

Hearings on Religious Freedom in India and Pakistan: Panel 1 Subpanel B Question and Answer

September 18, 2000

(Note: These are unedited and uncorrected transcripts)

Panel I: Situation Analysis for India, Subpanel B (left to right): Dr. Ghulam Nabi Fai, Dr. Vijay Sazawal, Prof. Ainlee Embree,

CHAIRMAN ABRAMS: Thank you. Do you want to respond?

DR. SAZAWAL: Yes; I'd like to respond to Professor Embree, whom I respect deeply. He is looking at the issue from an academician's point of view, and I can understand. I am looking at it from my family. My father and mother lived as retired people in the valley in their home, and they left, which was July 27, 1990. The day prior to that, two neighborhood boys, Muslim boys, armed with weapons came to their house and told them you will pay protection money from tomorrow only because we know you; you have lived in this neighborhood for a long time; or we'll kill you.

So you have that choice. And every one of our members--and I can bring all of them, and we can have names of those people--every one of those families are affected, and we did not hear anything about the other side. As I said, what Professor Embree just said was what the Pakistani Attache said in his news bulletin that he sent to the Post, and he said that justified the outbursts of people to take it out, and that's where I talk about the fact that I heard this explanation sometime in the late thirties also.

Thank you.

DR. AL-MARAYATI: Excuse me again; well, first of all, thank you for your testimony, and thank you for coming. And I believe that we do recognize that the situation in Kashmir is not easily and simply explained by looking at it from a religious point of view. But in

similar conflicts elsewhere where religious identity becomes a factor at some point in the conflict, then, it is something that is of concern, but we know that it is not the primary source of conflict necessarily in the region.

But once religion, then, is manipulated to promote whatever tactics are on either side, and once individuals are targeted based on their religious identity, that's where the area starts to blur, and I think it is still important for us to deal with this, and it has a lot to do with the perception of the people who are victims in their own community, which is why we are listening to this testimony today.

But I have--and I need to be educated on the issues with India and Pakistan in Kashmir as well, and so, I had, well, two questions: one just for you, Mr. Sazawal, in terms that speaks to I guess what is being discussed about the situation prior to partition, but was there a time prior to that current conflict where there was a peaceful coexistence, or was it a situation of tension historically? That's not something that I know enough about, and I would like your assessment of that.

The second question has to do with the assertions and opinions that some of the militant activity that's taken out against the other minorities in Kashmir such as the Hindu Pundits and the Sikhs, is actually promoted by the Indian Government when then sort of employs or promotes this activity among militants that do not represent the aspirations of the mainstream and majority Muslim population in Kashmir.

And I wonder if you have an opinion about that as well. And the others--I welcome your comments equally.

DR. SAZAWAL: Thank you; let me address your questions.

I refer to the start of our problem sometime in the mideighties, which was when the current problem started. The partition of the country took place in 1947, 1947, so there is a period--historically, there have been periods where they were at odds. Islam came to Kashmir in 1320, and from times immemorial, you basically had primarily a Kashmiri Hindu culture there, an appearance of Buddhist culture, and essentially, by 1410, which is a period of almost 80 years, 70 to 80 years, the balance of the religions shifted. The majority became Muslims, and the minority became Pundits.

So that's the time frame. There are a lot of interpretations

of how that conversion took place, but most tend to believe that the conversion was done on what they call a Sufi culture, a Sufiism basis, which was a moderate form of Islam which is essentially something that is recognized a lot as Kashmiri, which is essentially sort of a mix of Muslim but done--a lot of the customs were very similar to their traditions from which the people who had mostly converted from the Pundit community had.

So there was that linkage. What you saw essentially beginning in the late seventies was something that was already happening in the dynamics or in that region, what is called a rough neighborhood or a tough neighborhood these days, starting essentially with the situation in Iran with the Ayatollah's emerging back with the reclaim of their religious identity.

I remember even when I was young, there were broadcasts from the Pakistani radio always denouncing Kashmiri Muslims for not being Muslim enough; for dressing up like Kashmiri Pundits; for doing Western-style things like that. There was a growing pattern. That pattern started in earnest from the midseventies, and by the mideighties, quite frankly, the handwriting was on the wall, so I'm not--you know, it's an evolution which is much recent in origin as to what has happened between the two communities.

In respect to the other questions, in terms of the fact could the Government be involved? You know, I can't tell you it can, because I'm not a Government person. I don't know where we are. But let me tell you: the people who have claimed that the Government was involved in some of the events, and we heard from Mr. Dayal and Mr. Khan earlier, essentially talk about isolated events. They talk about isolated events in a different manner.

In our case, quite frankly, we're talking about systematic exclusion from the area. Ninety-eight percent of our community is not today where it was a decade back. There is no such case with any Muslims, even in Kashmir for that matter, but forget about that but even in India, as well as, you know, for the Christian community. We're talking about a massive exodus. And by no means can I see an institution of the Government, especially a government like in Delhi; if anything, we think India, quite frankly, our opinion is that India is a weak state and still struggling to come to grips with its newfound democracy and freedom.

And in a sense, that takes a long time, you know. I can look back on my own Constitution here in the United States, and I can argue 50 years after our Constitution was created, we were not a lot stronger than where Indians are today. So I could argue on that basis. But the point is that ours is a really unique situation. The tragedy is nobody has seen it that way.

CHAIRMAN ABRAMS: Yes?

DR. NABI FAI: I fully agree with Professor Embree and Dr. Al-Marayati that the basic root cause of these tragedies, both Muslims and Pundits, is not religion in Kashmir, but it has been basically the denial of the right of self-determination.

The peaceful coexistence of Hindus and Muslims in Kashmir; it has not been the history. It is still--in Kashmir, there is a peaceful coexistence of Muslims and Hindus even now when I am talking to you. According to the latest census of the Indian Government, the total number of Kashmiri Pundits is 91,000. That's the Indian census, not mine; the latest census available, 91,000.

There are still 25,000 Kashmiri Pundits, my brethren, my brothers, my sisters. I share my culture, my whole history with them. 25,000, they are there. Not a single problem. They don't have any problem. We do have the problem.

Then, why are these 70,000 or 65,000 Kashmiri Pundits outside Kashmir? My friend, my brother, Dr. Sazawal, he mentioned a Delhi newspaper Asafar [ph]. Let me read the same newspaper, Asafar, reported in 1990 that it was the Governor, Jam Muhan [ph], who wanted the Kashmiri Pundits to be out in order to portray the struggle in Kashmir as religious, as it is going on here that Muslims, they do not really tolerate the Hindus.

Dr. Al-Marayati mentioned about these militants who may be sponsored by the Government. We had one of the leading scholars from India. He was the vice-chancellor of Kashmir University, Dr. Mashiral Haq [ph]. He was killed, and it was mentioned at that time that he was killed by the militants. Then, four years later, it was proven that those militants, they were not Kashmiri pro-resistance. They were--they called them Equanimous Lenum [ph]. They are still there. They have been sponsored and funded by the Government of India.

If you will read this week's New York Review, just this week, written by a Hindu professor from India, he has proven--it's a long article; 19 pages. It is a three-part series saying that Keti Singpura [ph], where more than 45 Sikhs were killed and blame the Pakistan and the Kashmiri militants, he says no; they were Indian forces.

So there are so many factors that are there, but I agree with you that the basic root cause of the conflict is not religion. We still love each other, and there is peace in Kashmir. And let me tell you: there are two people that are Hindus. One is Led Basin [ph]. He is from Jamhur [ph]. And one is the son of a great historian of Kashmir, Pernal Bazaz [ph]. His name is Bushan Bazaz [ph]. And both have said in public that the problem and the tragedy of Kashmiri Pundits is not from the Kashmiri Muslims; it is because of the Governor of India.

So I think those are the factors we have to really concentrate before we will make an opinion.

MR. BOLTON: I have a question for Professor Embree, and again, I'd welcome comments by the others. You said that you don't think the dispute in Kashmir is primarily religious, and you said that the--some of the things that the Indian Government had done, the army, were really reflective of behavior of an army of occupation. If it's true that the central issue politically here is the legitimacy of Indian rule over Kashmir and that the solution proposed by many in Kashmir and Pakistan, a referendum, were allowed to happen, it's the view of the proponents of the referendum that merging with Kashmir would likely be the outcome. That's presumably why they--

PROFESSOR EMBREE: With Pakistan.

MR. BOLTON: What did I say?

PROFESSOR EMBREE: Merging with--you said Kashmir.

MR. BOLTON: Sorry; merging with Pakistan. That's presumably one reason they favor a referendum. And the reason that that's perceived that way is the predominant religious view of the population. And I wonder if you could just elaborate on whether you think that that perception is wrong and why it is, therefore, that the split on the future of Kashmir, if it's not religious in nature, tends to divide along religious lines.

PROFESSOR EMBREE: I think the question of a referendum--an actual referendum is a dead issue. It wouldn't take place. India wouldn't want it; Pakistan wouldn't want it; and I don't think the Kashmiris probably would either. The real issue is self-determination. The Kashmiri people are fighting, the militants in the valley and the Kashmiris generally, want a large degree of autonomy. That's why I say it's not primarily religious.

India's objection to that is often-stated. It's unwilling to give a larger measure of autonomy to Kashmir, because this would lead other minorities in India to demand more autonomy, leading to the disintegration of the country. The Indians argue very much in political terms at that point.

I spent time recently in Kashmir, and I didn't talk to anybody who thought Kashmir should join Pakistan. The people who believe that are all over in Pakistan. Nor did I meet many people who thought that Kashmir should be completely absorbed into India. Kashmir has a very strong sense of identity. Some speak wistfully of independence. They know that neither India nor Pakistan would ever agree to independence.

And while in the end I would still argue that it's not primarily religious, there is a real kind of what the Russians used to call subnationalism in Kashmir: a sense that we are a people. Now, that's cut across by the fact that while the majority of the people are Muslims, there's a large Hindu majority in one area, Jammu; and there's a large Buddhist area, Ladakh [ph]; large area; not many people. They clearly are not with the militants.

So that it strikes me that the issue does boil down to negotiations between India and Pakistan and the militants. India absolutely refuses to negotiate on the subject of Kashmir with the Pakistanis. That is one of the stumbling blocks.

And what one is faced with is the hope that--you spoke of U.S. policy. I think that behind the scenes, the U.S. is working very hard to persuade the Indians to enter into genuine negotiations with Pakistan and the militant leaders of the question of the future. I have no--obviously no hard evidence, but I think this is what the United States is doing, and I think it's the correct policy to try to persuade the Indians to negotiate.

The Indian argument is quite simple: they say there is no dispute over Kashmir. You're attacked if you use the word dispute. Indians say there is no dispute; Kashmir is ours, and the Pakistanis have nothing to do with the settlement of the issue except stop arming the militants.

And so, while--I'll go back to say earlier; yes, of course, Hindu nationalism now plays a big role. But I think basically, it's a question of a group of people wanting a kind of autonomy which the

Indians are refusing to give, not, I think, on religious grounds primarily but on political grounds. I don't know whether that's clear or not.

CHAIRMAN ABRAMS: Can you be very brief? We're behind schedule.

DR. SAZAWAL: He mentioned that--Dr. Embree mentioned that there is nobody who would want to unify with Pakistan, but let me quote from the Washington Post dated July 10, which is just a couple of months. There was Mr. Abdul Khalid [ph], in fact, who lost his son, and the reporter went to see and was hoping--she was hoping that he will actually talk about these senseless killings and the fact that he had a personal tragedy.

But all Mr. Khalid was able to tell back to the reporter was this is a struggle between Islam and infidels. We want the freedom to be with Pakistan. We want all Muslims of the world to unite under one leader, and let it begin here. So at least there is one pro-Pakistani there.

Let me quickly make one mention--

CHAIRMAN ABRAMS: Very quickly.

DR. SAZAWAL: We are not--Kashmiri Pundits, the key barometer for us is will we be allowed back with our dignity, with our safety? That's the main issue. And nothing we have seen so far, nothing in the negotiations between the Indian Government and, quite frankly, and the militants have we seen any--in fact, I have a lot of statements which are included in my statement. They have not--they have turned that thing down, and I want to make sure here that our forum believes strictly what the U.S. Government believes in: no deals with terrorists.

Thank you.

CHAIRMAN ABRAMS: Mr. Nabi Fai?

DR. NABI FAI: Well, I have, Mr. Chairman, a very subjective perception, and it's very difficult to make it objective, and that is that it is not only the Muslims of Kashmir who want freedom; it is the Hindus, because our leadership, let me make a statement for the record, is an all-parties conference. It has seven Muslims; it has four Hindus; it has one Sikh in the top leadership.

And secondly, Outlook--that's an Indian newspaper, a monthly newspaper--they had a survey there, and it's Outlook; not my newspaper; it's a Hindu newspaper; the chief editor is Hindu. According to the survey, more than 70 percent of Kashmiris, they voted against the autonomy and for the freedom. So my personal observation is, as I told you, that I wish I could be objective that autonomy in Kashmir is almost a dead issue. It is no solution to the whole problem.

CHAIRMAN ABRAMS: I--we should stop, but there is one more question that I would like to ask Professor Embree. Do you think that the conflict in Kashmir is essentially separable from the question of religious--freedom for religious minorities in India, or do you think the two interact?

PROFESSOR EMBREE: If you had asked me two years ago, I would have said that they were separable. They're becoming less separable because of the rise and resurgence of Hindu nationalism.

But I do think there are a great many people in India, even in the Government itself, who see that the only solution is some kind of autonomy for the people who are demanding it. I think everybody knows that the militants are armed by Pakistan. Their bases are in Pakistan. And the hope would be of the Government moving away from the strictly religious point and to try to work for some sort of autonomy--not independence but some sort of autonomy.

CHAIRMAN ABRAMS: Thank you very much.

Thank you all on behalf of the Commission for appearing here today, and we very much appreciate it and very much appreciate hearing from you.