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**Title** Current Social, Moral and Political Challenges of Muslims and their Solutions in the Light of Islamic Teachings: Analyzing the Situation of Muslims in the Occupied Kashmir

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## **Current Social, Moral and Political Challenges of Muslims and their Solutions in the Light of Islamic Teachings: Analyzing the Situation of Muslims in the Occupied Kashmir**

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### *Abstract*

*The Muslims of the Occupied Kashmir are facing several challenges in the era of information and globalization. The most significant aspect of the contemporary challenges which are faced by the Kashmiris from the Indo-piles is the political influence, economic influence, geographical influence, influence on the socioeconomic institutions, command, and control over media, injustice, lack of liberty and severe human rights violations. This research tries to find out the crucial ground realities that comprise the context of globalization, liberty, and freedom, which are restrained by the Indian policy community. Pak-Indo tussle on Kashmir possesses a strategic threat to the entire region. To live in harmony, peace, and friendship it is necessary to resolve our problems diplomatically. In diplomacy, the beginning of wisdom is to understand what the other party conceives and why? This is just as important for our Pakistani friends as for the Indians.*

*Keyword: Kashmir, Pak-India relation, IoK, social, moral, political,*

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### Introduction

The valley of Kashmir is located at the Southwestern Asia. Kashmir has been divided into three part I-e Pakistan, India and China<sup>1</sup>. It includes Pakistani regions of Gilgit Baltistan and Azad Kashmir, the Indian state of Jammu and Kashmir and the Chinese regions of Trans-Karakorum and Aksai Chin. Currently the United Nations refers to this region as “disputed territory”<sup>1</sup>

Kashmir region has total area of 224,738 sq. km out of which India holds (‘01,339sqkm) 45% area, Pakistan holds (85,836sqkm) 35% area and china holds (37,556sqkm) 20% of area. Kashmir is Muslim-majority region 96.4% of the population are Muslim, 2.4% of population are Hindus, 0.98% of population are Sikhs and others (Buddhists, Christ’s etc) are 0.17% (Kashmir fast facts:How Pakistan and India could go to war?, 2018).



Before the partition, most of the princely states had already announced their decisions but the Kashmir, Junagadh and Hyderabad withheld their decisions due to various problems within their states. After partition, Junagadh and Manawar announced their accession to Pakistan, but India did not approve it and annexed Junagadh in November 1948 (Khan, 2001). Similarly, Indian forces attacked and occupied Hyderabad state in September 1948, although it was a Hindu majority state but they feared that it’s Muslim Ruler the Nizam of Hyderabad would accede to Pakistan. After partition, Kashmir was given the choice to become part of India or Pakistan or to remain Independent. The Kashmiri people wanted Kashmir to be an integral part of Pakistan, but Hari Singh the Hindu maharaja wanted to stay independent. In his

decision to accede to either country, he dithered, which provided enough opportunity for India to resort to subterfuges<sup>2</sup>.

In 1948, Hari Singh misused the instruments of accessions against the wishes of its people and acceded to India. India entered its forces in Kashmir and tried to occupy the state by the use of force (Yasmeen, 2003). In response, Pakistan armed troops and Pakhtoon tribesmen from Northwestern Pakistan entered the valley to protect their brethren from the atrocities of the Indians. Fighting continued until January 1949 when UN-brokered cease fire. On July 27, 1949 cease fire agreement was signed. Kashmir was divided among two young nations and 700 km LOC was drawn<sup>3</sup>.

The Indian Occupied Kashmir was declared as disputed territory by the UNO and promised a referendum in the future. However, India is not in favor of referendum and will never agree on UN-based referendum in Occupied Kashmir (Das, 1950). Meanwhile, India has started calling Jammu and Kashmir an integral part of its country. Pakistan has regularly raised the Kashmir issue in every international forum. The UNSC resolutions, the Shimla Accords, the Tashkent Declaration, the Lahore summit declaration and 2005-06 backchannel debates on Kashmir are the bilateral efforts to address this dispute (Zahid Yaseen, Iqra Jathol, Muhammad Muzaffar, 2016). The third generation of Kashmir people are suffering and giving sacrifices for the sake of freedom, liberty and justice. Currently, there are more than half of million armed troops in Occupied Kashmir. A lot of humanitarian violations have been done there; thousands of young Kashmiri's have been brutally tortured and killed in extrajudicial executions, illegal custody and during forced disappearances by the Indian Armed forces<sup>4</sup>.

Since the independence of both countries, there has been a tug of war over the issue of Kashmir. Pakistan strived to reach an amicable resolution of the issue of Kashmir, but in every such move India backed out to give effects to such an agreement<sup>5</sup>. In this regard, a few things are important. Firstly, India started to occupy the valley despite the people heart resonating in sync with Pakistan. When the independence movement was in its climax, the people of Kashmir favored and celebrated over the independence of Pakistan. It was in this situation, when under questionable circumstances, India occupied the valley. Secondly, when India committed such an aggression, the issue was referred to the UNO<sup>6</sup>. India promised to hold plebiscite under the rights of the self-determination of the Kashmir people. In the initial years, there could have been a propitious environment to resolve the issue, but the same was never done. Thirdly, on each important agreements pertaining to Kashmir issues, India backed out at the eleventh hour. In this regard, the Agra summit is worth mentioning which was ended up in fiasco because of India's stubborn behaviors. Finally, India always has strived to bring about changes in the demography

of Kashmir. India claims Kashmir on the basis of its secular credentials. India wants the region to be dominated by non-Kashmiri residents. In August 2019, Indian government under Narendra Modi, stripped the region of its special autonomous status by removing the twin articles 370 and 35A of the Indian constitution<sup>6</sup> It was a purblind approach on the part of India as such a step violated the international law and the UNO resolutions which succinctly states that the issue is of international nature and could be resolved only through the efforts of each stakeholder. In recent days, India also announced a new domicile law which would also non-Kashmiri resident to acquire the citizenship of Kashmir<sup>7</sup>. It will bring about the demographic changes in the valley which in the long run does not bode well for the whole conflict.

This research tries to find out the current social, moral and political challenges of the oppressed Kashmiri's and their peaceful solutions in the light of Islam and Sharia.

### **Scenario of Muslims Challenges in Occupied Kashmir**

Kashmiri's in occupied valley are facing lots of challenges. They are facing political supremacy from the Indian political parties BJP and INC; they are economically defective; they are deprived from liberty of expression, thought, belief, worship and faith; there are severe human rights violations carried out by Indian police and armed forces on the Kashmiri men, women and children's<sup>8</sup>. There is no accountability for the illegal conducts of Indian forces on Kashmiri's; there is injustice everywhere. The media is strictly in control. Occupied Kashmir has 13 million population majority of its portion of population is composed of youth. Educated youth of Kashmiri's are facing unemployment which resulted in inflation and poverty. Agriculture, tourism and livestock are the only sources of their capital<sup>9</sup>. The situations of Muslims in occupied Kashmir are as follows:

#### **1. Political Situations**

Politically there are two types of groups in the occupied Kashmir; Pro-India and Anti-India groups.

Pro-India political groups consist of Jammu Kashmir National Conference (JKNC) and Jammu Kashmir People Democratic Party (JKPDP). Jammu and Kashmir National Conference has ruled Kashmir most of the time since 1947; while Jammu Kashmir Peoples Democratic Party is new party emerged in early 2000s and came into power in 2002. They have tricked people of Kashmir by using pro-separatists slogans and views only for electoral gains<sup>10</sup>. This party is still in power and has strong coalitions with the currently ruling extremists Bharatiya Janta Party (BJP)<sup>11</sup>.

Anti-India political groups are: All Parties Hurriyat Conference (APHC) and Jammu and Kashmir Liberation Front (JKLF). "All Parties Hurriyat Conference" advocates the UN-sponsored right to self-determination for Kashmir or a diplomatic solution in a three-way talks between Pakistan, India and Kashmir leadership for

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settling the issue; while the Jammu and Kashmir Liberation Front (JKLF) advocated the UN rights of self-defense, which is articulated as “*armed struggle and resistance against illegal military occupation and repression are not terror*”, as UN has acknowledged that Jammu and Kashmir is not part of Indian Union and remains a disputed territory. Jammu and Kashmir Liberation Front (JKLF) was one of the first armed freedom fighters group which favors an independent and united Kashmir. Hizbul Mujahideen is currently the largest freedom fighters group; which was formed in 1990. This group demand Kashmir unification with Pakistan. Syed Salahuddin was also a freedom fighter from the Hizbul Mujahideen group, his martyr on 8<sup>th</sup> July 2016, and Trumps declaration of Syed Salahuddin as a global terrorist for the Modi’s pleasanry has sparked a new layer of movement in Occupied Kashmir<sup>12</sup>.

India has always used various groups to pit against each other in the valley. During the independence period, such tactics were used to create a wedge between the two groups to create a conducive environment where there interests could be promoted. India during the independence movement coopted Sheikh Abdullah to garner support for the Congress party. Such tactics also continued after the independence and when India had forcibly occupied the valley<sup>13</sup>.

There has been a decline in the political situation in the country only in terms that the political leaders are recurrently imprisoned and are deprived of freedom of speech, freedom of assembly and association<sup>14</sup>. The incarceration of leaders in Kashmir has been a regular phenomenon in Kashmir. As far as the freedom struggle of the Kashmir people is concerned, with each passing day, they have emerged with strength. Historical facts evince this fact. India started to press the freedom struggle in Kashmir, but it consistently failed in such quest. Every of their action ended up in fiasco. In the 1990’s, the people of Kashmir came out in the protest. In 2015 a new wave of freedom struggle was unleashed in the valley. Hence, the political situation in Kashmir presents a grim picture (Ahmed, 2000). Though India have strived to enfeeble the Kashmir freedom struggle, it never succeeded to effect such a change. India can physically deprive Kashmir of their lives, but hey cannot eviscerate the quest for freedom from their minds<sup>15</sup>.

## **2. Social and Moral Situations**

Muslims in Occupied Kashmir has always been stood united over the 70 years. However, there are considerable efforts being made to disturb their unity. Indian agencies are trying to break the unity of Muslims in Kashmir by creating conflicts in between Shia and Sunni Muslims. Though, with all of their efforts of integration Kashmiri’s are still socially connected and morally acting like brothers<sup>16</sup>. They unit in every Jumma Prayer and at every martyr funeral and collectively shout for freedom, liberty and justice. After 8<sup>th</sup> July 2016, a new movement of freedom has been started in occupied valley. India has regularly blaming Pakistan for indigenous freedom struggle in Indian Occupied Kashmir. However, ISPR Major General Asif Ghafoor has clearly argued that “Pakistan has only moral, political and diplomatic support to

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Indian Occupied Kashmir people”, he further said that “Kashmir is core national interest issue and we believe that it should be resolved in a diplomatic way<sup>17</sup>.

India has deployed over five hundred thousand armed troops into Occupied Kashmir. Popular unrest started since 8<sup>th</sup> July 2016. Indian police and armed force are using pallet guns over Kashmir protesters which are a clear violation of UN human rights provisions as “*any kind of chemical weapons use against humans is a crime*”<sup>18</sup>. In year 2016-17, 3800 cases of pallet guns victims were registered by the human rights commission, there are hundreds of people who has not registered themselves due to fear of Indian armed forces. 1233 registered victims have lost their eye sight and became disabled for life. Majority of the victims wants to commit suicide because they have gone blind. In year 2016-17, seventeen Kashmiri’s were killed only by pallet guns<sup>19</sup>. Tens of thousands of civilian Kashmiri’s have been killed in the decades of fighting in Occupied Kashmir. Human rights abuses in Occupied Kashmir include: torture, sexual abuses and rape. The Indian armed forces and Boarder Security Forces (BSF) have been accused and held responsible for committing severe human rights crimes against the oppressed Kashmir residents. Mass graves have been identified by the human rights activists in 2011; a state Human Rights Inquiry Commission has confirmed 2,730 bodies of mass graves in 14 districts of Jammu and Kashmir<sup>20</sup>. More than 8,000 Kashmiri’s has been arrested and missing. Most of the Kashmiri’s which are killed during forced disappearances and illegal custody are dragged towards the LOC boarder, while arguing that these militants (Kashmiri’s) have links with Pakistani agencies and they were killed in action<sup>21</sup>.

### 3. Economic Situations

Kashmir’s economy is largely based on agriculture, livestock handicrafts and tourism. The main crops grown in Kashmir are dry fruits, rice, wheat, corn, barley and vegetables while lumber and small scale handicrafts also play role in its economy. Kashmir has beautiful topography and climate. In 19<sup>th</sup> century, tourists from the Europe and other parts of the world came to visit Kashmir. Mountain climbing and Hunting are the most popular activities for the tourism in Kashmir valley<sup>22</sup>.

The economic development and hence the economic prosperity besides other things all require improved security situation and tranquility. The presence of better law and order situation provides for an enabling environment where economic prosperity could be unleashed. Similarly, some democratic institutions are also required which can put a country, a state or region on the path of prosperity<sup>23</sup>. When put into context, all these things are lacking in the valley of Kashmir. Rather the economic prosperity of the valley has been sacrificed at the altar of the chauvinistic attitude of the Indian government. Kashmir is located in the region which gives it geographical and strategic edge over other region of India. Had security been improved there, and had India had the will to embrace economic prosperity of the valley, there could have been much economic prosperity in the region<sup>24</sup>.



According to the economic survey report of 2016, the unemployment rate in Jammu and Kashmir is 24.6%. Due to Indian armed forces indefinite curfews; schools, banks and shops remain shut while internet and mobile services remain suspended. Eating and selling of beef is banned in Occupied Kashmir since September 2015. The brutal oppression of Kashmiri's has badly affected the economy of Jammu and Kashmir<sup>25</sup>.

### **Conclusion**

Kashmir dispute is the outcome of the British unresolved agenda of partition. It is the failure of the British to find a satisfactory method for integration of princely state in India and Pakistan. Both the countries have fought wars (in 1948 and 1965) on Kashmir<sup>26</sup>. Instead of cooperation and coordination in business growth and development both the countries are trying to contain one another on every international forum. Both the countries are continuously spending large amount of their budgets on military and weapons. However, military actions have already been experimented for resolving the issue, but the outcome was only loss of innocent beings. The only way left to solve the issue of Kashmir is political and diplomatic way. Indo-Pakistan tussel on Kashmir possess strategic threat to the entire region as both the nations are nuclear powers<sup>27</sup>.

International observers argue that “21<sup>st</sup> century is the Asian century in terms of development and economic prosperity”. If we truly want to make 21<sup>st</sup> century an Asian century than cooperation and coordination is the best option. Otherwise, conflicting Asian nations will prevail the western countries hegemony.

At the time when many conflicts are fading away from the world and the spirit of antagonism is being replaced by the spirit of cooperation in different realms of state activities, there is still the issue which festers. Kashmir issue has become a boiling cauldron where the violation of the human rights of hapless Kashmir has been the constant norm. The problems of the Kashmiris have increased with each passing time. Since independence, they have been denied their social, political and economic rights<sup>28</sup>. They have even been deprived of rights to live in peace with each other. All these violations fly in the face of various International Human rights laws and treaties. The situation of Kashmir also call into question the label which India bandied about



that it is the “largest democracy” in the world. Democracy requires an inclusive politics. Given that Kashmir have been suffering due to India democracy amount to the fact that there is democracy which serves only one portion of the country<sup>29</sup>.

Given that Kashmiris have suffered due to the conflict, there must be realization on the part of India and world at large that the realities of the 21<sup>st</sup> century demand that the issue is to be resolved once for all otherwise the issue will take a high toll on each stakeholder involved. Kashmir is also one of the flashpoints in the South Asia. As long this issue persists, there will be less likelihood of improvement in the relation involving both Pakistan and India<sup>30</sup>.

### **Recommendations/Solutions**

The following are the possible solutions for resolving the Kashmir dispute, which are as follows:

1. The first solution of Kashmir could be the willingness of Kashmir residents, that to whom they want to become part of. As Kashmir has Muslims in majority and due to similarity in culture, values and religion they favor Pakistan, but this option is not acceptable to India, so the next option would be to let Kashmir Independent<sup>31</sup>.
2. The second solution for the Kashmir dispute is that both the countries left the Kashmir in its original shape which was before the partition in 1947, and gives sovereign control of the Kashmir to the Kashmiri's so that they could make their own legislatures, Judiciary and executives (Hussain, 2010).
3. The third solution for the Kashmir dispute is a formal partition of Kashmir between Pakistan and India<sup>32</sup>. As Indian Occupied Kashmir is composed of Kashmir Valley, Jammu and Ladakh. In Kashmir Valley Muslims are in majority (95%), in Jammu Hindus has majority (66%) while in Ladakh the Muslims and Hindus are almost 50-50%. Therefore, Muslims majority regions like Kashmir Valley and half of Ladakh region could be given to Pakistani administration and Hindu majority region like Jammu and rest of the half of Ladakh region would be left to India (Fai, 2012).
4. The fourth solution for the Kashmir dispute is the “Unity of the Muslim Ummah”. There are 57 independent Muslim states. These Muslims countries possess 70% of the world energy resources and 40% of the world available raw-materials. India imports more than 70% of its crude oil from the Middle Eastern countries. If the Muslim Ummah only impose oil embargo on India for stopping genocide in Occupied Kashmir and settling the dispute diplomatically in a short time. Then this step would not left any other option for India instead of settling the dispute in a diplomatic way.

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