

Inventing peace in Kashmir

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THIS essay is an act of reading which seeks to understand peace as an emerging discourse. It uses the Interlocutors' Report on Kashmir as a text and reads and reflects on its categories. It is part critique, part conversation, where one discusses the idea of Kashmir as a set of thought experiments for the idea of India.

To write about Kashmir is not easy. Kashmir suffers from archive fever, official text piling on forgotten text like an epidemic archaeology. Sometimes the way of solving the problem adds to the problem. Kashmir is a problem haunted by the memory of problem solving. One has to ask, how do civil society people as citizens who care, enter a problem? What can they contribute? The interlocutors need a point of entry.

An entry needs a gate pass, an identity. When asked who goes there one answers 'the interlocutors'. The choice of the word is crucial. In the thesaurus of words available, one has to define one's identity and competence. To state what one is or hopes to be, one has to begin by stating what one is not. An interlocutor is not an interloper. He is not an interrogator and not an intruder. He is not quite a messenger, nor a translator; he is not yet a mediator. He is someone who cares and cares enough to understand or wants to understand. He listens, he collects perspectives, feeds on collective and individual memory. He is modest about his competence and yet confident about his staying power. He is not an eavesdropper. His intentions are more transparent. He seeks to create a collage of perspectives, hoping to be a *munshi* of variegated worlds around a future called Kashmir.

An interlocutor knows he cannot take anything for granted. He begins with the phenomenological act of bracketing. Both (Kashmir) and (peace) require fresh cartographies of suffering. Kashmir is a metaphor and peace a riddle. One creates a *via media*, a heuristics of freedom as a prelude to peace.

Interlocution is a pilgrimage of listening, following a redundancy of visits to grasp every shade and nuance of experience. An interlocutor's initiation rite of listening has to reach a polyphony of perspectives before he can intercede. Interlocution in that sense is an ethics, politics, ethnography that demands its own act of storytelling.

Kashmir seems to be many contradictory narratives tucked in one space. Kashmir as a geography has to move between the imagination and the imaginary. The LoC is mnemonic of this kind. One asks, is the LoC a

boundary or a threshold, a dwelling, a liminal space between the words Kashmir, present and future? Is the border a recognition of intractability of nation states or a realization that the borders like relationships can be porous? As Manmohan Singh said, 'The key objective is to make the LOC irrelevant... a symbol of concord and cooperation.' History reified into inflexibility becomes a burden. It needs to factor in the new, move from the imagination of the nation state to the new imaginaries of the nation. Kashmir has to be a part of the new imaginary. The Kashmir of the present provides an alchemical mixture between historical grievance, everyday harassment and the new global opportunity. Both Kashmir and New Delhi as categories have to be placed on new topologies of space. The report acknowledges the durability of what one calls the *narrative of rupture*.

'It claims Kashmir as a story of peace process has never been continuous. Yet peace is a dream that has always been pursued.' The report lists out eight ruptures in a ten year period of dialogue. These include the Kargil invasion of 1999, the Agra Summit failure, the Parliament attacks in 2001, the rise of violence in 2002, scattered terrorism of 2002-04, the Varanasi and Delhi bombings of 2005, the Mumbai blasts of 2006, the Samjhauta attack in 2007, the Mumbai attack of 2008. Yet the search for peace has survived all disasters. The tacit wisdom of peace understands that terror seeks to disrupt the narratives of peace. Terror wishes to destroy storytelling and the search for the narratives of peace. Terror forces a still life on the narratives of politics.

The report opens with the observation that the political narratives of Kashmir dwell 'on the history of agreements made and violated, both allegedly and in fact.' It tries to move away from them 'the baggage of history' by moving on to the sociology of everydayness in this crisis-ridden state. It starts by citing a facebook message that 'New Delhi needs to change the way it looks at Kashmir.'

One has to see Kashmir as a new mix of time. It is a time which is a mixture of a variety of desires and aspirations. A desire to repair the past and to connect to a global future. Kashmir as crisis becomes Kashmir as opportunity. But one can tap into this mixture only if one shifts the centre of gravity of the narrative from grievance to freedom. Fundamental to peacemaking and peace as a dwelling is public perception.

What haunts Kashmir is what the report calls 'the deep sense of victimhood present all over Kashmir Valley.' A victim is a survivor who waits for justice. He or she is haunted by events or the repetition of certain events. A victim is an object of violence seeking to become a subject of peace. A victim is a being who has been denied a true place in the narrative of history. Victimhood is a state of being, a liminal identity for waiting. A victim is a person suspended between an old normalcy from which he is disembedded and waiting for a return to rehabilitation.

The interlocutors' report recognizes that victimhood cannot be reified into one point of view. It is not a lens to read one form of ethnic, religious or political rule but a kaladeiscope which reflects the cross-currents of pain in

a society. Victimhood is an unhappy state between personhood and citizenship. A victim needs a voice and voice can be dangerous thing.

The report begins with a victim who protests. He is a person who re-enters history or objects to it as the *pelter*, a man who flings stones at authority as the ultimate act of despair and protest. The stone pelter is a vulnerable person. He carries no other weapon; he has no guns. He is vulnerable as an irritant. He tempts authority to retaliate. Pelting stones is an act of catharsis, an eloquence of protest against the police and the army. Unfortunately, the pelter becomes or is seen as a younger sibling of the terrorist and is treated accordingly. To jail a stone pelter is a harsh form of retaliation. In fact, the arrest of the stone pelter raises the question of how does one react to minor protest which is also seen as criminal?

But the stone pelter is the smallest of irritants on the incline plane of protest. How does one contour tolerance? We need reforms which speed up the release of prisoners, especially political prisoners against whom there are no serious charges. If protest is a part of being, then there is a danger that prison is a part of the prospect of citizenship. One needs a gradation of tolerance, forgiveness, understanding and the reforms that facilitate, in fact, speed up withdrawal of an FIR (first information report) against first timers and minor offenders. One then has to think of amnesty for those who renounce violence. The victim might be protestor, even perpetrator. Instead of a punitive policy towards victimhood and its discontents, what one requires is a rehabilitation of all victims of violence.

The report recognizes that law and order and the forces of law and order also perpetuate violence. A security force often becomes a form of intrusion, a violation of space, a threat to place. Law and order as a coercive force guarantees stability but makes few overtures to peace.

The report suggests that suffering has two codes. In the first, one has to examine the brutalization of a society, the varieties of violence we inflict on our citizens such that they in turn become perpetrators and victims. Yet, suffering itself cannot become a captive text repeating itself to the point of redundancy. Suffering has to allow for the sensitivity of power and the sensibility of reform. It has to open out to a narrative that moves beyond it. Here the politics of protest might make suffering freeze positions into intransigence. The political has to dream of moves which defrost memory.

The danger of continuous violence is that victimhood is no longer a homogeneous or a narrow category. Victimhood needs a classificatory table, a biography, sociology and history, given its diversities of experience. The interlocutors' report chronicles the narratives of victimhood charting the road maps to peace.

There is a particular poignancy to the two categories, to youth and women because youth and women, especially widows, seem perpetual witnesses to and objects of suffering.

The report calls for a new compact but insists on a re-imagining of the community. In fact, this is one of its most creative contributions. In terms of a systems metaphor, Kashmir must be seen as a system in relation to its environment. The line between system/environment raises the first problem of interface. Yet, the report tacitly suggests the wisdom of system theory by arguing that Kashmir as a system internalizes the environment. Kashmir, thus, has to be seen as a differentiated entity that is diverse within itself.

Kashmir is actually three places within three different memories and cultures. Ladakh, Jammu and Kashmir come with separate geneologies to make up Kashmir. 'Each of the three regions feels it is held hostage by the others and this fuels volatility. Each of the three regions also feels discriminated by state governments in terms of allocation of funds, jobs, selections, and promotions. This perception refuels communal tensions. The Muslim and the Hindu majority districts of Jammu, for example, are steadily drawing apart rather than coming together; similarly, the Muslim and Buddhist districts of Ladakh are becoming increasingly distant, even acrimonious.'

A composite within, Kashmir has to create a second unity with the composite beyond. This involves its constitutional relation to India and also its political relationship to 'Azad Kashmir and Pakistan.' Yet the relation of parts to wholes demands that the unity of the whole be kept intact. One has to ensure that 'the search for a political settlement is never seen through the prism of a particular region or community. Peace has to be a unity to pre-empt any fragmentation of peace as the particular claims of any ethnic, communal or sectarian group.' One has to ask whether freedom is the right to secede or the will towards autonomy? The wisdom of conflict resolution has to realize that peace has to speak many dialects and needs many forms of translation. The beauty of the document is that it is able to differentiate freedom from governance in its theory of peace.

The first task of both is to lift the siege mentality and transform the victim and the prisoner into a citizen. For this, one has to challenge the culture of the gun. Kashmir cannot be allowed to slip into an endemic culture of violence.

What allows for violence is the culture of alienation and its expression – the unattended grievance. The sociology of grievance, victimhood, alienation is a multilayered one. To the horizontal tensions of regions, one has to add the sociology of particular groups, particularly youth and women. Vulnerability and the costs of violence become particularly poignant for these two groups. These groups elaborate the pain of victimhood as two separate dramas. One needs a variety of exorcisms where each fragment of a story has to be identified, told, retold as part of the political rituals of healing.

Healing and listening and the act of mapping grievances summons memories of the Truth and Reconciliation Commission. The South African idea is an attractive one provided we remember that Tolstoy's dictum in

Anna Karenina applies not just to families but to communities. Tolstoy remarked, 'Happy families are all alike but unhappy families are different, each in their own way.' It is this diversity of grievances one has to list and listen to carefully.

The interlocutors cite Chief Minister Omar Abdullah's proposal for a TRC for Kashmir. Abdullah proposes it as a topping ritual and an idea which is new for India. The report notes 'such a mechanism has never been tried in India and it remains to be seen whether it would be acceptable.' They add that 'the spirit of truth and reconciliation has a powerful resonance.' They argue further, 'Even if justice cannot be provided to all victims of violence, if some of those guilty of human rights abuses, including militants, were to ask forgiveness from the families of their victims, it would provide closure for many.'

For the interlocutors, justice and peace go together in such narratives. If justice is built around compensation and punishment and reform, forgiveness adds that element of 'thickness' that combines justice with peace, adding to reform that touch of healing and that promise of freedom that moves peace from an act of plumbing and repair that conflict resolution often elaborates to peace which is a sacrament, a promise that one does not return to violence.

Present in a persistent way through the interlocutors' report is the need to alter 'the Kashmir narrative in fundamental ways.' A recovery of storytelling as a search for truths becomes a critical step to peace. The report makes a critical move when it shows how the problem of the narratives of Kashmir and the narratives of the problem have to be both reworked for peace to have a chance.

Peace is not just an act of retelling. It is also one of redoing, of creating habituses for peace, new grooves of action and thought which break the old cynical predictability of the Kashmir problem. One has to now move from narrative to sociology and capture the everydayness of three groups who shape the political mentality.

The report attempts a deconstruction of victimhood. Victimhood is a social status marked by bodily traces, trauma, a denial of rights and sense of grievance. A victim is a witness, a living mnemonic of the fact called Kashmir where 'for six decades people have experienced what constitutes a systematic denial of their rights. They have been witness to rigged elections, the dismissal of elected governments and installation of pliant ones, the arrest of their popular leaders, the choking of dissenting voices through harsh laws, the detention of political personnel without the due process of law, the violence perpetrated by militants and by security forces.' But beyond the general diacritical marks of victimhood, one needs to understand how brutalization and indifference have marked particular communities.

Three communities in particular embody the marks of violence in Kashmir— women, youth and the displaced. Each carries the marks of victimhood in a different way and each has to be reworked into the new

idea of the social. Each group having been witness to the violation of human rights, each has been marked by a particular kind of violation.

Women constitute a marked category of vulnerability which is physical, psychological, social, economic and cultural. Women have borne the truth of brutalization. Women in particular find the presence of troops in residential areas threatening. In fact, the report raises a general problem of how states of exception became normalized into states of everydayness. During an emergency, security and armed forces often take over a number of residential areas and also public property, including educational institutes, hospitals, stadia which were previously utilized by the people. There is an urgent need to vacate these lands so that people pursue freedom in the absence of threat or violation or constraint from these agencies. The protest of women shows how security becomes an ironic term where the presence of security forces itself creates a perpetual threat of insecurity.

The report, in addition, recommends the provision of a special task force of eminent women from all three areas to address the problems of women as victims of violence including widows, half-widows and traumatized women, especially in rural areas. Yet, the sociology of women in Kashmir is somehow incomplete in the report. Talking to wise women in other domains of war, one needs to ask: Can women be more creative agents in the Kashmir peace process? Can one create new livelihoods of peace around women? The report at this level is truncated, creating problem lists without the deeper creativity where women as victims also become problem solvers. This is particularly surprising given that one of the interlocutors is an authority on women's rights, author of *The History of Doing* and a scholar who has worked on war and violence in the Balkans. One misses that wider connectivity around women and violence that a general perusal of war and violence could have triggered.

If women constitute one category of vulnerability, the displaced constitute another. Peace in Kashmir would be hollow without the presence of Kashmiri Pandits. Their exodus from the valley, becoming refugees in their own country, is a tragic story. Today hope has returned even if the Kashmiri Pandits have not. There is a broad consensus across the political divide about the necessity of the return of the Kashmiri Pandits. Endorsed as an idea, the process at ground level has been a slow one.

Several things remain to be done. First, the return has been a fragmented one. The Pandits are returning as part of the prime minister's reconstruction plan but the return is still temporary, a short term transit measure where men 'are not allowed to bring their families.' Community based integration is necessary. The report proposes that 'migrants intending to return should be encouraged to live along with the community rather than in separate hamlets.' For culture and community to combine and reassure the migrants that the majority welcomes them, there could be inter-community dialogue. Symptomatic of such a beginning would be the repair of the ancient temples of the Pandit community. History has to come a full cycle for peace as future to begin.

The third category of alienated citizens might be the most problematic. Labelled as youth, the alienation of this sector means alienating the future. It is an alienation that stems from harsh treatment and rampant unemployment. The continuous rituals of protest show that alienation is epidemic in Srinagar city, Sopore, Pulwana, Baramullah. Kashmir youth get marked outside the state and become an object of suspicion in the rest of India. Their alienation creates a vicious circle of violence which in turn triggers human rights abuses.

One needs a mature mind to realize that a stone pelted is not a threat but a symptom of a deeper anxiety which must be confronted. To alienate youth is to alienate the future of Kashmir. One realizes that alienation as a symptom runs across the society. In fact, alienation is often competitive in that assuaging one form of alienation incites another insecurity, but deep down alienation stems from an unsettling set of petty issues and a deeper grammar of grievances. Central to it all is a lack of trust and the creation of peace needs a sense of ethical repair. Ethical repair is a deep part of conflict resolution.

Ethical repair creates an umbrella of responses to the phenomenon of violence. The idea of ethical repair goes beyond any project of blame and punishment. It demands a wider ritual of acceptance and forgiveness. It seeks to fix responsibility, but goes beyond it in its restorative dimensions to mend fractured relationships. It argues that justice without moral repair is not complete. One has to reconnect all citizens on the equal plane of dignity. The report does not use the concept but some of its measures enact the notion. Ethical repair is an act of healing that goes beyond formal measures. It seeks to rework the very narratives of memory.

Ethical repair in Kashmir has to begin with a *recognition* of human rights abuses, with a sense of the deep brutalization of Kashmir as a society. Ethical repair is a prelude to constitutional reform. Ethical repair provides a normative sense of sacrament before constitutional reform creates the possibility of a new social contract. In fact, the very word compact for Kashmir is an entry point to covenant and contract, between the tacit idea of normativeness and the formal sense of law. The idea of ethical repair has to recognize that some grievances have become festering wounds. These need closure.

The controversy surrounding 'unmarked graves' is one such issue. The ad hoc response by investigations has added to the smell of arbitrariness and indifference. The bulk of these graves go back to a period of armed conflict and include armed groups from both sides. One will need the cooperation of the Government of Pakistan and the use of DNA tests to create a sense of closure. Only a transparent use of such procedures will lay the ghost of the past and those of the victims at rest.

There is a strange lacuna to the document, an absence of anthropology as a resonance of cultural categories. It is almost as if peace is a category to be sanitized in English. The question of categories becomes fundamental

especially when we look at economics. One has to ask whether peace is only a continuation of development by other means. Or does one ask: Is an economics of peace and the economics of development the same? Does Kashmir's ecology need to be considered a different way? Is craft only an extension of tourism? What is the relation of tourism to peace? The whole idea of economics, while well intentioned, has to go beyond energy modules and a concern for employment.

One has to ask does an ecology of peace need a new theory of development. It raises the issue of whether Kashmir is suffering merely from rapacity and corruption of its elites, in which case, it suffers from maldevelopment or does it need a new development model. One is surprised that conditions of violence have created so few triggers for new thinking. One wonders whether Kashmir is a society so tired of war and violence that it is ready to settle for the absence of war as substitute for peace. One hopes that dreams of peace mean something more.

While the report is bland in terms of economic categories, it is more inventive in terms of the political. Before or while it examines the constitutional implications of peace, it looks at political concepts across an interesting gradient. It sees freedom as a prelude to peace and also differentiates between freedom as a value and an entitlement, and governance as the administrative and institutional requirement for freedom. In fact, there is a three step differentiation in seeing freedom as a higher form of security. The triad freedom-peace, freedom-governance and freedom-security creates an interesting dynamic for a future Kashmir.

The monadic idea of security becomes an inept metaphor in the Kashmir of the interlocutors. Security is seen as what security forces create and, therefore, becomes an oxymoron. Security becomes an invasion and colonization of civil space. It is a metonymic with the state. Security represents the un-dialogic part of the state as it suspends fundamental rights, harasses women, arrests youth at the slightest protest. The stone pelted becomes a symptomatic figure because at one level he represents the helplessness and vulnerability of the citizen, and yet is treated as a law and order problem.

Yet, years of continuous war create their own ecology of pain. This needs a different language of understanding because pain is more than grievance, pain goes beyond protest. Protest for all its eloquence can be inarticulate about pain. Kashmir is a society that has suffered and suffering aborts people's idea of the future. Suffering needs a more detailed etiology. What do years of war and violence do to the body, to a person's perception of everydayness? The political economist Harsh Sethi made a shrewd distinction between the politics of politics and the politics of pain. Sometimes the two do not converge.

The mechanism of electoral reform, a new theory of representation, a modification of the Constitution do bring about changes, but the transition from the normalcy of war to the everydayness of peace needs a different

module of care, healing and therapy. What one misses is a portrait of the psychiatric embodiment of the crisis. What has happened to family and sexuality? What has war done to youth and to a society where youth marks its presence through absence? The word trauma does not cover all these worlds. Does a community's sense of time get abbreviated by violence?

Let us imagine peace as a rite of passage. Then the transition of peace demands we face the question of the cultures of transition. A before-after picture will not do. The power of peace is in the details of its everydayness. There is a silence about this in the report. How does a society exorcise itself about suffering? What does a culture and a community have to do to go beyond politics to achieve this? The report is sound in its overtures, its broad strokes but it lacks the scenarios, the craftsmanship of peace. But one cannot burden only the report with it. It is like a relay. The next group has to step in and provide 'the thick descriptions of peace' to ask what peace as praxis, as competence and as performance demands.

If the first sections of the interlocutors' report elaborates its sense of Kashmir as a society and a plurality of societies, the second segment seeks to constitutionalize the idea of Kashmir. The three interlocutors realize that when you constitutionalize an idea, you turn it into a normative space framed in terms of an idiom of a contract. It assumes that a free will of a people has abandoned the idea of secession for pragmatic or normative reasons.

Secession is seen as dysfunctional for Kashmir though the interlocutors admit that there are some who think that (i) accession of Kashmir to India was an act of bad faith, and (ii) that Kashmir's future lies outside India.

Once secession no longer dominates the everyday imagination, then autonomy becomes the goal. Autonomy is not independence of a state; it is its ability to function with a plural idea of India. It is a vision of Kashmir which adds to the future of democracy in India. Kashmir in this sense must be an experiment in governance, devolution and democracy which is workable, pragmatic and yet experimental. The interlocutors realize that peace is a repetitive process but they sense that in the possibility of repetition lies the seeds of emergence. By trying out things that one has repeatedly called for, one might obtain things one has only dreamt of.

To constitutionalize Kashmir is to assert a framework that believes peace is possible and that trust has found its beginnings in the slow but definite decline of violence. All sides, except maybe the terrorists, realize that peace adds to their cause.

The report argues that what one needs is not the rule of India but a rule game called India. This demands a normative framework where Kashmir is no longer a state of exception to Indian democracy.

The political philosopher Giorgio Agamben pointed out the dangers of a state of exception. He said that to confront crisis or a period of violence

democratic states declare a state of emergency where human rights and democratic norms are suspended. Agamben then shows that a state of exception becomes a state of normalcy when the emergency from a temporary state becomes normalized into everydayness. Security then becomes the keyword for governance and the styles of problem solving. The interlocutors' idea of Kashmir demands that states of exception are no longer the norm.

Second, Kashmir demands an experiment in federalism where the special constitutional status of Kashmir is recognized. It also recognizes that such a recognition has to be accompanied by a sense of audit and responsibility. The corruption of its elites living off the development game has to be recognized. One has to break the organic link between security and corruption.

Third, governance cannot be a hierarchic concept but a theory which allows for vertical and horizontal devolution. One needs a recognition of the plurality of regions in Kashmir and a devolution of power to the smaller units. Autonomy is not merely the autonomy of state but a recognition of the autonomy and plurality of region and locality. Without devolution at all three levels, the experiment in autonomy becomes meaningless. Only a devolution of governance will create the scenarios for trust that peace desperately needs. For a Kashmiri peace to be an India peace, it must also be a Ladakhi peace, and Jammu's idea of peace. A unity of peace requires a plurality of conceptions of peace.

It recognizes the frailty and resilience of a solution. To paraphrase Isaiah Berlin quoting J.S. Mill, what Kashmir needs is 'an experiment in living' with the permanent possibility of error and its redressal. Kashmir thus is not a picture of future perfection but a picture of constant vulnerability and experimentation based on the risk we call democracy.

Fourth, the report understands that the depanopticanization of Kashmir might involve only a change of rule from a reign of ssecurity to a rule by technocrats.

The report recognizes that an experiment in politics has to be accompanied by an experiment in culture. Yet, there is a danger here of creating a statist model of culture which often confuses education with culture. Culture is a bigger term than literacy or public or popular culture. Culture must provide the ecology for democracy rather than be constructed managerially to create an instrumental idea of amity.

Culture cannot be a form of gardening. There is little attempt to link Kashmiri culture to the culture of violence and seek a solution. The cultural policy presented here is like plumbing – suggesting a few libraries, the encouragement of languages and folklore. One needs a deeper meditation of Kashmiri culture. The interlocutors' report sees it too instrumentally for cultures to cure or be a form of healing or a theory of civitas.

What has been outlined so far are efforts by the interlocutors' commission to create a new state for peace, summoning both an ethics of memory and

an experimental idea of constitution. The framework looks fruitful and need a genuine response. Treating it with indifference is not fair. One needs such documents which swing between scepticism and hope to reinvent Kashmir.

Sometimes I think a flawed and vulnerable document comes closer to genius than a finished one. The flawed argument demonstrates the nature of the problem and its difficulties. It emphasizes process over product and in outlining the problematic it shows the challenge of problem solving. Sometimes a problem has to be solved everyday and like truth, has to be lived out everyday. One has also to be clear that the report will outgrow the authors. As it becomes a public text, it has to be read and re-read, pulled apart and built again. Its identity will blend into other projects and will become a part of other moves and modifications. The danger would be to freeze its authorship. It will obtain authority only by losing authorship. To turn it into the work of a small set of clubs will parochialize it. The report needs to be treated as an open work full of the predictable, yet ready to be shuffled to create new and life giving combinations. For this, one owes a debt to the interlocutors. This essay in that sense is an act of Thanksgiving.

