ANALYSIS OF TERRORISM BETWEEN INDO-PAK RELATIONSHIP AND SUGGESTIONS

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I. INTRODUCTION

Under the Indian Independence Act of 1947 of the British Parliament, two dominion states, to be known as India and Pakistan, were to come into being upon British withdraw in mid- August 1947. The border drawn between India and Pakistan on August 14, 1947, Pakistan came into existence on the basis of Two Nation Theory viz. Muslims and Hindus are two separate nations mainly divided by religion. In terms of this theory, Pakistan emerged as a nation-state with Islam as its state religion. The 1945-46 rapidly communalist election campaign conducted by the Muslim league and the bloody division of colonial India have in the post-independence period served as the back drop and compulsive reference for the discussion on the nation-state project. Three different interpretations of relationship between Islam, state and nation were present among the Muslim league leaders who received power and authority in Pakistan. The first was the contradictory position of the supreme leader of the Pakistan movement Mohammad Ali Jinnah, who, on the one hand advocated a separation between religion and the state and advanced the idea of a Pakistan nation consisting of all citizens in his oft-quoted 11 August 1947 address to the Pakistan constituent assembly, but who on the other hand had played a pivotal role in ascribing credibility and legitimacy to the religious basis of nationhood and on that basis brought about partition. The secular, position of Jinnah never received much attention in real politics of Pakistan as the Islamic dimension became a central feature of the political discourse. The second interpretation was a middle position held by most of the top leaders of the Muslim league, with Liaquat Ali Khan, who, spoke in favour of an Islamic democracy. It has remained consistently the position of the modern-educated state elite and main stream politicians, but has defied translation into a coherent constitutional and legal formula. The third was a candidly theocratic position upheld by the large body of ‘Ulema and ‘Peers’ who had been co-opted by the Muslim league into its election campaign for 1945-46 elections. After Independence the religious experts were eclipsed by the modernist elite, but gradually they gained political clout and influenced, and started pre-empting the ideological space. In a political sense, this could occur because of the opportunism and machinations of politicians, who began exploiting Islam for conducting negative politics. Government in power would resort to some Islamic principle to denounce the opposition's demands for elections and regional autonomy as secessionist; centrist politicians out of power could equally invoke Islam to assail the government for alleged un-Islamic conduct. The third position was also strengthened because many Pakistanis were sincerely convinced that the classical Islamic political heritage was superior to the western democratic model.1

In spite of the Hindu cultural factor the Indian leaders of the congress party decided to make the national identity on a secular territorial basis. This was consistent with the Ideology of the anti-colonial freedom movement it had led. As multi-class party, congress had developed during the freedom struggle the tradition of accommodating different shades of nationalist opinion and conflicting interests. Three strands of thinking on nation building existed among the congress high command. The first concerned a western-secular approach personified by Nehru, which envisaged integration and in the longer run assimilation of the diverse cultural elements into a grand Indian nation. The scientific state, consisting of a strong centre, was to serve as the vehicle for the dissemination of secular rational political culture. Secondly an idyllic approach deriving from philosophical Hinduism which Gandhi stood for. In the Gandhian model, a pluralist society based on spiritual rather than material development could bring about national integration. The third involved a Hindu nationalist approach which shifted between moderate orthodoxy and militancy. It was represented by the party boss Sardar Vallabhbhai Patel, and majority of congress leaders. It assumed an interdependent and mutually reinforcing relationship between Hinduism and the Indian nation. It can be said that despite the three different strands, the trauma of partition made central elite overly sensitive the question of unity.2

Thus India was founded on the basis of secularism, Ancient Hindu myths, Vedas, Upanishads and cosmopolitan ideology, while Pakistan emerged as a nation-state with Islam as its state religion. It is created on the basis of Muslim leagues two nation theory. The two-nation theory sowed the seeds of in-tolerance, violent sectarianism,
and Islamic terrorism in Pakistan. Jinnah's sudden, unexpected advocacy of secularism after riding on the wave of Muslims' anti-Hindus passions could have been prompted by his later realization that once these passions subsided the militant Muslims could turn against their own co-religionists in the new born country.

II. THE KASHMIR ISSUE AND CLAIMS OF THE TWO NATIONS

The Indian Independence Act 1947 recognised the right of 500 odd states, ruled by the king to merge with any dominions (India and Pakistan) or remain free. At the time of partition the state of Jammu and Kashmir was ruled by Maharaja Hari Singh, the descendent of Gulab Singh. The state of Jammu and Kashmir didn't accede to either India or Pakistan when the British Paramountcy lapsed. Pakistan was interested in this area from beginning. She started pressurising the ruler to accede to her. But the state over came the Pakistan's economic pressures. Failing economic pressure Pakistan conspired to send the armed tribesmen together with her army to invade the state of Jammu and Kashmir in September 1947. The forces of the Maharaja Had Singh were utterly inadequate to meet the large scale offensive. At the instance of Sheikh Abdullah he requested the Indian Government to meet the situation. He agreed to accede to India without any preconditions. The Indian Government sent her army on 27th October 1947 and succeeded in driving out the invaders to Uri along the Jhelum valley road. India appealed to the Security Council on December 30, 1947, against Pakistan for aiding and instigating the raid on Kashmir. Pakistan on the other hand pleaded that the accession of Kashmir to India was done under duress. Hence it was not permanent Pakistan argued that Lord Mountbatten had specifically mentioned in his letter to Maharaja Hari Singh that a plebiscite would be held to know the feelings of the people. The accession of Kashmir to India was voluntary. At no stage force was used to compel the Maharaja. In 1951 people of Kashmir elected a constituent Assembly and declared through it their desire to remain a self-governing state within the Republic of India. This was sufficient evidence to prove that Kashmir was an integral part of India and any interference in the affairs of Kashmir added to interference in internal affairs which India would not tolerate.

On January 1, 1948 the Indian Government decided to take the Kashmir dispute to the United Nations. India asserted that Pakistan army was fighting in Kashmir and that they should be expelled. India assured the UN that the accession of Kashmir was only provisional and the Ultimate status of Kashmir was to be determined through a universal plebiscite. However, both India and Pakistan took the position that Kashmiris could choose to join either India or Pakistan. The idea of a separate Kashmir state was overruled by both sides. The resolution recognized India's legal presence in Kashmir resulting from the signing of the accession Bill. Pakistan had to withdraw from the territories of the state before the plebiscite could be held. However, armed clashes between India and Pakistan continued and their troops remained in the state. Gradually attitudes hardened both sides. Finally a cease fire was arranged by the United Nations which came into effect on January 1, 1949. By that one-third of the Kashmir state had come under control of Pakistan. In July 1949 agreement was reached on the ceasefire line and United Nations observers were stayed oil both sides of LOC(Line of Control) to monitor it. In 1954, Pakistan joined western military alliance. The inclination of western countries towards Pakistan completely changed the picture.

The interference of western power in Kashmir dispute complicated the situation. They criticized India's stand on the plebiscite and started to help Pakistan with arms. The Soviet Union which had been neutral on this question could see through the game of western powers. When Bulganin and Khrushev came to India in 1955, they promised unqualified support to India in Kashmir issue. At that time, the instability of Pakistan's political institutions tempted the armed forces to capture power in that country. The military rulers, in order to divert the attention of the Pakistani people pursued a policy of expansionism. On August 1965 Pakistan mounted a large scale attack on Chamb-Jaurian area violating the international border. The Indian army baffled the attempt of Pakistan to penetrate further in Western Sector. The Security Council succeeded in imposing ceasefire on 23rd September.

In 1971 the events moved fast towards the Balkanisation of Pakistan. In the general elections, the National Awami Party led by Sheikh Mujibur Rahman achieved great victory in east Pakistan. The NAP stood for complete autonomy. This demand aroused in West Pakistan a resentment against Mujib. The military rulers of Pakistan arrested the Awami leaders and suppressed the popular movement. About 3 million Bengalis were massacred and one crore were forced to leave their home to India where they, became refugees. The Indian Government protested against this genocide. She also tried to muster world public opinion in support of the refugees. On 3rd December 1971 Pakistan launched a massive air attack on India. India had to go to war for her security. By 17th December Pakistan's military might dwindled and India liberated East Bengal and helped her to install her own Government. Disputes over territory and sharing of the assets of British India and the religious tension between Hindus and Muslim which accompanied the partition of the Indian subcontinent into India and Pakistan kept the relationship between the two states charged with tension. Wars in 1948, 1965, 1971 and recurring intermittent Skirmishes along their borders has meant that states have directed enormous to brace their military machines. The two states have thus actively followed a policy of hostility and confrontation against each other.
III. TOWARDS TERRORISM

Islamic extremism has become a global threat, Jihad, as a concept was almost forgotten for about a thousand years until it was revived after the soviet military intervention in Afghanistan, a neighbouring country of India. Islamic militants were trained and equipped by Pakistan with the help from the USA during ten years of USS R's, military occupation of Afghanistan, Islamic militants were trained and equipped by Pakistan with the help of United States of America. They did not constitute a global threat then. They only threatened the soviet Communists who militarily occupied the Islamic country of Afghanistan and put a godless regime in power in Kabul. India the second largest Muslim Country in the world, did not face any threat from Islamic extremism for decades after its independence. Millions of Muslims stayed back in India after the partition of the country and the creation of Islamic Pakistan. Massive majority of them championed the cause of secularism and accepted and actively participated in the democratic system of governance in the country. The Soviet invasion of Afghanistan and the decision of the US to turn Pakistan into a frontline state in waging a military struggle against the Soviet troops came as a golden opportunity for the ISI to expend its Capabilities in covert and semi-military operations. As money and sophisticated weapons poured into Pakistan for training the anti-Soviet Afghan Mujahideens, the ISI according to an estimate, "trained about 83,000 Afghan Mujahideen between 1983 to 1997 and dispatched them to Afghanistan". In the aftermath of the Soviet withdrawal from Afghanistan and the subsequent end of the cold war with the disintegration of the Soviet Union, Pakistan made full use of the ISI to engineer the rise to power of the Taliban regime in Afghanistan and simultaneously ISI wanted to re-enact Kabul in Kashmir. It is not a coincidence that the insurgency in Kashmir backed by Pakistan originated soon after the Soviet troops' withdrawal from Afghanistan. However, Pakistan had actually begun to train Kashmiris in 1990s by funding madrassas and its perceived victory against the Soviet troops in Afghanistan encouraged it to remove Indian control over Kashmir. It was not easy for Pakistan to influence recruit the Sufi Muslims of Kashmir to wage jihad. Consequently Pakistan resorted to cross-border terrorism by Pakistan based jehadi groups, such as Lashkar-e-Taiba and Jaish-e-Mohammad. More ever, there was an incursion of multi-national Jehadis from Afghanistan in to Kashmir.

IV. EXPORT OF TERRORISM IN INDIA

Terrorism in India can be attributed to India's many low intensity conflicts within its borders. If terrorism can be defined as peace time equivalent of war crime, then these sites of low intensity conflicts are prime flash spots for terrorism in India. Infact India has been facing terrorism since more than six decades but the terrorism due to radical Islam can be traced from the 1990. The regions with long term terrorist and extremist activities today are in Jammu and Kashmir, and a few parts of north eastern states of the Country both regions having international borders. In addition, there are 13 naxalite infested states threatening the sovereignty of the country. The terrorist activities have increased significantly after 1980, following the involvement and direct encouragement of Pakistan government under the cover of its intelligence agency ISI and Islamic militant groups armed, trained and financed by Pakistan in the plea of supporting 'freedom movement. More recently these groups have been getting active support from Islamic fundamentalist groups from the neighbouring Bangladesh too. The issue of Kashmir wherein India is portrayed as an aggressor by Pakistan is cited as one of the main cause of terrorist attacks. Their objective relating to India is to liberate the Muslims of not only Kashmir but also destroy the secular fabric of India. Later the radical Islamic fundamentalist organizations of Pakistan, Afghanistan and Saudi Arabia and now Bangladesh too.

Terrorism in India has emerged as a hydra headed monster; operating trans-nationally dealing with organized drug cartels operating worldwide controlling Hawala Operations, having nexus with international mafias like Dawood Ibrahim and that of Albania and having a huge resource of gathering arms through large scale smuggling. One can say that at this point of history that by striking roots at local level, networking with international mafias. Till 9/11, India's case of terrorism was not taken seriously by the international community. India had been raising voice against Pakistan's role in abetting terrorists and Separatists activities in India since 1990's in many international forums. In fact ever since 1989, Governments in Pakistan had been making distinction between terrorism in Jammu & Kashmir and the rest of India. Pakistan was never ready to accept that there was terrorism in J&K and rather it projected it as freedom struggle. Till 1995, the views carried out by the international community Infact they were not ready to accept that acts of violence in J&K were basically terrorism. It was only after the kidnapping of some western tourists in Kashmir by Harkat-Ul-Ansar (HUA) (subsequently renamed as Harkat-Ul-Mujahideen) under the name of Al Faran in 1995, which led to a change in attitude of the international Community. They began to accept the arguments of Indian Govt. that violence in J&K was basically terrorism in the name of Jihad supported by Pakistani terrorist outfits. This Changed perception led to the declaration of HUA as a terrorist organization by the United States in 1997. No Indian terrorist group is co-operating with the international Jehadi terrorist movement headed by Al Qaeda. However certain Pakistani Jehadi terrorist Organisation, which are members of bin Laden's International Islamic front (IIF) are being used by Pakistan's ISI for organising terrorist attacks in Jammu St Kashmir and other parts of
India. These are the Harkat-ul-Mujahideen (HUM), the Harkat-ul-Jehad-al-Islami (HUIL) the Lashkar-e-Taiba (LET) and the Jaish-e-Mohammad (JEM). All these organization except the HUIL have been designated by the US state department as foreign terrorist organisations (FTOs) and are subject to action under the UN Security Council Resolution No. 1373 against terrorism. Most of the terrorist organisation in India is based in Kashmir and an. backed by Pakistan and other rogue states which are uneasy to India. At present, Lashkar-e-Taiba, Jaish-e-Mohammad and local Islamic groups of India have spread its base all over India. The nation tops the lists of terrorists organizations fighting in the name of Jehad there are number other organisation also which has strong base in J&K region and operates from there. Although J&K is the worst affected states by terrorism, the terrorism in India is no longer Kashmir, specific and the strategy seems to destabilize India. The terrorists have spread their network to other parts of the country. Major terrorist attacks in India like the 1993 Mumbai blasts, the 1998, Coimbatore bomb blast, the Akshardham temple attack, the Hijack of Air India Flight IC-182, the attack on Indian parliament in 2001; the terrorist attack on the American culture centre in Kolkata in 2002; the Indian Institute of science shooting in 2005, the bomb blast in Delhi on the eve of Diwali festival in 2005, the Varanasi bombings of 2006 and the recent attack on financial capital of the country on 11 July 2006 in which bombs were planted in seven trains in Mumbai killing more than 200 people and injuring more than 700 people and Malegaon blasts show that terrorists have acquired an all India reach and they are no longer confined to the valley. These terrorist attacks encompass a wider strategic objective of weakening India by targeting its stupendous economic growth and advancement in science and technology and creating communal disturbance by attacking temples. 

V. EMERGING SECURITY THREATS AND CHALLENGES FOR INDIA

Since the beginning of 2001, a new dimension has been added due to the infiltration of terrorists from Bangladesh. In fact, Indian security planners are so obsessed with the Western border. The fact is that in post 9/11, Bangladesh has become a sanctuary for terrorists and also a "launching pad" for them to operate against India. The reports indicate that apart from Lashkar-e-Taiba operatives, leaders of several militant out fits operating in the North-East, such as Paresh Baruwa, were living in Bangladesh and aiding terrorism. According to some observers, Islamist fundamentalist groups in Bangladesh have come to the extent of influencing policy making in Bangladesh. Uttar Pradesh has emerged as one of the major centres of activities of the Pakistani services Intelligence (ISI) in India and ISI-trained Indian sleeping modules had infiltrated into even small towns of the state. At least 200 youth in Uttar Pradesh had come back after getting training in ISI camps in the Balochistan Province of Pakistan. The ISI has now largely been banking on local trained youth to carry out operation and both the Jaish-e-Mohammad and Lashkar-e-Taiba had spread their tentacles in the state making Meerut, Baghpat, Phoolpur, and several other cities the hub of ISI network. The presence of the Taliban leadership in and around the Balochistan capital Quetta, has serious security implication for India, given the mutually reinforcing links between the Taliban, the ISI and Jehadi groups like the Jaish-e-Mohammad and Lashkar-e-Taiba. Instability and violence in Balochistan, where Pakistan gas pipe lines are attacked and damaged on a regular bases, make any talk of Iran-Pakistan-India pipe line no more than a pipe dream even if agreement is reaching on gas pricing the growing Chinese presence in Balochistan has far reaching implications of India's Martine security.

VI. INDIA'S POLICY TOWARDS TERRORISM

India has been facing the problem of terrorism since last two decades. Though Govt. of India has taken many steps to counter terrorism but the terrorist attacks on the J&K Assembly and the Indian Parliament forced the government to take a hard look at events. An exceptional mobilization of Indian Armed Forces, Operation Prakaram, was the immediate Indian reaction of the attack on Parliament. Since then onwards the Indian response started getting hardened. The last three decades have witnessed a number of legislations being enacted to tackle various specific contingencies; Jammu & Kashmir, Public Safety Act (1978); Assam Prevention Detention Act (1980); National Security Act (1980, amended 1984 and 1987); Anti Hijacking Act (1982); Armed forces (Punjab and Chandigarh) Special Power Act (1983); Punjab Disturbed Areas Act (1983); Chandigarh Disturbed Areas Act (1983); Suppression of un lawfull Act against safely of civil Aviation Act (1982); Terrorist affected Areas (Special Courts) Act (1984); National Security (Second Amendment) ordinance (1984); Terrorist and Disruptive Activities (Prevention) Act (1985 amended in 1987) National Security Guard Act (1986)/Criminal Courts and Security Guard Court Rules (1987) and the Special Protection Group Act (1988). Although these laws were enacted to meet special situations, most of them were not directed against the larger menace of terrorism. The Terrorism and Disruptive Activities Act (TADA) and the Prevention of Terrorism Act (POTA) 2002 are the only Acts, which can correctly be termed anti-terrorism laws. The state, through these two laws, for the first time attempted to create legislative instruments to curb terrorist activities in India, recognizing the fact, the terrorism was a special crime that needed special laws for an effective response to be created.
The enactment of the two anti-terrorist laws in India, TADA and the more recent POTA, was intended to patch over this chink in the state's armour in the battle against terrorism. Regrettably their impact has been far from what was needed. Both anti-terror laws have come under sustained and substantial criticism on different grounds. Primarily they have been attacked as being 'draconian' oppressive, unconstitutional and against the principles of natural justice. As a result from time to time, the Indian judiciary, especially the Supreme Court has been petitioned to assess whether their various provisions are within the bounds of the constitutional frame work and the principles of natural justice. Several political parties and the Human Rights groups opposed the enactment of an anti-terrorist law. The TADA was allowed to lapse and there was no anti-terrorism law for about five years. The Government after great difficulty was able to pass the prevention of Terrorism Activities Act (POTA) but that too has been abolished. After 9/11 the Indian government offered its unqualified help to the U.S. even before a formal request came and it was a sort of invitation to the U.S. to come and join India's fight against terrorism. But the U.S. preferred the Pakistan; help because of obvious reasons that terrorism emanated from Pakistan and not India. Recently to counter terrorism Indian government has decided to tackle terrorism with the help of Pakistan and both the nations have agreed to setup a three member anti-terror mechanism to be headed by a person of the rank of the additional secretary (international Organizations) from the Ministry of the External Affairs of India and the Additional Secretary (U.N. & E.C.) from Pakistan's Ministry of the Foreign Affairs. Its mandate would be counter-terrorism measures, including regular and timely sharing of information. But the experience of this Indo-Pak joint counter terrorism mechanism is a matter of concern as there have already been a number of mechanisms under the INTERPOL where India's CBI and Pakistan's HA are suppose to work in harmony and they have failed to yield requisite results. Finally, the Government is coming up with counter-terrorism doctrine (CTD) which might help the agencies fighting terrorism but it would be premature to analyse its effectiveness at this juncture.

VII. SUGGESTIONS TO MITIGATE AND PREVENT TERRORISM

“It has been proved that terrorism is today actively encouraged by a foreign power and its eradication demands state action on a wider front. This menace thrives because some other country instigates or encourages it. Terrorism therefore cannot be combated without solid international cooperation”. The perceived knee-jerk reaction to terrorist activities, the government needs to look for a long term solution to the problem of terrorism. This involves measures to revitalise and energise the state police forces and restructure the parliamentary forces and ensure their optimum utilization and speedy trial of the cases related to terrorism. The Government needs to modernize its police forces since the weaponry of the terrorists is fast changing every day. Arsenals of police forces need to be updated and adequate funding for the purpose need to be given by the government. India should take some strict and solid actions against the terrorist organizations and the countries sponsoring or helping them to deal with the increasing number of terror attacks. India should put some international pressure on the countries like Pakistan, Afghanistan and Bangladesh to counter the cross border terrorism. All the peace talks should not be resumed as well as they should be waned of scrapping all present relations if those countries don't take any strict action against the organization operating from their grounds against India. The security should be tightened throughout the nation as well as new technology should be provided to the security personnel's to counter these terror attacks. Along with this communication system through CCTV cameras precautionary measure for the terrorist attacks to be indentified easily, rather then punishing the non-culprit's when the incidents occur. Awareness programmes should be organized in schools, colleges and other institutes to teach students the aspects of helping security bodies against these terrorist activities. Also, India should provide some restricatory powers to security forces to handle with these terrorist and their organizations. But for this all the political parties of India should get united to fight against terrorism because they are our representatives and their unity means the whole nation will get united.

It is necessary to strengthen the intelligence set up because the intelligence organizations have had an important role in combating terrorism. The Indian intelligence organization has been rated as one of the best in the world. But to prevent terrorist activities there should be a federal intelligence agency so that integrated and centralized efforts can be made to counter terrorist activities occurring in different parts of the country As if now, the intelligence bureau has no authority over the state intelligence organizations. After every terrorist incident, usually allegations are made accusing the centre of not having informed the state about the possibility of the incidents. The intelligence service in India is not at all satisfactory there is a need at national level of a high-level anti-terrorist squad, which should have its branch in every state. There is also a need for a trained group/task force for handling the situation, which arises after such blasts and strikes. It must consist of security personnel, doctors, nurses and they should always be on alert. Life can be saved if we have an expert team, rushing at the site of blast to assist the victims. There should be a centralized system of information gathering and disbursement. There is a need for toll free telephone numbers, on which anybody can give and take information about terrorist activities. Fighting with terrorism should not only be the duty of government and a force, the role of civil society is equally significant to
fight against terrorism. Firstly, strong movement is required against all fundamentalist ideologies. And secondly every true citizen should act as a police man in civil dress to overcome crime in country. It is noticed that police randomly pick people from minority community on false charges; this need to be condemned and should be avoided at any cost. No Indian citizen should feel insecure just for belonging to any religion, caste or sect. The spirit of secularism and unity in diversity must be championed by all and sundry.\textsuperscript{13} The Indian government’s initiative to tackle terrorism by cooperating with Pakistan raises serious questions. In fact before developing any strategy to deal with Pakistan, which has been sponsoring and abetting terrorism in India, the government must formulate its own strategy to deal with internal security. Instead of relying support from the United States or from the military rulers of Pakistan, India must rely on its own mechanism to deal with terrorism and other extremist outfits like the Naxal movements.

VIII. REFERENCES

1. Ahmad, Ishiaq; State, Nation and Ethnicity in contemporary South Asia, PINTER, London and New York 1996, P.171
2. Ibid, P.102
3. Shrivastava, Dr. L.S. & Prof. V.P. Joshi; Internal Relations, Goel Publishing house, Meerut, 1982-83, P.75.
4. Ibid, P. 78-79.
5. Ahmad, Ishiaq; State Nation and Ethnicity in Contemporary South Asia, PINTER, London and New York, 1996, P.143.