SECULARISM AND ISLAMIC MOVEMENTS:
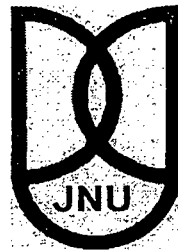
READING THE HIZBUL MUJAHIDEEN IN KASHMIR

Dissertation submitted to Jawaharlal Nehru University in partial fulfillment of the requirements for the award of the degree of

MASTER OF PHILOSOPHY

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DECLARATION

I hereby declare that the dissertation entitled "Secularism and Islamic Movements: Reading the Hizbul Mujahideen in Kashmir", submitted by me for the award of the degree of Master of Philosophy, Jawaharlal Nehru University is based on my original research work and has not been submitted in part or full for any other degree or diploma to any other university.

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CERTIFICATE

This may be placed before the examiners for evaluation for the award of the degree of Master of Philosophy.

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INTRODUCTION

In the course of this study I intend to interrogate the relationship between Secularism and Islamic Movements in general, as it emerged historically, and employ that understanding in reading the Hizbul Mujahideen[1] in Kashmir.

Hizbul Mujahideen is an armed movement that fights against the Indian rule in the disputed territory of Jammu and Kashmir. Hizb believes in the liberation of the state of Jammu and Kashmir from what it considers an illegal occupation by the Indian state and its accession to Pakistan. Hizb seeks to achieve this aim by means of an armed struggle against the Indian rule seeing it as an instrumental means to precipitate a resolution of the Kashmir dispute.

CONTEXT

Hizbul Mujahideen is ideologically close to the Jamaat-e-Islami, an Islamic politico-religious movement founded in the Indian subcontinent by Maulana Maududi in 1941. After the partition of the Indian subcontinent into India and Pakistan, Maududi shifted his base to Pakistan, and started the Jamaat-e-Islami of Pakistan, separate from its counterpart in India. Jamaat aims at the transformation of society according to Islamic principles and creation of an Islamic state. Their approach has been two fold; working among the masses to propagate the message of Islam and on the other hand also vying for the state power through electoral means.

The Jamaat-e-Islami of Jammu and Kashmir, while ideologically similar, is a separate constituent from its counterparts elsewhere in Pakistan and India. Along with many other

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[1] Hizbul Mujahideen is literally translated as 'The Party of Warriors'. The group is also known by its shorter versions of the name – Hizb. I will use both the names interchangeably.

groups in Kashmir, it refuses to accept the legitimacy of Kashmir's accession to India in 1947, considering Maharaja Hari Singh's decision against the will of the people of Kashmir. Jamaat maintains that by the logic of partition that took place on religious lines, Kashmir, being a Muslim majority state, must have joined Pakistan. For Jamaat this position is accorded legitimacy by a number of United Nations Resolutions asking for a plebiscite in the region according to the principle of self-determination of nations so that the people of Jammu and Kashmir can be given a chance to decide their future.

For four decades since 1947, Jamaat, along with the emphasis on the teachings of Islam, kept asserting its position regarding the Kashmir dispute in its meetings, seminars, literature etc. While sticking to its political position on Kashmir dispute, it was also a part of the democratic process by through its participation in the elections and its members raised the Kashmir dispute in their speeches in the legislative assembly.

During the elections of 1987, Jamaat was a constituent of an alliance of various pro-freedom parties that came together under the banner of the Muslim United Front (MUF). The elections saw large scale rigging and MUF candidates and sympathizers were beaten, tortured, imprisoned on a massive scale. Many people in Kashmir saw this scenario as a final blow to the democratic movement for securing the right to self-determination for the people of Kashmir. Within a year armed struggle started in Kashmir. The Jammu Kashmir Liberation Front came out in the open.

Hizbul Mujahideen formally came into existence in 1989. Hizb's ideological position on the Kashmir dispute was similar to that of the Jamaat-e-Islami. Besides, a considerable section of Jamaat members had already joined or were joining the organization. Many members of the Jamaat went on to play leading roles in the Hizbul Mujahideen. Hizb's current Supreme Commander and the Chairman of the United Jihad Council, a conglomerate of the armed organizations fighting in Jammu and Kashmir, Maulvi Yusuf Shah alias Syed Salahuddin was a member of the Jamaat-e-Islami and also a candidate of the Muslim United Front in the 1987 elections.

Hizb's relationship with Jamaat was a complicated one. Jamaat's constitution did not allow underground activity. Hence, it never went public with a call to arms. But when

Hizbul Mujahideen came into being and its members started joining the organization, it did not oppose their joining in their individual capacity either. Jamaat sought to strike a balance between safeguarding its constitution on one hand and dealing with the emerging political context on the other, wherein armed struggle as a means for achieving *Azadi* (Freedom) had attained mass popularity and it could no longer oppose its members joining the armed organizations without losing face. Besides, such a stand was also an attempt to safeguard Jamaat from direct state repression.

RELATIONSHIP WITH THE SECULAR

Hizbul Mujahideen's notion of its struggle in Kashmir in not purely 'religious', rather it is seen as a 'political-cum-religious' struggle. As Abdul Hameed Tantray alias Commander Masood Tantray, who served as a commander in the Hizbul Mujahideen and was one of its top ideologues, writes, "Our movement has clear political and historical background and as such this is not an Islamic movement. This is a movement for the right of self determination... (and)...not an Islamic movement, but a movement of Muslims..."[2]

While one hand religious doctrines are used to justify their struggle as jihad, on the other hand a variety of historical, legal and political arguments are given, which stand in spite of religious reasoning. Hence, one of the most fundamental arguments is the recourse to the principles of the international law and United Nations Resolutions which call for a plebiscite in the disputed region and endows legitimacy to the struggle for liberation of Kashmir in the context of self-determination of nations. Thus, in the ideology of Hizbul Mujahideen, there is a double justification – religious as well as secular.

Hizbul Mujahideen's use of Islam for achieving political ends should be understood in the historical context of Kashmir. The use of Islam for political mobilization in Kashmir is grounded in the historical factors of the region where religious identity is very much part of the social fabric. There is a context to and a history of mobilization, through the use of Islamic idiom, in Kashmir in the twentieth century. Some of the original factors

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[2] Masood Tantray, *Gawahar-e-Masood: Shaheed Commander Masood ki Tehreeroun ka Majmooua (Pearls of Masood: Collection of the Writings of Martyr Commander Masood)*, (Srinagar: Shah Hamadan Publications, 2006), 138.

responsible for this are in the formation of the state of Jammu and Kashmir under British rule where an overtly Hindu Dogra Maharaja autocratically ruled over a majority Muslim population that was largely disempowered and disenfranchised. Islam for valleys oppressive sections was a hope.

Later when the partition of the subcontinent took place on religious lines, it was thought that Kashmir, being a Muslim majority region would naturally join Pakistan. This did not happen. Facing a rebellion against his rule, the already unpopular autocrat, Maharaja Hari Singh acceded to India in lieu of military assistance. The accession was, and continues to be, contested by large sections of people in Kashmir. Soon, war broke out between India and Pakistan. India eventually took the matter to the United Nations which issued various resolutions calling for a plebiscite in the disputed region so that the people could decide their future political status. Kashmir dispute had been accorded international recognition. A ground was laid for a political movement that refused Kashmir's future with India. The difference in religion had laid the ground for the political dispute.

This study finds dissatisfaction with those academic approaches that limit themselves to a superficial reading of the Islamic movements and are quick to label them as purely 'religious' and hence 'parochial and backward looking', movements, and a threat to secularism that is regarded as an essential and non-negotiable principle of modern political setups. While on one hand, this kind of thinking overlooks the contextual realities of popular movements that might religiously inspired or articulated in a religious language, on the other hand, it fails to take into account multiple engagements that Islamic movements have had with the principle of secularism, through their engagements with the institutions and laws of the modern state systems. I find a dichotomous differentiation of movements into either 'purely secular' or 'purely religious/Islamic' categories problematic and argue for a deeper study into the ideology and practices of Islamic movements to understand their relationship with secularism and secular better. This also opens up the possibility of understanding the secularizing effects that popular Islamic movements seem to have and which superficial journalistic accounts seem to miss.

In Kashmir, Hizbul Mujahideen's rejection of secularism is also due to the fact that the Indian state it is fighting seeks to legitimize its rule in Kashmir on the basis of its claim of being a secular and democratic state, in opposition to an 'Islamic Pakistan' or the imagined possibility of an 'Islamic state' if Kashmir remains independent.

In Kashmir, the massive state repression that has taken place in Kashmir, particularly since the last two and a half decades, leading to more than 70,000 dead, around 10,000 enforced disappearances, thousands of mass graves, extrajudicial executions, kidnappings, torture, emergency laws like the AFSPA, PSA, etc. come across as the face of the this secular Indian state. To Hizb, the claim of the Indian state as secular, and democratic, gets conflated with its oppressive practices on ground; to hold onto Kashmir by the force of gun and the creation of a political economy of a 'militarized governance'.

Hence, there is a reaction. Secularism propounded by the occupying state power is seen as an alien concept, in the same manner that there was a rejection of secularism in the non-Western contexts when it came in through colonialism.

I will take up the case of Islamic movements' relationship to secularism in general as it developed through history and engaged with its implications, before moving on to the study of the Hizbul Mujahideen in case of Kashmir.

A study of Hizbul Mujahideen remains important as it is the largest, well organized and the longest serving armed group that has been fighting the Indian rule in Kashmir. In addition, most of its cadre is drawn from the local population that bestows it with support and legitimacy on the ground as the indigenous representative of people's aspirations in the armed resistance movement. To my understanding, no academic enterprise that seeks to interrogate the struggle for self-determination in Jammu and Kashmir against the Indian rule can overlook the role of Hizbul Mujahideen.

SECULARISM

Secularism is one of the most fundamental principles in the governance of modern polities. Put simply it is understood as the separation of the state and the religion, whereby state is concerned with day to day activities of administration, distribution,

allocation of resources, fundamentally, the organizing principles of politics. Religion is thought to be a matter of personal faith, away from the public sphere. This is seen as instrumental in the smooth functioning of societies comprise a plurality of populations belonging to diverse faiths.

The doctrine of secularism as at a principle that aims a separation of politics and religion arose in Europe in a specific context of the 'wars of religion'. The Church in medieval Europe had become an oppressive institution and popular movements sought to limit its power in the affairs of the state. Besides, the developments of science hit at the root of 'religious dogma' and stressed on 'rationality' and 'scientific method'. On the other hand the rise of Protestantism sought to do away with the established dogma of the Catholic Church giving individuals interpretive autonomy vis-à-vis texts of faith. The nexus between the Church and the state was sought to be limited for one additional reason; religion could flourish only when freed of the clutches of politics. Thus, a combination of multiple reasons came together to make a context where state could be freed from transcendental concerns.

Different political events took place in different national contexts that defined secularism in different ways. The French Revolution of 1789 stressed on the principle of liberty which implied a need for the state to be secular. In America secularism was legitimized on the basis of freedom of choice. But overall, these events happened within the developments of what is broadly understood as the Western context.

THE MODERN STATE

Concurrent to the development of the doctrine of secularism was the rise of the modern state. This included the development of administrative functions, management of populations; broadly put it was the coming into existence of the 'ethnographic state'.

Modernity as a project claimed a universal on the basis of reason and rationality. Secularism was one of its fundamental principles, as was the nation-state.

With the onset and development of colonialism and imperialism, the principles of the modern state were transferred into colonies. This was important for the administrative purposes that colonial administrators setup, rather than for the benefit of the colonized.

Thus, while the development of secularism in the West was through an organic context of social and political movements for individual liberty and freedom from the tyranny of the religious institutions that had turned oppressive, in the non-Western context it was imposed through colonialism.

Secularization theories predicted a free march of secularism through the progress of the project of modernity throughout the globe. In West, it was the secularization of the societies through various social, political and economic developments that led to the development of secularism. In the non-Western contexts it was the doctrine of secularism adopted by the colonial states as a policy that was thought to lead towards secularization of societies considered to be in the grip of religious dogma, hence parochial and archaic.

Even as activists and movements for secularism affirmed a strict separation of the state and religion, religion continued to be a reality in social setups the world over. Secularism was a project, not a reality which had been achieved a priori. There was a necessary engagement with religion and politics, and they continued to influence each other.

This question beckons a priority in its study as last few decades have seen the 'return of the religious', a phenomenon not limited to Islam. The teleology predicted by the secularization theories failed as religions remain very much part of the public sphere.

The prediction that religion would be progressively shifted to private domain before it would cease to have any influence on individual and collective lives did not materialize. The idea of the secularism had to take into account this reality. Religion had a presence in, and influences the working of the public sphere.

Societies continued to have populations adhering to different religions. The actually existing plurality of religions in the societies has continued to affect the (re-)definition of secularism. Hence, Charles Taylor talks about secularism as the rise of an 'independent ethic' and an arrangement where an 'overlapping consensus' emerges in which different

people are free to have their own 'background justifications'. This he sees as the only hope of today's plural societies.

NON-WESTERN CONTEXTS

In the non-Western contexts, that did not undergo the European experience, secularism was an alien concept that came in along with the imperial administrative and political setups. For people who sought to live their lives guided by religions as faith and as a way of life, the separation of the temporal and the transcendental did not make clear sense. The policies and doctrines that were introduced were seen to be of relevance and benefit to the colonizers rather than the local people.

Ashis Nandy talks about secularism being part of the 'imperialism of ideas' in places where people adhered to religions as ways of life. In fact, for Nandy communalism in South Asia is a result of the mutation of religion as a way of life into religion as ideology, a product of modernity brought in through colonialism.

T.N. Madan considers secularism as an idea of a tiny minority who seek to repudiate the reality that majority of people even today live their lives committed to their religions, and thus secularism is not feasible. Rajeev Bhargava argues about the need of a 'principled distance' by the state regarding religious matters where each situation is judged in its specificity.

There was neither a complete rejection of the doctrine of secularism nor a complete acceptance of the form in which it emerged. Some kind of engagement was inevitable given the power and the hegemony deployed in favor of the Western states and the ideas that they espoused. On the other hand, there was also a necessity of dealing with the plurality of religious affiliations that came out strongly through the enumeration of populations in the colonized areas and their classification on the basis of various categories that included religion. Census had transformed the 'fuzzy identities' into 'enumerated' ones.

Besides, a deeper study of the relationship between politics and religion in the non-Western contexts would also require some kind of 'translation' of the concept of secularism.

ISLAMIC CONTEXTS

The specificity of the different trajectories of response to and an engagement with the doctrine of secularism necessitates the need for studies that explore the specificities of engagements in various contexts. In Talal Asad's terms, there is a need for an 'anthropology of secularism', that goes beyond the general disregard for religion in the disciplines like political science. It is important to undertake the study of the societies that are different from the ones where the concepts of the discipline arose.

In the Islamic world, as in the other non-Western contexts, modernity came in as an outside force through colonialism. In these societies where principles derived from Islam guided various socio-political affairs, an understanding of the separation between the 'religious' and the 'worldly' was absent. More than a religion, Islam was a way of life for the believers that encompassed all the spheres of activity of individual as well as organized life.

Islamic teachings, in principle, do not differentiate between the religion and politics as separate categories. Every act of a believer in the world is a ground where the sacred performs.

At the same time, there was a transformation in the administration, laws etc with the coming in of colonial states. Some sections of Muslim populations were receptive to and collaborated with the colonial powers in the administration of colonies through newly emerging setups which also sought to impose the principles of secularism. On the other hand, many national oppositional movements drew inspiration from Islam to mobilize support against foreign domination and rejected its principles that were considered alien and un-Islamic. Whichever the case, Islam had to deal with a notion of political that was the product of modernity.

The recourse to Islamic teachings, in case of Islamic movements, also points out to the social reality of societies where religious teachings and principles are relevant. Thus, any substantial movement had to inevitably engage with religion, even if symbolically. The same manner, religiously inspired movements had to deal with the spectrum of ideas and principles that came about through modernity to remain socially relevant.

There had to be a necessary engagement with principle of secularism, at the back of the modern state, as it became a part of the socio-political space. Thus, realizing the reality of the existence of modern state and its perpetuation for times to come, Islamic movements woke up to the need to deal with and use the power of the state.

There was an emphasis on a revolutionary transformation and a capture of the state power so that societies could be modeled upon Islamic terms. There was a call for the installation of an ideal 'Islamic state'.

Many people saw these movements as 'modern' for they sought to create an 'Islamic state'. Looking at the phenomenon the other way, as Asad and others do, the Islamic movements that deal with the reality of the modern nation state are in an engagement with the tradition rather than out of it. They seek to interpret and apply the principles of Islam that were formed at the time of the revelation of Quran on Prophet Muhammad fourteen hundred years ago to their current predicament while trying to adhere to the foundational principles of faith. Thus even while Islamic state was a 'modern concept', they saw as their model the political entity that was setup by Prophet Muhammad in the city of Madinah where the first organized community of Muslims took root, rather than the Western model of nation-state.

The concern of Islamic movements was with *ummah* (the community of Muslims) rather the exclusive nationalities. However, since nation-state was the organizing principles, movements did seek to retain their activities in their respective national frameworks, while at the same time adhering, in principle, to the notion of the wider Islamic *ummah*, which emphasized a unity of the global Muslim community.

These movements seek to connect two moments of linear historical time contesting a linear teleology of progress. The notion of the 'present time' thus becomes

'heterogeneous' as they live in a 'complex space', in the process reconnecting with the past and revising the present. A simple progress of secular time if thereby put into question. This differentiates the Islamic movements from nationalist movements, who seek to glorify a national history that moves in linear time.

SECULARIZATION AND ISLAMIC MOVEMENTS

The necessary engagement with the process of secularism, even·in its rejection, leads to the transformation of conceptual categories on both sides of the spectrum. While secularism as a doctrine is repudiated, secularization as a process remains an ongoing one. However, this trajectory of secularization unfolds on terms different than those that took place in the West. The secularization here intends to a transformation of ideas through interpretation of the tradition based on Islamic principles in tune with the contemporary socio-political reality. And this needs to be studied in the Islamic contexts which engage with the reality of the modern nation-state and its organizing principles. An alternative to the universal trajectory of modernity is projected that is on one hand embedded in the fundamental principles of Islamic thought and on the other hand also takes into account the reality of the modern socio-political organization. This is the fundamental challenge posed by the contemporary Islamic movements.

Humeira Iqtidar talks about 'Islamists as secularizing agents' in her study of the Jamaat-e-Islami and Jamaat-ud-dawa in Pakistan. She argues that while these movements, in principle, reject secularism, there is in fact a process of secularization that takes place when they operate in the public sphere. This is partly through their engagement with the institutions of the state and other political groups in a larger political setup. On the other hand, they stir a debate about the religious issues in the public sphere where a space for a politics based on religion is created. And while they become a part of the debate a readjustment of the principles is bound to happen.

Thus as Talal Asad argues, one needs to delve deeper, and study the categories of 'secular' and 'religious' together. We cannot understand one without taking into account the other. 'Religious' and 'secular' are entwined and codependent, serving as masks and covers vis-à-vis each other.

The course of this research intends to do the same by attempting a combined study of the 'religious' and the 'secular' aspects of the Islamic movements in general, and Hizbul Mujahideen in particular. There is a need to study such movements 'on their own terms' to understand them better and push the vocabulary available to us by means of the Western experience to make a better sense of the specificities involved and the possibilities that such an enterprise opens up towards our understanding of the secular and practices of secularism. This would only happen by taking into account the historical and political contexts that inform these experiences and engagements.

In the first chapter, 'The Problematic of the Secular', I will explore the beginnings of the rise of the doctrine of secularism and what it comes to represent in the contemporary times. This will be followed by a discussion about the rejection of the Western variety of secularism in non-Western contexts. Then I will interrogate the notion put forward by the secularization theories about the inevitability of the process of secularization and how it was refuted by the actual developments. Further I will discuss as to how the public sphere came to be regarded as a 'rational' as opposed to the private religious domain. Thereafter, I will explore the connections between the 'secular' and 'religious' and how secularism is equated with modernity and West as opposed to a religious and non-modern, non-West. This in Islamic contexts creates an opposition between Muslims and West. Then, I will look at the relationship between Islamists and secularization processes that will bring out the distinction between the doctrine of secularism as a project, and the process of secularization, which facilitate each other. This will be followed by an emphasis on the need to go beyond the discipline of political science to enrich our understanding through the use of anthropological techniques to understand the actors themselves on their own terms. At the end, I will discuss the processes of secularization that Islamist groups tend to facilitate and bring out how this is relevant to the study of Hizbul Mujahideen in Kashmir.

In the second chapter, "Hizbul Mujahideen: Context, Structure & Ideology", I will lay out the political and the historical context of the rise of popular movements inspired by Islam in Kashmir, through the development of the Jamaat-e-Islami of Jammu and Kashmir, and

how it laid out the context for the rise of the an armed movement like the Hizbul Mujahideen in the late 1980's. I will have a brief discussion about the structure of the groups which would be followed by laying out the ideology of Hizbul Mujahideen. I will explore a variety of themes like the code of conduct to be followed by Hizb's members, position on the justification of the justification of the armed struggle, nature of treaties, nature of the struggle as 'political cum religious', Islamic symbolism, the Pakistan question, relationship with the nationalist groups, changes in discourse, ceasefire as a strategy, armed struggle as a phase etc. This will lay out the basis for a reading of the Hizbul Mujahideen as an Islamic movement and its relationship with the secular in the final analysis.

In the third chapter, 'Reading Islamic Movements: The Case of Hizbul Mujahideen in Kashmir', I will take a detour before coming on to the question of 'Reading the Hizbul Mujahideen'. I will begin by exploring the notion of political theology, the idea as to how many of the concepts of the modern democratic setups had their roots in theology. This will be followed by looking at the transformation of Christianity into Secularism how the doctrine of secularism served imperialism. This will be followed by a look at how Islam became the 'other' for secularism.

This background is important to look into the possibility of studying the trajectory of Islamic movements from a more nuanced theoretical perspective to understand as to what is at stake in the trajectory of Western secularism and how differently do the Islamic movements behave through their journey of engagement with the ideas, structures and practices of the modern nation state.

This tussle between the Islamic movements and the ideas and practices that have their origins in the West is similar to the one between Muslims living in Europe with the accompanying context of modern liberal democratic setups with secularism as one of their fundamental principles. This will draw out a context of application of the notion of 'complex space' and a 'heterogeneous time' used in case of Muslims living in Europe, to the Islamic movements that inhabit a space in a global context, which has been hegemonized by the standards that are universalized at the back of the power of the West. I will apply this in case of the Hizbul Mujahideen.

This is useful in understanding how Islamic movements, like the Hizbul Mujahideen, engage with the tradition and interpret it to remain relevant to the needs of the contemporary times, while asserting the fundamentals of the faith. I will also look at the points of differences and similarity between the Islamic movements and the nationalist movements. Finally, I will explore the possibility of reading the Hizbul Mujahideen 'on its own terms' by taking into account the historical and political context of the group.

Chapter 1

THE PROBLEMATIC OF THE SECULAR

INTRODUCTION

In this chapter, I will briefly outline the origins of the doctrine of secularism, which began in Europe through the course of European enlightenment. This process occurred in tandem with the rise of the modern nation states, development of scientific knowledge and modernization processes. Religion came to be increasingly seen as belonging to the domain of superstition and irrationality as opposed to the rational and logical understanding based on science. This rational, scientific and modern paradigm was thought to give us knowledge that was universal, and was thus relevant globally. This has been the dominant liberal narrative.

I will elaborate upon Charles Taylor's idea of secularism, which he argues is the best way for handling the diversity in the societies today. This will be followed by the critique of the Western idea of secularism to bring out why it is not feasible to be followed as it is, in the South Asian context, and the need to rethink the idea of secularism in the light of the sociological reality of the non-Western societies.

Then, I look at the differentiation between what is regarded as secular and what is thought of as religious. And the relegation of secularism to being modern/Western as opposed to religion being non-modern/non-Western. In this context I will also explore the Muslim/West distinction and show how a neat dichotomous distinction cannot be made between the two.

I will particularly explore the relationship of Islamists with Secularism. The fact that the non-Western, particularly Islamic societies, had not themselves undergone through the course of enlightenment, as had happened in Europe, there was essentially no differentiation between the transcendental and the temporal affairs. Religion was seen as a way of life, guiding conduct in all spheres of day to day living and not just limited to religious rituals of praying, fasting etc. There was, necessarily, no drive for the process of secularization on the lines that had been envisioned in Europe. Thus, there arose, overtime, a certain antipathy to the doctrine of secularism that was seen as a foreign imposition intended to destroy local cultures, religion and ways of living. This

was also due to the fact that the doctrine of secularism was espoused mostly by authoritarian regimes.

I draw upon the works of Talal Asad[1], who problematizes the universal application of the Western trajectory of secularism and emphasizes a need to understand the Islamic movements on their own terms, and not relegate them to being merely 'traditional' as opposed to the modern West. Others like Partha Chatterjee[2] argue on similar lines in the case of Hinduism in the Indian context. Some insights from the subaltern studies are also useful in this regard.

Also there is a need to differentiate between the doctrine of secularism that was imposed onto the Islamic societies and the actual process of secularization that took place there in. Many of the political movements in the Islamic world are antithetical to the doctrine of secularism, opposing it per se. However, looking closely these movements, they also incorporate the inescapable reality of the modern nation states and thus seek to reform a different kind of relationship between the religion and the state, which is in many ways similar to the rearrangements that took place in the West. Thus, in spite of claiming to be non-secular or anti-secular, these movements help a broader process of secularization in their respective societies. I will argue this through the work of Humeira Iqtidar[3], through her analysis of Jama'at-e-Islami and Jama'at-ud-da'wa in the context of Pakistan.

This will lay out the initial ground of this study before I move on to exploration of the ideology and working of the Hizbul Mujahideen in the next chapter, to finally link that up with the question of secular and secularism in the third.

SECULARISM – THE CONCEPT

The doctrine of secularism was arrived at in Europe through the process of secularization. And once this 'universally applicable' doctrine was arrived at, in the form of the separation of the church and the state, the domains of ecclesiastical and the temporal rendered apart, it was thought that the same could be applied to non-Western societies too. Colonialism and

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[1] Talal Asad, *Formations of the Secular: Christianity, Islam and Modernity*, (Stanford: Stanford University Press, 2007)

[2] Partha Chatterjee, "Secularism and tolerance, " in *Secularism and Its Critics* edt. Rajeev Bhargava (Delhi: Oxford University Press, 1998)

[3] Humeira Iqtidar, *Secularizing Islamists? Jama'at-e-Islami and Jama'at-ud-da'wa in Urban Pakistan,* (Chicago: University of Chicago Press, 2011)

imperialism facilitated these processes. Ideas and institutions, which had developed in Europe, were exported and imposed upon colonies.

The theories of secularization predicted such a trajectory as inevitable. This also happened in concurrence with the rise of public sphere which was thought to be the domain of rational as opposed to the domain of religion which was sought be privatized. However, the concrete historical events that saw the continued presence of religion in the public sphere, albeit with changing forms, challenged this narrative of inevitability of secularization with the processes of modernization and development.

Charles Taylor, in his essay 'Modes of Secularism'[4], links the emergence of secularism with the rise of the modern nation state. Secularism as a doctrine also played a role in legitimizing the nation state. This emergence took root in Christendom. But for Taylor the fact that secularism emerged from Christian societies does not limit its application to only those societies, which through the development of the concept of secularism transformed into 'post-Christian societies'.

Secularism manifested itself in concrete power relations that are historical products of the changes that came about through the emergence of the modern state and capitalism. Secularization had largely led to the control of the properties hitherto owned and managed by the Church into private hands and market circulation. The increasing powers of the nations, post the treaty of Westphalia in 1648, further structured this accommodation of the control of resources between the church and the modern state. Religion was redefined, so was its role and practice. Newer ideas that were gaining currency, and were supported by the political structures transferred the control of education, healthcare etc, till now under the control of the church, into the hands of the state. Nation substituted the religious community.

For Taylor, the modern nation state uses the notion of citizenship to transcend the different identities of class, gender, religion etc. This is done in order to replace conflicting ideas with a unifying perspective. Thus, a *political medium* in the form of representation through citizenship redefines and transcends the differentiating practices of the self, which are articulated through class, gender, and religion. Taylor points out that this kind of mediation remains different from

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[4] Charles Taylor, "Modes of Secularism," in *Secularism and Its Critics* edt. Rajeev Bhargava (Delhi: Oxford University Press, 1998)

the mediation .that took place in 'pre-modern' societies in which mediation of local identities occurred without the aim for transcendence. The aim for transcendence signifies an attempt to arrive at the universal, which was not the case with the mediation that occurred in 'pre-modern' societies.[5]

Taylor writes that the demand for the separation, distance or non-coincidence of the state and Church was there, in unison, in all the conflicts between the two in the medieval ages. "...It was axiomatic that there had to be a separation of spheres."[6] There were different, even opposite reasons for demanding of such a separation. For some, it was important to maintain the autonomy of the political institutions and for some religion needed to be freed from state control for its flourishing. In fact "one of the motivations for defining a space of the secular has always been theological in Christendom, and continues to be so today."[7]

The immediate context for the demand of a secular arrangement was the result of 'Wars of Religion'. A requirement of certain norms was felt that could provide a ground for the co-existence of people having different confessional allegiances. Taylor points out two ways through which this was sought to be done. Both of these ways still continue to inform the different understandings of secularism.

One was what he calls "the common ground strategy" that attempted to find some sort of a 'lowest common denominator' between the doctrines of conflicting religious sects. "The aim was to establish a certain ethic of peaceful co-existence and political order, a set of grounds for obedience, which while still theistic, even Christian, was based on those doctrines which were common to all Christian sects, or even to all theists."[8]

The other was an attempt to define "an independent political ethic" that would be totally abstracted from, and thus independent of, the religious convictions. This political ethic was to be embedded in some sort of axiomatic understanding of the human beings as rational and social

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[5] Talal Asad, "Introduction: Thinking about Secularism," in *Formations of the Secular: Christianity, Islam, Modernity,* (Stanford: Stanford University Press, 2007), 5.

[6] Taylor, "Secularism," 32.

[7] Taylor, "Secularism," 32.

[8] Taylor, "Secularism," 33.

beings, and thus signifying a notion of 'good' that could be acceptable to all as an independent ethic.[9]

Taylor writes that Hobbes in his *Leviathan* had attempted to draw out such an understanding of Christianity where the demands of specific confessions became irrelevant to the public sphere. "In the private realm, the believer can and must do what conscience demands, but he commits no sin in respecting publicly established forms and ceremonies."[10] This logic, pursued to an extreme could expel religion altogether from the public domain. "The state upholds no religion, pursues no religious goals, and religiously defined goods have no place in the catalogue of ends it promotes. This is one of the meanings of the principle widely accepted in the West today of the separation of the Church and the state."[11]

Thus, while the understanding of secularism as a search for an independent political ethic aims to go beyond religion, the understanding based on the common ground approach does not aim at making religion irrelevant, rather it wants to make sure that state does not back one confession over the other. The latter thus aims for "a state which is even handed between religious communities, equidistant from them, as it were, rather than one where religious reasons play no overt role."[12]

Taylor argues, however, that both have their weaknesses. The common ground approach becomes limiting when a wider range of religions and metaphysical commitments, like Islam, Buddhism, Hinduism, etc., come into play, than the overarching Christian outlook where the origins of this approach lay. The same is case for the independent ethic approach which might result in a tussle between different sections.[13]

THE NEED IN CONTEMPORARY SOCIETIES

Considering the reality of contemporary societies, whose religions are no longer limited to just Christianity and its denominations, Taylor calls for a third approach by employing the Rawls' concept of an 'overlapping consensus'. The need according to Taylor is for a purely political

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[9] Taylor, "Secularism," 33, 34.
[10] Taylor, "Secularism," 34.
[11] Taylor, "Secularism," 35.
[12] Taylor, "Secularism," 35.
[13] Taylor, "Secularism," 35-37.

ethic, but one that need not be based on the sharing of a common foundation. Overlapping consensus thus "aims at a universal acceptance of certain political principles... but it recognizes from the outset that there cannot be a universally agreed basis for these, independent or religious."[14] Making such a demand could lead to a totalitarian imposition of some peoples' ideologies on others.

The common political ethic will have to be embedded in a deeper understanding of the 'good'.[15] This understanding of 'good' could have different and at the same time valid reasons. The right to life, for example could be justified from the Enlightenment doctrine of the dignity of human beings as rational agents or from the Buddhist ethic of non-violence.[16] "The formula involves distinguishing the ethic converged on from underlying reasons."[17]

Thus, there would be different background justifications for different kinds of ethics arrived at. Impliedly, the interpretation of an ethic, as to what it means, will differ according to the kind of justification. In the older models one could think of some "canonical body of thought or corpus of doctrine against which to make the decision."[18] This made consensus, even amidst disagreements easier, as there is some kind of authority for consultation. However, under the schema represented by the overlapping consensus, if a dispute arises on political ethic, the way out for Taylor has to a negotiated compromise arrived at through persuasion. The assumption being that disagreements will continue and compromises will be made. "This will have to be understood as not an abnormal, scandalous and hopefully temporary shift, but as the normal state of affairs for the indefinite future."[19]

The formula that Taylor suggests involves arriving at political principles with different people having different background reasons. There is a sense of being morally bound to the 'convergent principles'. The fact that the reasons are different makes the consensus overlapping.[20] The principle that Taylor suggests is "Let people subscribe for whatever reasons they find

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[14] Taylor, "Secularism," 38.
[15] Taylor, "Secularism," 38.
[16] Taylor, "Secularism," 49.
[17] Taylor, "Secularism," 49.
[18] Taylor, "Secularism," 50.
[19] Taylor, "Secularism," 51.
[20] Taylor, "Secularism," 51.

compelling, only let them subscribe."[21] This he argues is the only form of secularism available to us considering the diversity of contemporary societies. There is no other choice but to make this work.

REJECTING SECULARISM

Secularism progressed in different contexts, undergoing changes as a result of myriad of struggles to come to be what it is today. In the American context, for example, the debate was around neutrality vis-à-vis religions and the freedom of choice.[22] In France, *Laicization* was a step wise process which did not simply began with the separation of the Church and the state.[23] In each of these, and many other contexts, there were local particularities that were playing out in the public domain, the results being affected by the deployment of power among the people with different ideological persuasions and visions for future.

However, these struggles took place at the heart of the empire and most of the colonized world did not see an organic development of ideas pertaining to secularism. Secularism came to non-West on the back of a hegemonic global ideology backed by dominative power of the conquering forces. Thus the concept remained 'alien' in that sense, in fact making people to think about 'secular' and position themselves with regard to it. It was the concept that came first in the non-Western societies and not the practice in the specific form as it had developed in the West.

Secularism's claim to universality and its feasibility in the non-Western contexts, thus, did not hold.

T.N. Madan in his essay "Secularism in Its Place"[24] points out the use of 'secularization' for the first time after the Thirty Years' War in Europe ended. Then it referred to the transfer of Church properties to princes. The term 'secularism' was coined by George Jacob Holyoake, who led the rationalist movement in England, in 1851.[25]

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[21] Taylor, "Secularism," 52.

[22] Michael J. Sandel, "Religious Liberty: Freedom of Choice or Freedom of Conscience," in *Secularism and Its Critics* edt. Rajeev Bhargava (Delhi: Oxford University Press, 1998), 73-93.

[23] Jean Bauberot, "The Two Thresholds of Laicization," in *Secularism and Its Critics* edt. Rajeev Bhargava (Delhi: Oxford University Press, 1998), 94-136.

[24] T.N. Madan, "Secularism in Its Place," in *Secularism and Its Critics* edt. Rajeev Bhargava (Delhi: Oxford University Press, 1998), 297, 320.

[25] Madan, "Secularism in Its Place," 297, 298.

The process of secularization which implies lessening of the domination of religious institutions and symbols, writes Madan, has been more suitable to the inner logic of the economic sector, while political sector has been less amenable to it. The resistance which it encounters therein makes secularism more salient. Thus Madan writes, in context of the applicability of the secularism in the South Asian context, "In the prevailing circumstances secularism as a generally shared credo of life is impossible, as a basis for state action impracticable, and as a blueprint for the foreseeable future impotent."[26] This, he writes, is due to the fact that most of the people in the region profess active adherence to some faith or the other, Buddhism and Islam have been declared as state protected religions, and equidistance cannot be maintained since the religious minorities do not share the majority's view. Thus, for Madan,

> "Secularism is a dream of a minority that wishes to shape the majority in its own image, that wishes to impose its will upon history but lacks the power to do so under a democratically organized polity. In an open society the state will reflect the character of the society. Secularism is therefore a social myth that draws a cover over the failure of this minority to separate politics from religion in the society in which its members live."[27]

Madan further writes there is no clarity about the desirability of the privatization of the religion or the blueprint for that course. Religion has immense importance for the people of this region and gives meaning to people's lives than any other factor.[28] Besides, there also remains the fact that this sort of trajectory is not capable of fighting religious fundamentalism. The very process of secularization, writes Madan, leads to marginalization of religious faith and causes perversion of religion. "There are no fundamentalists or revivalists in traditional society."[29]

In his essay "Secularism and Tolerance", Partha Chatterjee also questions the adequacy of secularism as a ground to meet the political challenge of majoritarian communalism, in this case Hindu fundamentalism.[30]

The empirical reality is that religion has a hold over majority of the population, and it is only showing signs of increase in terms of sale of religious books, increase in the places of worship, number of people attending pilgrimages etc. The vibrant religiosity that exists in the society

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[26] Madan, "Secularism in Its Place," 298.

[27] Madan, "Secularism in Its Place," 298.

[28] Madan, "Secularism in Its Place," 298, 299.

[29] Madan, "Secularism in Its Place," 300.

[30] Partha Chatterjee, "Secularism and Tolerance," in *Secularism and Its Critics* edt. Rajeev Bhargava (Delhi: Oxford University Press, 1998), 345.

belies the claim of the state policy of secularism. Secularism at best, writes Madan, is a kind of goodwill towards all religions or in a narrower sense a negative policy of religious neutrality. It is a mere *stratagem* that fails to properly account for either religious difference or unity of religions.[31]

Madan argues that the religions in South Asia are "totalizing in character, claiming all of a follower's life, so that religion is constitutive of society."[32] It is not that these religions do not distinguish between 'religious' and 'secular' but the relationship between these categories "is unmistakably hierarchical, the religious encompassing the secular."[33]

He points to Muhammad Iqbal's, the renowned poet and Islamic philosopher, rejection of the trajectory of secularization, that Turkey embarked upon under the leadership of Kemal Ataturk, in *The Reconstruction of Religious Thought in Islam,*

> "In Islam the spiritual and the temporal are not two distinct domains, and the nature of an act, however secular in its import, is determined by the attitude of the mind with which the agent does it... In Islam it is the same reality, which appears as Church looked at from one point of view and State from another... The ultimate Reality according to the Quran, is spiritual, and its life consists in its temporal activity. The spirit finds its opportunities in the natural, the material, the secular. All that is secular is therefore sacred in the roots of its being... There is no such thing as a profane world... All is holy ground."[34]

Madan further substantiates his point by referring to Fazlur Rahman who rules out an autonomous idea of secularism in Islam in his book *Islam and Modernity.* For Rahman, "Secularism destroys the sanctity and universality (transcendence) of all moral values."[35] For Rahman, of on one hand "secularism is to be eschewed, so is neo-revivalism to be avoided for its 'intellectual bankruptcy'... a modern life need not be detached from religious faith and should be informed by it, or else Muslims may well lose their very humanity."[36]

Thus the ideology of secularism in its western form is absent and resisted and what one can actually look at is the relationship between the categories, religious and secular, with former encompassing the latter. This kind of relationship, seen in the subordination of the power of the

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[31] Madan, "Secularism in Its Place," 300, 301.
[32] Madan, "Secularism in Its Place," 302.
[33] Madan, "Secularism in Its Place," 306, 307.
[34] Madan, "Secularism in Its Place," 306.
[35] Madan, "Secularism in Its Place," 306.
[36] Madan, "Secularism in Its Place," 306.

governmental authority by the religious, was the historical commonsense until the Reformation made a departure vis-à-vis the Christian tradition. There have been fundamental linkages between Protestantism, individualism and secularization as pointed out by Max Weber, Ernst Troeltsch, Peter Berger, Louis Dumont etc.[37] Weber had remarked, "the fate of our times is characterized by the rationalization and intellectualization and, above all, by the "disenchantment of the world".[38] Peter Berger referred to this as, "Protestantism cut the umbilical cord between heaven and earth."[39] Thus Madan brings home the point that secularization, wherein the individual accepted his or her own responsibility for his actions rather than delegating them to a transcendental being is a late Christian idea. The secularization of life in the West was thus a result of a religious idea.[40]

This idea of secularization that arose in the West was thought to be of a universal application. For modernization, regarded a fundamentally universal category and an inevitable process, to take root, secularization was must. Thus, "secularism as an ideology has emerged from the dialectic of modern science and Protestantism, not from a simple repudiation of religion and the rise of rationalism."[41] Many a times, the reasons for secularization were not essentially decrying the role of religion though they would, as with the English and German variety, repudiate its transcendence and revealed character. Thus, Voltaire decried 'superstition' rather than reject faith in God.[42]

This specificity of the rise of secularization is not taken into account when modernization processes are sought to be supplanted into non-Western societies, wherein the context is different on account of difference in religious and social traditions. Such kind of secularization, Madan argues, would be problematic and be just a kind of "stray behaviouristic traits and attitudinal postures" and would require 'translation' and not mere transfer for it to have some meaning.

"The transferability of the idea of secularism to the countries of South Asia is beset with many difficulties and should not be taken for granted. Secularism must be put in its place: which is not a question of rejecting it but of finding the proper means for it expression. In multi-religious societies of South Asia, it should be realized that secularism may not be

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[37] Madan, "Secularism in Its Place," 307.
[38] Madan, "Secularism in Its Place," 307.
[39] Madan, "Secularism in Its Place," 307.
[40] Madan, "Secularism in Its Place," 307.
[41] Madan, "Secularism in Its Place," 308.
[42] Madan, "Secularism in Its Place," 308.

restricted to rationalism, that it is compatible with faith, and that rationalism (as understood in the West) is not the sole motive force of a modern state. What the institutional implications of such a position are is an important question and needs to be worked out."[43]

Madan suggests a contextualized rethinking of the religious ideas, and argues that it is not religious zealots that contribute to fundamentalism, but secularists who refuse to accept the role and the legitimacy of religion in human life and society.

Ashis Nandy in his essay "The Politics of Secularism and the Recovery of Religious Tolerance"[44] talks about 'imperialism of categories' that is employed by the post colonial structures of knowledge. "Under such imperialism, a conceptual domain is sometimes hegemonized by a concept produced and honed in the West, hegemonized so effectively that the original domain vanishes from our awareness."[45] This takes place vis-à-vis the concept of secularism. Nandy seeks to derive the notion of religious tolerance in the religious domain that is not grounded in the concept of secularism that Westernized intellectuals have popularized.

Nandy delineates certain trends in the domain of religion in South Asia post World War II. There emerged a differentiation between religion as 'faith', which refers to a way of life that encompasses plurality of ways of life, and religion as 'ideology', that seeks to homogenize populations to serve their non-religious, usually political and socio-economic interests. The idea of secularism had been transported into South Asia from nineteenth century Europe and became a potent force due to its linkage with the concept of religion as ideology. Religion, writes Nandy, for secularists is an ideology that opposes modern statecraft and needs to be contained. Moreover, secularism is used by the "middle class ideologues of the state" to portray themselves as the "ultimate reservoir of sanity and the ultimate arbiter among different religions and communities".[46]

For Nandy, "the ideology and politics of secularism have more or less exhausted their possibilities".[47] This is in reference to the standard meaning of the word secularism that represents its Western understanding – a secularism that calls for "an area in public life where

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[43] Madan, "Secularism in Its Place," 309.
[44] Ashis Nandy, "The Politics of Secularism and the Recovery of Religious Toleration," in *Secularism and Its Critics* edt. Rajeev Bhargava (Delhi: Oxford University Press, 1998), 321-344.
[45] Nandy, "Politics of Secularism," 321.
[46] Nandy, "Politics of Secularism," 324.
[47] Nandy, "Politics of Secularism," 326.

religion is not admitted"[48] and needs the believers to keep their faith behind. "Implicit in the ideology is the belief that managing the public realm is a science that is essentially universal, that religion, to the extent it is opposed to the Baconian world image of science, is an open or potential threat to any modern polity."[49] The other non-Western meaning on the other hand would call for equal respect for all religions. There is an admittance of the possibility that the public sphere may not be kept free of religion but "it must have a space for a continuous dialogue among religious traditions and between the religious and the secular."[50] This, Nandy points out, is in consonance with the meaning of the term 'secularism' when it was coined by George Jacob Holyoake who "advocated a secularism accommodative of religion, a secularism that would moreover emphasize diversities and co-existence in the matter of faith."[51]

The processes of secularization and the ideology of secularism have not been total successes even in the West. In the case of India, Nandy lays out certain specific reasons as to why they haven't been successful. Due to increased democratization it has been no longer possible to screen people joining the institutions of the state for their commitment to secularism. Besides, modernity has been accepted as a principle of politics. In such a context of seeming irreversibility of secularization, the attitude of fanaticism that is associated with religion "comes today from the sense of defeat of the believers, from their feelings of impotency, and from their free floating anger and self-hatred while facing a world which is increasingly secular and desacralized".[52] The state's plea to the religious believers to 'soften' their faith for integration into the nation state might not sound very palatable to those for "whom religion is an overall theory of life, including public life, and life does not seem worth living without a theory, however imperfect, of transcendence".[53]

Also, while attempting to keep the public sphere free of religious influence, the state sponsored ideology of secularism itself begins to act as a faith that is intolerant of viewpoints dissenting from it. This ideology of state is moreover backed by the violent coercive powers at its disposal. "Secularism comes as a part of a larger package consisting of a set of standardized ideological

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[48] Nandy, "Politics of Secularism," 326.
[49] Nandy, "Politics of Secularism," 326, 327.
[50] Nandy, "Politics of Secularism," 327.
[51] Nandy, "Politics of Secularism," 327.
[52] Nandy, "Politics of Secularism," 332.
[53] Nandy, "Politics of Secularism," 333.

products and social processes – development, mega-science and national security being some of the most prominent among them".[54] The ideology of secularism has not been able to demonstrate its superiority as a better arbiter of public morality against religion. It might be appealing to the sections that are related with the state but doesn't inspire the devout, who obviously form a significant section of the population. "All that the ideology of secularism can do now is to sanction the imposition of an imported language of politics on a traditional society that has an open polity".[55]

Nandy prescribes to look for the principles of tolerance that are historically embedded in religion rather than carry on with the Western hegemonic understanding of secularism. This would be to chalk out the contours of the non-standard, local meaning of secularism[56] based on the principles of tolerance. Nandy writes,

> "it is time to recognize that, instead of trying to build religious tolerance on the good faith or conscience of a small group of de-ethnicized, middle class politicians, bureaucrats and intellectuals, a far more serious venture would be to explore the philosophy, the symbolism and the theology of tolerance in the faiths of the citizens and hope that the state systems in South Asia may learn something about religious tolerance from everyday Hinduism, Islam, Buddhism, or Sikhism rather than wish that ordinary Hindus, Muslims, Buddhists and Sikhs will learn tolerance from the various fashionable secular theories of statecraft."[57]

SECULARIZATION AS INEVITABLE?

Secularization, historically, referred to the actual process that led to the breaking down of the three fold classification of 'this world', 'other world' and the third category of 'sacred spiritual time of salvation'. The final stood between the first two, represented by the church's calendar. The term 'secular' derives from 'saeculum' that refers to "the empty homogenous time outside the church calendar."[58]

The breakup of the claim to the universality of the Catholic Church due to the rise of Protestantism led to a series of sectarian conflicts. Out of this situation, the only hope for peace

[54] Nandy, "Politics of Secularism," 333.
[55] Nandy, "Politics of Secularism," 334.
[56] Nandy, "Politics of Secularism," 326.
[57] Nandy, "Politics of Secularism," 338.
[58] Iqtidar, Secularizing Islamists, 15.

to prevail was to transfer the transcendental concerns of individuals and the society into the private sphere. This led to the separation of the church and state and the use of public reason to guide the social and political affairs, which were of non-religious nature. This trajectory of the secularization was seen as inevitable; facilitated by the processes of modernization and development, and in turn, it facilitating the same.[59]

The doctrine of secularism, and the process of secularization, was considered central to the project of modernity. Jose Casanova, in his *Public Religions in the Modern World,* talks about three important phenomena in the development of modernity. Firstly, the differentiation of the social spaces, wherein religion is separated from politics, economy, science etc. Secondly, the privatization of religion within its own sphere. And thirdly, the decline in the social significance of the religious beliefs and institutions.[60] For Casanova only the first and the last are viable.

People like Thomas Luckman thought religion will become 'invisible' through this privatization, and precisely this will lead to its flourishing. Others thought this would result in some kind of atheism.[61]

This kind of secularization thesis is refuted by many theorists who point out to the global resurgence of politicized religion in the modern, and also modernizing, societies.[62] The flourishing of religion in the public sphere in US, Latin America, Asia, Africa etc post 1980's led to abandonment of the secularization theory. This also led to a careful revision of the tenets of support for the theory. Like Casanova points out, "that while many trends within secularization, such as rationalization of religion, remain valid, it is useful to concede that religion's public presence may provide a critique to the conceptualization of secularization as a universal teleological process."[63]

Historically, in spite of a turn away from each other, through the course of European enlightenment, when the temporal affairs related with the state took a separate trajectory, from those of transcendental affairs that were relegated to the domain of religion, Church in that

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[59] Iqtidar, *Secularizing Islamists,* 6.
[60] Talal Asad, "Secularism, Nation-State, Religion" in *Formations of the Secular: Christianity, Islam, Modernity,* (California: Stanford University Press, 2003), 181.
[61] Iqtidar, *Secularizing Islamists,* 17.
[62] Asad, "Secularism, Nation-State," 181.
[63] Iqtidar, *Secularizing Islamists,* 17, 18.

particular context, religion remained an important force influencing the social, cultural as well as political dimensions of societies. A different trajectory was seen even within the developed, but non-European context of America, where a steadily increasing stream of Church attendance was seen during the post war years. On the other hand, in the third world countries state was seen to be routinely interfering in the matters of religion.

Although these kinds of exceptions were ascribed to 'backwardness' until the final decades of twentieth century, however, "a critical revaluation of development models and modernization theory... opened up the theoretical space for questioning established notions regarding secularization."[64]

There also opened up space for a critical reassessment of the doctrine of secularism regarding the non-Western/non-Christian societies which were not directly part of the European experience in which secularism originated. There could be no grand theory of secularism nor could any of the secularization thesis explain the various trajectories in multiple contexts.

THE 'RATIONAL' PUBLIC SPHERE

A related development has been the rationalization of the public sphere as opposed to the private that could be relegated to irrationality of the religion. However, as Iqtidar points out, there has also been a problematization of the notion of public sphere, a notion that Habermas dealt with in detail. Carole Pateman critiqued the assumptions of the 'critical-rational' public sphere, by Habermas, as patriarchal from a feminist political theory standpoint, on which Casanova also built his critique. Erving Goffman on the other hand, problematized the assumptions of the so-called private sphere.[65]

However, as Iqtidar explains, Habermas was aware of the fact that his notion of public sphere was located in a unique developmental history of 'civil society' that originated in the Europe of middle ages and was not an ideal model that could be generalized to any historical situation. Moreover, Habermas, in his more recent works, also incorporated the continued presence of religion in the public sphere. This nuanced understanding of Habermas' public sphere, for Iqtidar, has remained missing from the dominant academic understanding of Habermas, which

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[64] Iqtidar, *Secularizing Islamists,* 15.
[65] Iqtidar, *Secularizing Islamists,* 18.

has not properly interrogated the 'critical-rational' nature. And it is "precisely the assumptions about the nature of critical-rational debate that are seen to be under threat from the resurgence of religion in the public sphere."[66]

In the unraveling of the type of secularization, that took place in Europe, religion was removed from the domain of rational discussion.

> "The suppression of freedom of thought, creative expression and critical thinking that was closely associated with the Inquisitions, the wars of religion, and the particular relationship between society and the Catholic Church in European countries have conditioned this understanding. Readily available cultural material in the form of stories such as Galileo's fate after placing rationality above church dogma tends to draw attention away from the fact that many of the scientists - representatives of rational thinking - during the enlightenment era were, in fact, believing men, who often attempted to harmonize their findings with their faith."[67]

The idea suggests the nature of the 'rational-critical' debate with reference to religion has proceeded on relatively narrow and historically conditioned lines. Religion was rendered to the domain of superstition and illogicality as opposed to the space for rational discussion in the public sphere. Iqtidar refers to Seyla Benhabib who suggests that "a claim to "dialogic neutrality" in rational-critical public debate has blinded us to the actual mechanics of power relations in politics."[68] This is keeping with the fact that many of the struggles in the modern world involved the questioning of what is usually considered as 'private' and bringing it to scrutiny as a matter of public concern, and issues of justice that need interrogation.

Iqtidar quotes William Connolly about "the conceits of secularism", referring to the division that secularism makes between 'religious faith' and 'secular argument' where the former is said to be within the domain of the private sphere and latter takes place as a part of public life. This overlooks the diverse discourses that operate in public life. The three registers of "persuasion, judgment and discourse" that Conolly refers to, remain oblivious due to the negligence of the precise relationship between secularism as a *project* and secularization as a *process*.

The project needs to be disentangled from the process that took place in Europe's particular historical experience. The assumption of secularization leading to secularism in Europe, and

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[66] Iqtidar, *Secularizing Islamists*, 18.
[67] Iqtidar, *Secularizing Islamists*, 19.
[68] Iqtidar, *Secularizing Islamists*, 19.

secularism guiding the trajectory of secularization in non-Western societies has been generally accepted.

BEYOND SECULARIZATION

Talal Asad points out to the need for going beyond this debate and chalking out, through an 'anthropology of secularism', as to how 'the secular' emerged historically. Asad, in his *Formations of the Secular: Christianity, Islam, Modernity*, raises the question of the "connection between "the secular" as an epistemic category and "secularism" as a political doctrine".[69]

Secularism as a political doctrine has its roots in modern Europe. Asad points out that it has not been simply a separation of the religious from the secular institutions of the government. Examples of this kind can be seen, among others, in medieval Christendom and Islamic empires. However, the new shift that came about with secularism is its presupposition of new concepts of 'religion', 'ethics' and 'politics', to which there have been different kinds of responses from its rejection and relegation to merely a western paradigm to its having a global relevance in spite of its specific conceptual roots.

Asad argues that even though the forms of mediation, in modern societies, is different from those of medieval Christian or Islamic societies, this is not merely the absence of 'religion'. There are various relationships that are in existence, the forms of relationality vis-à-vis religion that exist in many countries, for example in France, England or US. The public presence of religion is guided by the relationship between the state and the church. The relationship has taken a different form from the medieval, but in way has it obscured from the sight. "Consequently, although the secularism of these three countries have much in common, the mediating character of the modern imaginary in each of them differs significantly... there is a different sense of participation in the nation and access to state among religious minorities..."[70]

Asad points out to Taylor's argument about an *overlapping consensus* in secular societies that allows people to have different and even mutually exclusive reasons for subscribing to the independent, *secular* ethic. People would have different secular or religious reasons for justifying different things or even varied combinations of these. This would, furthermore, imply the

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[69] Asad, "Thinking about Secularism," 1.
[70] Asad, "Thinking about Secularism," 5, 6.

continuation of political disagreements and the necessity, thus, of negotiated compromises of temporary character. But the question arises as to how would the disagreements about the "*core political principles* and as *background justifications* be resolved?" [71]

For Taylor, the background understandings and the foreground principles need not be tightly entwined. He leaves a room for a solution through persuasion and negotiation. Asad disagrees, pointing out to the nature of the nation state that does not deal in persuasion regarding the matters of contestation to the principles. There is at the nation state's disposal the threat of legal action, and accompanying violence. "In that situation, negotiation simply amounts to the exchange of unequal concessions in situations where weaker party has no choice."[72] Something here becomes wrong about the secular imaginary that claims the principles of equality and liberty.

When the state takes recourse to violence to impose certain core political principles, what is to then become of the guarantee of peace that secularism allegedly ensured in its early history in Europe and America? How would shifting the violence of religious wars into the violence of national and colonial wars help?

Asad does not consider secularism's alien character, as being a non-western one, to be problematic, rather its close connections with the rise of capitalist nation-states that are "mutually suspicious and grossly unequal in power and prosperity, each possessing a collective personality that is differently mediated and therefore differently guaranteed and threatened."[73]

Thus the tendency, for example, of the spokespersons of US, a deeply religious nation with a secular federal state, to consider its enemies as 'evil' in the face of the best hope of the world for liberty - America. While some attribute these kinds of contradictions to the religious origins of the US, at the end of eighteenth century when the republic was founded, Asad argues that "the cause of the repeated explosions of intolerance in American history - however understandable they may be - they are entirely compatible (indeed intertwined) with secularism in a highly modern society."[74]

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[71] Asad, "Thinking about Secularism," 6.
[72] Asad, "Thinking about Secularism," 6.
[73] Asad, "Thinking about Secularism," 7.
[74] Asad, "Thinking about Secularism," 7.

The stratification of the debate, on the consequences of 9-11 on the American society, between the threat to civil liberties by 'war on terror' on one hand and responsibility of Islam for terror acts on the other, is to be explained in terms "the mediating representations that define its national personality and identify the discourses that seem to threaten it."[75]

In case of India also, Partha Chatterjee argues that there is a dichotomy between its secular constitution and liberal democratic functioning on the one hand and the record of communal rioting on the other. In his essay 'History and Nationalization of Hinduism' he writes,

> "Publicly recognizable personality of the nation is strongly mediated by representations
> of a reconstituted high caste Hinduism, and those who do not fit into that personality are
> inevitably defined as religious minorities. This has often placed the "religious minorities"
> in a defensive position. A secular state does not guarantee toleration; it puts into play
> different structures of ambition and fear. The law never seeks to eliminate violence since
> its object is always to regulate violence."[76]

One of the persistent problems with secularism also has been that beyond a simplified definition of it standing for the separation of the state and religion, it has been a loose concept with great elasticity. Iqtidar refers to Akeel Bilgrami who has referred to secularism in the Indian context as "Archimedean secularism" that has avoided engagement with substantive issues. For Bilgrami there was also a methodological flaw in this engagement of secularism in India, for it did not engage enough to chalk out the modalities of religious action and political practice. However, Iqtidar is cautious about the reformulation of secularism as suggested by Bilgrami through a more democratic engagement by state structures. To make her case, she talks about James C. Scott's *Seeing like a State* that refers to the tendency of the states in modern times to reduce citizens to manageable simplified categories.

'SECULAR' VERSUS 'RELIGIOUS'

There are difficulties in assigning as to what constitutes 'secular' and what is thought to be as religious. Asad talks about this difficulty in the determination of whether a discourse or an action is 'secular' or 'religious'. Take for example, the different kinds of possible readings of Bible, a Christian religious text. It could be read as a work of art - poetry, drama, history, myth, philosophy etc. Readings could also be varied as for believing Christians (as religious) or

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[75] Asad, "Thinking about Secularism," 8.

[76] Partha Chatterjee, "History and Nationalization of Hinduism, " *Social Research*, vol 59, no. 1, 1992.

Atheists (as literature, hence secular) or a combination of both. But even a possibility of such a reading has been made possible due to a "complicated historical development of disciplines and sensibilities".[77] Herein, has grown the affirmation of the idea that as literary reading, on modern terms, of a religious text is not necessarily derogation of its sacred status. And in fact to make such a distinction could impoverish both.

This question, however, hasn't been authoritatively decided, that is, the allocation of "what belongs to private reason and what to 'a political ethic independent of religious belief' (a public ethic that is said to be subscribed to for diverse private reasons - that thus become little more than *rationalizations*)."[78]

With reference to Islam, especially post September 11, many of the media discourses, talk about the 'Islamic roots of violence', relates Asad, in a longer tradition of religions being considered as a source of violence in general. Islam, for various political, strategic and ideological reasons, has been portrayed as "undisciplined, arbitrary, singularly oppressive." "Experts on "Islam," "the modern world," and "political philosophy" have lectured the Muslim world yet again on its failure to embrace secularism and enter modernity and on its inability to break off from its violent roots."[79]

Some reflection here, Asad says, would make it clear that violence does not *need* to be justified by the Qur'an - or any other religious text for that matter. Numerous examples abound from the massacres by the secular, Baathist Saddam regime of Kurds in Iraq, killings of Palestinians by the democratic Israeli state etc. On could also think of the violence in former Yugoslavia against Albanians, killing of Tamils in the recent 'war on LTTE', killings carried out by the Indian armed force in Kashmir, and even the two World Wars and so on. The use of religious doctrines might be, in some cases, expedient, but in no case the *only* sources of justification. The same can be said for the use of violence by states on dissenting groups.

According to Asad, the constitutional states rest on the space of violence which is considered as legitimate. While the structural violence of the state is necessary to its maintenance of the conditions of hegemony, very often, the state takes recourse to its coercive apparatus to maintain

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[77] Asad, "Thinking about Secularism," 9.

[78] Asad, "Thinking about Secularism," 9.

[79] Asad, "Thinking about Secularism," 10.

its domination. The violence employed by the state remains legal and legitimate, justified as a moral necessity to counter "the violent exercise of freedom outside the frame of law."[80]

The contemporary liberal discourse gives a moral advantage to the state armies over those of insurgents. Drawing on political philosopher Michael Walzer's ideas, Asad speaks of the ability of the states to legitimize violence as a 'last resort' to defend the 'coercive transformation of the way of life' of political communities. This option, however, is not given to the opposition movements who could and do argue the same, and also like states invoke the 'wider humanity'. In the last instance, the prerogative of violence is sought by the State.

In the Indian state in Kashmir, whose sovereignty is challenged by many pro-freedom/pro-self determination political and militants groups, including Hizbul Mujahideen, the violence is justified by the state to maintain its sovereignty and keep the territory of Kashmir under its control. There is in effect a 'sacralization' of the territory that is *integral* to the Indian-nation state's self definition. Thus, the challenge posed by these groups is sought to be crushed through legally sanctioned violence.

In cases where religious doctrines are explicitly put forward by certain movements, there are often, concrete political and historical factors. There is never a completely religious motive that could be pinpointed. The religious and the secular motives go hand in hand. In case of Hizbul Mujahideen in Kashmir the political history of Kashmir and the historical events since Dogra rule, even before Kashmir came under Indian rule, are cited as reasons that legitimize the present struggle. Besides, assurances from world bodies like the United Nations are routinely cited as basis for international acceptance of Kashmir dispute.

Regarding the use of religious texts, Asad points out, "the way people engage with such complex and multifaceted texts, translating their sense and relevance, is a complicated business involving disciplines and traditions of reading, personal habit and temperament, as well as perceived demands of particular social situations."[81] Thus one could read Hizb's use of the notion of their fight in Kashmir being a *jihad* and at the same time a secular struggle for self-determination.

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[80] Talal Asad, *On Suicide Bombing*, (New York: Columbia University Press, 2007)
[81] Asad, "Thinking about Secularism," 10.

Asad points out that the misunderstanding about the roots of violence in religion is more acute with respect to Islam. This is because it is simplistically assumed that Qur'an will force Muslims to be guided by it as against Christians and Jews, who freely make their own interpretations of the Bible. Asad points out to a contradictory position at display here, between the text and the reader:

> "On the one hand, the religious *text* is held to be determinate, fixed in its sense, and having the power to bring about particular beliefs (that in turn give rise to particular behavior) among those exposed to it - rendering readers passive. On the other hand, the religious *reader* is taken to be actively engaged in constructing the meaning of texts in accordance with changing social circumstances - so the texts are passive." [82]

These contradictory assumptions about agency divulge the bias at play. For Islamic religious texts are considered to be "essentially univocal" and "infectious", the only interpretation possible to be that of "fundamentalists" that would carry undisputed following, except from the orientalists analyzing it, who remain immune to it. This looks over the fact that there has been a complicated history of interpretations in both, Islam and Christianity, over the course of history.

This leads to a demand for censorship of religious discourse, at least from its entering into the domain of the public policy, as it is considered to be the root of violence. It is not clear, Asad argues, as to

> "how a 'religious motive' is to be unequivocally identified in modern society. Is motivated behaviour that accounts for itself by religious discourse ipso facto religious or only when it does so *sincerely*? But insincerity may itself be a construction of a religious language. Is it assumed that there is always an *unconscious* motive to a religious act, a motive that is therefore secular, as Freud and others have done? But that begs the question of how to distinguish between the religious and the secular. In short, to identify a (religious) motive for violence one must have a theory of motives that deals with concepts of character and dispositions, inwardness and visibility, the thought and the unthought."[83]

Asad clarifies by what he means by this by referring to the situation, as of arming the Afghan Mujahideen against the Soviets, by a myriad of actors across continents, where there were "diverse desires, sensibilities and self-images involved." The broader question that Asad raises is, as to when does the question of intention become important for us? This is "when we identify an unusual outcome that seems to us to call for justification or exoneration - and therefore for

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[82] Asad, "Thinking about Secularism," 11.
[83] Asad, "Thinking about Secularism," 11.

moral or legal *responsibility*."[84] This distinction being made between the 'secular' and the 'religious' intentions, to identify the *intention* is an important phenomenon of modernity for allocating moral and legal accountability.

SECULARISM/ MODERN/ WEST *versus* RELIGIOUS/ NON-MODERN/ NON-WEST

Secularism is centrally located in the modernity. Asad agrees with the sense of many critics that modernity "is not a verifiable object", as various kinds of tendencies are contemporaneously present in the societies, although he does not overlook its analytical value. One also has to realize that modernity, even in the West, is *aimed at.* Secularism has been contested even in the West, in the ways, that seem to be irreconcilable. This fact is well understood among those who consider modernity as a project.

In the context of colonialism West might have been an amalgam of various contestations at home, however, in colonies there fostered a unity. "The important question, therefore, is not to determine why the idea of "modernity" (or "the West") is a misdescription, but why it has become hegemonic *as a political goal,* what practical consequences follow from that hegemony, and what social conditions maintain it."[85]

For Asad modernity is neither totally coherent nor clearly bounded, but as a *project,* rather as a series of interlinked projects, that certain people in power aim to achieve, through the institutionalization of a number of principles like constitutionalism, democracy, universal human rights etc. and secularism. At another level, it implies a direct access to reality, through science, that dismisses away things like myth, magic or the notion of sacred. The technologies of production therein, of entertainment, warfare, travel, etc., generate uniform experiences and presupposes a universal rationality. Here the "pre-modern" acquires a retrospective quality of enchantment.[86]

Integrated totality cannot be seen in modern projects as they carry in them distinctive sensibilities and moralities. "The West" in that sense is a confused label as the modern culture has diverse genealogies, thus taking it beyond Europe. The idea of West should not be simply

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[84] Asad, "Thinking about Secularism," 12.
[85] Asad, "Thinking about Secularism," 13.
[86] Asad, "Thinking about Secularism," 14.

located in the geographical domain of the Europe. Modernity as a *historical epoch* includes modernity as a political economic project. What happens herein is the attempt is to create the categories secular and religious which gives the reference for modern living to take place, and a standard for nonmodern people to judge their own selves against it. The "representations of 'the secular' and 'the religious' in modern and modernizing states mediate people's identities, help shape their sensibilities, and guarantee their experiences."[87]

How would one be sure of the existence of a 'modern project'? In the post-Soviet era, over the past decade and a half, the plans for the world of the US backed international agencies have been similar. Asad quotes Serge Halimi, "Seldom has the development of the whole of humanity been conceived in terms so closely identical and so largely inspired by the American model."[88] Apart from the economic doctrines it also aims at a global order that has its unique political and even moral dimensions, and secularism as a doctrine features therein quite prominently. This is certainly at play a 'doctrine of singular destiny'.

It is true that even the opponents of this vision, often themselves, have totalizing ideologies. But the idea is not to blame one party or the other, but to bring home the point that the US intervention requires its working in a structure that is supposed to be a manifestation of some sort of universal values. Whether they are 'imposed' or 'freely chosen' is a different question.

Asad argues about the need to look "at *the politics* of national progress", that includes that includes the politics of secularism, flowing from the multidimensional concept of modernity exemplified by "the West", with America as its head.

But one would also have to look at the contrary; a politics that denies the compartmentalization into modern/nonmodern, West/non-West dichotomy. What would the implications of denying the rigid binaries and looking at overlappings, fragmentations, hybrid and continuously dissolving and emerging social states be?

> "As part of such an understanding," Asad says, "I believe we must try to unpack the various assumptions on which secularism - a modern doctrine of the world in the world - is based. For it is precisely the process by which these conceptual binaries are established or subverted that tells us how people lived the secular - how they vindicate the essential

[87] Asad, "Thinking about Secularism," 14.
[88] Asad, "Thinking about Secularism," 15.

> freedom and responsibility of the sovereign self in opposition to the constraints of that self by religious discourses."[89]

For Asad, the category of "the secular" is conceptually prior to the political doctrine of "secularism". The secular has been shaped overtime by a variety of concepts, sensibilities and practices.

MUSLIM/WEST DISTINCTION

For the contrast between "Muslim" and "Western" societies, one cannot assume completely distinct entities. A close relationship, and an entanglement at multiple levels, even though not always peaceful, has affected the trajectories of both. Edward Said's *Orientalism*[90] showed us how the West created its other in the 'Orient' which was both a justification for colonialism and its product. This imagination was backed by the structures of power.

The colonized, including the Islamists, on the other hand also made generalizations of the 'other'. Iqtidar points out this to be a conflation of the Europe and the US as a monolithic Christian west, which is home to modernity, materialism and a consequent breakdown of family values and structures. The fact remains that the 'Occident' is also not a monolith but has varied forms; however, the constructions of both sides against each other are delineated by an enormous asymmetry of power.

The interaction between the West and the Muslim world reached its peak in the colonial era, and it also reconfigured the power dynamics. The dialogue that has been shaping the trajectories of both has been continuing since then. To deny this fact would be a reductionist and an ahistorical assumption.

Iqtidar points to the works of Yael Navaro-Yashin, who is critical of writers like Mitchell and Abu-lughod, who following Said's work while talking about the imposition of Western ideas and discourses on Middle Eastern, broadly Muslim societies, reproduce essentialism in "leaving a precipitation of cultural authenticity of tradition underneath the layers of European costume,

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[89] Asad, "Thinking about Secularism," 15.

[90] Edward W. Said, *Orientalism: Western Conceptions of the Orient*, New Delhi: Penguin Books, 2001.

thereby overlapping, by default, with cultural revivalisms or nationalisms in the contexts studied."[91] Turks, for example, must be regarded as Europe's internal others like Arabs and Jews.

The broader idea to be drawn from Navaro-Yashin is that it is of no use to look for some kind of authentic core under the layers of imposed "Western" influence. But one also cannot overlook the fact that the belief of some sections, within the respective domains, of a dichotomy makes a case for the analytical use of these categories.

> "These differences do not stem from inherent essentialized characteristics somehow common to Muslims across distinct periods in history and living in vastly diverse continents, but from localized historical trajectories that operate in an interactive, though nonlinear, manner. The interactive, interdependent nature of cultural, political and economic changes means that there is no "native" core to be separated from the "Western," and yet there is a specific context to the developments in each; the two categories do not contain identical entities."[92]

Iqtidar follows Marshall Hodgson's argument, saying that there is a more pronounced continuity in the philosophical tradition of Western thought. Hence, a sense of rupture is less pronounced. Charles Taylor in his *Sources of the Self: The Making of the Modern Identity* provides a sense of such continuity in the European context. The kind of universalism that the West proclaims now doesn't give a clear peep into its actual origins that are of a parochial kind. Among the Muslims, on the other hand, belonging to multiform contexts, spread all over the world, with distinct histories and appropriations of Islam, this belongingness is of a more fractured kind.

Considering the tensions between the two categories, as well as taking account of the continuous interaction, with deep historical roots between the two, is productive for both analytical and political purposes, says Iqtidar. She refers to Roxanne Euben's work *Enemy in the Mirror*, suggesting an approach that "builds on the possibility that disparate cultures are not worlds apart, morally and cognitively incommensurable, but exist in conversation with one another, even if they have serious moral and political disagreements."[93]

Many of the philosophical works of Greeks, that have laid the foundations for the Western philosophy, were saved, studied, commented upon and transmitted to the Europe after dark ages by Muslims and Arab scholars. Muslim Spain had an enormous contribution for laying the

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[91] Iqtidar, *Secularizing Islamists,* 9.
[92] Iqtidar, *Secularizing Islamists,* 10.
[93] Iqtidar, *Secularizing Islamists,* 10.

foundations of the European Renaissance. The writings of people like Ibn-Sina, Ibn-Rushd, Ibn-Khuldun, Al-Bairuni, were instrumental in this regards.

Many of these contributions have been obliterated from the historical imagination also due to the fact that the names of many of these Muslim scholars, scientists and philosophers were Latinized. So, Ibn-Sina became Avicenna, Ibn-Rushd became Averroes etc. thus immune to a normal eye, who would presume that they are European scholars.

Going further, through a historical analysis, Euben also shows various Enlightenment influences on the thoughts of Syed Qutb, Jamal-ud-Din Afghani and Ayatollah Khomeini. Same can be regarded as true for people like Maulana Maududi, Allama Iqbal, Ali Shariati, all of whom were familiar with major strands of Western philosophy and carved out their positions within Islam by using concepts and ideas that they had derived from the West on their own terms. These influences are important to contextualize the thought of these thinkers which defined their respective Islamist positions.

Iqtidar points to Partha Chatterjee's argument about the implication of the enormous cultural and political influence of the West, that even the questions that are raised by the post-colonial societies get framed within the structure and vocabulary provided by the Western experience. Ashis Nandy calls this phenomenon as 'imperialism of categories'. Thus the people who belong to these societies have to choose their "site of autonomy... from a position of subordination to a colonial regime that had on its side the most universalist justificatory resources produced by post-Enlightenment social thought."[94]

An encounter with the post-Enlightenment thought, even from the outside, would need to engage with, at least, the structure of its arguments or it would have to bank upon some kind of 'conceptual repertoire'. However, these insights do well expose the, non-critical acceptance, of the claims of universalism of the post-Enlightenment social and political thought.

Subaltern studies provided such an alternative. It attempted to understand historical processes without recourse to the concepts originating from a particular European experience. The universal validity of the European thought was given a boost by the structure of imperialist domination and colonization of the non-European lands. The liberal political theory that

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[94] Iqtidar, *Secularizing Islamists*, 11.

originated in Europe came to, rather was imposed upon, non-European societies in a top down manner. The irony being that liberalism's emphasis on individual freedom on the one hand, and its justification of imperialism, went hand in hand. The high point of liberalism in the ideas of people like James Mill, John Stuart Mill etc coincided with the high point of the empire. Liberalism was imposed upon, than being in conversation with, the colonized.

Subaltern studies were not the first to provide a critical insight into the Eurocentric theorizing. And even after the critique has been established, it requires constant effort to keep out of repeating the same structure. This is because the assumptions of the universalism of the European thought have been normalized, and form the root of most of the conceptual ideas and frameworks in the field of social sciences. At the same time, the idea is not to negate merely the universalism, but to think about and form a new way of understanding that interrogates and unravels the entanglements of the historical thought processes, and lays to rest the grand narratives on the either side.

THE CASE OF ISLAMISTS – A DIFFERENT REALATIONSHIP WITH THE SECULAR

In secularism's relationship to Islam, of late, polemical contrasts are made that suggest a tenuous relationship between the two. Popular media discourses portray Islam/Islamism, conflating the two, the most potent threat to secularism, more than any other religious doctrine. Iqtidar points out a series of scholarly works, of Myron Weiner, Bernard Lewis, Samuel Huntington's *Clash of the Civilizations*, who argue on broadly the same lines, making explicit what had remained implicit in a host of other scholarly works on Islam and Muslims until then: "the idea that Islam as a totalizing world view could not accommodate liberal values, particularly those of personal freedom and secularism, and thus could not co-exist harmoniously with the "West"."[95]

Ernest Gellner statement saying that, "no secularization has taken place in the world of Islam: that the hold of Islam over its believers is as strong, and in some ways stronger now than it was a hundred years ago. Somehow or other Islam is *secularisation-resistant,*"[96] is often quoted.

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[95] Iqtidar, *Secularizing Islamists,* 13.
[96] Iqtidar, *Secularizing Islamists,* 13.

Some others consider Islamism, and not necessarily Islam, a reaction against modernity that is unable to accommodate secularism, a key element of modernity. These people (like Sivan, Tibi, Ayubi) follow Weberian method of understanding Islam 'through its absences' as Weber did in his analysis of why Islam could not give rise to capitalism.[97]

On the other end of the spectrum, many Muslim liberals argue that Islam poses no threat to secularism, and point towards the role of various authoritarian regimes, that made secularism unpopular in the Islamic world due to their proclamations of following the doctrine. Few point out the inevitable conflation of secularism with the 'Christian (Western colonial) supremacy' among Muslims. Others talk of traditions of pluralism and toleration of religious difference among historically Muslim/Islamic societies to refute the argument about the innate hostility between Islam and secularism.

There are other interesting variations. As Iqtidar mentions Irfan Ahmad's argument that, "Islamism itself is changing, from being opposed to secularism to actually supporting it in the Indian context."[98] This could be seen in the stance that Jamaat-e-Islami in India takes through their appeals to the secular character of the Indian state to safeguard minority rights. Scholars broadly point out the lack of *theological* opposition towards secularism in Islam. However, all of them revolve around the theme of compatibility of Islam/Islamism and secularism.

The more important, or a deeper question, for Iqtidar, that beckons attention is the very meaning and nature of secularism, and whether challenge that Islamists pose can deepen our own understanding of the relationship between the doctrine of secularism and the process of secularization. Thus, Iqtidar looks at the actual unfolding of the process of secularization and the actual processes that occur due to the lack of theological constraints to secularism, in Muslim societal context, in her case of Lahore in Pakistan.

SECULARISM AND SECULARIZATION

Iqtidar points out a difference between secularism and secularization that sociologists make. Secularism as a policy that limits the role of religion in public sphere is conceptually distinct from secularization as a process. The latter has two components: "The clear demarcation of the

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[97] Iqtidar, *Secularizing Islamists*, 13.
[98] Iqtidar, *Secularizing Islamists*, 14.

public and private sphere within which religion is relegated to the private, and a Weberian demystification of religion."[99] However, such classifications forget the nature of secularism as a *project.* "Critically, the causal relationship between the state *project* and the social *process* remains largely unexplored."[100] The process of secularization is thought of as the foundation for coming into play the policy of secularism. This is the general reading of the European experience.

However, in third world countries, in particular Muslim ones, there is an inversion of this relationship. Here it has been assumed that secularism as a state policy will lead to the secularization of the society. This was assumed in many of the newly decolonized societies from Middle East and South Asia from 1950's to 1970's. And among the most vocal advocates of this policy have been among the upper classes. "Within the framework of modernization and development, it was hoped that the trickle-down effect would apply to social processes as well as to the economic ones."[101]

Iqtidar points out to another important dimension of the secularization theory that is the process of secularization leads to disenchantment from religion when the public sphere is rationalized. Looking at it differently, she asks a counterintuitive question, "Are the Islamists facilitating, albeit inadvertently, secularization in predominantly Muslim societies?"[102] For her, there is a possibility, if the relationship between secularism and secularization is critically unpacked, that the sense of linearity between the two is problematized. If we move away from the particular understanding of secularization that comes with the course of the European history, we might discover a different kind of secularization that comes about with the process of rationalization due to the Islamist discourse in predominantly Muslim societies.

Islamists have, very often, brought the question and role of the religion in modern life into the public sphere. This is in keeping in mind that Islamists are not consciously secular in the sense of identifying with the ideology. Consciously, they very well oppose secularism. However, they act as agents of the process of secularization through the rationalization of religion. Hence, they

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[99] Iqtidar, *Secularizing Islamists,* 7, 8.
[100] Iqtidar, *Secularizing Islamists,* 8.
[101] Iqtidar, *Secularizing Islamists,* 8.
[102] Iqtidar, *Secularizing Islamists,* 22.

could, for Iqtidar, at least in the Pakistani context, be regarded as 'secularizing', if not secular or secularist.

The process of this rationalization entails looking at religion as a logical and cohesive whole. This also aims at doing away with the previously considered contradictions through reinterpretation in the light of new contextual insights of the condition at hand.

Iqtidar talks about Olivier Roy's notion that, while Islamists are the agents of secularization of Muslim societies through their bringing of religious space into the political arena, in the process religious sphere is made bereft of its transcendental character, through its identification with power. But here it is pertinent to ask if the transcendental in Islam is only limited to ritual? As Madan points out Mohammad Iqbal view in the *Reconstruction of Religious Thought* in Islam that the temporal and the spiritual are not distinct domains. "The spirit finds its opportunities in the natural, the material, the secular. All that is sacred is therefore sacred in the roots of its being... There is no such thing as a profane world... All is holy ground."[103]

The above view, however, is similar to that of Fazlur Rahman who considered the slogan of "in Islam religion and politics are inseparable" a gimmick. He pointed its use to "dupe the common man into accepting that, instead of politics or the state serving the long-range objectives of Islam, Islam should come to serve the immediate and myopic objectives of party politics."[104] However, for Iqtidar, even though this process does lead to a certain kind of "objectification" of transcendental values of religion that includes a homogenizing logic to erase out contradictions, but it also leads "more critically to a conscious engagement with the many aspects of religious praxis. Thus, transcendence is not erased but consciously sought through a modeling of subjectivities, behaviors and praxis."[105]

In her work, Iqtidar herself draws heavily upon Talal Asad, who realigned the idea of "secular" along with the idea of "religious", when looking at them as analytical categories. For Iqtidar "Asad's unique contribution is to suggest that our concept of the secular cannot operate outside

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[103] Madan, "Secularism in Its Place," 306.
[104] Iqtidar, *Secularizing Islamists*, 23.
[105] Iqtidar, *Secularizing Islamists*, 23.

our understanding of the idea of religion, or vice versa, and that this relationship is an ongoing dialectical one."[106]

Asad points out an interesting dynamic that although religion and secular are seen as disparate, the latter is thought to have influenced the production of various manifestations of the religion. In the pre-modern era, the secular way of life created a religion that was oppressive and superstitious in character. In the modern era, secularism led to the production of more enlightened and tolerant form of religion. Thus, a strict disparate categorization of the two, goes along with the claim of one producing the other.[107]

Asad's work goes beyond, pointing out the European nature of the experience of the notions of secularism and secularization which were imposed upon the colonized world, to investigate our understanding of religion that is employed in the study of Islam and other non-Western religions. We cannot have a universal definition of religion considering various historical specificities and the fact that such a definition is "itself the historical product of discursive processes."[108] Also, it is the followers of the religion that alter, interpret and diversify its practices the various traditions that occur in a particular religion. Taking account of these specificities would help us to appreciate the nuances of how a particular religion might get secularized in its own context.

GOING BEYOND POLITICAL SCIENCE

Iqtidar talks about the usefulness of using anthropological techniques in the analysis of political categories. This is important also because, political science as a discipline has not been able to meaningfully engage with the place of religion in politics, and only depending on the simplistic understanding of secularism. Social science disciplines in general and political science in particular, work with a non-and/or anti-religious orientation of academics in general, and thus there is a general disregard for religion in politics. Also, the methodological approach in the mainstream political science doesn't rely too much on interpretive kind of studies. The problem arises more in studying societies that are different from the societies where the concepts of the discipline arose. Iqtidar suggests that our understanding would be enriched if we take into account the actors who are agents in the processes.

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[106] Iqtidar, *Secularizing Islamists*, 14.
[107] Iqtidar, *Secularizing Islamists*, 14.
[108] Iqtidar, *Secularizing Islamists*, 15.

A lot of literature that deals with the study of Muslim societies talks about a clash of modernity and tradition. This line of thought is dependent upon the rigid demarcation of the two. In contrast the anthropological literature, of Talal Asad and others, shows a different understanding, through a broad based definition of the tradition and its creative use and interpretations. These studies have, in fact, changed the way Muslim societies are studied.[109]

For example, Iqtidar points out to the studies of Ahmed Rashid and Hussein Haqqani who talked about the support that Muslim groups received during the cold-war era from US and secret agencies. But these kinds of studies overlook that fact that groups like Jamaat-e-Islami had been in existence before the US decided to support Islamists against Russia. And moreover that relationship has changed to the opposite now. We cannot understand the impact of these groups by merely pointing out the context of their emergence. Also, it does not help to assume "that the category "Islamist" is a black box containing all that is reactionary and regressive, or that the braiding of the secular with the democratic is inviolable, (for it) does not allow our analysis any flexibility in dealing with the situation on the ground."[110]

JAMAAT-E-ISLAMI AND JAMAAT-UD-DAWA IN PAKISTAN

Some of these debates are contextualized by Humeira Iqtidar, in her book on Pakistani Islamist organizations, Jamaat-e-Islami and Jamaat-ud-dawa[111], *Secularizing Islamists? Jama'at-e-Islami and Jama'at-ud-da'wa in Urban Pakistan.*

Iqtidar looks at how secularism is looked at in Pakistan, a country created on the basis of a separate Muslim religious identity. There has been in Pakistan an increasing presence of the Islamists in the political space. Their discourse seeks a particular kind of reading of the history of the Pakistani state. A teleological connection between Muslim nationalism and Islamism is assumed therein. Iqtidar points out to the conflation of Pakistan, Islam and fundamentalism in the media portrayals and how it too simplistically overlooks the possibility of secularism. "The

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[109] Saba Mahmood, "interview with Talal Asad: Modern Power and the reconfiguration of Religious Traditions," *SEHR,* volume 5, issue 1: *Contested Polities,* http://www.stanford.edu/group/SHR/5-1/text/asad.html

[110] Iqtidar, *Secularizing Islamists,* 26.

[111] Jama'at-ud-dawa was founded by Hafiz Saeed in 1980's and is the ideological affiliate of the armed group Lashkar-e-Toiba that was formed to send Mujahideen into Afghanistan to fight the Soviets. After the end of the Russian occupation of Afghanistan Lashkar shifted its focus towards Kashmir. Even though Hafiz Saeed had been a member of the Jamiat-e-Talaba, JI's youth wing, he gravitated towards literalist Salafi ideology due to the course of his studies at the Medina University in Saudi Arabia. That explains Lashkar's adherence to Salafism. JI's stances when compared to JD are more moderate.

project of rehabilitating secularism in Pakistan," she says, "cannot, however, proceed without a critical reexamination of the relationship between Islamism, secularism and secularization."[112]

One of the common threads between JI and JD is their animosity of secularism. Secularism is equated with atheism. Iqtidar mentions the use of the terms *ladiniyat* and *dahiriyat* interchangeably with secularism. "*Ladiniyat* means a state of being without religion and *dahiriyat* refers to a refusal of religion."[113] In their connotation, however, the terms are closer to atheism than secularism. However, there is also an awareness of secularism being a policy that relegates religion to the private sphere. And it is that very distinction that is thought of as problematic. They argue that this is the first step towards atheism in a society. Iqtidar points out that, Islamists share this assumption with many European and English scholars of 1960's and 1970's, in particular Marxists. People like David Martin saw religion becoming non-existent or at least of no practical importance once people started engaging with human needs rationally without recourse to dogma.

There is much potential for rereading the history of Pakistan and understanding the many nuances that have played out in the political arena, which complicate and make more fruitful the debates about the interactions of various ideological influences in the social and political arena, that often gets overlooked in the simplistic media accounts.

The broader argument that Iqtidar is making in her book is that in spite of the Islamists being consciously opposed to the doctrine of secularism, they are ironically facilitating the processes of secularization in the Pakistani society. This has happened due to many factors over time ranging from their interactions with the left movements, participation in democratic processes, etc and thus creating a different dynamic of politics by stabilizing religious discourses in the public sphere.

There is an important analysis of the changes in the strategy of Jama'at-e-Islami in Pakistan over the course of left mobilizations in 1960's Pakistan, and particularly during the military regime of General Zia-ul-Haq from 1977 to 1988. But even after Zia regime was over, the links between Jama'at-e-Islami and left unions continued. There has been at play a politics of accommodation,

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[112] Iqtidar, *Secularizing Islamists*, 1.
[113] Iqtidar, *Secularizing Islamists*, 7.

revision and strategy from the Islamists, which problematizes various popular notions about the workings of such groups. This especially is the case with the Jama'at-e-Islami, in Pakistan.

Iqtidar makes clear the analytical distinction between Islamists and 'Muslim fundamentalist', as given by Roy and Fuller, by the former's "insistence on engagement with the political structures and the state apparatus as a means of establishing a Muslim society."[114] Apart from the accommodation and engagement with other forces, mainly from the left, there is also interplay between various Islamist forces, in this case Jama'at-e-Islami and Jama'at-ud-Dawa.

In the context of Jama'at-e-Islami and Jama'at-ud-Dawa in Pakistan, Iqtidar points out to "the overlap in their constituency and the salience of political engagement in their rhetoric and practice."[115] She points out towards the 'objectification of religion' due to the competition to recruit members, from broadly the same social base.

> "The competing claims of these Islamist groups, and the attempts made by their ideologues and leaders to convince people that their practices are correct (*sahih*) while others are not, are forcing a critical engagement with the notion of Islam as a cohesive religion and a deepening realization that there is no single Islam within the pre-dominantly Muslim milieu of Lahore."[116]

Iqtidar considers this factionalization similar to the one that happened within Christianity due to the Protestant Reformation. "Jose Casanova points out that the hegemony of Christianity within Europe was severely undermined as soon as it was no longer sufficient to say "the church" but to have to specify which one: whether Catholic, Protestant, or the other."[117] However, she is cautious with this parallel as this might suggest the "lateness" of reinscribing the normalized European experience as ideal to the other parts of the world. Also, this might overlook the different trajectories at play in European Christianity and Islam in Pakistan.

HIZBUL MUJAHIDEEN IN KASHMIR

The above debates lay out the theoretical ground for exploring the nature and politics of Hizbul Mujahideen and its ideological affiliate Jamaat-e-Islami.

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[114] Iqtidar, *Secularizing Islamists*, 2.
[115] Iqtidar, *Secularizing Islamists*, 6.
[116] Iqtidar, *Secularizing Islamists*, 6.
[117] Iqtidar, *Secularizing Islamists*, 6, 7.

Jamaat-e-Islami in Kashmir is ideologically closer to its Pakistani counterpart than the Jamaat-e-Islami Hind. The latter works in a minority context in India and as such its stances are more mellowed down when it comes to its ideas and visions on the political setup, organization and its aims. While the Jamaat in Pakistan and also in Kashmir explicitly declare their intentions of a systemic change, though local tactics and strategies vary according to the contexts they are placed in, Jamaat in India appeals to the notion of India being a secular polity to safeguard the minority religious rights of the Muslims in country.

The armed militant outfit Hizbul Mujahideen in Kashmir drew much of its cadre from the Jamaat-e-Islami in Kashmir. The political position of both the groups coincides when it comes to deciding the future of Jammu and Kashmir, which being a Muslim majority region, they consider should go to Pakistan. Both believe in the notion of the creation of Pakistan in the name of Islam. However, the constitution of Jamaat does not allow underground activity.

Hizbul Mujahideen has also been the largest and most powerful constituent of the United Jehad Council (UJC). The *amir* of UJC is Syed Salahuddin, the Supreme Commander of Hizbul Mujahideen, and the militant activities of the all the groups are overall coordinated under the umbrella of UJC. UJC's Code of Conduct (*Zaabitah-e-Ikhlaaq*[118]) governs the broader rules, principles and strategies of guerilla activity in Jammu and Kashmir. It also arbitrates possible disputes between various groups when they arise.

This has also been due to the fact that Hizb has a larger social base than any other militant group through its ideological connections with the Jamaat-e-Islami of Kashmir. Also, militants from outside Jammu and Kashmir referred to as 'guest Mujahideen' had to depend on local field commanders, and their logistics providers, in absence of their knowledge of the local terrain. This way Hizb maintained a controlling role in the overall militant activities on the ground.

The parallels about competition among Islamists made by Iqtidar in the Pakistani context can be easily seen in Kashmir as well, where the socialization of a variety of actors has been fluid and not always concentrated in a specific political group. Members inspired by Jamaat's ideology joined Hizbul Mujahideen and also other militant groups. Sometimes factions arose from Hizb to form other smaller groups, like the splitting of the commander Nasirul Islam to form his separate

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[118] United Jehad Council Jammu and Kashmir *zaabita-e-ikhlaq* (code of conduct).

outfit Jamiat-ul-Mujahideen. However, coordination between different groups that differed on the doctrinal issues has been common too. The existence of the UJC and its code of conduct points to that fact.

One needs to take account of various factors and broad ideological linkages between the various Islamists groups and the theoretical debates that ensue. Jamaat-e-Islami and Hizbul Mujahideen in Kashmir, for example when they argue for accession to Pakistan, betray a kind of Pakistani nationalism. The question to be asked is how would one then understand the ideology and aims of a group like Hizbul Mujahideen? The point is that these Islamists groups per se are opposed to the ideology of nationalism and mostly make a case for *ummah* (the global community of Muslims). One could ask if it is a matter of short term strategy (*maslihah*) or an accommodation to the reality of the nation-state.

One also needs to take account of the complex relationships that these groups have with the idea of secularism. And the role they play in bringing into public the religious discourses that has an impact on the nature of political debates. While they reject the doctrine of secularism they engage with the secular structures, institutions and laws; an inevitable outcome of the reality of modernity. In turn these processes lead to a different understanding, rather a problematization, of religion as well as secularism, and thus of religious as well as secular.

I intend to take up some of these, and other debates, in my next chapter through the discussion of the context, structure and the ideology of the Hizbul Mujahideen in Kashmir.

Chapter 2

HIZBUL MUJAHIDEEN:

CONTEXT, STRUCTURE & IDEOLOGY

In this chapter, I will lay out broadly the developments in the political scenario in Jammu and Kashmir through the story of the development of the Jamaat-e-Islami of Jammu and Kashmir. This is to lay out the context for the rise of the Hizbul Mujahideen. I will talk about the formation of the Hizb, its relationship with the Jamaat-e-Islami and the structure of its organization. This would be accompanied by laying out in detail its ideological positions and its trajectory of operation till date.

A detailed examination of the ideology of the Hizbul Mujahideen should enable us to understand the context of Hizb's relationship with the doctrine of secularism, and what bearing does its engagement with the secular institutions, practices and the laws of the modern state system has for our understanding of the secular and the religious.

ORIGINS AND DEVELOPMENT OF JAMAAT-E-ISLAMI OF JAMMU & KASHMIR

Many social and political organizations in the Muslim world base their ideology on Islamic teachings. Jamaat-e-Islami in South Asia counts as "one of the most influential Islamic movements in the world today".[1] The Jamaat was originally formed under the leadership of Maulana Maududi in 1941. A separate Indian branch of the organization came into existence sometime after the partition. For Maududi, Islam was

> "a complete ideology and code of life (*nizam-e-hayat*), covering all aspects of a Muslim's personal as well as collective existence. For Islam to be enforced in its entirety, it is necessary for the Muslims to struggle for the establishment of an Islamic state or states, ruled by the Islamic law. Democracy, or the rule of the people is seen as un-Islamic, for it is said to go against the Islamic understanding of God as the sovereign authority and law-

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[1] Yoginder Sikand, "The Emergence and Development of the Jama'at-i-Islami of Jammu and Kashmir [1940s-1990]," *New Age Islam* (25 Aug 2010): 1, accessed January 5 2013, http://www.newageislam.com/NewAgeIslamPrint.aspx?ArticleID=3335

maker. For the same reason, Western-style secularism, the separation of religion and politics, is condemned."[2]

Owing to the disputed status of Kashmir, the Jamaat-e-Islami of Jammu and Kashmir separated itself from Jamaat-e-Islami Hind[3] and adopted the original principles of the organization in November 1953.[4] The Jamaat upholds the Muslim declaration of faith 'There is no God, but Allah, and Prophet Muhammad is His Messenger' as its fundamental principle. Having accepted the sovereignty of Allah in all matters, and the Prophet Muhammad, through his *sunnah* (way of life), as the supreme example of the conduct of the life of the believers, the party seeks to work for *iqamat-e-din* (establishment of the divinely prescribed way of life).[5]

Under the Dogra Hindu rulers the Muslim population of Jammu and Kashmir in spite of comprising more than 80 percent of the population remained ill treated, poor, oppressed and largely illiterate. Late nineteenth century had witnessed a churning of reform among Valleys urban Kashmiri Muslim middle class population for the upliftment of the Muslim community. The drive had formally started with the formation of Anjuman-e-Nusrat-ul-Islam by Maulana Rasul Shah who was then the Mirwaiz of Kashmir, a title held by the head of Srinagar's Jamia Masjid. The establishment of Jamaat-e-Islami of Jammu and Kashmir (JIJK) was a product of that very movement.[6] Other groups would come to be formed later that had ideological links outside the state with other schools of Islamic thought like the Deoband and Ahle-Hadith.

Many of the people associated with these movements had had their education in institutions outside Kashmir. These educated people who were all the more aware of the repression of the Kashmiris by the overtly Hindu Dogra establishment provided force to the Kashmiri Muslim political consciousness. Various events, like the mass agitation launched to protest the desecration of Quran by a Dogra soldier in Srinagar in 1930 further strengthened this consciousness. Sikand writes,

> "Pitted as they were against a Dogra state, which openly projected itself as a defender of Hinduism, and against the entrenched Pandit elite, who exercised a virtual monopoly in the administration, and in addition owned vast estates, it was but natural that the growing

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[2] Sikand, "The Emergence," 2.
[3] Sikand, "The Emergence," 11.
[4] *Dastoor Jamaat-e-Islami Jammu wa Kashmir (Constitution of Jamaat-e-Islami Jammu and Kashmir)*, (Srinagar: Publication Division, Jamaat-e-Islami Jammu and Kashmir), 3
[5] Sikand, "The Emergence," 2, 3.
[6] Sikand, "The Emergence," 4, 5.

assertion and awakening among the Kashmiri Muslims would seek to define itself in religious terms, and that, as the mass movement that erupted in the wake of the Qur'an desecration incident in 1930 so strikingly illustrates, Islam would be a powerful idiom in articulating protest and opposition to the regime and local elites."[7]

This did not mean that the movement by Kashmiri Muslims was specifically against the Hindus as a community. Sikand quotes Prem Nath Bazaz, a highly respected political and intellectual figure in the history of Kashmir who supported the people's movement, "Though conducted by Muslims, the struggle was national in essence. It was a fight of tyrannized against the tyrants, of the oppressed against the oppressors."[8] Sikand further writes that "these appeals to Islam in mobilizing Kashmiris against the Dogras were to have powerful parallels in the post-1947 period, when anti-India feelings were sought to be articulated by groups such as the JIJK, India being identified as 'Hindu', and a threat to Kashmiris as a threat to Islam itself."[9]

In 1940's Sheikh Abdullah had renamed his Muslim Conference to National Conference apparently to espouse secular nationalism and make it inclusive for non-Muslims in the struggle against the Dogra rulers. The decision saw a considerable section of the people party parting ways with the party including Choudhary Ghulam Abbas of Jammu who reorganized under the Jammu and Kashmir Muslim Conference. The Quit Kashmir movement was launched by the National Conference in 1946 against the Dogra Maharaja. In spite the renaming of the Muslim Conference Islamic symbolism remained a part of Sheikh Abdullah's politics to garner mass support and appeal to the common masses. This was the reason that the Hazratbal Mosque in Srinagar, famous for housing a hair strand of Prophet, was the centre of his activities.[10]

Thus, the mobilization, around the religious identity, needs to be understood as a continuation of mobilization against the explicitly Hindu Dogra state among Kashmir's Muslim majority population throughout the first half of the twentieth century. Mridu Rai chalks this history in detail in her book *Islam, Rights, and the History of Kashmir: Hindu Rulers, Muslim Subjects.*[11] Looking at the peculiar history of resistance politics and the socio-political and historical context in Kashmir, Islam emerged as the source of mobilization and provided a language of dissent to

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[7] Sikand, "The Emergence," 6.

[8] Sikand, "The Emergence," 6.

[9] Sikand, "The Emergence," 6.

[10] Sikand, "The Emergence," 6, 7.

[11] Mridu Rai, *Islam, Rights, and The History of Kashmir: Hindu Rulers, Muslim Subjects,* (New Delhi: Permanent Black, 2004).

Kashmir's disempowered Muslim majority. This vocabulary couched in religious terminology of Islam continued after subcontinent's partition that led to the formation of the states of Pakistan and India, with each holding a part of the disputed territory of Jammu and Kashmir.

The activities of the JIJK took root in such a context. Maulana Sa'aduddin Tarabali, Qari Saifuddin and Muhammad Hussain Chisti were the initial organizers of the Jamaat in Jammu and Kashmir, after they attended the all India *ijtema* of Jamaat-e-Islami at Pathankot in 1945. Sa'aduddin was made the first *emir* of the organization and he continued on the post till 1985.[12] Over the years Jamaat expanded its activities and influence through the establishment of study centers, schools, and by holding regular meetings and seminars to spread the message of Islam. The organization setup many schools from 1947-1952 "wherein secular disciplines and religious sciences were integrated." In 1948, the Jamaat launched its Urdu monthly *Azan* which was later turned into a weekly newspaper.[13] Over the years Jamaat increased its base among the middle and lower middle class young educated Muslims and middle to lower rung government employees.

One of the important areas of activities for Jamaat was the Jammu region where Muslims were reduced to "a small and insecure minority, who had, in the Partition riots been badly affected, with thousands having been slaughtered by Hindu and Sikh mobs abetted by Maharaja's forces, and many more having been forced to flee to neighboring Pakistan."[14] This concern of the emir of Jamaat Sa'aduddin saw Maulana Ahrar being dispatched as a representative to the area after the annual meeting of the Central Advisory Committee in 1957.

At the time of the accession of the state to India, Jamaat maintained a position in favor of the accession to Pakistan. In spite of the following that Sheikh Abdullah had, which was itself split into a pro-independence and a pro-India constituency, a considerable section of the population favored accession to Pakistan. This constituency would later form a significant base for the Jamaat-e-Islami in Jammu and Kashmir.[15]

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[12] Sikand, "The Emergence," 9, 10.
[13] Sikand, "The Emergence," 11.
[14] Sikand, "The Emergence," 11.
[15] Sikand, "The Emergence," 10, 11.

The questioning of the legitimacy of the Indian rule over Jammu and Kashmir very often put Jamaat at loggerheads with the Indian government with its insistence that the dispute be resolved through the United Nations Resolutions that called for Plebiscite in the state of Jammu and Kashmir. Jamaat assumed a leadership role in wake of the *mo-i-muqaddas* movement that initially began as a protest against the theft of the relic of Prophet's hair from the Hazratbal mosque in Srinagar in December 1963 but soon turned into "a popular agitation for freedom and political self-determination for the people of the state."[16] Awami Action Committee was setup to carry on the struggle and Qari Saifuddin represented the Jamaat in it. The leaders of the agitation including Qari were soon arrested.

The *mo-i-muqaddas* movement along with the Indian response to it once again galvanized the Kashmiri society against the Indian rule. Sikand writes that

"Although the missing relic was soon recovered, the mass movement generated in the wake of its loss had made it abundantly clear that India had lost the sympathy of most Kashmiri Muslims. A widespread feeling of anti-Muslim discrimination, the rapid encroachments on Kashmir's autonomy and India's refusal to abide by its promises to the Kashmir people to let them decide their own political future, coupled with dictatorial rule, administrative corruption, mounting unemployment and poverty in the state, in addition to the India's handling of the *mo-i-muqaddas* crisis, all combined a pervasive resentment and hostility against Indian rule. 'By the end of 1963', (Alistair) Lamb writes, 'the majority of the foreign observers of the Kashmir scene had little doubt that a plebiscite treating the whole state of Jammu and Kashmir as a single voting unit would lead to a clear call for the transfer of the entire state from India to Pakistan.' Groups that had consistently advocated Kashmir's accession to Pakistan, one of the most influential of which was the JIJK, clearly gained the most from the fall-out of the *mo-i-muqaddas* affair. In addition to its religious appeals, the JIJK's string stand on the political status of Kashmir and its forceful challenging of the legitimacy of Indian control was now winning for it increasing support among growing sections of Kashmiri Muslims."[17]

Despite Jamaat's principled opposition to the Indian rule it participated in electoral process under the Indian constitution. This behaviour of Jamaat, for Sikand, was a "tactical compromise, as a means of using available democratic spaces for spreading its message and influence and preparing for a gradual takeover of the governmental apparatus."[18]

The reasons given by the Jamaat justifying their participation in the electoral processes makes an interesting reading. Jamaat saw itself not as some "reformist club" but as a party that "had a

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[16] Sikand, "The Emergence," 19.

[17] Sikand, "The Emergence," 20.

[18] Sikand, "The Emergence," 20.

program for a complete life, which extended not just to social and educational affairs, but also to the seat of the government" and that "politics cannot be separated from Islam."[19] Elections were seen as a means to ensure "through legal means... the election of pious and God fearing people as trustees of the public" which would help spread its message to wider audiences than was routinely possible.[20] Electoral participation was also seen as a means to push the Indian government towards the resolution of the political dispute. Sikand further quotes Qari Saifuddin, who was the Secretary General of the Jamaat saying, "If through constitutional and democratic means it is possible to being any sort of reform in the system of governance, the Jamaat-i-Islami cannot ignore them" and that it was a unique opportunity to put before the people an "Islamic alternative".[21] When Jamaat decided to participate in the 1972 elections to the State Assembly, "it viewed these elections as providing it the first opportunity to 'challenge before the people the Western notion of the separation between religion and politics" and that "politics is a part of religion and that it is not forbidden in religion."[22] The aim was to "see 'religion as a living reality' and that it was struggling to have 'the exaltation of the same witness to the truth (*shahadat-i-haq*) inside the chambers of law as it was striving for in the world outside."[23]

The electoral participation for Jamaat in Kashmir was a part of the process of Islamic movement that gave it newer platforms to spread its message. Thus, in the debates inside the State Assembly its elected members would argue for laws in tandem with the Islamic norms besides raising the disputed status of the state of Jammu and Kashmir and the relevant UN resolutions that had been overlooked by the Indian government.[24] Thus, the Jamaat would strongly condemn the Indira-Abdullah Accord, under which the offices of the President and the Prime Minister were changed to those of the Governor and the Chief Minister, arguing it to be a violation of the international law that had granted the people of Kashmir the right to decide their future by means of a plebiscite that involved all the people of the state which could not be annulled by signing a pact with a single individual. Jamaat was banned under the emergency declared by Indira Gandhi

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[19] Sikand, "The Emergence," 20.
[20] Sikand, "The Emergence," 20.
[21] Sikand, "The Emergence," 20.
[22] Sikand, "The Emergence," 21.
[23] Sikand, "The Emergence," 21.
[24] Sikand, "The Emergence," 21.

in 1975, and its leaders were imprisoned. The ban was lifted in 1977 when the Janata Party came to power.[25]

After the Sheikh-Indira Accord, Plebiscite Front, a group that was closely related to National Conference, and that continuously mobilized for self-determination of Kashmir according to the UN resolutions, was disbanded. Many of the former members saw Sheikh Abdullah's surrendering of the claim for Kashmiri self-determination and becoming the Chief Minister of the state as the worst betrayal.

For Jamaat on the other hand, the decade of 1970's was "a period of consolidation and gradual growth for JIJK's political strength and influence" the organization suffered a setback in rioting against its members when Zulfikar Ali Bhutto was hanged in Pakistan by the Zia-ul-Haq regime in Pakistan. Jamaat members in Kashmir became the target of massive anti-Zia agitations as Jamaat-e-Islami of Pakistan was part of the Zia administration. "In the three days of rioting, property worth some 400 million rupees belonging to the JIJK and its members had been destroyed or looted."[26]

The political situation further deteriorated in the next decade. As Sikand writes,

"The 1980's witnessed the emergence of the stirrings of protest in Kashmir, which, in a few years were to take the form of a full blown independence struggle. Indian despotism, the lack of internal democracy, the rigging of successive elections and a mounting economic crisis, coupled with the growing power of anti-Muslim Hindu right in India, led increasing number of Kashmiris into overtly anti-Indian forms of protest."[27]

Besides external events like the 1979 Islamic Revolution in Iran, the Afghan war against the Soviets, the armed struggle against the Indian state in Punjab etc became the sources of inspiration for "large sections of Kashmiri Muslim youth in their struggle for freedom from Indian rule."[28] But even then the Jamaat was committed to the resolution of the Kashmir dispute through peaceful means. Jamaat upheld the position that was laid by Qari Saifuddin in its annual congregation in 1979 saying that the Jamaat "has always desired that the Kashmir issue should be resolved through constitutional means and dialogue (*a'ini aur shura'I tarique*) and had been

[25] Sikand, "The Emergence," 22.
[26] Sikand, "The Emergence," 22
[27] Sikand, "The Emergence," 22.
[28] Sikand, "The Emergence," 22.

"presenting the matter before the people and the government" through newspaper releases and its own literature."[29]

The constitution of Jamaat-e-Islami did not allow any underground activity. But there were groups independent of Jamaat which thought on radical lines. Al-Fatah had been active for long since the 1960's and the group had also procured some arms.

Later other Islamic inspired groups became active, or were being formed, and would go on to play important roles in the armed struggle. Islami Jamiat-i-Tulaba or the Islamic Organization of Students or IJT was founded in 1960s but became active under the leadership of Sheikh Tajamul Islam after 1980.[30] Islamic Students League or ISL was active in late 1980's and consisted of "both Islamist and secular students, many of whom later played key roles in militancy."[31] Ansarul Islam (Helpers of Islam) was another group founded by Hilal Ahmad Mir alias Nasirul Islam in September 1983, which was renamed from Shubbabul Islam (The Youth of Islam) founded in December 1977.[32] Al-Fatah was one major group that had been active since 1970's, and had carried out sporadic armed activity as well.

During the decades of 1980's efforts were already on for the starting of armed rebellion in Jammu and Kashmir on a low scale. Jamaat was also involved in this through talks with the Pakistani government.

The chief and founder of Jamaat-e-Islami in Jammu and Kashmir, Maulana Sa'aduddin Tarabali, a highly regarded spiritual figure, had met Maulana Abdul Bari of Pakistan's Jamaat-e-Islami in the village of Ajis, outside Srinagar. Maulana Bari had received a go ahead from General Zia-ul Haq to motivate the Jamaat leader for the beginning of the armed struggle in Jammu and Kashmir.[33] Sa'aduddin was, however, apprehensive of the Pakistani role. "To Din, Pakistani army wasn't simply a wise course for Kashmiri independence. And certainly not for an organization like Jamat-e-Islami – which struggled independently."[34] The idea was that Pakistan

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[29] Sikand, "The Emergence," 23.

[30] Arif Jamal, *Shadow War: The Untold Story of Jihad in Kashmir*, (Melville House Publishing, 2009), 118.

[31] Jamal, *Jihad in Kashmir*, 119.

[32] Jamal, *Jihad in Kashmir*, 120.

[33] Jamal, *Jihad in Kashmir*, 111.

[34] Jamal, *Jihad in Kashmir*, 111.

will support the struggle for Kashmir's freedom, but the actual fighting will have to be done by Kashmiris themselves.

Later meetings would happen in Saudi Arabia between other Kashmiri leaders and the representatives of the Pakistani establishment. It was intended that Jamaat would recruit young men who would be sent for training across the line of control. Din was opposed to such maneuvers. He believed that "no action should begin until victory was assured."[35] In May 1983, Din met General Zia and accepted Pakistani involvment in future efforts of the struggle in Kashmir, but he did not commit fully. For Din, the role of the Pakistani army should be limited to military training and financial support; rest would be the domain of Jamaat-e-Islami of Kashmir. It took a little time for a full agreement.

After the eventual agreement the first group of volunteers that went across the LOC for arms training also included Sa'duddin's son. This trend would later continue when Hizbul Mujahideen started operation on a full scale with a considerable number of armed cadres coming from Jamaat linked families or their sympathizers.

In spite of the fact that the Jamaat-e-Islami of Jammu and Kashmir had been involved in talks for long with the elements of the Pakistani state on the issue of the start of the armed struggle, there was a slow movement vis-à-vis the issue and the actual start of the armed activity on the ground. Even as late as 1986, Jamaat maintained a public position in favor of "an organized (*munazam*) and peaceful (purman) struggle" for achieving the right to self-determination. In 1986, this was the opinion of Syed Ali Shah Geelani who had been a member of State Assembly and a senior leader of Jamaat in Kashmir. Geelani would later become one of the most ardent supporters, and an important ideological figure, in the armed struggle in Kashmir earning the title of *imam-e-jihad/amir-i-jihad* (The Leader of Jihad).[36]

This prompted contacts between the Pakistani state and the Jammu Kashmir Liberation Front (JKLF), which had come into limelight again after the killing of Indian diplomat Ravindra Mhatre by a group in Birmingham called Kashmir Liberation Army, which was seen as related to

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[35] Jamal, *Jihad in Kashmir*, 114.

[36] Sikand, "The Emergence," 24. Amelie Blom, "A Patron-Client Perspective on Militia-State Relations: The Case of Hizb-ul-Mujahidin of Kashmir," in Gayer and Jaffrelot, *Armed Militias of South Asia: Fundamentalist, Maoists and Separatists*. (UK: C. Hurst & Co, 2009), 144.

the JKLF, and the consequent hanging of the JKLF leader Maqbool Bhat in Tihar Jail by the Indian authorities on 11th of February 1984.[37] Jamaat had maintained a curious position on Bhat's hanging. One hand it expressed sorrow over his death but sought to raise questions over his advocacy of the use of violent means.[38]

The elections to the State Assembly in 1987 formed a major turning point in the history of Kashmir. A wide section of pro-self-determination parties including the Jamaat-e-Islami and Islamic Students League came under the banner of Muslim United Front to contest elections and with the promise to raise the Kashmir dispute in the assembly. The Indian state seemed threatened by the maneuver and resorted to massive rigging and electoral fraud along with outright repression. The elections are "considered to be the most compromised in Kashmir's recent history... in this election, voters were intimidated, ballot boxes tampered with, and candidates threatened..."[39] Many of the would be key militant leaders including Yasin Malik, Ashfaq Majid Wani, Shabir Shah, Javed Mir etc were canvassing for the MUF in these elections. The current Supreme Commander of the Hizbul Mujahideen, Maulvi Yousuf Shah better known as Syed Salahuddin, had contested these elections from Rajouri Kadal constituency in Srinagar, and in spite of overwhelming support was declared as having lost. The massive rigging of the 1987 elections and the arrest and intimidation of MUF leaders put a halt to all hopes for the resolution of Kashmir dispute through peaceful means. Within a year the armed rebellion was out in the open.

According to Abdul Aziz Dar alias General Moosa, [40]

> "Jamaat had no intentions of starting an armed struggle at that stage. Its constitution did not allow underground activity and it had worked peacefully for spreading the message of Islam in Kashmir. The elections of 1987 saw massive rigging. 'Democratic martial law' was established. Many intellectuals, youth, members of civil society were imprisoned and tortured. The rigging of elections had been a blow. And it made them think about the options at hand. Many of those who were jailed decided to use their contacts across the

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[37] Jamal, *Jihad in Kashmir*, 123.

[38] Sikand, "The Emergence," 23.

[39] Sumit Ganguly, "Explaining the Kashmir Insurgency: Political Mobilization and Institutional Decay," in *International Security*, Volume 21, Number 2, Fall 1996, 105.

[40] Abdul Aziz Dar served as *amir-e-tehsil* of Jamaat-e-Islami in Srinagar, and later joined the Hizbul Mujahideen and served as its Divisional Commander in Srinagar taking the *nom-de-guerre* General Moosa. He is now a member of the political formation Tehreek-e-Hurriyat (Movement for Freedom) headed by Syed Ali Shah Geelani.

LoC and use Azad Kashmir as their base camp. People did not go to America or Iran. Azad Kashmir and Pakistan were the natural options."[41]

On July 31, 1988 the members of the pro-independence Jammu Kashmir Liberation Front (JKLF) carried out two explosions in Srinagar city. One of them took place outside the Central Post and Telegraph Office and the other near the Amar Singh club. Two other bombs, near the Congress party headquarters and Radio Kashmir building failed to explode.[42] After the initial bombings on July 31 1988, JKLF continued to carry out other attacks. The armed struggle started by the JKLF got overwhelming support. Other groups were pushed into action.

FORMATION OF THE HIZBUL MUJAHIDEEN

The eventual formation of Hizbul Mujahideen was a result of merger of different Islamic oriented groups. Ansarul Islam, Al Badr, Al Hamza, Zia Tigers were some of the groups that were already active. Initially, most of them received training in JKLF run camps in Pakistan Administered Kashmir. JKLF did not recognize them as separate organizations. In fact, the July 31, 1988 bombings were carried out by Al Hamza cadres that worked under the JKLF.[43]

On June 11, 1989 a Majlis-e-Shoura (the Executive Council) meeting of Ansarul Islam members renamed their organization Hizbul Mujahideen (The Party of Fighters). Hilal Ahmad Mir was elected the leader. He chose the *nom de guerre* Nasirul Islam (The Helper of Islam).[44]

There was another Hizbul Mujahideen that was formed around the same time. Muzaffar Shah and Masood Sarfaraz had earlier formed a group called Hizbul Ansar. In August 1989, Sarfaraz was sent to Indian Kashmir by the Jamaat-e-Islami of Azad Kashmir, to raise a broad alliance of Islamic groups under the banner of Hizbul Mujahideen. Sarfaraz, an articulate guerilla commander, had been associated with Gulbudin Hekmatyar's Hizb-e-Islami in the Afghan Jihad. The name Hizbul Mujahideen had a specific resonance for him. His idea for Hizbul Mujahideen was clear: "the central tenet would be militancy, but ideological differences needed to be put

[41] Personal Interview with General Moosa, July 3, 2012.
[42] Jamal, *Jihad in Kashmir*, 130.
[43] Jamal, *Jihad in Kashmir*, 138.
[44] Jamal, *Jihad in Kashmir*, 140.

aside if at all possible. And the group would need not to associate itself with a particular political or religious party."[45]

Hizb-e-Islami itself had seen the participation of quite a few Kashmiris, most prominent being Muhammad Abdullah Bangroo, who fought in Afghanistan against the Soviets and later became a prominent commander of the Hizbul Mujahideen in Jammu and Kashmir.

The name Hizbul Mujahideen literally translates as the Party of Fighters. Its name had another resonance. The initial letters 'Haa' and 'Meem' are same as the first two letters of the first one word verse of the chapters 40-46 of Qur'an.[46] The slogan "Hizbul Mujahideen - Haa-Meem" was thus symbolic of organizations' roots as being inspired by Islam.[47]

Later, the two different, independently made Hizbul Mujahideens, along with some other organizations coalesced to form the unified Hizbul Mujahideen. The new setup was supposed to induct those people who were committed to militant struggle as a means of politics, and their background organization did not matter.[48]

"After three weeks of discussion, Hilal Ahmad Mir brought his group together with Masood Sarfaraz's group, thus merging the two Hizbul Mujahideens."[49] According to Jamal, a meeting of twenty-nine commanders took place in October 1989, wherein Ahsan Dar was appointed as the Chief Commander of the group. Ahmad Alai and Ashraf Dar would represent the group in Pakistan Administered Kashmir. Later Hilal Ahmad Mir was made the *Emir*. In addition, a twenty member council and a five-member decision making group was established. To prepare the constitution of the group, another section was appointed.

In September 1990, a meeting of Hizb and MJF commanders proposed the merger of all major Islamic organizations that included Hizbul Mujahideen, Muslim Janbaz Force, Tehreek Jihad-e-Islami, Hizbullah and Al-Umar Mujahideen under *Muttahida Jihad Council* (United Jihad Council). UJC was setup in October 1990. Currently the Hizbul Mujahideen is the largest

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[45] Jamal, *Jihad in Kashmir*, 140, 141.

[46] There are no meanings associated to the word 'Haa-Meem' in Qur'an. According to the Islamic tradition, the meanings of these words are only known to Allah. Nevertheless, in the text they do account for a poetic sensibility and literary style.

[47] Personal interview, June 30, 2012.

[48] Jamal, *Jihad in Kashmir*, 141.

[49] Jamal, *Jihad in Kashmir*, 141.

constituent of the UJC with Syed Salahuddin, the Hizb Supreme commander, as its chief. The Chairmanship of the UJC is permanently with the Hizb.[50]

DEVELOPMENT OF THE STRUCTURE OF THE HIZB

After the two Hizbul Mujahideen's had coalesced, the offices of patron, *amir* and chief commander were setup to form the executive leadership of the revamped Hizbul Mujahideen. A central *Majlis-e-Shoura* (Executive Council) was setup that would have two representatives from each district of the Kashmir Valley. Patron was to appoint the *amir*, while both together will nominate the chief commander. The first patron of the Hizbul Mujahideen was Yousuf Shah alias Pir Syed Salahuddin, a member of the Jamaat-e-Islami.

When Salahuddin removed Ahsan Dar from the position of group's chief commander, Dar held a press conference to protest the decision and announced Hizbul Mujahideen to be an armed wing of the Jamaat-e-Islami. In turn Hilal Ahmed Mir alias Nasirul Islam, the *amir,* reacted against it. He announced the dismissal of Ahsan Dar and declared HM to be "the armed wing of Islam and not of Jamaat-e-Islami."[51] In his interviews with Jamal, Ahsan Dar has said that he had made the declaration on his own "only to draw the Jamaat-i-Islami into the armed struggle."[52]

Hilal Ahmed Mir protested this development by moving out of the Hizb, along with his key associates, to eventually form Jamiat-ul-Mujahideen on June 17, 1991. The other reason that led him to go ahead with the formation of a separate Jamiat-ul-Mujahideen was what he saw as the monopolization of power by Ahsan Dar.[53]

Members of other groups, like Ghazi Ilyas of Allah Tigers and Saifullah Khalid of Al-Badr, merged with Hizb. One important addition to Hizb was the inclusion of Muzaffar Shah and Abdul Majeed Dar, who had before merged into Tehreek-e-Jihad-i-Islami. Majeed Dar, who

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[50] Rana, *Gateway,* 515.
[51] Jamal, *Jihad in Kashmir,* 145. Murtaza Shibli, "Kashmir: Islam, Identity and Insurgency (with case study: Hizbul Mujahideen," (London: *Kashmir Affairs,* 2009), 23.
http://www.spearheadresearch.org/pages/documents/Islam,identity_and_insurgency.pdf
[52] Jamal, *Jihad in Kashmir,*
[53] Mohammad Amir Rana, *Gateway to Terrorism,* (London: New Millenium, 2003), 505.

would later be a key commander of the organization, was appointed the Secretary General of the Hizbul Mujahideen.[54]

In October 1990, Salahuddin had shifted base by crossing over to the Pakistani administered Kashmir, and carried on his attempts to consolidate the organization.

On November 3, 1991, further reorganization took place. To strengthen the guerilla activities, a strong structure needed to be put into place. The offices of secretary general, emir and patron were done away with, and a new structure with the Supreme Commander, given to Syed Salahuddin, at its head was established on. The *Majlis-e-Shoura* (The Executive Council) was made permanent, with a twelve member command council, in turn elected by the *Majlis-e-Numaindagan* (Council of Representatives) that consisted of two senior commanders from each district of Jammu & Kashmir.[55]

The organization was diversified into various departments. "Different departments were founded under different commanders to carry out different activities. For example, launching department, intelligence department, press and publications, department of education and training, logistics department, finance department and department of communications" were put into operation.[56]

The Supreme Commander headed the Divisional Commanders of the North, South, Central, DC Doda, DC Chenab divisions. The North Division included Kupwara and Baramulla districts. The Central Division included Budgam and Srinagar districts. The South Division consisted of Anantnag and Pulwama districts. The DC Chenab Division included Doda, Kishtawar and Udhampur. Then there was Col. Gulab Gard Division that included Rajouri and Poonch. And, the Jammu Division included the Jammu city.[57]

There were various 'companies', 'battalions' and 'platoons'. The names of these came mostly from figures in Islamic history or from the Islamic world.[58] The structure was as follows: each Platoon has three Sections, each led by a Section Commander. Three to five Platoons formed one

[54] Jamal, *Jihad in Kashmir*, 146.

[55] Jamal, *Jihad in Kashmir*, 163. Rana, *Gateway*, 491.

[56] Rana, *Gateway*, 491, 492.

[57] This scheme has been given by Jamal based on his interviews with various Hizb Commanders. Another scheme is the DC of North, South, Central, East, West divisions and a separate division for Poonch and Rajouri called the Pir Panjal Division.

[58] Rana, *Gateway*, 492-495.

Company. Three Companies formed one Battalion. In each district there were two to three Battalions depending upon the strength. "Each platoon has three sections led by section commanders. Each section has eleven Mujahideen, each platoon has thirty-three, each company has ninety-nine, and a battalion has 313 Mujahideen."[59] Every district has a district commander. The District commander is answerable to the Divisional commander, who in turn was answerable to the Commanders Operations Valley, who was finally answerable to the Supreme Commander.

HIZB'S RELATIONSHIP WITH THE JAMAAT-E-ISLAMI

Hizbul Mujahideen began as an independent organization without any direct allegiance to any political group. However, Hizb was considered an ideological affiliate of the Jamaat-e-Islami in Kashmir as many of its top commanders and much of its cadre came from Jamaat members or those who sympathized with the group or identified with its ideology.

The Jamaat-e-Islami of Kashmir had been ambivalent about supporting the armed struggle publicly. Among the important known members, only Syed Ali Shah Geelani seemed to support the call to the armed struggle, and that too in his individual capacity.[60] "Geelani *sahib* used to say that if democracy is not allowed to function, then people would be left with no other option than to fight."[61] This was markedly different from the position that Jamaat leaders had earlier taken on the hanging of Maqbool Bhat and the question of the armed struggle.

Hizbul Mujahideen's relationship with Jamaat-e-Islami was a complicated one.

"The Jamaat constitution had no room for any underground activity. But by late 1980's the conditions had changed. The massive state repression that ensued in the aftermath of the elections of 1987 had made everyone ponder about the available choices. On top of it Governor Jagmohan banned the Jamaat-e-Islami. Its members were being hounded and they were on the run. In such a situation what would have been the way out?"[62]

Besides, the call to arms had been overwhelmingly welcomed by the people of Kashmir. There was an unprecedented support for the Mujahideen. In such a situation, where on one hand the Indian state had left no room for the democratic processes, which could possibly throw up

[59] Rana, *Gateway*, 492. Abu Muslim Abdullah, *Hizbul Mujahideen: Tehreek-e-Azadi Jammu Kashmir key ufaq par (Hizbul Mujahideen: At the horizon of the Freedom Struggle of Jammu Kashmir)*, (Rawalpindi: Hizb Media Centre, 2013), 169.

[60] Jamal, *Jihad in Kashmir*, 142.

[61] Personal Interview with General Moosa, July 3, 2012.

[62] Personal Interview with General Moosa, July 3, 2012.

unpalatable choices that would contest the Indian sovereignty in the assembly or parliament, along with the banning of various organizations, and on the other hand the popularity of the rebellion for *Azadi* (Freedom), many individuals members started joining the armed struggle.

"Considering the situation Jamaat could not have spoken against armed struggle for they had been instrumental in talking about Jihad from an Islamic perspective and about the resolution of the Kashmir dispute. And after the ban on Jamaat-e-Islami it was decided that if members joined the armed struggle in their individual capacity Jamaat would not object to that. But that decision was not a decision at the level of the party else everyone would have to join.

I approached Bangroo *sahib* on my own. I did not inform the *amir-e-jamaat*. Later in 1991, when they realized I had gone along with others like Salahuddin, Shamsul Haq, Ismail *sahib*, I was asked where I wanted to be, and I chose to be with the Hizb. After the martyrdom of Bangroo Sahib I took the charge of the Hizbul Mujahieen in Srinagar till the morning of 16th September 1991."[63]

Jamaat-e-Islami's cautious position on Hizbul Mujahideen was informed by the apprehension that if the organization supported the armed activity publicly its members would come in the line of the direct repression of the state. And Jamaat had time and again suffered that already. But the fact that many of its members were joining the armed struggle also led to some rethinking.

"Qari Saifuddin *sahib* and Kashani *sahib* had suggested the change in the constitution of the Jamaat to incorporate the armed struggle. But by then most of the young members had already left for Hizb on their own. There is a fine principle here: Jamaat's position was not against picking up the gun, but its constitution did not allow and underground movement. It was safeguarding that principle. But the reality was also that many of its members had already joined the mass movement in their individual capacity to struggle for the resolution of the Kashmir dispute, and carry out in practical terms the notion of jihad that Jamaat upheld. The fight of oppressed against the oppressor is a part of such jihad."[64]

Jamaat, in principle, never went public with the call for armed struggle neither did it oppose it publicly. But the fact that many of its members served at important positions in various organizations informed its role and presence in the armed movement. The members of Jamaat who joined Hizb continued to remain formal members of the Jamaat as well.

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[63] Personal Interview with General Moosa, July 3, 2012.
[64] Personal Interview with General Moosa, July 3, 2012.

HIZB'S *ZABITA-E-IKHLAQ* & *MA'YAR-E-SHAMULIYAT* (CODE OF CONDUCT & STANDARDS FOR RECRUITMENT)

Hizbul Mujahideen lays down certain ideological principles for the recruitment of its cadres and guidelines for conduct by its Mujahideen.

Abu Muslim Abdullah (Malik Abdullah) in a recent book *Hizbul Mujahideen: Tehreek-e-Azadi Jammu Kashmir key ufaq par (Hibzul Mujahideen: At the horizon of the Freedom Struggle of Jammu Kashmir)* delineates certain principles for the recruitment of Hizb cadres. Hizb cadres are expected to be firm believers in Islam as a true way and a total guide for life, and should be ready to give utmost sacrifice for its practical implementation. Should abide by the obligations of Islam and avoid major sins. He should be ready to leave his home or travel for the conduct of *Jihad-fi-sabillilah* (Jihad for the sake of Allah). He should be disciplines and obey organizational orders. He should commit his life voluntarily to jihad and establishment of Islam. He should fully agree with the organizational aim of self-determination for Kashmir and its accession to Pakistan.[65]

The constitution of Hizbul Mujahideen ratified in June 1999 lays down the fundamental principle of the *tanzeem* (organization) to be the call of Islamic *shahadah* (bearing witness) of 'There is no God, but Allah, and Prophet Muhammad is the messenger of Allah' and organizational aim to 'seek the pleasure of Allah through establishing the divinely ordained way of life'.[66]

Section 6 of the constitution of the Hizbul Mujahideen mentions the following regarding the Kashmir issue: "Hizbul Mujahideen pledges to carry out the armed struggle to liberate Jammu and Kashmir, that is under forcible occupation of the Indian state (*bharat*), and an internationally recognized disputed territory, from Indian occupation. This legitimacy of (this struggle) has been accepted by United Nations Organization (UNO) and also by the charter of the Non-Aligned Movement (NAM) countries."[67]

Hizb intends to struggle against and liberate Jammu and Kashmir from the grip of a "non-religious democracy and Hindu nationalistic order" that causes oppression and occupation of

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[65] Abdullah, *Hizbul Mujahideen*, 171.
[66] Abdullah, *Hizbul Mujahideen*, 171, 172.
[67] Abdullah, *Hizbul Mujahideen*, 173.

Kashmir and replace it with *nizaam-e-haq* (the system based on truth) ordained by Allah for his people through Islam to establish peace, justice, fairness and lead to material and spiritual development of humanity.[68] It equates Hindu nationalism of India with its secular democracy and considers it as non-religious and un-Islamic.[69] The claims of democracy and secularism in India are seen to be masks over the actual oppressive nature of its state and the brahmanical ideology it upholds.

"GAWAHAR-E-MASOOD" (PEARLS OF MASOOD)

To talk about the ideology of the Hizbul Mujahideen and to understand the focus and rationale behind organization's activities, and the articulation of its political demands and concerns, I would mostly rely on a collection of articles by Abdul Hameed Tantray, better known by his nom de guerre Commander Masood Tantray: *"Gawahar-e-Masood: Shaheed Commander Masood ki Tehreeroun ka Majmooua"* (Pearls of Masood: A Collection of the Writings of Shaheed Commander Masood), published in 2006[70].

The articles deal with various issues relating to the armed movement in particular and are of great significance due to the fact that Commander Masood had been an active guerilla and a top ideologue of the organization. Thus, these articles form an authentic voice and a text from which the articulation of the ideology of the organization can be studied. Besides, Tantray's text is more scholarly in nature, as he is responding to various issues in a public newspaper, and makes a more interesting reading.

I will delineate the ideology of Hizbul Mujahideen through various broad themes that are apparent in Tantray's text, along with other sources, to bring out the character of Hizbul Mujahideen which is the interest of my study.

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[68] Abdullah, *Hizbul Mujahideen*, 174.

[69] Abdullah, *Hizbul Mujahideen*, 176.

[70] Masood Tantray, *Gawahar-e-Masood: Shaheed Commander Masood ki Tehreeroun ka Majmooua (Pearls of Masood: A Collection of the Writings of Shaheed Commander Masood)*, (Srinagar: Shah Hamadan Publications, 2006)
The articles were originally published in the Urdu weekly *Chattan*, between 1st October 2000 and 9th July 2001, published from Srinagar after the Hizbul Mujahideen declared ceasefire in July 2000. Tantray, it must be noted was killed on 24th July 2001 by the Special task Force of the J&K Police in an 'encounter'.

ARMED STRUGGLE – REASONS AND LEGITIMIZATION

Hizbul Mujahideen believes in the use of armed struggle as a matter of strategy, among other means, to liberate Kashmir from the Indian rule. The armed struggle for Hizb is *Jihad-bi-Saif* (fighting through sword/arms). The rationale and legitimacy for armed struggle is sought through both by citing the historical context of the right to self-determination and legitimacy of armed jihad in Islamic discourses.

To understand why there was a need for an armed struggle after four decades of participation in political processes Tantray wants us to consider the historical and legal perspective vis-à-vis the Kashmir issue. "The accession that India talks of with Kashmir is temporary and conditional."[71] He brings in references, of the Kashmiri Prime Minister Mehr Chand Mahajan under Dogra rule and British historian Alistair Lamb who to question the whole process of accession to India, to call it the "biggest fraud of the world".[72] Besides he also brings attention to various the statements of Jawaharlal Nehru who considered Jammu and Kashmir as a special case, where there was a need for a referendum. India's promise to let the people of Kashmir decide their fate is not just with Kashmiri people and Pakistan, but a promise made to the international community. "It was India that took the Kashmir issue to the United Nations and the world fraternity accepted the right to self determination of the people of Kashmir from this platform only, which was also accepted by the countries of India and Pakistan."[73]

For Tantray, the treaty with Maharaja, promises of Indian leaders and United Nations resolutions are morally binding upon the Indian state. Instead India only strengthened its control over Kashmir and used various ploys to alter the Muslim majority character of the state. This relegation of treaties is one of the major grounds for justifying armed struggle.

The immediate cause that precipitated the route to arms Tantray refers to the manipulation of the 1987 elections which transformed Maulvi Yusuf into Syed Salahuddin, when he had clearly won elections over his rival Ghulam Mohiuddin Shah, but was declared as having lost the elections and imprisoned. The elections of 1987 are an important moment for the freedom struggle for Tantray that led to the people of Kashmir to decide in favor of an armed struggle.

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[71] Tantray, *Gawahar-e-Masood*, 35.
[72] Tantray, *Gawahar-e-Masood*, 35.
[73] Tantray, *Gawahar-e-Masood*, 35.

This, according to Tantray, transformed the whole political scenario of Kashmir. Syed Ali Geelani, who was a three time elected member of the state legislative assembly from Jamaat-e-Islami started talking about jihad. Abdul Gani Lone who was not only a member of the legislative assembly but had also been a cabinet minister said, "Indian government thinks that by arresting few people they will decimate the pro-Pakistan elements, however, now the children will be born pro-Pakistan."[74] Professor Abdul Gani Bhat, who was a professor teaching Persian, was also dismissed from his job. "The assembly elections of 1987 were the last attempt to get their rights (by the people of Kashmir)."[75]

ISLAMIC SANCTION FOR THE ARMED STUGGLE – BREAKING OF TREATIES

The relegation of promises on part of India is seen as treacherous. This is one of the major reasons that justify the armed struggle.

Tantray points out to the Quranic injunction to bring home the point that allows Muslims to fight those who have broken their promises and a guarantee of victory for the believers, who might be weak in terms of strength or resources:

> "But if they violate their oaths after their covenant, and taunt you for your Faith, - you fight the chiefs of Unfaith: for their oaths are nothing to them: that thus they may be restrained. Will you not fight people who violated their oaths, plotted to expel the Apostle, and took the aggressive by being the first (to assault) you? Do you fear them? Nay, it is Allah Whom you should more justly fear, if you believe! Fight them and Allah will punish them by your hands, cover them with shame, help you (to victory) over them, heal the breasts of believers, And still the indignation of their hearts..."[76]

Tantray also points out to *Meesaq-e-Madinah,* a treaty that was signed by Prophet Muhammad after his migration to Madinah with three Jewish tribes of *Banu Nazeer, Banu Qeen-qaa' and Banu Qaraayiz.* But when all three of them broke the treaties and also tried to help the enemies of Muslims, Prophet ordered killings of some of them and many others were forced out of Madinah.[77] In the same manner the breaking of treaties that had promised the right to self-determination to the people of Kashmir justifies armed action against Indian soldiers in Kashmir.

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[74] Tantray, *Gawahar-e-Masood,* 40.

[75] Tantray, *Gawahar-e-Masood,* 40, 41.

[76] Verses 12-15, in "The Repentance (At-Tawbah)," in *The Quran,* tans. Abdullah Yusuf Ali, (New Delhi: Goodword Books, 2012), 123.

[77] Tantray, *Gawahar-e-Masood,* 50.

SANCTION THROUGH THE LIFE OF PROPHET MUHAMMAD

Armed struggle finds sanction in the life of the Prophet as well. And it is thus the sanctioned Prophetic tradition as Prophet Muhammad fought wars to fight the enemies of the Islamic state and create free conditions for the spread of the teachings of Islam. The same way a discourse of freedom not backed by might won't be enough for the liberation of Kashmir.

Tantray writes that it is not merely enough to think that Islamic knowledge based upon the teachings of the Quran will be disseminated by itself. In addition to the revelation of the text of the Quran, Allah also bestowed explanatory and legislative powers upon Prophet Muhammad and then directed them to fight the battles of *Badr, Uhud, Ahzaab, Hunain*. To make applicable the message of Islam for humanity, Prophet Muhammad made supplication to Allah to give him political governance:

"And (O Lord) make a 'political setup' my help..." (Bani Israel, 80)[78]

Prophet Muhammad also mentioned:

"Allah makes those things happen by the will of the government, that he doesn't through Quran."[79]

"And to establish a ruling political setup, one will need *jihad-bil-saif* (struggle of sword) along with *jihad-bil-lisaan* (struggle with tongue, referring to preaching of the Islamic message)."[80]

Islam is a religion of peace but it does sanction war in the times of need. Tantray writes that Prophet Muhammad sent his men to far off areas for spreading the message of Islam, and he talked to those who came to him, but also led them in the battle of *Badr* even though the Muslims were outnumbered 3:1. In the battle of *Uhud* Muslims lost seventy men, about ten percent of their forces, in just one day which included top commanders like Hamza and Musaib bin Umair.[81] Thus, in the Islamic way there is a balance between various kinds of actions. This is important in the case of Kashmir as the armed struggle was waged against a much stronger

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[78] Tantray, *Gawahar-e-Masood*, 46.
[79] Tantray, *Gawahar-e-Masood*, 46.
[80] Tantray, *Gawahar-e-Masood*, 46.
[81] Tantray, *Gawahar-e-Masood*, 48.

Indian state with a troop concentration of more than 700,000 people. Much like in the battle of Badr that Maasood mentions the armed fighters are vastly outnumbered in Kashmir.

'POLITICAL CUM RELIGIOUS' STRUGGLE

For Hizb, the struggle for the liberation of Kashmir is not a purely 'religious fight'. It also has what one could refer to, a secular, temporal dimension. Tantray throughout his book gives political, historical, and legal, in addition to the religious reasons for the legitimacy of the armed struggle in Kashmir. The former are used to chalk out the dimensions of the struggle and locate the specificity of Kashmir dispute. The religious reasons have mostly to do with legitimizing the struggle from the point of view of Islam as well, which is natural for a group that swears by the call of *shahadah* as its fundamental ideological principle.[82] Thus, time and again, Tantray goes back and forth. This scheme is present throughout the book and is also evident legitimating the armed struggle, to justify present actions in the case of Kashmir context through recourse to historical occurrences at the time of Prophet Muhammad.

Tantray writes that the Kashmir struggle has a clear political and historical context but that does not make it an Islamic movement. When we talk of the United Nations resolutions we should keep in mind that these are laws made and voted for by non-Muslim countries. If this movement is considered a movement for right to self determination then it surely is a movement of Muslims, though not an Islamic movement, as it is the Muslims that have made the sacrifices.[83] This is important as Tantray gives primacy to the notions of international law and United Nations resolutions.

Shibli writes that the Hizb "despite its use of religious symbols is today a nationalist militant organization that has shed most of its Islamist past and that aims to accommodate the aspirations of the widest constituency of the Kashmiri people."[84]

According to General Moosa,

> "Kashmir dispute is given basis by the United Nations resolutions. We say that United Nations Resolutions should be implemented and Kashmir issue resolved. If someone says that we have nothing to do with the United Nations resolutions, then the basis of Kashmir

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[82] Abdullah, *Hizbul Mujahideen,* 171, 172.
[83] Tantray, *Gawahar-e-Masood,* 138.
[84] Shibli, "Islam, Identity and Insurgency," 9.

> dispute is negated. So, when UN resolutions are there, we can say that it is a human issue. And since most of the people living here are Muslims, by that fact they have a relationship with Islam. That way the issue also gets a religious dimension. But essentially it is an issue of the people of Jammu and Kashmir. That was Hizb's position then."[85]

For Tantray, however, the fact that the movement has religious sanction as it is allowed by *shariah* (Islamic law) also highlights the fact that the people who sacrifice their lives do it for a greater cause. This greater cause, in the domain of religion, is again legitimized by concrete historical occurrences.

In his interviews, Syed Salahuddin, the Supreme commander of the Hizbul Mujahideen, routinely refers to the internationally accepted and historical right to self determination of the people of Kashmir as guaranteed by the United Nations resolutions as well as promises made by the Indian leadership to the people of Kashmir. When asked whether Kashmir was a religious or a political issue, Salahuddin once replied that it was *"harj, marj"*, meaning a mixture of both.[86]

ISLAMIC SYMBOLISM

The apparent contradiction about the nature of conflict lies in the way Islam is imagined. As Tantray writes that Islam is a complete way of life that guides us from the issues of personal hygiene to international relations, tell us about the ethics of treaties with Muslim and non-Muslim nations, differentiates between the 'land of peace' (*dar-ul-islam*) and 'land of war' (*dar-ul-harb*).[87] This notion of Islam as *din* – a way of life rather than merely limited to religious ritual should help us to understand the different imagination from a 'purely secular mode' of struggle that limits its vocabulary to the commonly accepted notions of the political.

Moreover, in the case of Kashmir specifically, going deeper into the history of political mobilization in the past century one would find out the expression of popular mobilization has often used an Islamic idiom, since it's the dominant religion in the region. In this regard it is difficult to imagine a purely secular discourse of nationalism emerging in Kashmir.

The fact that JKLF's, the organization that defined itself as secular-nationalist, call to armed liberation was also couched in the vocabulary of *jihad* where its fighters that would be killed

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[85] Personal interview with General Moosa July 3, 2012.
[86] Personal interview, June 30, 2012.
[87] Tantray, *Gawahar-e-Masood*, 122.

would be *shaheed* points towards this fact. JKLF also made use of Islamic symbolism to rally its fighters and mass support for its call of national liberation while it aimed at carving out an independent and secular state of Jammu and Kashmir, different from Hizb's aim of Kashmir's merger with 'Islamic Pakistan'.

For a movement to be successful it had to be embedded in the existing social networks and structures that were available. JKLF lacked that, beyond symbolic popularity of its use of the slogan for Azadi. This was the reason that, according to Paul Staniland, the JKLF as a movement collapsed. While Hizbul Mujahideen, an organization that was much more embedded in the existing local structures was resilient and survived longer, and continues to be a strong force till date.[88]

According to Staniland, the social base of the Hizbul Mujahideen in Kashmir provided by the Jamaat-e-Islami made it an effective and coherent insurgent group. The Jamaat's social structure in turn was "not broadly popular but deeply embedded within and across local communities."[89] This provided vertical and horizontal social ties that helped in the formation of powerful organization.

As explained above, Jamaat since its formation in 1940's had followed a nonmilitant approach that sought to change the society through educational activities. They had a network of schools in the valley. Jamaat also participated in the election processes; however they upheld their position on Kashmir as an unresolved dispute. This was in continuation of, one need to keep in mind, of the mobilization in Kashmir, at least from the Dogra period in mid-nineteenth century that had happened along religious lines. Amongst the majority Muslim population of Kashmir the mobilization against an overtly Hindu state of the Dogra autocrat took place on the lines of religion. The Dogra "Hindu ruler who was explicitly rather than incidentally Hindu governed a numerically preponderant subject population which was explicitly and not incidentally Muslim."[90] There was a intertwining of the political and the religious struggle, in which Muslim subjects were marginalized and the legitimacy of the Dogra king to rule was irrespective of their wishes.

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[88] Paul Staniland, "Organizing Insurgency: Networks, Resources, and Rebellion in South Asia," *International Security*, Volume 37, Number 1, (Summer 2012), 164-166.

[89] Staniland, "Rebellion in South Asia," 163.

[90] Rai, *Hindu Rulers, Muslims Subjects*, 13

This laid down the roots for Islam as a symbolic inspiration for almost any popular movement that could arise in Kashmir. This is repeatedly seen in a number of events throughout the course of twentieth century from the events of July 13, 1931, when around 22 people who were protesting against the desecration of the Holy Quran were shot dead outside Srinagar's central jail by Dogra forces, to the Quit Kashmir movements against Maharaja Hari Singh, to the *Moe Muqaddas* controversy in 1970's. Politics and religion, together, have always informed the events in Kashmir.[91]

Keeping the above in mind, one could argue that in Kashmir nationalism and political aspirations are thus bound to have a symbolic Islamic bent. Besides, Shibli's contention regarding Hizbul Mujahideen that "the HM, despite its use of religious symbols is today a *nationalist militant organization*" remains a relevant observation while looking at Hizb.[92]

For Shibli many of the writings, about the political as well as militant resistance in Kashmir, from the Indian point of view, like Praveen Swami's *India, Pakistan and the Secret Jihad: The Covert War in Kashmir,* focus on the *'jihadi'* nature of the resistance overstating its influence on the movement. These writings in their focus on the use of over Islamic imagery by the pro-freedom politicians and resistance fighters "fail to appreciate the historical reasons that prompted Kashmiris to use Islamic symbolism in their struggle."[93] Insurgency in Kashmir is usually described by outside observers as 'Islamic militancy', 'Islamic insurgency', 'Islamic terrorism' or Jihad. One of the reasons given as by Praveen Swami is that the armed actors themselves define their project in such terms.[94] For Shibli,

> "While self-descriptions of their struggle with reference to Islam or Muslim identity might be true even of insurgent groups like the JKLF, even though it aims to establish a secular state, the failure to contextualize these reasons for the use of these idioms and instead reduce them to a caricatured understanding of jihad is unsatisfactory. Rather than enabling any understanding of the nature of the long lasting popularly backed resistance in Kashmir, it produces hackneyed accusations of the illegitimacy of protest. This is particularly true in the increasingly securitized climate of the post 9/11 world, when such labels as 'jihadi' or 'Islamic terrorism' have become readily available to discredit rather than comprehend all manner of struggles being waged by Muslims, such as the

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[91] Shibli, "Islam, Identity and Insurgency,"

[92] Shibli, "Islam, Identity and Insurgency," 9.

[93] Shibli, "Islam, Identity and Insurgency," 10.

[94] Praveen Swami, *India, Pakistan and The Secret Jihad: The Covert War in Kashmir, 1947-2004,* (New York: Routledge, 2007), 6, 7.

Kashmiris' struggle. Such perspectives discount the particular processes through which politics and religion became intertwined within a Kashmiri discourse of struggle."[95]

The thrust of the Kashmiri resistance movement is clearly given by Tantray,

"Our movement has clear political and historical background and as such this is not an Islamic movement. This is a movement for the right of self determination...(and)...not an Islamic movement, but a movement of Muslims... In response to the demands of right to self determination the Indian government and their agents have always targeted only the Muslims with their repression."[96]

Besides the historical evolution along the lines of religious identity there is an additional factor that reinforces the clinging to communal identity among Kashmiri Muslims. Apart from the fact that the majority of Muslim population in Kashmir Valley, most of the districts of the Jammu region and Kargil area are discontented with the Indian rule, the domination of the Indian state comes across in stark Hindu religious terms. This can gauged from the fact that many of the counterinsurgency operations are given Hindu religious names like 'Shiva', 'Cobra', etc.[97] Among the myriad army camps dotted across the Kashmir Valley, temples are a protruding sight. The army vehicles have names like 'Shaktimaan'. This feeds to the imaginary of a war against India as a Hindu nation.

CONTEXTUAL FACTORS – RECENT ROOTS OF ISLAMISM

Besides, the local historical factors there were other contextual factors that played their role to give Kashmir's vocabulary of resistance an Islamic color. The success of the Iranian Revolution in overthrowing the US backed Shah had given hope to wider Islamic movements all over the world; Kashmir was no exception to this trend. The fighters against the Soviets in Afghanistan were internationally referred to as *Mujahideen* drawing religious and popular legitimacy to their fight against the foreign occupation. Both the events added "new idioms to the Kashmiri lexicon of resistance." While accepting the role of international events in the Muslim world, particularly the above mentioned Iranian Revolution in 1979 and the Afghan Jihad against the Soviets, in influencing the Kashmiri psyche, Shibli contends that the potency of Islamic discourse as an ideological force for mobilizing the masses strengthened in seventies and eighties.[98]

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[95] Shibli, "Islam, Identity and Insurgency," 18.
[96] Tantray, *Gawahar-e-Masood*, 138.
[97] Shibli, "Islam, Identity and Insurgency," 19.
[98] Shibli, "Islam, Identity and Insurgency," 20.

At this time Pakistan had stopped its efforts in Kashmir, as a consequence of the disastrous 1971 war against India which saw East Pakistan break away and become Bangladesh. Soon after, Pakistan signed the Shimla Agreement that further weakened its position vis-à-vis India on the Kashmir issue. "Many Kashmiris, dejected and demoralized, compensated their loss of an ally in Pakistan through their growing recourse to a broader Islamist discourse."[99]

The Indian policy at this moment lent a tacit support and gave space to the Islamist discourse in Kashmir to neutralize Kashmiri nationalist sentiment that was driven by the vanguard in the form of the *Mahaz-e-Rai Shumari* or the Plebiscite Front. The immediate beneficiary of this policy was the Jamaat-e-Islami of Jammu & Kashmir that participated in the electoral politics. In the elections to the State Legislative Assembly of 1971, Jamaat won 5 seats giving them "not only official approval, but also unprecedented visibility and access to the state's resources and machinery."[100] Many observers contend that giving a ground to the Islamists in the electoral scenario was a deliberate strategy of the government.

There is a feeling that in case of Kashmir Indian government is more comfortable with the resistance being colored in Islamic terminology rather than in purely secular terms as its helps it, in view of global cynicism against Islamic movements and Islamophobia, to divert attention from the actual political, legal and historical reasons that actually underlie such struggles.[101]

On the other hand the Jamaat-e-Islami in Pakistan also got strengthened as it became the go between the Americans and the Pakistani establishment on the one hand and the Afghan fighters on the other. Zia's rule also saw them getting hold of power and resources. Considerable amount of Jihadi literature was produced in Pakistan at this time, some of which found its way into Kashmir. A considerable amount of this literature "celebrated the bravery Afghan Mujahideen against the 'infidel' Russians, attributing it to their *iman* or faith deriving from a highly valorized notion of Islamic piety. Such ideas resonated profoundly with Kashmiris who were fighting their own battle against Indians, now increasingly fitted into the rubric of 'infidels'."[102] Novels of such type like *Pahaadoun ka Beta* that dealt with the deeds of a young Afghan boy, Ali, who

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[99] Shibli, "Islam, Identity and Insurgency," 20.

[100] Shibli, "Islam, Identity and Insurgency," 20.

[101] Najeeb Mubarki, "The Islamism Bogey in Kashmir," *The Economic Times,* August 26 2010, accessed October 17, 2012 http://articles.economictimes.indiatimes.com/2010-08-26/news/27608337_1_religious-extremism-islamists-attempt

[102] Shibli, "Islam, Identity and Insurgency," 20.

turns to become a Mujahid (fighter) and fights bravely against the Soviet troops, Naseem Hijazi's *Aur talwaar tout gayi* and other novels. This was in addition to the popularity of literature of Islamic revolutionaries like Syed Qutb's *Mualim Fi-Al Tariq* (Milestones), Hasan-Al-Bana's *Mujahid Ki Azaan* (A Fighter's Call), Maulana Maududi's *Al-Jihad Fi-Al-Islam* (Jihad in Islam) etc.

The connections would transcend literature. During the initial phase of the armed struggle militant groups had made statements about the presence of *mehmaan* mujahideen or guest militants referring to the foreign militants, mostly but not exclusively Afghans, who came to join the ranks of the mujahideen in Kashmir. The Indian state at first sought to downplay these declarations, portraying them as attempts by Kashmiri fighters to "boost the sagging morale of their cadres", so as to minimize the symbolic power it could have to boost the morale of Kashmiri fighter. However, Shibli argues that this thinking changed after the World Trade Centre bombings in New York in February 1993.[103] Now the foreign presence could be invoked to link and portray the Kashmiri resistance as being part of the world wide network of Islamic terror rather than an indigenous movement of Kashmiris. From acknowledging a presence of handful foreigners whose numbers were over-exaggerated to report in the 1993 October edition of *The Economist* about 'some 300-400 strong' 'foreign legion' to the claim of the DG of the BSF in the same month about "2300 foreign mercenaries", the focus on the portrayal of the foreign element only increased. By 2003, Indian officials claimed that 75 percent of the fighters were foreigners.[104]

> To support their claims, the date provided by the Indian government showed a year by year increase in the deaths of jihadis in gun-battles with the Indian armed forces. However, these claims cannot be verified independently and have to be qualified owing to scores of incidents of staged fire-fights wherein the Indian army and the paramilitary forces have killed innocent civilians, mutilated their bodies and claimed them to be 'foreign militants' or jihadis.[105]

While the focus on and the portrayal of foreign Islamic connections of the armed movement in Kashmir remained a priority of the Indian government, "Hizbul Mujahideen was purging

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[103] Shibli, "Islam, Identity and Insurgency," 22.
[104] Swami, *Secret Jihad,* 194.
[105] Shibli, "Islam, Identity and Insurgency," 22.

remnants of foreign militants from its structure mostly because their presence was increasingly clashing with its own newly revised and evolving objectives and goals."[106]

This trend continues still. The Indian government is quick to label groups like Lashkar-e-Toiba and Jaish-e-Muhammad, comprising of largely foreign militants, in any activity that takes place in Kashmir, even in cases when Hizb claims responsibility and actually carries out the attacks. This was evident in a recent attack on the Indian army in Srinagar.[107]

However, Hizb has had connections with other groups outside Kashmir. Apart from the obvious ideological and political connections with the Jamaat-e-Islami of Pakistan, some members in Hizbul Mujahideen were closely connected to Gulbuddin Hekmatyar's Hizb-e-Islami in Afghanistan. There was an influx of foreign fighters who were referred to as *mehmaan* mujahideen and would come to fight under the local command of the Hizb. Shibli mentions three of the top foreign fighters: Akbar Bhai from Afghanistan who had been a member of Hizb-e-Islami, Ibn Mas'ud of Sudan, a short man, who was a bomb making expert, and had earlier fought in Afghanistan and Mast Gul who was from Pakistan's tribal areas and after the famous fight at Chrar Shareef in 1995 went back across the Line of Control. Shibli believes that there were around 300 foreign militants with Hizbul Mujahideen.[108]

The term 'foreign militant' has also been a subject of dispute. In an interview with Pakistani new channel '*Aaj* News' Syed Salahuddin makes a distinction between 'foreign fighters'. Many of them are for him '*Kashmiri-ul-asal* (actual Kashmiris) that have migrated to Pakistan, or *Kashmiri-ul-nasl* (Kashmiri by lineage)" who thus have equal right, as people born and brought up in Kashmir, to participate in the struggle for the liberation of Kashmir, and therefore, should not be regarded as 'foreign' militants.[109]

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[106] Shibli, "Islam, Identity and Insurgency,"22.

[107] "Set your house in order, Salahuddin warns separatists," *Kashmir Dispatch,* July 6, 2013 http://www.kashmirdispatch.com/headlines/060712176-kashmir-get-your-house-in-order-salahuddin-warns-separatists.htm

[108] Shibli, "Islam, Identity and Insurgency,"

[109] Syed Salahuddin interview with Wajahat S. Khan "syed salahuddin hizbul mujahideen Exclusive Interview on Jammu and Kashmir." On *Aaj News.* Youtube Video, posted by punjabrangs, on Dec 24 2010. Accessed on February 4 2013, part 1: http://www.youtube.com/watch?v=BlPFRa1wpqw, part 2: http://www.youtube.com/watch?v=K5TNSEKQvhI, part 3: http://www.youtube.com/watch?v=brqeS7IcbmY

ON THE PAKISTAN QUESTION

In the beginning of the armed struggle in Kashmir there was no clear division between pro-Pakistan and pro-Azadi groups. Many of the militants that would later join clearly pro-Pakistan Islamic organizations were trained at JKLF camps. Moreover, JKLF took responsibility for most of the initial attacks no matter who did it. The broad coalition of militants slowly started drawing into various armed groups.

At that time Hizbul Mujahideen began as an outright pro-Pakistan outfit supported as it was helped by greatly by the Pakistani establishment. In the pro-Pakistan circles in the Kashmiri resistance movement, Kashmir is regarded as the unfinished business of partition. Amelie Blom mentions the "historic resolution" that was adopted at the organization's secret headquarters in Srinagar that mentioned that "Pakistan was created in the name of Islam and the organization fights to reunify Kashmir and Pakistan."[110] The seven point resolution was passed on 27th of October 1990. In addition to Hizbul Mujahideen the other participating organizations were Al-Umar Mujahideen, Al-Jihad, Ansarul Islam, Jamiat-ul-Mujahideen and was also ratified through statement by the conglomerate of "independence minded organizations" Tehreek-e-Hurriyat-e-Kashmir.[111]

Tantray, writes in the beginning of his chapter 'Kashmir, Jihad and Pakistan', "We believe that Pakistan has more right over the state of Jammu and Kashmir than India. And according to the partition plan that was formed on 3rd June 1947, Kashmir is a natural part of Pakistan."[112]

For Hizb, as for Jamaat-e-Islami and many other pro-Pakistan groups in Kashmir, the logic of the division of subcontinent on the religious basis makes Kashmir a natural part of Pakistan due to its being a Muslim majority region. Thus, even though Hizb per se rejects nationalism, as its talks about its ultimate aim of establishing *din* – the divinely guided way of life all over the world - they do still uphold a version of it in the form of Pakistani nationalism or a religious nationalism that is legitimized by the idea of Pakistan as a homeland for Muslims and not any nationality.

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[110] Blom, "The Case of Hizb-ul-Mujahidin of Kashmir," 140.
[111] Abdullah, *Hizbul Mujahideen,* 175, 181.
[112] Tantray, *Gawahar-e-Masood,* 118.

Pakistan is thus an idea. It is often argued that Pakistan comprises of various nationalities of Punjabis, Sindhis, Balochs, Pathans, Kashmiris and the only uniting factor for them is their religious bond of being Muslims.

In a sense, there is a compromise with which most of the groups that claim allegiance to Islamic *ummah* have to work with. The reality of the division of the global Muslim community into Islamic states is a fact that cannot be transcended in practical terms. Thus, the Islamic movements, who might have not theoretical allegiance to the concept of the nation-state, are thus forced to work through the very nation state. This can be seen all in different contexts like for example Hamas' stand in Palestine which locates itself as an organization inspired by Islamic principles but working in the context of the Palestinian national liberation. In Chechnya Muslim fighters came many parts of the world to fight for the liberation of Chechnya as a country. Same was the case with the war in Bosnia, etc. In all these contexts, while the global Islamic *ummah* remains the ideal to be achieved in the long term, and also draws people from different areas to come and fight in support, the immediate end that is sought is of the liberation of the Muslim nation.

PRAGMATIC, STRATEGIC APPROACH – NEED FOR TREATIES

In the chapter on 'Kashmir, Jihad and Pakistan' Tantray lays out a strategic approach vis-à-vis Kashmir issue. The approach is much different from the declarations of other militant groups operating in Kashmir, like the Laskar-e-Toiba, and brings out the unique political and pragmatic character in the ideology of Hizbul Mujahideen.

In his article dated 26th of February 2001, Tantray defends the Pakistani state's ban on the open display of arms and collection of funds in the name of jihad against foreign countries. He is critical of certain religious organizations that that had condemned the decision.[113] The strategy is again to go back to the references from Islamic context, as he understands it, and then look at the practical context at hand.

ISLAMIC TEACHINGS ON TREATIES – MAINTAINING INTERNATIONAL RELATIONS

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[113] Tantray, *Gawahar-e-Masood*, 122.

Tantray talks about the Islamic teachings that lay out the ethics of conduct vis-à-vis Muslim and non-Muslim countries in the domain of international relations. He refers to the fact that when Prophet Muhammad migrated to Medina, "he rejected the policy of making animosity with the whole world" substantiating this with reference to *Mesaaq-e-Madinah* (Treaty of Madinah), a treaty that was signed with Jewish tribes.[114]

Tantray further quotes from Maulana Maududi's commentary on the chapter *Anfaal* (Spoils) of the Quran regarding the Prophetic strategy of putting pressure on the Quraish and other enemy tribes through the control of trading highway that passed near the city of Madinah towards Syria, where these tribes went for business and trading. The issue of putting pressure through the control of highway was most important, after the establishment of the initial Islamic society in the city of Madinah and making treaties with Jewish tribes. Two important strategies were used for this purpose: one was to make treaties with the tribes that lived between the city of Madinah and Red Sea Coast to make them either allies or at least neutral parties in case of conflict with the enemy tribes. This strategy was a success and many among these people also converted to Islam thereby inflating the strength of Muslims. The other was to terrorize/threaten the caravans of Quraish by sending small groups of people, in which Prophet also joined at times.[115]

Thus it is established that Prophet did not chose making enemies of all the non-Muslims. When the situation was hostile with respect to the tribe of Quraish, treaties of peace and cooperation were sought with other tribes.[116] These treaties were sought to be followed in letter and spirit. Tantray quotes from Quran, "As long as they stand true to you (in treaties) stand true to them (in your promises): for Allah does love the righteous."[117]

Tantray refers to the commentary of Maulana Maududi's in the chapter *An-Nahl* (Bees), verses 91 and 92. Here Maududi talks about three types of promises in the order of their importance. First, is a promise made between man and God. Second, a promise made between one person or a group and another person or a group in Allah's name. Third type is a promise made without

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[114] Tantray, *Gawahar-e-Masood,* 123.

[115] Tantray, *Gawahar-e-Masood,* 123, 124.

[116] Tantray, *Gawahar-e-Masood,* 124.

[117] Verses 7, in "The Repentance (At-Tawbah)," in *The Quran,* tans. Abdullah Yusuf Ali, (New Delhi: Goodword Books, 2012), 122.

invoking Allah. Even though the last one's importance is the least, however, it is binding to follow all of them.[118]

The Islamic way for Tantray is that treaties should be respected and should not be broken merely for national interest, and harm the opposition. One should not break a promise with the opposition party. Following the true way is not merely about holding a true ideology, but means and resources should also be upright.[119]

Tantray refers to the Quranic injunction that says if there is an evidence of possibility that the other side will break the treaty, then instead of plotting secretly against them, the treaty should be declared to have been broken. He quotes from Quran, "If you fear treachery from any group, throw back (their covenant) to them, (so as to be) on equal terms: for Allah loves not the treacherous."[120]

Tantray also quotes a saying of Prophet Muhammad to this effect that says whosoever has a treaty with a 'group' (qaum) should either follow it till its end time or break its away publically. The general principle being, don't cheat those who don't cheat you.

In addition Tantray introduces and explains in detail the concept of vilayat. The Arabic word literally refers to friendship, help, guardianship etc. The people who are the citizens of Dar-ul-Islam are related to each other through vilayat, or are each others vali. With regard to those Muslims who live outside the boundaries of Dar-ul-Islam, or are living in it but not as its citizens, the relationship is that of deeni ikhwat (friendship on the basis of religion) but not the political relationship of vilayat. Thus if those Muslims who are not part of Dar-ul-Islam are under oppression, they should be helped in lieu of their rights as fellow Muslims, but that kind of help will have to be within the contours of international convention and ethics. Thus, if the oppressor nation has a treaty with the Islamic nation, then the persecuted Muslims in that country will be helped only to the extent that does not go against the limits of the treaty.[121]

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[118] Tantray, *Gawahar-e-Masood,* 125.

[119] Tantray, *Gawahar-e-Masood,* 127.

[120] Verse 58, in "The Spoils of War (Al-Anfal)," in *The Quran,* trans. Abdullah Yusuf Ali, (New Delhi: Goodword Books, 2012), 120.

[121] Tantray, *Gawahar-e-Masood,* 129, 130.

Tantray further explains, the term for treaties used in the Quran has been *mesaaq*. The literal meaning of the term in Urdu and Arabic is of 'trust'. This refers to the treaty of non-belligerence between two groups. Besides, if the Islamic state enters into a treaty with another state, then it is also incumbent upon the Muslims, who are citizens of the Islamic state, to follow the terms of the treaty. Tantray writes that according to the Islamic *sharia* if the Islamic state enters into a treaty with another state, then it is not allowed at all by the *sharia* that citizens of the state do not adhere to the ethical responsibilities set up by the treaty. However, those Muslims who are not the citizens of the Islamic state have no such binding.[122]

TREATIES IN THE PAKISTAN CONTEXT

Thus Tantray considers the above mentioned ruling of the Pakistani state, which banned public display of arms and collection of money for jihad against foreign nations, as correct according to the principles of the foreign policy that should be followed by the Islamic state.

For Tantray the stance of certain groups in Pakistan, who view countries like Iran, US, UK, China and even Saudi Arabia in the same manner as they view India, and make empty declarations of jihad against all of them, is responsible for complicating the situation for Pakistan at the international level. This kind of rhetoric antagonizes even the friendly countries like Saudi Arabia and Iran.[123]

Referring to the initial friendliness of Iran to Pakistan vis-à-vis the Kashmir issues, Tantray recounts an incident when Iran, in the initial days of the armed movement, refused to welcome the then visiting foreign minister of India I.K. Gujral in view of the fact that Indian armed forces were killing Muslims in Kashmir. But over the years the anti-Shiite and anti-Iran rhetoric and activities like the killing of Iranian Counsel General Aaqaaye Sadaaq Ganji, made Iran closer to India. Same is with China who is warming up to India due to the talk of Islamic fundamentalism.

Tantray mentions United States as well, which considered Pakistan an ally during the Afghan war with Soviets, but due to rhetoric and sloganeering of 'America, we are coming' by the armed men, it sees Syed Salahuddin's demand for the self-determination of Kashmir in the same manner as it sees Osama bin Laden's declaration of war on America. Tantray makes a point that

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[122] Tantray, *Gawahar-e-Masood*, 131.
[123] Tantray, *Gawahar-e-Masood*, 132.

this kind of empty posturing won't have any effect on the agenda of powers like United States in concrete terms, but it will unnecessarily make situation difficult for the state of Pakistan. "The best strategy this time" writes Tantray "is that we should focus all our energies on just one front. To create multiple enemies at one time is neither appropriate for our position nor the way of Prophet Muhammad."[124]

Pakistan, for Tantray, is unnecessarily moving in such direction. Then there are other realities that we need to consider. The young people in Pakistan look forward to go to Western countries like the US and UK, for education and employment. Until the people of Pakistan themselves are self-confident and enlightened, no movement against the US or UK is going to succeed in the subcontinent. Pakistan is dependent for its defense on the US. And a large chunk of Pakistanis work in the UK. "When the whole world has transformed into a global village" Tantray writes "the defense, economic well being and overall development of the various parts of this village, is dependent upon each other."[125]

The conditions that we are presented with, thus, need to be taken care of while we make our strategies. And we are given guidance about dealing with any situation through the life of Prophet Muhammad. As it was evident in the fact that Prophet himself commanded Muslims in 27 battles during the ten years of his stay at Madinah and made plans for 82 wars, while at the same time he told Muslims "Don't harm the Ethiopians (*Habshi* – people of *Habsha*, modern day Ethiopia) till they don't harm you, and don't harm the Turks till they don't harm you (Abu Dawood through Mashkawaat)" in recognition of the generous treatment of the Christian state of Ethiopia with Muslims.[126]

In the light of Prophetic strategy and the global conditions, Tantray writes, that the government of Pakistan is bound by all the written and unwritten relations/understandings with other countries, and it is the responsibility of its citizens also to follow those codes of conduct. Pakistan should become an example of conduct by following its promises with the international community.[127]

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[124] Tantray, *Gawahar-e-Masood,* 133.
[125] Tantray, *Gawahar-e-Masood,* 134.
[126] Tantray, *Gawahar-e-Masood,* 134, 135.
[127] Tantray, *Gawahar-e-Masood,* 135.

Talking about the Kashmir discourse getting entrenched in the noises about Islamic extremism, Tantray writes that the propaganda of Islamic fundamentalism that has been raised by Western powers and its followers, and reinforced through some of our actions, is not in the national interest of Pakistan, and is additionally much harmful for the self-determination movement of the people of Kashmir. To solve the Kashmir dispute Pakistan needs to create a cordial diplomatic atmosphere at the international level, and for that every Pakistani citizen has to serve as its ambassador.[128]

Even though, some people might not like these ideas, Tantray pleads his case on the basis of his faith and as a *mujahid* that one cannot achieve victory by overlooking Allah's orders or by overlooking Prophetic method. And even if we get what we wanted, that would be without Allah's blessings.[129]

Commenting on the nature of wars, Tantray says that the principle for the wars that Muslims engage in is not mere animosity rather it is based upon Prophetic saying, "Help your brother, whether he is the oppressor or the oppressed." When some person asked, "Oh Prophet of Allah, one can help the oppressed, but how does one help the oppressor?" Prophet Muhammad replied, "Stop him (the oppressor) from committing oppression that is your help to him."[130] Thus jihad, for Muslims, is for the reform of humanity and that which keeps it moving is wishing well for the humanity. The use of strictness ought to be due to a feeling of sympathy, the way a doctor has to sometime inflict some pain on the patient to heal him.[131]

POINT OF DEPARTURE FOR KASHMIRI PEOPLE

In the context of the armed struggle in Kashmir, Tantray clarifies, that the people of Indian Jammu and Kashmir are not bound by these treaties that exist between the states of Pakistan and India. "As per the current conditions, the people of *maqbooza* (occupied) Jammu and Kashmir are not the legal citizens of Pakistan. But they are resisting the Indian occupation and thus don't accept the Indian citizenship."[132]

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[128] Tantray, *Gawahar-e-Masood*, 135.
[129] Tantray, *Gawahar-e-Masood*, 136.
[130] Tantray, *Gawahar-e-Masood*, 136, 137.
[131] Tantray, *Gawahar-e-Masood*, 137.
[132] Tantray, *Gawahar-e-Masood*, 139.

Thus, while Pakistan has to take care of its interests and obligations, Hizbul Mujahideen chief Syed Salahuddin, who represents the indigenous character of the movement, is not bound by these restrictions. Therefore, whoever from the Islamic world wants to help the struggle in Kashmir can help. As for the people of those countries, who do not have treaties of friendship with India, they can themselves join the fight against India. Besides, the overall the role of guest *ansaar* (helper) mujahideen is important as well as effective for the movement, but their participation needs to be regulated according to the principle of *sharia*. This is important Pakistan to garner as much international diplomatic support as possible for the final solution of the Kashmir dispute.[133]

'PEACE OFFENSIVE' – CEASEFIRE AS A STRATEGY

Tantray views the Hizb declaration of ceasefire as an important milestone in the history of the movement. He talks about the Hizbul Mujahideen's declaration of ceasefire, on 24th July 2000, in two chapters *"jang bandi ki kahaani* (The story of ceasefire)"* and *"jadd-o-jihad ka mazakiraati dour* (The dialogue phase of the struggle)"*.

In *jang bandi ki kahaani,* Tantray attempts to clear the air regarding the declaration of the ceasefire. In view of the claim of Hizb of being the only organization of the time that represents the indigenous character of the Kashmiri freedom movement, Tantray says that the organization knows the feelings of the people of Kashmir that in the first place made it the most powerful organization by supplying men and resources to it. Hizb, for him, instead of being related to some state represents the sword of (Kashmiri) Muslims.[134]

Tantray writes that Hizb started as an armed organization in late 1989 and has been active on that front for a long time now, having achieved remarkable successes like the neutralization of counterinsurgency, in the form of *ikhwaan,* after 1995. In April 1999, there were talks among the Hizb ranks and with certain sympathizers that Hizbul Mujahideen, along with fighting on the armed front, should also work on the political and diplomatic level. Even though Hurriyat

[133] Tantray, *Gawahar-e-Masood,* 140.
[134] Tantray, *Gawahar-e-Masood,* 62.

Conference had been active on those fronts and Hizb recognized their work, the idea was that Hizb should transform into a full-fledged, holistic organization.[135]

Indian state, along with outright repression, to crush the movement for self-determination of Kashmiri people that is a legitimate struggle on account of its international recognition, sought to portray it as an extremist and terrorist movement aimed at non-Muslims and a proxy war of the Pakistani state, to obscure its legitimate roots.[136] Besides, the armed movement was projected to have been based on religious fanaticism that only believed in a solution through the barrel of gun. The world community, along with the Muslim countries, was made to believe that these people are not interested in a peaceful solution. And thus they are fundamentally responsible for all the human rights violations that have been going on against the Kashmir people. The Kashmiri struggle for national self-determination was sought to be linked to the likes of Osama bin Laden and Taliban in Afghanistan.[137]

Tantray dismisses what he calls as unwise declarations on part of some people, which gave strength to the above propaganda, who sought to eventually conquer the mainland India and bring America down as mujahideen did to erstwhile USSR. This kind of stuff was responsible for the declaration of Hizbul Mujahideen as a terrorist movement by the US in 1999.[138] While Tantray is clear on the fact that the Kashmiri movement for self-determination does not need the stamp of legitimacy from the US, but then the movement does not believe in increasing the enemy fronts unnecessarily, as is evident by the arguments given before as well. Besides, Tantray writes, if the support of world community doesn't matter then one should also give up lobbying for the cause in places like New York.[139]

Even though Hizbul Mujahideen believes in principle of *aqaamat-e-din* (establishing of the divinely ordained way of life) all over the world, it has its own view vis-à-vis the strategies which doesn't believe in creating animosity with the whole of the world. It is no justice to follow

[135] Tantray, *Gawahar-e-Masood*, 64.
[136] Tantray, *Gawahar-e-Masood*, 110.
[137] Tantray, *Gawahar-e-Masood*, 65, 114.
[138] Tantray, *Gawahar-e-Masood*, 66, 110.
[139] Tantray, *Gawahar-e-Masood*, 66.

a worldwide agenda in which only the Kashmiri people would suffer. The support for Kashmir struggle is already limited to few elements in the base camp (of Azad Kashmir).[140]

India has been consistently raising the bogey of cross border terrorism glossing over the fact that the movement in Kashmir in on due to its forced rule and illegal occupation and not due to Pakistan's policy, that is only limited to moral and diplomatic support. And for a long time this struggle to make Indian state remember its promises was only pursued through peaceful means till the time people got totally disillusioned.[141]

The whole idea that comes out here is that in all the politicking going around the Kashmir issue the real dimension at the root of conflict is getting lost. The diplomatic maneuvers that have taken place on the behalf of Kashmir movement haven't been successful. These are the reasons that made Hizb think about taking steps on the diplomatic and political front, and not because of weakness or fatigue in the organizational ranks.[142] Moreover, the ceasefire offer, according to Tantray was *aman ki yalgaar* (a peace offensive).[143] Hizbul Mujahideen according to Tantray is a strong organization and capable of fighting a long stretched battle for its goals.[144] Hizb knows its strengths and limitations and doesn't believe in overstretching its strength and resource capability to catalyze quickly into a spent force. For Hizb survival till the achievement of the goal is important for the realization of the goal itself.[145]

The Hizb offer of limited ceasefire, for Tantray, has given recognition to the Kashmiri freedom struggle at the international level as a movement for the rights of Kashmiri people. In the same vein, India has also given recognition to the armed movement in Kashmir, and specifically to Hizbul Mujahideen whose representative character was established. The then Indian Prime Minister Atal Bihari Vajpayee gave up the rhetoric of *'atoot ang'* (integral part) and called for a solution to Kashmir issue by giving up obsolete ways.[146] The fact that the Indian appointed delegation, which included the Home Secretary Kamal Pandey, came to Srinagar to conduct talks with the Hizb field commanders, rather than talks happening in Delhi, not only gave Hizb

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[140] Tantray, *Gawahar-e-Masood*, 67.
[141] Tantray, *Gawahar-e-Masood*, 67.
[142] Tantray, *Gawahar-e-Masood*, 68, 110.
[143] Tantray, *Gawahar-e-Masood*, 113.
[144] Tantray, *Gawahar-e-Masood*, 68, 162.
[145] Tantray, *Gawahar-e-Masood*, 111.
[146] Tantray, *Gawahar-e-Masood*, 69, 114.

equality vis-à-vis the Indian government, rather a superiority. Moreover, the United States State Department came out with a detailed statement appreciating, for the first time, a move of an armed organization in Kashmir, and also called on the Pakistani and Indian leadership to make use of the occasion. The achievement of the state department statement, though in no way a must for the legitimacy of the Kashmir struggle, is nevertheless important for Tantray as even the elaborate diplomatic efforts had till now failed to bring about such kind of response. "By declaring a ceasefire, Hizbul Mujahideen achieved more, in two weeks, than others couldn't achieve in a decade."[147]

Ceasefire also established Hizb as an independent organization. While the induction of the new strategy of ceasefire in the armed movement gave some hopes to some sections of people, it also annoyed others. Sections of the Pakistani media equalized it with Nawaz Sharif's surrender in Kargil, which was also because of the fact that the *amir* of Jamaat-e-Islami of Pakistan, Qazi Hussain Ahmad was in the United States when the ceasefire was declared. The Pakistani government was also surprised by the decision, even though the Chief Executive Parvez Musharraf told India that a door for peace had opened, and it should be taken advantage of. Besides, the *ansar* (helper) armed organizations also expressed their unhappiness. Thus, this maneuver firmly gave recognition to Hizb's independence as an organization and the fact that the movement in Kashmir is a people's movement, and only has political, diplomatic and ethical backing of Pakistan, and is not latter's proxy war. Besides, the ceasefire declared by Hizb's exposed India's excuse that the conditions of belligerence were not conducive to conduct talks with Kashmiri leadership and the Pakistani state.[148]

It is important to mention here that at the time of declaration of the ceasefire by Hizbul Mujahideen, there was a lot of confusion. United Jihad Council, a conglomerate of various armed organization fighting in Kashmir, led by the Hizb Supreme Commander Syed Salahuddin had not been consulted. After the declaration of the ceasefire, Hizb which is the largest constituent party of the conglomerate was expelled from its membership and Syed Salahuddin was removed from its leadership. Criticizing the move, Tantray talks about the other constituent organizations that had themselves stopped their activities that implied a *de facto* ceasefire and

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[147] Tantray, *Gawahar-e-Masood,* 69.
[148] Tantray, *Gawahar-e-Masood,* 71.

others who have in principle, *de jure*, stopped armed activity, both without consultations with the UJC.

Tantray refuses that Hizb withdrawal its ceasefire under pressure from Pakistani government and its agencies. While he accepts the fact that there was pressure on Hizb from the UJC, Jamaat-e-Islami of Pakistan and *ansaar* mujahideen, but the main reason was the insincerity of the Indian state that changed statements four times in a matter of two weeks and made its intentions look manipulative and suspicious. Besides, the Indian press also started a propaganda campaign that sought to project factionalism among the Hizb ranks.[149]

The ceasefire offer of Hizb, for Tantray, was thus carved out in keeping certain realities in mind. It achieved some significant results at a symbolic level. However, considering that fact the Hizb is basically an armed organization, it would not sabotage its actual strength or character due to an unclear situation. After the withdrawal of the ceasefire, Hizb's strength and character is once again for all to see. The limited ceasefire was a tactical maneuver and Hizb did not harbor any illusions that the half a century old dispute that wasn't solved in Tashkent, Shimla or Lahore talks or through the agreements in 1947, 1952 and 1975 will be solved just by sitting with the Indian delegation in Srinagar's Nehru guest house.[150]

ARMED STRUGGLE AS A PHASE

For Tantray the armed struggle is a phase in the longer struggle for self determination of Kashmir that started with the partition of the Indian subcontinent itself, "when the people of Kashmir saw through the Dogra Maharaja's ploy of to put Kashmir into India's lap against the wishes of its people."[151] For Tantray, the war in 1947-48 which resulted in the formation Azad Jammu and Kashmir was the first phase of the freedom struggle that liberated a part of Kashmir. The freedom struggle in Kashmir passed through many stages. From Plebiscite Front led by Sheikh Abdullah and Mirza Afzal Beg to the conversion of movement against the theft of *Moe Muqaddas* into an anti-India movement in 1963 to Al-Fatah's activities and working of groups like Jammu Kashmir Mahaz-e-Azadi, People's League, persecution of the members of Jamaat-e-Islami, strike against international cricket match held in Srinagar, and other events are all a part

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[149] Tantray, *Gawahar-e-Masood*, 74, 75.
[150] Tantray, *Gawahar-e-Masood*, 77, 78.
[151] Tantray, *Gawahar-e-Masood*, 38.

of evidence that "Kashmiri people were never happy with India and they never accepted Indian rule even for a moment and freedom struggle was alive one way or the other."[152]

The struggle for self-determination for Hizb thus compasses decades of struggle on various fronts and not merely armed activity that was started on a massive scale in the late 1980's. The struggle is thus holistic and battled out on many diplomatic, political, educational, media fronts and not merely through bullet.

HIZB'S HINDU COMMANDERS

Interestingly in the Doda and Kishtwar districts of Jammu region, which are almost equally divided between Hindu and Muslim populations, a number of Hindu youth joined the pro-Pakistan armed outfits including Hizbul Mujahideen, Lashkar-e-Toiba and Al-Badr. They joined the outfits as Hindus, and most of them later converted to Islam.

Though this has not been a mass phenomenon but is still important. This points to the fact that Hizb's, along with other militant groups', appeal has had the potential to cut across the religious lines, due to the fact that the state repression would not always just stop at targeting the Muslims. One of the reasons that could have been the cause of these people joining the armed militancy is the killing and torture of local Hindus by the Indian Army.[153]

THE 1993 TREATY WITH THE JKLF

The Hizb ideology of Kashmir's accession to Pakistan was in contrast to the ideology of the JKLF. The latter had the goals of achieving an independent Kashmir, the slogan being *Kashmir banega Khudmukhtar* (Kashmir will become independent), as against Hizb's slogan of *Kashmir banega Pakistan* (Kashmir will become Pakistan).

During the early nineties infighting took place between Hizb and JKLF. Staniland refers to the fratricide between the two groups who were ideologically opposed on the question of Kashmir's accession to Pakistan. The infighting was one of the causes of weakening of JKLF which had

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[152] Tantray, *Gawahar-e-Masood*, 39.
[153] Baba Umar, "The Hindu Faces of Kashmiri Militancy," *Tehelka Magazine*, Issue 33, Volume 9, August 18, 2012, accessed October 17, 2012, http://www.tehelka.com/the-hindu-faces-of-kashmiri-militancy/

already become weak due to decline in support from Pakistan compared to what it got when it was at the forefront of the armed struggle.[154]

The infighting was damaging for the movement as a whole. Realizing this fact the representatives of both the groups signed a treaty on 2nd April 1993 at Islamabad Pakistan.[155] The following is the text of the treaty:

"We the following signatories belonging to the Hizbul Mujahideen Jammu Kashmir (HM) and Jammu Kashmir Liberation Front (JKLF) agree on behalf of their respective organizations on the points detailed below subject to the approval by respective highest policy making bodies of the two organizations:-

1. That Hizbul Mujahideen Jammu Kashmir recognizes JKLF's right to project and preach its ideology of independence of the whole state. Similarly JKLF does not have any objection to HM preaching and projecting its ideology of State's accession to Pakistan. Nevertheless both the organizations agree that while preaching their ideology or otherwise, neither organization will, directly or indirectly, have any negative criticism of the ideology, leadership or the programme of the other organization.

2. That both JKLF and HM agree on the point of view that the right of self-determination of Kashmiri people can neither be limited not conditioned and that Kashmiri people have full right to determine the future of the state according to their free will. If in free exercise of their right of self-determination the majority of the people of the state vote for State's accession to Pakistan, JKLF will accept this popular verdict and if the majority votes in favour of complete independence of the state, HM will accept this popular verdict.

3. During freedom struggle, both organizations will cooperate with each other in their fight against their common enemy, Indian colonialism. They also agree that, if and when needed, both organizations, will extend moral, military and political support to each other.

4. That in case of any difference arising between the two organizations, a committee consisting of the nominees of the two parties will settle the dispute." [156]

This line has been the guiding basis of the relationship between pro-independence and pro-Pakistan groups.

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[154] Paul Staniland, "Between a Rock and a Hard Place: Insurgent Fratricide, Ethnic Defection, and the Rise of Pro-State Paramilitaries," *Journal of Conflict Resolution* 2012 56: 16, doi: 10.1177/0022002711429681

[155] Raja Mohammad Muzaffar, Senior Vice Chairman JKLF, Dr. Haider Hijazi, Cultural Forum and Publicity Secretary, and Dr. Farooq Haider, Senior Leader, signed it on behalf "for and on behalf of the JKLF" while as Abdul Majid Dar, Advisor General HM, Shamsul Haq, Member Supreme Command Council, Prof. Ashraf Saraf, Representative of Jamaat-e-Islami and Tehreek-e-Hurriyat Kashmir signed it "for and on behalf" of Hizbul Mujahideen Jammu Kashmir.

[156] "Agreement between the Jammu Kashmir Liberation Front and Hizbul Mujahideen", April 2, 1993, at Islamabad, Pakistan.

CHANGE IN DISCOURSE – LOCAL CONTROL, ADJUSTMENT AND PRAGMATISM

Among the many militant groups that have been fighting in Kashmir, Hizbul Mujahideen, till date has been the most well organized, strong and lasting militant group. It rise and sustenance as one of the most formidable 'groups fighting the foreign occupation'[157] in Kashmir owes to its strong roots in the society through the ideology and working of Jamaat-e-Islami at grass roots level for around six decades now. This, in addition, to a chequered political history under Indian rule since 1947 which saw manipulation of democratic processes, rigging, persecution of opposition parties, use of special laws and consistent reduction of the autonomy. "The insurgency in Kashmir, and in an intimate fashion, the rise of the Hizbul Mujahideen, is a story of the failure of the political process in Kashmir."[158]

Being an indigenous armed outfit, enjoying support and popularity on the ground, Hizb followed a "vastly different trajectory and goals from those of jihadis."[159] Hizb worked with a local sensitivity to the issues at the ground level and followed its own independent line.

Hizb's relationship with the Pakistani establishment, who offered it political support, was tenuous. "ISI officials still didn't feel confident that Hizbul Mujahideen and the Jamat-i-Islami of Indian-controlled Kashmir would act as pure proxies."[160] Thus, a number of other organizations were also supported. This would have a serious effect later on the militant movement in Kashmir as many organizations would tend to pull in different directions. Hizb opposed this policy of fracturing the armed movement into too many groups[161] and wanted to take control of the ground situation, which it managed to a large extent.

Attempts were also made to get the armed organizations sponsored by the political outfits.[162] Hizb opposed such a plan and envisioned a united front of pro-Pakistan armed outfits under a unified command. Its aim was to "eliminate other extremist groups and take the reins of the entire movement."[163] Paul Staniland writes on similar lines that Hizb was, and aimed to be a

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[157]Maegen Nix and Summer Newton, "Hizbul Mujahideen", in *Casebook on Insurgency and Revolutionary Warfare, Volume II: 1962-2009,* United States Army Special Operations Command, April 2012, vii, xiii.

[158] Nix and Newton, "Hizbul Mujahideen", 577.

[159] Shibli, "Islam, Identity and Insurgency," 26.

[160] Jamal, *Jihad in Kashmir,* 150.

[161] Jamaal, *Gawahar-e-Masood,* 150.

[162] Jamal, *Jihad in Kashmir,* 150.

[163] Jamal, *Jihad in Kashmir,* 151.

strong organization, that took the reins of the armed movement in its hand. This was made possible by the strong roots of Hizb in the broader Kashmiri society largely through its ideological affiliate Jamaat-e-Islami.[164] This was the reason that made it into a strong, resilient and a valley wide militant organization.[165]

In 1994, when Harkatul Ansar, another pro-Pakistan armed group, called for a ban on the Amarnath Yatra in response to the destruction of the Babri Masjid and the anti Muslim pogroms following it, but Hizb opposed the declaration by terming it against Kashmiri culture. A framing of policy keeping in mind the local context allowed Hizbul Mujahideen to root itself firmly in the local Kashmiri social context and narrative.[166]

Tensions further emerged between Hizb and foreign its support structure when in 1995 Taliban banned Hizb from using its territory. "As Olivier Roy has demonstrated, while the "Salman Farsi camp in Jawad (near the Pakistani border) was initially a Hizbul Mujahideen camp" eventually "the militants of this organization were expelled by the Taliban".[167] A year later Taliban also closed down the Al-Badr camp in Afghanistan that was used by the Al-Badr group which was a part of the Hizbul Mujahideen.[168] By August 1998, Shibli mentions, when US under President Bill Clinton, launched missile attacks on militant bases in Paktia province of Afghanistan, the Hizbul Mujahideen had severed its relations with the Afghan soil.

In the meanwhile, local restructuring was also taking place. The geo-political setup had changed. The armed movement was no longer at its peak as in the early nineties. After the initial boom, the Indian counterinsurgency had come down brutally on the armed cadre, its sympathizers as well as the local population. The state repression had caused an enormous loss of lives and resources. The JKLF has declared a ceasefire by 1994, and its chief Yasin Malik had declared his intention to continue the struggle through peaceful means. Many groups like Al-Jihad, Muslim Janbaz Force, Hizbollah etc had ceased to exist operationally.

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[164] Paul Staniland, "Organizing Insurgency: Networks, Resources, and Rebellion in South Asia," in *International Security*, Volume 37, Number 1, (Summer 2012), pp. 142-177.

[165] Bose, Sumantra, "JKLF and JKHM: Jammu and Kashmir Liberation Front and Jammu and Kashmir Hizb-ul-Mujahideen," in Tirman, Heiberg, and O'Leary, *Terror, Insurgency and the State: Ending Protracted Conflict*, (University of Pennsylvania Press, 2009), 235.

[166] Shibli, "Islam, Identity and Insurgency,"

[167] Shibli, "Islam, Identity and Insurgency," 24.

[168] Jamaal,

In mid-nineties, the emergency of pro-Indian state mercenaries – *Ikhwaan* – had dented the movement considerably. The *Ikhwaan* was a result of Indian army and Indian intelligence agencies connivance that resulted in the surrender and changing sides of a section of the militant cadre, through force and lure of money and power, to give rise to a ruthless mercenary militia. *Ikhwaan* indulged in large scale atrocities, murder, torture, rape, extortion etc with the state patronage. They particularly targeted the members of Jamaat-e-Islami in Kashmir, killing hundreds of them with total impunity. By mid-1996 Hizb was at its weakest.[169] It took a while for the armed movement to somewhat neutralize them and stabilize itself again by the end of 1997. On the international level, the global powers were unwilling to intervene in the Kashmir situation.

A section of Jamaat's leadership in Indian Kashmir was reconsidering its active relationship with the Hizbul Mujahideen, which had puts its cadres under direct attack of the state repression. Ghulam Mohammad Bhat, who had emerged as the new *amir* of Jamaat-e-Islami in Kashmir by defeating Syed Ali Shah Geelani in the party elections "declared in November 1998 that the organization was not connected with terrorism and that it was committed to democratic and constitutional means to achieve its goal. He added that the JIK members that had been part of the HM were now expelled from the parent organization."[170]

The public delinking from Jamaat-e-Islami of Kashmir provided a new opportunity for the Hizbul Mujahideen "for an image makeover and to emerge as group representing the whole of Kashmir rather than a particular organization."[171]

Towards the end of 1990's Hizbul Mujahideen emerged "as the only Kashmiri militant group to represent Kashmiri aspirations for *azadi*."[172] In July 2000, Hizb announced a unilateral ceasefire with the offer of talks with the Indian government. The ceasefire lasted only two weeks as the Indian response was evasive at best. The information was leaked to the media and hype was created rather than any efforts at serious negotiations.

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[169] Shibli, "Islam, Identity and Insurgency," 25.
[170] Shibli, "Islam, Identity and Insurgency," 25.
[171] Shibli, "Islam, Identity and Insurgency," 25.
[172] Shibli, "Islam, Identity and Insurgency," 25.

The events around the ceasefire, on the one hand, conferred legitimacy to the Hizb as representing the voice of the Kashmiri movement for self-determination. But it also led to internal conflicts within the organization due to the failure of negotiations with the Indian government. The section of leadership involved in the ceasefire came under scrutiny and led to infighting within the organization. Hizb also faced criticism from other jihadi organizations that saw its offer of ceasefire as betraying the cause of the armed struggle.

Post 9/11, there was further rethinking as the Pakistani government under Pervez Musharraf cut down support of the organization as it aligned itself with the US in its "war against terror" in Afghanistan. All this led to serious rethinking in the organization; Hizb "abandoned its pro-Pakistan leanings on a religious commonality alone, and turned to respecting the will of people and therefore positing its belief in democracy and consulting public opinion."[173]

In an interview with *Tehelka* in April 2011, Syed Salahuddin said,

> "The UJC is all for merger with Pakistan. I firmly believe that it is in the interest of the subcontinent that Kashmir goes to Pakistan. I feel that a majority of the people support this stand. However, if people are given the right to self-determination in which they opt for independence, India or Pakistan, we will back them. The UJC will endorse the people's decision. But it is equally true that Kashmiris in all the agitations of the past four years have raised pro-Pakistan slogans." [174]

Thus, Hizbul Mujahideen's journey could be seen in different phases. From its beginning in the 1989 it was a strong guerilla force till the rise of Ikhwan in mid-nineties. After that it focused its energies in recuperating and neutralizing Ikhwan. Then came the offer of ceasefire, which in spite of its failure and causing dissentions within the organization, had a symbolic importance in bestowing legitimacy on Hizb as the representative of the struggle for Kashmiri self-determination struggle. Post 9/11 phase was different as activities were limited due to conditions on ground and lack of support from Pakistan.

Hizbul Mujahideen evolved its ideological stance over the years. From being out rightly pro-Pakistan at the time of its formation, an ideological position that it still maintains as Kashmir's ideal future, it has over the years also come to terms with the narrative for Kashmir's

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[173] Shibli, "Islam, Identity and Insurgency," 26.
[174] Baba Umar, "'We aren't fighting from Pakistan. We are fighting from liberated Kashmir', *Tehelka Magazine*, Vol 8, Issue 13, April 2, 2011, accessed October 15, 2012, http://archive.tehelka.com/story_main49.asp?filename=Ne020411We_are.asp

independence if the people of Kashmir choose so.[175] This position, off late, has also been reiterated time and again by the pro-Pakistan political leadership in Kashmir, including Syed Ali Shah Geelani. This pragmatism at the political posturing has further strengthened the group's credibility among the local population.

During the first half of the decade of 2000's, militant activity in Kashmir was largely under decline. The post-9/11 situation affected Pakistan support of the Kashmiri militant groups as war raged on the other front in Afghanistan between the Taliban and the US led NATO forces. Pervez Musharraf's four-point formulae, ceasefire along the line of control between India and Pakistan led to decline in support for the armed groups. This affected the militant activity on the ground, which turned sporadic.

In 2008, Kashmir erupted into mass protests. Militant groups including Hizbul Mujahideen put a halt to the activities in the urban areas and towns. The stone pelters and mass protestors seemed to have an impact by bringing the question of Kashmir dispute into the world attention like the beginning of the armed struggle had done in early nineties. Salahuddin in one of his interviews, in fact, praised the stone pelting protestors for having done what militant could not.[176] Protests again occurred in 2009 and 2010. However, the Indian state did not respond to the political demands of the Resistance movement in Kashmir. Instead, large scale arrests of youth and the pro-freedom leadership took place. Most were imprisoned under the emergency laws like the Public Safety Act etc.

POST 2008 SITUATION

Since 2012 there has been some resurgence in the militant activities after the failure of mass mobilization of 2008 and 2010, during which time the militant groups had halted their activities in towns and cities, to achieve any progress on the political front, apart from bringing some media attention to the Kashmir dispute. In spite of the symbolic lip service towards the need for the resolution of the Kashmir dispute by the Indian state, the situation on ground has only worsened. There has been heavy state repression against the protestors with hundreds of civilians being shot dead in peaceful protests, thousands injured and arrested under emergency laws.

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[175] Umar, "We are fighting from liberated Kashmir."
[176] Umar, "We are fighting from liberated Kashmir."

Armed struggle seems to have reestablished its instrumental capacity. Currently, its nature is more of a warning that armed fighters have the capacity to hit targets and operate independently in Kashmir and things could escalate if a political solution doesn't arrive soon.

Hizbul Mujahideen has carried out some phenomenal attacks in the past few months declaring its presence once again on the ground in Kashmir. This goes in consonance with the affirmation of the continuation of the armed resistance against India by the Hizb leadership, if the Indian government did not respond to peaceful protests.[177] Recently, after the election of Nawaz Sharif as the Prime Minister of Pakistan, Salahuddin appealed to him not to put Kashmir issue at the backburner in the garb of normalizing Pakistan's relations with India.[178]

Hizbul Mujahideen seems to have reemerged as the frontline group at the head of the armed struggle in Kashmir. Interestingly, the state mostly tries to put the blame on Pakistan based groups like the Lashkar-e-Toiba for the attacks whose responsibility Hizb takes. Hizb represents an indigenous armed movement in Kashmir enjoying popularity locally. When Hizb carries out attacks they represent activity on behalf of the local people, which counters the state discourse of militancy being a phenomenon that is exclusively the work of foreign militants sponsored by Pakistan. The foreign tag given by the government is aimed to deflect attention from that fact that the demand for the resolution of Kashmir dispute enjoys popularity on ground.

As an example, a recent attack carried out the Hizbul Mujahideen fighters against the Indian Army in Srinagar that killed 8 Army men and injured scores others, in June 2013, just a day before the Indian Prime Minister Manmohan Singh was supposed to visit the Valley, was sought to be portrayed by the government as the work of Lashkar-e-Toiba. In response Salahuddin gave a statement contesting the claims of the intelligence agencies that Lashkar was behind every attack in Kashmir. He said, ""Tell us who is in the possession of the weapons snatched by our Mujahideen from Indian Army troopers. Hizb in Kashmir carried every recent attack. India blames LeT for such attacks to defame Pakistan and to make International community believe that the ongoing movement in Kashmir is not indigenous."[179] In the same statement Salahuddin

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[177] Umar, "We are fighting from liberated Kashmir."
[178] "Set your house in order, Salahuddin warns separatists," *Kashmir Dispatch,* July 6, 2013
http://www.kashmirdispatch.com/headlines/060712176-kashmir-get-your-house-in-order-salahuddin-warns-separatists.htm
[179] "Set your house in order, Salahuddin warns separatists," *Kashmir Dispatch,* July 6, 2013.

gave a call to pro-freedom leadership to join hands and work from a united platform for the Kashmir cause.

The new wave of militancy is seen as combined a result of state repression that includes incarceration under special laws, torture, etc. on peaceful protestors since 2008 and which seems to have led increased radicalization of youth in Kashmir to consider a rejuvenated armed struggle as the only way out.[180] Besides, the controversial hanging of Afzal Guru on 9th of February 2013 at New Delhi's Tihar Jail has increased fears that more and more people might be pushed to join the armed struggle. In 1984, the hanging of JKLF's Maqbool Bhat at the same jail on 11 of February was seen as a turning point that motivated the youth in Kashmir to pick up arms.

CONCLUSION

In the ideology and the trajectory of Hizbul Mujahideen in Kashmir once can see different threads that carve out the movement's complex relationship with the secular.

For its justification, apart from bringing in Islamic discourses, it holds on to notions of historical, political and cultural legitimacy for the struggle for self-determination in Kashmir. The movement is seen as a political movement of Muslims, who are its major support base. Hizb's discourse brings in the religious concepts out to be interpreted and appropriated in the public domain vis-à-vis the context at hand. There is a concrete organizational structure with capacity and will for negotiation and engagement with the structures of the Indian state and international institutions to solve the political dispute of Kashmir. Islam remains a symbolic motivating power for Hizb while at the same time it struggles to accommodate aspirations of the Kashmiri society through changed scenarios and adjusts its strategy.

Hizb opposes the 'secular democracy' of India seeing it as a gloss over the actual 'brahmanical and imperial nature' of the Indian state. Hizb's rejection of secularism is, in fact the rejection of

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[180] Zahid Rafiq, "Armed resistance reemerging in Kashmir," *The Christian Science Monitor*, June 25, 2013, accessed June 28, 2013.
http://www.csmonitor.com/World/Asia-South-Central/2013/0625/Armed-resistance-reemerging-in-Kashmir
Azhar Qadri, "Children of Conflict: New face of Militancy in Kashmir," *Free Press Kashmir*, July 9, 2013, accessed July 10, 2013 http://freepresskashmir.com/children-of-conflict-new-face-of-militancy-in-kashmir-055329/
Azhar Qadri, "Children of Conflict: Slain Kashmiri Militant Was a Bright Techy," *Free Press Kashmir*, July 9, 2013, accessed July, 10, 2013 http://freepresskashmir.com/children-of-conflict-slain-kashmir-militant-was-a-bright-techy-033602/
Baba Umar, "How The State Makes Militants Of Young Men," *Tehelka*, Issue 3, Volume 10, January, 19, 2013, accessed July 10, 2013 http://www.tehelka.com/how-the-state-makes-militants-of-young-men/

the claim of India as a secular and democratic state, considering the way India maintains its rule in Kashmir through military force. Besides, India justifies Kashmir being a part of India through its claim of being a secular state. Kashmir, being the only Muslim majority state, becomes important to the self-definition of Indian secularism. For Hizb, this posturing of secular democratic nature and the militarized face of an occupying power gets inflated and combined in its rejection of secularism as an ideology.

At the same time, it very much deals with the secular structures and practices, which is apparent through the political articulation of its ideology.

In the next chapter, I would problematize further the doctrine of secularism by looking at its emergence from its roots in Western Christianity, through the process of secularization of the theological concepts, which then, on one hand, took root in the modernity and its various discourses and socio-political manifestations in terms of ideas and institutions, and on the other, spread through colonialism into non-Western contexts. Thereafter, I would look at the relationship that Islamic movements have had, in general, with this doctrine of secularism as it emerged historically. This would give us newer ways of understanding as to what is at stake in the working of the Islamic movements, like the Hizbul Mujahideen, and what challenge do they represent in their engagement with the secular.

Chapter 3

READING ISLAMIC MOVEMENTS:
THE CASE OF HIZBUL MUJAHIDEEN IN KASHMIR

The question needs to be asked as to how should one approach the study of Islamic movements and their relationship vis-à-vis 'western categories', secularism in particular. I believe this is important because secularism is at the heart of the debate when one is judging the nature and legitimacy of movements across the world.

In this chapter, I intend to layout some theoretical ground before coming to the question of 'Reading the Hizbul Mujahideen'. I will start with Carl Schmitt's notion of political theology which talks about the idea as to how many of the concepts of the modern democratic setups developed out of their roots in theology. Thereafter, I will explore, in some detail, the transformation of Christianity into Secularism, and its relationship with colonialism. I will then look at the relegation of Islam as a civilizational other to that of the West and how that continues to influence the current perspectives about Islam and Muslims.

By looking at the historical engagement of Islamic movements with the doctrine of secularism and its manifestations in the practices, laws and institutions of the modern state, I will attempt to understand what is at stake in such an enterprise and what are the challenges and possibilities that it presents. Drawing from Asad's usage, I will employ the notion of 'complex space' and 'heterogeneous time' with regard to the Islamic movements. I will apply this framework to locate and understand the Islamic movements in general, and the Hizbul Mujahideen in particular, and show how they engage with the tradition and interpret it to remain relevant to the needs of the contemporary times, while holding on to the fundamentals of the faith. Besides, I will also look at the points of differences and similarity between the Islamic movements and the nationalist movements.

I contend that these ideas, along with taking into account the accompanying historical and political context in Kashmir, will enable us to read the Hizbul Mujahideen 'on its own terms'.

POLITICAL THEOLOGY AND THE DEVELOPMENT OF CHRISTIANITY INTO SECULARISM

Many of the concepts of the modern democratic state that we now know as 'secular' have their roots in theology, developing through a series of historical transformations. These changes took place in the context of the development of Western or European civilization. Over the period of time, these concepts came to be regarded as universal standards which became a mark of judgment for the validity, legitimacy and viability of the ideas and concepts that were in practice in the non-European cultures.

Carl Schmitt, a twentieth century German political thinker, writes in his work *Political Theology:*

> "All significant concepts of the modern theory of state are secularized theological concepts not only because of their historical development – in which they were transferred from theology to the theory of the state, whereby, for example, the omnipotent God became the omnipotent law giver – but also because of their systematic structure, the recognition of which is necessary for a sociological consideration of these concepts."[1]

This recognition of the origin of significant concepts in theology was also accompanied by the realization of the fact that the meanings of these concepts did undergo a change over the centuries. Hence, they were no longer known by their original meanings. The concept of 'exception', that is central for Schmitt, which the sovereign decides, and by means of which sovereign is what it is, is analogous to the 'miracle' in theology. The understanding of this analogy was important for Schmitt to appreciate the development of the philosophical ideas of the state.

This change in meanings happened over time. Thus, in the introduction to Schmitt's text, George Schwab writes:

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[1] Carl Schmitt, *Political Theology: Four Chapters on the Concept of Sovereignty,* trans. George Schwab, (Massachusetts: The MIT Press, 1985), 36.

> "Whereas the omnipotent lawgiver was still associated with the personal element of rule in the seventeenth and eighteenth centuries, the personal factor has been dissipated by the nineteenth and twentieth centuries. In reaction to monarchical legitimacy, efforts were made to divide political power, to split it up, to set it against itself. The fragmentation occurred under the impact of such ideas as democratic legitimacy; division of power; the notion that power must be checked by power, which is a central tenet of constitutional liberalism; the idea that sovereignty of law should replace the sovereignty of men."[2]

Schmitt points out that the success of the idea of the modern nation state was along with the triumph of deism, a theology that repudiated the transgression of the laws of the nature and thus the concept of miracle. This was similar to the rejection of the direct intervention of the sovereign in the functioning of a valid legal order. "The rationalism of the enlightenment" Schmitt writes "rejected the exception in every form."[3]

Schmitt stresses the significance of these "fundamentally systematic and methodical analogies" and points out the importance of this connection for drawing out the sociology of juristic concepts, whose political application is seen clearly in a "conceptually clear and systematic analogy"[4] in the writings of Bonald, de Maistre and Donoso Cortes, the Catholic philosophers of the counterrevolution. It was Leibniz who had argued about a systematic relationship between theology and jurisprudence, both having a double principle of reason and scripture. The analogies are visible not only linguistically but also in the details of argumentation.[5]

With the dawn of modern state and positivistic thinking, resorting to theology would become unfashionable, and it became a sort of routine to repudiate an opponent through the charge of her resorting to theology or metaphysics. Sometimes, the charge being that "the religious fiction is replaced by the juristic fiction" which implied an attempt at theologizing.[6]

What Schmitt tends to do here is not simply trace a conceptual result back to a sociological carrier, for that would be psychology. He rather advances the sociology of

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[2] George Schwab, introduction to *Political Theology: Four Chapters on the Concept of Sovereignty,* by Carl Schmitt, (Massachusetts: The MIT Press, 1985), xvi.
[3] Schmitt, *Political Theology,* 37.
[4] Schmitt, *Political Theology,* 37.
[5] Schmitt, *Political Theology,* 38.
[6] Schmitt, *Political Theology,* 39.

concepts aimed at achieving a scientific result for a concept such as sovereignty.[7] "It aims to discover the basic, radically systematic structure and to compare this conceptual structure with the conceptually represented social structure of a certain epoch."[8]

Schmitt is not concerned with whether the concept is reflexive of a sociological reality or whether the latter is a result of (acting out) the concept. He does not aim at showing that a particular concept is 'mirrored' in a certain other, rather to show that the historic-political status of the concept corresponds to a general state of consciousness that is prevalent at that time. And consequently "when the juristic construction of the historical political reality can find a concept whose structure is in accord with the structure of metaphysical concepts."[9]

This kind of sociology of juristic concepts that interests Schmitt is thus a radical conceptualization that shows a similarity of the structure between "the metaphysical image that a definite epoch forges of the world" and what is understood "to be as appropriate as a form of its political organization."[10]

This would imply that the meaning of a certain concept, secularism in our case, would be influenced by the wider consciousness that exists in the society. Islamic movements are guided by a certain metaphysical understanding, a *weltanschauung* that they seek to translate into a form of political organization.

This has been the case historically in other contexts as well. Referring to Rousseau's essay *Political Economy* Schmitt sees a clear politicization of theological concepts, especially with reference to the concept of sovereignty. To the sovereign is applied the idea that philosophers would think of God. "In the theory of the state of the seventeenth century, the monarch is identified with God and has in the state a position exactly analogous to that attributed to God in the Cartesian system of the world."[11] There is a psychological and phenomenological identity in the form of a continuous thread that "runs through the metaphysical, political and sociological conceptions that postulate the

[7] Schmitt, *Political Theology*, 44, 45.
[8] Schmitt, *Political Theology*, 45.
[9] Schmitt, *Political Theology*, 46.
[10] Schmitt, *Political Theology*, 46.
[11] Schmitt, *Political Theology*, 46.

sovereign as a personal unit and a primeval creator."[12] Thus like Decartes had written, "It is God who establishes these laws in nature just as a king establishes laws in his kingdom."[13]

Post French Revolution, scientific thinking started permeating into political ideas, taking over from the 'juristic-ethical' thinking that was predominant in the age of enlightenment. The sovereign, the deistic God, had been sidelined. Rousseau's formulations made the general will identical with that of the sovereign and people became sovereign, rendering it in process a quantitative determination and an organic unity. The national consciousness emerged as an organic whole. "The theistic as well as deistic concepts of God become thus unintelligible for political metaphysics."[14]

This does not mean, that God, and hence theology in that sense, disappeared. In America, for example, the voice of the people was seen as the voice of God, something that mobilized people to give Jefferson his victory in 1801.[15] 'In God we trust' would later on be adopted fully as the official motto of the United States during Eisenhower's Presidency in 1956.

"To the conception of God in the seventeenth and eighteenth centuries belongs the idea of transcendence vis-à-vis the world, just as to that period's philosophy of state belongs the notion of the transcendence of the sovereign vis-à-vis that state."[16] This in the nineteenth century moved on to an acceptance of immanence in the political ideas and state doctrines.

Radical thinkers set out to attack the foundations of political theology that the writers of the Restoration period had developed. People like Comte, Proudhon, Bakunin carried this on their shoulders, against a variety of reasons. It led on to an era where, writes Schmitt, "conceptions of transcendence will no longer be credible to most educated people, who will settle for either a more or less clear immanence-pantheism position or a positivist

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[12] Schmitt, *Political Theology*, 47.
[13] Schmitt, *Political Theology*, 47.
[14] Schmitt, *Political Theology*, 49.
[15] Schmitt, *Political Theology*, 49.
[16] Schmitt, *Political Theology*, 49.

indifference towards metaphysics."[17] This immanence philosophy that drew God into the world, whose greatest representative became Hegel, gave way to the atheism of the most extreme radicals who "proclaimed that mankind had to be substituted for God. Marx and Engels never failed to recognize that this ideal of an unfolding self-conscious mankind must end in anarchic freedom."[18]

Thus, the developments in the theory of the state, through the course of the nineteenth century, on the one hand resulted in the elimination of all theistic and transcendental conceptions of legitimacy, and the public law became 'positive'. On the other hand, the acceptance of the notion of power residing with the people led to the democratic notion of legitimacy as against the monarchical.

These changes had been taking place in the political thought in the West. The transformations from sovereignty of the God to the sovereignty of the king, and then onto the sovereignty of people, were accompanied by emphasis on scientific thinking, rationality and positive law. The nature of Christianity itself was undergoing a change, as the process of secularization was on the march. Secular, in spite of its origins in religion, emerged as a discourse apart from religion. These changes in the culture would go onto influence the wider world through colonialism and imperialism, and thus play a role in places where these ideas had not originally emerged. With the arrival of secularism, the nature and role of 'religion' seemed to have changed.

Gil Anidjar in his essay *Secularism*[19] points out to the exploration by Edward Said's followers, who following his footsteps, "have sought to explore the role and functioning of religion in the dissemination of colonial knowledge and the founding of institutions (not only in the creation of modern academic discourse and disciplines), in the imperial spread of the secular nation-state, in the making, in short, of what Nicolas Dirks has called "the ethnographic state" and its more recent incarnations."[20] They acknowledge the connections that Said made beyond 'culture and imperialism' to the relationship between religion and imperialism, which was further understood as the globalization of religion,

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[17] Schmitt, *Political Theology*, 50.
[18] Schmitt, *Political Theology*, 50, 51.
[19] Gil Anidjar, "Secularism," *Critical Inquiry* 33, Autumn (2006): 52-77.
[20] Anidjar, "Secularism," 53.

something that should help us make sense of "the return of the religious" in today's world.

Being critical of Said's secularism, which they read as being adverse to religion, seen as the effect of the very colonial knowledge that he was critical of, there has also been an appreciation of Said's ""deployment of 'secular' as an epistemological concept" that has prompted a reexamination of "the roles of secular and religious discourses in both constructing and disputing systems of critical epistemology;"[21]

Anidjar points out that the religion that Said was writing about wasn't just any religion. This "secularized religion" was part of a "particular historical tradition" and a "privileged agent of Orientalism... It was Christianity, and more precisely, Western Christendom."[22]

For Anidjar, Christianity is a peculiar and a powerful force. He writes:

> "It is a... massively hegemonic - if divided, changing, and dynamic – corporate institution, a set of highly plastic institutions, and the sum total of philosophical and scientific, economic and political achievements, discursive, administrative, and institutional accomplishments. Its complexity, singularity, and specificity cannot therefore be doubted ("culture and imperialism," "societies for, rather than against, the state," and so forth). Is it not, for example, Christianity that had (and continues to have) a significant and multilayered investment in one particular Oriental city, one particular Oriental land, and one (or two) particular religion(s)? And is it not *this* secularized religion – Christianity – that has elaborated and deployed a peculiar discourse *about itself* and *as it understood itself and its history*... a discourse that consisted in the critique of religion, that articulates itself as secular criticism?"[23]

Thus, secular, secularized religion and secular criticism didn't come out of nowhere; rather it had its origins in the dynamics of how Christianity, that self identified and in fact created these concepts, and enforced its institutionalized and hegemonic use the world over, through what has been referred to by Peter van der Veer as "the globalization of Christianity." [24] Christianity, at some point of time, renamed itself into religion, eventually disenchanting itself by creating separate domains of "private and public, politics and economics, indeed, religious and secular." [25] A series of movements,

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[21] Anidjar, "Secularism," 53.

[22] Anidjar, "Secularism," 58.

[23] Anidjar, "Secularism," 58, 59.

[24] Anidjar, "Secularism," 59.

[25] Anidjar, "Secularism," 59.

transformations took place, revolutionizing, reforming, to the effect that *it judged itself* "no longer Christian, no longer religious. Christianity (... Western Christendom) judged and named itself, it *reincarnated* itself as secular."[26]

Then it spread further through missionaries and merchants, doctors and soldiers, languages and translators, writers and scholars, the force of the "religion of technology" reigned through the power of inventions, carried forward by a specific kind of deployment that concerned with the worldly. "Colonizing the world since 1492, Christianity slowly granted other communities and traditions – those it exploited or converted, massacred and "civilized," enslaved and exterminated – new structures of authority and domination, new and newly negotiable configurations of power."[27] Christianity was a powerful force that determined the terms of negotiations as well as molded the conditions of resistance.

The transformations in Christianity, the 'secular *reincarnate*', affected changes in the social and political setups wherever colonialism went. As an outside force, these ideas on one hand saw rejection, and on the other hand, with the new deployments of power in the favor of colonial powers through the administrative setups they installed, forced an engagement with them. The colonized had to deal with and make sense of the 'secular' in their lives vis-à-vis the political doctrine of secularism.

On one hand, Christianity, in its secularized version, went on to convert the uncivilized into its fold through colonialism by bringing civilization to them, and on the other hand, this civilization was thought of as 'secular' through the institutions it had setup to replace the archaic, parochial systems that were thought to be based on the religious dogmas in the non-West. Western institutions masked their origins and connections with theology, while at the same time attempting to delegitimize, replace and reconfigure others systems of thought that were thought to be 'religious'.

Can one, thus, make sense of the 'secular' on its own? Can we leave out 'religion' as a distinct entity, completely separate from it? Both developed in relationship to each other

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[26] Anidjar, "Secularism," 60.
[27] Anidjar, "Secularism," 60.

and underwent changes in an interlinked manner. The knowledge of one was important to know, and distinguish, if at all, the other from it.

For Anidjar the terms religious and secular are "hopelessly codependent, continue to inform each other and have persisted historically, institutionally in *masking* the one pertinent religion (Christianity)... Like that unmarked race, which, in the related discourse of racism, became invisible or white, Christianity invented the distinction between the religious and secular and thus *made* religion."[28] Thus, religion was made a problem, rather than Christianity, which needed to be *transcended.*

He further writes that these terms, religious and secular, work as "covers, strategic devices and mechanisms of obfuscation and self-blinding"[29] that makes it difficult to disentangle them. Anidjar points out that the way Christianity worked for centuries, in the same way do secularism and secular criticism as unified practices. "Secularism becomes a part of the discourse of power and of institutions that are bent on making us *invest* religion... making the knowledge of it desirable... making us know or recognize religion for what it is... and mostly, for what it is *not:* Christianity, secularized."[30] For Anidjar, secularism is a name given by Christianity to itself, when it invented religion, by naming its other(s) as religion.

Considering Said's *Orientalism* as a critique of Christianity, whether secularized or not, Anidjar writes "Orientalism is secularism, and secularism is Christianity... Moreover, Christianity – which is to say, Orientalism – invented both religion *and* secularism."[31] To give an example, Augustine's political theology that had kept Jews outside the history of salvation, was recasted by inverting the sacred/secular divide. Christianity, in its secularized variety, hegemonized the understanding of Judaism and Islam as religions and "more precisely, as being at once *the least and the most religious of religions. And of*

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[28] Anidjar, "Secularism," 62.
[29] Anidjar, "Secularism," 62.
[30] Anidjar, "Secularism," 62.
[31] Anidjar, "Secularism," 63.

races.[32] While on one hand racial inferiority was thrust upon the Jews, Islam became the model religion of fanaticism.

SECULARISM AS AN AGENT OF IMPERIALISM

Orientalism's metamorphosis into an imperial institution from a scholarly discourse, from Christianity to secularism, took place "across discourses of knowledge and power; as culture *and* imperialism, economics *and* politics, religion *and* secularism. It still does today."[33]

Secularism as imperialism had its allies in the non-West as well in the form of those who collaborated with the incoming forces to set it up and impose it onto their societies. And they still continue to exist having become normalized in their respective societies most of which have been modeled on 'universal terms' shaped by the West. The legitimization of the massive "political, economic and cultural domination" was done by the ruling elite through a willing collaboration of the intellectual elite. Imperialism had its allies and beneficiaries and it made a good use of them. It continues even today, in a more improved, subtle, but nevertheless much more effective forms, helping in the exercise of power by a few over billions of individuals in the same territories that were colonized and transformed.[34]

The historical power dynamic still carries on in the functioning of the victorious cause of secularism. And it makes enemies of what it does not like. Hence, the religion of others is more of a danger than the dealings of powerful states, multi-national corporations, international banking et al. And it is the hegemonic dissemination of that fear in the popular mind that makes the legitimization of the functioning of the latter easier. "Secularism – external *and* internal colonialism – is produced and reproduced by way of law and rhetoric, national and international institutions, chief among them the modern states, those hardly declining commercial and security apparatuses."[35]

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[32] Anidjar, "Secularism," 63.
[33] Anidjar, "Secularism," 63.
[34] Anidjar, "Secularism," 64.
[35] Anidjar, "Secularism," 64.

The institutions and elites that uphold the cause of the secularism are structurally same today, and stronger than those who had went onto spread "civilization". The mission is carried out on same economic, military, cultural and even humanitarian levels. The ones at the receiving end of this mission are seen to be caught in "dark theological ages out of the depth of which they seek artificial comfort and solace. Or the ground of their misguided resistance."[36]

The space occupied by the *religion*, the reality of worldliness – a world populated by the oppressed to whom are attributed "archaic" ideals – as it is now is not addressed by *secularism*, for its claim to be concerned with the worldly affairs. Secularism, thus, is, Anidjar writes, "to oppose the world and those who inhabit it rather than those who make it unlivable."[37] 'Otherworldliness' after all is not too other worldly. However, religion is a massive living reality in the world of our existence and one cannot escape it. Anidjar writes,

> "Religion... cannot be willed out of worldly existence by secularists who deny its fictional or oppressive escape while affirming the political and cultural important of that other fictive production based on infinite credit and credulousness: literature or is it the market? To uphold secularism today is to erase the fact that secularism continues to serve inequality. It serves mostly, and certainly its has *historically* served, one particular religion (the missionizing activities of which have anything but slowed down, by way of secular institutions of higher learning, the Pope, other corporations, or, if there is a difference, those megachurches) and one intricate economic game, on elite-serving apparatus, namely, the secular nation-state (and the agencies and corporations to which, Hannah Arendt – and Marx – were already reminding us, it continues to cater), the discourse of power that legitimates itself and presents itself as secular, as if *indifferent* to religion yet *producing religion as a (generic) problem.*"[38]

In chapter one, we saw how the secularization theories had failed to predict the 'return of the religious' or they had to adjust their discourse to blame it on a failure of proper modernization. In the current global context we see the emergence of religion in the public space at a massive level across the world, informing and influencing mobilizations and policies. Religion, however much secularists deny its import has taken a different language.

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[36] Anidjar, "Secularism," 65.
[37] Anidjar, "Secularism," 65.
[38] Anidjar, "Secularism," 65.

All this is subtly legitimized through the discourses of *human rights, international law, sovereignty, democracy,* et al that are the functional keywords of secularism as also its projects. These terms, in fact, work in tandem with those they oppose, *producing* them, in a sense. And also *creates* the need to reform and civilize them.

The face to face with the political ideas derived from the West meant that,

> "For most of the colonial period *Islam as a faith for all its inherent political dimensions, was largely excluded from opportunities to affect the evolution of politics in the modern Muslim state.* Thus the relationship between politics and Islam simply never had the chance to evolve "normally" as it would have been able to do under conditions of sustained and unbroken sovereignty.
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> Colonialism set most of the new institutional groundwork for the modern Muslim state, reflecting contemporary European values and institutions of the period. But *these institutions were rarely organically related to the political culture, experience, structure, and society of Muslim populations.* As a result, the grafting on of Western institutions was invariably awkward, partial, artificial, and temporary. In fact, one might argue that *one of the key projects of Islamists today—intentionally or unintentionally—is to formulate a reconciliation between traditional Muslim philosophy and practice of statecraft on the one hand, and those Western institutions and practices already on the scene on the other.*"[39]

This implied that there was not an outright acceptance of the Western values, rather there was an engagement which would take into account the ideas from both sides of the spectrum. Thus, there was a resistance to a full-fledged acceptance of the ideas which came out of the Western statecraft.

RECONFIGURATIONS

In case of Muslim societies in the non-West, another question beckons us: what was their relationship to the 'secular' in the literal sense before the onset of modernity and its associated ideas through colonial encounters.

Asad in his essay "Reconfigurations of Laws and Ethics in Colonial Egypt"[40] sets out to explore the questions as to how Muslims thought about secularism prior to the onset of modernity and what does the idea of secular as it exists today mean for them. For Asad

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[39] Graham E. Fuller, *The Future of Political Islam,* (New York: Palgrave Macmillan, 2003), 119.

[40] Talal Asad, "Reconfigurations of Laws and Ethics in Colonial Egypt" in *Formations of the Secular: Christianity, Islam, Modernity,* (California: Standford University Press, 2003), 205-256.

this cannot be arrived at through empirical study rather needs a "careful analysis... of culturally distinctive concepts and their articulation with one another."[41]

In Europe the words for "secularism" or within the French context "laicisme" came to be used with their current meanings around the middle of the nineteenth century. Even though there were differences in the way these were understood, as there were different national histories with regards to the development of the concept, the differences were largely 'within the family' that articulated particular struggles about whether and how much should religious discourses and communal morality affect the formation of the public policy.

In the Arab Egyptian context the word *almaniyy* that dealt with the connotations of such meaning was available only in the latter part of the nineteenth century. There was already a concept of 'secular' in these societies, apparent in the domain of law where *sharia,* when it did, occupied only a restricted space. But a direct confrontation with the idea of secularism as it developed in its western variety did not take place till the onset of modernity.[42]

Asad writes that in the context of the engagement with the incorporation of the European legal codes into the Egypt's law system, with the onset of the British occupation in 1882, whatever might have been the motives if the individuals that could affect such changes, "the result was to help create news spaces for Islamic religion and morality."[43]

Agency theorists tend to talk of the strategic maneuvers of the oppressed, however, looking at imperialism as it is as "the totality of forces that converge to create (largely contingently) a new moral landscape that defines different kinds of acts"[44] rules out giving a weaker role to the structure of imperialism. The important thing here would be to determine the "new landscape, and the degree to which the languages, behaviors, and institutions it makes possible come to resemble those that obtain in the West European

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[41] Asad, "Reconfigurations," 206.
[42] Asad, "Reconfigurations," 206-208.
[43] Asad, "Reconfigurations," 215.
[44] Asad, "Reconfigurations," 216.

nation-states."[45] We need to take into account the necessities and potentialities that the discourse of modernity presents the people with.

There open up new kinds of discursive potentialities as the change does not follow an entirely European script. Majority of historians have looked at it as a failure of modernizing properly. Others see it as "expressions of different experiences rooted in part in traditions other than those to which the European inspired reforms belonged, and in part contradictory European representations of European modernity."[46] The latter is important as it clears that there are no universal criteria for regarding particular forms of law as 'modern'. Asad gives the example of the English common law which was held as *modern* by the Anglo-American jurists even though it did not satisfy the criteria of legal rationality, for the lack of which *sharia* was regarded as primitive by Weber. The modernity, along with the concept of secularism, points in such a case to the importance of particularity. The European codes in the Egyptian context, for example, were incorporated as exceptions in applicable to specific categories of subjects and not universally applicable.[47]

The arrival, appropriation and the application of the ideas of secularism, modernity was a part of the process of state building and liberal governance. In the process, new parameters of civilized life were to be applied that produces new kinds of violence, though prisons and laws.

> "When major social changes occur people are often unclear about precisely what kind of event it is they are witnessing and uncertain about the practice that would be appropriate or possible in response to it. And it is not easy to shed attitudes, sensibilities and memories as though they were so many garments inappropriate to a single historical movement. New vocabularies ("civilization," "progress," "history," "agency," "liberty," and so on) are acquired and linked to older ones. Would-be reformers, as well as those who oppose them, imagine and inhabit multiple temporalities."[48]

Besides, even the acceptance of the procedures and the principles of the Western political systems did not mean the legitimization of the outcome. Democracy often threw up

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[45] Asad, "Reconfigurations," 217.
[46] Asad, "Reconfigurations," 217.
[47] Asad, "Reconfigurations," 217, 218.
[48] Asad, "Reconfigurations," 222.

choices that were denied from taking effect. Consider, for example, the instances in the Muslim world when religion based parties came to power through majorities and were stripped from power through coups, as happened in Turkey with the Justice and Freedom party when it came to power initially.

In allowing people living in a secular setup to express their religious beliefs there is a condition that it should not cause a breach of peace or challenge the state. The state invariably is the secular state. This does not imply that a challenge to the state on the basis of a secular ideology, like Marxism or on the basis of self-determination of nations for example, will be tolerated, as the basic question remains the challenge to the sovereignty of the state, but religiously inspired movements add a further dimension where the thrust of the oppositional movements is seen to be backwards towards parochial conceptions of organization of societies based on non-verifiable metaphysical dogma.

The discourses of democracy and secularism do not work as neutral instrumental procedures that aim to give legitimacy to 'any will of the people'. The will ought to be consistent with the fundamental political ideas that they espouse. These procedures seek out a certain kind of will corresponding to hegemonicaly accepted notions of social and political organization that are considered legitimate through a 'commonsensical', read hegemonic, acceptance.

It is often argued in case of the movement for self-determination in Kashmir that people should be given the right to choose their future through the internationally accepted democratic procedure of plebiscite that has been sanctioned by the international community through the authority of the United Nations. Hizbul Mujahideen and other political groups adhere to this position. And many a times, the denial of this right is sought to be legitimized through the notion that a democratic procedure of a referendum in case of Kashmir might lead to its accession to Pakistan or an independent Kashmir that might be turned into an 'Islamic state', and hence would be 'unacceptable'. Secularism is employed to 'save' a people from their 'religion'.

This hypothetical reasoning confuses and overlooks the actual and complex interplay of ideas between the Islamic movements and 'secular setups' based on modern Western ideas, to assume a simplistic notion of an 'Islamic state' or the repudiation of a possible coming into existence of a state modeled on religion, and hence 'religious' and 'parochial'. The kind of reasoning clouds the actual tussle over sovereignty; favoring Indian sovereignty over Kashmir, over the sovereign will of the people of Kashmir that the resistance movement in Kashmir claims to represent and asks for its substantiation through the process of plebiscite. Besides, this view completely overlooks the possibility of creation of setup similar to a wide variety models available from the Islamic world, where 'religious laws' and 'secular setups', go hand in hand, like in Turkey or Malaysia or Egypt, and hence might not be 'parochial' in the way in which an imagined setup in the possible scenario of a sovereign Kashmir is sought to be presented.

A simplistic use of the doctrine of secularism thus continues to serve as an agent of imperialism and semi-colonial occupations in the modern times. This kind of approach fails to take into consideration the complex relationship between the secular and the religious in the societies. In the case of reasoning on Kashmir, it also overlooks the fact that religion is ever present in the public domain in India itself and influences debate on a variety of public policies and issues, in spite of which the state claims to be secular. The doctrine, of secularism, becomes a cloud to hide behind.

Besides, as we have seen in the first chapter, we could assume that an engagement with actual power and institutions of the state in a sovereign Kashmir might actually bring about the secularization of religion through the very religious movements themselves. The political status quo in Kashmir is merely hindering that possibility.

ISLAM AS THE OTHER

The movement of the idea of secularism needed an 'other' against which it could rally. This was provided by Islam. Historically, as well as in the current global order. Laying out this background is important to understand as to what is exactly at play in the tussle between the Islamic movements and Western ideas. The reality of the continued significance of the religion, and religious movements, for an overwhelming section of

people beckons a deeper understanding of the evolution of the relationships between the secular and the religious, and the forms it takes. The tussle between Islam and the West, as it develops, in many ways lies at the heart of this understanding.

This is important in case of Kashmir as the Indian state claims to hold to most of the liberal democratic principles that originated in and are a part of Western state systems.

The success of the Islamic Revolution of 1979 in Iran announced "the return of the religious". This was followed by the Soviet-Afghan war. But it still took time to register its significance to those "who had managed to convince themselves that religion had vanished from this enlightened world."[49]

At the level of ideas, the distinctions produced by the religion at the epistemological, political or the legal level, were used tactfully, to posit secular against religious, nationalism against religion, Islam against Arab nationalism, advocating one and in effect masking the other. These categories, Anidjar reminds us, are "strategically divided and must there be considered in their joined operations..."[50] Thus, when we are considering the nature of secular, we cannot forget its relationship with religion and the vice versa.

What would such kind of onslaught mean for the agency of non-Christians, who were at the receiving end of the "all powerful and determining Christianity'(s)" 'civilizing mission'? What about their agency? And wouldn't they have done same if they had got a chance? This is problematic and Anidjar points out to Said's exposition of a theory of agency that "permits dwelling on historical occurrences, on the actual deployment of hegemonic power in its specific modes and strategies and its effects."[51]

Even someone writing about all this, like a scholar, does not fully create his own agency for he is placed in an institutional location that is not under his control, Said points out. This agency, in whatever format it exists, operates "across disciplines and discourses,

[49] Anidjar, "Secularism," 67.
[50] Anidjar, "Secularism," 67.
[51] Anidjar, "Secularism," 68.

between knowledge and power, without much deference and respect for the Weberian notion of the modern separation of spheres."[52]

The colonial endeavor passed on in the name of "critical secularism, a secular science." While the writers, philosophers, economists, political theorists et al were deployed in its service, the religious priests of theologians were missing. Orient was studied through sciences and social sciences, the religious dimension became invisible, an afterthought. Religion was nowhere to be found. "Or, perhaps unreadable and indivisible in its magnitude, religion is everywhere."[53]

Before the start of the Crusades, Islam was the paradigmatic theological and political challenge to the European Christianity. The image of Islam, as it was constructed, "of fear and terror", and as an outsider, had a role to play *inside* Europe. It became an outsider which shaped the formation of the European civilization post middle ages. European Christianity responded to Islam "with very little except fear and a kind of awe."[54]

Initially Islam, to the Christian Europe had been a non-religion, a heresy, an unsuccessful imitation of Christianity, a political instrument or a failed attempt to employ Greek philosophy. "How the Orient as a nonreligion and later as paradigmatically religious is shaped as an event within the history of religion."[55] For Islam to *become* a religion, in the eyes of the Europe, it had to undergo a series of transformations, which somewhere, rather ironically, also included Napoleon's claim of fighting for Islam. All along, "Islam is at the centre of the Orientalist imagination... More importantly, it is the target of all the efforts of what Said calls the "secularized religion" of Orientalism."[56]

Orientalism's subjects are "unmistakably Christian", Anijdar writes, celebrating their position as that of a secular creator, making new worlds as God has once made the old, but at the same time they also mourn, or celebrate, the loss of their religion. At some point of time, along with the development of comparative disciplines, and newer

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[52] Anidjar, "Secularism," 69.
[53] Anidjar, "Secularism," 69, 70.
[54] Anidjar, "Secularism," 71.
[55] Anidjar, "Secularism," 73.
[56] Anidjar, "Secularism," 73.

discourses, Christianity became a religion among many rather than the Church against a host of other heretics.[57]

Before the development of sociology, anthropology or literature, religious studies had developed already. And with that lens was viewed Orient as a religion, and nothing else. Semites, that included Muslims and Jews, were thus seen as nothing but religion, at best and at worst. Religion was something that was apart from the sociology, economics and politics of these people. They had none. There was a notion that "a religion is not a nation, something that produced an insistence on the religious dimension of the Orient – and primarily, urgently of Islam. This had the effect, in turn, of diminishing, even erasing, the political dimension of Islam."[58] So, is the case with Arab or Islamic nationalism, which is seen as bereft of the political element.

"Finally, a religion (which is to say, Islam as religion) is the quintessential enemy of secular civilization: "the sword of Muhammed, and the Kor'an, are the most stubborn enemies of Civilization, Liberty, and the Truth which the world has yet known... Islam is to Europe what religious criticism is to secular criticism, what religion is to secularism."[59]

Thus, the image that Orientalism created of Islam was as everything opposed to what Europe and its civilization stood for. And the most fundamental notion that had come to define Europe was of secularism. And Islam was seen as its nemesis. This fundamentally political doctrine was also hegemonized, as the Orient, where Islam was situated, was weaker than the West. Thus, Said had, in effect, made clear the political and imperial nature of Orientalism that targeted Arab nationalism in particular. But what he also does is to "underscore how, essential to an understanding of that East/West difference in political, indeed, theologico-political terms, there is active transformation of both East and West into religions, the conversion of Orientalism as Western Christendom into Orientalism as secularism (that is, as a new and improved, reformed and secularized

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[57] Anidjar, "Secularism," 74.
[58] Anidjar, "Secularism," 75.
[59] Anidjar, "Secularism," 75.

Western Christendom)."[60] But this division of the globe into religious entities is not an *equal* division, rather "covering Islam means covering religion, making and masking it. That is one of the key, arduous, and momentous lessons of *Orientalism*."[61]

Islam had a peculiar place in the Orientalist perspective. Anidjar points to Tomoko Masuzawa's works, who like Said, points out the peculiar status that Islam had in the eyes of Orientalist, Christian or secular perspective in which "Islam oscillates between its complete lack of theological validity and a paradigmatic, extreme religious fanaticism."[62]

However, Said's insight goes further to show the category of religion, even if invisible at times, functioning "*across* Weberian divisions." Orientalism is not merely a *political* doctrine but also *a religious* one, and the deployment of Christianity, at once, religious as well as secular.

The Islamic Revolution in Iran provided a revolutionary model for Muslim movements all over the world to work with. And its success instilled a hope that change on Islamic lines could be possible in the modern world. This was followed by the war against the Soviets in Afghanistan leading eventually to the destruction of the USSR. In spite of the material support of the Western nations to the mujahideen in Afghanistan, it was the Muslims who were the actual players fighting the war with an ideology carved from Islam that was supposed to fight the Godless Soviets. The war in Afghanistan did not stop being just about the Muslims in Afghanistan but for the wider Muslims world – the Muslim *ummah* – as fighters from all over the world came to join on the armed front.

The reverberations of the Iranian Revolution and the Afghan war would have an effect in the mobilization of and inspiration for the struggle for self-determination in Kashmir and the wider world among Muslims people.

MUSLIMS IN EUROPE

The specter of Islam as the nemesis of secularism in Europe is an image that still sticks in its place. Today even though Muslims and Islam are a part of the European landscape,

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[60] Anidjar, "Secularism," 76.
[61] Anidjar, "Secularism," 76.
[62] Anidjar, "Secularism," 76.

they remain absent from the landscape of the European imagination. The tensions between the Muslims living in Europe with their political systems, gives an interesting insight to theorize the Islamic movements, like the Hizbul Mujahideen, in the context of the contemporary times. This is due to the fact that at the heart of the conflict between the Islamic movements and the ideas of modernity and secularism also lies an engagement between the two at the global level, which similar to what Muslim populations tend to do inside Europe where these ideas were born and are practiced.

In his essay "Muslims as a "Religious Minority" in Europe"[63] Talal Asad picks up the problem of (non-)representation of Muslims in Europe, who he argues are at the same time present as well as absent from it, something that has to do with the ideological construction of European notions of 'culture', 'civilization', 'secular state' etc.

It is important to understand that a lot of it has to do with how Europe was defined or seen by the Europeans themselves. Their immediate encounter with Islam was with Turks, and they were seen as outsiders, enemies to the European Christendom, with whom, as Grotius said alliances could be made on the basis of being humans but did not amount to solidarity.[64] This continues even today as Asad writes, "In the contemporary European suspicion of Turkey, Christian history, enshrined in the tradition of international law, is being re-invoked in secular language as the foundation of an ancient identity. The discourse of international law, and the practices it justified, are central to its relations with "non-Europe.""[65]

The narrative of Europe is based on an essence which can at best call for a toleration or a coexistence with Muslims, who are external to that essence.

If not, a now no longer popular idea of a European civilization, there is an idea of Europeans having shared historical influences, whose key moments – the Roman Empire, Christianity, the Enlightenment and industrialization, haven't influenced the "Muslim

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[63] Talal Asad, "Muslims as a "Religious Minority" in Europe" in *Formations of the Secular: Christianity, Islam, Modernity*, (California: Standford University Press, 2003), 159-180.
[64] Asad, "Muslims," 162, 163.
[65] Asad, "Muslims," 164.

immigrant experience".[66] The Muslim is conveniently, as being outside the pale of the most important moments of history as Europeans conceive. The fact that even those Muslims that have come to reside in Europe are not considered part of the European experience has profound implications in the considerations of those Muslims that continue to live in their non-Western contexts, completely away from the changes, even geographically, that took place in European lands.

The essence of Europe is sought in the events that took place in its geographical stretch, in the things that belonged to it, in spite of the origins or influences vis-à-vis those events. Europeans received many of ideas and techniques from outside, the fact that they "creatively worked" upon them made them their own. "Productive elaboration becomes an essential characteristic of Europe as a civilization."[67] This was in tune with Locke's argument that "a person's right to property comes from mixing of labor with the common things of this world... Applied to whole peoples, property was "European" to the extent that Europeans appropriated, cultivated, and then lawfully passed it on to generations of Europeans as their own inheritance."[68]

However, not all those who live in Europe are considered "fully" European. Russians appear on the margins, for example. Jews were so too, till the Second World War, till the discourse of "Judeo-Christian tradition emerged". "Completely external to "European history" is medieval Spain, which was ruled by Muslims and was a pinnacle of progress and civilization while Europe underwent the Dark Ages. Thus, although Spain is now defined geographically as part of Europe, Arab Spain from seventh to the fourteenth centuries is seen as being outside "Europe," in spite of the numerous intimate connections and exchanges in the Iberian Peninsula during that period between Muslims, Christians and Jews."[69]

Muslims, in present, and in their history, from past, thus remain outside the fold (of the narrative) of Europe. This posits problems for fixing the limits of Europe. As Asad points out, Muslims are the heirs of Hellenic world in which Europe claims to have its roots.

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[66] Asad, "Muslims," 166.
[67] Asad, "Muslims," 167.
[68] Asad, "Muslims," 167.
[69] Asad, "Muslims," 168.

And in this case they are kept out of the picture by being labeled as "carrier civilization", denying them an essence of their own, and the elements they brought into contact with the Western civilization as only being contingently connected to them. It is important to note that the works of Greek philosophers that form the foundations of modern political theory and philosophy were brought into Europe through the translations of the originals in Arabic. Overtime, this connection was forgotten or not-highlighted and many of the names of the Muslim scholars also were appeared in Latinized forms, when they did appear.

Once it is denied that Islam has any essence, it is given one; "an ingrained hostility to all non-Muslims."[70] This antagonism that is attributed to Islam becomes then central to the formation of the European self-definition. And Islam is at best regarded as a "quasi-civilizational identity". "This de-essentialization is paradigmatic for all thinking about the assimilation of non-European peoples to European civilization."[71] This kind of thinking in effect implies that "people's historical experience is inessential to them" and thus can be or should be given away easily. This strengthens the Enlightenment claim to universality. Thus Muslims could be member of such a universal community when they given up what they mistakenly think is as essential to them, and thus calls for the "Europeanization of the Islamic world."[72]

The European history is thus given a motive of reconstructing the world in its own image. The colonial past of Europe is not over rather it ought to be regarded as an irreversible global transformation that remains an essential part of the experience that Europe represents. And this struggle is at the heart of the debate in the current relationship of the West with Islam and Muslim peoples.

The idea of a European history, at once, constructs an inside and an outside, historically as well as in the present. In history, Islam and communism are seen as not being part of the European narrative. And regarding the present there is the idea that "immigrants in the grip of Islamic passions and ideas cannot live comfortably in the civilized institutions

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[70] Asad, "Muslims," 169.
[71] Asad, "Muslims," 169.
[72] Asad, "Muslims," 169, 170.

of secular Europe. And yet Europe must try to contain, subdue, or incorporate what lies beyond it, and what consequently comes to be within it."[73] This desire to morally redeem the world has now passed on to, Asad reminds us, United States of America, an extension of Europe, both of whom together form the contemporary idea of the West or Western civilization.

These images of Islam and Muslims that have been historically produced continue to inform their image in contemporary world. This invariably also draws into the perceptions about Islamic movements as incompatible with the modern world order and seeking to create a parochial, medieval order that is seen as repressive according to the modern standards. This feeds into the imaginary about their illegitimacy or non-desirability and hence the need for intervention to stop them or make them change their positions to those that are considered as being compatible with liberal democracies and the free market economy.

'COMPLEX SPACE' AND ISLAMIC MOVEMENTS

In view of the play of forces in the global terrain how does one then look at the Islamic movements who claim an alternative model of socio-political organization based on adherence to basic Islamic principles? One could get an insight from the way Asad seeks to place Muslims inside the largely liberal democratic setups of European nations. As mentioned above, the kind of engagement that Muslims living inside Europe have with their socio-political contexts, is somewhat similar to terms of engagement that Islamic movements based in Muslim lands have with the international institutions that they have to necessarily engage with given the dynamics of the reality of the globalized world. The powerful nation-states and international institutions set the broad terms for organization of the collective national life as nation-states – through concepts like human rights, secularism et al - and their acceptability is important for countries if they are to participate and have relations with other countries in the global order. Thus, to exist as a legitimate political national identity certain ideas need to be adhered to.

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[73] Asad, "Muslims," 171.

Also same is case for Islamic movements who are in oppositional capacities or governing or seeking to govern their national societies have to address the same kind of concerns while seeking legitimacy at the global level. And it is often these notions of respect for human rights, secularism that are used to judge the plausibility of supporting popular movements in the conflict zones.

Talking about the problems raised by the issue of minority representation in European liberal democracy, Asad brings in the John Milbank's contrast between what he calls "enlightenment simple space" and "gothic complex space". The idea drawn is that "there is no such thing as absolute non-interference; no action can be perfectly self-contained, but always impinges upon other people, so that spaces will always in some degree 'complexly' overlap, jurisdictions always in some measure competing..."[74]

This idea of complex space gives us interesting ways, Asad writes, to think about "the intersecting boundaries and heterogeneous activities of individuals as well as of groups related to traditions."[75] But we also need to take account, Asad further writes, of "heterogeneous time: of embodied practices rooted in multiple traditions, of the differences between horizons of expectations and spaces of experience – differences that continually dislocate the present from the past, the world experienced from the world anticipated, and call for their revision and re-connection. These simultaneous temporalities embrace both individuals and groups in complexities that imply more than a simple process of secular time."[76]

Looking at the Hizbul Mujahideen, one could regard it being located in a 'complex space' where on one hand it is trying to locate itself in the Islamic tradition and on the other dealing with the complexities and realities of the modern world order. For almost every action that the organization upholds in its ideology, there is a double justification; one by recourse to Islamic tradition, as they interpret it, and the other through looking at the realities of the world order which calls of an engagement with the global institutions and its norms. So while the armed struggle that Hizb carries out in Kashmir is seen as

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[74] Asad, "Muslims," 178.
[75] Asad, "Muslims," 179.
[76] Asad, "Muslims," 179.

jihad sanctioned by Islam against what they see as oppressive foreign occupation, at the same time there is a parallel justification by recourse to Kashmir's national history, promises of the Indian leaders and the resolutions of the United Nations as well as the oppression of the current political order.

With respect to the religious justification, there is a reinterpretation, reimagining of the tradition with respect to the present, of the time of the beginnings of Islam fourteen hundred years back, and the practices that took root then, and their engagement with the current structures of the world. It is not a linear progression that lets the past go, but holds on to it, by reinterpreting it, in the attempt to remain committed to the fundamental principles of Islam. As Asad writes,

> "the temporalities of many tradition-rooted practices (that is, the time each embodied practice requires to complete and to perfect itself, the past into which it reaches, that it reencounters, reimagines, and extends) cannot be translated into the homogenous time of national politics. The body's memories, feelings and desires necessarily escape the rational/instrumental orientation of such politics."[77]

Thus, as minority Muslims in the European context seek to "live as autonomous individuals in a collective life"[78] beyond the need for their faith being respected by law, Islamic movements seek to negotiate an international terrain where multiple ideas, and 'background justifications' are at play in the working of a world order, and seek a place where they could exist and prosper as political entities governed by Islamic principles in the way they understand and seek to apply in the collective social life.

SECULARISM, NATION-STATE, RELIGION

There is a constant tension in the Islamic movements in their relationship with the question of nationalism. On one hand there is a rejection, in principle, of nationalism, seen as a product of modernity, in favor of the unity of the Muslim *ummah* (community) the world over, asserting a universal, or a counter-universal for that matter, to that of the West, and at the same time, for practical purposes, the Islamic movements work or are forced to work, within the limits of the nation-state phenomenon, a product of Western modernity itself.

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[77] Asad, "Muslims," 179, 180.
[78] Asad, "Muslims," 180.

When nationalism arose, apparently based upon the secular concept of a national community, it also had to deal with the concept of religion. In some cases, it was thought to replace religion. There is a long tradition that places the two concepts in a close relationship to each other. Asad points out Carlton Hayes who remarked, in 1926, "Nationalism has a large number of particularly quarrelsome sects, but as a whole it is the latest and nearest approach to a world religion."[79]

Julian Huxley, writing in 1940, saw a "humanist religion" on the path to replace the "traditional theological religion", giving an "idea of nationalism as the highest stage of religion."[80] Margaret Jacob argues about "the historical connection between secular rituals and the formation of modern political values."[81] Clifford Geertz "identified the centrality of sacred symbols springing from religious impulses to all forms of political life, nationalist as well as pre-nationalist, in societies both modern and premodern."[82] Greetz thus wrote, "The gravity of high politics and solemnity of high worship are akin."[83]

But Asad disagrees with this line of logic. Merely pointing out some intuitive parallels is not enough, as it doesn't give enough attention to the specificities of the concept that is religion. Asad suggests that "we need to attend more closely to the historical grammar of concepts and not to what we take as signs of an essential phenomenon."[84]

Asad is even critical of the political theology concept of the Carl Schmitt who (as mentioned above) talks about the secularization of theological concepts through tracing the origins of sovereignty. "If we accept religious ideas can be "secularized," that secularized concepts retain *a religious essence,* we might be induced to accept that nationalism has a religious origin."[85]

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[79] Talal Asad, "Secularism, Nation-State, Religion" in *Formations of the Secular: Christianity, Islam, Modernity,* (California: Standford University Press, 2003), 187.

[80] Asad, "Secularism, Nation-State," 188.

[81] Asad, "Secularism, Nation-State," 188.

[82] Asad, "Secularism, Nation-State," 188.

[83] Asad, "Secularism, Nation-State," 188.

[84] Asad, "Secularism, Nation-State," 189.

[85] Asad, "Secularism, Nation-State," 189.

Asad, however, wants us to focus on "differential results rather than on corresponding forms in the process referred to as "secularization".[86] There are variations and such a generalization might not always stand historically. Asad mentions the example of religious arguments, from Tractarianism in England and Ultramontanism in France in the latter nineteenth century, being deployed to break the post-reformation church-state alliance. Here the important point is the outcome of such happenings, in this particular case, what it does is the redefinition of the "essence of "religion" as well as "national politics".[87]

By way of contrast, when in the eighteenth century England those that supported the Church argued it to be a representative institution that reflected popular sentiment, we cannot say that religion was being 'used' for political purposes. "The established church which was an integral part of the state, made the coherence and continuity of the English national community possible. We should not say that the English nation was *shaped or influenced* by religion: we should see the established church as its *necessary condition.*[88]

Asad makes a case for the need to look at concepts the way they exist and in the time they exist. Thus, at a time when religion was a necessary condition of the nation and the organization of people in it, can we, for example, try to locate its *"social location"* as it changes historically? What needs to be remembered is that the very essence of a concept, in this case religion, might be different at two separate moments of the linear historical time.

Also, *"the social,* that all-inclusive secular space that we distinguish conceptually from variables like "religion," "state," "national economy," and so forth, *and on which the latter can be constructed, reformed, and plotted,* didn't exist prior to the nineteenth century."[89] And this very emergence of the *society* as an organizable secular space redefined the role of religion when nationalism became the tool of moral transformation of the masses.

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[86] Asad, "Secularism, Nation-State," 189, 190.
[87] Asad, "Secularism, Nation-State," 190.
[88] Asad, "Secularism, Nation-State," 190.
[89] Asad, "Secularism, Nation-State," 191.

Thus, Asad writes, "it is not enough to point to the structural analogies between premodern theological concepts and those deployed in secular constitutional discourse, as Schmitt does, because the practices these concepts facilitate and organize differ according to the historical formations in which they occur."[90]

Asad writes that secular is not a space from which the "real human life" emancipates itself from religion, and achieving latter's relocation in the process. Rather "the secular" is a part of the doctrine called secularism, that builds on a particular conception of the world, both in its 'natural' and 'social' form, and the problems that arise therein. "In the context of early modern Europe these problems were perceived as the need to control the increasingly mobile poor in city and countryside, to govern mutually hostile Christian sects within a sovereign territory, and to regulate the commercial, military, and colonizing expansion of Europe overseas."[91]

Moreover, "the genealogy of secularism has to be traced through the concept of the secular – in part to the Renaissance doctrine of humanism, in part to the Enlightenment concept of nature, and in part to Hegel's philosophy of history."[92]

For Hegel, the harmony between the subjective and the objective conditions was achieved through history which culminated in the recognition of Secular as the embodiment of Truth.

The origins of secular historically are different, however, as "the secular" was related to theological discourse (*saeculum*). "Secularization (*saecularisatio*) at first denoted a legal transition from monastic life (*regularis*) to the life of canons (*saecularis*)." Post Reformation, it referred to the "freeing of property from church hands into the hands of private owners, and thence into market circulation."[93]

"In the discourse of modernity "the secular" presents itself as the ground from which theological discourse was generated (as a form of false consciousness) and from which it

[90] Asad, "Secularism, Nation-State," 191.
[91] Asad, "Secularism, Nation-State," 192.
[92] Asad, "Secularism, Nation-State," 192.
[93] Asad, "Secularism, Nation-State," 192.

gradually emancipated itself in its march to freedom."[94] The human, in this case, is thought to become a responsible agent, where he/she now takes responsibility of things he/she "was unaware of – or falsely conscious of. The domain in which acts of God (accidents) occur without human responsibility is increasingly restricted. Chance is now considered to be tamable. The world is disenchanted."[95]

Here, even though religion and secular are considered as alien to each other, but secular is also seen to have generated religion. Furthermore, "in the premodern past secular life created superstitious and oppressive religion, and in the modern present secularism has produced enlightened and tolerant religion."[96] Thus, on one hand there is an insistence on the separation of the two and on the other hand they are related such that the secular produces the religious.

The concept of nationalism, Asad further writes, and the nation-state that it necessitates, in which individuals "live their worldly existence, requires the concept of secular to make sense."[97] The loyalty that the citizens have is exclusively of this world, where people *own* their history. Asad points out to Benedict Anderson saying "the worldliness of secular nationalism... (is) a specific ideological construct (no less ideological than the one it replaces)... includes in the present an imagined realm of the nation as a community with a "worldly past"."[98]

Besides, the discourse of nationalism also employs "highly abstract concepts of time and space" to create a *national story* that is presented as common sense, and which forms the historical world view of the secular nationalist. The modern doctrine of secularism creates an authentic world where we *really* live in contrast to the imagined world that the discourse of religion provides us.[99]

Thus, for Asad, nationalism can't be simply regarded as religion by employing a mechanical idea of causality. This kind of logic misses "the nature and consequences of

[94] Asad, "Secularism, Nation-State," 192.
[95] Asad, "Secularism, Nation-State," 193.
[96] Asad, "Secularism, Nation-State," 193.
[97] Asad, "Secularism, Nation-State," 193.
[98] Asad, "Secularism, Nation-State," 193.
[99] Asad, "Secularism, Nation-State," 194.

the revolution brought about by modern doctrines and practices of the secular in the structure of collective representations."[100] Also, if one just focuses how religious is "felt", we might be looking for "continuity of religious causes in nonreligious effects."[101] What should be done is to try and decipher the changes in meanings of particular concepts historically, be it with religion or with secularism. "We have to discover what people do with and to ideas and practices before we can understand what is involved in the secularization of theological concepts in different times and places."[102]

Iqtidar[103] in her work, on the Jamaat-e-Islami and Jamaat-ud-Dawa, points out as to how these religious groups bring about the secularization of religion by bringing in religious concepts into the public discourse. Similarly, Jamaat-e-Islami and Hizbul Mujahideen in Kashmir, having a presence in the social terrain of Kashmir bring in questions of religion into an engagement with the politics of the region. In seeking a setup based on Islamic principles these groups work through and engage with the reality of the modern administrative practices (in case of Jamaat-e-Islami's participation in elections or even boycotting them) and political engagement with nation-states (Hizb's declaration of ceasefire and talks with the Indian government) and the international community (Hizb's recourse to the principle of the self-determination sanctioned by the United nations).

The situation, thus, throws open possibilities of a movement that contextualizes religion to secular life and secular practices to the claims of the religion.

ISLAMISM AS NATIONALISM

Many observers of political Islam are of the view that some of the apparently religious movements are better seen as nationalist, reversing in effect the terms of the secularization thesis. In the context of Arab world, for example, the Islamic revivalist movement known as *as-sahwa* (the awakening) is regarded as a form of "crypto-nationalism" or a kind of cultural nationalism. According to Asad, this line of thinking repudiates the claim by those Muslims who see themselves a part of the Islamic tradition

[100] Asad, "Secularism, Nation-State," 194.
[101] Asad, "Secularism, Nation-State," 194.
[102] Asad, "Secularism, Nation-State," 194.
[103] Humeira Iqtidar, *Secularizing Islamists? Jama'at-e-Islami and Jama'at-ud-da'wa in Urban Pakistan,* (Chicago: University of Chicago Press, 2011)

as they are seen as being part of "something essentially (though distortedly) "modern"."[104]

Being critical of traditional practices or debating over meanings and interpretations of formative texts and arguing for a need of radical reform to suit to new predicaments does not mean that people are not part of the tradition, as such an understanding imagines tradition as static. Interpreting tradition to current predicaments or adapting the older concerns of traditions followers to new contexts does not "dissolve the coherence of that tradition."[105]

There can be ideological overlaps between the nationalists and the Islamists, and they may collaborate in common causes, but there are differences in the fundamentals of their thought.

The Islamist aim is to regulate conduct in the world according to *usul ud-din* (the principles of religion) and the model of conduct that these is espoused is contrary to many of the values that nationalist thought, in this case Arab nationalist thought, espouses. When nationalism might draw from the discourse related to Islamic history, it does in a way so as to call for solidarity beyond the denomination of Muslims and at the same time affirms the separation of civil laws from religious affiliation. So, while the figure of Prophet might be a spiritual hero for the (Arab) nation, but for the Islamists Prophet is a "subject of divine inspiration, a messenger of God to mankind and a model for virtuous conduct (*sunna*) that each Muslim, within a Muslim community, must seek to embody in his or her life, and the foundation, together with the Qur'an, of *din* (now translated as "religion")."[106]

This is an important difference as the Islamist remembrance of history is not history in the sense of a rise or decline, as would be the case in the construction of narrative by the nationalists, rather by focusing on the *Hadith* accounts, which is the record of the sayings and doings of the Prophet, which forms the base for *sunna,* it constructs an ideological

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[104] Asad, "Secularism, Nation-State," 195.
[105] Asad, "Secularism, Nation-State," 195.
[106] Asad, "Secularism, Nation-State," 197.

worldview based on Qur'an. For (Arab) nationalism to stand, it needs history, while "Islamic *umma* supposes only the Qur'an and *sunna.*"[107]

Asad writes that "The Islamic *umma* in the classical theological view is thus not an imagined community on a par with the Arab nation waiting to be politically unified but a theologically defined *space* enabling Muslims to practice the disciplines of *din* in the world."[108] Asad writes, beyond the sense of 'a people' or 'a community' what is important here is what defines *umma* and in this case it is distinctive modes of being and acting. "The Islamic *umma* presupposes individuals who are self-governing but not autonomous. The *shari'a,* a system of practical reason morally binding on each faithful individual, exists independently of him or her. At the same time every Muslim has the psychological ability to discover its rules and to conform to them."[109]

When people use the term '*umma arabiya*' for 'Arab nation' there is a conceptual transformation that is at work. From the universalizing connotations of the *umma* that is based in Islamic theology, it is transformed to represent a limited and sovereign political society like other sovereign nations in the "secular (social) world".

On the other hand "the *ummat-ul-muslimin* (the Islamic *umma*) is ideologically not "a society" onto which *state, economy,* and *religion* can be mapped. It is neither limited nor sovereign... (and) should embrace all humanity."[110] Thus, it should be understood that the concept of *umma* cannot be regarded as "archaic" on account of its being "religious".

Holding onto the classical Islamic theological view completely is not possible as the current context that Muslims inhabit is a different one. Interpretation according to the contemporary experience is important to make things relevant. Even though the Islamists might come to hold similar positions with other groups like nationalists, for example, the method at arriving at such positions is a different one, involving different principles. They are in a process of interpreting the fourteen hundred year old Islamic tradition, unlike the nationalists who take for granted many of the Western derived discourses.

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[107] Asad, "Secularism, Nation-State," 197.
[108] Asad, "Secularism, Nation-State," 197.
[109] Asad, "Secularism, Nation-State," 197.
[110] Asad, "Secularism, Nation-State," 197, 198.

The similarity among both the positions is due to the shared context of their operation. The most important and fundamental encounter is with the "modernizing state... put in place by Westernizing power – a state directed at the unceasing material and moral transformation of entire populations only recently organized as "societies.""[111] Islamism in the contemporary era takes this encounter for granted and it is this engagement with the *statist* project which gives it a "nationalist" cast. Thus, the important condition for Asad is to figure out what is it that makes Islamism come out as a political discourse and how does, if at all, it challenge the structures of secularism.

Secular state itself carries on the project of regulation of all aspects of individual life and every activity needs the permission of (secular) law to operate, in the process politicizing the social spaces. Since the religions proper place is seen to be in the private sphere or in public when it doesn't make any demands for change in lives, entering into public spaces by Muslim groups is seen to be threatening or illegitimate. Asad gives examples of Algeria in 1992 and Turkey in 1997 where Muslim movements sought to reform on the basis of the power of majority through democratic processes and were stopped in their endeavors by states on the basis of 'assumed motives', than anything they actually did. Same happened recently with the government of Muslim Brotherhood affiliated President Morsy in Egypt. Asad writes, "The motives signal the potential entry of religion into space already occupied by the secular. It is the nationalist secularists themselves, one might say, who stoutly reject the secularization of religious concepts and practices here."[112]

Now, again as we see in the case of the Hizbul Mujahideen, they uphold the ideology of *iqaamat-e-din* (establishment of divinely ordained way of life) all over the world, thereby claiming a universal as most of the Islamic groups do, they also realize the importance of engaging with the secular laws and institutions which they might, in principle reject. They interpret the Islamic tradition of *'jihad-bi-saif'* (jihad through the sword) to the current their current predicament and seek to wage an armed struggle for nationalist self-

[111] Asad, "Secularism, Nation-State," 198.
[112] Asad, "Secularism, Nation-State," 199, 200.

determination enshrined in and given legitimacy by the principle of international (secular) laws.

Moreover, the question of difference with ideologically secular and nationalist group like the JKLF comes down to supporting of either Pakistani nationalism or Kashmiri nationalism, in spite of difference in the nature of reasoning sought to arrive at that position.

The position in favor of accession to Pakistan has historical roots going back to the United Nations resolutions of 1948. Thus, while the doctrine of nationalism is rejected per se there is recourse to an ideological construct that sees to unify nation and *ummah*. There is a necessary predicament at play here. As Asad writes, "no movement that aspires to more than mere belief or inconsequential talk in public can remain indifferent to state power in a secular world."[113]

Hizb does this through imagining the idea of Pakistan as the homeland for Muslims that ought to be governed according to the Islamic principles. Kashmir being central to the definition of Pakistan and a geographically continuous territory is imagined as a part of Pakistan. It is neither 'pure theology' nor merely 'secular reasoning'. Both work together. And one is incomplete without the other. That is the essential condition of the working of the Islamic movements.

However, as we saw in the second chapter, Hizb has, over time, become more flexible on the question of accession to Pakistan, in favor of a solution and a decision that would be acceptable to the people of Kashmir, which is a democratic rather than an ideological position. Thus, from a 'trans-national' Islamic Pakistan to independent Kashmir ideally ruled by Islamic principles, there is accommodation of the idea of Kashmiri nationhood.

Hizbul Mujahideen's agreement with the JKLF, mentioned in the previous chapter, also interesting as it lays out a democratic plan where both the groups are free to disseminate their ideologies and also laid the ground for cooperation at political as well as military levels. Even while claiming a universal through an ideology that is arrived at interpretation according to theological principles, there is eventually a pragmatic

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[113] Asad, "Secularism, Nation-State," 200.

accommodation in a context that has a plurality of positions and ideas. Hence, a de facto secularization is in process.

For Asad the failure of the secularization thesis is not simply due to the fact that religion is seen to be playing an increasing role in the public sphere or the rise of religiously inspired movements the world over, but because we fail to see what many "would anachronistically call "religion" was *always* involved in the world of power."[114] The entanglement of politics and religion is more than what is usually thought. "The concept of secular" Asad writes "cannot do without the idea of religion."[115] Even when modern secular setups seek to limit and define the role of religion into its 'proper domain' there is much more at play in the practices that are based on the ways of life, to which there is a particular historicity and trajectories.

> "The nation-state requires clearly demarcated spaces that it can classify and regulate: religion, education, health, leisure, work, income, justice, and war. The space that religion may properly occupy in society has to be continually redefined by the law because the production of the secular life within and beyond the nation state continually affects the discursive clarity of that space."[116]

Religion has clearly played its role historically in politics all over the world, but this much is obvious. Asad leaves with a question as to how would religion and secular be defined? And also does the shift from a religious political order to that of the secular state simply involve the replacement of divine authority by human?

Then, with regards to the contemporary Islamist movements, how would one place them? Religious or secular? Or a bit of both? Understanding this would involve moving away from the Western trajectory and looking at these movements as they developed historically and as they are today – dealing with the secular.

ISLAMIC MOVEMENTS AS PART OF THE TRADITION

Islamic movements engaged and in conversation with the modernity, at the same time also are very much placed within, and are a part of the tradition. The concept of tradition in case of Islamic movements, Asad points out, needs to be thought over more carefully.

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[114] Asad, "Secularism, Nation-State," 200.
[115] Asad, "Secularism, Nation-State," 200.
[116] Asad, "Secularism, Nation-State," 201.

By labeling Islamic movements as simply modernist as they deal with the questions of state in a changed context, we tend to believe in the notion that tradition is static and unchanging that passes on from one generation to another in unilinear time.

"In tradition the "present" is always at the center."[117] The "time present" is both separate from and included within "events and epochs". In a linked manner, "time past authoritatively constitutes present practices." And the "authenticating practices" invoke or distance from the past by "reiterating, reinterpreting, and reconnecting textualized memory and memorialized history." Keeping all these in mind may make us understand better traditions temporality.

In this context, one could think about Hizb's positions as explicated by Tantray positions on the relations between India and Pakistan and the role that Pakistan can play in the Kashmir conflict. Pakistani citizens would be bound by the agreements that have taken place between the two countries, but it would not be binding upon Kashmiri people as they are not the citizens of Pakistan under the current condition of the Indian occupation of the region. The role of guest mujahideen ought to be regulated by the conceptions of the *sharia*. These positions are legitimized by references to the Prophetic method of making peace with some groups while there was animosity against the tribes of Quraish. The Islamic past, of the time of Prophet, thus acts as a model through *hadith,* and constitutes 'an authoritative practice' to be followed. Thus, the present is sought to be created through a constant interaction with the past. The present, moreover, repudiates a teleological development of the fundamental principles which are thought of having been arrived at in their best form with the advent of Islam during the Prophet's time. These principles are then sought to be safeguarded. Interpretation and appropriation has to take place within their framework. The tradition sustains through fundamentals in spite to the change in the context. The present time is heterogeneous.

"When settled cultural assumptions cease to be viable, agents consciously inhabit different kinds of time simultaneously and try to straddle the gap between what Reinhart Koselleck, speaking of "modernity," calls experience and expectation, an aspect of the

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[117] Asad, "Reconfigurations," 222.

contemporaneity of the noncontemporaneous."[118] Towards a better understanding of people's collective actions through movements, the idea of inhabiting different times would be a better framework to work with rather than unilinear homogenous time of modern history that implies a teleology, which is not always followed. The present experience, Asad reminds following from Koselleck, is "a reencounter with what was once imagined as a future. The disappointment or delight this may occasion therefore prompts a reorientation to the past that is more complex than the notion of invented tradition allows."[119] His notion of time is intrinsic to the structure of time.

READING THE HIZBUL MUJAHIDEEN 'ON THEIR OWN TERMS'

Contemporary politico-religious Islamic movements are often labeled as 'reactionary', 'traditional' or at best as mixtures of tradition and modernity, judged from the standards of Western modernity, which is also regarded as "the only authentic trajectory for every tradition."[120] The need is, as Asad outlines, to study these movements on their own terms, beyond trying to fit them into modernity or tradition paradigm, or a bit of both. In most of the studies, Islamic movements are neither accepted as completely modern nor completely traditional, giving rise in case of latter to what Asad calls as 'inauthentically traditional', hence an aberration in both ways.

The need is, as Asad writes, to "regard the contemporary Islamic revival as consisting of attempts at articulating Islamic traditions that are adequate to the modern condition as experienced in the Muslim world, but also as attempts at formulating encounters with Western as well as Islamic history" and this "development of politico-religious movements ought to force people to rethink the uniquely Western model of secular modernity."[121] And this is precisely the challenge that Islamic movements pose to the singularity of the model of Western secularism wherein the role of religion is asserted to provide the fundamental basis of the morality of the political order.

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[118] Asad, "Reconfigurations," 223.

[119] Asad, "Reconfigurations," 223.

[120] Saba Mahmood, "interview with Talal Asad: Modern Power and the reconfiguration of Religious Traditions," *SEHR*, volume 5, issue 1: *Contested Polities*, http://www.stanford.edu/group/SHR/5-1/text/asad.html

[121] Mahmood, "Religious Traditions",

The project of modernization that was started in Europe aimed at making material and moral progress conceptualizes a concept of history making. This was seen in consonance with a new experience of historical time and a new conception of historicity, that assumes a singular collective identity, shifting places across time from Greece to the 'modern European universal civilization'. This modern historicity of the West is central to its definition of itself as opposed to all other non-Western cultures. Thus, while 'making history' the agent must be seen to create the future which is seen to be universal. The models that don't seem to adhere to a universal teleology do not qualify as history making, rather merely attempts to "resist the future or to turn back the clock of history."[122]

For Asad, the people who are 'resisting' are also employing a peculiar notion of history making, even though they may not be going on the path of the hegemonic idea of the universal trajectory that desires a particular kind of future based on the teleology that has origins in the specific development of the Western civilization. This is to understand the different process at play, that runs in a way counter to the hegemonic liberal path, whose validity in its totality is repudiated. The question of having the moral and material resources that actually precipitates a successful alternative, whether 'modern' or something else is a different point. And it precisely in this struggle for hegemony that Islamic movements are engaged in with the West or its discourses through the model of modern-nation states, which might be located in the non-West but follow the same pattern.

The challenge, then, to the presumptions of modernity as well as secularism is not merely a zero sum game where the one or the other will survive but it also leads to an interaction of ideas, presumptions, systems of thought that influence each other. The question of which influences which paradigm more is again based upon the respective hegemonies that these systems of thought command based upon the actual play of power. In this scheme, the ideas coming from the West and internationally legitimized through various institutions, obviously have the advantage as things stand today. Many times the

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[122] Talal Asad, introduction to *Genealogies of Religion: discipline and reasons of power in Christianity and Islam*, (Maryland: The Johns Hopkins University Press, 1993), 18, 19.

oppositional ideas are taken as a critique and in fact could be argued to assimilate in the whole system of thought.

The skepticism of the grand narratives that came through the ideas of post-modernity opens up possibility of an anthropological enterprise to describe things in their own terms. This to begin with "...means (to understand) terms intrinsic to the social practices, beliefs, movements and traditions of the people being referred to and not in relation to some supposed future that people are moving towards... Concepts of people themselves must be taken as central in any understanding of their life."[123] Asad doesn't reject the usage of concepts that may not immediately make sense to us, but insists that they can't be taken to form essential categories for understanding. Thus, setting aside the grand histories, the idea is to understand the aim of people in doing a certain activity through historically. specific terms. This applies to the case of politico-religious movements, especially Islamic movements.

Taking cue for the question of study of this dissertation, one should thus keep in mind the historical factors which have influenced the socio-political space and the realm of ideas in Kashmir, to understand and place the politics of the Hizbul Mujahideen.

A Princely State of the subcontinent under the British, among 572 others, Jammu and Kashmir was ruled by Hindu Dogra kings prior to 1947. The state had come into existence as a result of a treaty between Maharaja Gulab Singh and the British, who sold it to the latter through the treaty of Amritsar in 1846. The state was ruled by the Dogras with an iron hand, and their sovereignty was established on precisely on account of their being Hindu. Muslims, who formed the majority of their subjects, were poor, dispossessed and stripped of even their basic rights.

The history of protest and mobilization went as far back as April 1865 when Muslim shawl workers protested against the excessive taxation policies of the Dogra government and around 28 protestors were killed along with the arrests and fines imposed on many others.[124] Interestingly, this was even before the celebrated Haymarket affair in the

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[123] Mahmood, "Religious Traditions",
[124] Swami, *Secret Jihad*, 11.

United States which would form the basis of celebrating the Labor Day throughout the world.

The dispossession of people along religious lines had set the tone for mobilization along the religious lines. Protest was often articulated in a religious, Islamic idiom. This continued post-1947 when Jammu and Kashmir, a Muslim majority state, came under Indian rule, a Hindu majority country. The accession was widely disputed. Dissent regarding this was crushed by force.

The mobilization against the Indian rule continued since then. While being completely against Indian rule, some were in favor on independence and others wanted accession to Pakistan, a country with a Muslim majority, carved out of the subcontinent as a homeland for Muslims. Many Kashmiris saw themselves as a part of Pakistan and insisted on the plebiscite that could let them chose their political status. Islam was seen as the connecting factor between the two regions.

Symbolically, Islam continued as the inspiration for mobilization against what was seen as oppressive foreign rule. Even Sheikh Abdullah, the leader of the National Conference who served as the Prime Minister till his arrest in 1953, used the pulpit of the Hazratbal mosque and his recitations of Quran to garner support. Political mobilization and Islam were entwined in Kashmir.

Changes on the global front – the Iranian Revolution, the Afghan war against the soviets, the consequent breakup of USSR and creation of new nations – instilled hope in Kashmir, of a possible change, as where Islamic movements around the globe had defeated formidable powers and created social and political setups of their own. Creation of many free independent republics in the erstwhile USSR also made Kashmiris believe that things were possible.

There was already a political opposition in place in Kashmir that had for decades struggled for the right to self-determination. After the massive electoral fraud that accompanied the assembly elections of 1987 the situation changed drastically as Kashmiris opted for the armed struggle. The rise of the Hizbul Mujahideen and other

Islamic groups that sought national self-determination in Kashmir should be placed in this particular historical context.

Reading the Hizb without understanding, at least the immediate past of Kashmir, would take us nowhere. A contextual understanding is most pertinent to recognize both the actual dialectic of ideas and the challenges and possibilities it opens up.

It might not be too farfetched to propose that the secular and the religious would find a way in Kashmir, in a free political setup. However, as things stand, the main opposition for such a process to gather momentum in Kashmir is the political deadlock over its sovereignty since 1947. This is between, on the one hand, Indian state's official position on Kashmir being its 'integral part', and on the other hand, the assertion of the Resistance Movement to contest that discourse and claim the right of self determination for the people of Kashmir to choose their political future. This has to be resolved.

CONCLUSION

In the course of this dissertation I have tried to study the Hizbul Mujahideen in Jammu and Kashmir in the light of its historical context; looking at its formation, ideological principles and working. I propose an understanding of the Hizb in through a nuanced approach vis-à-vis the study of Islamic movements away from seeing them through the binary of religious versus secular as mutually dichotomous categories. This is important as the adherence to the principle of secularism is seen as fundamental to the legitimacy of popular movements.

We need to take into account the fact that religion continues to be a living reality in the modern times and popular political movements often tend to use a religious inspiration and articulation to deal with the 'secular condition'. There is an ongoing dialectic between the religious and the secular, and a continuation of the process of secularization.

The doctrine of secularism needs to be problematized and understood in its historical context of development for a proper understanding of this dialectic. This leads to a richer and deeper understanding of secularism as a project that is contested in its each step, and engaged with even in its rejection. I have tried to understand how Islamic movements like the Hizbul Mujahideen engage with the notion of the secular and secularism.

In Kashmir, the rejection of secularism by the Hizbul Mujahideen, in its immediate context, is due to the fact that the Indian state it is fighting seeks to legitimize its rule in Kashmir on the basis of its being a secular state. Kashmir, being the only Muslim majority state, is seen as important for the self-definition of Indian as a secular state. This claim of the Indian state of being a secular state, and a democracy, by the Hizb is seen as an obfuscation of the actual Hindu majoritarian nature of the Indian state and an occupying force that oversees a 'militarized governance' of Kashmir. This image of India being a repressive occupying force on the one hand and a secular democratic state on the other hand gets conflated. The rejection of secularism in Kashmir by the Hizb is in effect

rejection of the working of the Indian state in Kashmir which fails to adhere to the principles that it claims to represent.

This condition is similar to the historical rejection of the doctrine of secularism in non-Western contexts, where it was seen as an alien ideology and a servant of imperialism. This did not however stop an engagement with the principle of secularism that came to be imposed through the establishment of the colonial state and its institutions.

The counter ideology of the Hizbul Mujahideen that is pitted against a secular, oppressive state is located in Islam and articulated through the use of religious idiom. At the same time, there is an engagement with the secularism through the structures and institutions of the modern state systems, to international laws, treaties, promises of the Indian leaders, the UN resolutions.

I have argued that in Kashmir, there is a context to the use of Islamic language and idiom for articulating protest and to mobilize people, in the historical circumstances of the late nineteenth and early twentieth century, wherein mobilizations against the oppressive rule of the Hindu Dogra Maharaja employed a religious language. This continued after the beginning of the Indian rule.

To understand ideas and concepts in a deeper and more nuanced way, beyond what they are simplistically thought to stand for, it is imperative that one delves deeper into the contexts of their emergence. Also, more often than not, concepts undergo a change in their meanings and what they stand for, influenced by the changes in the societal contexts they operate in, and whose change they influence in turn. To chart out the trajectory of the meanings of concepts; what they mean in different contexts, spaces and times, we need to study them concurrently with history. Uncovering the history of ideas, and the history of societies where these ideas play out, must go hand in hand.

Religion continues to play a role in contemporary societies more than ever. The 'return of the religious' is a phenomenon long established. Secularism is a project that has to take account of this reality.

The appreciation of the current import of the concept of secularism will need us to look at how it came to operate differently in different social and political contexts. We cannot use its 'original' meaning to study societies where it did not exist 'originally'. This does not imply that the category of secularism should not be used to study societies or movements in which religion continues to play an important role. Rather, we need a 'translation' of the idea of secularism to understand it in its specificity to connote in clearer terms what its stands for and what is its import on the circumstances around us; how it deals with the 'religious', how it influences our way of life, the structure and functioning of the institutions that we deal with, socio-political and economic organization et al.

However it emerged historically, we can no longer label secularism as a purely 'Christian phenomenon' or a 'Western concept'. The doctrine is a part of the reality of modern political setups in the form of nation state. It plays out even in its rejection.

Islamic movements have long dealt with the idea of the secular. It was necessitated on one hand by the very emergence of the concept. (Consider asking a person whether he/she is 'secular' or not at a stage when he is unaware of what is stands for. He/she will think and try to place himself/herself with regard to it. An engagement is inevitable either way in its acceptance, or even rejection, or (re-)interpretation). Not to confront the reality of the secularization and the development of secular institutions that emerged with the rise of the modern nation state was not an option, if Islamic movements had to remain of any significance.

Thus, 'Islamic' and 'Western' are not neat categories that could be divided by a line. They feed on each other, take from and give back, and influence each other. In the manner that 'religious' and 'secular' cannot be studied separately from each other, same way a study of the Islamic ideas cannot be done in isolation from the influences that the development of ideas and institutions in the West, and their transference to the Islamic world, have had, and vice versa. In the universal space of ideas, the absolute universal is a work in progress.

Islamic movements, in the current predicament of their location in the time and space they are in, attempt to invoke, interpret and apply the tradition as suited to the needs of the contemporary. As Asad teaches us, 'religious' and 'secular' are not neat categories, the 'theological part' of the doctrine of these movements needs to be studied along with their 'secular part' to understand fully the import of the actual practices.

Hizbul Mujahideen in Kashmir works with a double justification; on one hand, it grounds its legitimacy in its interpretation of the Islamic principles – the imperative to fight an oppressor that has broken treaties and unleashed oppression on the people governing them by the barrel. On the other hand, Hizb puts forward the recognition of the right to self-determination of nations, which in the case of Jammu and Kashmir has been ratified by the United Nations Security Council Resolutions of 1948, as the fundamental basis of their struggle. While the first affirms religious sanction, the latter takes into account the need for a secular argument.

Thus, Hizbul Mujahideen does not limit itself to a 'religious discourse', considering also its self-definition as carrying out a 'political-cum-religious' struggle. The movement is aware of the need for a secular language of articulation. Both work as each other's masks, to use Asad's term for the relationship between the 'religious' and the 'secular'. Thus, the boundaries between the religious and the secular are made fuzzy from a social science perspective.

Interestingly, this is in tune with Islam as a way of life that encompasses the political as well, rather than being just limited to prayer and ritual. In Islam, as was mentioned earlier, temporal is the ground where sacred plays out.

By seeking a reinterpretation of the fundamentals of the Islamic faith to their current context of operation, and indulging in a back and forth dialectic, Hizbul Mujahideen challenges the teleological notion of a 'linear historical time', that is 'secular', to bring out a 'heterogeneous time' into operation. On the other hand, the space these kind of Islamic movements occupy transforms, through their treatment of the present, to a 'complex space'.

Progress is sought, not by giving up on traditional ideas and practices, whose fundamental nature is sought to be preserved, rather by appropriating them for contemporary relevance and using them as guiding principles.

Thus, in the contexts of the Islamic movements, like the Hizbul Mujahideen, while the consequences of modernity and indispensability of the institutions of the modern state are dealt with, past is not erased, as seemed to be the case in the development of Christianity into secularism. Rather than giving up on the theological, which the transformation of Christianity into secularism obscured from sight and labeled 'archaic', it is asserted as a ground through which the dealings in the domain of secular are sought to be guided.

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