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Positioning the People in the Contested Borders of Kashmir

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Though literature on the Kashmir conflict abound, most either neglect the humanitarian aspects or make it secondary to realist paradigm of inter-state relations. India and Pakistan, the states among which the major part of princely state of Kashmir is divided, continue to address the issue from a narrow perspective though recently signs towards an inclusive approach for conflict transformation have emerged on a marginal scale. Despite border disintegration in various parts of the world, the state-centric approach to inter-national relations in terms of upholding sacrosanct nature of borders and absolute sovereignty still appears absolute in Kashmir. This has happened at the cost of the people living on the artificial divisions created and recreated on many occasions since late 1940s. The parties indirectly affected or presumed to be affected by tensed border remain in focus, and those directly affected, in common parlance those border people caught in the maze of hostile and contested divisions remain largely neglected not only by the States but also by the wider discourse in academia and other circles.

The Indo-Pak conflict has led to repeated divisions of the region, with a significant part remaining with India, and rest being divided between Pakistan and China; consequently leading to creation of imposed borders in an erstwhile undivided territory. The conflict over Kashmir between India and Pakistan started in 1947, when after independence both countries staked claim to its territory. Since late 1940s the conflict has taken a protracted turn resulting in three full fledged wars, in 1947-48, 1965, 1971 and a limited war in 1999 with enormous bearing for both the countries as well as the people of the Kashmir region. The ceasefires that followed the wars led to repeated drawing or adjustment of lines of divisions in undivided Kashmir, thus orchestrating recurring changes in its geographic contours with devastating consequences for the people who lived in these contested zones.

In this paper I interrogate the state-centric focus of the contested borders in Kashmir by centrally engaging with the humanitarian costs of the conflict and their consequent ramifications for the people living on the border, while particularly focusing on the borderlanders Akhnoor sub-district of Jammu region and Kargil district of Ladakh region of Jammu and Kashmir. The paper seeks to reverse the generally practiced approach to the conflict over Kashmir by positioning the border people at the centre of

the analysis. By documenting the unremitting sufferings the borderlanders have undergone due to six decade long violent conflict I seek to rescue the geographic space that has alienated and tormented the people living in this contested and tense space, and in so doing attempt a recasting of the theoretical as well as policy debate on security for India and Pakistan in a contested space.

Note on Methodology

This paper is the product of surveys conducted in the Indian state of Kashmir during my stint at the University of Jammu from 2005 to 2007. Visits to various border areas of Jammu and Ladakh region of the Indian state of Kashmir in March 2006, July 2006, April 2007 and May 2007 are worth mentioning in this context. March 2006 survey focused on the displacement and other ordeals faced by the borderlanders in the region. In all the surveys through informal interactions and observation method an attempt was made to ascertain the views of the local people living on the borders in the Jammu region. In some instances however through random sampling respondents were chosen for an unstructured interviews. I visited many border villages in the Akhnoor sector of Jammu region and Kargil district of Ladakh region. The villages in Jammu region included Chack Malal, Chack Rama, Rakh Malal, Jogwan, Sarmala, Kamdini Nallah, Mattoo, Dhaleri and Bhopur. In Kargil I visited the border villages located on mountains with difficult terrains. They included Hunderman, Hunderman Brok, Kirkit Majdass, Kirkit Badgam, Kirkit Haral, Latoo and Kaksar.¹

The analysis in the paper is mainly based on my surveys on the border region of Akhnoor sub-district of Jammu region and Kargil district of Ladakh region in the Indian part of Jammu and Kashmir. While admitting the fact that displacement is a wider phenomenon in Kashmir and its tragedy pervades border people across the lines of ethnic and religious divisions, the current paper focuses on borders and borderlanders in Jammu and Ladakh. It portrays a general picture of borders and borderlanders in Jammu and Kashmir as dealing with all border displacements in Jammu and Kashmir in detail will be too vast for the scope of this paper. The paper endeavors to show by mapping the border and ordeal of the borderlanders in Jammu and Ladakh regions in the wider framework of border analysis will widen the conflict discourse in Kashmir by central engaging the life of the borderlanders.

Theorizing Borders

It was in 1990s and afterwards focused study of borders and varied aspects surrounding their location, situation, emergence and re-emergence impacting the lives and societies of people living on them emerged as significant area of research.² These

¹ None of these villages are accessible to non-locals due to their proximity to the contested borders. I took special permission from the Senior Superintendent of Police in Kargil to visit these sensitive areas.

² Some of the pioneering studies on borders include Thomas M. Wilson and Hastings Donnan, ed., *Border Identities: Nation and State at International Frontiers* (Cambridge: Cambridge University Press, 1998); Chris Rumford, "Theorizing Borders," *European Journal of Social Theory*, vol. 9, no. 2, pp. 155-169; Nurit Kilot and David Newman, ed., *Geopolitics at the End of the Twentieth Century: The Changing World Political Map* (London: Frank Cass, 2000); Liam O'Dowd and Thomas M. Wilson,

analyses drawing from a range of case studies from different parts of the world brought into focus the intricacies of border making and remaking and the interface of border and borderlanders, by choreographing the lives of the border people and by going beyond the traditional definition of border as a clearly defined and demarcated line between sovereign countries, forbidden to be crossed without the consent of the concerned state. The present study aims to contribute to the emerging literature on the border studies by focussing on the multiple dynamics of one of the most violent borders in the world with a nuclear weapon angle attached to it.

The sacrosanct nature of the borders is one of the dominant themes that hugely impact the lives of the borderlanders but the impact remains overshadowed by the importance that the border itself gets in both theory and practice in terms of policy making. As Kilot and Newman argue, "...for most political scientists, boundaries are viewed as constituting a given territorial fact, a static, unchanging feature, rather than which has its own internal dynamics and which influences, and is influenced by, the patterns of social, economic and political development which take place in the surrounding landscapes – the frontier regions and/or borderlands."³ It is of late the meaning of border beyond marker of sovereignty has been emphasized by scholars. Wilson and Donnan rightly argue 'the idea of the border as an image for cultural juxtaposition has entered wider ... discourse,' which 'underplays the material consequences of state actions on local populations.'⁴ They bring into focus how on the contested zone of border the forces of nation and state interplay, counter as well as assimilate.⁵ The borders and border analyses were no more confined to the realist paradigm of interstate relations; rather they gained increasing significance and wider relevance than mere dividing lines between states.

Border is a place where states meet but people part, and on most occasions they part not voluntarily but this separation is thrust upon them; as from New Delhi and from Islamabad in case of Kashmir. Borders have created many of the modern states with least attention paid to the identity, blood relations and shared culture of the people inhabiting the areas. This has led to many inter-state border conflicts with wide ramifications for border people.⁶ When borders become permanent sources of conflict between

ed., *Borders, Nations and States: Frontiers of Sovereignty in the New Europe* (Aldershot: Avebury, 1996); Michael Anderson, *Frontiers: Territory and State Formation in the Modern World* (Cambridge: Polity Press, 1996); Barbara Bender and Margot Winer, ed., *Contested Landscapes: Movement, Exile and Place* (Oxford: Berg, 2001); and Pamela Ballinger, *History in Exile: Memory and Identity at the Borders of the Balkans* (Princeton: Princeton University Press, 2003); and.

³ Nurit Kilot and David Newman, "Introduction," in Nurit Kilot and David Newman ed. *Geopolitics at the End of the Twentieth Century: The Changing World Political Map* (London: Frank Cass, 2000), p. 9.

⁴ For a thematic exploration of the concept of border see Thomas M. Wilson and Hastings Donnan, "Nation, State and Identity at International Borders," in Thomas M. Wilson and Hastings Donnan, ed., *Border Identities...*: 1-30.

⁵ Ibid: 9.

⁶ Some of these conflicts, with particular focus on their humanitarian costs, have been dealt with in Seema Shekhawat and Debidatta Aurobinda Mahapatra, eds., *Afro-Asian Conflict: Changing Contours, Costs and Consequences* (New Delhi: New Century Publications, 2008).

neighbouring states, as is quite perceptible in Kashmir, the costs and consequences in terms of wars, proxy wars, skirmishes, etc. are borne by the state concerned, but these contested landscapes create largely unaccounted havoc in the lives of those living in these spaces. When the borders are contested and tense the people living on these borders lead an unusual life confronting the realities of state control in a rigorous way. The border studies approach, in this sense, holds a crucial position in multiple disciplines in an interlinked way including International Politics, Political Science, Anthropology and Sociology as it not only brings out to open the intricacy of nations and states and their atypical interplay in the contested zones but also brought into focus that these contested zones are not only divisions of concrete wall or barbed wire fences but there are people living on it whose lives have been fragmented or dissected almost in an irrevocable fashion. To quote Kilot and Newman, "The significance of just what boundaries are and what their impact on the ordering of political society is, has also changed. From an almost exclusive focus on the physical nature and demarcation of the territorial lines, the study of boundaries has become multidimensional, focusing on different scales of boundaries, as well as the impact on group and national identities, not all of which necessarily organized along territorial lines."⁷

The forces of liberalization, privatization and globalization have led to significant change in the border politics in many parts of the world; leading either to their becoming flexible or even irrelevant. Discourse about a world without borders has gained currency. However despite the global changes many contested borders remain stiff and continue to make life difficult for the people residing on them. The impregnable nature of borders is highly perceptible in South Asia where rigidity of borders continues to be markers of sovereignty and territorial integrity despite the fact that diverse ethnic groups and communities are spread across the borders, and before the creation of borders most of these people shared an integrated life structure within a single system of authority. In this context one of the crucial aspects of border dynamics needs emphasis as it dilutes or questions the state sovereignty because 'states can not always control the political structures which it establishes at its extremities.'⁸ The border can be a dividing line where on the one hand, the tie between citizenship and nationality has been broken, and, on the other, nation and state have been decoupled.⁹

Kashmir is an interesting yet unexplored theme in the border discourse. People living in the region found their identity as borderlanders impromptu when lines of separation were brought to their homes, villages, playgrounds, cultivable lands and all other markers of common socio-economic and cultural space. The people whom I have referred in my study were not borderlanders in the history of Kashmir till the late 1940s. They are not borderlanders by volition but by compulsion, by superimposition. Borders were drawn and redrawn; slicing their integrated identity and space and bringing in their trail unprecedented sufferings for them.

⁷ Nurit Kilot and David Newman, "Introducticon," in Nurit Kilot and David Newman ed. *Geopolitics at the End of the Twentieth Century: The Changing World Political Map* (London: Frank Cass, 2000), p. 13.

⁸ Wilson and Donnan, "Nation, State and Identity at International Borders," in Thomas M. Wilson and Hastings Donnan, ed., *Border Identities...: 10.*

⁹ Gerard Delanty, "Irish Political Community in Transition," *The Irish Review*, No. 33, 2005, p. 13.

Making of Contested Spaces

A recounting of recent history of Kashmir will help factor the rise of borders and contested claims on and beyond them in proper perspective. Geographically Kashmir forms the northwestern region of the Indian subcontinent. The enormity of the landscape of Kashmir, and its location at a strategically crisscross of Karakoram and Himalayan ranges in which meet the cultures of Central Asia, China and India has raised the profile of the region. The total area of the undivided Kashmir is 22,22,36 sq. km including 78114 sq km under the control of Pakistan and 42,685 sq km under that of China, of which Pakistan handed over 5130 sq km to China in 1963 under an agreement.

Kashmir comprising three distinct regions- Jammu, Kashmir and Ladakh-emerged a single political entity following the Treaty of Amritsar between the British Government and Gulab Singh signed on March 16, 1846. This undivided Kashmir became a source of contention between the two newly independent states of India and Pakistan in 1947.¹⁰ It was one of the 562 princely states over which the British dominance lapsed on 15 August 1947. As per the terms of the British withdrawal, the rulers of all the princely states were given the option of joining either of the dominions-India or Pakistan. Kashmir became a unique story since it had a majority Muslim population but a Hindu ruler, and also it bordered both India and Pakistan. Adding to the complexity was the significance of the region for both the newly independent countries. India sought Kashmir to justify its secular credentials and the region was also crucial for Pakistan to prove the two nation theory of incompatibility of Hindus and Muslims to live together as part of a single state.

The ruler of the princely state, Hari Singh requested a standstill agreement to maintain status quo for the time being. Pakistan accepted the agreement but India did not.¹¹ Much remain disputed about the events that followed. Pakistan, which, under the agreement, was responsible to take care of supply and communication, stopped regular supply to Kashmir as a pressure tactic for the accession of the region to Pakistan. Around the same time in the southern part of Kashmir in Poonch the majority Muslim population revolted against the monarchy.¹² The infiltration of armed groups from Pakistan to aid the rebels in undivided Kashmir complicated the situation. The invaders from Pakistan took over the Muzaffarabad region of undivided Kashmir on October 22, 1947, and then marched towards Srinagar. Hari Singh signed the instrument of accession with India on

¹⁰ The paper does not go into details of the conflict and its multiple dimensions as its main argument does not necessitate such a study. The literature on Kashmir conflict is vast. See, for instance, Sumit Ganguly, *The Crisis in Kashmir: Portents of War, Hopes of Peace* (New Delhi: Foundation Books, 1997); Alastair Lamb, *Kashmir: A Disputed Legacy, 1846-1990* (Hertingfordbury: Rexford Books, 1992); Victoria Schofield, *Kashmir in the Crossfire: India, Pakistan and the Unending War* (New Delhi: Viva Books Pvt. Ltd., 2004); Balraj Puri, *Kashmir: Towards Insurgency* (New Delhi: Orient Longman, 1993); Debidatta Aurobinda Mahapatra and Seema Shekhawat, *Conflict in Kashmir and Chechnya: Political and Humanitarian Dimensions* (New Delhi: Lancer's Books, 2007).

¹¹ "Standstill Agreement with India and Pakistan," in Verinder Grover, ed., *The Story of Kashmir: Yesterday and Today*, vol. 3 (New Delhi: Deep and Deep Publications, 1995):106.

¹² Alastair Lamb, *Kashmir A Disputed Legacy 1846-1990* (Hertingfordbury: Rexford Books, 1992): 8.

October 26, 1947 to enable the presence of Indian troops in the region for thwarting the advance of the invaders. On October 27, 1947 Indian troops were sent to Kashmir and a full-scale war started between India and Pakistan. On January 1, 1949, the ceasefire negotiated by the United Nations created a line of division in Kashmir based on factual positions of the security forces of both India and Pakistan. The ceasefire line was delineated on maps at the Karachi Agreement of July 27, 1949. On November 3, 1949 the lines drawn on the map were demarcated on the ground as borders of India and Pakistan in Kashmir. The development led to the first artificial division of Kashmir; a major portion of the princely state remained with India while a considerable portion went in the possession of Pakistan. Pakistan divided the area under its control into two parts.¹³ The division of Kashmir in the late 1940s did not settle the issue. In the following decades, the borders were redrawn in the aftermath of the 1965 and 1971 Indo-Pak wars. The redrawn borders in Kashmir following the 1971 war remain sacrosanct despite Pakistani intrusion in Kargil in 1999.

India and Pakistan share about three thousand km long border, of which one third passes through undivided Kashmir. A considerable part of the artificial division remains indeterminate while some of it is well defined. The 198 km International Border (IB), extending from Kathua to Akhnoor, is recognized as an international border. The 778 km LOC starting from Akhnoor is a de facto border. Being a contested space, the border in Kashmir remains largely disturbed not only during the times of actual hostilities but even during the comparatively peaceful times. The dominant security apparatus on the border in terms of observation towers, armed security personnel and electrified fencing remains largely intact despite talks about its softening in the recent years.

Positioning People in Contested Space

The bilateral animosities, manifested in four wars and numerous war scares between India and Pakistan, impacted the people of the region in both general as well as specific ways, which got further multiplied with the onset of militancy in J&K in late 1980s.¹⁴ The intricate linkage between the external dimension (Indo-Pak conflict) and internal dimension (militancy in J&K)¹⁵ added to the ordeal of the border people in various ways. While earlier the LOC acted as a rigid line of separation, the militancy changed the character of the line and made it a line of infiltration for the militants;

¹³ For details on Pakistan controlled Kashmir see, Debidatta Aurobinda Mahapatra and Seema Shekhawat, *Kashmir Across LOC* (New Delhi: Gyan Publishing House, 2008).

¹⁴ For a detail study on the costs of Kashmir conflict see, Debidatta Aurobinda Mahapatra and Seema Shekhawat, "The Peace Process and Prospects for Economic Reconstruction in Kashmir," *Peace & Conflict Review*. 3 (1) 2008:1-17. Seema Shekhawat, "Fragile Kashmir, Costs and Hopes for Peace," *Journal of Alternative Perspectives in the Social Sciences*. 1 (3) 2009: 976-981; Debidatta Aurobinda Mahapatra, "Symbiosis of Peace and Development in Kashmir: An imperative for Conflict Transformation," *Conflict Trends*. (4) 2009: 23-30; Also by the same author "Conflict and Development in Kashmir: Challenges and Opportunities," in Hari Dhungana and Marty Logan, ed., *Sustainable Development in Conflict Environments: Challenges and Opportunities* (Kathmandu: Centre for International Studies and Cooperation, 2007).

¹⁵ Seema Shekhawat, "Intricacy of External and Internal Dimensions of Kashmir Problem," in Avineet Prashar and Paawan Vivek, ed., *Conflict and Politics of Jammu & Kashmir: Internal Dynamics* (Jammu: Saksham Books International, 2007).

making the state paraphernalia on borders more rigid to check infiltration. This development had its obvious bearing on the people living on the contested space as they had to confront in their daily lives the activities of both the security forces as well as militants.

The analyses below focus on the issues which the border people in Kashmir confront in their daily lives, which add to their profile of borderlanders with a fragmented identity and society, pushed on the edge of power contestation between two nuclear powers. The suffering of the border people are albeit numerous, in fact their presence in the contested zone itself portrays a kind of atrophied life with daily quagmire. The paper takes into account those ordeals including displacement, firing and shelling, mining, multi-tier security system and division of families. The following pages make an attempt to provide an overview of all these issues. One crucial point that needs emphasis while focusing on these factors is that the suffering of the border people do not remain static despite the sacrosanct nature of the border as the very border become subject to the dynamics of interstate relations between India and Pakistan. Hence, one may witness relatively tranquil border at time of dialogue and a trembled border during tense atmosphere.

Displacement

Border residents in Kashmir get displaced whenever the border is disturbed due to wars, war scares, heavy firing, shelling or even the mobilization of security forces on the border. The peculiarity of the border displacement is that it is temporary but recurring. Borderlanders have been displaced several times – sometimes for few days, sometimes for few months and at times even for years. Displacement, thus, is a part and parcel of the life of the borderlanders as they keep shuttling between their native place and the shanty camps, whenever the border is disturbed or even it is apprehended to be disturbed in the near future. Not only wars but also war scares lead to displacement of these people. For instance, the war scare of December 2001 after the attack on Indian Parliament led to massive displacement from the border. Another war scare due to May 14, 2002 fidayeen attack in J&K led to displacement of thousands of people from the border areas. Putting in a different way, the border people in Kashmir lead a life of nomads due to their proximity to a violent border that uproots them every now and then. Many of the border people have been uprooted nearly six times since late 1940s - 1947-48, 65, 71, 87, 99 and 2001.¹⁶

Herded together in camps lacking even the basic amenities the displaced live in impoverished conditions. In its trail displacement brings horrible consequences for the border people who were accustomed to live an integrated life as their most life activities revolved around border. The adverse consequences include rupture in socio-cultural life, rise in health hazard, deprivation of educational facilities and essential services like communication and transport, and also loss of identity and a dignified life.¹⁷ To give an instance, in lieu of the total 83 schools (these included 58 primary schools, 18 middle schools, 5 high schools and 2 Higher Secondary schools) destroyed in 1999 Kargil war in Akhnoor sector, only 12 makeshift schools were opened in the camps of the displaced in

¹⁶ See Seema Shekhawat, *Conflict and Displacement in Jammu and Kashmir: The Gender Dimension* (Jammu: Saksham Books International, 2006): 108.

¹⁷ *Ibid.*: 104-137.

Jammu region. These 12 schools while being operational in tents and open spaces under trees, catered to the educational needs of approximately 7000 students.¹⁸ The displacement also deprives them of their traditional livelihood sources leading to drastic decrease in their income.¹⁹ Termed ‘migrants,’ (this is the term used by the Government of India for all those uprooted due to Kashmir conflict) despite being forcefully ousted from their native places; the displaced borderlanders live at the mercy of the government for relief, which is meager and irregular.

The displaced borderlanders generally return to their native place at the end of hostility; not always out of volition but coercion by the government authorities. During the survey the displaced, adamant not to return, put forth valid arguments justifying their decision; rationally conceivable by all those leading a settled, normal and dignified life in the mainland of the state. Ram Pal living in Naiwala camp rightly echoed the concerns of these people. He argued, “We will not go back unless government assures us the border will remain peaceful permanently. We cannot continue to lead a nomadic life. We will go back and try to settle ourselves with all our dint and labour and one fated morning again firing and shelling will commence and we will find ourselves displaced. Should we go back to our native places only to prepare ourselves for another displacement?”

The Kargil war of 1999 led to displacement from all over the border including the Akhnoor sector in the Jammu region from which thousands of people got displaced. A survey conducted by the author in 2006 revealed about 48,000 people returned to their respective border villages but about 12,000 continued to live in the three camps- Devipur, Naiwala and Rampur colony even though the limited war ended in 1999 itself. The survey revealed many of the returnees did not return voluntarily. They were forced by the authorities through various tactics. First, the schools shifted to the camps were moved back to the villages. Second, the supply of drinking water and electricity were stopped in the camps. Third, the mud houses outside the camps built by the displaced people due to poor condition of the government provided tents were dismantled. Fourth, the dispensaries working in camps were closed. Fifth, the supply and distribution of relief was stopped and the displaced were forced to travel to their respective villages to get the relief. The tactics worked in forcing many to return but in some cases the tactics failed to melt the spirit of the displaced who did not want to return unless permanent peace restored on the border. Probably these forceful tactics adopted by the government of the state were motivated by the two major state-centric considerations: first, to prove that normalcy is prevailing on the border (till the villages on the border remain deserted the situation is considered tense); and second, to prove that government has facilitated the return of the displaced and the issue of displacement is resolved. Displacement is only one of the problematiques confronted by them as, on return, another set of problems await them at home on borders.²⁰

¹⁸ *The Kashmir Times*, June 15, 2001.

¹⁹ According to a rough estimate, about 3.5 hundred thousand hectares of agriculture land was laying uncultivated due to tension-induced dislocation of border people. *Daily Excelsior*, June 3, 2002.

²⁰ For a detailed study of the border displacement see Seema Shekhawat and Debidatta Aurobinda Mahapatra, *Kargil Displaced of Akhnoor in Jammu and Kashmir: Enduring Ordeal and Bleak Future* (Geneva: Internal Displacement Monitoring Centre, 2006).

Firing and Shelling

The border people, living within the distance of 5-7 km of contested space, have to face frequent firing and shelling from across the border. Even a small trigger, for instance a belligerent statement from a political leader from either side, instantly leads to firing and shelling. There are occasions when exchange of fire takes place without any apparent reason. The ostensible reason behind this impromptu behaviour of the armed forces might be searched in the inbred hostility and animosity directed towards taking advantage over one another. For this state-centric dynamism of the border the ordeal of the borderlanders appears largely a non-issue.

No reliable data is available on exact number of casualties due to firing and shelling on borders in Kashmir though it is commonly agreed hundreds of people have lost their lives besides incurring material losses in terms of destruction of houses and other immovable property as well as livestock. But, the nature and extent of the devastation can be gauged from content analysis of a local newspaper, which reported killing of 72 people in cross-border firing in a period of May 2001-2003.²¹ As per another report, since January to May 15 in 2003, firing took place as many as 1007 times, claiming lives of 29 people, 29 cattle and damaging 49 houses.²² As per a report, in Ranbir Singh Pura sector of Jammu region, 800 to 900 acre agricultural land came in the direct range of fierce firing on May 4, 2002, when India and Pakistan were engaged in coercive diplomacy on the border by moving their forces close to it aftermath of the Indian Parliament attack in December 2001; resulting into burning of the whole ripe crop standing in the fields.²³

Multi-Tier Security System

Another crucial dimension of the border in Kashmir is related to excessive measures displayed by the rival powers- India and Pakistan- in fortifying the lines of separation with a multilayered security structure. The erection of the multi-tier security system on the border comprising Ditch-cum-Bandh (DCB) and fencing is a novel feature of state security at borders in Kashmir. The bandh (raised structure by huge piling of soil) are built on both sides of the artificial division by India as well as Pakistan as a barrier to prevent the rival forces from watching the activities of their troops. The ditch provides a secure hiding place to the security forces during firing and shelling. These DCBs are on many occasions built on the land of the borderlanders, thus adversely affecting their livelihood.

Besides DCB, the border peoples on both sides too are separated artificially by barbed wire fencing planted to check infiltration from across the border. The fencing, done at a distance of 2 to 5 km instead of edge of the contested border has led to inclusion of huge swathe of cultivable fields amidst the actual agreed border and fencing area. This predicament resulted due to fencing further curtails the mobility of the people to access their lands. In many cases these land remain uncultivable, as the land owners have to cover a distance of about 2-3 km to reach the gates made in the fencing to enable access to their land, which otherwise is located at few metres distance from their houses. These gates, orchestrated at the behest of the state and its forces, are the gates for the people to access their lands and that too during the time fixed not by their volition but by

²¹ *Daily Excelsior*, May 10, 2003.

²² *Daily Excelsior*, May 22, 2003.

²³ *Daily Excelsior*, May 9, 2002.

the security forces. This barbed wire fencing proves critically dangerous and life threatening at places where they are electrified, as these lead to killing of livestock and the stray animals.

Landmines

During the time of actual Indo-Pak hostilities in 1965 and 1971 mines were planted all along the border, in cultivated land and pastures, around infrastructure and even houses, to obstruct movement from across the border. In late 1980s with the rise of militant movement in the Indian state of J&K heavy mining in border areas was undertaken purportedly to check cross-border infiltration, and to stop all kinds of support and patronage from across the border. Besides, at the time of heightened tensions, for instance at the height of Operation Parakram which Indian government launched aftermath of the attack on its parliament in December 2001, the armed forces mined most of the border in the last week of December 2002.²⁴ Indian army took under its control a total of 70,100 acres of land in Jammu, Kathua, Rajouri and Poonch districts after the deployment of forces when the Operation was initiated. As per the unofficial estimates, more than 25,000 acres of land in the state came under minefields by the plantation of Anti-Personal Mines (APMs) and Anti-Tank Mines (ATMs) with a density of 1,000 mines per square km.²⁵ In Kathua and Jammu districts, army reportedly took over 31,927 hectares of land of which 23,078 hectares became a 'literal minefield.'²⁶ Unlike the mining of 1965 and 1971, the mining of 2002 was further widespread. While in the earlier cases only the radius of one km area was mined, in the latter case more than three km was mined.²⁷

The end of ground hostilities as witnessed in past cases normally leads to removal of landmines from habited areas. But many mines remain undetected. Hence, deaths and injuries due to mine explosions are not considered, at least in the case of border people in Kashmir, unusual. During the survey in Kargil border villages situated on mountains, I noticed landmines planted in 1965 and 1971 on both sides of the narrow walkway about six feet wide on the mountain terrain. Though the visible tin surface of the mines gives the faint idea of a thrown away tin can, the local people cautioned me that these mines are powerful enough to take a person's life or permanently incapacitate him. People remain cautious about these mines but occasional strays prove fatal. Domestic animals as well as wild animals become victims of these mines. Though the exact number of victims of landmines is not available, an estimate of heavy physical losses can be gauged from the fact that in Chagia, a small village in Ranbir Singh Pura sector of Jammu, landmines set up during the 1971 war have injured as many as 23 residents till end of December 2001.²⁸ As per another report, more than 2,000 victims of landmines had been recorded in the Rajouri-Poonch belt between 1947 and 1989.²⁹

In October 2004 the authorities claimed that the demining operation has almost been complete. My survey in the villages of the Akhnoor sector in 2006 where the people

²⁴ *The Kashmir Times*, January 13, 2002.

²⁵ *The Indian Express*, May 6, 2002.

²⁶ *The Kashmir Times*, February 8, 2004.

²⁷ *New York Times*, January 4, 2002; and *The Indian Express*, May 6, 2002.

²⁸ *The Kashmir Times*, January 13, 2002.

²⁹ *Ibid.*

returned back brought forth the fact that many mines still remain undetected and hence become a continuous threat for the people. The mines not only bring physical injury to the people, but their potentials in terms of generating fear in the minds of people is really phenomenal. In the Panjtoot village, about half a kilometer from the border, mines are being discovered in the fields leading to casualties in recent years. Though no reported casualty of human lives came into picture during my survey but it was found that nearly 5 cattle have been either injured or killed due to the undetected mines in January -February 2006. I was taken to a cow that lost its front right hoof due to mine blast and was unable to walk. On the condition of anonymity an army official told it is not feasible to demine the whole area fully since many mines change their positions from their original place of plantation due to sloppy areas, rains or rodents. These live mines have made the lives of border people miserable and agonized without escape.

Another ordeal the border lives confront is the compensation that is too meagre as well as too irregular in compensating the losses suffered by the border people. The government fixed ex-gratia compensation of INR one hundred thousand (about 1500 pound sterling) for those who died in firing or mine blast, 50 per cent compensation for the houses destroyed (but it did not lay out the rules how to exactly estimate the cost of the original house) and INR 400 (about six pound sterling) for each killed cattle in the cross-border firing. The border residents who get permanently disabled due to mine blast or firing are entitled to receive not more than INR 10,000 (about 150 pound sterling). This meager compensation in many cases do not reach the victims in time due to widely prevalent malpractices. The promised compensation is either delayed or only partially paid or is paid in installments or simply remains in indefinite process of reaching to victims. There are instances when victims did not receive any compensation on the facetious plea of non-verification or unavailability of proof of damages.

Abnormal Life

Conflict over Kashmir has continued for decades with far reaching socio-economic implications for the people living on the contested zone. The conflict situation makes normal life problematic and survival difficult for the non-combatants caught in between the guns of two rival powers with contrasting ambitions. In fact putting it in a higher ontological plane the very existence of the people on the contested lines of separation, in which tranquility and peace are non-existent, generates much abnormality which the border people confront in their daily lives. This scenario is much vivid in the context of borders in Kashmir. The permanent presence of defence personnel in and around the border villages restrict the mobility of borderlanders, thus, affecting their lifestyle and traditional practices which they enjoyed before the artificial borders erected. The socio-cultural life of border people is severely restricted as they cannot celebrate social functions the way they might wish to. Their relatives living away from the border areas prefer not to visit them, lest not any misfortune of border life befall them. Residents in the traditional society of border, who enjoyed an integrated life for centuries, find it difficult to get suitable marital prospects for their children, especially boys, since people from distant areas do not wish to send their daughters to live on the tense border. In Kashmir, the borderlanders' mobility is highly restricted as they have to carry identity cards while traveling to and from their villages.

Another tendentious feature of border life in Kashmir is the maltreatment of the border people by the security forces which represent state and embody its power at borderlands. Hence, the harassments of the border people by way of forcing them to do manual work without sufficient pay, or eve teasing of the border women or intruding into the private spheres of life are not uncommon. Education and health services and other essential facilities like transport and communication too have taken a backseat in the border areas of Kashmir as the tense atmosphere discourages development activities and private sector players to invest in these areas. On the extremity of frustration and desperation many border residents are eager to sell their immovable property, including houses and land, and settle in the mainland, though it is difficult to ascertain how far they succeed in this existential venture for survival.

Division of Families

An unknown dimension of the suffering of borderlanders in Kashmir is the forced division of families due to abrupt, haphazard and artificial creation of borders. When the borders were drawn and redrawn after the wars in 1947-1949, 1965 and 1971, men and women who happened to be on the either side of the border were forced to remain there without any recourse to come back or to return to their families and native places. Thus families were split - women lost their husbands; mothers lost their daughters and sons and sisters and brothers were separated from each other.³⁰ The division of villages, houses and families by the haphazardly drawn stiff border irretrievably changed the lives of many border people. It is a major humanitarian tragedy that has befallen on the families residing on both sides of the arbitrarily drawn borders- the denial of the right to live as a single unit since decades. Though the exact number of families affected by the repeated divisions is difficult to ascertain, it is commonly agreed that thousands of such families are spread across the divide. The contested border has divided families and stalled all forms of interaction between the two parts of Kashmir.

Borderlanders find it difficult to come to terms with this arbitrary division and consequent impromptu separation. The story of Rashida can be considered a prototype in this context. Eighty-three year old Rashida Begum, living in the village of Kirkit Majdass could not reconcile with this tragedy even after six decades. She attempted several times to cross the divide but was prevented on each occasion by the Indian security forces. Once she succeeded in crossing but was caught by the Pakistani security forces and handed over to the Indian forces. Rashida is desperate to return to her family living in Skardu. She was in Kirkit Majdass to meet her parents but remained stranded after the ceasefire of 1949. While representing the voice of the divided families, she questions the very basis on which this division was done.

The rigidity of the border has not deterred the spirit of these people to remain in contact, though the means adopted by them are either inefficient or insufficient due to their very disadvantageous location. For some, occasional letters bring news about their separated relatives but only after long intervals, as the letters have to go through scrutiny by security forces on both sides, and have to travel through a long and circuitous route.

³⁰ For a detail study of the division of families across the line of control in Kashmir see Seema Shekhawat and Debidatta Aurobinda Mahapatra, *Contested Border and Division of Families in Kashmir: Contextualizing the Ordeal of the Kargil Women* (New Delhi: WISCOMP, 2009):17-27.

People try to remain in contact through letters and telephone calls but communication is not easy. Letters could not be despatched directly to the relatives and friends living at a distance even less than five km across LOC. The letters had to travel to, in case of border villages in Kargil sector, Kargil head post office, then to New Delhi, from New Delhi to Islamabad and from Islamabad to Gilgit-Baltistan to the intended recipients. The whole detour takes two to three months, sometimes six months and sometimes the letters just disappear. There are numerous stories of delayed communication. Ahmed, father of Rubia, died in Skardu in April 2005, but the news reached her at Hunderman after six months. The news of Zubaida Bano's death in Skardu in Pakistan side reached her husband in Kaksar in Indian side after eight months.

Before 1971 war the border was comparatively porous and there are narratives of people crossing the border by covering long distance on difficult terrain on foot. But the tightening of the border after 1971 restricted the physical movement of the people. The post-1989 era witnessed stringent restrictions even on the limited communication facilities. With the advent of militancy in the Kashmir valley, the lines of communication along the border were cut off completely. The restrictions are still operative in the region. No phone calls are allowed from J&K to Kashmir across LOC. Militancy has also affected emotional connections as it raised the suspicion of the authorities of the possible involvement of the local people in violent activities. Many people refrain from being in contact with their relatives. Some do not even initially acknowledge their cross-LOC connections, but after interactions they do confess their longing for reunion.

The complicated procedures of passport and visa acquisition, and illiteracy and economic constraints have ensured that reunion through the India-Pakistan international border remains a dream for most. Many others do not have any information about the whereabouts of their separated relatives. But, some people have devised novel ways for reunion. They have started meeting at places outside both India and Pakistan. Many people from both sides meet in Iran where they go for religious education or work. Another such avenue is the meeting at Hajj, the pilgrimage to Mecca. Those who have been able to take advantage of this pilgrimage narrate their stories with enthusiasm. Fifty-two year old Mohammad Fida, who went on the pilgrimage in 2004, was delighted to meet his maternal uncle from Brachel village from Pakistan side of Kashmir. For twenty-six year old Mohammad Ayub, the distance of thousands of kilometres was immaterial in comparison to the immense happiness the meeting with his uncle brought to him. Like a divine messenger, he could fulfil partially the dreams of many of his co-villagers by bringing news as well as gifts given by their relatives at Hajj. These novel ways to fulfil the dream of reunion are affordable for very few; hence cannot be alternatives to the reunion of divided families in their native place. The pangs of separation for the border people in Kashmir continue to be a permanent sore for many of them. The recent opening of two cross-border routes in Kashmir, as later pages will bring forth, could not prove much beneficial to assuage the sufferings of these people in terms of meeting separated relatives living across the LOC.

The Peace Process

Global changes in 1990s impacted the dynamics of interstate relations with implications for conflicts around the world. Conventional territorial boundaries and related disputes around them are challenged by increasing globalization, trans-border

exchanges, and global acceptance of democratic means for conflict resolution.³¹ The complex Kashmir conflict and multiple players involved in it – India, Pakistan, Kashmiri people and the international community - have been impacted by these developments. The result was initiation of an ‘irreversible’ peace process. The process gathered momentum with the National Democratic Alliance (NDA) coming to power in New Delhi in 1998. The NDA government initiated peace efforts starting with the historic bus rolling from New Delhi to Lahore on 20 February 1999 with then Indian Prime Minister, Atal Behari Vajpayee on board. Though the Kargil war of May-June 1999 and failed attempts at peace in July 2001 at Indian city of Agra temporarily marred the peace process, these set backs however did not stop the leaders of India and Pakistan to take concrete measures towards conflict transformation in Kashmir with far reaching implications for the borderlanders.

Ceasefire on Border

In October 2003, New Delhi proposed a slew of measures for improving inter-group contact and communication by road, rail and sea between India and Pakistan. On the sidelines of the South Asian Association for Regional Cooperation (SAARC) Summit meeting in January 2004 India and Pakistan proclaimed willingness to start a composite dialogue for a peaceful settlement of all bilateral issues including Kashmir.³² Since then India and Pakistan officials met a number of times and discussed issues of common concern and also agreed on cooperation in many areas.³³ The terror attack in Mumbai in November 2008 imperiled the peace process as India accused Pakistan of not taking stern action against the supporters of terrorists based in Pakistan.³⁴ This development has stalled the peace process currently but there is an overall agreement to continue the peace process between the two countries despite the renewed mistrust aftermath of the Mumbai attack.

The crucial step was taken on November 26, 2003 when India announced ceasefire on the dividing line in Kashmir, which remained tense since its creation in forms of cross border shelling and firing not only during war times but also during peace.³⁵ Though there are reports of occasional cease fire violations, however, the ongoing ceasefire is quite significant since it is the first formal cease fire agreement between India and Pakistan since the outbreak of militancy in J&K in late 1980s. Its continuation for such a long time till date has brought perceptible normalcy in the border areas with significant implications for the borderlanders who have borne the brunt of a tense border the most. Veritably the problems of the borderlanders have not come to an end with the ceasefire, but undoubtedly it played bulwark in reducing the trust deficit between India and Pakistan and in softening the border at least partially in ameliorating the suffering of the

³¹ Debidatta Aurobinda Mahapatra, “A Perspective on Peace in Kashmir,” *ICFAI Journal of Governance and Public Policy*. 2 (4) 2007: 31.

³² For a detailed account of peace process in Kashmir see, Debidatta Aurobinda Mahapatra, “Prospects of Peace in Kashmir,” *Kashmir Affairs*. 3(1) 2008: 36-41.

³³ For a chronological description of India-Pakistan peace process see <http://www.rediff.com/news/peacetalk.html>

³⁴ Debidatta Aurobinda Mahapatra, “Ugly Face of Terror,” *Journal of Alternative Perspectives in the Social Sciences*. 1(2) (2009): 459-462.

³⁵ Shekhawat and Mahapatra, *Contested Border and Division of Families.....*: 17-27.

people. Since 2003 borderlanders have not been displaced, the frequency of firing and shelling has gone down, and more importantly the perceptible decrease in violence on the border has brought an unprecedented respite for them, moving them to think in terms of a flexible, friendly and pacific border in one of the ‘most violent regions’ in South Asia, in fact in the world.

Softening of Borders

In 2000s as the peace process gradually gathered momentum the prospects of softening of border at least partially in terms of opening of a traditional intra-Kashmir route to enable the reunion, even though temporary, of the divided families appeared pragmatic in the horizon of rigid and complicated Indo-Pak relations. Probably it was the accumulated pressure of the people living on the tense borders that enticed the hitherto inflexible establishments in New Delhi and Islamabad to adopt flexible measures. In tandem with this rising tide of popular aspirations, the Srinagar (the capital of Indian side of Kashmir)-Muzaffarabad (the capital of Pakistan side of Kashmir) road was the first intra-Kashmir route to open on May 7, 2005.³⁶ Thirty members of divided families from either side of the LOC were allowed to take the fortnightly bus service. Nasiruddin was one of the first lucky ones to board the peace bus. He was eighteen months old when he travelled on the same road with his mother to meet his aunt residing in Bijhama, a village of the district of Baramulla in the Kashmir valley. Neither Nasiruddin nor his mother could make the trip back to their hometown due to the abrupt closure of roads following the division of Kashmir, though they could catch a glimpse at the other side of Kashmir. “My mother’s last wish was to be buried in Muzaffarabad ... it could not happen,” recalled Nasiruddin. “When I went on the Hajj, my one and only prayer was that I should be able to travel back to Muzaffarabad on this road before I die and meet cousins, nephews, aunts and uncles, some of whom I never met,” he said. Many of his co-villagers who could not get the permit to board the bus, gave him things to carry with him – a letter, a parcel or merely a message of a few words for their separated relatives. All the passengers on board had similar stories to narrate.³⁷

On June 20, 2006, another intra-Kashmir route, between Poonch in J&K and Rawalakote in AJK, was opened. Poonch, partitioned during the first war in Kashmir, witnessed large-scale division of families. Heart-throbbing stories were narrated by the divided people during my visit to Poonch and Rajouri in 2007. In February 2007 there was a huge gathering in the Poonch city- about two hundred people from Sikh community raised religious slogans while receiving one of their relatives from across LOC who happened to be a Maulavi in that region. Nanda Kishore, a resident of Surankote (about 30 km from Poonch towards Jammu), originally belonged to Kotli in AJK, narrated how his heartrending experience during partition was transformed into joy during his trip to the other side. He was happy to see his deceased brother’s son Maqbool and grandson Farooq who expressed eagerness to establish marital relations in the Indian side. Here, the most revealing feature of the tragedy of the divided families in Kashmir is that love dominated over religious considerations. The change of religion has not been able to erase the relation of blood. The story of Savitri Devi was quite revealing. Savitri,

³⁶ For details on the Srinagar-Muzaffarabad bus see Debidatta Aurobinda Mahapatra, “Bus Running for Reconciliation?,” *Mainstream*. 63 (20) 2005: 27-29.

³⁷ Shekhawat and Mahapatra, *Contested Border and Division of Families*.....: 31-32.

then 16 years old, was abducted during partition and married in Kotli. Her elder brother, Vishnu Mohan visited her sister through this route. The meeting of brother and sister not only brought back old memories but also brought tears to their eyes, told Sashidhar, an advocate in Rajouri District Court who accompanied Vishnu Mohan. Tears rolled down from the eyes of Mohammad Banu, a resident of Potha Billa, while narrating the story of the partition and about her elder brothers and their children who are settled in Gujranwala town in Punjab province of Pakistan.³⁸ There are hundreds of such narratives in the undivided Kashmir which portrayed the complicated human relations at its zenith in which the relations of blood conquered over differences over religion. Perhaps it could be an interesting subject for research as to how the people on the one side of the dividing line changed their religion while retaining the same spirit of love and fraternity with divided members of their families on the other side of the line.

The need to move beyond symbolic gestures as in case of opening Srinagar-Muzaffarabad route which witnessed least division of families in Kashmir and to look at the prospects of bringing further flexibility to the tense border by opening other intra-Kashmir routes, including Kargil-Skardu, Suchetgarh-Sialkot, Noushera-Mirpur and Mendhar-Kotli, is increasingly felt in recent years in policy circles, with the rising demand of the border people to open these routes. The Kargil-Skardu route is quite significant as far as addressing the issue of divided families is concerned. Overwhelmingly the people of the Ladakh region want this route to open at the earliest possible. This is the impression one gets after meeting the people of the Kargil region, especially the people from the border villages, the leaders of prominent Islamic schools in Kargil such as Islamia School and Ayotollah Khoemini Memorial Trust and the civil society leaders. The Kargil-Skardu route closed since the partition of the Indian subcontinent came to light recently due to ongoing peace process in which both India and Pakistan agreed to open border routes as parts of confidence building measures. Indian Prime Minister Manmohan Singh during his visit to Kargil in June 2005, after assessing the popular sentiments observed, "I have been told that the people of Kargil are keen on having the links restored with Gilgit and Baltistan and opening of the Kargil-Skardu road is under consideration."³⁹ Despite official talks the route still remains rigid giving rise to the suspicion on part of the local people perhaps their demand, which was for them genuine, appeared trivial and inconsequential for the states on either side.⁴⁰

Conclusion

The border studies in recent years have centrally engaged the lives of border people and varied dimensions in contested zones in the discourse. The earlier studies confined the analysis to the rigid realist paradigm which mostly revolved around power-centred states, their policies and contestations on borders with utter disregard to the

³⁸ Debidatta Aurobinda Mahapatra, "Poonch for Peace: An Eye Witness Account," *Kashmir Times*, May 6, 2007.

³⁹ *The Hindu*, June 12, 2005.

⁴⁰ The scope of the paper precludes detail analysis of reasons for non-opening of this route. Some of the reasons include sectarian turbulence in Shia dominated Gilgit-Baltistan region of Pakistan (Kargil too is Shia dominated, while Kashmir valley is Sunni dominated), the apprehension that the opening may further protract the trouble, etc. These reasons are elaborated in Mahapatra and Shekhawat, *Kashmir Across LOC*....

people who live in the contested zones. Kashmir in South Asia is one of the most perceptible testimonies of this state centric approach to conflict in which calculations over territories and boundaries supersede the identity of the people who lived for centuries in these areas with an integrated life. The emerging border studies approach bears crucial significance for Kashmir as it puts the plight of the border people in proper perspective, which can goad the policy makers to factor the concerns of the border people while formulating policies with regard to the contested lines of division.

The collapse of the Berlin Wall and the subsequent end of the Cold War set the trend for the importance of borders to no longer be confined to the separation of states; rather, to widen the discourse by including narratives revolving around the socio-cultural and economic aspects of borders and borderlanders. Most borders are no more static, rigid and unbendable lines of separation; they have gained lives in this era of globalization where the trend towards mingling, multidimensional interactions and softening has gained currency. In the case of Kashmir, which enjoyed an integrated life for centuries, the discourse so far has overtly emphasized the territorial dispute between India and Pakistan at the cost of the borderlanders. While Kashmir's image in the international sphere as the 'most dangerous place on earth' has been flashed repeatedly, the humanitarian dimensions of the haphazardly created and contested divisions get only occasional focus. India and Pakistan have fought four wars in the past sixty years of their independence, which directly or indirectly revolved around Kashmir. The wars drew and redrew borders in Kashmir. The wars, war scares and border skirmishes devastated the lives of the border people for no fault of theirs, except their closeness to artificially created divisions (if that can be their fault at all). There has been large-scale displacement, loss of livelihood and shattering of the socio-economic lives besides the division of families. An integrated approach transcending the narrow state-centric approach, hence, emerges an imperative in Kashmir which can really bring the narratives of the border people into focus, thus fostering conflict transformation in one of most the violent regions of the world by positioning the people at the centre of the discourse.

The tragic narratives of borderlanders make the case for humanitarian dimensions of border and its repeated divisions to be given due importance rather than the mere geopolitics of border. One of the signboards on the side of the cross-border Poonch-Rawalakote road carrying the message in Urdu *sarhad zameen baant sakti hain par dil nahin* (boundaries can divide land but not hearts) reflects the hopes and aspirations of the people, which render the state-created artificial divisions lifeless and in its place put the premium on the relations of fraternity reflected in their culture, traditional practices and daily lives. Though ceasefire and softening of borders have brought a modicum of flexibility to the rigid border and kept alive the hopes of borderlanders of the return of old days of harmony and peace, the crude fact remains that for the borderlanders leading a normal life may not be feasible unless India and Pakistan moderate their stated positions and position the borderlanders centrally in deliberations for conflict transformation in Kashmir. The terror attack in Mumbai in November 2008 has affected the peace process but there is an overall prevalent sentiment on part of India and Pakistan to continue or at least to keep alive the composite dialogue process between the two countries. Achievement of peace in Kashmir and particularly for the people who continue to live on the contested spaces under the direct glare of state force is indeed a long and arduous process which calls for enduring engagement of India and Pakistan.