
The case of Arif Shahid reflects the misleading Human Rights narrative on J&K

A web search on ‘Sardar Arif Shahid’ on 13 May 2020, the 7th anniversary of Shahid’s martyrdom, and on the following day as well, provided only 1 recent matching result. This was not surprising at all as the search was done with the intention of ascertaining whether anyone, just about anyone, but especially from amongst the residents of Jammu and Kashmir (J&K), had deigned it important enough to spare a thought for a political leader from Pakistan-Administered J&K who by his own description was an unabashed, unashamed, peace-loving and fearless nationalist. Even if the near absence of coverage did not come as a surprise, to find just the solitary reminder of the memory of a personality who had devoted his life to the cause of J&K and had eventually died for it, came across as eerie and poignant.

Arif Shahid was as much a social worker as he was a politician, and the stellar and selfless work that he did amongst his Kashmiri brethren in the aftermath of the devastating 8 October 2005 earthquake in J&K has been documented by Pervez Hoodbhoy, a retired professor of physics from Quaid-e-Azam University, Islamabad, who as a member of a post-earthquake relief operation team had worked closely in the field with Shahid. Hoodbhoy was so impressed that he described Shahid as a *“gift from heaven”* for the relief operations, adding that, *“...Gruff only in appearance, he was warm, caring and friendly. We noted with some amusement that, although Islamabad was just a few tens of miles away, he would invariably introduce us to groups of survivors as honourable guests from Pakistan!”*

In his 30 May 2013 article titled ‘*Why they killed Arif Shahid*’, Hoodbhoy had also brought out how Shahid was gunned down in cold blood. He wrote, *“On the evening of May 13, an assassin stepped out of a car that had just driven to the doorstep of Sardar Arif Shahid’s residence in Rawalpindi. He waited for the 62-year-old Kashmiri leader to arrive. After pumping four bullets into him, the killer calmly got back into the car and was whisked away. A major Kashmiri nationalist leader, chairman of the All Parties National Alliance (APNA) and president of the Jammu Kashmir National Liberation Conference (JKNLC), had just been silenced”*.

On the question of who had killed Arif Shahid, Hoodbhoy did not leave much to the imagination when he wrote that, *“Family members, and others close to Arif Shahid, say that he had long been under observation and books that he had authored were seized. As one who had successfully brought together fractious groups from both sides of Kashmir, he was considered especially effective as a mediator. In 2009, he had therefore been placed on the Exit Control List (ECL) and his passport had been confiscated. It was later returned after he won a court battle. Speakers at a small protest meeting that I attended in Rawalpindi a few days after the murder said that he had received threats that, for now, he had decided to ignore. Arousing suspicion is that there has been no condemnation of the murder by Pakistani*

political and military leaders, nor a demand that an investigation be launched. Instead, Amer Shahid, Arif Shahid's son, has been threatened with dire consequences if he attempts to place the blame on any agency. He has been instructed to attribute the murder to a family feud.... Pakistan has squandered the moral advantage it once had in international fora. By supporting jihadists and targeting nationalists, it has alienated world public opinion — and the Kashmiris. As far as the rest of the world is concerned, Kashmir has turned into a dead cause. For this, Pakistan's military and civil establishment can have no one but themselves to blame”.

Hoodbhoy also asserted that because of the involvement of elements of the Pakistani State in the murder, *“there will be no closure”* to Shahid's killing, and that prediction is being proved correct as the years flow by.

The indifference being witnessed today on the anniversary of Shahid's killing is also unsurprising given that only a handful of personalities from either side of the Line of Control (LoC) in J&K had shown the empathy or the courage to condemn the murder and demand that the perpetrators be unmasked and brought to justice. Within Pakistan, hardly anybody even got to know of Shahid's murder as no Pakistani media house dared to report on it out of fear for the country's military establishment. As Hoodbhoy put it, *“Mysteriously, a press that thrives on crime reporting was mum the next day. The murder still remains unreported”.*

Arif Shahid was a peace-loving political and social activist who advocated the rights of all the people of the erstwhile Princely State of J&K, favoured an independent and secular J&K, and strongly opposed terrorism and violence in all its forms. Why then did he become such a major threat to the Pakistani establishment that it assessed that it had no option other than to get him killed? For a start, Shahid was among the rare breed of charismatic and respected leaders from Pakistan-Administered J&K who were able to rise above mere religious affiliation to see and expose the Pakistani State for what it was in the context of J&K – a self-serving, terror-sponsoring, *‘colonial’* entity, that despite its public professions of love for J&K and its people, in reality cared scant little for them. Shahid believed that Pakistan was using and abusing J&K in furtherance of its narrow agenda directed against India.

Over the years, Arif Shahid, who was not known to mince words, had made his opinions and views publicly, loudly, and fearlessly clear. The comments and observations made by him in his political rallies and interviews were revealing and insightful. Shattering the illusion that Pakistan had sought to create by naming a portion of the erstwhile Princely State that it presently administers as *‘Azad’* (Liberated) J&K (AJK), Shahid invariably referred to it as Pakistan-Occupied Kashmir (PoK). The use of this terminology by Shahid not only reflected the actual legal position, but also made a mockery of Pakistan's lofty claim of having liberated that portion of J&K. This claim was substituted with Shahid's clear message that Pakistan was actually an occupier. To substantiate his point of view, Shahid convincingly contended that power on as many as 52 of the total of 56 subjects pertaining to the so-called AJK Legislative Assembly was exercised by Islamabad, and not by Muzaffarabad. He also accused Pakistan of shamelessly exploiting the water and other natural resources of Pakistan-Administered J&K without giving it anything in return. Shahid, therefore, termed the notion of a liberated J&K being propagated by Pakistan as a huge hoax.

Shahid also often described Pakistan-Administered J&K and Gilgit Baltistan, the other portion of the erstwhile Princely State that Pakistan presently administers, as ‘colonies’ of Pakistan. He argued that it would be in J&K’s best interest to “*get rid of Pakistan, which had created divisions among residents of J&K and was misusing religion for this*”. Shahid sought to become a bridge between Pakistan-Administered J&K and Gilgit Batistan, and he formed an All Parties National Alliance (APNA) of more than a dozen political parties from these two areas that aspired to a united, independent and secular J&K. While accusing Pakistan of destroying the identity of the people of J&K and forcing a concocted version of history upon them, Shahid vociferously highlighted the secular and inclusive credentials of J&K. He reminded that Shias, Sunnis, Hindus, Sikhs and Buddhists have all historically lived in harmonious coexistence in J&K. He underlined that projecting the J&K issue as one between Muslims and non-Muslims, as Pakistan does, is grossly wrong and unjustified. Shahid stressed that the people of J&K would never accept becoming slaves of Pakistan just because they adhered to the same religion of Islam, and that Pakistan’s dream of merging J&K with it, would remain wishful thinking.

Drawing attention to the degree and scale of the human rights violations being perpetrated on the people of Pakistan-Administered J&K, Shahid reserved his strongest criticism for the Pakistani military establishment. He said at a rally, and in presence of some military officials who were in attendance, “*The Pakistani Army, ISI (Inter-Services Intelligence) and all these Generals, Brigadiers and Colonels have only looted Kashmir and earned promotions by butchering us. The Major who has been able to get 10 Kashmiris killed has been promoted to Colonel. The Colonel who has achieved the target of getting 20 Kashmiris killed has been promoted to Brigadier. Then the Brigadier who got 30 killed has been elevated to General. And the one who got 40 to 50 Kashmiris slaughtered at the border, has been given the award of becoming a Lieutenant General*”.

Arif Shahid took apart Pakistan’s labeling of the terrorist violence being perpetrated by it in Indian-Administered J&K as a ‘freedom struggle’ by terming it as “*nothing other than a proxy war that Pakistan was waging in Indian-Administered J&K with the aim of getting India onto the negotiating table with Pakistan on a weaker footing. It was never a movement of the people of J&K, but rather an ISI-controlled plan*”. While stressing that Pakistan was illegally occupying Pakistan-Administered J&K, Shahid averred that despite this Pakistan had no qualms about forcing Kashmiris to fight against India. He questioned, “*If Jihad is so pious and mandatory, why are the children of (Pakistani) Generals, Brigadiers and Colonels studying in the UK and USA? Why aren’t they joining the Jihad in Srinagar? Why aren’t the children of Hafiz Saeed and Qazi Hussain Ahmed joining Jihad in the Valley? Why don’t Hafiz Saeed and Qazi Hussain Ahmed go to Srinagar to liberate it and wage Jihad? Why are only children of poor Kashmiri daily-wagers, farmers and bus drivers being given a training of 10 to 15 days and then sent for Jihad?*”

If Pakistan’s record in providing and ensuring human rights was dismal during Arif Shahid’s lifetime, it has worsened further since then. As Amnesty International noted in its ‘*Human Rights in Asia-Pacific: Review of 2019*’ that was released on 30 January 2020, Pakistani authorities “*intensified their crackdown on the right to freedom of expression. Enforced*

disappearances remained pervasive, with no one held accountable for them. The government failed to uphold its commitments to legislate against torture and enforced disappearances. Violence against women and girls remained widespread. Parliament blocked attempts to restrict child marriage. Religious minorities continued to be prosecuted under blasphemy laws and attacked by non-state actors". It also specifically highlighted that *"The military tightened its control over the economy, foreign policy and national security, shrinking space for civil society to promote and defend human rights. Several members of the political opposition were imprisoned on what they say are politically-motivated charges, raising fair trial concerns".*

The Human Rights Commission of Pakistan (HRCP) in a report released last week described Pakistan's human rights record in 2019 as *"greatly worrisome"*. It highlighted the systematic curbs on political dissent, the chokehold on press freedom, and the grievous neglect of economic and social rights. Harris Khalique, the Secretary-General of the HRCP, elaborated in an interview with *Deutsche Welle* that, *"Pakistan witnessed censorship and curbing of the freedom of expression during military dictatorships. However, such restrictions have never been experienced under a political government that claims to be democratically elected. Even if there are questions around the manipulation of the 2018 general elections, the current government can still be seen as a product of a continuous electoral process that was restored in 2008. We believe that the muffling of critical voices and systematic suppression of political dissent under the incumbent government is incomparable with any elected government in the past"*. He added, *"Pakistan cannot be at peace with itself without federalism and democracy and will never prosper without encouraging equal citizenship irrespective of class, faith or ethnicity"*. The HRCP also pointed out that religious minorities remained unable to enjoy the freedom of religion or belief guaranteed to them under the Constitution.

Reports of human rights watchdogs such as the two quoted above have historically, however, been lax or tardy in reporting on violations by the Pakistani State in Pakistan-Administered J&K. They have sought refuge behind a claimed lack of sufficient access to the region while explaining their under-reporting. They, quite surprisingly, have apparently not paused to ponder how oppressive a regime that forcefully blocks the access of human rights activists to a region must be, especially when the country in question can for all intents and purposes be classified as a military State. In this backdrop, the almost pin drop silence on Arif Shahid's death anniversary in the media tells many tales about the skewed and misguided nature of the human rights narrative on J&K, including that adopted and projected by some international human rights bodies and organizations, most prominent among which is the United Nations Human Rights Council (UNHRC).

Historically, Indian-Administered J&K has been singled out for criticism for alleged human rights violations even as the region battles the menace of a long-running Pakistani sponsorship of terrorism. In the ensuing violent atmosphere and by virtue of the higher degree of transparency in India, any transgression is enlarged and highlighted, the mitigating circumstances notwithstanding. This results in a near-farcical situation where terrorists such as Burhan Wani, despite having the blood of Kashmiris on their hands, get favourable mentions in UNHRC reports on J&K while non-violent social and political activists such as Arif Shahid, who are brutally murdered by the State just for demanding the rights of their people

and an end to oppression, and for holding and expressing differing opinions, do not even figure in such reports.

Equally guilty is a large section of the people of J&K, who seem to believe that being killed by an Indian bullet is a necessary pre-condition to being branded a martyr, even if such a martyr had been guilty of killing, raping and exploiting fellow Kashmiris. Even Pakistani nationals from Lahore or Peshawar, waging jihad in J&K on behalf of the Pakistani State and killing people of J&K in the process, seem to qualify for martyrdom. On the other hand, sons of the soil killed by Pakistani bullets, even if in peaceful pursuit of a fairer, larger cause that would stand to benefit J&K and its residents more, do not seem to make it onto the list. Hardly anyone in J&K seems to be interested in knowing who killed Shahid and why, and calls for an investigation into his death have all but fizzled out in these 7 years.

The answer as to why Shahid was killed, could be derived from a critical observation made by a Srinagar-based politician-turned-separatist and member of the All Party Hurriyat Conference (APHC) – an umbrella organization of parties advocating for the merger of J&K with Pakistan -, Abdul Ghani Lone which he made during a rally when he was on a visit to Pakistan Administered Jammu & Kashmir. He said, *"We, in Indian Administered Jammu & Kashmir have the freedom to ask for freedom. You don't even have that"*. Lone, was later assassinated by Lashkar-e-Taiba (LeT) terrorists on 21 May 2002 in Srinagar.

Unarmed and equipped only with a clear vision for a J&K based on the principles of unity, independence, democracy, secularism and human rights, Arif Shahid's message was so powerful that the Pakistani establishment saw him as being too big a threat for it to handle.

In the correct usage of the term, Arif Shahid will stand out as a true and brave martyr.

Unfortunately, forgotten by his own people.