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Kashmir since 2003

Counterinsurgency and the Paradox of “Normalcy”

ABSTRACT

Violence in the Kashmir Valley has dramatically declined since 2003, but this has not created a stable political order. India has not succeeded in overcoming the contradiction between its articulated ideals of “normalcy” and its actual policy, which undermines those ideals. This debilitating tension can be found elsewhere in Asia.

KEYWORDS: Kashmir, counterinsurgency, South Asia, civil war

CONVENTIONAL WISDOM SUGGESTS THAT the conflicts in and over Kashmir are intractable. Stagnation and stalemate characterize the India-Pakistan relationship over the former princely state, with the United Nations and United States uninterested in and unable to create progress. This perception of paralysis is hard to avoid as India and Pakistan engage in sporadic and fruitless dialogues that constitute little more than a “cold peace.”¹ As a festering source of conflict in South Asia, Kashmir has become synonymous with deadlock.² Focusing on the international dimensions of the conflict, however, ignores important changes within the Kashmir Valley. A dramatic decline in violence in Kashmir has allowed the Indian state to pursue a much-heralded goal of “normalcy” there, while the past decade has simultaneously seen new forms of political mobilization by Muslim Kashmiris, ranging from mass protest to Internet discussion groups.

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1. International Crisis Group (ICG), *India, Pakistan, and Kashmir: Stabilising a Cold Peace*, Asia Briefing, no. 51 (Brussels: ICG, June 2006).

2. See, for instance, Howard Schaffer, *The Limits of Influence: America's Role in Kashmir* (Washington, D.C.: Brookings Institution Press, 2009).

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The intersection of Indian state policy and this new Kashmiri politics has created an important paradox. The Indian state articulates a goal of normalcy that it does not allow to come to fruition. The official aspiration is a Kashmir where fair elections, non-violent protest, and free speech replace the grim militarization of the 1990s. Yet, precisely as Kashmiris pushed forward such processes in the past half-decade, the Indian state cracked down on advocates because they articulated opposition to India's current relationship with Kashmir. Though counterinsurgency has dramatically reduced the level of militancy, it has not crafted a self-sustaining political order. True normalcy, whereby political processes articulate the will of the Kashmiri people, and the political status quo, whereby Kashmir remains governed by India, cannot coexist. This creates a paradox that encourages unrest and instability even in the absence of substantial militant violence.

This article offers a political analysis of Kashmir in the past decade. It provides background to the conflict, outlines India's current strategy for managing the state, and then highlights the tensions that emerge from a simultaneous commitment to the political-military status quo and to ostensibly normal political processes. Electoral competition is encouraged, but local politics is carefully controlled and manipulated; the rule of law is hailed, but state accountability is extremely weak; and generally non-violent mass mobilization is met with heavy-handed security forces. As a result, Kashmir's reduction of violence has not led to deeper political stability. Many Kashmiris have come to view the Indian state as profoundly hypocritical, unwilling to allow any change in the status quo despite democratic rhetoric. Kashmiris' embrace of the tools that the Indian state has identified as politically acceptable in the abstract has been met with repression when put into practice.

This article concludes by considering the future contours of politics in Kashmir and by exploring the applicability of the concept of paradoxical normalcy to other zones of conflict in Asia. A paradox of normalcy arises when local mobilization compatible with a government's rhetoric of normalization through liberal democracy clashes with the state's preference for a political status quo. The outcomes of agreed normal democratic processes are prevented by a central government in order to maintain its political control over a region. This tension between stated goals and actual practices opens up the possibility of a return to violence, undermines economic growth, and fulfills few political aspirations. Such an outcome seems particularly likely in contexts in which changes in the status quo could challenge

both the core support coalitions and the ideological narratives of the central government. Yet, some internal conflicts end without entering this liminal space. The process of forging a sustainable political order presents different challenges than those of counterinsurgency. Understanding this process may help explain why instability can endure even after the guns have largely fallen silent.

KASHMIR'S CONFLICT

The background of the conflict over Jammu and Kashmir (J&K) is both well known and hugely complex. A princely state during the British colonial period, J&K was created by the British in 1846 with a Hindu *maharajah* (great king) ruling over a Muslim majority population. It incorporated distinct areas into one polity stretching from the hot plains of Jammu to the primarily Buddhist mountains of Ladakh.³ After mobilization against the *maharajah* in the 1930s and 1940s, an invasion by Pashtun tribesmen backed by Pakistan during Partition in 1947, and a subsequent war between India and Pakistan in 1947–49, the princely state was divided between India and Pakistan along the Cease-fire Line, later known as the Line of Control (LoC).

The circumstances surrounding J&K's accession to India have become a source of profound controversy and dissension: many Kashmiris believe that the accession was contingent on a plebiscite that was never held.⁴ There is thus a vast chasm between the Indian state's version of history and that of many Kashmiris. In Pakistan, Kashmir is often seen as having been wrested away by Indian force, while India sees Pakistan as an irredentist aggressor seeking to take Kashmir by force. The recurrent conflicts between India and Pakistan over Kashmir and between Delhi and Kashmiri political forces, and the profoundly different views of the origins of and solutions to the disputes, have created an extraordinarily volatile political environment.

As the lines of division with Pakistan solidified after Partition along the Cease-fire Line, Sheikh Muhammad Abdullah's National Conference (NC) became the ruling party of Indian-administered J&K (IJK). Pakistan continued to maintain forces in disputed areas of the state, heightening Indian fears

3. Mridu Rai, *Hindu Rulers, Muslim Subjects: Islam, Rights, and the History of Kashmir* (London: Hurst, 2004).

4. A careful adjudication can be found in Andrew Whitehead, *A Mission in Kashmir* (New Delhi: Penguin, 2007).

of both a new plebiscite and Pakistani irredentism. Kashmiri politics were roiled by cycles of confrontation and cooperation between Abdullah and the central state in Delhi. In 1953 India removed Abdullah from power, fearing that he was growing too independent from the center and too close to external powers (particularly the U.S.). An NC patronage machine supported by the central government subsequently dominated the Valley during the 1950s. National governments at the center took great care to manage and manipulate the local political scene in IJK in order to push integration of the state with India. This does not mean that there was not social resistance to the center's project: mass protests against continued Indian rule emerged with great force in the 1960s, triggered by the disappearance of a holy relic from Hazratbal Shrine in Srinagar. The erosion of J&K's autonomy onward from 1953 concerned many Kashmiris.

Nevertheless, these protests were eventually defused by cooptation, repression, and a final deal between Abdullah (after multiple rounds of imprisonment) and Indian Prime Minister Indira Gandhi in the mid-1970s that was intended to consolidate a solution. Abdullah decided to accept Indira Gandhi's offer, ending his opposition to Delhi. Pakistan's defeat in the Indo-Pakistani War of 1971 and the creation of the LoC in 1972 gave Indian policymakers a sense that the Kashmir issue could be neutralized with the right local partner. Allowing Sheikh Abdullah back into politics was the strategy for trying to consolidate Indian control.⁵ Indeed, the period from 1975 until 1982 was one of relative stability, though it was never institutionalized beyond the personal prestige of Abdullah. Sheikh Abdullah at least symbolically raised the possibility of a return to some degree of autonomy and echoes of the more autonomous pre-1953 political dispensation, a much-desired turn away from the patronage politics of 1953–75.

Sheikh Abdullah's death in 1982 shifted power to his son Farooq, whose weak leadership abilities intersected with Indira Gandhi's centralizing agenda to disastrously undermine stability in the Valley.⁶ As Delhi became more involved in manipulating politics in the Valley, dissident voices grew in power and contested the 1987 state elections under the banner of the Muslim United Front. Believing these elections were rigged to maintain NC and

5. Ironically, Abdullah was originally removed for being threatening to India, but by the mid-1970s he had become an ally of the Indian state in J&K.

6. Maya Chadda, *Ethnicity, Security, and Separatism in India* (New York: Columbia University Press, 1997).

Indian National Congress Party control, political activists linked to the mobilization campaigns of 1987 turned to militancy.⁷ With important material backing from Pakistan, they launched an insurgency that directly challenged Indian control.

The bulk of the uprising occurred in the Muslim-majority Kashmir Valley, but it also expanded into Muslim and communally mixed areas of Jammu, particularly in the mountainous regions near the LoC. The indigenous insurgency—later supplanted by primarily Pakistani-armed groups—had several different facets, including a pro-independence wing led by the Jammu and Kashmir Liberation Front (JKLF) and a pro-Pakistan section eventually dominated by the Hizbul Mujahideen (Party of Holy Warriors).⁸ Though these strands of militancy would often fracture in brutal fratricidal fighting, they nevertheless posed a serious threat to Indian security forces.

The onset of insurgency in 1988–89 was met with sustained Indian counterinsurgency. The dynamics of the war have been covered in detail elsewhere;⁹ there were atrocities, massacres, and more mundane acts of violence against a backdrop of India-Pakistan tensions.¹⁰ It is clear that militants assassinated and intimidated substantial numbers of Kashmiris; it is equally clear that the Indian state engaged in large-scale, often vicious, repression.¹¹ The 1990s saw an intense battle that extracted a huge cost in civilian suffering, political marginalization, and economic dislocation.¹² Kashmir during this period was a site of open warfare, visible militant formations, and a massive security presence

7. Sumit Ganguly, "Explaining the Kashmir Insurgency: Political Mobilization and Institutional Decay," *International Security* 21:2 (Autumn 1996), pp. 76–107.

8. Paul Staniland, "Organizing Insurgency: Networks, Resources, and Rebellion in South Asia," *International Security* 37:1 (2012), pp. 142–77.

9. Ashutosh Varshney, "Three Compromised Nationalisms: Why Kashmir Has Been a Problem," in Raju G. C. Thomas, ed., *Perspectives on Kashmir: The Roots of Conflict in South Asia* (Boulder, Colo.: Westview Press, 1992), pp. 191–234; Manoj Joshi, *The Lost Rebellion: Kashmir in the Nineties* (New Delhi: Penguin Books, 1999).

10. There is a broader literature on India-Pakistan conflict and deterrence over Kashmir. Among many others, see Sumit Ganguly, *Conflict Unending: India-Pakistan Tensions since 1947* (New York: Columbia University Press/Woodrow Wilson Center Press, 2002); P. R. Chari, Pervaiz Iqbal Cheema, and Stephen P. Cohen, *Four Crises and a Peace Process: American Engagement in South Asia* (Washington, D.C.: Brookings Institution Press, 2007); Paul Kapur, *Dangerous Deterrent: Nuclear Weapons Proliferation and Conflict in South Asia* (Stanford, Calif.: Stanford University Press, 2007).

11. For a memoir of growing up during this period, see Basharat Peer, *Curfewed Night* (Noida: Random House India, 2008).

12. Sumantra Bose, *Kashmir: Roots of Conflict, Paths to Peace* (Cambridge, Mass.: Harvard University Press, 2003). For a variety of reasons, there was also an exodus of Hindu Pandits out of the Valley.

that became intertwined with India-Pakistan conflict. Pakistani armed groups grew to dominate the militancy as indigenous organizations were marginalized by fragmentation, Indian counterinsurgency, and Pakistani manipulation.¹³

INDIAN STRATEGY: MILITARIZATION AND NORMALCY

This insurgency was of a scale and duration previously unknown in Kashmir, and was met with an unprecedented response from the Indian government. The extent of Indian control over contested areas in Kashmir has been systematically expanded even as the Indian state claims that the region deserves political normalization on terms that mix a limited degree of autonomy with continued interest in integration.¹⁴ To this end, the central government has pursued two simultaneous approaches, one military and the other political, in its strategy for maintaining control of Kashmir. These two approaches, I will argue, often conflict with one another, and the sub-components of each strand of strategy sometimes also clash. This creates a fundamental paradox at the heart of Indian policy.

With respect to its military approach, India has engaged in extensive counterinsurgency operations that have blanketed the Valley, as well as affected areas of Poonch, Rajauri, and Doda Districts, with military and paramilitary forces. Military efforts have focused on the creation of a counterinsurgency grid, large-scale anti-infiltration operations, and the embedding of forces throughout Kashmir. The goal is to surge forces as needed in order to deal with infiltrations, attacks, and intelligence about militant activities.¹⁵ Former insurgents who changed sides to join the Indian state as a result of intra-insurgency conflict were successfully deployed against the indigenous insurgent groups in rural areas during the 1990s, contributing to the collapse of these groups.¹⁶

13. Arif Jamal, *Shadow War: The Untold Story of Jihad in Kashmir* (New York: Melville House Publishing, 2009).

14. The focus of this paper is on Muslim-majority and communally mixed areas of the state of J&K, which are the locus of pro-independence and pro-Pakistan sentiment. Ladakh and much of Jammu therefore are not included in this analysis.

15. Writing by Indian counterinsurgency practitioners provides insight into how the government approached the conflict. See, for instance, Harjeet Singh, *Doda, an Insurgency in the Wilderness* (New Delhi: Lancer Publishers, 1999); K. V. Krishna Rao, *The Genesis of the Insurgency in Jammu and Kashmir, and in the North East, and Future Prospects* (New Delhi: United Service Institution of India, 1997); Sati Sahnii, *Kashmir Underground* (New Delhi: Har-Anand Publications, 1999).

16. Sumit Ganguly, "Slow Learning: Lessons from India's Counterinsurgency Operations in Kashmir," in David Fidler and Sumit Ganguly, eds., *India and Counterinsurgency: Lessons Learned*

Hundreds of thousands of security forces remain in IJK, with a particularly heavy presence in rural areas and along the LoC, as well as in some major cantonments in the Srinagar area. The Indian Army and India's Border Security Force (BSF) have been replaced by the Central Reserve Police Force in some (primarily urban) areas of the Valley, but all three forces have a substantial presence in the state.¹⁷ These central forces are in aid to civil power, but they operate either directly under Delhi's guidance or with substantial de facto autonomy from the state government. The Jammu and Kashmir Police (JKP) have been expanded in recent years to put an indigenously face on counterinsurgency and stability operations. The operations of the security forces, facilitated by the immunities conferred on them by the Armed Forces Special Powers Act (AFSPA), have involved substantial and unpunished human rights abuses.

With respect to the political approach, there has been an Indian effort to win the hearts and minds, or at least the acquiescence, of Muslim Kashmiris through non-violent politics. This approach combines everything from rosy rhetoric to extensive patronage to elections. These efforts have been linked to the counterinsurgency offensives by rhetorically emphasizing the "healing touch" of development and population-centric counterinsurgency, which are intended to appeal to civilians by mixing security reassurance and economic progress.¹⁸ Confidence-building measures (CBMs), such as efforts at greater cross-LoC trade, with Pakistan have been sporadically explored as an external form of stabilization.¹⁹ The end goal is "normalcy," a word that recurs endlessly in Delhi's discussions of progress and success in Kashmir.²⁰ The Indian elite-desired normalcy amounts to little or no violence, regular electoral participation by parties comfortable with accession to and integration with India, and

(New York: Routledge, 2009), pp. 79–88; Paul Staniland, "Between a Rock and a Hard Place: Insurgent Fratricide, Ethnic Defection, and the Rise of Pro-State Paramilitaries," *Journal of Conflict Resolution* 56:1 (February 2012), pp. 16–40.

17. Mukhtar Ahmad, "CRPF Takes over Security Control of Srinagar from BSF," *Rediff.com*, September 12, 2005, <<http://ia.rediff.com/news/2005/sep/12jkt.htm>>, accessed August 24, 2012.

18. Aditi Malhotra, "Operation Sadhbhavana: Winning Hearts and Minds," *Centre for Land Warfare Studies* (January 26, 2012), <http://www.claws.in/index.php?action=details&m_id=1060&u_id=119>, accessed August 24, 2012.

19. ICG, *Steps Towards Peace: Putting Kashmiris First*, Asia Briefing, no. 106 (Brussels: ICG, June 2010).

20. An example of this rhetorical move by Prime Minister Manmohan Singh can be found in Ashutosh Sharma, "All Efforts Being Made to Restore Normalcy: PM," *Tribune* (Chandigarh), March 4, 2011, <<http://www.tribuneindia.com/2011/20110305/j&k.htm#1>>, accessed August 24, 2012.

pro-India sentiments—or at least a degree of toleration—among the mass Kashmiri population. “Peace and development” are the watchwords of progress.²¹

This desired outcome represents an acceptance of the status quo in which J&K remains a state of the Indian Union basically under current parameters. Under no plausible circumstance does India seem likely to accept an independent J&K, but the lack of movement toward real change below this ceiling is striking. The national narratives about Kashmir’s integral place in India and the electoral politics that keep Delhi’s leaders in power undermine the willingness of the central government to make substantial reforms that could at least partially match local aspirations.²² This desire for the status quo has been amply shown by the fact that multiple private study groups, government committees, and envoys have traveled to J&K with great pomp and publicity, but their recommendations have either never appeared or never been implemented.²³

The only first-tier Indian leader to have shown sustained recent initiative on Kashmir was former Prime Minister Atal Bihari Vajpayee, who pursued dialogue with Pakistan during summits in Lucknow and Agra and who spoke out publicly on Kashmir.²⁴ But he has since been replaced within the right-wing Bharatiya Janata Party (Indian People’s Party, or BJP) by more hardline leaders such as L. K. Advani and Narendra Modi. Within the current Congress administration, Prime Minister Manmohan Singh’s ability to act has been undermined since 2004 by the risks of pushing a Kashmir deal on the national stage, where his lack of political clout and reliance on complex

21. This is Omar Abdullah’s phrase. Ishrat Bhat, “Guns Must Go: Omar,” *Greater Kashmir*, April 27, 2012, <<http://www.greaterkashmir.com/news/2012/Apr/28/guns-must-go-omar-61.asp>>, accessed August 24, 2012.

22. Kashmir is so important in the Indian nationalist narrative because it demonstrates that a Muslim-majority state can exist successfully within India, undermining the “two nations” theory justifying Partition. This has raised the political salience of the state, limiting the room to maneuver of central leaders, especially those sitting atop a fractious coalition.

23. The most recent example was a report by a three-person group of interlocutors, released in 2012. Other examples include Rajiv Gandhi leading an all-party delegation in 1990, K. C. Pant becoming an envoy in 2001, the Kashmir Committee tackling the issue in 2002, and N. N. Vohra becoming an envoy in 2003. As Stephen Cohen notes, the interlocutors’ report, like previous efforts, was largely ignored. Stephen Cohen, *Shooting for a Century: The India-Pakistan Conundrum* (Washington, D.C.: Brookings Institution Press, 2013), p. 50.

24. C. Raja Mohan, “Vajpayee: Third Time Lucky,” *Hindu*, June 20, 2002, <<http://hindu.com/2002/06/20/stories/2002062000401000.htm>>.

coalitions make it hard to act boldly. This is exacerbated by Congress's paralysis, with the prime minister, Sonia Gandhi, and various party factions unable to implement coherent and sustained policies. Civil-military tensions over AFSPA and the Army's security role in Kashmir have added another brake on policy change. India's powerful regional parties have shown little interest in grappling with the Kashmir issue.

Meanwhile, Pakistan's continuing political crisis, evident in endemic violence and economic failures, makes it an unlikely partner for cutting a lasting deal, while its support for the insurgency with arms and sanctuary has dramatically heightened Indian threat perceptions. The continued power and intransigence of the country's military establishment seriously limit Pakistani politicians' flexibility.

In this context, rather than opportunities for accountability, bargaining, and citizens' assertion, elections have been used as a key indicator of progress and stability that central leaders can point to in defending their policies. Elections, in short, have become the lodestar of progress, an interesting twist given the long history of electoral irregularities in the state, most notably in 1987. Delhi has carefully coordinated with both the NC and People's Democratic Party (PDP) in intricate coalitions and local seat-sharing deals after state elections in 1996, 2002, and 2008. The PDP, founded by Mufti Mohammed Sayeed in 1999, joined the NC as the second "mainstream" party with strength in the Valley. Elections are the ultimate harbinger of normalcy for the pundit and political class that deals with Kashmir: turnout numbers are eagerly seized on as evidence of legitimacy, acceptance, and pro-India sentiment. Much has also been made of state initiatives to provide employment and public works projects. A variety of institutions take part in this particular brand of winning hearts and minds, ranging from army-sponsored outings for children to highway construction contracts to educational schemes.

India's two-pronged strategy, military and political, can point to some major successes. Most important, there has been a substantial decrease in violence since 2003. This reduction is at least in part the result of two military factors. First, Indian consolidation of military control and the fencing of the LoC have made it more difficult for armed groups to operate in significant numbers in areas outside of mountainous peripheries. By creating a tight grid of security forces and developing a broad network of informers, the Indian state has effectively reduced the room militants have to operate. Second, the

India-Pakistan ceasefire of 2003 in the aftermath of 9/11 was indicative of Pakistan's desire to modulate its support for non-state militancy. This change occurred under American pressure rather than from a change of heart among the security establishment. Armed groups have been restrained from the levels of infiltration and the types of spectacular attacks in Kashmir that were so lethal in the late 1990s and early 2000s. The Lashkar-e-Taiba (Army of the Righteous) continues to operate, as does Hizbul Mujahideen at a lower level, but there is a substantially reduced militant threat.²⁵ This does not mean that there is no longer violence or infiltrations, but it is not the primary means by which Kashmiri political aspirations for political change are manifested.

On the political front in Indian-administered J&K, elections have been regularly held since 2002 at the state, local, and national levels. Government spending in J&K is very high. The grim days of the 1990s are gone, and electoral politics can be intense and closely contested. Voter turnout rates have risen over time, from 44% in 2002 to 60% in 2008. The PDP, in alliance with Congress, won the state election in 2002 as a break from NC hegemony. Subsequently, the NC returned to power with Omar Abdullah, the Sheikh's grandson, taking charge as chief minister in 2009. Many citizens are linked to the political process, often through patronage and political uses of the state apparatus. It is hard to tell whether this has had a direct effect on reduced militancy, though that is certainly the argument that emanates from Delhi.

There has also been a substantial rethinking of the wisdom of violence among many Muslim Kashmiri activists and intellectuals, marking a move away from militancy and toward non-violent activities as a better way to achieve aspirations for political autonomy. While, as discussed below, this outcome has contributed to the rise of non-violent protest that challenges India, it nevertheless represents a major shift from the late 1980s and 1990s. Violent spoilers remain who have targeted political and religious figures, but the space of political expression has broadened significantly. In short, based on the raw metrics of violence, the Kashmir Valley would appear to have achieved something like political normalcy.

25. Even the hawkish South Asia Terrorism Portal notes that there has been a "steep and continuous decline in terrorist violence" in "Jammu and Kashmir Assessment—Year 2012," <<http://www.satp.org/satporgrp/countries/india/states/jandk/index.html>>, accessed August 24, 2012.

POLITICAL CHANGE AND THE TENSIONS OF INDIAN STRATEGY

The reduction in violence since the early 2000s has opened more potential space for non-violent politics of the kind that the Indian state claims to want to see in Kashmir. Against this backdrop, the Kashmir Valley has witnessed a dramatic rise in mass protests, assertion by indigenous intellectuals writing against the status quo, and cut-throat electoral competition. The Valley is not a scene of a shattered or quiescent politics; there is active contention, mobilization, and conversation that challenges stereotypes of Kashmiris as either hardened militants or docile caretakers for tourists.²⁶

Rather than becoming a resource for pro-India sentiment, this new political space has been filled by forces and ideas opposed to the status quo. The Indian state now faces tactics and dynamics that closely resemble normal politics in mainland India, but with an edge of resistance to the central government's goals that unsettles its military and political leadership. The vast majority of Muslim Kashmiris want, at minimum, much higher levels of autonomy than the state currently receives. There is a very large constituency for independence, as well as a smaller pro-Pakistan bloc.²⁷ Expressing these views through the channels of political normalcy clashes with the state's interest in maintaining the structural status quo in which the Indian state has substantially reduced J&K's autonomy, and central control remains high. The government's response to this challenge has been to undermine precisely the types of political activity that Kashmiris were repeatedly told to choose over the gun.

Analysts from diverse backgrounds have argued that India's approach to Kashmir has failed to achieve its desired political endgame.²⁸ But what needs to be better understood is the structural basis of this failure, which

26. The media focuses heavily on tourism as a key indicator of Kashmir's status. This is also true of the Western media. Recent examples include Geeta Pandey, "Tourists Return to Kashmir Valley," *BBC*, August 22, 2012, <<http://www.bbc.co.uk/news/world-asia-india-19183257>>, accessed August 23, 2012; and Helen Pidd, "Kashmir Desperate for the Return of Tourists after Two Decades of Violence," *Guardian*, August 15, 2012, <<http://www.guardian.co.uk/world/2012/aug/15/jammu-kashmir-tourism-omar-abdullah?newsfeed=true>>, accessed August 23, 2012.

27. Riyaz Wani, "What Azadi Means: Findings from a First-Ever Home Ministry Survey of Kashmiri Youth," *Tehelka*, January 26, 2012, <http://www.tehelka.com/story_main5t.asp?filename=Ws260112Exclusive.asp>, accessed August 16, 2012.

28. On paradox and contradiction from a dissident perspective, see Arif Ayaz Parrey, "Kashmir: Three Metaphors for the Present," in Sanjay Kak, *Until My Freedom Has Come: The New Intifada in Kashmir* (New Delhi: Penguin, 2011), pp. 229–49. Political scientist Sumit Ganguly, from a different perspective, also highlights the problems of Indian policy in "The 'Flag March' Won't Fix Kashmir,"

arises from the tension between normalcy and the underlying political status quo. The failure suggests a deeper paradox. Key components of the Indian strategy end up conflicting with one another, as patronage politics undermines good governance, militarily successful counterinsurgency fuels popular resentment, and the very processes associated with normalcy actually propel recurrent challenges to the status quo and lead to hypocritical repression by the state.

What is new about this period compared to the past in Kashmir? I argue that several factors are new. First, the state's public and widely voiced discourse of normalcy appears to be distinct to the post-1990 period. In response to domestic and international attention, the Indian state has actively and repeatedly claimed to support liberal political processes: liberal democracy is asserted to inoculate the state against criticisms of its counterinsurgency operations. The endless invocation of normalcy as involving both democracy and the status quo is a break from prior strategies of finding a local strongman through which to rule, which had considerably less pretense of liberal virtue. Second, the extent of counterinsurgency in Kashmir since 1990 has in fact pushed the level of militarized state presence dramatically higher than in the past. This has thrust the armed state deeply into Muslim Kashmiri society, making the contrast between the rhetoric of normalcy and the reality of militarization highly visible. Third, the articulation of a public sphere skeptical of or opposed to India in the past decade has taken on a larger, more sustained form than any time since the 1960s. The state's rhetorical embrace of political empowerment combined with militarization and Kashmiri mobilization from below is qualitatively new, even if pervasive manipulation and conflict are not. By deploying liberal democratic rhetoric without actually changing its policy of employing counterinsurgency from above, the state has made itself vulnerable to criticisms from new directions and by new actors.

The tension within the current vision of "normalcy" as both liberal democratic practice *and* maintenance of the counterinsurgent status quo has created a deep paradox in India's policy. Building new roads, holding elections, instituting better police training, pumping patronage into local political elites, and removing military bunkers have done little to reduce the gap

Wall Street Journal, July 10, 2010, <<http://online.wsj.com/article/SB10001424052748703854904575360162139187150.html>>, accessed September 20, 2011.

between Delhi and Srinagar. This was evident in 2011–12 in the unimplemented suggestions of a group of interlocutors sent by Delhi to report on the political wishes of Kashmiris. There was also a power squabble between Chief Minister Omar Abdullah and the Army.²⁹ In both cases, a disconnect between the rulers and the ruled was apparent: the interlocutors were not seen as credible political figures, and the Army's victory over the chief minister revealed the primacy of the central security apparatus over local elected officials.³⁰ In 2013, protests erupted over the secret official hanging of Afzal Guru, whose conviction in 2002 of the December 2001 attack on the Indian Parliament withstood subsequent appeals. Extensive state crackdowns in response again demonstrated that democratic practices of protest and mobilization directly challenging the state's political aims would meet with repression.³¹

There are three major areas in which normalcy is supposed to operate: electoral and local politics, non-violent mass mobilization, and the rule of law and protection of political expression. A normal J&K would see all of these occurring without regular, coercive interference from the central state. This has not been the reality. Instead, the center's desire to maintain the status quo has led to continual attempts to manage and manipulate these characteristics of normalcy because they have become sites of opposition to the existing political arrangement. India's claim for real normalcy while maintaining the status quo in Kashmir generates a political paradox, in which the manifestations of "normalcy," like free speech and non-violent protest, undermine the political goals of the state.

29. For these recommendations, see Group of Interlocutors for J&K, *A New Compact with the People of Jammu and Kashmir*, Ministry of Home Affairs, <<http://mha.nic.in/pdfs/J&K-InterlocutorsRpt-0512.pdf>>; for reactions from separatists, see Riyaz Wani, "Interlocutors' Report Criticized for Being 'Predictable,'" *Tehelka*, May 24, 2012, <http://www.tehelka.com/story_main52.asp?file-name=Ws240512Jammu.asp>, accessed August 24, 2012.

30. On the clash between Omar Abdullah and the Army, see Tarun Upadhyay, "Can't Understand Army's Rigidity on AFSPA: Omar Abdullah," *Hindustan Times*, April 20 2012, <<http://www.hindustantimes.com/News-Feed/Jammu%20Sec/Can-t-understand-Army-s-rigidity-on-AFSPA-Omar-Abdullah/Article1-843654.aspx>>, accessed August 24, 2012; Naseer Ganai, "Jammu and Kashmir: AFSPA Triggers Army-Omar Abdullah Turf War," *Mail Today*, November 11, 2011, <<http://indiatoday.intoday.in/story/jammu-and-kashmir-afspa-exit-army-vs-omar-abdullah/159716.html>>, accessed August 24, 2012.

31. For an overview of the Valley's reaction to the Afzal Guru hanging, see Showkat Motta, "Sense of an Ending," *Outlook*, February 25, 2013, <<http://www.outlookindia.com/article.aspx?283925>>, accessed February 22, 2013.

ELECTORAL COMPETITION AND LOCAL RULE

Local elections and governance are the quintessential forms of democratic normalcy, and elections at all levels, from *panchayat* (village assembly) local elections to state and national elections, are thus heralded as clear signs of progress in Kashmir. Elections are supposed to provide a way of empowering local political actors to make the state and local government structures their own. The ideal from Delhi's perspective is the emergence of a mass constituency in favor of the existing center-state relations status quo that is reproduced through campaigns and governance. The major pro-India "mainstream" parties in the Valley, the NC and PDP, have both received substantial assistance and support from New Delhi as allies through which this goal is to be achieved. The rise of the PDP has forced both parties to compete harder, which as noted below has created some interesting tensions with their role as partners to Delhi. There is no doubt that electoral politics have grown in scale and intensity over the past decade, with the NC and PDP waging bitter battles over supremacy in the Valley (often with an eye on political coalitions with Congress).

Without denying the changes that have taken place, it is clear that electoral competition and local government have had more complicated and subtle effects on the politics of the Valley than Delhi's narrative suggests. Three particular effects have arisen: (1) the true representation of mass preferences leads to greater autonomist and pro-independence sentiment, (2) Indian manipulation of parties both in power and opposition to avoid this outcome undercuts democratic credibility, and (3) the massive, murky patronage associated with party politics and local rule makes good governance impossible. Local democracy creates challenges to central control, and in response, liberal democratic practice has been limited. These three effects are elaborated below.

First, with respect to mass preferences, the tight electoral competition between the NC and the PDP creates powerful competitive pressures toward what many in Delhi refer to as "soft separatism," the use of rhetoric that appeals to regionalism and sometimes echoes separatist appeals. Despite their pro-Indian stances, both parties reflect substantial public sentiment in the Valley and thus cannot afford to abandon some form of sub-nationalist politics and wholly embrace Delhi.³² While this causes much scolding from

32. The Valley is the focus here, and it shows high support for independence, which is not the case for other areas of J&K. A 1995 survey can be found in "Till Freedom Come," *Outlook*, October

Delhi elites about irresponsible rhetoric and cynical political manipulation, the fact is that Kashmiri politicians need to respond to their electorate's preferences. Party competition therefore is not a simple pathway to consolidating a pro-India status quo; instead, it naturally reflects anxieties and interests within the polity.³³

Even though ultimately both parties must toe Delhi's line for fear of being dispensed with, there is little evidence that electoral politics has created a mass constituency for the status quo. To the extent that parties compete over policy issues (as opposed to patronage), they have not aggressively advocated continuation of the status quo, much less pressed for closer ties to Delhi. The PDP in particular, despite Mufti Mohammed Sayeed's background in the Congress, tried to stake out territory as an independent voice able to challenge the center in Kashmir; Omar Abdullah of the NC has also sporadically attempted the same strategy. This pattern is not a simple result of cynical elite manipulation but rather a clear barometer of public skepticism toward the status quo.

Second, this pattern makes many in Delhi wary of both the NC and PDP and increases the desire to balance them against each other and to clip their wings when their rhetoric and policy proposals conflict with the center's preferences. The great fear is that one of these parties will become openly secessionist or pro-Pakistan, undermining the strategy of central control. The leverage Delhi has over the PDP and NC successfully keeps these parties in line when push comes to shove, but in doing so it undermines pretensions to normalcy. Unfettered liberal democratic competition would lead to more support for independence and/or deeper autonomy, while fettered electoral competition undermines the rhetoric of liberalism and representation.

The Indian state has decided to emphasize control, by establishing clear mechanisms of influence over the electoral and administrative arena that give it the power to marginalize local elected leaders. Patronage money is used as a form of control over local parties, with the further possibility of repression

18, 1995, <<http://www.outlookindia.com/article.aspx?200005>>, accessed August 24, 2012; more recent data can be found in Robert Bradnock, *Kashmir: Paths to Peace* (London: Chatham House, May 2010), <http://www.chathamhouse.org/sites/default/files/public/Research/Asia/05topp_kashmir.pdf>.

33. Rekha Chowdhary, "Electoral Politics in the Context of Separatism and Political Divergence: An Analysis of 2009 Parliamentary Elections in Jammu & Kashmir," *Samaj-South Asia Multidisciplinary Academic Journal*, no. 3 (December 23, 2009), <<http://samaj.revues.org/2785>>.

and harassment lurking in the background.³⁴ Congress's decisions about coalition-building at the state level provide the center with another mechanism of political management: Congress often has enough votes to make or break coalitions in the state assembly. The NC and PDP are played off against one another to the advantage of Delhi.

During rounds of protest, Delhi de facto seizes control of the state, undermining the chief minister and reducing his credibility as an autonomous representative of Kashmiri political opinion.³⁵ The parties are thus seen by many as simply "remote controls"—offering rhetoric to appeal to mass sentiment but being pulled into line in a very public and humiliating fashion by the Ministry of Home Affairs (MHA) and security agencies when that rhetoric crosses the central government's red lines. Chief ministers have regularly outlined initiatives and policies that are then shot down or ignored by the MHA, the Army, or the prime minister. Omar Abdullah has recurrently tried to push for modifications to the AFSPA, such as withdrawing it from certain geographic regions, that have gone nowhere. Since 2000, both the NC and PDP have floated proposals for self-rule and autonomy that have not led to any changes, even those far short of their professed ambitions. This pattern undermines their power as representatives of Kashmiri mass opinion, which is already badly damaged by the influence of separatists who view the NC and PDP as pro-Delhi sellouts.

Third, party-linked patronage has led to even more corruption in the Valley's politics. Corruption reflects the intrinsic nature of "patronage democracy"³⁶ but is also an outcome of the Indian state's deployment of patronage as a tool of management in Kashmir. I will return to this dynamic below as being corrosive to governance. Patronage is not a good way of shifting large-scale public opinion even if it is useful as a tool of influence. The NC, PDP, and state bureaucracy are all awash in white, gray, and black money: a series of scandals and exposés have made clear the pervasive corruption in

34. This patronage tends to be a highly local affair that relies on linkages connecting individuals, families, and villages with politicians and bureaucrats able to distribute resources and selectively administer government policies.

35. During the 2010 protests, Omar Abdullah was seen by many as ineffectual and powerless. Zahid Rafiq, "As the Valley Implodes, People Wonder Where Are the Leaders They Voted For," *Tehelka* 7:28 (September 25, 2010), <[http://www.tehelka.com/story_main46.asp? filename=Nez50910COVERSTORY_II.asp](http://www.tehelka.com/story_main46.asp?filename=Nez50910COVERSTORY_II.asp)>, accessed September 25, 2011.

36. Kanchan Chandra, *Why Ethnic Parties Succeed: Patronage and Ethnic Head Counts in India* (Cambridge: Cambridge University Press, 2004).

the state.³⁷ This is also true of separatist leaders, many of whom are alleged to have murky financial ties to the Indian and/or Pakistani governments.³⁸

Indeed, Transparency International India has identified J&K as having "alarming" levels of corruption.³⁹ Many Kashmiris see the state government as a "corrupt puppet" lacking both autonomy and integrity.⁴⁰ Patronage is a time-tested means of binding people to parties and government institutions, and has been used in Kashmir since the 1950s as a form of leverage, particularly over the middle classes that could articulate challenges to the state.⁴¹ Ironically, higher levels of voter turnout at least in part reflect the effects of local patronage because it creates incentives for electoral participation, rather than being an unambiguous signal of popular preferences toward Delhi's Kashmir stance. This is not intended to suggest that Kashmiri leaders of various political positions do not bear their own very real responsibility for corruption, but it is clear that the state has facilitated these behaviors. Such a massive reliance on patronage undermines good governance by encouraging politicized bureaucracies, sidelining ideological debates, and turning elections into contests over the particularistic provision of (ostensibly public) services such as law enforcement and access to employment projects. Patronage is common throughout the subcontinent, and not unique to Kashmir. But in J&K, its use undermines the government's own strategy of good governance and winning hearts and minds.

Electoral politics and local representation thus involve more subtle and complex dynamics than the dominant "triumphalist"⁴² narrative of Kashmiri political integration suggests. Politicians must be at least somewhat responsive

37. For examples from 2012, see Bilal Handoo, "A Calendar of Scandals," *Kashmir Life*, December 31, 2012, <<http://www.kashmirlife.net/a-calendar-of-scandals/>>, accessed August 15, 2013.

38. Ashraf Wani and Deepak Sharma, "NIA Nails Hurriyat's Links with the ISI," *India Today*, August 4, 2011, <<http://indiatoday.intoday.in/story/hawala-nia-links-hurriyat-to-isi/1/147054.html>>, accessed August 15, 2013; "Kashmiri Separatist Leader Fai Arrested in U.S.," *Indian Express*, July 20, 2011, <<http://www.indianexpress.com/news/kashmiri-separatist-leader-fai-arrested-in-us/819997/>>, accessed August 15, 2013. Interviewees in both New Delhi and Srinagar sometimes suggested that separatists also received money from corruption and the Indian government.

39. Transparency International India, *India Corruption Study—2008* (New Delhi: 2008). See also "Stability of Corruption," *Kashmir Life*, February 20, 2012, <http://www.kashmirlife.net/index.php?option=com_content&view=article&id=2340:stability-of-corruption>, accessed August 22, 2012.

40. ICG, *Steps Towards Peace*, p. 14.

41. Bose, *Kashmir*, ch. 3.

42. Amitabh Mattoo, "Kashmir after Shopian," *Economic and Political Weekly*, July 11, 2009, <<http://www.epw.in/perspectives/kashmir-after-shopian.html>>, accessed August 23, 2012.

to anti-status quo sentiment, which is often reflected in rhetoric and campaign positions (though in a fairly limited way). Concern over this political positioning leads India to manipulate parties and emphasize patronage, which combine to undermine governance and democratic credibility. As long as popular preferences oppose the status quo and Delhi responds with manipulation and control, electoral politics and local government will not be an effective forum for establishing real normalcy nor a broadly shared sense of political legitimacy among the Valley's population.

MASS MOBILIZATION

The most dramatic manifestation of changes in Kashmir's politics was the massive street protests of 2008, 2009, and 2010. In 2008, controversy over land allocation linked to the Amarnath Shrine emerged; 2009 saw protests over the rape and murder of two women in the town of Shopian; in 2010, protests escalated following the killing of several civilians by security forces. The protests, collectively, reflect a broader shift in the repertoire of Kashmiri resistance from violent militancy to "contentious politics,"⁴³ with tens and hundreds of thousands of people taking to the streets for a prolonged period. During this time, there were few regular militant attacks on security forces, even in the heat of street fighting, and protester violence was limited to incidents of stone-throwing and occasional beatings of security personnel.

This shift in the repertoire of resistance is important, giving Kashmiris a tool of disruption and attention that cannot be dismissed as simply Pakistan-backed terrorism. The focus on independence, rather than accession to Pakistan, aligns with public opinion polls showing only weak favorable sentiment toward Pakistan. While the entire Valley was not seamlessly in favor of or involved in the protests, the actions clearly tapped into a widespread sentiment and vocalized it in a way that caught the attention of Indian policymakers and at least some elites. Mobilization was a new development compared to the politically bereft public sphere of the 1990s, when Kashmiri violence was the dominant form of anti-India action, and it represents a powerful, though sometimes unreliable, new tool of influence.

43. Doug McAdam, Sidney Tarrow, and Charles Tilly, *Dynamics of Contention* (Cambridge: Cambridge University Press, 2001).

In the eyes of Kashmiri protesters, this shift had two crucial characteristics. First, it avoided the trap of eliding political protest with Pakistani violence and thus had a chance to appeal to international audiences skeptical of popular militancy in a post-9/11 world. The Kashmiri protesters hoped that the rest of the world would react as it later did to the Arab Spring. Non-violence was a means of differentiating this movement from insurgency by accessing a set of tactics and discourses that the international community claimed it was responsive to. Non-violence also provided a means to articulate an oppositional political stance distinct from militancy. Local writers, students, and journalists have used these protests as inspiration for vigorous debates and intellectual assertion that seek to create new, for Kashmir, forms of resistance and political language.⁴⁴

Second, these protests echoed an acceptable brand of politics in India, where mass contention has been business as usual in many places. Raucous mass mobilization in India, whether among Gujjars in Rajasthan, Dalits in Uttar Pradesh, linguistic nationalists in south India, or contending parties in West Bengal, has been par for the course. Mass mobilization is a potent tool of normal politics in "mainland" India, sometimes repressed but often leading to accommodation, compromise, and sharper framing of political issues so they become legible to a wider public. The articulation of opposition through this channel subsequently opened new possibilities for engagement with India's political and bureaucratic leaders.

Yet, the response from India belied these hopes. Though mass protest is part of a standard political repertoire in India as a whole, in Kashmir it was framed as treasonous and undesirable. Once again, the tension underpinning the paradox of allowing normal politics while maintaining the political status quo became visible. Security forces used disproportionate, often lethal, force in the face of teenagers throwing rocks during protests in 2008, 2009, 2010, and 2013. In 2010, nearly 120 people were killed, and security forces completely flooded the Valley, following similar repressions in 2008 and 2009. In the summer of 2011, thousands of protesters were arrested, placed under surveillance, or harassed as a tactic for ensuring that there would not be a repeat of the previous year. This approach, combined with weariness over economic losses and the political stasis spawned by the 2010 mobilization,

44. This is represented in new publications such as *Kashmir Life* and *Conveyor* and in a vibrant online public sphere. A good sample can be found in Kak, ed., *Until My Freedom Has Come*.

meant that 2011 was relatively quiet. Nevertheless, recurrent localized protests in 2012 and the February 2013 protests over the hanging of Afzal Guru suggest that the possibilities for future protest remain alive.

Surreal justifications arose from the security establishment for India's violent reaction and repression. For instance, stone-throwing was deemed "agitational terrorism,"⁴⁵ while mass protests were framed by even respected analysts in the media as a "rising tide of hate."⁴⁶ While certainly there were multiple motivations and actors at work in the protests, some linked to Pakistan, there is little evidence to suggest a dominating Pakistani plot to embrace mass non-violence. These accusations became objects of mockery in Kashmir. For many Kashmiris, the contrast between their movement and that of Anna Hazare's anti-corruption protests is stark.⁴⁷ The main difference between the two from Delhi's perspective is that Kashmiris are separatists and need to be treated as such. This points to the challenge of creating a situation in Kashmir in which the shadow of coercion is not ever-present.

Thus, we return to the central paradox. If Delhi wants normalcy, it needs to accept that many Kashmiris want greater autonomy or independence. Kashmiris will use protest to articulate this demand. Yet, instead of taking credible steps toward political change, the state responds to non-violent protest with violence that unambiguously creates, rather than simply reveals, a *lack* of normalcy in Kashmir. Real political dialogue cannot occur if this dynamic continues, creating risks of continual protests, or even a return to non-state militancy, as other routes of political mobilization provide few gains. The message borne by mass mobilization in Kashmir may be unpleasant to Indian ears and create serious concerns about the territorial integrity of the state, but it nevertheless represents what many Kashmiris think.

45. This phrase was used to describe stone-throwing protesters by the Northern Command commander, Lt. General B. S. Jaswal, in 2009. Jupinderjit Singh, "Agitational Terrorism Cause of Concern: Lt-Gen Jaswal," *Tribune* (Chandigarh), October 31, 2009, <<http://www.tribuneindia.com/2009/20091101/j&k.htm#1>>, accessed August 22, 2012.

46. Praveen Swami, "Kashmir's Rising Tide of Hate," *Hindu*, June 17, 2009, <<http://www.hindu.com/2009/06/17/stories/2009061755040800.htm>>, accessed August 23, 2012.

47. Social activist Anna Hazare led a massive series of protests in Delhi and elsewhere against corruption; these did not lead to a repressive security force response. Jim Yardley, "Protests Awaken a Goliath in India," *New York Times*, October 29, 2011, <<http://www.nytimes.com/2011/10/30/world/asia/indias-middle-class-appears-to-shed-political-apathy.html?ref=annahazare>>, accessed April 23, 2013.

RULE OF LAW AND POLITICAL EXPRESSION

The rule of law—the impartial application of state administration and justice—and freedom of political expression together are the bedrock of democratic normalcy. Expression is supposed to be protected by the rule of law, which identifies the rights of citizens and the circumstances under which governments can punish them. Both have suffered from the contradiction between the status quo and political demands in contemporary Kashmir. The state’s level of control over the daily lives of individuals suppresses freedom, and there are few ways for citizens to check the power of the security forces.⁴⁸ A nexus between local business persons, politicians, and bureaucrats creates a powerful constituency for stasis and impunity.

A key to democratic politics is the ability of citizens to speak their minds, whether in daily life, political engagement, or the press, without undue pressure from state authorities. During periods of crisis—but to a lesser extent in the absence of crisis as well—newspapers are pressured, Facebook and phones are monitored, universities are tightly surveilled and controlled, and gatherings are banned. Control over local media is striking, as editors and reporters claim that the owners of media outlets face direct government manipulation and sometimes intimidation.⁴⁹ The available space for politics becomes restricted in the face of monitoring.

The state deploys these measures because many Kashmiris use political expression to protest the political status quo: they criticize the government, cast doubt on the legitimacy of J&K’s accession to India in 1947, report on rights abuses and pervasive corruption, and speak out for political independence or accession to Pakistan. These uses of expression are obviously driven by widespread discontent over the political situation. Even very liberal governments create limits on free speech, but in the Kashmiri context the Indian state intervenes and punishes speech on a regular basis, often using mechanisms that are either outside normal channels (e.g., the manipulation of government advertising money)⁵⁰ or through laws that cut against the

48. Haley Duschinski, “Destiny Effects: Militarization, State Power, and Punitive Containment in Kashmir Valley,” *Anthropological Quarterly* 82:3 (2009), pp. 691–717.

49. Journalists from a wide variety of perspectives repeatedly made these claims during interviews in 2008, 2009, and 2011. See also the account in Basharat Peer, “Censorship in Kashmir: Author Basharat Peer Gives His Account,” *Guardian*, February 1, 2013, <<http://www.guardian.co.uk/books/2013/feb/01/censorship-kashmir-basharat-peer-speech>>, accessed April 23, 2013.

50. Maneesh Pandey, “Home Ministry Cracks Whip on Kashmiri Newspapers over ‘Anti-India’ News,” *India Today*, October 11, 2011, <<http://indiatoday.intoday.in/story/home-ministry-cracks->

basic premises of a liberal state. There is no longer the danger of simply being killed, as in the past, but threats and harassment are perceived as very common. The Criminal Investigation Department (CID) and Intelligence Bureau (IB) in particular keep a close eye on journalists, outside visitors, and dissidents. There are certainly legitimate security concerns about Pakistani militants to be managed, but the nature of oversight is often aimed at hassling possible troublemakers rather than identifying actual threats.

A crucial component of the rule of law is the ability to hold the government accountable. In Kashmir, the Army and paramilitary forces have little external check on their actions under the provisions of the AFSPA.⁵¹ The population has few reliable mechanisms of accountability that citizens can call upon against the security forces. There are internal disciplinary mechanisms within the forces, but they are not trusted at all by many Kashmiris. The evidence of substantial discipline for rights abuses is minimal, as remarkably few punishments have been meted out.⁵² Omar Abdullah's proposals for a partial repeal of the AFSPA in the autumn of 2011 were met with vocal resistance from the Army, and as of this writing the MHA has shown few signs of moving in this direction. The highly public and insistent skepticism offered by the Army was quite remarkable, given the Indian military's tradition of deference to civilian political authority. This relationship between the state's elected leadership and the security apparatus undermines coherent strategic responses to political unrest. The military is also able to requisition land in rural areas, another cause of discontent with little institutionalized civilian involvement, and it has faced accusations of being behind mass disappearances during the 1990s.⁵³

whip-on-kashmir-media-over-anti-india-news/1154451.html>, accessed April 23, 2013; "PCI Warns against Denying Govt Ads to Papers," *Greater Kashmir*, February 4, 2013, <<http://jammu.greterkashmir.com/news/2013/Feb/5/pci-warns-against-denying-govt-ads-to-newspapers-61.asp>>, accessed April 23, 2013.

51. Haley Duschinski, "Reproducing Regimes of Impunity," *Cultural Studies* 24:1 (2010), pp. 110–32.

52. Praveen Swami, "Home Ministry Shoots Down Pleas to Prosecute Killer Soldiers," *Hindu*, February 7, 2012, <<http://www.thehindu.com/news/national/article2866609.ece?homepage=true>>, accessed August 20, 2012.

53. Parvaiz Bukhari, "Bait for a Kill," *Tehelka* 7:23 (June 12, 2010), <http://www.tehelka.com/story_main45.asp?filename=Ne120610bait_for.asp>, accessed August 24, 2012; Lydia Polgreen, "Mass Graves Hold Thousands, Kashmir Inquiry Finds," *New York Times*, August 22, 2011, <<http://www.nytimes.com/2011/08/23/world/asia/23kashmir.html>>, accessed August 20, 2012.

The JKP do face greater accountability, but are nevertheless a huge, massively funded body with close ties to MHA. The JKP are part of a strategy to bind Kashmir to India through employment and surveillance, which makes their size and power more important than legal niceties. None of these forces need to pay much attention to the elected chief minister of J&K, much less to ordinary civilians. The coercive tools of the state are where accountability should be most careful and thorough, whether through direct mechanisms of citizen complaint or control by elected officials. The absence of reliable means through which Kashmiris can influence the deployment of force reveals another way in which growing electoral politics have not solved key underlying gaps between rulers and the ruled.

These issues of accountability also apply to the civilian bureaucracy of J&K. It has close ties to elite economic actors, linked by murky bank loans, land usage deals, and shared interest in government patronage.⁵⁴ Corruption, inefficiency, and misgovernance are pervasive.⁵⁵ This is obviously also the fault of those Kashmiris who serve in the government: the goal here is not to blame Delhi for everything. It is the case, however, that much of the money and political direction provided to the state government comes directly from the central Indian state, which has enormous power over how policies are implemented (or go unimplemented). What sets this form of corruption apart from the widespread corruption in South Asian political life is that it directly undermines the claims that the state makes about the importance of good governance as a counterinsurgency strategy. The underlying paradox of Indian strategy can be seen again.

Even small things—like the almost-exclusive use of extravagant golf courses by bureaucrats, the Srinagar economic class, and security force personnel—signal the lack of pressure on state power. Larger issues such as massive inefficiency, recurrent scandals, and the apparent lack of interest in serious reform among key politicians and bureaucrats, make it hard to win hearts and

54. See fn. 37 for several cases. Recent examples can be found in Nazir Masoodi, “Jammu & Kashmir: Patronising Corrupt Officials?” *NDTV*, March 12, 2010, <<http://www.ndtv.com/article/india/jammu-kashmir-patronising-corrupt-officials-17610>>, accessed August 15, 2013; and Altaf Baba, “Baramulla Land Scam: PMO Directs JK Govt to Conduct Probe,” *Greater Kashmir*, July 30, 2013, <<http://www.greaterkashmir.com/news/2013/Jul/30/baramulla-land-scam-pmo-directs-jk-govt-to-conduct-probe-63.asp>>, accessed August 17, 2013.

55. Masood Hussain, “In Jammu & Kashmir, Corruption Is Story of Growth, Innovation,” *Economic Times*, July 13, 2012, <http://articles.economicstimes.indiatimes.com/2012-07-13/news/32664044_1_cabinet-minister-srinagar-babus>, accessed July 20, 2012.

minds.⁵⁶ There is no powerful constituency for accountability. This makes the rule of law a hollow concept for ordinary civilians and encourages protest and alienation. The basic choice that faces Delhi is once again thrown into relief: Kashmir can be a tightly controlled garrison, or its governance can more closely match the political preferences of its citizens.

THE DANGERS OF STASIS

This analysis suggests that the most likely future for Kashmir is more of the same: an Indian government uninterested in changing its approach and the eruption of recurrent crises alongside simmering discontent. It is very unlikely that India will ever allow Kashmiri independence, but there has not been movement toward even much less dramatic alternatives, such as increased autonomy and reduced central involvement. The strategy put into place of emphasizing “normal” politics and then suppressing their manifestation has not strengthened India’s political position in the Valley. The protest movement is divided and has been unable to articulate a consensus, which encourages Delhi’s static position, as do ideological and political calculations among India’s politicians. This Indian approach carries deep risks, both for domestic and international reasons. Domestically, the longer that India refuses to substantially change its policies even in the face of credible opposition to them, the more likely will be a return to militancy. Deep anger and frustration have arisen since the first wave of large protests in 2008, as activists’ new strategies have been met with a familiarly unyielding state response. This frustration may turn into renewed violence if spillover from the conflicts in Afghanistan and Pakistan reaches into Kashmir. Indeed, the window of opportunity for major change in Kashmir might have begun to close already in 2013, as militant incidents and clashes with Pakistan along the LoC have risen and the likelihood of substantial Indian policy shifts has correspondingly decreased.⁵⁷

56. A major sex scandal, for instance, implicated a number of powerful local leaders. Riyaz Wani, “High Court Names String of VVIPs in Sexual Abuse Case,” *Indian Express*, October 9, 2007, <<http://www.indianexpress.com/news/high-court-names-string-of-vvips-in-sexual-abuse-case/226255/>>, accessed August 20, 2012.

57. Baba Umar, “The Death Knell Sounds Again,” *Tehelka* 9:31 (August 4, 2012), <http://www.tehelka.com/story_main53.asp?filename=Neo40812DEATH.asp>, accessed August 10, 2012; Jason Burke, “Kashmir Conflict Ebbs as New Wave of Militant Emerges,” *Guardian*, August 11, 2013, <<http://www.theguardian.com/world/2013/aug/11/kashmir-conflict-new-wave-militants>>, accessed August 15, 2013.

It is not the place of this article to offer specific proposals for conflict resolution; that is a matter for the actual stakeholders on the ground. What is clear is that the current approach may not create a lasting, meaningful stability. There are many reasons why Indian policymakers have adopted this approach, but unless they extricate themselves from this overwhelming focus on Pakistan and a mix of policies viewed by many Kashmiris as hypocritical, Kashmir will see periods of quiescence that are then disrupted by protest and tumult. The failures and fractures of Kashmir's political space and the chaos within Pakistan are certainly important, yet they are insufficient excuses for inaction.⁵⁸ Political change should not be contingent on Pakistan. It may be that Delhi has calculated that it can live with sporadic unrest rather than bear the domestic and international risks of reform, but this makes its rhetoric of normalcy in Kashmir ring hollow and lays the basis for future instability.⁵⁹

PARADOXICAL NORMALCY IN COMPARATIVE PERSPECTIVE

The concept of paradoxical normalcy may also shed light on conflicts elsewhere. Research suggests that nearly half of the civil wars since 1990 have ended without clear victory, defeat, or settlement; instead, these conflicts simmer along without full resolution.⁶⁰ We need analytical tools for describing what occurs when a military challenge has been blunted but substantial proportions of the population continue to oppose the status quo.⁶¹ There is a substantial difference between shattering an armed movement, on the one hand, and creating a workable political sphere, on the other. Building local institutions—whether parties, bureaucracies, or local police—exacerbates risks in the eyes of the central state because it may empower forces sympathetic to secession or greater autonomy. Yet, insisting on tight central control breeds discontent and new forms of disorder, even if insurgency is controlled.

58. As noted above, Kashmiri separatists are far from flawless, suffering from both division and self-inflicted weaknesses. But these characteristics are not unique to this movement, whether in India or anywhere else, and should not preemptively halt discussions.

59. This charge was publicly made by Chief Minister Omar Abdullah in August 2013. See "We Are Treated as If We Don't Belong to India: Omar Abdullah," *Economic Times*, August 15, 2013, <<http://economictimes.indiatimes.com/news/politics-and-nation/we-are-treated-as-if-we-dont-belong-to-india-omar-abdullah/articleshow/21843176.cms>>, accessed August 15, 2013.

60. Joakim Kreutz, "How and When Armed Conflicts End: Introducing the UCDP Conflict Termination Dataset," *Journal of Peace Research* 47:2 (March 2000), p. 246.

61. This is a crucial difference from Punjab, where the constituency for fundamental political change was much smaller and more fluid than in the other separatist conflicts.

This concept might be productively applied in comparative perspective to conflicts where there is a tension between the professed vision of normalcy the state articulates and the actual practices it pursues and allows. These contexts are obviously diverse in important ways, but we can observe productive resemblances. In parts of India's northeast, particularly the states of Manipur and Nagaland, the central government has either defeated or stalemated militant movements but has not been able to find a long-term solution apart from a militarized state presence. As a result, these areas remain locked in what Baruah evocatively terms a "durable disorder."⁶² In Pakistan, Karachi recurrently erupts into crises that are managed but not solved by the central state.⁶³ In southern Thailand and in Mindanao in the Philippines, insurgencies have been contained, but "normal" politics has not emerged to allow real engagement, debate, and governance without the use or threat of violence by the state.⁶⁴ Liberal democracy is at least rhetorically, if hypocritically, hailed in these environments by governments and militaries, but the contrast between this set of idealized virtues and local realities undermines the credibility of state authority. Elections, counterinsurgency, pro-state militias, militant groups, and illicit economies have become fused together into "systems of violence"⁶⁵ that defy existing categories, such as insurgency vs. counterinsurgency or state weakness vs. state strength.

Yet, not all internal conflicts lead to paradoxical normalcy. Substantive political change can facilitate long-term stability after a reduction in violence. Success involves the creation of a durable political order that engenders possibilities for substantive political participation without constant central interference. In the successful case of Mizoram, a tiny state in India's troubled northeast, India directly negotiated with an insurgent group to forge an accommodation that reflected popular sentiment. In Punjab during the 1990s,

62. Sanjib Baruah, *Durable Disorder: Understanding the Politics of Northeast India* (New Delhi: Oxford University Press, 2005).

63. Anatol Lieven, *Pakistan: A Hard Country* (New York: Public Affairs, 2011); and Laurent Gayer, "Political Turmoil in Karachi: Production and Reproduction of Ordered Disorder," *Economic and Political Weekly* 47:3 (August 4, 2012), pp. 76–84.

64. See Duncan McCargo, *Tearing Apart the Land: Islam and Legitimacy in Southern Thailand* (Ithaca, N. Y.: Cornell University Press, 2008); ICG, *The Philippines: After the Maguindanao Massacre*, Asia Briefing, no. 98 (Brussels: ICG, December 2009).

65. Nazih Richani, *Systems of Violence: The Political Economy of War and Peace in Colombia* (Albany: State University of New York Press, 2002). See also Paul Staniland, "States, Insurgents, and Wartime Political Orders," *Perspectives on Politics* 10:2 (2012), pp. 243–64.

meaningful electoral politics, local empowerment, and a vibrant press combined with counterinsurgency to cause a dramatic drop in militancy. In the Indian northeast, including Mizoram, Tripura, and areas of Assam, new states, autonomous governance bodies, and political reforms have been instituted that address at least some local concerns. A commitment to political processes of bargaining, substantive representation, and state accountability have borne fruit in these contexts.⁶⁶

The experience of Kashmir is suggestive: without engaging in fundamental political tasks, instability and suffering can persist long after an insurgency itself. Tensions between government rhetoric and policy realities can create a debilitating paradox even if violence has dramatically declined. Post-insurgency politics can become locked in a cycle of partial liberalization, local mobilization in response, and state repression to protect the political status quo. If formal manifestations of "normal" politics do not lead to the representation of mass political preferences, they risk becoming hollow.

66. Such outcomes may also be driven by the nature of insurgent movements and/or local political parties' willingness to engage in bargaining; not everything hinges on the state.