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## **Jama'at-e-Islami in J&K: How does it survive the bans?**

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**Mehraj Bhatt\***

### **Abstract**

*Jama'at-e-Islami Jammu and Kashmir (JI-JK) is shaping a narrative that militates against both secular democracy and the accommodative ethos of Kashmir. While the people of J&K await resolution of many of their day-to-day issues and have huge expectations from the post-abrogation governance system, JI-JK is waiting in patience to capitalise on the failure of the system (to deliver on its promises) without bothering about elections or statehood. The graph of militancy may seem to have taken a dip but there seems to be a shift in tactics by the militants and newly minted groups are appearing on the horizon benefitting from the narrative spawned by JI-JK over the years. While militant activities are slowly on the rise again, the government is going to face criticism for not being able to stop terrorism, while JI-JK would continue with its 'Islamising' endeavour at the subterranean level preparing the grounds for continued militancy in J&K.*



The Jama'at-e-Islami Jammu and Kashmir (JI-JK) was banned by the Ministry of Home Affairs for five years on 28 February 2019 under section 3 of the Unlawful Activities (Prevention) Act.<sup>1</sup>

The Union Home Ministry, in a notification, declared that JI-JK has been involved in activities that are

against the security of the state and public order and can disrupt the unity and integrity of the country. Therefore, there is "sufficient cause" to confirm that it had sufficient credible material and grounds for taking such action. Subsequently, the govt confiscated its offices and arrested its leaders under those charges. JI-JK moved the Delhi High Court challenging the ban and filed a petition against such

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allegations. Undeterred, the government of J&K has gone ahead with its move to stop JI-JK from spreading, what it believes, its extremist and secessionist ideas among the people of J&K.

In June 2022, J&K Government banned schools run by JI-JK in four districts of the valley and in September that year, the State Investigation Agency (SIA) of the Jammu and Kashmir (J&K) Police raided multiple places owned or used by JI-JK and its affiliate, Falah-e-Aam Trust (FAT). In October, in October, NIA carried out searches at multiple locations in Jammu and Kashmir in a terror funding case having links to suspicious activities of Al Huda Educational Trust, which is a front organisation of JI-JK, in Rajouri, Poonch, Jammu, Srinagar, Pulwama, Budgam, Shopian and Bandipora. In December 2022, in Shopian, authorities sealed 9 JI-JK properties worth INR 800 crores. As the J&K government embarks on a determined move to reverse the negative impact of JI-JK's agenda, it is useful to study the origin and evolution of this outfit.

### **Introduction**

This is not the first time that JI-JK has been banned; it was also banned in 1972 and then again in 1995. But

despite those bans, the JI-JK not only re-emerged but also retained and expanded its influence. Will this latest ban be more effective in curtailing and curbing the network and influence of JI-JK or is it too early to say anything about the future of this organization, which is under the watch for its influence and potential on Politics in J&K?

Sayyid Abul Ala Maududi (1903-1979) founded Jamaat-e-Islami (JI) in Lahore on 26 August 1941. Maududi, who is regarded by critics as a one of the most systematic Islamist thinkers of his time, sought to revive Islam and propagate 'true Islam'. JI started as a socio-religious and political group, and it was committed to social reform on Islamic lines. JI-JK started as a regional branch of the main JI immediately after JI held its annual *ijtima* in 1945. Those associated with JI-JK differed with both National Conference led by Sheikh Abdullah and Muslim Conference led by Ghulam Abbas and sought to focus on the religious aspect of the society. Nonetheless, over the years, JI-JK never shied away from taking hardline postures and provided a staunch critique of the secular narrative, which pits it against secular politics and Sufi Islam. It has a different understanding of the sociopolitical reality in J&K and it has been crafting its own Islamic

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narrative in J&K politics ever since. Over the years, it has demonstrated its inclination for accession of the state to Pakistan.

The JI in J&K began as an extension of JI in the south Asian subcontinent, although its growth and trajectory later were shaped by the politics of those times and the social setting in which it was ensconced. What has been more interesting about JI is that as a religious organisation it has been able to get to the centre of political discourse of J&K. Hence it is important to understand the structure of the organization and its conduct, its ideology and its imprint on J&K society.

The ban of February 2019 is for five-years and the organization has filed a petition countering the allegations on the basis of which it has been banned.<sup>2</sup> Nonetheless there is an impression commonly circulating amongst its sympathizers that the organization will survive another crisis like it did earlier. Therefore, the politics of the organization has to be studied in the context in which it operates which defines its scope, limits and endeavours. There are instances when it has changed its strategy, made big shifts and has even fought elections under the same constitution

it rejected later.

The latest ban - the shutting down of its physical infrastructure and arrest of its leadership seems to have made little impact on the ground in terms of JI-JK's political hold and its support network. This paper is an attempt to dissect the reasons for the failure of state's action against the organization.

### **Political Islam in J&K**

Political Islam has no clear definition because it is proclaimed by many organizations and groups seeking Islamic rule. Taliban is one such group, ISIS is another, Saudis have their own interpretation of political Islam, Egyptians have their own version claimed by Muslim Brotherhood (MB) and down the ladder many other factions also claim their version of Political Islam.

There is another variant of Political Islam which JI in India, Pakistan and Bangladesh propagates and subscribes to. All these versions share common ground of using State as a means to Islamize politics and society and establish a system based on Sharia'h and Islamic principles. JI and MB share ideological ground in terms of their social mobilization, political organization and structural network. Both are influenced by each

other's ideologues like Syed Qutub and Abul Ala Maududi respectively.

It is a fact that there are multiple definitions and understanding of Political Islam, but one definition somehow has some clarity, which is given by Guilian Deneoux, a political scientist, who defines it as 'Instrumentalization of Islam' by groups that pursue political objectives.<sup>3</sup> It provides political responses to today's societal challenges by imagining a future whose foundations border on reinvention of concepts borrowed from Islamic traditions. It also romanticizes the notion of its golden past by de-historicizing Islam from the context in which it existed and flourished. By doing this they ignore the sociopolitical and economic milieus that are prevailing in contemporary times. This definition adequately describes the evolution and failure of JI particularly in south Asia in general and in J&K in particular. Therefore, it strives to bring back the 'golden era' to rectify the odds and problems Muslims of J&K are faced with.

### **Sufism in Kashmir and Political Islam**

There is a misconception about Sufi Islamists that they tend to shy away from politics but minute study of the Sufi approach to politics suggest that

Sufi Islam does talk about politics and does not remain aloof from the political events even if it is inclined towards mysticism which forms the basis of its understanding of politics and society. The Sufis place egalitarianism and social justice at the heart of their discourse and believe in reformative methods instead of violence. In practice, however, even various competing Sufi schools of thought have engaged in violence. The political Islam narrative thus, on the face of it, appears to run counter to the essential principles of Sufi Islam and emphasizes more on acquiring state power as means to deliver social justice. Sufi Islam of the kind prevalent in J&K was thus reflexively indifferent and apathetic towards political Islam introduced by JI.

In its constitution, JI-JK clearly mentions that its obedience is only to God, and 'He' is the ultimate authority. It doesn't sanction obedience to any other form of authority<sup>4</sup>. They detest any affiliation with secular forces as conforming to the 'other' un-Islamic forces. In order to implement Islam in its entirety the word of God has to be implemented in letter and spirit.<sup>5</sup>

In J&K, it was expected that Sufi Islam would sideline JI because it denounces violence in any form and

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prefers not to partake in any system which robs Islam of spiritualism. At another level, the fight between political Islam and secularism was quite visible and led to massive ideological confrontation between the two.

In J&K, the context for Political Islam on the one hand and Sufism and Secularism on the other hand was shaped historically by the interplay of different factors from politics to religion and the failure of mainstream politics over the years. J&K inherited the legacy of partition in 1947 when the subcontinent witnessed riots and dislocation of communities; however, J&K was not affected by the communal flare-up because over the centuries there was a blend of Sufism, Shaivism and political secularism in J&K society which led to peace and social harmony. Peace in J&K, in such an environment, was even applauded by Mahatma Gandhi after he visited J&K.

### **Ji-JK**

The Ji-JK started its activities in J&K in 1944 from Jammu as a branch of Ji-Hind.. It was conceived as a regional chapter of Ji-Hind, which was its parent organization. In 1952, it disassociated itself from the parent body and formed Ji-JK, and

drafted its own constitution in 1953. The group started a crusade against moral degradation of the society and wanted to rectify that with Islamic solutions, which was based on modern interpretation of Islam by Ji founder Abul Ala Maududi and others.<sup>6&7</sup>

As the draft of the constitution reads, "to stop moral degradation of the society it is incumbent upon every member to utilize all resources to stop that". Therefore, since its inception, Ji-JK has been a staunch critic of 'Modernity' and secular values and ideals and strives to Islamize society and politicize Islam at the same time<sup>8</sup>. This can be traced back to the foundation of Ji-JK in the subcontinent in August 1941 (13 years after Muslim Brotherhood, which was established in Egypt) by Maududi who detested secularism and democracy vehemently. At the time, the prevailing social code in J&K was a confluence of Sufism and Shaivism. The 'new solution' being propounded by Ji-JK challenged the prevailing socio-political and Sufi traditions in the valley, which were credited with enabling an atmosphere of coexistence of different religious communities.<sup>9</sup>

In the earlier decades, when the organization was on the margins, its main focus was Islamization of



society which led to the conflict from within the Muslim community in Kashmir. Its interpretation of religious texts were different from the Sufi way of thinking and therefore, initially it did not make much progress.

It has to be understood that JI-JK, JI-Pakistan and JI-Hind share the basic ideological template of Maududi's JI, i.e., to work towards the establishment of a Modern Islamic state.<sup>10</sup> To that end, JI used religious rhetoric to oppose the doctrine of secularism and to challenge secular politics of the state. This led to the contestation with other political, religious groups and the existing Sufi tradition which was dear to the common people. Such contestation shaped the trajectory of JI-JK in the later phases.

### **The Contestations**

The history of JI-JK from 1953 onwards was shaped by the changing political realities in J&K; therefore, it had to fight the existing social barriers, cultural code, religious understanding, politics, economic conditions and sectarian fault lines. This led the organization to chalk out a long-term strategy, which started with its moral crusade against growing social evils which basically meant to go after shrine

worshippers and other such practices which they called as '*bidah*' or 'innovation' which is forbidden in Islam.

The birth of JI-JK opened a new front at the social and political level which challenged the prevailing social order and wanted to usher a new understanding of religion without having a blueprint for either governance or social harmony and away from the ground realities. Their experiment with democracy did not lead them to sweep the entire sociopolitical sphere which indicates that the old fabric was still in place. They then turned to education and sought to engineer changes in society which would inevitably lead them to power and creation of an Islamic state.

The first contestation was with two variants of nationalism which formed two sides of this contest; one was the Muslim conference and its Muslim Nationalism and National Conference and its Kashmiri Nationalism.

JI-JK was "disillusioned with the Muslim Conference" for lack of a definite programme for the polity and society of the state which would be based on Islamist ideals.<sup>11</sup> Secondly, the organization was wary of tagging their ideas with Muslim Conference which will come in the way of their

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ultimate aim of carving out their own niche.

The second contestation pertained to countering the NC and its Kashmiri Nationalism, given the popularity and mass base it enjoyed at that point in time. Soon after the tribal invasion and subsequent signing of accession of the state to India, JI-JK was a staunch critique of the secularism and formation of government by Sheikh Mohammad Abdullah of NC. Sheikh Abdullah was the popular leader of National Conference, a party that was formed after Muslim conference had chosen to rename itself in 1938. His land reforms added more worries for JI-JK because it expanded the support base of NC, which hindered JI's ideological plans. Since NC was a secular political party and took oath under the secular constitution, it was, by definition, an ideological and political adversary of JI-JK.

JI-JK aimed at transforming the social fabric of the state on modern Islamic lines in accordance with the principles of Islam. This led to massive mobilization by establishing offices. Every office was attached to a mosque; both were run exclusively by the district president (Sadr-e-zila). The mobilization was also carried out through the establishment of private schools under Falah-e-Aam (Welfare for All)

trust<sup>12</sup>, an apex body which coordinates the entire private schools under the charter of JI-JK. A journal 'Azaan' also came up to spread the message of the organization to rope in intellectuals. A massive mobilization drive led to mushrooming of private schools under Falaah-e-Aam Trust (FAT) that eventually helped it to influence the public opinion at a mass level. Even at that point in time they outnumbered and outsmarted government run schools on performance matrix. The establishment of schools engaged thousands of unemployed youth and thousands of students have been studying in these institutions even now.<sup>13</sup> In fact, during the proceedings in the Court of Special Judge, designated under NIA (TADA/POTA), Srinagar, in September 2022, "evidence had come on record that one of the major methods of propagating its secessionist agenda had been to maintain control over a parallel school system" as per the State Investigation Agency (SIA) of Jammu and Kashmir Police. The SIA also claimed that FAT had links with the militant outfit, Hizbul Mujahideen (HM) which had destroyed many government-run schools in J&K and had sought to attract young students to schools run by it where it had sought to influence young minds in favour its secessionist agenda.<sup>14</sup>

### ***JI-JK & Politics of J&K***

Soon after its formation, JI-JK was divided over the question of contesting elections. This was seen as a virtual sellout in certain quarters and was tantamount to conforming to secular charter which it vociferously contested. This tussle led to defections within the group at times.

The politics of the 1960s and the 1970s was a watershed moment in the evolution of JI- JK. Sheikh Mohammad Abdullah was behind the bars, which led to political defections and inevitably to the merger<sup>15</sup> of National Conference and Indian National Congress. This led to huge dissatisfaction amongst the youth that pushed them to take up JI-JK ideology. This was seen as an opportunity by JI-JK which then decided to contest elections.

The idea was to enter political domain and acquire power, which would allow them to engineer changes from within, an argument made by most of its members to avoid the criticism of compromising on its ideology. The criticism came both from within and outside, but this view is largely shared by its members that entering power corridors was to fight the opponents and it was a compulsory choice to make.<sup>16</sup>

By that time JI-JK had already had a good influence on the public opinion and that also led to its confidence to participate in the electoral process breaking bread with democracy and secularism. It has to be remembered that as a Pan-Islamic movement JI-JK doesn't shy away from using power to materialize their ideological objectives and they consider power an important part of their politics.

The third form of the contestation was taking on Sufism and challenging the authority of shrines and the followers. This was perhaps the riskiest affair because in politics they could fight other groups without much trouble but here the situation was quite the opposite. As mentioned earlier, at the social level they found it difficult to get acceptance in society because J&K socially evolved as a blend of Sufism and Shaivism and replacing such a blend was next to impossible for JI-JK. Over the years, however, because of the changes in the political domain, social media revolution, material and moral support from Pakistan since the 1990s and aggressive mobilization by JI-JK, it did manage to penetrate the old social order and has now left an abiding imprint on J&K society, which may be difficult to erase.<sup>17</sup>

The fourth contestation was with JKLF (Jammu and Kashmir

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Liberation Front).<sup>18</sup> After the insurgency in 1989-90, JKLF claimed its secular ideological orientation which was pitted it against JI-JK and led to violent and armed clashes between JKLF and JI- JK cadres. The bottom line was that JI-JK was against any secular formation even if it was a militant outfit. Some people even argue that in order to compete with JKLF, JI-JK established the Hizb-ul-Mujahideen and some would even call it the 'sword arm' of JI-JK, though it has distanced itself from any such activity and affiliation.<sup>19</sup>

It is also important to mention that there is a perception that the Hurriyat emerged out of the ideological friction between the old guards in JI-JK, which it tactically used as a buffer against the Indian state. Hurriyat was easy to be identified as it would openly support militancy and accession to Pakistan. The state responded by initiating legal process against them but left out JI-JK because of the blurred lines existing between JI-JK and Hurriyat ideologically.

Ji-JK has a distinct and well-defined ideology and has an organizational network which cuts across the urban and rural spaces. It fights in the realm of ideas and has set up a parallel system which helps it to stay connected with the ground. Over the years, it has been successful

in widening its base by conducting seminars, conferences, examinations and counseling and also by establishing charity centres. The underlying fact has been the desire to change the consensus in the society to materialize their political ideology.

In terms of electoral politics, JI-JK is not a big player but it has the ability to influence politics indirectly. When the organization was banned in 2019, there was widespread criticism from the mainstream politicians against the ban. It signifies that they cannot afford to lose out on the sympathizers of JI-JK and they will have to face them in their respective constituencies. The JI-JK, since its inception, focused on transforming society before politics so its influence is more critical in social and religious spheres than in politics. The failure in direct politics has made them understand the need to transform the social order before changing the dynamics of power.<sup>20</sup> It was undertaken to enforce social change from below.<sup>21</sup>

All this has led the organization to undertake massive outreach programmes, associational work, and engagement with wide sections of society which in turn helped the organization gather momentum and impact in terms of shaping and influencing the political narrative

and discourse.<sup>22</sup>

### **Impact**

The impact of JI-JK is many-fold ranging from influencing society and politics to religious discourse. From its emergence as a socio religious group to contesting elections and now facing the charges of terror financing and unrest in the valley, the decade of the 1990's was very important which determined the future course of the organization.

The outbreak of Insurgency in the 1990s impacted the organization in two ways: (i) it invited trouble from the state govt and resulted in banning of the group in April 1990 for encouraging unlawful activities, second time since its evolution (first time in 1975 for spreading communal sentiment); and (ii) it put the organization on the backfoot and broke the ideological and religious run to become the unifying factor that it had hoped it would be.

In 2008, the civil unrest in the valley and then the turmoil in 2010 and the agitation in 2016 have increased the weight of JI-JK as an influencing force. It is because the organization had a free run (1995-2019) that helped it establish its network and create more constituencies for support. The imprint it has left on the psyche of the people has been quite

notable, which can be gauged by the fact that after JI-JK was banned in 2019, almost all political parties criticized the ban because of the influence JI-JK enjoys and it would be politically unwise for the political mainstream in Kashmir to concur with the ban for the perceived political costs it would carry with it.

### **Why has JI-JK survived?**

The hierarchical structure, which is regarded as the main feature of JI-JK as an organization, is in fact just a procedural one. In reality, JI-JK has survived because it has been rather flexible if not non-hierarchical, and it has adapted to changing circumstances, which its charter permits, especially in times of crisis. Whenever the organization is banned or there is any crisis, it relies heavily on its social and religious base. It has been a tested strategy for JI-JK to stay connected with its base and fall back on it to revive itself.

Since seven odd decades, the organization has evolved not only structurally but has also made serious inroads into other social domains due to its massive mobilization drive over the years. It has relied heavily on its ideology and its socio-religious discourse which has earned it many sympathizers. After the ban on it in the 1990s, it had shifted its focus from

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power politics to culture and society to fight the battle of narratives. The social and religious discourse that it has pushed over the decades has left its mark on society and has made sure that there is an alternative political discourse available for young generation to think about no matter how crude or conservative that may be.

Until 1971, JI-JK focused on institution-building which led it to build an alternative narrative and inevitably to shaping of socio-religious and political discourse which not only has a long-lasting impact on society but has also shaped the politics of the state. The banning of the organization does not necessarily mean end of the discourse when it is fed by an ideology and the conflict-like situation prevalent in J&K has acted as a perfect setting against which it has found it easy to propagate its worldview.<sup>23</sup>

The reason for the durability of the organization is that it has been virtually impossible to bring it entirely under control especially when its influence has grown beyond its cadres and won it many sympathisers. There are blurred lines between a member and a sympathizer and while the members are easily identifiable and can be

brought under control, the sympathizers roam around freely without the state noticing it.

Through its mobilization drive, participation in elections and its emphasis on social outreach JI-JK has been able to raise a dedicated support-base which is averse to democracy and secularism. Its massive education programme has enabled it to influence a large population of educated youth who have helped the organization institutionalize an 'ideological' mindset, which has gradually replaced the Sufi consciousness which ostensibly constituted the core of 'Kashmiriyat'. The different govt rehabilitation and recruitment schemes have also led to steady induction of JI-JK cadres and its into government services. Although the government has in recent times suspended many govt employees over such charges and booked them under Public Safety Act, it is impossible to weed them out entirely.

There is also no denying the fact that Islami Jami'at-i-Tulaba (IJT), its student wing, has helped JI- JK gain much of the ground especially in recent years to increase its support-base and influence. IJT-JK, which was created in 1979, is the main ideological engine powering the concept of Political Islam through

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rallies and by producing and distributing a large body of literature authored by JI's ideological godfather, Abul Ala Maududi amongst the people. Maududi's precepts run against socialist ideas and the modernity discourse. New entrants to colleges and secondary schools have been invited to 'study circles' in which senior IJT members would help the students with their studies and then gradually introduce them to literature culled out from the writings of Maududi and the Egyptian Islamist, Syed Qutub, who was greatly influenced by JI's philosophy.

The IJT initially launched an agitation demanding the introduction of compulsory Islamic education in government schools. They feared the growing Westernization of the Kashmiri youth and sought to combat it through appeals to Islam. It has also kept itself alive to emergency situations and responded voluntarily to serve the people in their times of need, which has earned it enormous public sympathy. For example, IJT responded proactively to disaster situation in Kashmir when the state was hard-hit by floods in 2014. It was very active in 2005 after the earthquake and since then continued to aid calamity-stricken community with material help. It has used such

sympathy well and spread its tentacles in the society.

The creation of IJT by JI-JK was deliberate and it was basically done keeping an eye on the need for expanding its ideological outreach through an army of educated and indoctrinated youth. First, this was to instill a sense of concern about the changes taking place in the society through the governmental machinery in the shape of modern education and secular politics. Secondly, it was felt that only the youth can transmit their ideas more effectively. Third, the youth can effectively challenge the existing norms in a radical manner and attract the attention of the society to their agenda. . Therefore, engaging the youth in the whole process was carried out deliberately to expedite the process of overhaul of the society and the existing system. IJT was encouraged to establish its study circles, debate competitions, and book fairs and involved itself in welfare activities to take JI-JK's agenda forward.

Perhaps the most important reason for survival of JI-JK, despite the harsh treatment it has received from the state is that its members have been taught to act independent of the organisation to spread the JI consciousness among the people.

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The ability of JI-JK to survive long periods of crisis lies in its continual assertion of a consistent social, ideological and political vision despite the bans. Its advocacy of a perpetual religious struggle and the personal and communal fortitude of its cadres appeal to the people at large fed by a continuous stream of anti-state propaganda curated by the mainstream political leadership and supported morally and materially by outside forces.

When the organization was banned in J&K, there were protests in other countries and similarly, when the Bangladesh govt banned JI, it led to protests in Pakistan and J&K. The presence of JI in other parts of the region does embolden its cadre and adds to the confidence.

### **Conclusion**

The abrogation of 370 created an opportunity for New Delhi to reset the politics of J&K and bring in a new template of administration and governance for the people. However, reliance on old techniques and tactics to deal with a potent force like JI-JK seems to dilute its efforts. The govt might have been successful to put a cap on incidents of stone-pelting and new militant recruitments but looking at the ground reality today, it can be argued that in the long run the state may not be able to win the

battle of narrative vis-à-vis ideological outfits like JI-JK, unless it understands their long-term agenda and the extent of their influence. The state's bid to transplant more conservative groups in the valley to counter JI has only led to further weakening of the traditional Kashmiri ethno-cultural and linguistic consciousness and created a context where outfits like JI-JK would find it lot easier to operate in. <sup>24</sup> The persistent calls for restoration of statehood and political processes by a vocal section of the people and the state's silence over such issues would provide the JI-JK with fresh opportunity to both manufacture and misuse popular resentment to augment its influence despite the ban. That JI-JK has acquired a political gravitas equal to or more than mainstream political parties in J&K is something that needs to be properly analysed and evaluated for evolving an effective counter to its steady expansion in the valley.

Apart from its rising political salience, JI-JK is shaping a narrative that militates against both secular democracy and the accommodative ethos of Kashmir. While the people of J&K await resolution of many of their day-to-day issues and have huge expectations from the post-abrogation governance system, JI-JK



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is waiting in patience to capitalise on the failure of the system (to deliver on its promises) without bothering about elections or statehood. The graph of militancy may seem to have taken a dip but there seems to be a shift in tactics by the militants and newly minted groups<sup>25</sup> are appearing on the horizon benefitting from the militancy-friendly

ecosystem curated by JI-JK over the years. While militant activities are slowly on the rise again, the government is going to face criticism for not being able to stop terrorism, while JI-JK would continue with its 'Islamising' endeavour at the subterranean level preparing the grounds for continued militancy in J&K. ■

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