a key condition for democratic progress.

A key debate in the crisis of governability literature is between structural functionalists and Marxists. On the side of the structural functionalists , from Durkheim, Parsons,to Huntington, there has been an almost unanimous consensus on the fact that the transition from "tradition" to "modernity" is characterized by disorganization and political decay because

²¹Ake, 1993:72.

²²Ake, 1993:72.

²³Dalpino, Catharin E., "Thailand's Search for Accountability" in Larry Diamond and Marc F. Plattner, eds., The Global Resurgence of Democracy, Baltimore: Johns Hopkins University Press, Baltimore, 1993:206-216.

²⁴Diamond, Larry, "Nigeria's Perennial Struggle", in Larry Diamond and Marc F. Plattner, eds., The Global Resurgence of Democracy, Baltimore: Johns Hopkins University Press, Baltimore, 1993: 217-228.

of the corrosive impact of economic development on existing social ideas etc.²⁵ Modernity tends to eventually bring democratic stability, but in the process, it may be destabilizing, as "social and economic change, including urbanization, increases in literacy and education, industrialization, mass media expansion-extend political consciousness, multiply political demands, broaden political participation."²⁶ With the formation of new social groups, there is an increase in demands as a result of "rising expectations", and the lack of the ability of the institutions to deal with these expectations has resulted in stagnation of the institutions themselves, and further social decay.

For Marxists, the driving force is capitalism as a result of modernization and the class conflict which arises from such capitalistic modernization. For Marxists, as stated by Gramsci, the crisis of authority in transitional societies can be explained by "... precisely that great masses have become detached from their traditional ideology and no longer believe what they used to believe previously.."²⁷

Marxists suggest that class conflict is important for political decay, while developmentalists suggests that "value disequilibrium" leads to political decay. Therefore, what structural functionalist scholars label social disorganization, Marxists call class conflict. However, while structural functionalists see this growing modernization resulting in the breakdown of social and political order, Marxists see in this decline of traditional domination, a possibility of revolutionary change as a result of new class

²⁵Kohli, 1988:12.

²⁶Huntington, Samuel P., Political Order in Changing Societies, New Haven: Yale University Press, 1968:5.

²⁷Kohli, Atul, citing Gramsci, in Democracy and Discontent: India's Growing Crisis of Governability, Cambridge: Cambridge University Press, 1990:25.

consciousness.²⁸ Therefore, while for Marxists this anomie is inherently good, for structural functionalists, the crisis is inherently detrimental and institutions must and will adapt to meet these changes.

Regardless of the differences between the two, both suggest that the roots of the crisis of governability lies in the fact that there has been a decline of tradition, and an increase in socioeconomic demands. However, because the institutional capacity of governments to deal with these new demands does not form as quickly as the demands themselves, there is a breakdown in order, and there is therefore a problem in governability. With specific reference to India, the argument of the structural functionalists appears to be more valid. As the following thesis will show, the central government has not been able to deal with the new demands placed by the various new groups which have formed, and therefore, this has led to social decay, and overcentralization.

Other scholars have suggested that the breakdown of democracies can also be attributed to crises of legitimacy.²⁹ Kohli suggests that there are different political variables including leadership, ideology, intra-elite harmony which can influence how well a democratic state can be governed. Demagogic leaders can exacerbate tensions, widely divergent ideological beliefs can make rule difficult.

Central to the crisis in India is the issue of the state. One of the main problems of a stable democracy is to ensure that the state does not become too swollen and the power of the state must be restrained so that the politicians in power remain responsive and accountable to the people. The state must not be too powerful, but if it is too weak it may be unable to deliver the social

²⁸Kohli, 1990:27.

²⁹Kohli, 1990:13, citing Juan Linz, The Breakdown of Democratic Regimes, Baltimore: Johns Hopkins University Press, 1978.

and economic goods that conflicting groups demand. Additionally, the state bureaucracy must be subject to control by elected politicians but at the same time, the relative autonomy of the bureaucracy must be a check on party politicians who are susceptible to patronage and corruption.³⁰

Lastly is the issue of military. Once the military has been deployed it has a tendency to only grow more, diminishing the "stability and the authenticity" of democracy. Therefore, military control be oriented only toward external defense, and not be an answer to internal problems.³¹ If the military is used for reasons to suppress the masses, then democracy can be considered almost doomed to failure.

Defining the State

Given that this thesis is going to examine state-society relations in India which has contributed to the decline of democratic principles in India, it therefore becomes necessary to define the state. There are four different approaches to explaining the role of the state. The first one, the Marxist and dependency approach define state as "an alliance for social control which reflects and reproduces class relationships in the society; it takes the form of institutions to achieve legitimization and coercion; its purpose is to maintain the dominance of a given mode of production and the specific class relationships that this implies."³² For such theorists, the state holds considerable power, yet acts as a populist reformer in the agrarian sector. The second approach comes from a Weberian perspective which defines the state as an apparatus that makes decisions and authoritatively exercises control

³⁰Diamond, Linz & Lipset, 1990: 23.

³¹Diamond, Linz & Lipset, 1990:25, citing Alfred Stepan, Rethinking Military Politics: Brazil and the Southern Cone, Princeton: Princeton University Press, 1988:123.

³²Grindle, Merilee S., State & Countryside, Baltimore: Johns Hopkins Univ Press, 1986:16.

over a particular area (Skocpol, 1978; Stepan, 1978; Nordlinger, 1981). The third approach includes a pluralist analysis of different interest groups vying for power, and the state existing merely as a framework within which these interests are transmitted. Finally, the state is seen as a medium for enactment of policies embraced by state elites. In this approach, the state has "identifiable and concrete concerns about the definition and pursuit of national development. These concerns are independent of, but not necessarily opposed to or different from the immediate interests or welfare or any particular groups, class, class fraction, coalition, or alliance in society.³³

The Weberian perspective is embraced by sociologist Edward Shils who gleaning off the work off Weber and Parsons suggested that the state was to be the key factor in determining a new social order by creating an effective bureaucracy which would be in charge of guiding the economy. Shils outlined key relations between what he termed the Center (the state) and the periphery. For Shils, there were three primary components of Center-periphery relations. These included a centralized value system which attempted to have one unifying ideology, institutions which then transmitted this ideology to the otherwise heterogeneous periphery, and lastly the elites who were custodians of the value system and who controlled the different institutions.³⁴ Therefore, inherently for Shils, the state was activist and aggressive, while the periphery was a passive one waiting to be controlled. The obvious shortfall of this center-periphery model is the critique that such a model was highly ethnocentric (Western bias). This

³³Grindle, 1986:17

³⁴Migdal, Joel, "A Model of State-Society Relations" in Wiarda, Howard ed., New Directions in Comparative Politics, Westview Press, Boulder, 1991:47-48.

resulted in the emergence of other contending models describing state-society relations.³⁵

The pluralist approach is most evident in the work of Joel Migdal, a political scientist who outlines a different approach of state-society relations where the society was a mixture of various social organizations rather than merely one structure. For Migdal, the state, is then an independent variable, which in tandem with other organizations offers individual strategies or personal survival. Furthermore, individual choices amongst the various strategies is purely based on the inducements in the form of material incentives, exhortation and coercion. For Migdal, the state is only part of the environment of politics, and must fight with others to dominate politics. Migdal then outlines three indicators which determine the strength of the state. These include how effectively a state can compel its population to conform with its policies, whether a state can organize the population for certain tasks, and lastly the state's legitimacy as in the eyes of the population.³⁶

The view of the state as one which is dominant and controlling and not reflective of popular sentiment, is espoused mostly by those who have written on the bureaucratic-authoritarian regimes of Latin America. In these regions, the corporatist way of life is the most preeminent one (Bowen, Wiarda, Schmitter, Berger etc.). In contrast to such bureaucratic authoritarian scholars are academics who view the state as a helpless institution which facing a large number of diverse interests are not able to effectively maintain control or govern, and are subject to revolution (Huntington). Other scholars have gone as far as suggesting that the concept

³⁵Migdal, 1991:49

³⁶Migdal, 1991:52-53

of the state does not exist in developing countries, and as such, parties play a more important role in determining politics. For Nettl, the concept of the state emerged as a result of narrowing the society into ethnically homogenous or defined areas.³⁷ Additionally, with specific reference to socialist countries, Kesselman suggests that one of the main roles of the socialist state is to ensure that it ties in the workers class and peasantry with the socialist movement if the movement is to be successful.³⁸

Lastly, one of the seminal works on the role of the state in post colonial societies is Hamza Alavi's work on the state in Pakistan and Bangladesh which is representative of the Marxist school of thought. Alavi's arguments can be summarized as follows. Alavi suggests that the post-colonial state had its power base in the metropolis, and therefore did not represent any indigenous class interests. Therefore, the state could act more independently. Additionally, the state took a large amount of the surplus and directed it to certain types of activity. Therefore, for Alavi, the state was dependent on the bureaucracy to maintain its legitimacy and power. In contrast, John Saul points out that "the overdeveloped nature of the state is not due to the need to subordinate such classes, but to the need to subordinate pre-capitalist formations to the imperatives of colonial capitalism."³⁹

³⁷Nettl, J.P., "The State as a Conceptual Variable", in Louis J. Cantori, & Andrew H. Ziegler, eds., Comparitive Politics in the Post-Behavioural Era, Lynne Reiner Publishers, Colorado, 1988.

1988:326

³⁸Kesselman, Mark, "The State and Class Struggle: Trends in Marxist Political Science," in Cantori & Ziegler, eds., Comparitive Politics in the Post-Behavioural Era, Lynne Reiner Publishers, Colorado, 1988:128

³⁹Leys, Colin, "The Overdeveloped Post-Colonial State: A Reevaluation," *RAPE* no. 5, April 1976:41

India: The Crisis

There were four different theories that predicted the demise of democracy in India. The first one was the theory of political culture which suggested that India's hierarchical social structures could not sustain democracy. According to Almond and Verba, India's political culture was far from being the "civic culture" necessary for a democracy. The traditions of hierarchy and caste institutions made India inappropriate for democracy. The second theory stated that the social cleavages within India between religions, linguistic groups etc. raised questions about the compatibility of India and democracy. This thesis was most eloquently conveyed by Selig Harrison in his, India-The Dangerous Decades, where the hypothesis that India would definitely fall apart as a result of such divisions first took hold. As he states, "the odds are almost wholly against the survival of freedom and that...the issue is, in fact, whether any Indian state can survive at all."⁴⁰ Also scholars like John Stuart Mill suggested that social heterogeneity endangered democracy. This argument therefore suggested that the country might endure secessionist tendencies by either having a weak, truncated center with strong provincial rulers, or an authoritarian state which held the state together. The third theory predicting the demise of India's democracy suggested that democratic institutions required literacy, and wealth. India with massive unemployment and poverty was therefore not a good democratic experiment. One variation of the argument is that a low rate of economic growth would lead to several dissatisfied members of the populace, which would then lead to revolutionary appeals. The second version of this thesis is that a high rate of growth which failed to distribute

⁴⁰Harrison, Selig S., India the Most Dangerous Decades, Oxford University Press, Madras:1960:338.

benefits of growth equitably would generate class conflicts between the haves and the have-nots. The fourth theory posited by Barrington Moore was that a radicalized peasantry would turn against the land owning classes if the peasantry was linked to the bourgeoisie or intelligentsia, but would become merely a conservative and passive force if they were linked to the landed class. This would determine whether there would be democracy or not. Clearly ,in the latter case, democracy would not reach the poorer masses.⁴¹

In contrast to the above scholars who portend the demise of democracy in India, an alternative group of scholars suggest that India has in fact been able to counter centralizing trends by modernizing, and by developing flexible institutions. (Kothari, 1970; Rudolph and Rudolph, 1967; Weiner, 1967; Kahane, 1982).⁴²

However, as this thesis will show, though India still exists as a democracy, it's actions in the two states of Punjab and Kashmir have been far from democratic. Certainly, the state has not been able to develop flexible institutions and has repressed the secessionist movements in both states in the most undemocratic fashion. To counter the claim of the second school who state that India has been able to counter antidemocratic trends, the scholars who believe in the merit of the school which portends the demise of India's democratic demise offer an explanation. They posit that just because it has not *yet* happened, does not mean it will *never* happen. For these scholars it is just a question of time before democracy falls in India. The claims of these authors appears to be substantiated by evidence presented in this thesis.

⁴¹Weiner, Myron, The Indian Paradox: Essays in Indian Politics, New Delhi: Sage Publications, 1989:322.

⁴²Kahane, 1982:12.

The Role of the State in India

The role of the state in India, as well as in other countries is key as it plays an important role in determining the existence of democracy. The state is not only responsible for social order, but also for economic development. Therefore, it may at times be in a conflictual situation where it is trying to promote economic growth which could lead to political disorder.

In a socialist country like India, the state has a highly interventionist nature which tends to be troublesome, and therefore leads to problems in legitimacy. Since the state is responsible for economic growth it cannot claim that distributive problems are social and not political, and are not related to it. Secondly, since the state controls resources, battles for these resources are fought not in the economic arena, but also in the political arena, therefore politicizing society, and economics. Therefore, it is difficult for an interventionist state like India to be democratic, because it is often in a controversial relationship with society.⁴³

As this thesis will show, the Indian state has been activist and interventionist in nature, and it is the actions of the state which have been anti-democratic, centralizing and based on personalistic fulfillment rather than attainment of goals for society at large. To demonstrate this fact, two case studies of the states of Punjab and Jammu and Kashmir have been used.

Chapter 2 is a historical analysis of the crisis in the Punjab. Punjab is in the northwestern part of India, bordering Pakistan. It also shares another border with the troubled state of Jammu and Kashmir. The only land route into Jammu and Kashmir from India is through the Punjab. Additionally, Punjab serves as the bread basket of India. Therefore, for a number of reasons, both economic and political, Punjab is of crucial importance to the

⁴³Kohli, 1990:30.

state of India, and its troubled existence within the Indian union, unsurprisingly, is an important element of Indian politics.

1947, the year of independence itself was marked by conflict in the region, as Punjab was divided into the Pakistan Punjab, and the Indian Punjab. Mass migrations ensued, with the Muslims moving over to the Pakistani Punjab, while the Hindus, and Sikhs remained with, or moved to the Indian side. This was not to be the end of the existence of conflict in the region. Though the conflict has historical roots, as the thesis will show the crisis was exacerbated, and brought to the current stage of secessionist demand by the actions of the Center and have resulted in a state of anomie and chaos.

Chapter 3 is a study of the insurgency in the state of Jammu and Kashmir. The state of Jammu and Kashmir is located in the north west section of India and shares a border with Pakistan in the west, China in the east, and the Indian Punjab in the south. The Punjab is the only land route available to enter the state. Given the geographical location of the state, it is of no surprise then that it is of crucial security interest to India. For centuries, the Hindus and Muslims in the state of Jammu and Kashmir have lived in peaceful harmony, until independence in 1947. 1947 marked a crucial year in Kashmiri politics for it was when Pakistan and India were formed based on religion. While India claimed to be a secular state, Pakistan was an Islamic state. Given that Kashmir had a Muslim majority, the accession of Kashmir to Pakistan seemed inevitable. However, as this section shall show, this accession never came about for several reasons, and Kashmir was retained by India under its secular, democratic umbrella. However, as is the case with the Punjab, the centralizing nature of the

Central government has created a crisis in Kashmir, with a demand for secession from the Kashmiri Muslims.

The thesis will be structured as follows. Chapters 2 & 3 will deal with the crises in Punjab and Jammu and Kashmir, the historical origins and the actions of the Center which have resulted in the current crisis. Chapter 4 will conclude with a comparison of both conflicts, and reassess the declining position of India as a democratic state.

CHAPTER II

THE PUNJAB CRISIS

Introduction

This chapter is a study of the Punjab conflict. I will analyze the extent to which the Punjab conflict posed serious problems for the effective functioning of democratic institutions and processes in India. Since independence the state has been unambiguously committed to preserving the national unity against all internal and external threats. Specifically the state has been uncompromising in its stance towards any threat, and any secessionist movement which develops significant strength has been crushed, with armed force if necessary. All secessionist demands which acquired strength were treated in this way, especially in the Punjab and the Kashmir. In this context, the question that I am raising is whether India has departed from its proclaimed state of democratic secularism, and has become a state ruled by an oligarchical elite who are more interested in maintaining power rather than conforming to established democratic norms. It will be argued here and in the following chapter that the behaviour and attitude of the Central government, especially its centralized drive (intensified under Prime Minister Indira Gandhi), has exacerbated India's political problems, and is principally responsible for the disintegration of the Indian democratic secular state.

This chapter traces the evolution of the Sikh conflict. Currently, the crisis seems to be somewhat under control. However, the demands made by the Sikhs have not changed. In fact, to the contrary, these demands have been rising in intensity since the early days of independence. While the demands made by the minority Sikh population were legitimate in the

incipient stages, the behaviour and attitude of the central government has been one of confrontation, and not conciliatory. This has resulted in a further alienation of the Sikhs, resulting in terrorism, and ultimately in the assassination of Prime Minister Indira Gandhi. No doubt, the actions of the terrorists claiming to be fighting in the name of religion is dastardly. However, regardless of blame, the issue is a potent one, threatening to tear apart the Indian union.

Religion & Politics: A Potent Combination in Secular India?

The religion of Sikhism (like Islam) is one where there is no division between religion and politics. This can be seen in the fundamental philosophy of the religion itself.⁴⁴ What was initially a peaceful religion, started to assume more militant tones under the tenth and last guru, Guru Govind Singh. There are at least two views which explain the transition of the religion into a militant one. The first one is the fact that the Sikhs suffered constant persecution by the ruling Muslim rulers, who recognizing the growing strength of the religion, regarded Sikhism as evil and declared that it had to be rooted out of the system. In contrast, however, another view suggests that the religion embraced militant aspects because of the internal divisions because of the Jat Sikhs. The Jat Sikhs were followers of the keshadari sect, who were staunch believers of the Khalsa Panth. Ideologically, the Khalsa aimed at not only spiritual bliss, but also military excellence. Therefore, given that the Khalsa demanded military prowess, and the ability to defend the faith with arms if necessary was deemed

⁴⁴ The word “Sikh” means “disciple” and the members of the Sikh community are the disciples of the ten *gurus* who led the Punjabis from the late fifteenth century to the early eighteenth century. Sikhism was founded by Guru Nanak (originally a Hindu), who aimed at creating a faith that would bridge Hinduism and Islam. There were ten gurus, all of whose teachings are related in the *Granth Sahib*, the Qu’ran of the Sikhs.

essential, the religion assumed militant overtones.⁴⁵ Additionally, for the Sikhs, there has always been unity between the secular and religious spheres. This has been present since Guru Hargobind, the second Guru of the Sikhs, who formally united religion and politics. It has been argued that this is incompatible with the Indian political system which is based on the separation of the two spheres, religion and politics. Given the secular ideology of the Indian state, this unison of religion and politics espoused by Sikhism is seen as a threat to the security of the state. This is allegedly one of the roots of the current conflict.

Important to note is that although Sikhism is a non-violent religion by ideology, it is also stipulated that if necessary, the religion will be defended militaristically. But in the name of religion, many dark deeds have been committed. Although religion is a very personal and intense matter, it also "provides the means by which the religious person or even the nominal believer satisfies some unappeasable needs. But, even as a individual matter, religion for the most part is a shared experience. It is one of those holdings that links every human being to others."⁴⁶

Sikhism has given to the various factions and political parties and the population, a

"strong cement of traditionally shared beliefs about the meaning of their existence."⁴⁷

From the late 19th century, many Sikh scholars stressed the distinctiveness of the Sikh community, and argued that it was important to have a separate identity, with a strong emphasis on traditions. This was in direct opposition to the rise of the Arya Samaj which was the militant Hindu ideology which threatened Sikhism. The Arya Samaj was formed by Swami

⁴⁵Kapur, Rajiv, Sikh Separatism: The Politics of Faith, London: Allen & Unwin, 1986:5.

⁴⁶Isaacs, Harold, Idols of the Tribe, Cambridge: Harvard University Press, 1975:144.

⁴⁷Isaacs, 1975:152.

Dayanand in 1875 to promote a more purified and revived form of Hinduism. The Arya Samaj was very appealing to the Hindus in Punjab, and this threatened the Sikhs. Therefore, this fear of being assimilated by the Hindus also forced the creation of the Singh Sabha which emphasised the need to have a separate identity and focus on traditional values important to the Sikhs.⁴⁸

Another early historical indication of the distinctive focus of the Sikhs on establishing separatist boundaries is evident with the creation of the Tat Khalsa. In the early 20th century, the gurudwaras (temples) of the Sikhs had been increasingly under reform because of mismanagement. The demand for reformation of these gurudwaras, and the mahants who were in charge of these gurudwaras assumed greater significance as more and more Sikhs started to suffer from a "mass crisis of identity."⁴⁹ One group of such reformers were the Tat Khalsa who vehemently opposed any non-Sikh element in the religion. What they feared the most again was the assimilation of Sikhism into Hinduism as by now, many Hindu elements such as idols, Hindu customs etc, were all present in Sikh worship. To reclaim the identity of the Sikh religion, these Tat Khalsa reformers once again stressed the individuality and separateness of the Sikh religion, and the need to be distinctive and separate.⁵⁰

Additionally, for the Sikhs, religion and politics have from the very start been inseparable elements.⁵¹ This is especially problematic for the Sikhs given they live in the secular state of India, where religion and politics (at least in theory) have to be separate. However, the Sikh religion affects

⁴⁸Kapur, 1986:22.

⁴⁹Kapur, 1986:44.

⁵⁰Kapur, 1986:45

⁵¹Joshi, Chand, Bhindranwale: Myth or Reality, New Delhi: Vikas Publishing House, 1984:42.

politics and vice versa, and that the key religious agency of the Sikhs, the Shiromani Gurudwara Prabhandhak Committee (SGPC), has definite and clear involvements with the Akali Dal amongst other Sikh political parties.

The Roots of the Secessionist Movement under British Rule

After two Anglo-Indian wars in 1849, the British finally annexed Punjab, its final conquest in the subcontinent. Although the British conquered the Sikhs they recognized the important relationship between military excellence and the religion and they therefore absorbed them in the British army. This proved to be an excellent forethought because in 1857, during the "Sepoy Revolution" in India, while most of the country rebelled against the British, the Sikhs remained faithful to them. This was perhaps a decisive factor for British victory in the mutiny. In return for such services rendered, the British granted the Sikhs generous tracts of land, set up an excellent administration where the Sikhs were concentrated, and created the state of Punjab. The Sikhs were a major and important force within the British army, and although they comprised only 2% of the population of undivided India, they constituted about 20%-30% of the Indian armed services.⁵²

In accord with their well tested "Divide and Rule" strategy, the British purposely gave special privileges to the Sikhs so as to ensure their loyalty. This can be seen by the fact that though the Sikhs comprised only 2% of the total population, they comprised almost 20-30% of the army. As argued by Horowitz,

"colonial military recruitment was initially not merely an aspect of the running of a politically neutral bureaucratic machine. Rather, recruitment

⁵²Singh, Rahul, "Sikh India; the roots of the Punjab violence", *The New Republic*, July 16, 1984, v.191:13.

was heavily imbued with ethnic stereotypes, and was one of the most important arenas for the working out of colonial ethnic policy. At the broadest level, therefore, the transfer of military institutions to new states bequeathed to them instruments of force that were very much a part of ethnic politics."⁵³

The intention of the British was clearly to create a "martial" race which would remain faithful to the British. In fact, to be recruited as a Sikh, the Sikh had to be a *keshadhari* Sikh, who was a member of the Khalsa and was compelled to maintain and observe the tenets of the Khalsa.⁵⁴ Other benefits included giving the Sikhs special economic benefits and opportunities to develop, thus consistently ameliorating the distinct identity of the British.

Such bliss with the British tended to be shortlived after the infamous "Jallianwala Bagh" massacre, where in 1919, under the command of British Brigadier General Reginald Dyer, approximately 379 Sikhs were killed. A large gathering of Sikhs were fired at although they were peacefully gathered because there was an order which prohibited the assembly of more than a few persons. This massacre played a crucial role in the unity of all the groups in India against the British, particularly and most importantly the Sikhs who had remained faithful to the British through all these years.⁵⁵ Tragically, General Dyer was feted instead of reprimanded, and this infuriated the Sikhs and made them unite with the rest of India. Adding fuel to the fire was the fact that the Sikh priests collaborated with the British and did nothing to condemn the General. Furious, the Sikhs agitated for the reform of the Sikh gurudwaras, and it was the result of this agitation that the Shiromani Gurudwara Prabhandak Committee (SGPC) and the Akali Dal were formed.

⁵³Horowitz, Donald L., Ethnic Groups in Conflict, Berkeley: Univ of California Press,1987:527.

⁵⁴Kapur, 1986:15.

⁵⁵Kapur, 1986:13.

While the former was created to manage the newly liberated Golden Temple which was won over from the British, a little while later, the latter, served as the major Sikh political party⁵⁶.

Post Independence

As independence approached, the Sikhs were torn. They faced a choice. They could either go with Pakistan, or they could stay with India. Following Muhammad Ali Jinnah's declaration in 1940 to the Muslim League in Lahore that it was clear that Jinnah was clearly interested in a *Muslim* Pakistan.

"Islam and Hinduism are not religions in the strict sense of the word, but in fact different and distinct social orders, and it is only a dream that Hindus and Muslims can ever evolve a common nationality...",

There would be no place for other religions in this new nation. However, India which was calling for a secular existence, offered a shelter for the Sikhs. If the Sikhs had insisted on their own state, they feared that they would have to fight Pakistan alone, since Pakistan had also laid claim to the Punjab, where the Muslims were the largest community. Subsequently the fate of the Punjab was decided by "Stafford Cripps Commission"⁵⁷ which divided the Punjab into the Indian Punjab (the East part) and the Pakistani Punjab (the West part).⁵⁸

⁵⁶Tully, Mark & Satish Jacob, Amritsar: Mrs.Gandhi's Last Battle, London: Pan Books, 1986:30-31.

⁵⁷This Commission was set up by Lord Mountbatten who was sent by the Queen to handle the transition of the Indian subcontinent to home rule.

⁵⁸O Brien, Conor Cruise, "Holy War Against India", *The Atlantic*, Aug 1988, v.262:61.

Historical Fear of Hinduism

One major factor which consistently troubled the Sikhs was the fear that their religion would be enveloped by Hinduism. Hinduism tends to be an enveloping religion. Since the first Guru, Guru Nanak was a Hindu, then by Hindu token, Sikhism could become a mere offshoot of Hinduism, therefore not a religion independent of Hinduism.

The first major threat to Sikhism was the creation of the "*Arya Samaj*" in 1875 under Swami Dayanand. This body was an attempt to revitalise Hinduism. The appeal of the Arya Samaj proved particularly important for the Punjabi Hindu society who now turned to it, thus ameliorating the differences between the Sikhs and the Punjabi Hindus.

This rise of the Arya Samaj was seen to be intrusive into the Sikh way of life since the former and the latter had a lot in common including forbidding idol worship, caste system, child marriage and the remarriage of widows.⁵⁹ However the Sikh distrust of the Hindu had already been sown.. Even an observer, the Governor General of India, Lord Dalhousie stated, as early as in 1849,

*"The Sikhs are gradually relapsing into Hindooism, and even when they continue, Sikhs, they are yearly Hindooified more and more."*⁶⁰

This fear of being absorbed into Hinduism along with the trauma of partition marked the beginning of a Sikh demand for a distinct land and community of their own. As early as February 1948, Master Tara Singh, a prominent Sikh leader demanded, "*we want to have a province where we can safeguard our culture and our tradition*".⁶¹

⁵⁹Kapur, 1986:20-22.

⁶⁰Kapur, 1986:9

⁶¹Kapur, 1986,:210

A demand for a Sikh majority state within the Indian union was submitted by the Sikh members of the Punjab legislative assembly to the Constituent Assembly, which was responsible for framing the constitution of independent India. This memorandum had two requests. The first one demanded that "*there would be special communal representation for the Sikhs to the extent of 50% in the Punjab legislature, and 40% in the Government services.*" The second was that if the above was not permissible, the "*Sikhs should be permitted to form a separate province comprising the districts in which they were a majority.*"⁶² The Constituent Assembly refused to grant either of the demands.

In addition to not granting their demands, Nehru had also decided that Amritsar, the second major city of the Punjab, (Lahore had been taken by Pakistan), was too close to the Pakistani border to be a capital of an Indian state. A new city, Chandigarh was constructed on the banks of an artificial lake with the beautiful and panoramic sight of the Simla Hills.⁶³

Subsequently, in 1952, the Akali Dal brought up the issue once again. They realized a division of Punjab among communal lines would not be acceptable to the Government, particularly Jawaharlal Nehru. They now cloaked it in the demands for a state based on language. In 1953, Pandit Nehru, had set up the "States Reorganisation Commission" to consider demands made by other states to draw state boundaries based on language. The Akali Dal urged the formation of a "Punjabi Suba" which united all the Punjabi speaking areas. However, this proved to be a faulty way of obtaining the separate Punjab, because although the majority of the Punjabis (both Hindus and Sikhs) spoke Punjabi, the Akalis wanted the state's language to

⁶²Kapur, 1986:210

⁶³Tully & Jacob, 1986:44

be written in the Gurumukhi script, which was purely understood by the Sikhs, and drawn up by the second Guru for the Sikh scriptures. Using this reason, Pandit Nehru declared that the call for a separate Punjabi Suba was not based on linguistic needs, but along communal lines, and the demand for the Punjabi Suba was rejected.⁶⁴ On the behalf of the Sikhs, Master Tara Singh continued the agitation. "The Muslims got Pakistan, the Hindus got India, and we got nothing"⁶⁵ was the nebulous cry for a Sikh homeland. On 24 January 1960, 132 members of the SGPC took an oath to give their *tan* (body), *man* (soul) and *dhan* (wealth) for the Punjabi Suba. Tara Singh also began a fast unto death. As he said, "*I do not want to die, but while living I do not want to see the Sikh Panth insulted and the Sikhs treated as inferior to other communities.*". Ultimately, the fast was called off after 43 days, and the schoolmaster from Rawalpindi district was called to trial before the Akal Takht. This was the end of his political career.⁶⁶

However, the important effect that this agitation had on the Sikh psyche is the apparent betrayal by the Punjabi Hindus who fearful of Sikh domination, and under the organization of the Arya Samaj, declared their language to be Hindi and not Punjabi. This prevented the creation of a Punjabi state in the 1950s. When the rest of India was carved out during the linguistic organization of states, the Punjabi Sikhs never forgave the Punjabi Hindus for this apparent betrayal, although in 1966, Punjab was in fact divided into the subsequent state of Punjab (where Punjabi was the dominant language) and Haryana, the political distrust of Punjab Hindus was already latent.⁶⁷

⁶⁴Tully & Jacob, 1986:214-215.

⁶⁵Singh, 1984:13.

⁶⁶Tully & Jacob, 1986:40-42.

⁶⁷Kohli, Atul, Democracy and Discontent: India's Growing Crisis of Governability, Cambridge: Cambridge University Press, 1990:358.

The leadership of the Akali Dal passed on to Sant Fateh Singh, a Jat leader. (The Jat community was the peasant caste which was dominant in the east of Punjab.) Sant Fateh Singh following the trend set by Master Tara Singh, announced that he would undertake yet another fast for the Punjabi Suba, and if that would not succeed, would commit self-immolation. However, this fast was postponed after an agreement with the government to appoint a sub committee to resolve the issue.⁶⁸ Subsequently, the state's boundaries were redrawn in 1966. This resulted in now the Sikhs occupying the majority 60% of the population, the Hindus; 38%. With these changes, the traditional balance of power shifted away from the Hindus in favor of the Sikhs. However, the shift was not that decisive to guarantee the political dominance of the Akali Dal. This is a key factor because this resulted in a fierce competition between the Akali Dal and the Congress for seats in the Punjab.⁶⁹ As will be shown later, this is one of the reasons for the exacerbation of the Punjab conflict. It has been also been suggested that both Master Tara Singh, and Sant Fateh Singh, though pursuing the same objective of creating a Sikh majority state, used different means to try and achieve the same end. Master Tara Singh had no doubts that the Punjabi Suba, which he desired, would be a Sikh-majority province, and that the Sikhs had a right to self-determination, which was denied to them by the Congress in 1947, and ever since. Sant Fateh Singh, on the other hand, rallied that the demand for the Punjabi Suba was not a religious demand, but merely a linguistic demand, much like the demands of the other states in India.⁷⁰

⁶⁸Singh, 1984:216-217

⁶⁹Major, Andrew, "Sikh Ethno-Nationalism" in Jim Masselos, Struggling and Ruling, New Delhi: Sterling Publishers Ltd, 1987:172.

⁷⁰Brass, Paul R., "Punjab Crisis and Unity of India", in Atul Kohli, India's Democracy, Princeton: Princeton University Press, 1988:177.

Clearly, the above section has shown that even before the rule of Indira Gandhi, there were problems in the Punjab situation. However, the commitment of the Indian leaders such as Nehru was toward secular, democratic politics. Therefore, although the problem does have historical roots, dating to the years following independence, the crisis did not take on the massive proportions it has since the rule of Indira Gandhi. Indira Gandhi's centralizing drive, and her power politics, has perhaps been the sole and most potent factor in the exacerbation of the Punjab crisis.

Explosion of the Crisis Under Indira Gandhi's Rule: The Centralizing Drive

The issue was further postponed following the outbreak of the second Indo-Pakistan war in 1965. In the meantime, the leadership of the Congress changed with the death of Pandit Nehru. Power shifted to the hands of his daughter - Indira Gandhi, who was to play a pivotal role in exacerbating the Punjab conflict. Mrs.Gandhi granted the Sikhs what her father had denied them throughout the years since independence. Scholars such as Tully and Jacob (1986) argue that a probable reason she decided to do this, was that she was influenced by the crucial role played by the Sikhs in the war with Pakistan.⁷¹ However, it can also be argued that Indira Gandhi was playing power politics. She realised that if she was to maintain control of the Indian union, she had to find as many allies as she could, since she was brought to power not by popular demand, but by a group of elderly politicians who could make or break her. Tully and Jacob suggest that this old elite of politicians chose Indira Gandhi to be Lal Bahadur Shastri's successor (who had died suddenly in Tashkent in 1965) for a simple reason. They believed that Indira Gandhi would be an easy puppet to manipulate, and this way

⁷¹Tully &Jacob, 1986:42-43.

none of their interests would be threatened.⁷² Also, Mrs. Gandhi did carry the legacy of the “Nehru” name, and this helped her gain considerable prestige with the popular sector.

Under Indira Gandhi, the Punjab State Reorganisation Bill was executed where the entire state was trifurcated. The southern areas which were predominantly Hindi-speaking Hindu areas, were formed into a new state of Harayana, and the other Hindi-speaking areas of Punjab were merged with the Himachal Pradesh. The new state of Punjab comprised of the remaining areas, and had a population of 54% Sikh (9 million strong), and 44% Hindu.⁷³ Although Indira Gandhi did grant the Sikhs their demand for the Punjabi Suba, she balked at the thought of allotting the beautiful city of Chandigarh to either Punjab or Haryana. Chandigarh was to be under the control of the central government but at the same time it was to house both the state assemblies and both the secretariats of Punjab and Haryana. This did not please the Akalis, and in 1969, Sant Fateh Singh planned to immolate himself if Chandigarh was not given to Punjab. Hastily, Mrs. Gandhi decreed that Chandigarh would go to Punjab, but in return, Punjab would have to surrender the two areas of Abohar and Fazilka to Haryana. It was claimed that the latter were the Hindu majority area. But it was a Hindu majority area which was Punjabi speaking, not Hindi. In effect, the award went against Pandit Nehru's stand on the alteration of boundaries on the basis of religion.⁷⁴ However, there are also arguments made by political analysts that by the way the Government of India had handled the demands made by the Akali Dal, and subsequently, the negotiations which followed, it was clear that the Center would not consider demands on the basis of

⁷²Tully & Jacob, 1986:43.

⁷³Singh, 1984:218

⁷⁴Tully & Jacob, 1986:44-45.

religion or communal identity by leaders “*whom it considered had secessionist inclinations.*”⁷⁵ Besides, the two districts of Abohar and Fazilka are in the heart of Punjab. This decision not to award these two districts which were in the heart of Punjab to them makes little or no sense, and goes to show the partisan power politics in which Indira Gandhi engaged.

Although there was now a Sikh majority in the Punjab, to the anguish of the Akalis, they did not win any elections held for the Punjabi legislative assembly between 1967-1980 because the Congress won the support by making populist promises. This has for long been a practice of the Congress, where they make promises directly to the people, perhaps promises they could not keep, merely in order to win elections.

In the first elections in the reorganised Punjab, the Akalis formed a coalition with the Jan Sangh. The Jan Sangh was a party with a largely Hindu appeal. The Jan Sangh was extremely opposed to the formation of the Punjabi Suba. The President of the Jan Sangh had actually stated, “*The Jan Sangh regards the Sikhs as part and parcel of the Hindu society.*” To join hands with the Jan Sangh must have been a bitter experience for the Sikhs because this diluted their interests considerably.⁷⁶

The creation of the Punjabi Suba was similar to opening up a Pandora’s Box, for granting one demand led to a series of events which resulted in the current crisis. This is not to suggest that if the demand for the Punjabi Suba had been denied there would be no current crisis. Undoubtedly, there would a crisis, but one of a different nature. However, the granting of the Punjabi Suba to the Sikhs was the beginning of a series of compromises, made by the State, in its secular ideology. As already suggested

⁷⁵Brass, 1988:177.

⁷⁶Singh, 1984, p.218-219.

before, the granting of the Punjabi Suba would have infuriated Nehru as it amounted to granting land on the basis of religion. To Nehru who was a firm believer in the secular rhetoric and ideology within the Indian Constitution, this would have been abhorrent. Another point to be made here is that the Center throughout the Punjab crisis committed the same mistake: the rhetoric was always different from the action. Granting the Punjabi Suba is a good example of this since secular rhetoric was violated here. Clearly, the center has acted in a way which is purely self serving and without a long term perspective.

Subsequently, the Akali Dal party gained momentum and captured the elections of 1967. However, in 1972, the Akali Dal was ousted from power since both the Akali-Jan Sangh coalition governments (which were formed between 1967-1972), were wrought with factional disagreements. It has been argued that the union of the Jan Sangh and the Akali Dal was a genuine threat to the power of the Congress in the region. Hence, the Congress promoted defections and splits within the Akali Dal to weaken its credibility. It is argued that the Congress was directly behind the collapse of the Akali-Jan Sangh coalition in 1972. It is also argued by analysts that such policies were followed through the 1980s.⁷⁷

Ultimately, the Congress (I) lost power to the Janta party in 1977, and this time the Akali Dal formed a coalition government in the Punjab with the Janta party. In the 1977 parliamentary elections, the Akali Dal polled a higher percentage of votes than the Congress, and succeeded in capturing all of the nine Lok Sabha seats. This strengthened the position of the Akali Dal in comparison to the Congress.⁷⁸ But, once again, in the parliamentary

⁷⁷Brass, 1988:178.

⁷⁸Brass, 1988:80.

elections of 1980, factional divisions within the Akali Dal contributed to its defeat, and the Congress wrested power of the government.⁷⁹

The Anandpur Sahib Resolution

In October 1973, a document was drafted by the working committee of the Akali Dal, which served as the manifesto of the Punjabi view on the constitutional issues. This document was written in the Holy Anandpur Sahib, where, the last Guru had formed the Khalsa, and thereby derived its name, the "Anandpur Sahib Resolution." The resolution listed two "principles" and four "aims" with ten religious programs to obtain these aims and approximately seven political objectives. The main grievances of the Sikhs can be found in these objectives. The first objective was to add the Punjabi-speaking areas which had been left out in the delineation in 1966, including Chandigarh, Sindh, Kangra and several other places which were important to Sikh history. The second objective was that in the new state, central intervention should be limited to defense, foreign affairs, posts and telegraph, currency and railways. In effect there should be a decentralization of power with more power granted to the states.

By doing the above mentioned, the underlying constitutional crisis would be resolved, wherein, the constitutional assignment of reserved powers would go to the states. In a deeper sense, this was a demand for a state of federalism, in the true sense of the word. Although India is supposed to be a federation, in reality, it is quite far from the concept, in that the Center holds a large amount of power. Subsequently, the desire of the Centre under Indira Gandhi was to focus all the power toward the Center, and anything which was seen as threatening to the politicians themselves,

⁷⁹Brass, 1988:218.

was instantly resolved by suppression. The demands in the Anandpur Sahib Resolution calls not only for a "federal State in a real sense", but also demands that "*all states are equally represented at the Center*".⁸⁰ The resolution also posited that the "*Sikh religion was not safe without sovereignty*". This could be interpreted as being a call for a separate Khalistan, although a separate state was never formally called for by the Akalis, before Operation Blue star.⁸¹ However, the Central government distorted the demands of the Sikhs and maintained that they were seeking a separate Sikh state, in order to turn sentiment away from the Sikhs.

There are several other versions of the Anandpur Sahib Resolution in circulation, some of which can be found in the White Paper on the Punjab Agitation. One version in the White paper which had been "authenticated" by Sant Harchand Singh Longowal in 1977, asks for the "merger of all Punjabi speaking areas to constitute a single administrative unit where the interest of Sikhs and Sikhism are specially protected."⁸² This demand does not seem particularly secessionist but only a demand of what is just in any democratic country. In a democratic country with minorities, since the majority often prevails (Tocqueville's tyranny of majority) it may often happen that the voice of the minority gets subsumed. Therefore, minorities in a democracy should necessarily be protected so as to be fair and equitable. The resolution also demands the redistribution of the unjust Ravi-Beas river water award given by Indira Gandhi during the Emergency of 1975-77.⁸³

⁸⁰Leaf, Murray, "The Punjab Crisis", *Asian Survey*, Vol XXV, No.5, May 1985:481.

⁸¹Gupte, Pranay, Vengeance: India after the Assassination of Indira Gandhi, London: W. W. Norton & Company, 1985:127.

⁸²Government of India, White Paper on the Punjab Agitation, New Delhi: Government of India Press, 1984:6.

⁸³White Paper:6.

Also included in the resolution is a call for maintaining the present ratio of Sikh strength in the Army.⁸⁴ A proposal by General K. Sunderjit called for proportional representation in the army: if the Sikhs constituted 2% of the Indian population, they should occupy *only* 2% of the army positions. Such a demand would clearly be abhorrent to the Sikhs who had been reared to be the "military elite" of India by the British, and ever since then have been holding that position. The resolution also called for granting the "holy-city" status to Amritsar, and permitting installation of a radio transmitter in the Golden Temple for broadcasting Sikh religious hymns. The resolution also stated that the Government had shown apathy towards the safety of life and property for Sikhs settled abroad and in other states in India. It had also failed to name any railway train, the "Golden Temple Express", it had not recognized a separate Sikh personal law, and had interfered in the Sikh tenets.⁸⁵ The above demands, along with 11 other resolutions which call for equality in the social, agricultural, industrial (economic) and political spheres of life, constitute the much debated Anandpur Sahib Resolution.

A short analysis of the Anandpur Sahib Resolution is necessary considering the importance of it to the Sikh demands. It is clear that not one of the demands made by the Sikhs are unjust or unfair. It clearly represents the fear of any minority in a country as large as India. The Sikhs are a minority, and as suggested before, fear being enveloped by Hinduism, and not only Hinduism, but also by the Indian state. The Sikh identity could easily be lost in the large secular structure of India, and the Sikhs fear

⁸⁴White Paper:73-74.

⁸⁵Kapur, 1986:222-223

complete dissolution. Looking at their demands in this light makes their demands more credible, and not based merely on secessionist tendencies.

Politics and Alienation

Going back to the political climate in the late 1970's when the Congress was considerably weakened, the prevailing atmosphere in Punjab was not conducive to the interests of the Congress I camp. The Congress I under Indira Gandhi had to find a way to curb and divert popular support of the Sikhs away from the Akali Dal to the Congress I. The best way to do this was to attack the support base of the Akali Dal in certain crucial areas and groups such as the rural Jat Sikh peasantry which was under the influence of the Akali Dal, as well as under the religious influence of the Sants and preachers in the Gurudwaras.⁸⁶ In search of a charismatic religious leader who could do the trick for them, Indira Gandhi and her son Sanjay found Jarnail Singh Bhindranwale.⁸⁷ This creation of Bhindranwale, the terrorist, was solely a creation of Indira Gandhi, and her son Sanjay. This fact has been amply documented in the literature. Clearly, Indira Gandhi was fearful of losing power, and saw the opportunity in creating a terrorist figure who would then detract sympathy away from the more moderate Akali demands, and this way she could retain power by dismissing both the moderate demands as unrepresentative, and the extremist demands as impossible to grant. This way she would maintain her electoral position.

This political ploy soon gained its own momentum and a leader in his own right was created who espoused the concept of Sikh fundamentalism. In Bhindranwale's opinion, there was much divergence from Sikhism and

⁸⁶Brass, 1988:180.

⁸⁷Brass, 1988:180; Joshi, 1984:4.

this could have negative effects on the faith itself. So, he instituted a fundamentalist approach to Sikhism, and along with it brought in the element of violence into Sikh demands. With Bhindranwale, active anti-Hindu, anti-India and secessionist policies were instituted by the Sikhs who started to join his following. These fell into the category of the extremist Sikhs. Several efforts aimed at reconciliation all ended in the same place with no clear answer or solution.⁸⁸

Sanjay Gandhi and Indira Gandhi, along with their leading Sikh politician, Zail Singh (who was Chief Minister of Punjab from 1972-1977, and was currently Home Minister) needed a cause and a man to divert attention away from the Akali Dal, highlight the inefficiencies of the Akali Dal, and thus gain power. The man they found, Bhindranwale, was head of the historic Damdami Taksal. The cause they found in the issue of the Nirankaris, the heterodox sect of the Sikhs who believed in the formless nature of God. The fact that outraged the other Sikhs most was that despite the decree made by Guru Gobind Singh that he would be the last Guru, the Nirankaris started to worship their founder Baba Dayal Das. This was blasphemy and heresy to the other (especially the Keshadari) Sikhs. A new party called the Dal Khalsa was formed on 13th April, 1978, literally, the party of the pure. The following week there was a brutal attack on a Nirankari gathering in which 12 Sikhs and 3 Nirankaris were killed. The Gandhis and Zail Singh had an issue with which they could discredit the Akali Dal regime since it was “apparent” that the Akali Dal could not control violence in the Punjab, and not even among its own people. Bhindranwale was the hero.

⁸⁸Singh, 1984:13

In 1980, Indira Gandhi returned to power, but the monster she had unleashed had not completed its tirade.⁸⁹

The violence unleashed by Bhindranwale knew no bounds. The first horrible political murder which was executed in the name of religion was the murder of Baba Gurbachan Singh on April 24, 1980: An arrest warrant was issued for Bhindranwale, but being the “puppet” of the Government he managed to avoid being arrested. Zail Singh, the then President of India, under instructions from and with direct complicity of Indira Gandhi, went so far as to tell Parliament that Bhindranwale was innocent of the murder. The second murder, on 9th September 1981, had more serious repercussions. This time Lala Jagat Narain, the publisher of a Hindu newspaper chain was murdered. Narain and Bhindranwale were outspoken critics of one another. It was common knowledge that the latter had engineered the death of the former. Once again, a warrant was issued for the arrest of Bhindranwale. This time it was imperative that he be arrested, and he was finally arrested in a gurudwara in Mehta Chowk, in Punjab. This arrest was the beginning of the violence which was unleashed in the remainder of the Punjab crisis, in the pre-Operation Blue star years. Less than a month after his arrest, Bhindranwale was released, once again, with the help of Giani Zail Singh. This time, he emerged to lead the Sikh community down a bloody path, demanding Khalistan.⁹⁰ The final straw was the murder of Deputy Inspector General A.S. Atwal who was in charge of the police in Amritsar, on 23 April 1983. As Atwal was leaving the Hari Mandir after doing his routine prayers he was shot dead.

⁸⁹Tully & Jacob, 1986:57-65.

⁹⁰Tully & Jacob, 1986:63-70.

Following the death of the General, the tension between two Sikh leaders, Bhindrawale and Longowal, mounted. Harchand Singh Longowal was another leader of the Akali Dal, and he was considered to be considerably more moderate than any of the others. The faction lead by Longowal still espoused peace and nonviolent methods to win their demands. However, constant failure of the negotiations held between the Government and Longowal not only demoralised the latter, but also delegitimised the cause of Longowal. It also pushed him to do more drastic things such as call for "morchas" or marches, and more violent forms of agitation as opposed to the the more peaceful methods he had followed before.⁹¹

The heat was still on Bhindranwale. He was still wanted for the murder of Atwal. Bhindranwale shrewdly reacted to the threat of arrest by convincing the SGPC President, Tohra, that Bhindranwale would remain safe only if he was in the sanctuary of the Akal Takht. Tohra managed to convince the Head priest, Giani Kirpal Singh, that the only safe place for Bhindranwale was the Takht despite the fact that no leader was ever allowed to live in the Akal Takht. Eventually factionalism within the Golden Temple complex, between Longowal's men and Bhindranwale's troops, forced the High Priest to concede to Bhindranwale. This was the start of the import of arms into the Akal Takht itself.⁹²

Bhindranwale was relatively safe under the protection of the Congress I until the terrorists started killing Hindus indiscriminately and ruthlessly. He was safe despite the several murders which he authorized, and for which he would have been arrested for had it not been for the protection offered to him by the Congress I and the police. This protection has been documented

⁹¹Tully & Jacob, 1986:63-70.

⁹²Tully & Jacob, 1986:108-110.

by several credible sources, and is a well known fact in India.⁹³ After a set of horrible murders in September-October 1983, Mrs. Gandhi deposed the Darbara Government in the Punjab, and imposed President's Rule.

Throughout this period, it is also clear that in addition to supporting Bhindranwale, the Center did not want to come to any sort of settlement with the Akalis. Although there were at least ten meetings between the members of the Akali Dal and the Congress I between 1983-1984, none of these meetings resulted in anything substantial because the centre did not want to concede any demands, lest they be forced to concede all demands. Therefore, they portrayed the Sikh demand for a separate community within the Indian union, as a demand for a separate nation. By doing so, they hoped to isolate the Akalis enough so that they would be forced into engaging in terrorist activities, which would further alienate them from the Indian polity. Therefore, the Congress I would seem like a strong saviour in the face of terrorism, and would garner more electoral support.⁹⁴ However, interesting to note is that in the end the government conceded all the religious demands of the Sikhs, and even went so far as to amend section 25 of the Constitution which guaranteed the Sikhs a distinct religious identity.⁹⁵ This granting of religiously based demands, while ignoring the more economic demands of the Sikhs has been a potent reason in exacerbating the religious aspect of the crisis.

⁹³Joshi, 1984:6.

⁹⁴Joshi, 1984:75.

⁹⁵Article 25 of the Indian constitution, until the subsequent amendment treated the Hindus and Sikhs as one, and did not provide for different personal laws in terms of religious matters. This was a matter of contention for all religious minorities in the Indian union.

Operation Blue Star: A Fatal Miscalculation?

With the deterioration of the conflict to an all time low point, there was apparently no other way out other than flushing the Golden Temple of its terrorists, and arresting Bhindranwale. This was the beginning of Operation Blue Star: the army action which infuriated every Sikh irrespective of where his/her loyalties lay. This was sacrilege, for the army to enter the Golden Temple and commit murder. Indira Gandhi summoned Major General Kuldip Singh Brar, a clean shaven Sikh (offensive to the Sikh religion), and placed him in charge of the operation.⁹⁶

On June 4, 1984, the day of Guru Arjan Singh's martyrdom, Operation Blue Star swung into action. The first set of commandos who were sent in were all brutally killed, since they had little or no knowledge of the internal setting of the complex. It seems incredible that an army action was carried out without considerable deliberation as to how and where the counter attack would be based. After almost 48 hours of firing, Longowal and Tohra surrendered, and the dead body of Bhindranwale was located. Although the Government had given specific instructions to use "*minimum force*" and to ensure the safety of the Harmandir Sahib, the firing left much of the complex in shambles.⁹⁷ Tanks had to be brought in during the operation because resistance was extremely heavy and totally unexpected by the army. Although army action started on June 5, after consultations with the Government of India, tanks were brought in on June 6. The library was set on fire accidentally. Lost along with rare books and manuscripts were handwritten copies of the Granth and *hukumnamas* signed by various

⁹⁶Nayar, Kuldip & Khushwant Singh, Tragedy of Punjab, New Delhi: Vision Books, 1984:91-93

⁹⁷Nayar & Singh, 1984:93.

Gurus.⁹⁸ Ultimately, though the Harmandir Sahib was intact, nothing could replace the damage done to the Akal Takht or other buildings. Casualties in the operation were heavier than officially admitted. Although it was said that only 92 army men were lost in the operation, in reality almost 700 jawans died. While the official figures of the terrorists and others dead tallied only to about 554, in official estimates it is argued that the official total was erroneous and the total number killed was almost 3000.⁹⁹

The military action in the heart of the Sikh homeland provoked a wave of anguish, and more importantly resentment against the Government. The fact that the SGPC and the High Priests did nothing to stop Bhindranwale from smuggling arms into the Golden Temple is clearly not condonable. But the *disproportion and inappropriateness* of the army action far outweighs the indecision of Longowal, the High Priests and the SGPC in allowing terrorism to fester in the Golden Temple.¹⁰⁰

It can be argued that Bhindranwale, a criminal no doubt, could have been arrested in a legal way by the police. However, this was simply not considered. Even if the police were sent in, Bhindranwale was secure since he had fortified himself amply. However, the police had not arrested Bhindranwale until now, although they had several opportunities to do so because until the end of 1983, Bhindranwale was still being protected by the Congress.

Obviously, since Bhindranwale had fortified himself with arms (supposedly smuggled in from Pakistan), the army was required. However, it seems hardly necessary to have had 2000 troops along with tanks *invade* the Golden Temple. It was also highly inappropriate, if not downright stupid,

⁹⁸Nayar & Singh, 1984:103-104.

⁹⁹Nayar & Singh, 1984 :108-109

¹⁰⁰Leaf, 1985:494.

for the army to attack on a day when they knew that there would be a large number of pilgrims celebrating the martyrdom of Sant Hargobind.¹⁰¹ This resulted in not only the loss of terrorist lives, and army lives, but also the loss of innocent civilians as it became hard to distinguish between terrorists and pilgrims. It also seems highly unnecessary that along with attacking the Temple with about 2000 men, the entire state was sealed off with 70,000 additional troops. There was a simultaneous invasion of other shrines in the state, a declaration of President's Rule and dissolution of the State legislature, a declaration of complete Press censorship, and martial law. Given the existing framework, it was easy for the Sikhs to perceive this entire episode as a piece of evidence that the Government was hostile to the needs of the Sikhs.¹⁰²

To add fuel to the fire, the detention of all prominent Akali leaders, the declaration that the militant All India Sikhs Students Federation was illegal, and the rigorous control of the Punjab after the army action, infuriated the entire Sikh community.¹⁰³ It not only legitimized the efforts of the militant Dal Khalsa but also sought to further undermine the cause of the moderates. It also ensured a place for Bhindranwale in the history of Sikh martyrdom, along with his right hand man Amrik Singh. Both men were terrorists, and killed in the name of religion. Bhindranwale blatantly encouraged violence between the Sikhs and the Hindus, and expounded on communal hatred. He did not deserve to die a martyr, along with the likes of Guru Hargobind, who were truly martyrs, and who died for a truly just

¹⁰¹It is argued that this particular day was chosen for the attack because there was some secret information that the next day (June 4), there was a plan between the Sikhs and the Pakistanis to retaliate against the Government and carry out a large-scale operation. The validity of this claim cannot be asserted for certain. (Tully & Jacob).

¹⁰²Leaf, 1985:494.

¹⁰³Kapur, 1986:235.

cause. Indeed there may have been repression of the Sikhs, a fact that cannot be condoned, like the power politics of Indira Gandhi. However, the tragedy of the killing of innocent Hindu civilians by the Sikhs, and the subsequent killing of innocent Sikhs by enraged Hindus (after the assassination of Mrs. Gandhi) was analogous to barbarianism.

Clearly, Operation Blue-Star was yet another way Indira Gandhi could retain control over Punjab. This action would make her seem heroic to the rest of India, and simultaneously provide her with the ammunition necessary to impose direct rule in the Punjab. Once again, Indira Gandhi's lack of foresight, and power politics based solely on centralizing power, took precedence over any other input. In the first place, Bhindranwale would have never gained the momentum or support if not for the blatant support of Indira Gandhi. As documented, he was *created* by her in order to provide more support for her. Additionally, having created this monster, Operation Blue Star was carelessly planned, and poorly executed. What Indira Gandhi had hoped for was more power would flow into the Center, and into her hands after this army action. Her short-sightedness did not allow her to understand that the action would only seek to alienate the Sikh polity, and was wrong, and unnecessary. However, Indira Gandhi, the self-centered politician was to pay the price in the end.

Following the army action the same year, to right a wrong, yet another wrong was committed. On Oct 31, 1984, Indira Gandhi, Prime Minister of India, was shot dead by her two Sikh security officers, Satwant Singh and Beant Singh. There are no clear reasons given in the form of a public statement as to why the two killed Indira Gandhi. Yet it is clear that these two men were not driven merely by insanity. It can be argued that it was Indira Gandhi's party which launched Bhindranwale, and granted him so

many concessions that he became a ‘Frankenstein’ out of control. Not only was Indira Gandhi the incensor of the phenomenal rise of Bhindranwale; Satwant and Beant Singh were Sikhs and as Sikhs, they felt that they had been wronged by her. “*Raj Karega Khalsa*” was their cry, and as far as they were concerned, anything that threatened their homeland or their religion was evil and their religion had to be defended. It would be a naive statement to say that the two guards acted out of an impulse; they had to kill the woman who had engineered the demolition of their beloved Akal Takht. In their view, Mrs. Gandhi had come to represent a threat to their country, homeland and religion.¹⁰⁴

This, however, does not justify the assassination of Indira Gandhi. Nothing also justifies the subsequent killing, the violence that followed in the aftermath of the assassination. Almost 1500 Sikhs were murdered, while the Government and the police watched. The week following the assassination, all Sikhs were categorized as terrorists and were publicly humiliated, their houses looted and plundered, robbed of all their dignity, and their rights as citizens of secular India violated.¹⁰⁵

The entire drama of the Punjab situation which unfolded steadily post-Operation Blue Star amassed a momentum of its own, and was subsequently handled poorly, at best, by the Center. Clearly as demonstrated above, Operation Blue Star was not entirely necessary. The whole problem could have been prevented had Bhindranwale not been aided and abetted by the Congress I. However, given the inevitability of Operation Blue Star, the killing of Indira Gandhi, certainly not justifiable, but clearly inevitable. The subsequent anti-Sikh riots were handled poorly by the state, and there is

¹⁰⁴Leaf, 1985:494-495.

¹⁰⁵Leaf, 1985:495.

substantial evidence to suggest that it was the members of the Congress I which initiated the violence, and the police were instructed to allow the violence to continue.¹⁰⁶

The Rajiv Gandhi Rule: Post 1984

Following the death of his mother, Rajiv Gandhi assumed power. Although he had a daunting task ahead, it was commendable that within the first seven months of his coming to power he managed to reach a settlement with the Akali Dal by dismissing, transferring or by-passing all those who had advised his mother. After winning the general elections he understood the gravity of the situation in Punjab and realised that this was a serious threat to the very existence of India. He also realised that Punjab was a political problem which required adept politicians to handle, not the army or bureaucrats. He appointed Arjun Singh to take over as Governor of Punjab and maintained direct access between himself and the Governor. He also kept Zail Singh, Darbara Singh (the former Chief Minister of Punjab) and Bhajan Lal (Chief Minister of Haryana) out of the negotiations since they all had a vested interest in the crisis.

On 21 July, 1985, Sant Harchand Singh Longowal arrived in Delhi to discuss some sort of agreement with Rajiv Gandhi. Succinctly, the accord, which came to be known as the Punjab Accord between Rajiv Gandhi and Longowal envisaged the

"transfer of Chandigarh to Punjab, referring of the Anadpur Sahib Resolution to the Sarkaria Commission; referring to the river water disputes for adjudication to a Supreme Court judge, with the assurance that each state will continue to get not less than what it was getting, rehabilitation of the

¹⁰⁶See V. Sharma, 219; Harji Malik, 240; Darshan Singh Maini, 251; George Mathew, 259, and A.G.Noorani, 273, in Amrik Singh, ed., Punjab in Indian Politics: Issues and Trends, New Delhi: Ajanta Publications, 1985.

army deserters by providing them gainful employment, compensation to the innocent persons killed in agitation; and extending the judicial enquiry into Delhi riots into Bokaro and Kanpur.” ¹⁰⁷

The Punjab Accord was important because it marked a definite shift in the strategy of the government. Rajiv Gandhi granted more concessions to the Akali Dal than his mother had. This can be explained by not only the different political personalities of Rajiv and Indira Gandhi, but also by the fact that both operated under contrasting political situations. Rajiv Gandhi, having won the elections with massive support while riding a sympathy wave after Indira Gandhi's assassination was politically stronger than his mother, and therefore he could put aside partisan politics in order to appear to be the more benevolent political leader.¹⁰⁸ The major concessions in this accord included transferring Chandigarh to Punjab, to adjust the river water flow situation in favour of Punjab and to set up a commission to look into the killings of Sikhs in New Delhi after the assassination of Indira Gandhi.

However, the end to the crisis was not at hand. The problems were two fold. Primarily, after the promising start, Rajiv Gandhi's efforts also began to fall victim to the familiar political pressures and desires espoused by his mother. Kohli suggests that the problems faced by Rajiv in his endeavour to solve the Punjab problem is endemic to the Indian political situation. He suggests that the dual forces of institutional weaknesses, and a highly fragmented, diverse polity force leaders such as Rajiv Gandhi to abandon their electoral promises, and force centralization, and powerlessness.¹⁰⁹ The second factor ensuring the failure of Rajiv Gandhi to

¹⁰⁷Narang, A.S., Punjab Accord and Elections Retrospect and Prospects, New Delhi: Gitanjali Publishing House, 1988:163.

¹⁰⁸Kohli, 1990:365.

¹⁰⁹Kohli, 1990:340

solve the Punjab problem was the emergence of other militant Sikh figure, including Jagdev Singh Talwandi to replace Bhindranwale. The problem now was that many of the extremist Sikhs felt that Longowal had deserted them and sold their cause to the Government by sealing the Rajiv-Longowal Accord. After proclaiming himself to be successor of Bhindranwale, Talwandi demanded autonomy for the Punjab, and launched a verbal attack on Longowal. He charged the Central Government with genocide of the Sikhs. Bhindranwale's octogenarian father Baba Joginder Singh emerged as yet another new leader of the All India Sikh Students Federation.

Ultimately, Joginder Singh announced in May 1985 that he was unilaterally dissolving both the factions of the Akali Dal and forming the United Akali Dal. This United Akali Dal was plagued with conflicts and resulted in more violence.¹¹⁰ Therefore, increased terrorism, subsequent repression and factionalism were factors which ensured that the State could not enact the Accord.

The United Akali Dal declared that Longowal was a traitor to the Panth for his unilateral discussions with the Government. There was growing dissension between the Longowal supporters and the United Akali Dal under Joginder Singh. Meanwhile, elections were announced for the 117 member Punjab legislative assembly, and for the 13 Lok Sabha seats. The United Akali Dal stated that it would boycott the elections, but Longowal managed to convince Badal and Tohra to support the Akali Dal's election effort. On 20 August 1985, Sant Harchand Singh Longowal was assassinated by Sikh extremists.¹¹¹

¹¹⁰Kapur, 1986:240-242.

¹¹¹Kapur, 1986:244-245.

The Punjab Accord between Rajiv Gandhi and Longowal was a key event in that it brought peace back to the state if only for a short while. The terrorist forces were held in check and the Government had time to retrace its thinking. But with the assassination of Longowal, and then the Head Priest of the Golden Temple while within the four walls of the Temple itself, violence was brought back into the problem. Subsequently, the pro-Bhindranwale group reoccupied the temple, and the terrorist forces were back in action. Additionally, increased political pressures on Raji to protect the electoral interests of the Congress ensured that Rajiv could not translate the Accord into action.

Following the assassination of Longowal, in a sympathy wave which turned out to be beneficial for his party, Akali Dal under Surjit Singh Barnala won the elections. The polling on September 25, 1985 showed the voter turnout to be about 67%. The Akali Dal won a clear majority in the assembly, winning 73 seats out of the 100 in the 117 seat legislative assembly.

¹¹² This clear victory by Surjit Singh Barnala seemed to show the victory of the moderates over the extremists. Although there was euphoria over the factor that the Akali Dal had finally managed to win elections in the Punjab without being in a coalition, there was major factionalism and dissension within the party. Eventually the Akali Dal Government lost the support of Badal, but retained the support of Barnala and Tohra. ¹¹³

Besides a power struggle within the Akali Dal, the party had the unenviable task of bringing peace to the Punjab. This it could not do because it faced major opposition from both the United Akali Dal, and the All India Sikh Students Federation. The latter went so far as to say,

¹¹²Narang, 1988:168.

¹¹³Kapur, 1986:249.

*"the emergence of the Barnala Government is not because of the traitorous acts of Sant Harchand Singh Longowal, but because of the policies of Sant Jarnail Singh Bhindranwale and the continuous struggle of his supporters."*¹¹⁴

This was not the end of the crisis. The extremist United Akali Dal and the AISSF began to indulge in terrorist and extremist activities once again. This led to the ultimate dismissal of the Barnala Government only 21 months after being elected into power. President's Rule was imposed in Punjab on May 11, 1987 only 1 year, 7 months and 16 days after Barnala seized the electorate.¹¹⁵ However, this did not signify the end of the violence. The violence escalated and in 1990 the total lives lost were 3,650.¹¹⁶

The Current Situation

After a long period of President's rule, (almost 5 years), following an extension of President's Rule in the Punjab almost 9 times, elections were held in the Punjab on February 25, 1992. There was a very low voter turnout, but the Congress (I) won a landslide victory capturing 87 seats out of the 117 strong Legislative Assembly, and 12 seats out of the 13 available for the Lok Sabha (the lower House of Parliament). The Akali Dal managed to capture only 3 seats out of 117 seats for the Legislative Assembly. Beant Singh was appointed by the Congress (I) as Chief Minister of the Punjab.¹¹⁷

Although free and fair elections were held, the violence did not decrease even during campaigning. Despite the increased deployment of army, 24 candidates were killed, out of which 3 were Lok Sabha candidates and the remaining 21 were running for State Assembly seats.¹¹⁸ This

¹¹⁴Kapur, 1986:249.

¹¹⁵*India News*, , Washington DC, Jan 16-31, 1992:10.

¹¹⁶Amnesty International Special Report on Punjab, p.56.

¹¹⁷*India News*, Jan 16-31, 1992:10.

¹¹⁸*India News*, Jane 16-31, 1992:10.

violence only shows the lack of credibility of the Government, and the lack of faith the people have in the Government. Also these elections were boycotted by most of the militant factions. Six groups led by Parkash Singh Badal, S.S. Mann, Kartar Singh Narang, Baba Joginder Singh, the AISSF group led by Manjit, and the SSF led by Mehta Chawla all blatantly announced their unanimous decision to boycott the elections.¹¹⁹

The Beant Singh Congress I Government has little or no legitimacy. After six long years of factionalism, the six major Akali groups have put aside their differences, and are working for a sovereign Sikh state. The formalized “panthic bodies-militant nexus” has threatened to set off a civil disobedience movement if the Beant Singh government is not deposed immediately. As said by AISSF (M) General Secretary Harminder Singh Gill,

“The Sikhs will not only paralyze the administration but also force the ministers to operate from the secretariat and circuit houses only.”

The unified group not only demands the state of Khalistan, but also the release of all detained Akali leaders, as well as all the militants.¹²⁰ The militants plan to

*“dissolve the panthic committees to form the united Akali Dal, erode the state’s write by reviving Khalsa panchayats and asking farmers not to sell wheat to government agencies, use the nexus with Kashmiri separatists to acquire arms, and select targets to widen the communal divide and scare away non-Punjabis.”*¹²¹

In response to the measures of the militants and the Sikhs the State has its work cut out, but has not managed to curb or ease the problem. Although the State under Beant Singh had planned to keep top Akali leaders in jail and thus control the movement, this plan backfired with the Akali Dal officially joining hands with the terrorists to gain a sovereign Sikh state.

¹¹⁹*India Today*, Jan 31, 1992:42.

¹²⁰*India Today*, April 15, 1992:26-27.

¹²¹*India Today*, April 15, 1992:26.

The State has not managed to curb violence either, despite appeals to the militants to eschew violence.¹²²

The Government meanwhile still continues to blame the "foreign hand" in exacerbating the Punjab problem by supplying the militants with arms. The argument made by many key political analysts in India and outside is that while the major part of the problem with India lies undoubtedly with the State itself, and its incompetency to deal with the situation effectively, the extent of Pakistan's "logistical and physical support" to the extremists has served to worsen the situation. The fact that the extremists can look to a foreign power to supply arms has made the crisis harder to solve.¹²³

The Government has consistently used the issue of the "foreign hand" to explain any militant uprising. Although in the case of Kashmir the extent of Pakistani assistance is clear, the Pakistani element is harder to prove in the Punjab issue. However, the stand of the Indian Government in trying to explain its apparent inadequacy in dealing with the terrorist problem in Punjab is that despite constant efforts to flush out the terrorists from the Punjab and rid them off their arms, new replenishments of arms are always available across the border in a never ending supply.¹²⁴ This "foreign hand" excuse cannot go any further since the crisis needs to be dealt with, and excuses do not solve the problem.

Economic Causes of the Conflict

Although politics has played an important role in guiding the demand for the Sikh sovereign State of Khalistan, economic factors have also played a

¹²²*India Today*, April 15, 1992:27.

¹²³Bajpai, Shankar K., "India in 1991", *Asian Survey*, Vol XXXII, No.2, Feb, 1992:p.215.

¹²⁴Joshi, 1984:18.

crucial role in exacerbating the conflict. What I attempt to do in this section is to outline a few economic reasons why the Sikhs have been unhappy with the Centre, thus resulting in their demand for a separate state. The causes that I have chosen are by no means exhaustive, although I believe that they are some of the important ones.

According to the 1971 census, over 10, 378, 979 Sikhs of the 8,000,000 strong Indian population were concentrated in the Punjab. By contrast, Sikhs were a decided minority in the earlier census years. (They constituted 33.3% of population from 1947-1966).

There are clear indications that the Sikh majority in the Punjab has been declining. As a consequence of the Green Revolution of the 1960's, there has been a large inflow of migrants (mainly Hindus) from Uttar Pradesh, Bihar, and Orissa. In contrast to the large inflow of non-Sikhs, there has been a substantial outflow of Sikhs to other parts of India, as well as overseas in search of a better standard of living, education etc. Paul Wallace has claimed that almost one-fifth of the Sikh population lives out of the Punjab.¹²⁵ Thus it can be argued that the Sikh affluence has its definite advantages and disadvantages. Importantly, given the Sikh fear of assimilation, the fact that the immigration into the state, as well as their own emigration from the state may be signs of an erosion into their majority position, is a reason which has catapulted fear. This fear has been mostly promoted by and controlled by the Akali Dal, the SGPC and the various other Sikh political parties. This fear has been the base of electoral agendas, that is by convincing the Sikhs that they are in threat of being dominated by other groups, the Sikh political parties have attempted to garner political support.

¹²⁵Wallace, 1986:365.

However, such communal based electoral campaigns have clearly been a problem in maintaining peace in the state.

Being the bread-basket for most of India, there has been a clear bias for agriculture in the region, thus neglecting industrial investment in the region. Of total central investment in India in March 1979, Punjab's share was a meagre 2.2%. There are still demands for increased investment for industry, a larger percentage of the river waters flowing through Punjab, and increased electric power.¹²⁶ The loss of the Bhakra Nangal Dam, which had been built originally out of Punjab state development funds, was also a source of dissatisfaction under Indira Gandhi.¹²⁷

It has also been argued that unemployment is a major reason why there is so much Sikh unrest. It has been argued that there is not enough gainful employment available. To own even a tiny farmland is not possible with the Punjab Land Reform Act of 1972, instituted by Indira Gandhi, which limits a family holding to 7 hectares, thus preventing further accumulation of land and empowering the revenue officials. This method required the revenue official to aggregate all the lands of a family, and then required the head of the family to choose for himself and for each adult son, land up to the limit of 7 hectares, but none for the minor sons. By thus diminishing the importance of the minor sons, the laws "*not only violated the basic concept of household order, but assured that the family holdings once broken up could never be reaggregated.*"¹²⁸ Hence this law meets much opposition from the Sikhs.

A major demand in the Anandpur Sahib Resolution and all the subsequent demands made by the Akalis has been the issue of the Ravi-Beas

¹²⁶Wallace, 1986:372.

¹²⁷Leaf, 1985:478.

¹²⁸Leaf, 1985:479.

water. The demands are that the majority use of the waters of the two rivers in question have been given unfairly to the state of Haryana though Punjab requires extensive usage of them for agricultural as well as hydro-electric purposes. However, this issue had not been addressed despite the agricultural success of the Punjab. These river waters have been a source of contention first between India and Pakistan in 1947, and after the formation of Haryana in 1966, between Punjab, Haryana and Rajasthan.¹²⁹

Related to these issues of agriculture is the effect of the Green Revolution¹³⁰ on the Sikhs. The Green Revolution succeeded in exacerbating income inequalities between the rich farmers who had access to the High Yielding Variety of seeds, fertilizers etc, as opposed to the landless and poorer farmers who did not have such access. The resulting economic differences and several antipathies resulted in a discontented and diverse Sikh community. The only way to unite the Sikh polity was by escalating militant actions and separatist demands to create political unity in a class divided community.¹³¹ Major (1987) also suggests that the Green Revolution succeeded in strengthening and modernizing "primordial sentiments" such as attachment to religion.¹³² He suggests that Sikhs, being a minority, are more likely to be convinced that any sort of discrimination against them is a direct result of the fact that they profess a different religion, in a more "assertive and visible" fashion. Therefore, for the Sikhs, their religion is a threat to the Hindu majority, and this being so, they are more

¹²⁹Dang, Satyapal, "Punjab in Crisis" in Paul Wallace and Surendra Chopra, eds., Political Dynamics and Crisis in the Punjab, Amritsar: Guru Nanak Dev University Press, 1988: 414-415.

¹³⁰The Green Revolution was an agricultural project undertaken by the Government of India with Western aid which attempted to increase the yield of output by planting "High Yielding Variety" (HYV) seeds, and with better inputs such as fertilizers etc. This project was deemed to be a success by both Western donor institutions and the Government of India itself.

¹³¹Kohli, 1990:354.

¹³²Major, 1987:176.

likely to believe that any sort of discrimination is a result of this.¹³³

Therefore, the inequities that resulted from the Green Revolution could easily be blamed on the state.

Yet another demand concerns the position of the Sikhs in the military structure. Sikhs are still conspicuous in the armed forces, but the proportion of Sikhs is conspicuously lower than that under British colonial rule. There are a growing number of Indian officials who would like to see the number of Sikhs in the armed forces reduced because of their "*unreliability*", a good example of which are the army desertions around the time of Operation Blue Star. ¹³⁴

These key economic factors are also fueling the drive towards the demand for Khalistan. Clearly, while the Punjab has been the breadbasket of the country by providing cheap food, it has suffered in terms of industrialization and in terms of river allocation policies. It would do the Government good to consider these problems while addressing the issue. While using a political framework could potentially reduce the amount of conflict currently, an effective long term strategy aimed at bringing peace in the Punjab would include solving the economic demands as well. However, the Center so far has not engaged in any policies to aid in the industrialization of the Punjab as it serves its interests to keep Punjab as the agricultural producer, and therefore force a dependent relationship vis à vis the Center where Punjab would need the Central government for support, both financial and industrial.

Pettigrew (1986) states that what was key for the Akali Dal in its ability to garner support for its policies was its ability to place the various economic

¹³³Major, 1987:176-177.

¹³⁴O'Brien, 1988:62.

and political demands within a religious framework. She suggests however, that this was not a political ploy by the Sikhs, but instead was inherent to the Sikh tradition where religion and the community social order were inherently related.¹³⁵

Factionalism within the Sikh Movement

It is a common error among people in India and world wide to equate every Sikh to a terrorist, for undoubtedly there are many power factions within Sikh ranks. The Sikhs are all united in one demand: more autonomy. However, this does not necessarily equate into the demand for a separate State.

Before Operation Blue Star, the division between the Sikhs was clear. There were the terrorists who wanted a sovereign state, and the moderates who wanted more autonomy. In the context of the Punjab, the moderates belonged to the Shiromani Akali Dal, which is the self proclaimed sole representative of Sikh interest. The SGPC (Shiromani Gurudwara Parbandak Committee) which is a Sikh church organization is also a clear moderate organization. The relationship between the Akali Dal and the SGPC is extremely important because the former derives its legitimacy from the religiosity of the latter.¹³⁶ The chief demands of the moderate Akali Dal includes a rewriting of the Indian Constitution to allow for more state autonomy, the transference of Chandigarh to Punjab, and adopting an industrialization policy for the Punjab. It was only the constant denials of these consensus based policies which resulted in the moderates making

¹³⁵Pettigrew, Joyce, "In Search of a new Kingdom in Lahore", *Pacific Affairs*, 1986:10.

¹³⁶Major, Andrew, "From Moderates to Secessionists in the Punjab," *Pacific Affairs*, 1986:p44.

narrower demands, such as the recognition of Amritsar as a holy city, and the recognition of Sikhs as a separate 'quam'-nation.¹³⁷

The extremists on the other hand include groups such as the All-India Sikh Students Federation (AISSF), and the Youth Akali Dal. The extremists desire the same demands as the moderates, yet they differ from moderates in the following ways. (i) They focus more on Sikh (as opposed to Punjabi as a whole) interests. (ii) They adopt a more confrontational stance, as opposed to the more negotiating stance of the moderates vis-à-vis the Central Government. (iii) They espouse violence. (iv) Any solution would necessarily have to include a strict punishment for those who have "hurt" the Sikh religion, and restoration of full "honour" to the Panth.¹³⁸ The third group within the Sikhs included the secessionists. Prior to June 1984, the demand for secessionism was extremely limited. However, after Operation Blue Star when every Sikh felt violated, the differences between the various groups became more nebulous.

As with the people, the Akali Dal has been torn with factionalism. The Bhindranwale-Longowal dissension was just the beginning of such factionalism. While the latter did not endorse the terrorist activities of Bhindranwale, it can be argued that the Centre, through its policies, delegitimised the stand of Longowal. This pushed him to committing himself to more militancy in order to retrieve some of the legitimacy lost by him in an attempt to regarner the support of the people. Clearly, as has been emphasised before, the solution to the Punjab crisis could have been more expediently solved if not for the Centre's power politics, and the dissension

¹³⁷Major, 1986:46.

¹³⁸Major, 1986:49.

within the Akali Dal itself. The blame however, lies more squarely with the Centre.

Other factions of the Akali Dal have emerged since the death of Bhindranwale. The latest reports from India suggest that six of the most important factions have decided to join together and with the militants, to pursue their demand for a sovereign state.

Conclusion

The Punjab crisis was one that could have been solved expediently and with minimum bloodshed. Instead, the power politics played by Indira Gandhi, in an attempt to increase her power base, at the expense of the Indian Union itself has been substantially documented. The consensus ascribing Indira Gandhi's guilt is overwhelming. Clearly, the few times concessions were made to the Sikhs, it was the more religious demands which were granted. For example, demands such as allowing the broadcast of the Sikh daily prayer, banning the smoking of cigarettes in Amritsar etc, were all primarily religious issues. Perhaps the more important political issues were either suppressed or ignored. These issues include economic ones such as an additional focus on industrialization in the Punjab, the transfer of Chandigarh to the Punjab, the river water issue etc, were all avoided by the Centre. Any solution which did not include these vital political and economic demands were meant to fail. As explained before, it was the demands of the extremists which were met more than the demands of the moderates, for it was the religious issues of the extremists which were conceded. This in fact negated the existence of India as a secular state, because religious demands had no legitimacy and should not have been granted. However, the more political demands, if granted would have

guaranteed the legitimacy of the moderates, and alleviated the need of the moderates to go over to the side of the extremists.

Additionally, Bhindranwale was clearly a creation of the Congress-I under Indira Gandhi and her son Sanjay Gandhi. As explained earlier in the chapter, the Gandhis envisioned Bhindranwale to be the contrasting force to Longowal and other moderate demands. By encouraging a terrorist such as Bhindranwale, clearly, the desire was two fold--to initially delegitimize the demands of Longowal, and then having achieved that, disavow Bhindranwale. However, this apparently ingenious and fool proof plan was to be the undoing of Indira Gandhi herself. The force of Bhindranwale acquired a momentum of its own, and had to result in the army action, which then further alienated all Sikhs from the Indian polity. Clearly, it was the power politics of Indira Gandhi which allowed for the massive degeneration of rational, and politically-based demands into what has culminated to secessionist demands and the cry for the creation of Khalistan. Although the Punjab crisis and the unsolvable nature of it has been blamed on Indira Gandhi, there are several variations of this accusation. The first one includes the fact that Indira Gandhi was concerned only with her electoral successes. Therefore, by postponing the inevitable action against the terrorists until the eve of the elections in 1984 would portray her as a savior of the unity of India, and therefore guarantee her success.¹³⁹ Another version is the assertion that Indira Gandhi was an ineffectual leader who could not solve the problem and it was this dithering at the head of the state that resulted in the exacerbation of the Punjab conflict. This view portrays Indira Gandhi as a weak and ineffectual leader.¹⁴⁰ The last version portrays

¹³⁹Sheth D.L, and A.S. Narang, "The Electoral Angle" in Amrik Singh, ed., Punjab in Indian Politics: Issues and Trends, New Delhi: Ajanta Publications, 1985:123-35..

¹⁴⁰Tully & Jacob, 1985:87.

Indira Gandhi as a leader driven solely by power who overcentralized the Indian polity and therefore promoted deterioration of Center-State relations.¹⁴¹ Ultimately however, it was the political conflict between Indira Gandhi and the Akali Dal which resulted in the exacerbation of the conflict. Such Centre state conflicts are not unusual, but the problem with the Punjab conflict was the potent mixture of religion and politics which exploded into the above crisis. The fear of assimilation, economic factors and political errors resulted in the Punjab crisis assuming a far more horrific proportion than was ever envisioned.¹⁴²

Kohli suggests that the tendency to blame the Sikhs is highly limited. However, the one credible accusation against the Sikhs is the element of their factionalism. This factionalism has prevented any meaningful dialogue between the Centre and the state in an attempt to solve the problem.¹⁴³ Additionally, another criticism of the Sikhs, especially the Akali Dal is that when they were in power (for example, in the 1977 Janata Party-Akali Dal coalition rule), they did not attempt to institute the demands they made in the Anandpur Sahib Resolution. If they were really interested in the policies per se, perhaps the best opportunity for them to enact these policies would have been when they were in power. Clearly some of their demands needed approval from the Federal level, however, there were several demands which were internal to the state itself which they could have instituted. Their failure to institute these policies, or pressure their political patrons into granting these demands, yet making them vital

¹⁴¹Brass, Paul, "The Punjab Crisis and the Unity of India", in Atul Kohli, ed., *India's Democracy*, Princeton: Princeton University Press, 1988:169-213

¹⁴²Kohli, 1990:355.

¹⁴³Kohli, 1990:355.

demands to the Congress I after having and before gaining power makes their position vis-à-vis the legitimacy of their claims a little tenuous.¹⁴⁴

Violence has its own momentum, and this is particularly true of the Sikh agitation for a separate, sovereign state, Khalistan. Tragically, the central government, acting purely on narrow, self interested and partisan grounds, has only succeeded in further alienating the Sikhs. Therefore, in conclusion, while it seems inevitable that the only way to resolve the situation is by granting statehood to the Sikhs, or by at least making serious concessions to the Sikhs. However, this strategy is once again not the end to this struggle, since granting concessions to one minority group while repressing others cannot be justified, and will therefore result in a serious wave of secessionist movements across the country, movements which have so far been contained by repressive and totalitarian state policies. Clearly, the state is in a difficult position. The time for concessions has long since passed, and the state has manoeuvred itself in a position where it has no choice left. The only choice remains, Khalistan.

¹⁴⁴Joshi, 1984:70.

CHAPTER III

THE CRISIS IN THE VALLEY OF KASHMIR

Introduction

As is the case with the Punjab, the erosion of secular democratic principles, and the centralization policy of the dynastic Gandhi regime has been a central element in determining the course of the crisis in the state of Jammu and Kashmir.¹⁴⁵ As with the Punjabi Sikhs, the Muslims of Kashmir have had a troubled relationship with the Central government. Their fear of being subsumed under Hindu India has led them to make certain demands on the Central government. However, the Center led by self-serving politicians, (Indira Gandhi, Rajiv Gandhi, amongst others) pursuing a path of power politics, have succeeded in alienating the Muslims which has culminated in the demand for secession from the union of India. This chapter is a historical analysis of the current crisis in Kashmir. The following table is the breakdown of the state of Jammu and Kashmir with reference to religion.¹⁴⁶

Table 1
Population Figures by Religion for the state of Jammu & Kashmir

Region	Area (sq./km)	Population	% Muslim	% Hindu	% Other
Kashmir	8,639	52.3%	94.96	4.59	0.05
Jammu	12,378	45.3%	29.60	466.25	4.15
Ladhak	33,554	2.24%	46.04	2.66	51.30
TOTALS	54,571	100%	64.19	32.24	3.57

¹⁴⁵It is not the entire state of Jammu and Kashmir which is demanding independence from the Indian union. Rather it is the valley of Muslim Kashmir which is attempting to secede from the Indian union. Therefore, for the rest of this paper, I will refer only to Kashmir.

¹⁴⁶Wirsing, Robert G., India, Pakistan and the Kashmir Dispute, NY: St. Martins Press, 1994:125

Clearly, while Jammu is predominantly Hindu, and Ladakh, predominantly Buddhist, the area under consideration and which has been the location of strife for the past 45 years since independence is the valley of Kashmir itself, which has a majority population of Muslims.¹⁴⁷

However, as in the case with Punjab, the erosion of secular democratic principles at the level of the central government has been a crucial factor to force Kashmiris to demand independence from the Indian union. What this section will attempt to show is that it is once again the actions and excesses of the center which have contributed to the insurgency in, and which have formed a platform for the demands of secessionists.

Colonial Rule

The recorded history of Kashmir goes back to 40 A.D., but the roots of the current conflict are securely embedded in the earlier half of this century when Jammu and Kashmir was ruled by the Dogra dynasty. The Dogras were a lineage of Hindu rulers who had been ruling from 1839, the last of whom was Hari Singh who ascended the throne in 1925. Like his predecessors, Raja Hari Singh openly favored the Hindus and allowed only the barest means of subsistence to the Muslims.

This oppressive system continued till the 1930's when the first glimpses of the eclipse of the Dogra dynasty came to view. A young and enterprising Muslim, Sheikh Abdullah started to demand greater Muslim representation in. He was arrested in 1931 by the Raja Hari Singh, but not before he had set off other Muslim activists. Martial law was declared. In 1932 when Sheikh Abdullah was released he established the "All Jammu and Kashmir Muslim Conference."

¹⁴⁷ Wirsing, 1994:125.

When the British Government could not ignore the situation of recurring Muslim uprisings in the valley, a commission under Sir. Bertrand Glancy was appointed to investigate the Muslim grievances of under-representation and oppression. In February 1932 British troops were sent to enforce law and order. Subsequently in the spring of 1934 the very first election process was instituted, and a state assembly was set up with Muslim representation. In June 1939, Abdullah was filled with a new passion to fight not only for the Muslims in Kashmir, but vowed to fight persecution on a whole. He broke away from the Muslim Conference, and set up an "All Jammu and Kashmir National Conference." This was intended to be a secular movement bent on effecting the Government of, for and by the people of, irrespective of religious backgrounds. The three main factors which governed his party were nationalism, an interest in left wing socialism, and sincere secularism. Soon in Kashmir the Muslim Conference threw out Abdullah and his National Conference. This resulted in the National Conference appointing as its first President Ghulam Mohammed Sadiq, who in turn locked Abdullah up because of a deep rooted hatred. Subsequently, with the Indo-Pak war emerging, and with the potential withdrawal of British rule from India, there was a period of political vacuum.

In 1947, in the incipient stages of the conflict, India was still a colony of Britain, but there was a strong movement for independence. The two main actors on the scene fighting for independence were the Indian National Congress, led by Pandit Jawarharlal Nehru and Vallabhai Patel, and the All India Muslim League led by Mohammed Ali Jinnah and Liaquat Ali Khan. While the two were united in their demand for independence from the British, however, they fundamentally differed in their philosophy of an

independent subcontinent. While the Indian National Congress dreamed of a secular united India, the All India Muslim League yearned for an Islamic state distinct from the Indian dominion. Jinnah believed that the Muslims of the subcontinent had a social, cultural and religious identity, distinctly separate from that of Hindu India and hence were a nation on their own. He argued that as a small minority they would be potential victims of oppression by the vast Hindu majority.

At this time, the British had come to terms with the fact that the Indian subcontinent was fast becoming more of a burden than a blessing and decided to leave India. To oversee the smooth transition from being a colony to independent states, the British appointed Lord Mountbatten as Viceroy of India in 1947. The division of the subcontinent into the two nations, India and Pakistan was to take place according to communal allegiance; the predominantly Hindu provinces were to form the Union of India, and the predominantly Muslim provinces were to form Pakistan. The problems arose with the division of the princely states. Under the British rule, these princely states were nominally independent, but they had to recognize the supremacy of the British Raj. Now, they were given the choice of acceding either to India or Pakistan.

The question of accession of princely states marked the beginnings of the conflict in Kashmir. The British under Lord Mountbatten, recommended that the Indian princes accede either to India or to Pakistan based on two criteria: (i) if the princely state had a Muslim majority population, then the state should accede to Pakistan, and conversely, if there was a Hindu majority population, then the state should go to India. (ii) accession to Pakistan by the Muslim majority states should only occur if these states were geographically contiguous to either East or West Pakistan.

Therefore, while for the most part, the accession of princely states were clear, three princely states posed a problem. These included Hyderabad which was a Hindu majority state ruled by a Muslim, the Nizam of Hyderabad, Junagadh, which was also a Hindu majority state ruled by another Muslim Nawab, and lastly Kashmir, which was a Muslim majority state ruled by a Hindu king, Maharaja Hari Singh. Both Hyderabad and Junagadh wanted to accede to Pakistan, neither were permitted by either the British or the Indians to accede to Pakistan. Hyderabad was not allowed because it was located in the heart of the south and clearly not contiguous to Pakistan, and Junagadh was not permitted because it had a Hindu majority. However, Kashmir did have a Muslim majority population, and had common borders with both India and West Pakistan.¹⁴⁸

Post-Independence, and the First Indo-Pak War of 1947

Kashmir, under Hari Singh initially wanted independence. The Raja did not want to accede to Pakistan for fear that it may mean the massacre and expulsion of the Hindus and Sikhs, a situation which obviously could not be tolerated. Likewise, he did not want to accede to India, because they felt that it could imply the end of the Raja's control, as his power would be overshadowed by the Indian Government. Lord Mountbatten is reported to have asked the Maharaja on one of his visits, to forego his personal dreams of independence and listen to the voice of his people.¹⁴⁹ However, the Raja remained in a state of limbo for a few months before announcing on August 12, 1947, a standstill agreement, with both India and Pakistan, without

¹⁴⁸Thomas, Raju G.C in Raju G.C Thomas, ed., Perspectives on Kashmir: The Roots of Conflict in South Asia, Boulder: Westview Press, 1992:3.

¹⁴⁹Birdwood, Lord Christopher, Two Nations and Kashmir, London: Robert Hale Ltd., 1956:40.

acceding to either. Pakistan signed this agreement, but India did not because it claimed that it did not have the approval of all the people in the state.

India asserts that following this standstill agreement, Pakistan fearful of losing its control over Kashmir, applied an economic blockade on Kashmir to coerce it into accession. Pakistan violated the terms of the standstill agreement and cut the country off from its supply of gasoline, wheat, salt, kerosene, oil and cloth. Pakistan defended itself by saying that its infrastructure had collapsed due to India's failure to supply coal to Pakistan, this being the reason that it could not deliver goods to Kashmir.¹⁵⁰ On October 22, 1947, there were rumors of tribal activism in the Northwest frontier of Pakistan. The main tribes involved in this activism were the Afridis and the Mohmand Maliks. These tribes wanted to move into and help their Muslim brethren in distress who had been killed by state troops for contravening orders forbidding celebration of "Pakistan Day". Hari Singh, then sought Indian assistance to thwart this insurgency, and under Nehru's orders and Lord Mountbatten's insistence that it would be illegal to help the Kashmiris if India had no legal accession to the territory, therefore India would only help if legally acceded to India. Therefore, on October 26, 1947, the Raja sent a signed accession to India following which India then sent in a successful airborne operation to Kashmir.

The Indian and Pakistani version of this insurgency are unsurprisingly contradictory. According to the Pakistani version, they were not the sponsors of the insurgency; however, it was a spontaneous uprising by the tribesmen in support of the oppressed Kashmiri co-religionists. India on the other hand, firmly contends that the insurgency was created by Pakistan, in order to coerce to secede to Pakistan. Nevertheless, this was the

¹⁵⁰Korbel, Josef, Danger In Kashmir, Princeton: Princeton University Press, 1951:69-70.

beginning of the first war over Kashmir.³ It has been suggested that the letter of accession signed by Hari Singh was post dated after the Indian army had already landed in Srinagar, and not prior to the Indian army landing in Srinagar as the Indians have always made it out to be. Secondly, the decision to retain in India was a political move by the British who wanted to have a safeguard against the threat of Communist China.¹⁵¹

What initially started as a low intensity conflict along the Indo-Pakistan border, resulted in a full fledged war. Pakistan occupied the northwest frontier province of Kashmir, but the Indians stopped the Pakistani army from proceeding any further. As a resolution to the conflict , the Indian Government decided to refer the conflict to the United Nations. It strongly believed that a multilateral intervention in the conflict would lead to a resolution of the conflict in its favor. Consequently, the U.N. recommended to the Government of Pakistan to secure withdrawal of tribesmen and Pakistani nationals from Kashmir; and to the government of India, a progressive withdrawal of Indian forces to the minimum strength required for the maintenance of law and order. A cease-fire line was drawn, and it came into effect on 1 January, 1949. Also, the U.N. resolution suggested, to insure freedom and impartiality in an eventual plebiscite, that a plebiscite administrator be nominated with adequate powers to conduct the plebiscite. Independence was not an option.¹⁵²

India and Pakistan both agreed to this U.N. resolution, but failed to abide by it strictly by retaining military forces under various guises in Kashmir. Pakistan then absorbed all the northern areas which it had

¹⁵¹Hussain, Mushahid, "The Kashmir Issue: Its New International Dimensions", in Raju Thomas, ed., Perspectives on Kashmir: The Roots of Conflict in South Asia, Boulder: Westview Press, 1992:345.

¹⁵²Korbel, 1951:113-115.

captured during the war. The northern areas which were around the Chinese and Soviet Unions' borders were administered by a cabinet level officer, whilst the rest of Kashmir is in Pakistan and is known as Azad Kashmir. Meanwhile, India absorbed the rest of Kashmir under its territory, and accorded it a special status under Article 370 of the Indian Constitution. Included in this article are laws that only native Kashmiris can own land in Kashmir. (This issue will be discussed at a later stage in this section)

Given the dramatic differences of opinion right from the onset of the crisis it is no wonder that war did break out and there continues to be problems in the Valley. The Indians stand by their position that the accession was legal, and supported by both the Maharaja, and the popular leader, Sheikh Abdullah of the National Conference. The accession however was to be provisional and conditional, until a plebiscite which would determine the future of the state. One of the biggest grudges against the Indian government is that such a plebiscite never took place. The reason offered by the Indians as to why the plebiscite was not held is on tenuous ground. They suggest that according to the U.N. resolution, all Pakistani and Indian troops should be withdrawn from the Valley before a plebiscite would be held. But according to the Indians, the Pakistanis never removed all their troops, and since they were the aggressor they should have removed their troops first. However, Pakistan was afraid that if they removed their troops without India removing its troops then that was not a fair position either. Finally, while Pakistan's stated policy has always tended to support the holding of a fair and impartial plebiscite, India, after initially supporting the plebiscite, changed tactics, and has for the most part insisted that the issue of Kashmir is not open to debate, and Kashmir was therefore not contested territory.

Ultimately however, this resulted in no plebiscite being held due to the intrasincere of both warring parties. India continues to suggest that if a plebiscite had been held right after the war, Kashmir would have legally and popularly acceded to India, and knowing this, the Pakistanis refused to remove their troops hoping to avert such a situation. The Indian opinion is further reinforced by the fact that at the time the popular leader, Sheikh Abdullah, favored accession to India, and given that he did, the masses would have no doubt supported his position. Pakistan continues to hold that it tried to its fullest extent to meet Indian demands.¹⁵³

According to Wirsing (1994), it is hard to lay blame for the first Indo-Pak war on either side, yet neither should have been particularly surprised by the war itself. However, it is clear that India's intervention in Kashmir was clearly premeditated and any statement to the contrary is false. However, neither was Pakistan an innocent bystander as claimed. Leaders in both countries harbored territorial ambitions about, and neither of them had more than the "flimsiest regard" for the peoples, or the wishes of the Raja of Kashmir. If aggression was committed in the time prior to accession, it was done by both sides.¹⁵⁴ From the onset, neither India nor Pakistan have allowed for the third option, independence for Kashmir.

The Second Indo-Pak War

In 1951, local elections were held, and Sheikh Abdullah and his National Conference emerged victorious. Bazaz (1967), a well known scholar in India, suggests that the alienation of the Kashmiri people began under Sheikh Abdullah himself, who practiced undemocratic and

¹⁵³Thomas, 1992:25.

¹⁵⁴Wirsing, 1994:53.

intimidatory politics. Opposition parties were silenced, with the collusion of the Indian army. Since at this time Sheikh Abdullah was still on good terms with the Indian National Congress, he could rely on the support of the Center. Therefore, it was the aim of the rulers to liquidate, and not convert critics. However, simultaneously with these repressive measures, the Abdullah government also engaged in several political and economic reforms. It was hoped that such reforms would restore the state to normalcy and they could abandon repressive measures. However, the suppression made people more resentful and the more they opposed the regime the more draconian measures were used to suppress the people. This further alienated the people. Given that this suppression occurred with the covert blessing of the Central government, the anger of the people was directed not only toward the state government, but also toward the Center.¹⁵⁵ This was perhaps an opportune time for the Indian leaders to stand by democracy and uphold civil liberties and human rights in the state, however, their failure to do so began the process of alienation.

This alienation coupled with the rising tide of Hindu revivalism created sufficient concern in the valley of Kashmir.¹⁵⁶ It was this rising Hindu fundamentalism and the actions of the center which forced Sheikh Abdullah to do a volte face and turn against the government of India. What was key in turning the mind of Abdullah was an incident which occurred in 1952. Encouraged by the rising Hindu communalism, the Hindus of Kashmir, began to rise against the government and launched several anti-government movements in the time between 1949-1952. Several Dogra Hindus were arrested during such movements. However, in 1952, after

¹⁵⁵Bazaz, Prem Nath, Kashmir in Crucible, New Delhi: Pamposh Publications, 1967:65.

¹⁵⁶Bazaz, 1967:66.

pressure by the Indian media, a substantial number of these activists were freed. However, none of the Muslims who were also in jail were freed. This made Sheikh Abdullah realize that perhaps the ideas of secularism espoused by the center were a farce, and he now started working against the government.¹⁵⁷

New Delhi and Nehru were growing increasingly concerned with the developments in Kashmir. At this time not only were events further complicated when Pakistan joined the South-East Asian Treaty Organization (SEATO) in 1954 which alarmed India because Pakistan now had support from the United States in terms of arms and aid, but additionally, the alienation and growing dissension between Abdullah and the interests of the Central government were marked. India, at this time abandoned the offer of a plebiscite because it claimed that such a treaty between Pakistan and the United States changed the regional circumstances. However, how India can make such a link is not particularly clear.¹⁵⁸ But some scholars suggest that the reason Nehru withdrew his offer of a plebiscite was not merely to counter this new alliance, but merely because of increased domestic political pressures on him, which included the rise of communal groups which demanded that Kashmir not be treated in a way different from other states.¹⁵⁹ Simultaneously, the relationship between Abdullah and Nehru had started to sour, and the latter could not count on Abdullah's unwavering support. The Kashmiri people had started to turn away from India, and more toward independence.

At this time, one of Abdullah's lieutenants, Bakshi Ghulam Mohammed, with the support from the Central government wrenched

¹⁵⁷Bazaz, 1967:67-68.

¹⁵⁸Thomas, 1992:24.

¹⁵⁹Cheema, 1992:100.

control of the party. It has been suggested in some circles that Abdullah had seriously criticized India's policy towards Kashmir merely in order to obtain more resources from India. Some others suggest that Abdullah was truly disconcerted by the actions of the Center and could not continue to support it. Nevertheless, with encouragement from Delhi, which was still sore over Abdullah's inflammatory remarks, Bakshi had Abdullah arrested, and seized control.

Under the new leader Bakshi Ghulam Mohammed, repression was further intensified. Citizens could be arrested without grounds, and could be detained for a period of 5 years, released and then re-arrested. In addition, Bakshi created a Peace Brigade which was the vehicle with which to silence the opposition, and imposed heavy restrictions on state press, ordained that public meetings could not be held for political purposes unless they supported the ruling party! Elections which were held in 1957 and 1962 were rigged, and Bakshi and his men unsurprisingly won. There were also several other measures to curtail the autonomy of the state which included an extension of the jurisdiction of the Supreme Court, transfer of services from the state list to the Union list etc.¹⁶⁰

Furthermore, with the dismissal of the Abdullah government, there were many dissatisfied sectors in the Kashmiri populace. This led to the formation of the Plebiscite Front. In order to deal with this situation, the Central government introduced many repressive and undemocratic measures by placing unpopular government at the helm of matters. The Central government also engaged in a policy of appeasement in order to quieten the people. The concessions included several arbitrary quotas, permits and contracts. During this period, the Central assistance to

¹⁶⁰Bazaz, 1967:69-71.

Kashmir's Five year plan rose to 97%! Interesting to note however is the fact that while for other state's central assistance was in the form of 90% grant, and 10% loan, for Kashmir, it was in the form of 70% loan and 30% grant. This would ensure that Kashmir would constantly be in a situation of being unable to pay back the debt and set it into a cyclical dependent relationship with the center.¹⁶¹

Additionally, the center did not create long term employment generating avenues for the population, instead, it continued to remain the single largest generator of employment. These processes were set in place through the large Indian bureaucracy, and this grew vertically and horizontally. It also gave legitimacy to several undemocratic regimes. There was a greater constitutional and legal integration between the center and the state, and these measures lacked both political and moral legitimacy.¹⁶² It was therefore a small class of politicians, bureaucrats and businessmen who controlled the society in Kashmir.

The actions by Bakshi were noticed with alarm by Nehru. However, there was not much he could do about it, and therefore he remained remarkably quiet since he realized that this was perhaps the only way to contain the Kashmiri people. However, in 1963 when Bakshi made an offer of resignation, Nehru seized the opportunity. The people of Kashmir were now hopeful that civil liberties would be restored. However, this was not to be so. Bakshi somehow managed to place his own protege, Shamsuddin, as Prime Minister of Jammu and Kashmir. This was however not to last for long as finally under great stress, riots broke out. The immediate cause for these riots was the theft of a sacred relic, the *Hazratbal*, which was allegedly a

¹⁶¹Punjabi, Riyaz, "Kashmir: The Bruised Identity" in Raju G.CThomas, ed. Perspectives on Kashmir: The Roots of Conflict in South Asia, Boulder: Westview Press, 1992:142.

¹⁶²Punjabi, 1992:142.

piece of hair from the Prophet Mohammed's head. However, the mysterious disappearance, and then reappearance of this relic, incited riots, and the government was overthrown, to be replaced by a new government under G.M. Sadiq. It was hoped that under the new government, Sadiq, there would be some positive changes, but instead the extension of Articles 356 and 357 to Kashmir further limited the autonomy of the states, and angered the Kashmiris. Erosion of Article 370 occurred in 1964 when India announced that Article 357 and Article 365 would also be applicable to Kashmir. This eroded Kashmir's special status in the Indian union, and therefore was viewed as a betrayal both by Pakistan and by Kashmiris themselves.¹⁶³

This alienated the Muslims who now believed that India wanted to hold them down by force. Additionally, the National Conference under Sadiq was dissolved in 1965 in order to make room for the Congress party (that is, the National Conference was to be replaced by the Congress party). This further angered the Muslims of the state for whom the National Conference held a symbolic meaning of freedom. The National Conference had enjoyed glorious traditions, and evoked patriotism, and sacrifice. Therefore, the abolition of this party alienated the Muslims even further, and a peaceful integration with India was more and more impossible.¹⁶⁴ Furthermore, the games played by the center in terms of propping up governments which would support the center made the democratic project in Kashmir seem a little unbelievable. When Sheikh Abdullah was no longer supporting the Congress, he was thrown out of power to be replaced by the corrupt and inept Bakshi. Bakshi's actions, though clearly intolerable,

¹⁶³Cheema, 1992:105.

¹⁶⁴Bazaz, 1967:91-93.

were tolerated by the center until it realized that he was no longer of use to them. Bakshi was promptly thrown in jail, to be replaced by Sadiq who also supported the Congress. These moves by the center were key in alienating the population and ensured that integration with India was become more unattainable, as democracy looked rather elusive.

Various other meetings to resolve this conflict were held through the 1950's with no concrete, peaceful resolutions being passed. Being constantly turned down by India, the then President of Pakistan, Ayub Khan turned to other strategies to capture Kashmir. He supported China in the traumatic Sino-Indian war of 1962. However, more importantly, he decided that military action was the only way to seize Kashmir. He formulated a plan of action called "Operation Gibraltar". This operation was divided into two phases. The first phase of the operation was commenced in January, 1965. To test Indian resistance, Khan embarked on border skirmishes in a region called Rann of Kutch in Gujarat. The Indians refusing to be drawn into a war over such an unstrategic area, referred the matter to the U.N. However, the end of the problem was not in sight.¹⁶⁵

In September 1965, Pakistan launched the second phase of "Operation Gibraltar". Ayub Khan sent Pakistani guerrillas into Kashmir to trigger an internal rebellion. As yet another cease-fire was being arranged by the U.N., this time India broke the rules and sent a counter-offensive further south on the Pakistani border. Meanwhile, both U. S. and Britain, highly upset over the deteriorating situation in the subcontinent, cut off arms shipments to both India and Pakistan. After another meaningless and indecisive war, yet another U.N. resolution was passed by the Security Council, with U.S., British, and U.S.S.R support, calling for an immediate withdrawal of troops

¹⁶⁵ Ganguly, 1990:60.

by both India and Pakistan. In February 1966, a peace conference was held at Tashkent, in Soviet Central Asia, under Soviet funding. This Tashkent Agreement restored the India-Pakistani international boundary and the cease-fire line in Kashmir hoping for an end to the long and dreary conflict.¹⁶⁶

Peace was short-lived. In 1971, war broke out yet for the third successive time between the two bellicose and uncompromising nations. This time the issue did not deal directly with Kashmir, but involved Pakistan's eastern wing, East Pakistan. India decided to help the Bengali nationalists who wanted to secede from Pakistan. The war resulted with the emergence of Bangladesh. Although this war saw only limited military conflict in Kashmir, it was nevertheless crucial in further cementing the differences between Pakistan and India. While India saw its role in the conflict as merely "helping" out a distressed group of people, Pakistan saw India's complicity as a direct threat to Pakistan, and the desire for India to eliminate Pakistan. Certainly both sides do have merits, yet this only further exacerbated the differences between the two parties for whom reconciliation was becoming more of an adumbration than a reality.

Post-Simla Accord

In 1972, Indira Gandhi, the then Prime Minister of India and Zulfikar Ali Bhutto, Prime Minister of Pakistan, met in Simla, an Indian hill resort, to try and settle the issue once and for all. They signed the "Simla Accord", an agreement which is the basis for argument even today. The second paragraph of the agreement stated that "*the two countries are resolved to settle their differences by peaceful means through bilateral negotiations or by*

¹⁶⁶Birdwood:1956:58.

any other peaceful means mutually agreed upon by them."¹⁶⁷ While India reads this paragraph to mean that both countries would resolve the issue of Kashmir without a third party arbitrator, Pakistan insists that such an interpretation was unacceptable because it limited its choices, and therefore repudiates its national sovereignty.

Despite varying interpretations of the Simla Agreement, the period between the Simla Agreement and 1983 was relatively quiet. Of key importance in these quieter years was the re-entry of Sheikh Abdullah to power. In 1975, he signed an accord with Indira Gandhi, the Prime Minister of India, who upon the death of Prime Minister Lal Bahadur Shastri, took over power. Abdullah returned to power after almost twenty years of being away from politics. Having signed the Simla accord with the Pakistani government, the Indians had received a guarantee from the Pakistani government that it would not use force in Kashmir, and that the two countries would meet again for a "final settlement of Jammu and Kashmir."¹⁶⁸ This was the time for India to re-open negotiations with Sheikh Abdullah, who signed an agreement with Delhi in 1975 that Kashmir was a "constituent unit of the Union of India" and that "no law made by the Legislature of the State of Jammu and Kashmir seeking to make any change in...the constitution of the state of Jammu and Kashmir...shall take effect unless the Bill...receives (President of India's) assent." Also the Indian Parliament would continue to have power to make laws to prevent activities which disrupted the sovereignty of India. In return, Article 370 was kept alive. Furthermore, the Congress Chief Minister, Syed Mir Qasim resigned

¹⁶⁷Ganguly, 1990:62.

¹⁶⁸Varshney, Ashutosh, "Three Compromised Nationalisms: Why Kashmir has been a Problem" in Raju G.CThomas, ed. Perspectives on Kashmir: The Roots of Conflict in South Asia, Boulder: Westview Press, 1992:217.

and Abdullah succeeded him. This negotiation did not lead to any significant protest in the Valley. Furthermore, elections in 1977, further legitimated Abdullah's position, and he won overwhelmingly.¹⁶⁹

Post-1982

Such tranquillity continued and upon his death in 1982, Abdullah's son Farooq Abdullah took over and won the 1983 elections with great fervor. He challenged not only the Congress party but also its central leadership. He was seen to be the beacon of hope against central government control. In this way, Farooq galvanized the Kashmiris, and succeeded in satisfying the long suppressed hatred of the central government. Farooq aligned himself with national opposition parties and formed the Opposition Conclave. However, this was the time of Mrs.Gandhi's centralizing drive, where she sought to undermine several state governments ruled by the opposition, and placed her own stooges in power. Defections were encouraged. Since Farooq was not in favor with the Congress, and was actually rousing popular sentiment against the Congress, on the grounds of national security and in a display of power, New Delhi violated the federal principle, ousted Farooq and placed G.M Shah, a Congress supporter, in power. This happened with defections being engineered by the Central government, and a group of twelve National conference legislators, led by Shah and supported by the Congress, formed a new government. However, in 1986, Shah was no longer seen to be in the national interest, so he was deposed and a new accord was signed between Farooq and the Rajiv Gandhi

¹⁶⁹Varshney, 1992:218.

government. He was then replaced again by Farooq who had done a volte face and signed an alliance with the Congress.¹⁷⁰

These series of incidents were traumatic to the people of Kashmir. Firstly, although Farooq had been popularly elected, when he was seen as a threat to the government, he was immediately dismissed by the Center on the flimsy excuse that he was a threat to national security. Clearly this was not indicative of democratic practices at work. To make matters worse, the defection of Farooq to sign a deal with the Congress made the Kashmiri people more angry.

The events between 1983-1989 culminated in riots in 1989 with the rigging of elections. Already disheartened by the turn of events concerning Farooq, and the obvious disregard of the central government of democratic principles, the rigging of the 1989 elections ended the tolerance of the Kashmiri people.

Several Islamic groups had been in existence since independence. However, they were not really a potent force in elections. For example, one of the largest groups, the Jamaat-i-Islami had won only 5 seats in the 1972 elections, 1 in 1978, and none in 1983.¹⁷¹ However, with the activities of the center and the growing fundamentalisation of the Islamic movement, the power of such groups was growing. In 1987 new elections were held, and this election was crucial in determining the turn of Kashmiri politics. A new group, the Muslim United Front had gained momentum. The Muslim United Front (MUF) was a conglomeration of various small opposition groups. However, in opposition was the National Conference under Farooq and the Congress. They successfully rigged the elections and won

¹⁷⁰Punjabi, 1992:148

¹⁷¹Varshney, 1990:220.

overwhelmingly. This disenchanted the people, and following lack of funds and other economic problems, erupted in 1989.¹⁷²

The reaction to this blatant violation of democratic principles angered the Muslims. Some of the candidates from the MUF then went on to join various extremist groups. Later on that year, Muslim fundamentalists burned the Indian flag, and called Farooq a traitor, and anti-Farooq sentiment intensified with the suppression of these riots. However, with Congress support, Farooq continued to rule without legitimacy. The sanctity of the electoral process was at an all time low.

Interestingly, this was also the time when Pakistan had a military revival. India's response to the uprisings have been brutal.¹⁷³ The years of 1983-1991, according to Varshney (1990), was the time of abusive secular nationalism, which led to a rekindling of Kashmiri nationalism. The Congress under Narasimha Rao has managed to do no better than previous governments. Political conservatives within India tend to limit the options of the ruling party, and this has been no exception. Such conservatives oppose any sort of concessions to the separatists. Within the Congress itself, Rao is under jeopardy as there are different dynamics and politics of dissension within the Congress.¹⁷⁴

India has increasingly suffered from internal political crisis including rising inter-caste tensions, and the Hindu Muslim tension over the Ayodhya mosque issue. This led to the eventual dissolution of the V.P. Singh administration which had pledged a "military defense" of Kashmir, and was unwilling to allow for neutral surveillance. In May 1990, thousands of Kashmiris from Azad crossed over to the Indian side, and almost started

¹⁷²Punjabi, 1990:150.

¹⁷³Varshney, 1990:221.

¹⁷⁴Wirsing, 1994:170.

another war, but this was also defused. However, in the summer of 1990, once again some gunmen killed a leading Kashmiri cleric, Maulvi Farooq leading to increased rioting. This was further suppressed brutally by the Indian army, further alienating the Muslims. Subsequently, the Singh government was dismissed to be taken over by the Chandrashekhar government.¹⁷⁵ However, no government has been able to handle this explosive issue which has a circular politics of alienation.

One of the major impacts of this uprising has been the mass exodus of Hindus. While the militants claim this is government-sponsored, the government claims that the militants have engaged in ethnic cleansing so as to have a complete and total majority of Muslims in the areas who will then unanimously secede to Pakistan. Anywhere from 150,000-200,000 Kashmiri Pandits have fled the Valley.¹⁷⁶

The Militant Groups

A very important set of actors in this conflict is the various militant groups that are present. There are six identified militant groups, of which only one is pro-independence, the Jammu and Liberation Front (JKLF). The other five, the Hizb-ul Mujahideen, Al Jehad, Al Barq, Ikhwan ul-Musalmeen and Al Umar Mujahideen are all pro accession.¹⁷⁷ Active membership is estimated at 5,000 while India claims that there are an equal number attempting to cross the border.¹⁷⁸ It is interesting to note that out of all the different groups which are present, none of them considers accession

¹⁷⁵Malik, Iftikhar, H., "The Kashmir Dispute: A Cul-de-Sac in Indo-Pak relations", in Raju G.CThomas, ed. Perspectives on Kashmir: The Roots of Conflict in South Asia, Boulder: Westview Press, 1992:312.

¹⁷⁶Wirsing, 1994:141.

¹⁷⁷Wirsing, 1994:141.

¹⁷⁸Ganguly, 1990:62.

to India. Certainly, this goes to demonstrate the absolute unacceptance of India as the country with which they desire to be associated.

Of the six, the first two, the JKLF and the HMJK, are the most important groups in the Valley. The JKLF espouses a more moderate brand of Islam, and is more popular of the two, but the HMJK is considered to be better patronized by Pakistan, and is therefore more effective, and feared.¹⁷⁹ The violence between the groups themselves has been troublesome and has supplied India with numerous opportunities for playing one off against another. New Delhi was however ineffectual in using the divide and rule strategy as espoused by the British between the two rival groups, JKLF and HMJK.¹⁸⁰ Irrespective of any other factor, one has to concede that the militants, though voicing their strong views, are sacrificing not only their lives for what they believe is a just cause, but they also take along with them, the lives of an equal number, if not more, of Kashmiri Pundits and Kashmiri Muslims. It has been estimated that somewhere between 150,000-200,000 Kashmiri Pundits have fled the valley. A total of 37,058 Hindu families have fled the valley between 1990 and 1993 alone, with the death toll of Hindus for the same period is about 350.¹⁸¹ Given that these are figures released by the Government of India, it can be surmised that these figures are probably rather conservative, and there are probably a lot more casualties.

Causes of the Kashmir Conflict

Varshney suggests at least four factors for ethnic and nationalist revivals. These include the fact that several ethnic groups cut across various international boundaries, or spread across regional boundaries with another

¹⁷⁹Wirsing, 1994:132.

¹⁸⁰Kadian, 1993:150.

¹⁸¹Wirsing, 1994:150. (Source: Ministry of Home Affairs, Government of India)

state. These groups when clamoring to be together are objects of national repression. Secondly, partisan leaders reconstruct histories with selective stories engineered to promote their cause. Thirdly, weapons of deadly potential are in mass availability. Fourthly, the spread of informational technology imparts a new emotional intensity.¹⁸² All four of these factors apply to the case of Kashmir.

It has been overwhelmingly suggested that at the core of the conflict lies three main problems. Religious nationalism represented by Pakistan, secular nationalism by India and ethnic nationalism in the identity of Kashmiriyat.¹⁸³ In addition to the above factors, some other factors which have been suggested as important contributors to the conflict are the potent combination of the heavy handedness of the Center, rigged elections, Pakistan's involvement, and also a result of the history of separatist politics in the state.¹⁸⁴ Certainly none of the above factors singularly determined the course of action, but it is my contention that if not for the actions of the center which have been neither secular nor democratic, the existence of the current crisis in Kashmir would be seriously in doubt.

(i) Partition: The British Factor

One of the causes of the current crisis in Kashmir is attributed to the time during independence when controversy surrounded the entire issue of partition. There are many different ideas surrounding the British influence during partition. Some scholars suggest that the British favored the Muslims following the old imperialistic policy of Divide and Rule, and therefore the British were directly responsible for partition itself.¹⁸⁵

¹⁸²Varshney, 1992:192.

¹⁸³Varshney, 1992:196.

¹⁸⁴Wirsing, 1994:118.

¹⁸⁵Callard, Keith, Pakistan's Foreign Policy: An Interpretation, New York, 1957:14-15.

However, more popular is the view that partition occurred mostly because of the intrasincere of both the Congress and the Muslim League, therefore absolving the British of any blame and placing the reason for partition within India.¹⁸⁶ Aside from the issue of partition itself, the way the British handled the issues surrounding partition itself has come under considerable scrutiny. It has been suggested that Lord Mountbatten was not particularly impartial in the issue, and would have preferred if India retained control of Kashmir.¹⁸⁷ This no doubt angered the Pakistanis who felt that such a bias was unfair and detrimental to them. This made the issue of Kashmir a more important one to fight for.

No doubt, the conflict even in the incipient stages was only part of the larger problems facing India. The question of Pakistan's aggression in the beginning is inextricably linked to the fraudulent accession which took place.¹⁸⁸ Pakistan claims that long before the events leading up to the Security Council resolution, and Pakistani troops had entered the state, the people of Kashmir had revolted against the monarch, and created what is now known as Azad Kashmir. According to some scholars, Maharaja Hari Singh had no right to accede to anyone, either India or Pakistan, because long before he had lost his sovereignty, when people in the area had risen in revolt against him.¹⁸⁹ However, clearly this argument is on highly tenuous ground because merely because a people revolt does not mean the ruler of the land has lost his sovereignty over them. Clearly, this argument is not entirely persuasive.

¹⁸⁶Pillai, K.Raman, The Political Triangle, New Delhi: Young India Publications, 1970:20.

¹⁸⁷Wirsing, 1994:47.

¹⁸⁸Beg, Aziz, The Wailing Vale, Lahore: Babur and Amer Publications, 1969:156.

¹⁸⁹Beg, 1969:157.

Additionally, one of the criticisms leveled against Nehru is his apparent unacceptance of the very creation of Pakistan. It is alleged that historically Nehru never accepted the two nation theory and was reported to have said "one day integration will inevitably come. It will be in four, five, ten years- I do not know." Furthermore, he is supposed to have said that, "Indo-Pakistan confederation remains our ultimate aim."¹⁹⁰ This has for long been a grudge against not only Nehru, but against most Indians. This seeming unacceptance of the existence of Pakistan, threatens Pakistan in some way. Therefore, since Nehru challenged the very existence of Pakistan, and Kashmir was indicative of the secular project in India, it for long has been a bone of contention between the two warring parties.

(ii) Cold War Alliances

The global cold war has also affected the status of Kashmir. Conditions which preceded the second war between India and Pakistan in 1965 were different. By this time, both India and Pakistan had acquired military equipment from the United States and the Soviet Union. Keeping in line with cold war loyalties, the United States was fearful of Chinese communism in the area, and therefore supported Pakistan by providing arms and aid. The Western countries were fearful of the proclaimed socialist agenda of the Indian government, and India was seen to be pro-communist.

Additionally, Western leaders piqued by Nehru's non-alignment tended to support Pakistan and therefore did not support India in any of the U.N Security Council meetings. Likewise, the Soviet Union, merely because the West opposed India, took up India's cause.¹⁹¹

¹⁹⁰Beg, 1969:176.

¹⁹¹Rizvi, Gowher, "India, Pakistan and the Kashmir Problem" in Raju G.CThomas, ed. Perspectives on Kashmir: The Roots of Conflict in South Asia, Boulder: Westview Press, 1992:54.

Rizvi states that initially Nehru's commitment to the plebiscite was genuine, but he succumbed to domestic pressures as well as foreign pressures created by the Cold war.¹⁹² (This has been discussed earlier on in the paper. For example, when Pakistan signed the South East Asian regional treaty, Nehru believed that this treaty affected regional security, and therefore withdrew his offer of a plebiscite). Therefore, the cold war was an important factor in determining the continuation of the crisis in Kashmir. As has been shown, the support of Pakistan by the West, and therefore, the Soviet support of India, was a factor in the early stages of the Kashmir conflict, as in the Security Council decisions, India was supported by the Soviets, while Pakistan was supported by the United States. Additionally, the fact that the United States was giving aid to Pakistan angered the Indians and made them more hostile to reaching a settlement with the government of Pakistan.

(iii) Internal Politics

The existence and continuance of the crisis can also be traced to the internal politics of both the warring nations. As far as Pakistan is concerned, patterns show that most politicians use this issue as the crucial pawn in coming to power. The minute any Pakistani politician shows any sign of wavering on the issue (as Benazir Bhutto was often accused of doing), he/she loses popular support. It may be then derived that one main issue of election propaganda was the issue of Kashmir, and the more harsh the politician was on India, the more secure they were of obtaining the popular vote. In addition, Pakistan's historical claim to Kashmir, (based on the fact that Kashmir's large Muslim population rightfully belong with their brethren in Pakistan), forms the Pakistani platform.

¹⁹²Rizvi, 1992:74.

On the Indian front, initially, Nehru was attacked by communal politicians in the 1950s. This reinforced Sheikh Abdullah's beliefs that Kashmir would never be safe under India's control, and he started to lobby for independence. This desire was further fueled when various sectarian political parties which included the newly formed Jana Sangh, the Hindu Mahasabha, the Rashtriya Swayamsevak Sangh, (RSS) and the Akali Dal joined hands with the Jammu Praja Parishad, another Kashmiri communalist group to reverse Kashmir's autonomous status in the early 1950s.¹⁹³

Furthermore, over time, India's politicians have also been using the issue to win elections, and using this communal war cry have succeeded in convincing a majority of the Hindu population that it is imperative to reconsider the special status given to not only Kashmir, but also to Muslims as a whole. This has resulted in threats to the Pakistanis that if Pakistan liberates, it runs the risk of hurting 30 times as many Muslims as it saves.¹⁹⁴

There is an interesting dichotomy. On the one hand, Kashmir is a central reason proving India's secularity. Therefore, India needs to retain Kashmir, yet, on the other hand letting go of Kashmir could signify a tragedy of a greater magnitude, including a possible Hindu backlash.¹⁹⁵ The traditional argument given by Hindu nationalist parties such as the Bharatiya Janata Party (BJP) is that if Kashmir is to secede to Pakistan because it has a Muslim majority population then Pakistan must be willing to also accept the other Muslims of India as well.¹⁹⁶ These internal politics where

¹⁹³Rizvi, 1992:54.

¹⁹⁴Varshney, 1992:200.

¹⁹⁵Varshney, 1992:203.

¹⁹⁶Thomas, 1992:14.

there has been a revitalization of the Hindu movement, (in contrast to the fear of the minorities), have succeeded in exacerbating the conflict.

(iv) Center-State Relations

Contrary to popular conception in India that the current crisis in Kashmir is motivated by Pakistan, there is sufficient evidence to prove that the problem in Kashmir is not one of sponsored terrorism. Instead, one can assign blame squarely to the Indian leaders who are guilty of "political mismanagement" and "violence and brutality" in the state, which led to the revolt.¹⁹⁷ The crisis in Kashmir did not occur because of any one political event or mishap, but was created by undue interference by the Center in the state.¹⁹⁸ The lack of democratic principles in the form of rigged elections, communal politics and over-centralization of the Center has led to the conflict.

There is no denial of the fact that there exists a corrupt hierarchical structure of Center-State relations. As stated by Balraj Puri, "New Delhi's policy on Kashmir has been vacillating from one extreme to another; from complete trust of its people to complete distrust, from treating them as a special category to treating them as colonial subjects."¹⁹⁹ The determination of the Center in New Delhi, especially under Indira Gandhi, and her son, Rajiv Gandhi, to obtain complete control, and subsequent regionalization of states has been well documented. The Congress (I) under the Gandhi's constantly forged questionable alliances with leaders in the states where the Congress (I) did not have a substantial constituency. Evidence of this can be clearly seen in the alliance in 1986 between the Congress (I), and the National Conference. In addition, in the elections of March 1987, the coalition

¹⁹⁷Wirsing, 1994:115.

¹⁹⁸Varshney, 1992:208.

¹⁹⁹ Puri, Balraj, *Economic and Political Weekly*, February 8, 1986:245.

between the Congress (I), and the National Conference rigged the election process, and ruined the chances of the Muslim United Front. This trickery, and absolute deceit convinced the Kashmiris, and rightly so, that the Center had no regard whatsoever for democracy, and ethical practices, and were willing to compromise the interests of the state for fulfillment of their goals.

Almost every election in Kashmir has been rigged except the 1977 one and to some extent the 1983 elections. Additionally, until 1979, fundamental rights under Articles 19 and 22 of the Indian constitution which guaranteed basic civil liberties such as freedom of speech, protection against arbitrary arrest etc., did not apply to Kashmir. Subsequently, the 1987 election in Kashmir was rigged, and there was fraud combined with repressive tactics.

Article 370 of the Indian constitution limited the state's accession to defense, foreign affairs and communications. However, other provisions could only be extended with the concurrence of the state government. However, this concurrence was instead installed though rigged polls. In 1986, the Governor of the state, Jagmohan, appointed by the central government, "concurred" to extend Article 249 to Kashmir, which gave the Parliament the right to legislate even a matter pertaining to the state, merely on the resolution of the Upper House of Congress in India, the Rajya Sabha. This denied the autonomous position of the Kashmiris as promised by Nehru. To make matters worse, this was done in secret.²⁰⁰

This weakening of India's institutions (except the growing Center) evidenced by the power politics exercised by the Gandhi regime, where local governments which did not support the Center were toppled, the lack of an effective channel of voicing discontent etc., , lack of a nation wide leadership,

²⁰⁰Noorani A.G., "The Betrayal of Kashmir: Pakistan's Duplicity and India's Complicity", in Raju G.CThomas, ed. Perspectives on Kashmir: The Roots of Conflict in South Asia, Boulder: Westview Press, 1992:272.

and growing corruption have negated the existence of democracy in Kashmir and have certainly slowed the process of normalization in Kashmir.

The Congress party which has also suffered several routs in several state elections find it vitally necessary to somehow retain control of Kashmir. The steady organizational decline of the Congress ensured that the Congress ought to make inroads in states where the party lacked a constituency and dubious alliances were forced . The Congress-Conference alliance of 1987 was an example of this. These elections demonstrated two things. One, the Center could at will take over the power of a state and had little morality and would resort to unfair electoral practices. This was therefore indicative of the lack of faith in democratic principles and federalism. Therefore, with channels of democracy thwarted, the Kashmiri dissidents felt that an insurgency was the only way they could respond to the Center's unfair and undemocratic practices.²⁰¹

(v) Religion: The Hindu-Islam Dichotomy

It has been suggested that Hinduism may be less of a potent factor to hold various Indian ethnic groups together, as a religion such as Islam can because while the former is a decentralized religion, Islam is a more centralized faith.²⁰² Islam, is a monotheistic religion, which perceives itself as the true faith, while Hinduism is a pantheistic religion, more of a philosophy than a religion. Therefore, Hinduism is more inclined to the separation of Church and state.

In the ideas of the founding fathers, including Gandhi, there was an innate belief in tolerance and accommodation of other religious beliefs.

²⁰¹Ganguly, Sumit, "The Prospects of War and Peace in Kashmir", in Raju G.CThomas, ed. Perspectives on Kashmir: The Roots of Conflict in South Asia, Boulder: Westview Press,1992:357.

²⁰²Thomas,1992:9.

Nehru strongly believed in the separation of church and state and saw that as an essential prerequisite for any modern state.²⁰³ However, this all encompassing nature of Hinduism has been perceived as a threat by other religions which feel as though this acceptance denies the legitimacy of their religion. This capacity of Hinduism to view other religions as merely offshoots of their religion is a problem.

However, Hinduism cannot do to Islam what it threatens to do to Sikhism, Jainism, Buddhism etc. Clearly Islam and Hinduism have been at odds with each other ever since the Mughal invasion of India. The proselytizing nature of Islam and its intolerance of the rigidity of its beliefs, (such as in the caste system, idol worship etc.) have placed it in an antagonistic relationship with Hinduism. In light of such factors, it would not be a surprising fact if indeed the Muslims and Hindus of Kashmir did not get along. However, ironically, in the Valley of Kashmir, prior to the current insurgency, the Muslims and Hindus have historically engaged in a good relationship. The Valley Kashmiri Muslims have been equally persecuted by Muslim Moghuls and Afghans, and therefore, they were more secular in their orientation, making them appear closer to their Hindu counterparts.²⁰⁴ However, over time there have been many inroads into this relationship.

However, at one level, the Kashmiri conflict can be divested as a response to the waves of ethnic subnationalism that have swept over India over the past decade. As recently as January 1990, the Kashmiri language was stripped of certain key words, and replaced with their Sanskrit (an ancient Indian language) counterpart. As stated by one political scientist, "*the roots*

²⁰³Thomas, 1992:12.

²⁰⁴Thomas, 1992:13.

of the crisis in Kashmir lie in the Kashmiri's people's fears for their national-cultural identity in the face of the aggressive advance of the Hindu/Hindi notion of nationalism in the country."²⁰⁵

(vi) Differences between India and Pakistan

It has been suggested that at the heart of the conflict is the differing ideologies of the pre-partition Indian Congress, and the Muslim League. After independence, the British wanted to create a confederal arrangement of three parts - Pakistan, India and Bangladesh. This plan was formulated under the Cabinet Mission Plan of 1946. However, while Jinnah and Gandhi agreed to it, Nehru was not amenable to such a plan, therefore forcing Jinnah to push for his separate country, Pakistan. For Nehru, the creation of states based on religious grounds was unacceptable in principle. However, for the Muslims of the All India Muslim League, they staunchly believed in the two nation theory for they felt that as long as they were part of India, they would never be treated equally and would always remain the oppressed minority. For the Indian National Congress, the two nation theory was completely unacceptable not only because this would imply that the Muslims who were left behind in India would always be aliens in a hostile country, but also, India's boundaries would constantly be under threat if there were to be large scale Muslim conversions to Muslim majority areas.²⁰⁶ This basic fundamental difference between the Muslim League and the Indian National Congress has always remained at the very crux of the conflict in Kashmir.

For India, Kashmir is of vital importance for if it loses Kashmir, it in effect would be admitting that its secular project has failed. The evolution of

²⁰⁵GN, *Economic and Political Weekly*, March 3, 1990:422.

²⁰⁶Thomas, 1992:18.

the identity of Kashmriyat, which is a Kashmiri identity which has evolved over a long period of time, and Hindus, Muslims, Sikhs, Buddhists and even Christians have contributed to the emergence of this identity. This unique identity has allowed for Muslims to exist in harmony with Hindus in the Valley, and has also made them very different from their co-religionists elsewhere. Similarly, the Hindus of Kashmir, also known as Kashmiri Pundits have developed their own identity, which makes them different from other Hindus in the country.²⁰⁷

Therefore, retaining Kashmir is of crucial importance to India to ensure the success of its secular project. However, conversely, for Pakistan, it also needs to prove that India's secular project is a sham to legitimate its own existence, that it was crucial for the creation of Pakistan since Hindus and Muslims cannot live amicably.

Wirsing (1994) is critical of the hypothesis that the uprising in post 1989 is "exclusively, or even primarily" the work of Pakistan.²⁰⁸ This notion is however very popular in India. However, it is clear that once the uprising took place, Pakistan participated and took full advantage of it. The incentive for the Pakistanis to gain control of Kashmir had not diminished since 1947. Particularly, in the 1989-90 uprising, there is evidence that support across the border came in the form of arms, aid and terrorist training camps.²⁰⁹ Additionally, as has been stated before, it could be of potential significance to Pakistan if the secular project in India fails for it would certainly legitimize, and make more profound the two nation theory espoused by the leaders of Pakistan.

²⁰⁷Punjabi, 1992:136.

²⁰⁸Wirsing, 1994:114.

²⁰⁹Mehta, Jagat, "Resolving Kashmir in the International Context of the 1990s", in Raju G.CThomas, ed. Perspectives on Kashmir: The Roots of Conflict in South Asia, Boulder: Westview Press, 1992:394.

(vii) Article 370 of the Indian Constitution

According to Article 370 of the Indian constitution, Kashmir's relations with the Government of India was restricted to control over defense and communications, while other powers were vested in the Government itself. However, the complete trivialization of Article 370 of the Indian Constitution has been an important aspect of the exacerbation of the conflict.

The Hindu Bharatiya Janata Party (BJP), along with certain other key parties (Hindu)have been trying to constantly repeal this article. In fact the earliest evidence which supports this claim can be seen on August 9, 1953, when Sheikh Abdullah was arrested. Subsequently, in more recent times, the appointment of the governor Jagmohan in January 1990, without consulting the wishes of the then Chief Minister, Farooq Abdullah clearly delegitimizes the special nature clause attributed to Kashmir.

On the other side of the debate, this privileged status accorded by Article 370 to Kashmir arouses resentment in other states. There is an overwhelming feeling amongst the Hindus of India, supported by the BJP that Muslims of India should not have a separate civil code, as well as should not have a separate Article to give it special powers not enjoyed by the other states. On the other hand, the Muslims of Kashmir feel that it is imperative for them to have certain powers, and control over their destiny. This basic conflict over Article 370 is an important factor in understanding the conflict.

(viii) Repression

It is clear by the numbers and strength of the demonstrations by the Kashmiri peoples (an example, on March 1, a million strong procession passed through the streets of Srinagar demanding independence)²¹⁰ that they definitely do not want to remain as part of India. However, the Indian Government in the form of the paramilitary, and the Indian army merely suppresses these peaceful marches by imposing curfews, and indulging in random shoot outs when these marches do take place. Certain investigative operations clearly demonstrate that these authorities fire indiscriminately on peaceful crowds of unarmed demonstrators. Every Kashmiri Muslim is equated with a militant.

India's brutal suppression of the conflict is amply demonstrated by the fact that India has deployed almost 350,000 men, including the Army, paramilitary forces of the Border Security Force (BSF) and the Central Reserve Police Force (CRPF) in order to suppress the revolt. Therefore in a population of only 2.5 million there are 350,000 armed officers, which would mean one armed Indian military personnel for every 3-4 Kashmiri youth.²¹¹ There are no state personnel involved, for they are seen as sympathetic to the cause, and additionally, there is enmity between the forces deployed by the Center and the state troops. Furthermore, the Indians have also invited armed Israeli commandos.

A four member team on behalf of the committee for initiative on Kashmir visited from March 12-16, 1990, to investigate the atrocities of the paramilitary. An excerpt from their report:

²¹⁰ Bose, Tapan; Mohan, Dinesh; Navlakha, Gautam; Banerjee, Sumanta; *Economic and Political Weekly*, March 31, 1990:650.

²¹¹Hussain, 1992:346.

"The team found, in the course of investigation, that these abuses (ones of indiscriminate killings, arbitrary arrests, unlawful searches, unprovoked assaults on peaceful demonstrators, and the complete dislocation of normal life due to imposition of curfew for months together; accompanied by raping, plundering, theft, and harassment) have been carried out by the official law enforcement personnel—the Central Reserve Police Force, the Border Security Force, and in certain cases, by the Indian army. That these cases of blatant violation of human rights were not isolated instances of aberrations, but operative extensions of an official policy was evident to the team members..."

Almost all descriptions of the Indian army in Kashmir, as given by foreign visitors as well as some Indians, report that the army in Kashmir is one of occupation. The contrast between the situation in the Punjab where there are some Sikhs in the army itself, and in this case, where there is total and complete alienation between paramilitary forces and the locals is obvious. The distrust of security forces is nearly complete, and this is unquestionably reciprocated.²¹² The daily counterinsurgency operations of the paramilitary only seeks to further widen this alienation. The suppression of the revolt has been brutal, and has elicited international condemnation of India's policies in Kashmir. Not only do the security forces engage in legal judicial punishments for terrorists, but it is the extra-judicial punishments which are truly stark. These include revenge killings, executions, assassinations, rape, arson, and torture. This fact has been amply documented by Kashmiri Muslims, Pakistani observers, and most importantly, by both Indian and foreign human rights groups.²¹³

The Government response and control of such atrocities has been abysmal and this government inaction amounts to government sponsorship of such activities. This completes the alienation of the Kashmiri Muslims from the "democratic" and "secular" state of India. The actions of these personnel needs to be rewarded with severe disciplinary action, however, the

²¹²Wirsing, 1994:154.

²¹³Wirsing, 1994:158.

Indian government justifies their actions by saying that the troops act in self defense.²¹⁴ It also justifies these actions by saying that such actions are needed to contain terrorism. Clearly, there can be exaggeration when reporting such facts, but the fact is the Center itself has all but acknowledged the excesses of the security forces, and clearly there have been violation of human rights in graphic forms. Given that torture and deprivation of civil rights is the norm in almost all of India particularly when dealing with secessionist movements, in Kashmir, according to a renowned civil libertarian in New Delhi, it was "absolutely universal" and only more "systematic and extreme" than in other parts of India.²¹⁵

In the 1989-90 conflict, while lip service was being paid to find a political solution to the problem, the Singh government, like the Gandhi governments before him, sought to suppress the revolt, and to authorize stronger steps toward counter insurgency, no matter how brutal the execution.²¹⁶

(ix) The Hindu Backlash

The Hindus of India have always felt threatened by the special conditions granted to Kashmir. Some of these which were passed in 1952, further aggravated the Indian public. These include the highly limited jurisdiction of the Indian Supreme Court in, a limited applicability of Article 352 of the Indian Constitution to Kashmir. Article 352 states that the President has a right to declare a state of emergency in case of invasion, or a threat to the stability of the country. However, even such an article, vital for national defense was limited because this could only occur in "at the request or with the concurrence of the government of the state." Additionally, there

²¹⁴ Bose, Mohan, Navlakha, Banerjee, 1990:652.

²¹⁵ Wirsing, 1994:160.

²¹⁶ Mehta, 1992:394.

was the use of a distinct flag, while no other state in India had this right to use a separate state flag, and lastly, the rights of Kashmiris to enjoy full fledged rights in the rest of India, while the citizens of India would have only limited rights in the state of Jammu and.²¹⁷ This bias toward Muslims has been a potent factor in rising Hindu fundamentalism and has therefore been a serious factor plaguing Indian politics. For one, the Hindus believe that far too many concessions are given to the minorities, including the Sikhs and the Muslims, and such discrimination has not benefited them. Therefore, extremely concerned, they have lobbied at all levels to reverse this discrimination and argue that despite the fact that they are the majority in India, they are also the ones suffering the most. No doubt, this is viewed with alarm by all other minorities including the Muslims, who therefore feel that the secular project in India is most certainly a sham.

Hindu nationalist feelings include a strong resentment against the states "pampering" of Muslims, and a generally negative impression of Muslims, including the suspicion that Muslims had an inherent loyalty to Pakistan, and Pakistan was engaging in terrorist activities in India. This pervasive Hindu nationalist mood which is distinctly anti-Muslim has only succeeded in further eroding secular values. Given this Hindu revivalist notion, it is not entirely improbable to believe Wirsing who states that "90% of India's Hindus would today back the BJP's election pledge to abolish Article 370, to bring all of India's states under the constitution of India, and would back the party's means to amend civil law to compel Muslims to a single civil code."²¹⁸

²¹⁷Kadian, 1993:108.

²¹⁸Wirsing, 1994:166.

(x) Economic Causes

Notwithstanding Article 370, Kashmir has not been treated any differently in terms of the hegemonic power structure which determines Center-state relations. As with other states, the Central government has become substantially more powerful than envisioned in the Constitution. It has a disproportionate control over finances, taxes, resources and foreign aid. By virtue of the several Five Year Plans organized and executed by the Planning Commission since independence, the Center determines which state receives aid, the size, and the distribution. Furthermore, it controls many key administrative, employment-generating services like the Indian Administrative Service, the Indian Police Service and the Indian Revenue Service. It also controls the paramilitary forces and the governors office in each state. This over-centralization has been resisted not only by Kashmir, but by several other states as well.

However, specifically to Kashmir, this over-centralization has hampered its economic growth. In addition to the other political grievances of the people of Kashmir, these economic controls only serve to exacerbate the problem. There is an outflow of finances from the state since most of the money is invested out of the state (the credit to deposit ratio is only 36%, the lowest in the country), there is a shortage of electric power despite the fact that it is the timber and water resources from Kashmir that are used for the rest of the country.²¹⁹

Additionally, such discrimination has been historical. As stated elsewhere in the thesis, following the dismissal of Sheikh Abdullah's government in 1953, the center has engaged in partisan politics, and has controlled the flow of finances to the state in order to retain support. For

²¹⁹Kadian, 1993:155-156.

example, the central assistance given to the state was disproportionately in the form of a loan, rather than a grant, in contrast to the Center's policies with other states.²²⁰ Furthermore there has been discrimination against the Muslims not only in terms of finances, but also in terms of employment. Overall in India, the Muslims tend to be the poorest sections of the population. The position of the Muslims have not improved since 1953. The Muslims of the state have no more than 13% share in central government jobs, and their share in services is less than 6%.²²¹ This has long been a point of contention for both the Indian Muslims as well as Pakistan who see this as a failure of the secular project.

Failure of the Secular Project?

Pasha (1992) suggests that the problem with India and secular principles is that secularism was never fully "internalized."²²² This means that as a mass ideology, secularism did not manage to retain control as the communal character of Indian politics demonstrates. But even as a state ideology, secularism has declined. Under Nehru, when the Congress had a monopoly of nationalist ideology, there was broad acceptance of secularism as part of Indian politics by the dominant political and social groups. However, this begins a decline with the death of Nehru, and exacerbated particularly under the regime of Indira Gandhi. Indira Gandhi time and time again used communal politics to maintain power. This has culminated in the rise of right-wing religious consciousness against some of the legacies of Nehru including affirmative action for the minorities, tolerance for other

²²⁰Punjabi, 1992:142.

²²¹Noorani, 1992:272.

²²²Pasha, Mustapha Kamal, "Beyond the Two Nation Divide: Kashmir and Resurgent Islam" in Raju G.CThomas, ed. Perspectives on Kashmir: The Roots of Conflict in South Asia, Boulder: Westview Press, 1992:376.

religions etc.²²³ Within Kashmir itself, the proponent of secularism was the National Conference. However with the erosion of the National Conference as a result of its own excesses in complicity with the Congress, the voice of secularism has also been losing ground in Kashmir.²²⁴

There has been a rise in Muslim fundamentalism, clearly indicating that the secular nature of Kashmir is being challenged. The mosque now serves as a place of worship as well as recruiting fundamentalists and militants. The cultural and political dimensions of religious life, like in the Punjab, have been reinvigorated. The exodus of many Hindu families from the region also is indicative of the failure of the secular project. This exodus of moderate Hindus has been allegedly matched by the import of armed right wing and fundamentalist Hindu organizations, including the Shiv Sena and the RSS. This importation has allegedly been encouraged and instituted by the Center.²²⁵

Pasha also suggests that it is not the growing fundamentalization of Islam which has resulted in such a chaotic state in Kashmir. However, it is the existing social situation where the Muslims have been in a continually repressed and disadvantaged position that has made them turn to their religion. He suggest that the "primordial sense of being and the restricted code have drawn heavily upon Islam which has always remained the primary source of identity for Muslims."²²⁶ Therefore, fundamentalists have emerged as a response to the inexorable social conditions, and it is certainly not something inherent to the religion itself.

²²³Pasha,1992:376.

²²⁴Pasha, 1992:376.

²²⁵Pasha, 1992:377.

²²⁶Pasha, 1992:372.

While the uprising has multiple roots and causes, and ignorance of any one issue is not academic, it is clear that the mismanagement and heavy handedness by the Center has resulted in alienation, and a decline in democratic and secular principles as espoused in the Constitution. If the Center had not engaged in rigging elections continually, or had not brutally suppressed the uprisings, and had respected the strong individual character of Kashmiriyat, there would not have been an erosion of secular and democratic principles, which could have perhaps prevented the escalation of the conflict.

Conclusion

The conflict has been phenomenal in the number of casualties suffered. Figures for the number of dead range from 6000 to 35,000 in the period 1988-1993. (The low figure is given by the government and the high figure by the militants)²²⁷ Additionally, of the 150,000 Hindus in the Valley, only a few thousand are left. The others have died or fled. On the other hand, the Muslims constitute a majority of deaths, at the hands of the armed forces. Both Hindus and Muslims feel betrayed by the government. While the Muslims feel "mutilated and defiled" by the government, the Hindus feel "uprooted and betrayed". However, both feel a great deal of anger toward the Center.²²⁸

For India, the issue has marked the erosion of both democratic principles as well as secularism. The inability of the Center to reach a political accommodation with the terrorists, and their willingness to resort to rigging elections etc., in an effort to hold power marks an erosion of

²²⁷Wirsing, 1994:138.

²²⁸Varshney, 1992:222.

democratic principles. Also, their inability to reach a political solution forces them to resort to the use of the Army. The Army has so far remained an apolitical institution, but is decreasingly less so, especially in the aftermath of Operation Blue Star.²²⁹ On the secular front, the rising Islamic fundamentalism has led to anti-Muslim attitudes and violence across the country.

In order to maintain its unity, India must somehow maintain, for the loss of Kashmir would perhaps mark the beginning of the disintegration of India. Varshney's (1992) prognosis for India's existence as a secular democracy is perhaps not good. According to him, India's secular national polity functions in an environment of a liberal democracy. It was Nehru's commitment to democratic liberal principles that made Nehru offer plebiscite to the Kashmiris. But soon nationalism defined the limits of liberalism. Does liberalism also include the freedom to secede? If it does not let a people secede then people are not free to choose their rulers. But if it does concede freedom to secede it becomes a "lofty but bloodless principle" for people outside the areas of secession. Therefore, for Varshney, a liberal democracy can only function only where a nation has already been constructed.²³⁰ Certainly this seems true in the case of India.

Over the years, India has constantly accused Pakistan of aiding the militants in Kashmir. Although Pakistan formally denies these charges, there are certain pieces of evidence that demonstrate Pakistani involvement in the insurgency. There are certain international press reports which

²²⁹Ganguly, 1992:365.

²³⁰Varshney, 1992:197.

suggest existence of sanctuaries for insurgents in Pakistan Occupied, or Azad Kashmir.²³¹

India has to wake up to the fact that the crisis in Kashmir is not solely the result of impoverishment, unemployment and such things. It is equally not the result of some fanatic Islamic fundamentalists who want to break up the secular democracy of India. The problems are within India and India has to abide by the promise made by Nehru on November 2, 1947, "...the fate of Kashmir is ultimately to be decided by the people. That pledge we have given not only to the people of Kashmir, but to the whole world."²³² New Delhi also has to realize that a measured and relentless use of force will not keep the Kashmir Valley within the Indian Union. The fact is that no Kashmiri Muslim wants to remain part of India. The more efforts and more troops New Delhi sends to Kashmir with the hope of suppressing the Kashmiri right to self determination, results in the peoples sympathizing with militants, and supporting them. Abhorring the atrocities that have been executed by the Indian troops, the Kashmiri people have no desire whatsoever to remain with India. The point remains that, with its large Muslim population, Kashmir can no longer be used as a litmus test of India's secular form of government.

By that same token, Pakistan should realize that the current insurgency is not an automatic indication that Kashmir wants to accede to Pakistan. This is best exemplified by the cry, "We want freedom."²³³

²³¹ Barbara Crossette, "Bhutto is Dismissed in Kashmir after 20 months,", *The New York Times*, Aug 7, 1990:2.

²³² GN, "Defending National Cultural Identity", *Economic & Political Weekly*, March 3, 1990:423.

²³³ Bose, Mohan, Navlakha, Banerjee, "India's Kashmir War", *Economic & Political Weekly*, March 31, 1990:656.

Kashmir has also become a litmus test for patriotism in Pakistan. Religion cannot become the only basis by which Pakistanis can decide that Kashmir rightfully belongs to them. Admittedly, the overwhelming Muslim majority in Kashmir does share the same religion, as Pakistan, Islam. However, the cries of the Kashmiri Muslims, as well as the militants from the Jammu & Liberation Front (JKLF) are clear. As stated clearly by one militant from the JKLF in an interview ²³⁴,

"We will not accept anything less than independence. We are not bent on winning elections and getting seats. Our armed struggle is for independence in. Kashmir.."

A few months ago, the ex-Prime Minister of Pakistan brazenly talked of a 1,000 year war to wrench Kashmir from India. To counter this, her Indian counterpart, ex-Prime Minister V.P. Singh, equally callously and ignorantly warned that a local war ignited in Kashmir by Pakistani proxies would not even endure 1,000 hours.²³⁵ While indulging in such meaningless rhetoric, both countries have been in a war preparation phase since November 1989. They both are in an offensive-defensive stance, and the possibility of a pre-emptive strike looms in the back drop. Accompanying such bellicose rhetoric is the increased build up in military capabilities far in excess of any reasonable requirements. While in the rest of the world there is talk of disarmament and peace, India and Pakistan have raised their military expenditures. In 1987-88 alone, while India's defense spending was \$9,730 million, Pakistan's was \$2,540 million.²³⁶

²³⁴Javed Mir, (militant from JKLF), *India Today*, March 15, 1990:24.

²³⁵Sen Gupta, Bhabani, "Neither War nor Peace", *Far Eastern Economic Review*, 14 June, 1990:24.

²³⁶Mukerjee, Dilip, "Hi tech players in a dangerous game of catch", *Far Eastern Economic Review*, 9 June, 1988:32.

The truth is that neither Pakistan nor India can afford to have this war. If they both were to fight until all their objectives have been achieved (which is exactly what both governments claim they want to do), then claims are that such a war could easily last up to six weeks or even longer. Estimates have been made that even if the war was to last only 1,000 hours (the claim made by V.P.Singh, ex-Prime Minister of India), the cost for India alone would be Rs. 27,000 crore! This is assuming an Indian victory! Broadly speaking, estimates have been made that compared to the 1971 war which was one of a low intensity conflict, and whose cost was Rs.200 crore a week, the current conflict, if escalated into a war would cost the Indian Government alone Rs.4,500 crores a week. Political scientists have then come to the conclusion that this cost would equal the current budget allocation for agriculture, rural development, energy, industry, minerals and social services, and will put the Indian economy back by a decade!²³⁷ (Such estimates from the Pakistani point of view were not available, but it is assumed that the costs would be the same in terms of lives lost, economic development programs foregone, etc.).

Fundamentally, the fact remains that war would be a calamity not only for Pakistan, but for India also. Both of them can ill afford to have a war at this time, while their internal political and economic state is floundering and in a complete disarray. While there is talk of war, the danger of a nuclear war exists horrifyingly in the background. Both India and Pakistan have nuclear capabilities, and the possibility of one of them using it as an ultimate hedge against defeat cannot be ruled out. The two sides are playing a classical game of nerves, and waiting for the other partner to blink. However, neither show any signs of doing so. International experts believe

²³⁷India Today, "Scary Scenario", June 30, 1990:34.

that scientists in both countries can rig a bomb in less than a week of getting the appropriate signals from their respective governments. While Pakistan has provisions for about 5-6 bombs, India has provisions for about 40-60. With the possibility of a long war becoming a nuclear-biological-chemical scenario, it has to be conceded that in such a game there are never any winners, and never any losers.²³⁸

It is time India and Pakistan reevaluated the situation. It is also time that the current governments really understood the complexity, and more importantly, the atrocities of their actions. While each exists just to demonstrate to the other the extent of its own power, they both seem to forget that they are not playing with their own lives. This dangerous game they are playing is to determine the fate of a peoples, all of whom want a fundamental, human right to self determination. The solution to this problem is not an easy one. This problem has been festering over the past forty years, and is more than just a territorial problem. I admit I cannot see a long term solution to this problem, at least one which will leave all three groups satisfied. However, I strongly believe that it is time that India and Pakistan stop using Kashmir as an outlet to air these differences. One thing is clear: there has to be a plebiscite, and this plebiscite has to be administered as soon as possible. Prior to this, however, India should withdraw all the paramilitary forces stationed in Kashmir, it must discontinue the "curfew-raj", and must punish all those security forces personnel who are guilty of killing innocent people, plundering, raping, and destroying property.

Admittedly if India does let Kashmir have a plebiscite, there will be an unleashing of fundamentalist passion all over the country. Punjab would be up and in arms, and the other insurgencies in Assam and Nagaland,

²³⁸ *India Today*, June 30, 1990:33.

amongst others would follow shortly. But as I have argued before, the Kashmiri people should *not* be made to suffer. These passions to a great extent have been unleashed by the Center by its obvious disregard for Kashmir, and by its corrupt regime. Kashmir can longer be part of India, and India has to come to terms with this.

Pakistan for its part must stop supporting any insurgency in Kashmir, by training militants, providing insurgency camps and shelters. Pakistan must also remove all the troops from the border, and must allow for plebiscite.

The U.N. should dispatch peacekeeping forces to the area, and if possible oversee the administering of a plebiscite. This would be by far the best solution to the crisis at hand. I do have to admit that assuming that this would be an easy task to accomplish would be highly utopic. India does not want to let go of Kashmir, irrespective of the circumstances, and Pakistan wants to seize Kashmir so that Muslim "brotherhood" can be established.

Other solutions to this problem could potentially be that India should seriously listen to the voice of the Kashmiri people, and to the best of their abilities try and redress the wrongs suffered. However, in my opinion, I believe that the Indian government has crossed all permissible boundaries, and irrespective of the situation, the Kashmiri people will not want to stay with India. However, assuming the impossible, even if Kashmir decides to stay with India, this is not the end of the problem because Pakistan would never allow this, and moreover, any solution would have to include a reassessment of federalism, secularism, and democracy in Indian politics. Center-state relations would have to assume a new dimension, and this would mean politicians would necessarily have to forego their personal interest to meet broader goals. This seems highly implausible.

The other extreme solution would be to have Kashmir accede to Pakistan. This would once again not solve the problem, but in fact would aggravate it. India will not let Kashmir accede to Pakistan not only because that would signify an end to the secular state of India, but also because Kashmir is of high strategic and military convenience to India.

There is no doubt in my mind whatsoever that the conflict has been a direct result of the over-interference by the Center in the state, a lack of truly democratic principles, and an erosion of secular values. Much like the case of Punjab, there seems to be only one choice left, a plebiscite in Kashmir to determine what the people want. This plebiscite, if granted, would somehow retrieve some of the democratic aspects of India's political structure. It may lose Kashmir, and in the process both Assam and the Punjab, but the blame for this is nowhere else to be found in the communal politics and lack of federal principles and democracy exercised by the center.

CHAPTER IV

CONCLUSION: THE FAILURE OF INDIA'S SECULAR DEMOCRACY?

The above discussion of the crises in both the Punjab and the Kashmir leaves us with a key question—is India a secular democracy? The actions of the Center in both states have clearly been undemocratic, repressive and the policies which have been enacted are alienating in nature.

From chapter 1, it is evident that there are some prerequisites for a democracy. These include a certain level of urbanization, a degree of economic development, literacy, politics based on compromise and cooperation, lack of corruption, lack of repression, and a provision for articulating demands made by groups through democratic channels. As far as the first two indicators are concerned, Punjab fares better than Kashmir. However, on the whole, both have increased their rates of literacy and have greater urbanization over the years from independence. Whether literacy and urbanization are important indicators of democracy are different questions altogether. I posit that while literacy and urbanization have been important for Western countries to democratize, it is not necessarily the only way to attain democracy. Of far more importance is the level of repression present in society, and the provision for channels to articulate demands. As is evident in both the Punjab and Kashmir case, on these two important counts, India fails to be a democracy.

Instead of providing black or white answers about the existence or lack of democracy, Diamond, Linz and Lipset suggest that the boundary between a democratic and undemocratic state is sometimes blurred and imperfect, and there lies a much broader variation of political systems. They therefore recognize various grades of democracy. They suggest that in countries

where the effective power of an elected official is limited, political party competition is restricted, freedom and/or fairness of elections compromised, that although there elections may be held, this competition still does not reflect actual popular preferences. Additionally, where political parties are so limited that some political interests are unable to compete, so far an almost accurate description of India today, that system is a semi-democratic system.²³⁹ So far then, according to Lipset et al., India has degenerated from being a democratic country, to a semi-democratic country. If actions are not taken to address the problems in both the Punjab and the Kashmir, and the role of the military is increased, India will continue the slide away from being a democracy. As stated by Stepan (1988), as long as there is rule by military governance, the question of the country being a democracy is highly tenable. The lack of democratic principles, intervention of the military, and lack of free and fair elections therefore leaves India in a very dubious position vis-à-vis the level of democracy.

The following table theorized by Lipset gives us some indication as to what how effective a democracy India is.²⁴⁰

Table 2
An Effective Democracy

		EFFECTIVENESS	
		+	-
LEGITIMACY	+	A	B
	-	C	D

Societies which would be included in category A would be countries like the United States, Sweden, and Britain which have both high legitimacy

²³⁹Diamond, Larry , Juan J.Linz, & Seymour Martin Lipset, eds., Politics in Developing Countries: Comparing Experiences with Democracy, Boulder: Lynne Rienner Publishers, 1990: 8.

²⁴⁰Lipset, Seymour Martin, "Some Social Requisites of Democracy: Economic Development and Political Legitimacy" in *The American Political Science Review*, 1967:90.

and effectiveness, and therefore have a stable democratic political system. Conversely, ineffective regimes are those in category D, which symbolizes an unstable regime, and would break down unless held down by force. I posit that in this schema of things, India under the rule of Nehru, from a period of 1947-1965 fell in category B where it was a legitimate government, but perhaps not a highly effective one. By contrast, post 1967, under the aegis of Indira Gandhi, and her son, Rajiv Gandhi, India has moved closer and closer into category D where it has lost its legitimacy, and is still not effective. This is especially true of the relationship of the Center with both states described in this thesis. Therefore according to this model, the democratic regime in India is highly unstable and could potentially "break down". As is obvious from the previous two chapters, both the Punjab and Kashmir have been held down by force.

Addressing the several theoretical issues raised in [Chapter 1](#) after having discussed the actual cases in the Punjab and Kashmir, would be a worthwhile exercise to see how well India measures up to the different standards of democracy.

Political Culture

With regards to the thesis that the political culture must be conducive to democracy, Dahl (1971), in particular, emphasizes the importance of a democratic culture among the elite especially in the early stages. Clearly in India, the commitment to liberal values and democracy existed since the first quarter of the nineteenth century. The independence movement was largely non-violent, and there was a professional bureaucratic system left by the British which was still largely intact and available for the Indians. An

idealized commitment of Western notions of liberal justice and welfare was part of the elite, Western educated culture.²⁴¹

The Indian National Congress espoused, "democratic rules of procedure, tolerance of adversaries and reconciliation of conflicting claims."²⁴² This was further emphasized by the Gandhian notion of *ahimsa*²⁴³ accommodation, religious tolerance and compromise.²⁴³ Therefore, colonialism was a crucible of India's democracy. Clearly, post 1947, there was a commitment to democracy, and this democracy was espoused by the elites and this early institutionalization of democratic principles under the Congress was crucial for the existence of democracy in India.

However, some scholars note that this commitment to democracy espoused by the Western educated elite could be characterized as "gift from the elite to the masses."²⁴⁴ This fact is reinforced by Saberwal who suggests that perhaps the reason for this crisis of governability is that, while after independence, India took over liberal Western attitudes, and the forms in terms of institutions, there have also been some serious difficulties, in "making commensurate adjustments in redefining and reconceptualizing attitudes, orientations and ideas."²⁴⁵ He suggests that institutions in India designed after Western models have no deep layer within Indian tradition. The endowment of cultural and institutional resources did not leave much in terms of usable material for constructing resilient and durable state structures. For example, the lack of a master institution such as the Catholic

²⁴¹Das Gupta, Jyotindra, in Larry Diamond , Juan J.Linz, & Seymour Martin Lipset, eds., Politics in Developing Countries: Comparing Experiences with Democracy, Boulder: Lynne Rienner Publishers, 1990: 232.

²⁴²*Ahimsa* espoused by Gandhi is the principle of non-violence.

²⁴³Das Gupta, 1990:232-233.

²⁴⁴Kohli, Atul,ed., India's Democracy: An Analysis of Changing State-Society Relations, Princeton: Princeton University Press, 1988:9.

²⁴⁵Saberwal, Satish, India: The Roots of Crisis, Delhi: Oxford University Press, 1986:8.

church has been one important differing factor between Europe and India. Therefore, the elements needed to sustain institutions with western design were not available.²⁴⁶

The Actions of the Political Elite - Post 1947

The big change in Indian politics occurred with the death of Nehru and with Indira Gandhi taking power. Since 1967 under Indira Gandhi, the capacity of the state to govern based on compromise and consensual politics has declined. Along with this decline, there has been an erosion of order, and the manifestation of this process has been activism outside of the established political channels. This has led to increased violence, and the growing incapacity of the state to deal with this violence has led to repression, problems of law and order, corruption and increased violence.

The blame for this decline in democratic principles, and the disintegration of the Congress is overwhelmingly pointed toward the dynastic Gandhi rule, especially under Indira Gandhi.²⁴⁷ The Congress under Indira Gandhi and Rajiv Gandhi was one based on personalistic rule and where members were selected not based on their level of competence, but instead in terms of their loyalty to the Gandhis. This fact has been amply documented in the literature (e.g., Kohli, 1990; Weiner, 1989; Saberwal, 1986; Das Gupta, 1990; Mathur, 1992; Mitra, 1990; Varshney, 1989; Manor 1988; Hart, 1988; Cohen, 1988).

What perhaps formally marked the decline of democratic rule was the Emergency period between 1975-1977 when Indira Gandhi suspended all civil and political liberties, muting opposition rule and voice, restricting the

²⁴⁶Saberwal, 1986:57.

²⁴⁷Kohli, Atul, citing Gramsci, in Democracy and Discontent: India's Growing Crisis of Governability, Cambridge: Cambridge University Press, 1990:5.

freedom of the press, by claiming that the security of India was at stake.²⁴⁸ Clearly, this was not entirely true, and as stated by Shouri (1978), this almost amounted to fascist rule.

Following the Emergency (1975-1977), although Indira Gandhi did hold elections, in which she massively lost, the absence of a viable alternative political party to hold power brought her back into power in the early 1980s. By this time, her deep desire to hold onto power no matter what the cost resulted in the decay of the Congress party as a party of democracy. Indira Gandhi "increasingly transformed the nature of the organization from an institutional mode of accommodation to an electoral instrument beholden to a ruling leadership."²⁴⁹ The only way for both Rajiv and Indira Gandhi to preserve their power was to rely on populism, and to undermine those institutions which were designed to facilitate orderly challenges. By making direct promises to the electorate, a leader can mobilize broad electoral support. Therefore, the destruction of institutional constraints left more control in the hands of the leader, and enabled the leader to engage in nepotism. Both Indira and Rajiv worked to increase their own personal power base rather than increase and strengthen government institutions.²⁵⁰ This is particularly true of Indira Gandhi and has been evidenced in her actions both toward the Punjab and Kashmir. In the Punjab, her disavowal of involvement with the moderate Sikh factions, yet her patronage and latent support of the radical Bhindranwale was a way for her to maintain power. Such political interference introduced widespread corruption, therefore leading to an erosion of democracy. Simultaneously, as these

²⁴⁸Weiner, Myron, The Indian Paradox: Essays in Indian Politics, New Delhi: Sage Publications, 1989:326.

²⁴⁹Das Gupta, 1990:235.

²⁵⁰Kohli, 1990:18.

institutions have weakened, non-institutional paths to leadership such as political inheritance have taken the place of established norms. This is evident following the assassination of Indira Gandhi in 1984, her son, Rajiv was unanimously "given" the position of Prime Minister and ruled head of the Congress party.

Therefore, the decay of political institutions was marked by the rise of Indira Gandhi to power, and her desire to control the reins of power marked the beginning of decline of secular politics. As is evident, the political culture was no longer conducive to democracy. With the death of Nehru, the commitment to democratic values by the leading elite was no longer valid, as it was now far more important to maintain power than to be committed to democratic values. Wherever there is centralization, democracy is threatened. As is obvious, under the Gandhis democracy was seriously hampered.

Socioeconomic Causes

The thesis that there must be some amount of economic wealth, and socioeconomic satisfaction before there can be democracy appears to be true in the case of India. (Lipset, 1967; Huntington, 1969) For example, Bardhan identifies three classes, the industrial capitalists, the rich farmers and bureaucrats and suggests that management of conflict among them has led to policies which have resulted in low capital accumulation and productivity and aimed at expanding patronage-inducing elements like food subsidies, public sector investment, and have therefore shown a bias for consumption rather than investment in order to garner support and votes.²⁵¹ This is

²⁵¹Mathur, Kuldeep, "The State and the Use of Coercive Power in India," *Asian Survey*, Vol. XXXII, No.4, April 1992:339, citing Pranab Bardhan, The Political Economy of Development in India, Oxford: Basil Blackwell, 1984.

obvious in both the Kashmir and the Punjab where the Planning Commission under Central government rule has ensured to keep both states in a dependent relationship vis-à-vis the Center. The Sikhs of Punjab were probably justified in feeling some anger in that since they were considered to be the bread basket of the country, the Center refused to undertake any major industrialization project in the Punjab. This is definitely a sore point for the Sikhs because they feel they are disadvantaged in relation to the rest of the country as a lack of their industrialization. Likewise the Muslims of Kashmir have been deprived of economic benefits which have been granted to the rest of India. Therefore, the Center has obviously and very blatantly attempted to stay in control of both states, furthering fueling the angst of these two groups of people.

Repression

The thesis that democracy cannot exist where there is military suppression once again holds true in the case of India. In 1984, there were at least 40 million Indians living under military law, making India one of the world's largest military-dominated democratic states.²⁵² The state in India has been too quick to adopt coercive methods in order to meet social challenges. The erosion of the political party system weakened state society relations and supported a widening police criminal politician nexus.²⁵³ For the state the first step in dealing with any sort of uprising in either the Punjab or the Kashmir has been to suspend civil rights, and the liberal democratic principles of the Indian political system tends to disappear at the

²⁵²Cohen, Stephen, P., "The Military and Indian Democracy," in Atul Kohli ed., India's Democracy: An Analysis of Changing State-Society Relations, Princeton: Princeton University Press, 1988:100.

²⁵³Mathur, 1992:348.

local level. Any threat is viewed as a blatant threat to the existence of the state and a challenge to the authority of the state. As documented in the case of Kashmir especially, there have been widespread abuses of power, and repressive prison administration.²⁵⁴ This is obviously not indicative of a democratic regime.

Clearly, the state in India is using force which may ensure short term compliance, but at the same time the frequency of its use may delegitimize the state. The lack of realization of this fact is indicative once again of the narrow, self serving desires of the political elite who have a desire to hold onto power no matter what the costs may be. Although the stability of a democratic state depends on the way it responds to social conflicts and the way it uses force, the political elite in India under the Gandhis failed to realize this and therefore contributed to the growing alienation of the polity. Additionally, while in the past India's military has been mostly apolitical, in the recent past, this is not true anymore, and the political activities of the Indian military, especially in light of Operation Blue Star has been growing.

Corruption

In India, political corruption is abundant. This does not bode well for democracy. In Robert Wade's study of corruption in India, he states that

*"The essential business of a state minister is not to make policy. It is to modify the application of rules and regulations on a particularistic basis, in return for money and/or loyalty."*²⁵⁵

As stated by both Dalpino (1990) and Diamond (1990) in their study of Thailand and Nigeria, corruption led to deep cynicism which in turn led to

²⁵⁴Mathur, 1992:347-348.

²⁵⁵Klitgaard, Robert, "Strategies for Reform," in Larry Diamond and Marc F. Plattner, eds., The Global Resurgence of Democracy, Baltimore: Johns Hopkins University Press, Baltimore, 1993:231.

the breakdown of democracy. Corruption in India is certainly not indicative of a democratic country. This corruption is also evident with the way governments are overthrown by the center when state governments are not in favor with the center. In the place of a hostile state government, a more acquiescent government is placed in power. This happened both with the Punjab and the Kashmir, especially with the latter on at least a few occasions.

Move away from a Secular State?

The following is a breakdown by religious orientation based on the 1981 census.²⁵⁶

Table 3
India's Religious Orientation

	Number	Percentage
Hindus	475,000,000	82.6%
Muslims	75,500,000	11.4%
Christians	16,200,000	2.4%
Sikhs	13,100,000	2.0%
Buddhists & Jains	7,900,000	1.2%

There are two types of secularism. The first one was espoused by men like Gandhi who believed in the intrinsic relationship between religion and politics, and those who attempted to separate religion and politics. For Gandhi, the latter "understood neither religion nor politics".²⁵⁷ Gandhi sought to be respectful to all religions and incorporated various religions into politics. In this way, secularism was an area in which the government and the people find a balance between religious beliefs and the demands of modern society.²⁵⁸ In contrast, Jawarharlal Nehru's concept of secularism involved a division between religion and politics. His commitment to

²⁵⁶Weiner, 1989:47.

²⁵⁷Malik, Yogendra K., & Dhirendra K.Vajpeyi citing Nandy, "The Rise of Hindu Militancy: India's Secular Democracy at Risk," *Asian Survey*, Vol.XXIX, No.3, March 1989:309.

²⁵⁸Malik & Vajpeyi, 1989:309.

rational scientific ideology denied the relevance of religion. The secular policy he designed for the Congress became the dominant paradigm for the entire country. According to this paradigm, there would be a division between religion and politics. Nehru believed that industrialization would erode the influence of religion as these religious and ethnic loyalties would be replaced by class identification. Although economic factors would aggravate social conflict, with modernization, the influence of religion would decline. This was supported by scholars such as Smelser, Parsons, Eisenstadt, and Shils who held that "constant interaction between cultural norms and the value structure of the center and periphery would result in integration of the peripheral communities into a larger network based on a cohesive value system."²⁵⁹ However, this has failed to come about in India, as in the absence of a common value system there is only a further division within society, between different religions. Political parties and their elites have secured votes on communal lines, and have therefore propagated these communal divisions.²⁶⁰ According to Malik et al., contrary to the belief that modernization would lead to erosion of traditional religious sentiments, politicization and mobilization has led to revival of religious identities, including Hindu fundamentalism.²⁶¹

Additionally, where also there are major ethnic and regional cleavages, the absence of provisions for decentralization of power feeds ethnic insecurity, and violent conflict, which may lead to secessionist demands. However, the resultant force of curbing these demands leads to a suppression of democracy. Unless resolved by political means which involve moderation, compromise and accommodation, through institutions such as

²⁵⁹Malik & Vajpeyi, 1989:311.

²⁶⁰Malik & Vajpeyi, 1989:311.

²⁶¹Malik & Vajpeyi, 1989:324.

autonomy, federalism, or even statehood within the union, there could be authority imposed by force, which leads to the deterioration of democratic rule. Also, a democratic Center could be questioned for its inefficiency in handling the secessionist crisis, therefore leading to military intervention, which once again leads to a decay of democratic rule.²⁶² Therefore, as cited by Das Gupta, "when ethnic leaders are allowed to share power, they generally act according to the rules of the regime".²⁶³ However, when the response to ethnic mobilization is repression and exclusion, violence is resultant, leading to the failure of democracy.²⁶⁴

Since the distribution of employment, education, wealth in India is determined by the Center and is determined by the political process, this translates into the fact that each ethnic group can improve its share of resources by increasing its political power. Therefore, ethnic groups try to strengthen their group identity to improve their well being by becoming more politicized. This has led to politicians appealing to communal divisions in order to get votes.²⁶⁵ The effect this has had on the secular project in India is detrimental.

Additionally, the role of the state in maintaining these ethnic tensions has fallen severely short. The recalcitrant Center especially under Indira Gandhi, could have accommodated these conflicts. However, instead of attempting to incorporate ethnic demands, which would have lead to successful management of the conflict, ethnic-based demands have been repressed. Such a policy has backfired on the government and has fueled the growing ethnic divisions. Prior to Indira Gandhi, rules for dealing with

²⁶²Diamond, Linz & Lipset, 1990:29.

²⁶³Das Gupta, 1990:262,

²⁶⁴Diamond, Linz & Lipset, 1990:29.

²⁶⁵Weiner, 1989:70.

Center-State conflicts included more inclusionary strategies as long as the demands were non-secessionist and secular. The state under Nehru accommodated itself to the diverse nature of Indian society. However, Mrs. Gandhi came to view accommodative strategies as a personal threat, and therefore, moved away from political accommodation to political confrontation.

This decline of secularism in India has been coupled with a rise in communalism. Communalism in India is "a consciousness which draws on a supposed religious identity and uses this as the basis for an ideology. It then demands political allegiance to a religious community and supports a program of political actions designed to further the interests of that political community."²⁶⁶

Contrasting Views

Despite all the features of an eroding Indian democratic polity, quite a few scholars are uneasy in suggesting that the democracy in India is "about to fall", and insist that India is a "functioning but strained democracy."²⁶⁷ These scholars suggests that despite all the problems, India's direction is "yet to be determined". Clearly, there exists troubled institutions in the form of greater corruption, lack of political parties, repression etc. However for these scholars, this does not mean that India is to disintegrate because they suggest, there are some elements of political and social change such as periodic elections that actually strengthen India's authority structure.²⁶⁸ For example, Kohli suggests that there may be secessionist movements, but the

²⁶⁶Thapar, Romila, "Imagined Religious Communities? Ancient History and the Modern Search for a Hindu Identity," *Modern Asian Studies* 23, 2, 1989:209.

²⁶⁷Kohli, 1988:315.

²⁶⁸Kohli, 1990:8.

basic existence of India as a political unit does not remain threatened. He suggests that as long as the armed forces are intact a further division of India is not likely.²⁶⁹ In response to such a claim, it is evident that resorting to the use of armed forces in order to maintain unity and stability is not indicative of a democratic state. Therefore although India may still remain as a unit, and may keep the various parts demanding secession under military rule, this does not make India a democratic country.

Another view which suggests that the problems faced by India are not a serious threat are put forth by Mitra (1991). He suggests that the challenges to democracy from political insurgency, intolerance of minorities, criminalization of politics and the rise of authoritarianism are not an accidental feature of Indian politics, but as a matter of fact, are very essential and "germane" to the fact that made democracy in India possible in the very first place, and are therefore not a problem. He suggests that the state which sustains Indian democracy appears to sustain regional conflicts by accommodating them, and then by localizing them.²⁷⁰ Mitra tends to suggests that the problems faced by India are not unique , and finds the Indian democracy to be rather robust. This optimistic characterization of democracy in India seems highly implausible when examining the evidence presented in Chapters 2 & 3. The Central government has not accommodated the conflicts in any way. Such accommodation would have led to a mitigation of the conflict. Clearly, the rise in violence and secessionist demands is indicative of the fact that the Center has not accommodated these people, and in contrast has very successfully alienated them. Additionally, merely by localizing a conflict does not make a state

²⁶⁹Kohli, 1990:13

²⁷⁰Mitra, Subhatra Kumar, "Crisis and resilience in Indian democracy," *International Social Science Journal*, v. 43, n.3 August 1991: 571.

democratic. Clearly, to a certain extent the state has managed to localize the conflict and prevent it from spreading. However, this localization has taken place at the expense of democracy in both the Punjab and Kashmir.

Another optimistic picture of the democratic polity in India is offered by Weiner (1989) who suggests that it is the conflict managing role of the Congress party which has been one of the key factors in sustaining democracy. While the governing leadership may be tempted to suspend democratic processes in order to consolidate power, there has also been a large and influential class of professionals who have a vested interest in sustaining democracy. Therefore, the primary reason for the continuance of India's democracy is political, and in the hands of a few elite.²⁷¹ I posit that this may be true in the rest of India, but the actions of the Center including those professionals who have a vested interest in maintaining a democratic state, has not translated into maintaining democracy for either the people of the Kashmir or the Punjab. As suggested before, the evidence offered in both the case of the Punjab and the Kashmir clearly shows that democracy has been effectively suspended in both states, and the focus has been containing the secessionist desires with force.

In conclusion, clearly the debate between the Marxists and the structural functionalists can be applied to the Indian situation. As this thesis has shown, it appears that the latter, most particularly, the ideas of Huntington seems to be more applicable to the Indian state. With independence, as the country started its process of development and moved from a traditional economy to a more modern one, new social groups were formed. These new groups had new demands on the central government. However, the various institutions of India have been unable to cope with

²⁷¹Weiner, 1989:33.

these various demands, and additionally, the organizational decay of the Indian Congress, along with the lack of an alternative political party to fill the vacuum has resulted in anomie and decay.

Interesting to note also is the fact that often times the religious demands made by the Sikhs and Muslims were granted, however, their economic demands were ignored. This resulted in the religious elements being fostered, leading to a growing politicization of religion. For example, in the Shahbano case in the late 1980s where a Muslim woman, Shahbano, filed a case against her divorced husband asking him for monetary support. The Supreme Court ruled in her favor, and ordered the husband to pay alimony. However, this was against the Muslim's personal code of *Sharia* where the husband is no longer responsible for his divorced wife, but she becomes the responsibility of her family. However, in the Indian constitution, there is a provision for the husband to pay alimony. Regardless, the Supreme Court decision aggravated the Muslims who demanded that it be overturned. Rajiv Gandhi, fearful of losing Muslims votes, granted this and a bill was passed in Congress that the personal civil code of *Sharia* took precedence over the general civil code espoused in the Constitution. This bill aggravated the Hindus, who, as documented before feel the actions of the Center to be unfair in their interests. Similarly, in the case of the Sikhs, the allowance of religious demands of having Amritsar labeled a holy city etc., and the rejection of the economic demands have further politicized religion and made religion the underlying factor of these conflicts, moving away from the secular principles of India.

Therefore, the politicization of these conflicts on religious demands, and the organizational decay of the democratic institutions have led to a lack of proper channels for voicing concerns. This, along with the inability of the

Center to be flexible enough to accommodate the tensions in an appropriate fashion have resulted in increased tension and violence. This violence has been further repressed by the state, which has further led to a more serious alienation of the populace, and has eroded the legitimacy of the state itself.

This has been most stark in the case of the Punjab and the Kashmir. However, the way the Center has dealt with the crisis in both these states, as well as with the other crises in Assam, Nagaland etc., have all succeeded in eroding the legitimacy of the state nationwide. The prognosis is not good.

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