

Jammu and Kashmir: A Very Special State

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The events leading to the destruction of the venerated shrine of Sheikh Nuruddin (known to the Hindus as Nund Rishi) at Charar-e-Sharief along with virtually the whole ancient township have had a traumatic effect upon people in Kashmir. As the poet said: "Jalli jo shakh-e-chaman, Sath bagban bhi jala" (When the branch of blossom was burnt, the gardener also succumbed to flames).

With its very special history and cultural ambience, Kashmir has produced a succession of Sufis and saints whose shrines dot the Valley. Among them, the woman saint Lalleshwari and Sheikh Nuruddin Wali were the most revered.

The Sheikh was known as Alamdar-e-Kashmir and considered the patron saint of Kashmir. His spiritual radiance, and his teachings of love and compassion, cut across all barriers. Many miracles were associated with his life and the great Ziarat in which his body was entombed. It is impossible to describe the exquisite beauty of the 600-year-old shrine, which was neither a masterpiece of Kashmir architecture, nor the tangible atmosphere of peace and spiritual fragrance that one encountered within its hallowed portals. While the outer structure might be rebuilt, the holy relics and artifacts have gone forever, a grievous loss not only to the Kashmiris but also to the spiritual heritage of the world. This act of concerted vandalism deserves the strongest possible condemnation.

This terrible event is the culmination of over five years of insurgency. Thousands of people have been killed; lakhs have been rendered homeless; property worth hundreds of crores has been destroyed. The fact that this event has resulted from an unwise recourse of militancy by a section of the population, trained and financed from across the cease-fire line, and supported by considerable number of non-Kashmiris does not detract from the tragic dimensions of the situation.

It is a matter of grave concern to every Indian citizen that an important part of the country should be deprived of democratic functioning for so many years. At present there is not a single elected representative in Jammu and Kashmir at any level, from the Panchayats right up to Parliament. There is no accountability or accessibility, and the generally peace-loving people of the Valley find themselves trapped between the guns of the militants and the security forces. We are proud to be the world's largest democracy, and surely it is only through a process of political dialogue that this highly complex matter can be sorted out.

After the release of prominent Kashmiri leaders last year, it was expected that dialogue between them and the government would be resumed soon. The governor, in whom all powers are concentrated, might have initiated these negotiations. But this did not happen. Even after the Prime

Minister took direct charge of Jammu and Kashmir Affairs, there was no body of sufficient stature designated to open negotiations. Though Hurriyat leaders met Opposition leaders and even Pakistani representatives during their Delhi visit, the crucial meetings with the Prime Minister's representatives did not take place. Thus valuable time was lost and now the traumatic events in Charar-e-Sharief have disrupted the process of conciliation.

With the five-year limit to President's rule expiring on July 18, there is a strong move to have elections, which is a positive development. However, large sections of Kashmiri opinion are strongly against elections, partly because they assume that it will mean a reversion to the *status quo ante* that obtained before 1989. Apart from the destruction caused by the militants, this basic political factor is not fully recognised even by many sympathetic observers. I would urge the Chief Election Commissioner to send a team to assess the ground situation in the Valley before taking a decision. [Through a constitutional amendment President's rule has further been extended due to unconducive atmosphere in the state to hold elections. The Chief Election Commissioner, Mr. T. N. Seshan also supported the idea after he visited Jammu and Kashmir. The Charar-e-Sherif tragedy further delayed the prospects of an early election (Asst. Editor)]

In the current tragic scenario, one clear perception is that a reversion to the status quo is now not acceptable to people in all parts of the state. A radical restructuring of the relationship between the state and the rest of India-based firmly upon the Instrument of Accession signed by my father in 1947 and among the three regions of Jammu, Kashmir and Ladakh, is necessary for an abiding political settlement. It is here that far-sighted statesmanship is required so that we can break out of the impasse that has eroded our standing in the comity of nations.

What is needed is a political decision by the ruling party and, if possible, the major political parties in India on the broad parameters within which a solution could be explored. Obviously secession is not acceptable, but between secessions and the present disastrous situation there is a range of options, which could be examined. The Prime Minister's recent statement in the Rajya Sabha that he was prepared to consider autonomy for the state within the framework of the Constitution is a welcome gesture, which needs to be followed up.

Jammu and Kashmir has always been a special case historically and constitutionally, so the fear that a settlement would lead to similar situations in other states is misplaced. The Jammu and Kashmir Constitution, which I signed into law as Sadar-e-Riyasat almost four decades ago and which is still a valid document, is an instrument that can be used with advantage in developing a new constitutional dispensation for the state. This will be in the larger national interest, and one hopes that the BJP will seriously reconsider its rigid views on the issue.

Let us also not forget the two regions of the former Jammu and Kashmir state – POK and the Northern Areas that have been under Pakistan's control for about half a century. Though we are committed to a negotiated settlement with Pakistan under the Simla Agreement, there is no reason why we should give up our interest in the welfare of the people living in those areas that are far from happy under their current dispensation. The Prime Minister's intervention in Parliament to scotch aggressive statements on war with Pakistan was most timely and Pakistan's Benazir Bhutto should reciprocate. Between us we contain over a billion people, almost one-fifth of the human

race. With the world moving towards détente even in such seemingly intractable areas as *Northern Ireland* and *Palestine*, there is no reason why we should be condemned to perpetual conflict.

It is only if we view Jammu and Kashmir in this broader context of India's destiny in the emerging global society, and call upon the reserves of wisdom and compassion that great seers and sages have handed down to us that there is hope of overcoming the recent disaster and moving towards a positive outcome.

If the fiery sacrifice at Charar-e-Sharief could bring about a real détente, the spirit of Alamdar-e-Kashmir would have performed its greatest miracle.

(Courtesy: Times of India, 21 May, 1995).