

Detentions without charge, night-raids, torture:

## India's state of siege in Kashmir continues

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With the blessing of India's Supreme Court and the staunch support of big business and virtually the entire opposition, the Narendra Modi-led Bharatiya Janata Party (BJP) government continues to subject Jammu and Kashmir to an unprecedented security lockdown and communications blackout.

Since August 5—for the last 69 days—the 13 million residents of the disputed Jammu and Kashmir (J&K) region have been denied all cell phone and internet access. Tens of thousands of Indian army troops and paramilitaries remain deployed in cities, towns and villages across J&K to brutally suppress any anti-government actions, and to police curfews and restrictions on people's movements whenever and wherever they are imposed. Security forces have detained thousands of people without charge, including boys as young as 9 years old, while steadfastly refusing to provide any accounting of the number of detained, their names, and current whereabouts.

This state of siege was implemented to enforce the BJP's August 5 constitutional coup. Without warning, let alone any consultation with Kashmiris, the government stripped J&K of its special semi-autonomous constitutional status by presidential fiat, and then downgraded and bifurcated what had been India's only Muslim-majority state. Henceforth, J&K is to be governed as two Union territories, effectively placing the region under permanent central government trusteeship.

Modi's assault on J&K has multiple reactionary objectives. These include strengthening India's hand against neighbouring Pakistan and China, and whipping up chauvinism and bellicose nationalism to energize the BJP's Hindu supremacist activist base and intimidate and divide the working class under conditions of a deepening economic crisis and mounting social opposition.

Government officials claimed that "normalcy" would be quickly re-established in J&K. But long before the security lockdown entered its current tenth week, they

stopped giving any clear indication of when cell phone and internet service will be restored or those detained without charge released. Modi's National Security Advisor Ajit Doval, who personally supervised the initial phases of the stage of siege from Srinagar, J&K's largest city, has cynically said that the lifting of the cell phone and internet restrictions "depends on" Pakistan ceasing to use these networks to send "signals" to "operatives."

For decades, the Indian establishment and especially the BJP has presented the popular alienation from Indian rule in J&K, and the separatist insurgency that has convulsed the region since New Delhi brutally suppressed the protests that erupted in response to its rigging of the 1987 state election, as entirely attributable to the machinations of Pakistan.

The reality is the communications blackout, like the state of siege as whole, is driven by the Indian authorities' fear of mass popular opposition.

So isolated is the government, that it has detained hundreds of Muslim pro-Indian J&K politicians and activists, including three former Chief Ministers and the leading cadre of the J&K National Conference and Peoples Democratic Party.

Notwithstanding the government crackdown and the complicity of much of the media, numerous reports have emerged documenting massive human rights violations by Indian security forces acting at the behest of Modi and the BJP government.

At the end of September, a team of five women's rights activists who visited J&K between Sept. 17 and 21 published a report, "Women's Voice: Fact-Finding Report on Kashmir," providing evidence of numerous instances of arbitrary state violence, including night-raids and torture.

The report said Indian authorities had arrested an estimated "13,000 boys" in J&K since August 5. "Boys as young as 14 or 15 are taken away, tortured, some for as long as 45 days. Their papers are taken away, families not

informed.”

The report adds, “Women in villages stood before us with vacant eyes. ‘How do we know where they are? Our boys who were taken away, snatched away from our homes.’”

Journalists from India’s newslaundry.com website who visited four districts in the Kashmir Valley were likewise greeted with harrowing accounts of state repression.

“In every neighbourhood and village that Newslaundry visited,” reads the October 1 report, “residents spoke of violent raids by the police, Army or the paramilitary CRPF. Some said their family members had been detained for 40 days without criminal complaints or paperwork at police stations, making it difficult for them to approach courts protesting against unlawful detention. Family members of the detained pointed to their injuries from the raids, and the doors and windows of their homes lay broken.”

The state of siege has also caused huge economic hardship, with businesses from small shops to internet-based IT companies unable to operate or forced to drastically curtail their activities. Other devastating consequences include widespread psychological distress, and death, as a result of people not being able to obtain medicines or reach hospitals for urgent medical care.

“At least a dozen patients have died because they could not call an ambulance or could not reach the hospital on time, the majority of them with heart-related disease,” a doctor at a J&K hospital told the *New York Times*. For fear of reprisals, the doctor identified himself simply as Sadaat.

Modi’s chief henchman, Home Minister Amit Shah, has boasted that India scored a “big diplomatic victory” at the recently concluded United Nations General Assembly, because few countries, and most notably none of the Western powers, criticized New Delhi’s illegal abrogation of J&K’s special status and security lockdown.

If the US, Japan, Germany, France and Britain are effectively endorsing India’s actions in J&K—blithely ignoring New Delhi’s trampling on the rights of the Kashmiri people and its reckless stoking of tensions with arch-rival Pakistan—it is because they all view India as a key strategic partner in countering China.

The broad support within India’s ruling elite for Modi’s assault on Kashmir is expressed in the actions of India’s Supreme Court.

For weeks the Supreme Court put off hearing cases challenging the security crackdown, telling plaintiffs they

should have confidence in the government and security forces’ claims that “normalcy” would soon be restored. Finally, six weeks after the state of siege began, India’s highest court ordered the government to “make every effort to make sure normal life is restored.” In the very next breath, however, it gave the BJP the green light to continue its repression indefinitely. The restoration of civil liberties, said the court, should be on a “selective basis” and only insofar as was compatible with “national security” and “national interests”—which is precisely what the BJP government has been claiming to be doing.

Faced with a batch of other cases arising from the security forces’ arbitrary detention of Kashmiris, including children, and other violations of basic rights, Chief Justice Ranjan Gogoi later complained, “We do not have time to hear so many matters. We have a Constitution Bench case to hear.” This was a reference to the BJP government-supported drive to build a Hindu temple on the site of the Babri Masjid, whose 1992 razing, in defiance of a Supreme Court order, was instigated by the BJP and its RSS allies.

The Supreme Court is also dragging out the hearing of legal challenges to the BJP’s abrogation of J&K’s constitutional status until after the bifurcation takes formal effect at the end of this month. Underscoring its turn toward authoritarian methods of rule, the BJP government originally argued against any judicial review of its August 5 actions, with the claim that it could adversely impact India’s foreign relations.

The court, no doubt calculating that its stamp of approval for the August 5 constitutional coup would lend it greater legitimacy, decided to hear the court challenge. However, it has barred any other plaintiffs from challenging the government’s right to strip Jammu and Kashmir of its semi-autonomous status, in flagrant violation of a constitutional stipulation that any such change requires the approval of the state legislature.



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