

# Kashmir has a new Chief Minister, but while the question of self-determination remains unresolved there is little hope of change

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*Earlier this month Mehbooba Mufti became the first female Chief Minister of Jammu and Kashmir, following the death of her father and political predecessor, Mufti Mohammed Sayeed. But two weeks into her tenure the killing of five civilians by security forces in Handwara suggests little change and mounting challenges. **Mark Mistry** examines the in-tray of Kashmir's latest dynastic leader.*



The formation of Jammu & Kashmir's latest government took three months and represents a continuation of the PDP-BJP coalition agreed in March last year. Hitherto the state had been under [Governor's rule](#) since the death of Mufti Senior on 7 January.

The hiatus in agreeing a new coalition, originally formed after inconclusive state elections in late 2014, owed much to Mehbooba's manoeuvring to secure so-called 'confidence building measures' from her erstwhile political partners in the BJP, the ruling Hindu nationalist party.

That the 57-year-old failed to obtain any concessions (particularly given the economic difficulties experienced by many across the Valley, exacerbated by the devastating floods of September 2014) from her discussions in New Delhi illustrates the precariousness of her position. She now finds herself leading a party with her internal authority diminished – hardly an ideal negotiating position.

The reality is that Mehbooba was dealt a bad hand from the start. By allying the PDP for a second time with a party whose roots stem from the avowedly nationalist RSS, she has all but removed any lingering goodwill in the Valley towards her garnered from her visits to relatives of militants killed in Kashmir's decades-old conflict.

Kashmir remains disputed territory sandwiched between India and Pakistan, both nuclear powers, whose amassed troops either side of the Line of Control – the de facto border – once led then US President Bill Clinton to describe it as the '[most dangerous place in the world](#)'.

A fierce insurgency raged from 1989 following elections in 1987 that were widely viewed as rigged. Tens of thousands have died in the fighting since. Compared to its peak in the mid-nineties the violence has now largely abated, though infrequent militant attacks on security forces persist. '[Buried Evidence](#)' a study by the International People's Tribunal on Human Rights and Justice in Kashmir (IPTK, 2009) places the number of people 'disappeared' (likely into unmarked graves) at more than 8,000. A climate of fear persists throughout the Valley as a direct result of the overwhelming presence of Indian Security Forces, estimated at half a million. The [CIA World Factbook](#) today describes Kashmir as 'the site of the world's largest and most militarised territorial dispute'.

## Hamstrung by Handwara

This being Kashmir, the facts are, somewhat inevitably, disputed. What we do know is that on April 12 Indian Armed Forces fired on a protest killing two young men, Mohammad Iqbal and [Nayeem](#) Qadir. People had congregated outside an army bunker after a teenager girl had been allegedly harassed by an Indian trooper in a washroom behind the bunker. Subsequent protests brought more [deaths](#), taking the total to five in the space of a few days. Strangely, a video circulated by the Indian Army carried a 'confession' from the girl saying that she had been accosted by local (i.e. Kashmiri) boys, and not the army man. Equally mystifyingly, the girl and her family were initially taken into police custody, according to the Jammu and Kashmir Coalition of Civil Society ([JKCCS](#)), which

defends human rights.

Any allegation of Indian Army involvement in harassing women carries special resonance in Kashmir. Twenty-five years ago a ‘search and cordon’ operation of the Indian Army locked down the village of [Kunan Poshpora](#) to hunt militants. More than 20 women were raped in an episode that has been denied by the authorities. Justice has never been done and remains a rare concept in Kashmir, where the Armed Forces Special Powers Act (AFSPA) remains in force, granting immunity to soldiers in ‘disturbed areas’. This law is complimented by the draconian Public Safety Act, which permits administrative detention – as with AFSPA – wherein suspicion is enough justification for years of internment without charge.



Indian soldiers Kashmir. Credit: [flowcomm](#)

This lack of accountability, allied to persistent stifling of peaceful protest, are among the reasons cited by the separatist leader Mirwaiz Umar Farooq for continued ‘anger and alienation’ felt by many Kashmiris. The Hurriyat (M) leader told [The Economist](#) last week:

*“We want to keep resistance peaceful, but it’s very hard when India bans every outlet for protest or debate, and in fact doesn’t even acknowledge that there is a problem.”*

Shashank Joshi, a Senior Research Fellow at the UK’s Royal United Services Institute, a London-based defence and security think tank, said:

*“While the number of militants in the Kashmir valley is extremely small, it is clear that popular alienation and sympathy for militants has been recrudescing even before recent events. The PDP is under severe pressure because it has little to show for its alliance with the BJP. A security-led response – absent deeper engagement with separatist leaders, and new political initiatives – is likely to make things worse”.*

As happens frequently amid periods of unrest (all too often caused by police or military heavy-handedness leading to civilian injuries or deaths), pro-freedom leaders languish either under house arrest or at police stations. The authorities claim their incarceration is necessary for law and order. Hurriyat (G)’s Syed Ali Shah Geelani, whose

words still command respect and attention across the Valley and beyond, remains in ill-health. The aforementioned Farooq, son of the assassinated Mirwaiz Maulvi Farooq, was last week behind the closed doors of his Nigeen residence. And Yasin Malik, of the Jammu and Kashmir Liberation Front, was under arrest at Kothi Bagh police station in Srinagar, Jammu & Kashmir's summer capital.

Policing dissent also extends to [journalists](#). Reporters Sans Frontieres, a US-based organisation, ranked India 133 out of 180 countries in its latest World Press Freedom [Index](#). The report said: "Journalists and bloggers are attacked and anathematised by various religious groups that are quick to take offence. At the same time, it is hard for journalists to cover regions such as Kashmir that are regarded as sensitive by the government. Prime Minister Narendra Modi seems indifferent to these threats and problems, and there is no mechanism for protecting journalists."

## Democracy – really?

India boasts of being the world's largest democracy. Indeed, the administrative spectacle of enabling national parliamentary votes remains an awesome undertaking given the challenge of its huge population. But those who rule India should learn to view dissent as a natural bedfellow of a system that allows its citizens to vote. The problem with Kashmir, as noted most recently by the Australian academic and long-standing South Asia observer Christopher Snedden, is that democracy is not extended to its population. In his book, 'Understanding Kashmir and Kashmiris', Snedden writes:

*"In 1947, no-one surveyed them about their post-British desires for J&K's international status. Since then, no-one has asked them in any inclusive or meaningful way about this matter."*

Ultimately, until the political question of self-determination is resolved, there is no reason to suspect that Mehbooba Mufti's term as Chief Minister will be any different to those of her predecessors. That is, one marred by accusations of cronyism, corruption, civilian killings by security forces and an inability to secure anything like a fair hearing from New Delhi, regardless of which party is in power

*Note: This article gives the views of the author, and not the position of the South Asia @ LSE blog, nor of the London School of Economics. Please read our [comments policy](#) before posting.*

## About the Author

**Mark Mistry** is a freelance journalist who has reported from Indian-administered Kashmir, and elsewhere across South Asia, for the *Wall Street Journal*, *The Independent* and the *Frontline Club*. He has contributed [two previous](#) articles on Kashmir to the South Asia @ LSE blog. He lives in London and tweets [@mark\\_mistry](#).



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