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We are also highly thankful to all the peer reviewers.

Editor's Note

It gives me immense pleasure to place Vol. 11 (2023) of the *Kashmir Journal of Social Sciences* in the hands of readers. The papers published therein underline various aspects of Kashmir's past and present and enrich our understanding about the society, culture and history of the region. It has been our endeavour to engage with the issues of importance in the region critically and dispassionately. Due care has been taken to adhere to the ethical values in research. Above all, the authors have employed recent methodology of social science research and have taken insights from path breaking theories from various disciplines of social science.

Paper first *Cross Cultural Contours of Kashmir's Composite Identity* by Noor Ahmad Baba underlines the multifaceted dimensions of the distinct cultural personality of Kashmir. The author argues that there are two key factors responsible for the making of Kashmir's composite identity and both of them are rooted in the geography of the Valley. The lofty mountainous surroundings in his opinion have helped it to shapeup differently from its neighbouring areas. Also, situated at a place which is the meeting point of various empires, it has remained at the crossroads of civilizational interface and as such the melting pot of some of the renowned cultural traditions.

Paper second *Beyond Elite Tradition: The Popular Tradition of Masses in Kashmir* by Aushaq Hussain Dar based on the perception of Subaltern historiography emphasizes upon the significance of beliefs, customs, traditions and folklore in understanding the cosmopolitan culture of Kashmir. The author, however, opines that there have been two cultural categories. The culture of the elite which is self-imagined, vacuous and conflicting and the culture of the masses which is experiential and based on tolerance and co-existence.

Paper third *Poetic Utterances of Shaikh Ul Alam* by Faheem Farooq Wani underlines the overarching influence of Nur-ud-Din Reshi on the life and culture of Kashmir. The author opines that there is hardly any area of Kashmir where one or the other legend is not associated with his name. He argues that though the historic authenticity of such legends may not be established yet they indicate the depth of his influence on Kashmir. The author has made a brief evaluation of some verses of Shaikh ul Alam also known by the names of Nund Ryosh and Nur-ud-Din.

Paper fourth *Trade Relations between Kashmir and Punjab (1846-1947)* by Shiraz Ahmad Dar and Farooq Ahmad focuses on the trade relations between the valley of Kashmir and the neighbouring province of Punjab during the Dogra rule. The authors have made an attempt to explain how growing trade relations during the Dogra period increased, accentuated influx of currency thereby significantly transforming the people. The paper also analyses various developments in trade, role of trading communities, imports and exports and the resultant changes in the society and economy of the Valley.

Paper fifth *Combating Transnational Environmental Crimes* by Iftikhar Hussain Bhat deliberates upon the transnational environmental crimes, spanning illegal wildlife trade, pollution and deforestation that pose alarming threat to global ecosystems. The paper in question delves into the intricate landscape of crimes encompassing activities like illegal logging, wildlife trafficking and pollution with profound implications on global ecosystems. Moreover, the study highlights the imperative for legal reforms, harmonization of definitions, expanding jurisdiction and instating rigorous corporate liability measures. It is a guiding blueprint for a future characterized by sustainability and resilience.

Paper sixth *Poetry of Nur-ud-Din Reshi: Socio-historical dimension* by Mohsin Yusuf traces the history of Reshi

tradition to ancient time. The author argues that before the advent of Islam in Kashmir Reshis were not socially active and it was with the rise of the Muslim Reshi order led by Shaikh Nur-ud-Din (1378-1439 AD) that the social recognition of the Reshi tradition was established. The author underscores the significance of Kashmiri language in which Nur-ud-Din communicated his message. He argues that Reshi order under Nur-ud-Din took the form of a movement that went a long way towards the spread of Islam and the making of inclusive culture of Kashmir.

Paper seventh *Unveiling Inequalities: Caste Dynamics and Socio-economic Disparities in Muslim Communities* by Rabiya Yaseen Bazaz endeavours to explore the intricate interplay between education, employment and caste dynamics among Muslims of Kashmir. The study aims to unravel the multifaceted factors that influence the socio-economic landscape of the community, shedding light on the challenges and opportunities that the individuals face. Besides, it investigates the role of caste in shaping social structures and influencing access to education and employment opportunities.

Paper eight *Conservation and Restoration of Dal Lake in Kashmir: A Historical Perspective* by Mehraj Ud Din delves into the historical trajectory of conservation and restoration initiatives undertaken for Dal Lake in Kashmir, underlining the multifaceted challenges faced by this world famous water body. It examines the evolution of conservation strategies, encompassing technological innovations, community engagement and policy interventions.

Paper nine *Quranic Contribution to the Development of Physical Sciences* by Riyaz Ahmed Bhat has brought about the significance of the Quran in the transformation of society in Arabia and various other regions under the sway of Muslims. The authors argues that peace and the sense of security that Islamic rule brought about produced one of the most successful civilizations that excelled in the fields of physical,

natural and social sciences. The paper focuses on Quranic verses which emphasize upon the scientific knowledge and inquiry. It also deals with the contribution of prominent Muslim scientists and underlines the causes that resulted in decline of scientific knowledge among Muslims.

Paper ten *Integration of Reshi Order in Orthodox Sufism: A Study in Causation* by Sajad Ahmad Darzi explores the emergence and growth of Reshi movement in Kashmir. The author argues that over the period this movement was gradually subsumed by orthodox Sufi orders like Suharwardis. Consequently the Reshis acknowledged the supremacy of *Sunnah* and the Suharwardi saints recognized the astounding virtues of Rishis. Therefore, the paper endeavours at understanding the synthesis of various strands of mysticism in medieval Kashmir.

Paper eleven *Transitioning Sovereignty: Customary Shifts in Dogra Rule to British Residency* by Mohammad Shafi and Sajad Ahmad Rather aims at delineating and acknowledging the semi-colonial status of the Princely State of Jammu and Kashmir, wherein, the legal system characterized by 'hybridity' was shaped by both indigenous and exogenous influences. It elucidates how colonial institutions and polices emerged as outcomes of intricate interactions throwing light on the multi-faceted nature of the historical narrative.

Paper twelve *Nostalgic Reverie* by Rehman Rahi by Shafqat Altaf aims to demonstrate a stylistic analysis of a poem written by a veteran poet Rehman Rahi. It endeavours to analyse it and to relate its linguistic elements to the meaning.

Paper thirteen *Rehman Rahi and His Progressive Poetry (1950-1990)* by Zameerah Yusuf attempts at capturing the context of Rehman Rahi's progressive poetry within the framework of prevailing times. In this connection her paper endeavours to underline the significance of the prominent

poetic works that the veteran poet has written from time to time.

Paper fourteen *Banking Amidst Adversity: Mapping Growth Trajectory of the J&K Bank (2011-2021)* by Umair Rashid maps decadal growth trajectory of Jammu and Kashmir Bank. The author argues that in spite of adverse situation in the given time frame like floods, political upheavals and the covid-19 pandemic the Jammu and Kashmir Bank has shown a positive growth.

M. Y. Ganai

Contents

Cross Cultural Contours of Kashmir's
Composite Identity
Noor Ahmad Baba (1)

Beyond Elite Tradition:
The Popular Tradition of Masses in Kashmir
Aushaq Hussain Dar (19)

Poetic Utterances of Shaikh ul Alam
Faheem Farooq (27)

Trade Relations between Kashmir and Punjab
(1846-1947)
Shiraz Ahmad, Farooq Ahmad (32)

Combating Transnational
Environmental Crimes
Iftikhar Hussain Bhat (42)

Poetry of Nur-ud-Din Reshi:
Socio-historical Dimension
Mohsin Yousuf (69)

Unveiling Inequalities: Caste Dynamics
and Socio-economic Disparities
in Muslim Communities
Rabiya Yaseen Bazaz (80)

Conservation and Restoration of Dal Lake in Kashmir: A
Historical Perspective
Mehraj Ud Din (102)

Quranic Contribution to the
Development of Physical Sciences
Riyaz Ahmad Bhat (122)

Integration of Rishi Order in Orthodox Sufism:
A Study in Causation
Sajad Ahmad Darzi (136)

Transitioning Sovereignty: Customary Shifts in Dogra
Rule to British Residency
Mohammad Shafi, Sajad Ahmad Rather (143)

Nostalgic Reverie by Rehman Rahi:
Stylistic Analysis
Shafqat Altaf (161)

Rehman Rahi and His Progressive Poetry
(1950-1990)
Zameerah Yusuf (172)

Banking Amidst Adversity: Mapping Growth
Trajectory of the J&K Bank (2011-2021)
Umair Rashid (184)

Book Review
The Making of Early Kashmir: Landscape
and Identity in the *Rajatarangini*
Irfan Bashir (199)

Cross Cultural Contours of Kashmir's Composite Identity

Noor Ahmad Baba

Abstract: *The distinct cultural personality of Kashmir, in its multifaceted dimensions, has been broadly shaped by interplay of two key factors during its long history.¹ The mountainous surroundings have helped it to shape up differently from its neighbouring areas.² Globally, very few ethno-regional and cultural communities of any significant size have had so very directly marked, manifest and discernible relationship between people and the place of their habitation with defined geography as that in Kashmir.³ But along with this throughout its five-thousand-year history, it has remained at the crossroads of civilizational interface and a meeting point of some of the greatest cultural traditions, religious currents, and economies found in its neighbourhood. This factor also has had tremendous contributions in enriching its personality in ethno-cultural, socio-psychological, and spiritual dimensions. It has played a key role in shaping its pluralistic personality whose manifest examples historically have been Lala Eshwari and Sheikh Nooruddin.*

Historically, the evolution of Kashmiri people's identity in its socio-cultural and spiritual dimensions has occurred through interaction with the place they inhabit and with the

¹ See Balraj Puri, *5000 Years of Kashmir*, Jammu, Ajanta Publication, 1997, pp. 128-137. For a detailed discussion on the distinctive aspects of Kashmir see also Christopher Snedden, *Understanding Kashmir and Kashmiris*, New Delhi, Speaking Tiger Publishing, 2015, pp. 7-35.

² For a reasonably comprehensive description of Kashmir in its different facets, contours and features see Walter R. Lawrence, *The Valley of Kashmir*, Srinagar, Kesar Publishers, 1967, pp. 12- 63. Also see Stein's note in, *Kalhana's Ancient Geography of Jammu & Kashmir*, translated by M. A. Stein, Mirpur, Veering Publications, n.d., p. 388. For a description of its surrounding mountains see, Drew Frederick, *The Northern Barriers of India and Jammu and Kashmir Territories, Reprinted*. Srinagar, City Book, 2008, pp. 113-132 and pp. 133-143.

³ Lawrence, *ibid.*, pp. 12-28; Stein *ibid.*, p. 388 and p. 429. Drew, *ibid.*, p. 174.

2 | Noor Ahmad Baba

surrounding peoples and cultures.⁴ Kashmir has been able to retain the distinctness of its cultural personality despite being surrounded by some of the most magnificent civilizations that mankind has ever produced in the Indian subcontinent, China, Central Asia, Iran, along with smaller ethno-cultural communities in the northern and north-western vicinity. It has been profoundly influenced by these diverse cultures. As we will see below, Kashmir also has had a beneficial impact on these places and cultures from the earliest times. This dynamic interaction with surrounding regions dates back several millennia.⁵ This is notably evident with the establishment of Neolithic communities in Kashmir around 5000 B.P.⁶ These communities, originally from central Asia and north and central China, were initially settled in neighbouring areas of Gilgit, Baltistan, Chilas, Swat, Kohistan, and Punjab plains. These were drawn to Kashmir as its earth's surface began to warm up after cold conditions that had prevailed for more than a millennium.⁷ Once settled, they maintained connections with sister communities in the vicinity, contributing to a larger cosmopolitan ethno-cultural spectrum spanning West, central, and East Asian regions. This intricate relationship persisted through various stages of development, showcasing the mutual influence and enrichment between Kashmir and its surrounding cultures since ancient times.⁸

Kashmir, positioned at a cross-cultural junction, has been variously described by scholars as an intersection of East, West, Central, and South Asia.⁹ This strategic location

⁴ Lawrence, *The Valley of Kashmir*, pp. 12-28.

⁵ S. L. Shali, "Cultural Ecology of Prehistoric Kashmir and Central Asia" in B. K. Kaul Deambi, (ed). *Kashmir and Central Asia*, Srinagar, CCAS, 1989, pp. 1-15.

⁶ That is about 3000 B.C. See Mohammad Ashraf Wani & Aman Ashraf Wani, *Prehistory of Kashmir*, (Srinagar, Oriental Publishing House 2017) pp. 94-98 and pp. 107-110.

⁷ Wani, *ibid.*, pp. 93-94

⁸ These included Gilgit, Hunza, Nagar, and communities towards central and eastern China etc. *ibid.*, p. 94, 98 and pp. 109-110.

⁹ The issue has been dealt with from various perspectives, see, Shonaleekha Kaul, *The Making of Early Kashmir*, New Delhi, Oxford University Press, 2018, pp. 103-107. Kashmir is culturally thought to

has made it a converging point for human migrations, traders, and cultural and spiritual cross-currents from different directions.¹⁰ Despite being connected through this intersectional location, the surrounding mountains have helped shape Kashmir differently and secure it as a distinct identity.¹¹ Nature has allowed several (even though difficult) mountain passes and routes through which across-border contacts remained active and alive.¹² Through these linkage points, people have historically moved across borders as immigrants, traders, travellers and missionaries, and for learning and exchange of knowledge and faith traditions.¹³ Beyond its close ties with the North and North-Western Indian sub-continent, Kashmir has maintained trade and cultural relations with present-day China, Greater Tibet, various cities in Central Asia, Afghanistan, Iran, and, via the Silk Route, with locations in West Asia and Europe. Archaeological evidence reflects early Greek contacts with Kashmir, retaining imprints of Hellenic influences.¹⁴ Kashmir is suggested to have been mentioned in various Greek

belong to a regional formation that is essentially non-Himalayan and non-Indic. Ibid., 104. See also, Chitralkha Zutshi, "Rethinking Kashmir's History from a Borderlands Perspective" in *History Compass*, 8/7, 2010, pp. 594-608.

¹⁰ "Kashmir was a major trading junction in the Indo-Central Asian commerce...." Monidloa Dey, Silk Route: Traversing the trade and cultural route of ancient times *Financial Times* January 1, 2020 <https://www.financialexpress.com/lifestyle/travel-tourism/silk-route-leh-ladakh-tour-kashmir-travel-chitral-uttarakhand/1808776/>

Accessed on Sept 11, 2020. At 1:42 PM, Other aspects of relation and exchange like culture, religion etc will figure in discussions below.

¹¹ For mountains surrounding Kashmir see Drew, *The Northern Barriers of India*, pp. 133-145, and 145-48.

¹² More significantly four routes are reported to have historically facilitated this flow of people, trade, and cultural contacts with the outside world. These routes are through Baramulla, Kupwara, Bandipora and Zojila. See, Wani, *Prehistory of Kashmir*, p. 110.

¹³ These contacts expanded into larger inter-civilisation exchange and dialogue with Hellenistic, Persian, Tibetan, Subcontinental, Central Asian, West Asian, and Chinese peoples, and their cultural and faith traditions. Wani, Ibid., 93-117.

¹⁴ Ajaz A. Bandy, "A Recent Discovery of Hellenistic Image of Gaja-Lakshmi from Kashmir: Style and development". *The Journal of Central Asian Studies*, Volume XVIII, No. 1, 2009, pp. 75-86.

4 | Noor Ahmad Baba

accounts under different variations of its name.¹⁵ Chinese and other scholars reportedly visited Kashmir during the 6th and 7th centuries to study Buddhist learning.¹⁶ Notably, the renowned Chinese traveller Huan Tsang (602-664) spent two years in the Valley, describing it as surrounded by very high mountains with narrow passes, acting as natural bulwarks that protected the country from neighbouring states. He praised the climate, fertile soil, and the handsome, learned people of Kashmir, emphasizing their love for learning and instruction.¹⁷ As mentioned earlier, Kashmir has maintained extensive ethnic, cultural, economic, and political ties with the external world throughout its history. Particularly noteworthy are the cultural and literary connections with Central Asia and Iran, with mutual influences evident since ancient times, predating the Muslim period in Kashmir. These interactions flourished even more during medieval times, establishing Kashmir as a significant centre for Persian learning, art, and literature. Economic ties were also sustained with various places in the broader region known as Turkistan (Central Asia).¹⁸

These relationships remained robust until the mid-19th century when complete colonial control was established over the Indian subcontinent by the British. Despite this shift, cultural and economic ties persisted during the Dogra Period (1846-1947) within the colonial framework.¹⁹ The Dogra regime, which governed the princely state of Jammu &

¹⁵ Among these include Herodotus, known as the “father of history,” See, G.M.D. Sufi, *Kashir: Being A History of Kashmir*, Capital Publishing House, 1996, pp. 12-15. See also Stein, *Kalhana's Ancient Geography of Jammu & Kashmir*, p. 353.

¹⁶ “The earliest Chinese reference to Kashmir is dated 541 A.C. which calls Valley Ku-shih-mi.” Sufi, *ibid.*, p. 13. See also, Stein, *Kalhana's Ancient Geography of Jammu & Kashmir*, pp. 254-258.

¹⁷ Stein, *ibid.*, p. 355.

¹⁸ These contacts were also contributing factors to the cultural and technological renaissance in Kashmir during the medieval times. It is because of the cultural proximity that Kashmir began to be referred to as *Irane Sageer* (Smaller Iran).

¹⁹ K. Warikoo, “Trade relations between Central Asia and Kashmir Himalayas during the Dogra period 1846-1947,” *Asia Centrale* 1/2 1996, pp. 113-124.

Kashmir, continued the use of Persian as the official language until 1889. Even after adopting Urdu as the official language, Persian retained a substantial literary and cultural presence in Kashmir. However, a significant impediment to the deep-rooted relations with Central Asia emerged with the gradual Russian influence in the region during the 19th century, ultimately leading to strict control following the formation of the Soviet Union after the 1917 Bolshevik revolution.²⁰ This connectivity to the east also faced challenges due to the Chinese occupation of Eastern Turkistan, now known as Xinjiang province of China.²¹ These historical ties and exchanges were affected by external geopolitical shifts but persisted, demonstrating the resilience of Kashmir's connections with the region.

Walter Lawrence emphasizes that Kashmir holds a distinctive advantage over other regions of then-united India due to the “uninterrupted series of written records of its history.”²² Consequently, constructing a comprehensive account of the country's history is notably easier when compared to other regions. This advantage is attributed in part to the people of the Valley possessing a “genuine historical sense,” a quality conspicuously lacking in the Indian mind according to Lawrence.²³ Various historians attribute the presence of historical sense and history writing tradition in Kashmir to its proximity and “contact with central and west Asian peoples” that possessed “a stronger sense of history than did the Indians”.²⁴ Notably, an American scholar of Sanskrit and literary theory, argues that Kalhana's twelfth-century poetic work, *Rajatarangini* (River of Kings, 1148/49), chronicling the rulers of Kashmir, was influenced by

²⁰ V.C. Bhutani, “Historical Geography of Kashmir from the Earliest Times to c. 1935,” *Indian Historical Review*, Vol. 27, Issue 2, (July 2000), p. 31.

²¹ Kashmir's relations with the region have historically remained quite intense and multifaceted.

²² Lawrence, *The Valley of Kashmir*, p. 179.

²³ *Ibid.*, p. 180. His reference to India is to the colonial time, Sub continental India as he wrote this in 1895 when he first published his book *The Valley of Kashmir*.

²⁴ These include eminent historians like Arthur L. Basham and Romila Thapar see Kaul, *The Making of Early Kashmir*, n. 9, note. 11 on p. 105.

6 | Noor Ahmad Baba

Firdausi's Persian epic *Shahnameh*, (977-1010), the story of Kings (of Persia) written about a century and a half earlier. This cross-cultural inspiration evident in the historical narrative seems highly plausible, given the close and multifaceted relations that Kashmir has historically maintained with Iran and other areas within its sphere of influence.²⁵

Along with this economic and cultural interface, Kashmir also has been at the crossroads of transition of many important spiritual and religious traditions like Buddhism, Hinduism and Islam, and must have also been impacted by other religious traditions that evolved in its proximity like that of Zoroastrianism in Iran and Confucius tradition in China.²⁶ In addition to its earliest folk cults like that of Naga (snake) worship, Buddhism, Hinduism and Islam are the three discernible major religious traditions that have had an important contribution in the making of Kashmiri identity. In this, it is also significant to note that Kashmir even up to now continues to be a meeting point of these great religious traditions.²⁷ All three religions evolved gradually and

²⁵ According to Jesse Knutson, the poetic format of the 8000 verses *Rajatarangini* (1148) was modelled on Firdausi's 60000 verses, the story of Kings, *Shahnameh* (977-1010). Jesse Knutson "Poetic Justice: On Kalhana's Historical Aesthetics", *Comparative Studies of South Asia, Africa and the Middle East*, 35, no. 2., p. 283.

²⁶ For traces of Zoroastrian influence in Kashmir see Gulshan Majeed, "The Frove: A Connecting Link between Zoroastrianism and Kashmir", *The Journal of Central Asian Studies*, vol. vii, no. 1, (CCAS, UK, 1996), pp. 61-66.

²⁷ "Four great religious traditions that meet here and extend across stretches of land with continental proportions. It is here in Kashmir, that Islamic tradition moves from the valley in the north into central Asia and in the west across Pakistan into the Middle East and beyond into North Africa up to the extremes of *Maghrib* into Morocco as a contiguous stretch of land dominated by the Islamic faith. In the east Buddhist tradition spreads from Ladakh, Tibet, China into South East Asia and towards east into extremes of East Asia up to Japan inside the Pacific Ocean. Birth birthplace of Sikh faith and the place of its largest concentration Punjab is linked to Jammu and Kashmir in its south. Hinduism stretches from Jammu, across India through the Indian Ocean into the Northern Sri Lanka and Mauritius." Noor Ahmad Baba, "Cultural Contours of Kashmir's identity" in *Sheeraza: A quarterly*

developed distinctive strains of spiritual and intellectual traditions.²⁸ Each one of these faith traditions have not only influenced each other mutually but also contributed their bit to the evolution of what Balraj Puri refers to as Kashmir's "unique civilizational experiment".²⁹ It is generally accepted that Buddhist faith and philosophy became dominant in Kashmir in the time of Emperor Asoka (268-232 BCE) even though it had been introduced here earlier as faith. It is from here that Buddhism as a faith, philosophy and art spread in places in (what is present-day) Central Asia, places in Iran, Afghanistan, Greater Tibet, China, and beyond.³⁰ Kashmir contributed significantly its bit in its intellectual and theological evolution. Particularly, it was through the fourth council of Buddhism held in Srinagar in 100 CE that the Mahayana school as a distinct "Kashmiri version" of Buddhism was born. It is this version of Buddhism "that spread via Tibet to China and Japan."³¹ Despite certain setbacks in-between, it remained a flourishing faith tradition here at least for about a millennium. During the 7th century (CE) when the famous Chinese traveller Huan Tsang (602-664) visited the place, Kashmir was still a vibrant centre of Buddhism and its learning.³² The emancipatory teachings of Buddhism had brought an awakening among the "common people and aroused a spirit of defiance in them against obscurantism and social injustice."³³ This naturally would not have suited political and socially deep-rooted vested interests. That is why after the end of Kushan rule with the rise of the

Journal of Culture and Literature, Jammu & Kashmir Academy of Art, Culture & Languages, Vol. XII, No. 3. July -Sept, 2016, pp. 4-11.

²⁸ MA Kawa "Central Asian contribution to Kashmir's Tradition of Religio-Cultural pluralism," *Central Asiatic Journal*, vol. 54, No. 2, pp 237-255.

²⁹ Balraj Puri, "Unfolding History," *India International Centre Quarterly*, Vol.37, No. 3/ 4. 2010/11, pp. 142-3.

³⁰ Prem Nath Bazaz, *The History of Struggle for Freedom in Kashmir*, Srinagar, Gulshan Publishers, 2003, pp. 23-24. And Kaul, *The Making of Early Kashmir*, p. 131 and pp. 154-5.

³¹ Balraj Puri, *Unfolding History*, p. 143.

³² For Huan Tsang's account see, Samuel Beal, 2008, SI-YU-KI, *Buddhist Records of the Western World*, Vol. I. London, HTS, pp 148-49.

³³ Bazaz *The History of Struggle for Freedom in Kashmir*, p. 8.

anti-Buddhist Gonanda dynasty (particularly under Gonanda III) “attempts were made to revive Brahmanism.”³⁴ However, despite this change, Buddhism seems to have continued its significant presence among the masses for several centuries even after Hinduism had replaced it as the politically patronized faith. There is even evidence to suggest Buddhist presence right through the establishment of Muslim rule in Kashmir during the 14th century.³⁵

The transition to Hinduism had begun to gain greater momentum from around the 5th and 6th centuries. It was particularly a Hun ruler Mihirakula, who through a deceitful coup got himself established in Kashmir around 530 CE. His aversion to Buddhism is well-known from Indian and Chinese sources. Kalhana refers to him as atrocious.³⁶ Mihirakula's were reported to have brutally persecuted the Buddhists and even “slaughtered them mercilessly.”³⁷ He is reported to have patronized Hinduism (essentially Brahmanism) and invited Brahmins from Gandhara to settle in Kashmir. “This might also have been intended as a counter-measure against the strong position of Buddhism in the Valley.”³⁸ Thus, despite some setbacks following the fall of the Hun rule, Hinduism began to gradually gain ground during the seventh century, particularly with the establishment of the Karkota dynasty that beginning in 625-6 CE ruled Kashmir for more than two centuries till 855 CE. It was during this period that Hinduism gained its dominant way as a religious tradition combined with political power. It was during this period that temples were constructed and Brahmins were patronized by the state with special land grants. Particularly during the eighth

³⁴ Ibid. According to Kalhana's account, it was in 178 CE. However, recent archaeological findings dispute this periodization. According to these findings, the Kushan rule may have extended up to the middle of the fifth century.

³⁵ Michael Witzel, “The Brahmins of Kashmir” pp. 24-26. <https://www.people.fas.harvard.edu/~witzel/KashmiriBrahmins.pdf> Accessed on 12/12/2021. The evidence indicates that King Zain-ul-Abin (1420-1470) had a Buddhist minister (along with several Brahmins) as in his court.

³⁶ Ibid., pp. 20-21.

³⁷ Bazaz, *The History of Struggle for Freedom in Kashmir*, p. 9.

³⁸ Michael Witzel, *The Brahmins of Kashmir*, pp. 20-21.

century, it gained glory under Lalitaditya's rule (724-761).³⁹ With the rich endowments Brahmins "quickly gained considerable power."⁴⁰ Significantly, it was during this period of glory that Hinduism in Kashmir underwent a process of spiritual and intellectual growth, evolving into a Theophilosophical position distinct to the region. Kashmir formally experienced the introduction of a unique strain of Shaivism.⁴¹ It is assumed to have evolved through the convergence of Vedic faith with that of Buddhism. This happened through a process of religious assimilation whereby the two faiths exerted influences on each other.⁴² The two faith traditions "were synthesized by great Kashmiri philosophers Vasugupta (ninth century AD) and Abhinav Gupta (tenth century AD) into the 'Kashmiri version' of Shaivism called Trika philosophy."⁴³ In the context of evolving Muslim (particularly Sufi) influence within Kashmir and outside in the adjoining regions, it is even significant to see the proximity of the monistic theism of Kashmiri Shaivism with that of Islam.⁴⁴

While Hinduism was gaining ground during the 7th, 8th and 9th centuries in Kashmir by gradually displacing and even assimilating Buddhism, Islam was getting established as the dominant faith in its northern and western vicinity.⁴⁵ Islam had established in almost entire of its surroundings in Iran and Central Asia as a part of a globally ascending

³⁹ Ibid., p. 27; Bazaz, *The History of Struggle for Freedom in Kashmir*, p. 11.

⁴⁰ Michael Witzel, *The Brahmins of Kashmir*, pp 27-30.

⁴¹ Bazaz, *The History of Struggle for Freedom in Kashmir*, pp. 24-29.

⁴² Ibid., pp. 24-5.

⁴³ Balraj Puri, *Unfolding History*, pp. 143-44.

⁴⁴ Ibid., 144. The most powerful expression of this (as we will see) came in the poetry of 14th-century Shaivite mystic Lalleshvari.

⁴⁵ By the middle of the 7th century Muslim conquest of Iran (637-651) was almost complete. These included even parts that constitute modern-day Afghanistan and Central Asia. Moving gradually within a matter of less than two centuries Islam had not only assumed the political control of these regions but had also assumed the dominant faith of the people. By and large conversion process that had begun from the Urban elite to the mass of the population mainly through Sufi Mystics. C. E. Bosworth, "Central Asia", in eds. Joseph Schacht and C. E. Bosworth, *The Legacy of Islam*, Oxford University Press, 1973, 116-129, in particular, p. 127.

political, economic, cultural and civilizational power. It was during the first quarter of the eighth century that the expanding Arab-Muslim power, travelling through Sind, had taken control of parts of the subcontinent's northwest and was gradually approaching Kashmir's western frontiers.⁴⁶ It is also reported that by 713 Arabs had not only reached close to the borders of Kashmir but had "even made many abortive bids to conquer the valley".⁴⁷ Therefore, Kashmir could not remain immune to its impact and influence particularly because of its continued commercial and other contacts with regions that had become centres of Islamic faith and culture. That is why there is evidence to indicate the Muslim presence within Kashmir right from the 8th century, several centuries before Muslim power (politically) got established here.⁴⁸ Because of being part of an already globally ascending civilisation, the visiting Muslims are reported to have been treated well. This presence would include initially mainly traders, craftsmen and gradually an increasing number of soldiers and Sufi missionaries visiting the place.⁴⁹ Some of the Muslim settlers were given *jagirs* (land grants from the state) and employment in high ranks in the army and administration by local kings. According to Kalhana, one of the wise men that Lalitaditya had collected in his court was a "Tukhara (central Asian)" called Cankuna.⁵⁰ It is recorded that King Harsha (1089-1101) had employed Muslims in

⁴⁶ Bhutani, *Historical Geography of Kashmir*, pp. 11-12.

⁴⁷ Muhammad Ashraf Wani, *Islam in Kashmir*, Srinagar, Orient Publishing House, 2004, p. 44.

⁴⁸ Ibid. Even the *Rajatarangini* confirms it.

⁴⁹ Ibid., pp. 44-53. According to Austrian Indologist, Walter Slaje, *Rajatarangini/s* refers to Muslims by three different names depending on their ethno-regional origin. 1. Yavanas, referring to Persian-speaking Muslims from the West. (Naturally could be Iran). 2. Turuskas (Turks) Turkish-speaking Muslims from Central Asia that were historically known as Turkistan. 3. *Maleccha* (meaning Barbarians). See. Walter Slaje, "Medieval Kashmir and the Science of History" in Patric Oliveile, ed. Madden Lecture 2003-04, South Asia Institute, The University of Texas at Austin, 2004, p. 3. In my understanding *Maleccha* local Muslim converts that were not Brahmins.

⁵⁰ Romila Thapar, "Kalhana" in Mohibbul Hassan, ed., *Historians of Medieval India*, New Delhi, p. 57.

important positions in his army.⁵¹ The same has been suggested about other kings of the Lohara dynasty who ruled Kashmir from 1003 to 1320.

It was due to such a gradually increasing routine and peaceful interface, particularly through the Sufi missionary activity that in a matter of few centuries Islam became a significantly influential faith tradition to which many people were being attracted.⁵² It was happening in the context of the long spells of recurrent periods of political instability following the Avantivarman's death in 883, ensuing misgovernment, persecution, and debauchery of the elite that was bound to promote a general disaffection among the masses.⁵³ It was particularly during the two centuries (12th and 13th) that proceeded the establishment of Muslim rule when Kashmir saw 'a sordid record of short reigns, murders, suicides, plots, conspiracies, rebellion, oppressions and fiscal exaction'.⁵⁴ The social acceptance of Islam was also facilitated by an oppressive and exclusivist Brahminical order that in alliance with the corrupt political elite had pushed common people to tremendous social and economic disadvantage, thereby alienating them from their faith and increasing their attraction to Islam.⁵⁵ Brahmins thwarted any possible action from the royal authority to prevent their exploitation of common people and their hegemonic position by claiming "themselves to be the creators of divinity".⁵⁶ Islam in this seems to have acquired so much social acceptability and such popular traction that a ruling King Rinchana (1320-1323) (A

⁵¹ Rattan Lal Hangloo, "Mass conversion in Medieval Kashmir" in Aparna Rau, Ed. *The Valley of Kashmir: The Making and Unmaking of a Composite Culture*, Delhi, Manohar, 2008, pp. 119-120. See also, Wani *Islam in Kashmir*, p. 49.

⁵² Wani, *Islam in Kashmir*, pp. 44-76; Mohammad Ishaq Khan, *Kashmir's Transition to Islam*. Delhi, Manohar, 1994.

⁵³ The Rajatarangini records "the bestiality and savagery of the low-born adventurers who misgoverned the country." "The history of two succeeding centuries is a sordid record of short reigns, murders, suicides, plots, conspiracies, rebellions, oppression and extortions" Bazaz, *The History of Struggle for Freedom in Kashmir*, pp. 38-48.

⁵⁴ G.M.D. Sufi, *Kashir*, p. 63

⁵⁵ Hangloo, *Mass Conversion in Medieval Kashmir*, pp. 109-118.

⁵⁶ *Ibid.*, p. 114

Buddhist of Tibetan Royal Origin) voluntarily converted to the new faith under the influence of a Muslim *Sufi* and took the name of Sadra al-Din.⁵⁷ The conversion of a ruling King under the influence of a Sufi saint is indicative enough of the social acceptability and stature that Muslims (or Sufis among them) had gained within the Kashmiri society.⁵⁸ This in the words of Balraj Puri also meant that “Islam did not come to Kashmir as faith of conquerors and, therefore, did not humiliate or hurt its pride. Muslim rule was not an outside import but followed the conversion of a local ruler.”⁵⁹

In addition, it is also clear that Muslims by this time had already gained a visibly significant presence at all levels of the Kashmiri society and were part of its elite as well. One such influential person happened to be Shah Mir (Muslim) who coming from the royal family of Swat “was bestowed with a land grant and an important position in the administration by the then ruler, Suhadeva (1301-1320).”⁶⁰ Rinchana, after he assumed the power, appointed him as his minister. Even after the King died in 1323 and a brief reversion back to Hindu rule under the influence of the queen Kota Rani, Shah Mir, continued as a member of the government till the time, he ascended the throne in 1339 and had a short reign of about three to four years (1339-42).⁶¹ He (Shah Mir) was a seasoned politician and “a farsighted statesman.”⁶² It was in the context of prevalent instability and “misrule of Hindu kings” that he according to the chronicler Jonaraja, ‘assuaged the troubles of Kashmir and changed its condition.’⁶³ It was because of his experience and the positive reputation that he had gained that his assumption of power was welcomed across the board. He was a liberal in his

⁵⁷ Bazaz, *The History of Struggle for Freedom in Kashmir*, p. 43. He was a Buddhist prince of Tibetan origin who in the prevalent atmosphere of political insanity caused by the invasion of Mongol forces fought his way to power in 1320 and proclaimed himself king of Kashmir. Bhutani, pp. 15-16.

⁵⁸ Wani, *Islam in Kashmir*, pp. 54-55.

⁵⁹ Puri, p. 144.

⁶⁰ Wani *Islam in Kashmir*, p. 53.

⁶¹ *Ibid.*, pp. 55-56.

⁶² Bazaz, *The History of Struggle for Freedom in Kashmir*, 42.

⁶³ *Ibid.*, 46

policies and approaches to rule and brought much-needed civility and stability to Kashmir.⁶⁴ Thus, his assumption of power practically laid the foundation of the Muslim Sultanate (Kingdom) in Kashmir, even though Muslims were still a minority (though a significant one by then) within the society. This shift towards stability also brought in a new dynamism in the society, ushering in new avenues for prosperity across the board. There was an increased flow of trade and traders between Kashmir and central Asia. These developments had particularly a very positive and empowering impact on the socially and economically weaker and marginalized sections of the society. According to historian R L Hangloo:

These developments broke the extreme social and economic immobility of the peasants and the artisan class. This was a new experience for them; they learnt a new craft for which there was adequate demand hence they were able to move up economically. Equally important was the experience and feeling of community life like eating together and going to mosques, a great delight to people coming from the lower rungs of society.⁶⁵

The flow of this positive social change reached its pinnacle during the reign of Zain-ul-Abidin, (1420-70 CE) commonly known as *Bud Shah* (great king) for his policies of cultural pluralism, promotion of art, music and poetry and efforts that he made to encourage scholarship and learning, promotion of intercommunity understanding by encouraging translations of various Sanskrit texts into Persian.⁶⁶ During his time, there was a lot of architectural and infrastructural development. Irrigation projects, canals, bridges, rest houses, islands for facilitation of water and surface communication, buildings, parks and gardens were constructed throughout the length and breadth of the Valley.⁶⁷ He particularly made

⁶⁴ Ibid., p. 46.

⁶⁵ Hangloo, *Mass conversion in Medieval Kashmir*, p. 130.

⁶⁶ Bazaz, *The History of Struggle for Freedom in Kashmir*, pp. 54-59.

⁶⁷ Ibid., p. 58. Some of the ruminants of these are surviving / visible even today.

concerted efforts for the development of small-scale industry for manufacturing of arts and crafts thereby ensuring peace and prosperity within the society.⁶⁸ He also strived hard to import and introduce new technology, and promote talent to make Kashmir equal to some of the most advanced countries of the time like Samarkand and Bukhara.⁶⁹ Because of these policies, his reign is defined by stability, peace, harmony and overall prosperity in the Kashmiri society.⁷⁰

With the establishment of the Muslim Sultanate, there was a more frequent movement of Sufis (particularly of Kubravi order) missionaries to Kashmir. The most remarkable development in this process was the visit of a 'Sufi master' and an erudite scholar Mir Sayyed Ali Hamdani in 1384 along with about seven hundred of his followers. His visit and that of his followers turned out to be an important milestone in the spread of Islam and its consolidation across the social and geographical breadth of the Valley and its adjacent areas.⁷¹ During his visit, he exhibited a tremendous sense of practical wisdom. This allowed a creative reconciliation with local social practices and behavioural patterns of the people without compromising the essentials of the religion that he had come to preach. According to historian, Prof. Ishaq Khan:

It goes to his credit that instead of taking a narrow view of the religious situation in Kashmir, he showed an acute discernment and a keen practical sense in grasping the essential elements of popular Kashmiri religious culture and ethos, and gave creative expression to these in enjoining his followers in the valley to recite *Aurad-i-Fathiyya* aloud in a chorus in mosques.⁷²

In the specific context of Kashmir this practice in addition to giving expression to the spiritual urges of the people within

⁶⁸ Hangloo, *Mass conversion in Medieval Kashmir* p. 131; Bazaz, *The History of Struggle for Freedom in Kashmir*, 57.

⁶⁹ Wani, *Islam in Kashmir*, p. 66.

⁷⁰ Bazaz, *The History of Struggle for Freedom in Kashmir*, pp. 54-59.

⁷¹ Wani, *Islam in Kashmir*, pp 58-63.

⁷² I. Khan, *Kashmir's Transition to Islam*, pp. 68-69.

an Islamic idiom made a positive impression on the people. Talking about this practice in Jam'a Mosque in Srinagar, a conservative Brahmin chronicler Srvara said, "It was here the *yavanas* (Muslims) chanted mantras and looked graceful like the thousand lotuses with humming bees".⁷³ Mir Sayed's mission was more extensively carried forward by his son Mir Mohammad Hamdani.⁷⁴ Thus, there is reason to indicate that Islam in Kashmir accommodated and adjusted to local cultural and spiritual ethos in a manner that evolved its distinctive features in line with its collective genius.⁷⁵

Thus, from the beginning of Muslim presence in the 8th century, Islam gradually became a significant social and political force in the country during the 14th century of the Common Era. While continuing to gain wide social acceptability among the common people, Islam made little inroads into the socio-economically (even politically) privileged class of Brahmins. However, without changing their faith, they adjusted to the changed political reality and because of their education and experience even continued to serve new (Muslim) rulers by holding influential positions in the administration.⁷⁶ Islam, as mentioned previously, had already directly and indirectly impacted the religious tradition of Shaivism both at the conceptual and at the level of practice. At one level in the context of oppressive caste-ridden Brahminic social order Islam's straightforward egalitarian message attracted thus far marginalized and oppressed masses to this new faith for social emancipation that it promised. It brought man in direct interface with the divine without any intermediaries and social hierarchies. Thus it "created a psychological climate which made it comparatively easy for common people to abandon" the

⁷³ Ibid., p. 69.

⁷⁴ For details see Wani, *Islam in Kashmir*, pp. 63-65.

⁷⁵ This creative adjustment may have happened everywhere and in whichever cultural community Islam was adopted. In Kashmir, it is unique because here it adjusted with this its own cultural and spiritual uniqueness.

⁷⁶ This is the role that this tiny class of Kashmiri Pandits continued to play even till recent times in spite of changing regimes.

caste-ridden and ritualistic Brahmanism and accept Islam.⁷⁷ At the conceptual level the challenge of the new faith inspired voices for reformation from within the Hindu Shaivite tradition. It, in the words of T. N. Madan, led “to an internal churning within the Brahmanical tradition, questioning the mechanical ritualism of priests and even opened the way for a convergence of the Shaivite and Sufi traditions.”⁷⁸ The most powerful expression of this internal churning for reformation and protest against this oppressive and corrupt order came through Laleshwari better known as Lal Ded, (Mother Lala) within the common cultural milieu of Kashmir.⁷⁹ She decried the prevalent popular form of Shaivism that had come to be centred on the “external rituals and practices.”⁸⁰ Her verses are marked by her denunciation of the Brahmin exploitation of the masses.⁸¹ She instead of the prevalent practice of speaking in elite Sanskrit conversed to common masses through their own language Kashmiri. She, through her poetry (*wakhs*) “attacked idol worship, the condition of priesthood, the claim of high birth and the viciousness of aristocratic life.”⁸² Denouncing narrow and ritualistic dogmas, she spoke for human dignity, equality, love, and human brotherhood.⁸³

In respect of giving expression to her abstemious experiences and messages in the colloquial idiom of Koshur, she in a way also became the forerunner of a new Islamic mystic order (*Reshiyat*) that was indigenously developed and formulated and expressed in local idiom. It was ushered in by a local Muslim mystic sage commonly known as Shaikh Nuruddin (1379-1442), (also as Nunda Rishi), who, in addition to being influenced by Muslim Sufis, is believed to have been

⁷⁷ Rattan Lal Hangloo, *Mass conversion in Medieval Kashmir*, pp. 124-126.

⁷⁸ T.N. Madan, “Forward; Kashmir, Kashmiris and Kashmiriyat”, in Aparna Rau, Ed. *The Valley of Kashmir: The Making and Unmaking of a Composite Culture*, Delhi, Manohar, 2008, p. xiii. See also Jaishree Kak, “Lalla’s Relation to the Shaivite and Sufi Traditions in Kashmir” in Rau, *ibid.*, pp. 177-206.

⁷⁹ Rattan Lal Hangloo, *Mass conversion in Medieval Kashmir*, pp. 131-2

⁸⁰ Mohammad Ishaq Khan, *Kashmir’s Transition to Islam*. p. 72.

⁸¹ *Ibid.*, p. 73.

⁸² Rattan Lal Hangloo, *Mass conversion in Medieval Kashmir*, p. 132.

⁸³ Bazaz, *The History of Struggle for Freedom in Kashmir*, p. 82.

also spiritually inspired by Lal Ded. It, as a mystic movement, distinguished itself from the recognised Sufi traditions that came from Iran and Central Asia not only in the use of local colloquial idiom for communication, but also adopted a native nomenclature to describe their movement as *Reshiyat*.⁸⁴ This Rishi tradition/order adopted a local name that symbolically linked it to Kashmir's indigenous ascetic tradition of past pre-Islamic times.⁸⁵ But in its conceptual foundations, it was rooted in Islam's monotheistic spiritual message and its egalitarian tradition and values. Instead of adopting seclusion and withdrawal it even in its asceticism related to people, spoke against worldly allurements, vanity, hypocrisy, jealousy and misuse of religion for petty mundane gains. It preached virtues of humility, austerity and compassion.⁸⁶ Through these teachings in a local idiom, Rishis were able to relate to the subaltern and their concerns within the society.⁸⁷ The Shaikh is also attributed to having introduced and presented the Quranic message in Kashmiri language through his poetry.⁸⁸ He moved from place to place to spread his message. That is why it was through him and his Rishi followers that carried forward his mission, that Islam in essence became a mass phenomenon in Kashmir and reached its nook and corner.⁸⁹ Significantly, in particular, the conversion of the rural folk was brought about by these Rishis.⁹⁰ Thus, as we have seen by and large peaceful and gradual transition of faiths without much of violent disruptions and the enriching interface with many magnificent civilizational traditions surrounding it has given Kashmir and its people a culture of inclusivity, a cosmopolitan outlook and creative ingenuity that is reflected

⁸⁴ He, as per a common popular tradition, at his birth is supposed to have sucked from the breasts of the Lala.

⁸⁵ Wani, *Islam in Kashmir*, p. 66.

⁸⁶ Ibid., pp. 66-67

⁸⁷ Yoginder Sikand "Popular Kashmiri Sufism, and the Challenge of Scripturalist Islam", in Aparna Rau, Ed. *The Valley of Kashmir: The Making and Unmaking of a Composite Culture*, (Delhi, Manohar, 2008), p. 495.

⁸⁸ Ibid.

⁸⁹ Bazaz, *The History of Struggle for Freedom in Kashmir*, p. 88.

⁹⁰ Mohammad Ishaq Khan, *Kashmir's Transition to Islam*, pp. 178-9.

in their approach to culture and religion even in very trying situations. This has promoted an intercommunity living with common cultural references. Therefore, Kashmir continued to be defined by the culture of interfaith peace and understanding in which the *Rishi* mystic tradition played a very important role. As the patron saint Shaikh Nuruddin and his legacy continue to inspire the people of Kashmir for peace, reconciliation, and harmony. Thus, in spite of various challenging situations that it has been faced with, Kashmir has by and large remained essentially a pacifist, nonviolent. Even in a situation of conflict, its people have by and large abhorred radicalization.⁹¹

So, as we have seen Kashmir did change and evolve with and in relation to changing times, challenges and incoming influences from its surroundings. However, it absorbed these changes in a manner that did not fragment its social fabric and did not create any noticeable cleavages that would distort its distinct collective personality with which it is still identified. It has been a strongly consensual society that changed together but without uprooting itself from its inherited socio-cultural possessions and legacy. Kashmir has been truly a melting pot that has absorbed various influences from its surroundings without being undermined or overtaken by any one of these dominant civilizations and instead formed its own uniqueness. The strength of Kashmiri's personality has been that, with all these enriching influences coming from left and right, north and south, near and far, it has retained its personality as a distinct cultural community about which its people remained strongly conscious, possessive, and committed.⁹²

⁹¹ For elaboration of the basis of this assertion see Noor Ahmad Baba, "Kashmir's Syncretic Tradition and Challenges of Radicalization in a Raging Conflict" in Mubashir Hassan, Kengi Isezaki, Samir Yassir (Editors), *Radicalization in South Asia*, New Delhi, Sage, 2019, pp. 27-52.

⁹² Ibid.

Beyond Elite Tradition: The Popular Tradition of Masses in Kashmir

Aushaq Hussain Dar

Abstract: *The cosmopolitan culture of Kashmir forged over centuries of interaction with neighbouring cultures is reflected through ideas, beliefs, customs, traditions, art, architecture, poetry, folklore, and popular memory. Broadly speaking there have been two cultural categories – the culture of the elite which is self-imagined, vacuous, constructed and conflicting; and the culture of the masses which is experiential based on tolerance and co-existence. Scholars like Ashish Nandy, J.H. Duckitt, and Peter Gottschalk in their studies have explored the culture of masses based on tolerance and accommodation has been a strong counterforce against the divisive ideologies of the elite. The present paper attempts to explore the culture of masses in Kashmir forged over centuries based on love, compassion, and harmony and reflected through poetry, and folk narrative, promoted by saints, sages, and poetic luminaries.*

Introduction: The culture of Kashmir has evolved and developed as a result of interaction with diverse cultures. The strategic location of the region brought it into contact with Greek, Central Asian and Chinese civilizations. Consequently, there has been the migration of people and, the exchange of language, ideas, religion, and beliefs. The empirical evidence of Kashmir's contacts with the neighbouring world goes back to the Stone Age. The world-famous Neolithic sites of Burzahome and Gufkral yield several evidence that had their parallels in neighbouring civilizations¹. This synthesis of divergent ideas into a well-knit fabric continued in the subsequent periods of Kashmir history. The excavations at Semthan and Harwan bear witness to this process of

¹ Wani, Mohammad Ashraf, & Aman Ashraf, *Prehistory of Kashmir*, Srinagar: Oriental Publishing House, 2017, pp. 96-126.

interaction and cultural synthesis². As Percy Brawn says Harwan tiles “represent half a dozen ancient civilizations besides the other indigenous cultures”³.

The earliest known text of Kashmir’s past *Nilmatpuran* written in the 6th century AD adds religious dimension to the history and geography of the region. Thus, while making mention of Kashmir as a beautiful lake that became a heart-capturing land after the water was drained out by Ananta-the sanke deity on the orders of Vishnu (The supreme god of Vaishnava tradition) the author links the name Kashmir to Kashmira one of the names of Uma the consort of Siva. This linking together of two different religious pantheons with the origin of the region speaks about the evolution and growth of the process of syncretism in the religious traditions of Kashmir.⁴ The tradition of unity and co-existence forged over centuries based on pragmatic considerations was encouraged and followed in the subsequent periods of history, particularly after the emergence of mass Muslim society at the end of the 16th century.

Broadly speaking there have been two cultural categories- The culture of the elite characterized by self-imagination, conflict and prejudice and the culture of the masses characterized by centuries of lived experience, accommodation and co-existence. The studies conducted in India by Ashish Nandy,⁵ J.H. Duckitt⁶ and Peter Gottschalk⁷ have shown how the culture of masses forged over centuries has been a counter force against constructed and prejudicial

² For details see, Kak R.C., *Ancient Monuments of Kashmir*, Delhi: Utpal Publications 2002, Shali, S.L. *Kashmir: Archaeology and History through the Ages* Delhi:, Indus Publishing Company. 1993

³ Brown Percy, *Indian Architecture (Buddhist and Hindu Periods)*, Bombay: D.B. Tarapurvalla Sons and Co. 1959, p. 154.

⁴ Madan, T.N. “Kashmir, Kashmiris, Kashmiriyat” in Rao Aparna, ed. *The Valley of Kashmir: The Making and Unmaking of a Composite Culture*, Delhi: Manohar Publishers, 2008, p. 3.

⁵ Nandy, Ashish, et.al, *Creating a Nationality: The Ram Janamabhumi and Fear of the Self*, U.P: Oxford, 1998.

⁶ Duckitt, J.H., *The Social Psychology of Prejudice*, New York, Prager, 1992.

⁷ *Beyond Hindu and Muslim: Multiple Identity in Narratives from Village India*, New York: Oxford University Press, 2001.

identities of the elite which is reflected through folk stories, poetic compositions and popular memory. The saints, sages, and seers got glimpses of these ideas through divine inspiration or their intuition which in due course of time became ideals suited to social conditions. Therefore, the intellectual movements of Bakhti and Sufi saints legitimized the existing social ideals based on pragmatism. By giving legitimacy to popular practices the Sufi and Bakhti saints gained popularity among the masses. This is the reason, the Sufi preachers in Kashmir adopted the strategy of 'Islamization through accommodation' based on expediency, accommodation and conformity.⁸

The Muslim ruling elite for consolidating its rule looked upon Sufi saints as devices of legitimacy. When Bābur established his political authority in North India he quickly recognized the popularity of the Chishtiyya order, whose wide networks not only percolated the social structures, reaching to the masses, but extended into the royal courts too. So after assuming authority, Bābur despite being associated with Naqashbandiya order lost little time in expressing his reverence towards erstwhile Chishtiyya masters through the physical act of visitation (ziyārat) to their shrines. His first visit after entering Delhi was to the shrine of Nizām al-Dīn Awliyā followed by the shrine of Quṭb al-Dīn Bakhtiyār Kākī. The Mughal attempt to utilize Sufi authority for political ends is best seen in the reign of Akbar. After his victory over arch-rival Mewar leading to the capture of Chittor in 1568, Akbar walked from Chittor to Ajmer, showing his respect to Shaikh Mu'in al-Dīn and fulfilling the vow he had taken before the war.⁹ After the establishment of Muslim rule in Kashmir during the reign of Shah Miri Sultans (1339-1470 AD) the Sayyids appeared to be self-motivated as prime movers in maintaining the social order and the authority of the state.¹⁰

⁸ Wani, Mohammad Ashraf, *Islam in Kashmir* (Fourteenth to Sixteenth century) Srinagar: Oriental Publishing House, 2005, p. 216.

⁹ Ghani Kashaf, *The Mughals and the Sufism*, London: Routledge, 2020, pp. 388-89.

¹⁰ Hangloo, R.L., *The State in Medieval Kashmir*, Delhi: Manohar Publishers, p. 76.

The social structure and cultural patterns in Kashmir were largely shaped by the teachings of the two great saints, Lalla Ded and Nur-ud-Din Noorani. These saints did not preach narrow religiosity but rather preached love, peace, and humanism. Lal Ded the fourteenth-century Saivite saint has been held in high esteem by both Hindus and Muslims alike. She was an integral part of Kashmiri folk imagination. She emphasized social equality and religious tolerance. The following two verses are illustrative of her thought in which the cosmic and the social form one seamless whole:¹¹

*Shiv chhuy thali thali rozan mo zan Hyond thah
Mussalman
Trukay chhukh ta panun praznav soy chhai
Sahibas seet zani zan*

Shiva resides everywhere
Do not distinguish Hindu from the Muslim
If you are wise know thy true self which indeed is
to know the lord!

Lalla's advocacy for tolerance and forgetting worldly differences is also reflected in the following verse¹²:

*Rangas manz chuy byon byon labun
Soruy tsalakh barakh svakh
Tsakh roosh ta vair ay galakh
Ada deshakh Shiva sund mvakh*

The world is full of differences
If you are tolerant you will be happy
You will end anger hate and animosity
Then only you will see Siva's face

Shaikh Nur ud Din Noorani, the founder of the Reshi movement, who played a crucial role in the spread of Islam in Kashmir, was a champion of social harmony. He preached the

¹¹ Cited in Madan, T.N. "Kashmir, Kashmiris, Kashmiriyat" p. 11.

¹² Kak, Jaishree, "Lalla's Relation to Shaivite and Sufi Traditions" in Rao, Aparna, *The Valley of Kashmir: The Making and Unmaking of a Composite Culture* p. 183.

value system of humanism and the co-existence of divergent cultures. Shaikh played a crucial role in linking, to borrow the language of Robert Redfield the 'Greater Tradition of Islam' and 'Little Tradition of masses'¹³ His teaching reflected from his poetry representing the 'Little Tradition' of masses is an expression of social harmony. It is epitomized in the following verse.¹⁴

We came to this world like partners
Let us share our sorrows and joys together.
Shaikh Nur al Din always emphasized the unity of
Hindus and Muslims.

In one of his verses, he says:¹⁵

Among the brothers of the same parents
Why do you create a barrier?
Muslims and Hindus are one
When will God be kind to his servants?

During the 20th century in the era of turbulent politics, progressive-minded poets emphasized unity and communal harmony. They directly addressed the masses and emphasized the age-old tradition of tolerance and co-existence. Mahjoor strived hard to keep alive the tradition of brotherhood among different religions in Kashmir through his poetic compositions. Mahjoor says:¹⁶

*Mashidan, Mandran, Girjan, Dharmshahalan te Astanan
Yamin yeeten garan atsanuk kunai darvaz thavun chums*

Mosques, temples, churches, dharamshalas and shrines
To enter these houses I will build but one doorway.

¹³ Redfield Robert., *The Little Community: Peasant Society and Culture*, Chicago: University of Chicago Press, 1969, p. 72.

¹⁴ Kamil M. Amin Kamil, *Nu-nama*, Srinagar: Jammu & Kashmir Academy of Art, Culture and Languages, 1965, Poem 96, p. 131.

¹⁵ Cited in M. I. Khan, *Kashmir's Transition to Islam: The Role Rishis, (Fifteenth to Eighteenth Century)*, Delhi: Manohar Publishers, 1994, p. 103.

¹⁶ Cited in Madan, T.N. "Kashmir, Kashmiris, Kashmiriyat" p. 1.

24 | Aushaq Hussain Dar

Mahjoor had a great love for his homeland. He cautioned the people of Kashmir to be cautious and alert against the divisive agenda of the political elite with vested interests. In his patriotic breath, he says:¹⁷

Who is friend and who is foe of your land?
Let you yourselves thoughtfully make out
The kind and stock of all Kashmir is one
Let you mix milk and sugar once again
Hindus will keep the helm and Muslims ply the oars
Let you together row the boat of the country.

He further says:¹⁸

There I beheld both Hindus and Muslims bend
Their Heads before the one
What better the news of the city of love?
Should I report to thee?

Abdul Ahad Azad the revolutionary poet of the 20th century portrayed the miserable and helpless conditions of common Kashmiris. Through his poetry, he tried to infuse the sense of freedom in the minds of people. Azad wanted people to rise above the communal and sectarian boundaries created by vested interests. For him all humans were equal and one. In his poetry, he emphasized blurring the boundaries and erasing the differences between religious communities. Azad Says:¹⁹

*Kuni alam kuni Adam namas seet maz mazes nam.
Yeh kaim travi dilas ander duei hund nar insanau.*

Our universe is the same, our origin is the same, and
our relationship is like that of the flesh and nail.
Oh! Man who was he who sparked hatred in your

¹⁷ Cited in Bazaz, *The History of the Struggle for Freedom in Kashmir: Cultural and Political from Earliest Times to the Present Day*, New Delhi: Metropolitan Book Company, 1973, p. 296.

¹⁸ Cited in Koul Ashok, *Kashmir Contested Identity: Closed Systems, Open Choices*, Jaipur: Rawat Publications, 2011, p. 101.

¹⁹ Azad, Abdul Ahad, *Kulyat-i-Azad*, (ed.) Padam Nath Ganjoo, Jammu and Kashmir Academy of Art, Culture and Languages, edition 2nd Delhi: J.K. Offset Printers, 1986, p. 230.

heart?

In his poetry, Azad addresses humanity irrespective of religion, caste, and creed. He challenges the hypocrisy of so-called religious sycophants in his verses given below. He expresses his priorities in the strongest words and shows his sympathy and adoration for a human being.²⁰

*Diin daar tsey chuy diin panun, chum meh diin
Iimaan khoda choon tai insaan muda myon
Mandran mashiidan dharamsahalan choon khoada khoash
Loolas teh kuniras dardi dilas raez' khoda myon*

Oh religious man you have your religion, I have my own religion.
Your aim is trust in God and my aim is humanism.
Your God is happy with mosques, temples and Dharamsahala,
While my God is happy with love, unity, and compassion.

The literary tradition of Mahjoor and Azad based on love, brotherhood, humanism, harmony and patriotism was further carried forward by Dina Nath Nadim. He was influenced by human agony. His poetry reflects the inner urge of the masses. He brought unjust social and economic conditions of people to the limelight. Dina Nath Nadim Says:²¹

You should become the leader of the nation,
You should be Hindu and Muslim,
You should revolutionize the people
Fulfil dreams of natives

Conclusion: The cultural history of Kashmir reveals a subtle but strong tradition of unity that runs through the multiple aspects of life. This legacy of unity underlines the fundamental spiritual unity of religious traditions, not woven by stress or pressure of power groups, but by the vision of seers, the vigil of saints, the vision of scholars and the imagination of poets and artists further strengthened and

²⁰ Ibid., p. 267.

²¹ Cited in Koul Ashok, *Kashmir Contested Identity*: p. 101.

promoted it. Therefore, the experiential culture of masses based on spiritual unity, accommodation and respect for differences has been a strong counterforce against the divisive ideologies of power groups.

Poetic Utterances of Shaikh ul Alam

Faheem Farooq

Abstract: *Shaikh ul Alam, also known by the names of Shaikh Nurud din and Nund Ryosh, is one of those distinguished figures of our history who have exercised tremendous influence on the life and culture of Kashmir. It is certainly no exaggeration to say that no one else has so far gained such universal popularity with the Kashmiri people. There is no area of Kashmir where one or the other legend is not associated with his name. Historically the authenticity of most of these legends and miracles may not be established yet they indicate the extent and depth of his influence on Kashmir. With time, his popularity has not diminished but has grown continuously. Kashmiri language, which he was among the first to use creatively, has incorporated many of his wise sayings and aphorisms. The paper endeavours at a brief evaluation of some of the verses of Shaikh ul Alam.*

Shaikh was born in 1378 CE at Kaimoh, Kulgam.¹ His father, Salar Sanz was a scion of the Rajput family of Kishtwar, some of whose members had been forced to flee their homeland because of a family feud. Later, Salar Sanz accepted Islam and was named Salarud Din.

Legends associate the name of Lal Ded with the birth of Shaikh ul Alam. When he was born, he would not accept the milk of his mother, Sadar Mauj. Lalla is said to have appeared on the scene and told the baby:²

If you were not ashamed of being born
Why be ashamed to suck from the breast.

A born ascetic, Shaikh had an aversion to all worldly pursuits from his very infancy. Even his marriage to Zia Ded

¹ Rafiqi, A Q, *Sufism in Kashmir from the Fourteenth to the Sixteenth Century*, Bhartiya Publishing House, n.d., p. 197. For discussion of the dates regarding the birth of Shaikh Nuruddin, various sources refer to the same work. pp. 197-201.

² Khoihami, Hasan, *Tarikh-i-Hasan, Vol III, Asrarul Akhiyar*, Ali Muhammad and Sons, 2016, p. 117.

and the birth of a daughter, Zoon Ded and a son, Haider Baba failed to check his irresistible pull towards asceticism. In his late teens, he shut himself up in a cave near his birthplace for worship, meditation, and ascetic practices³. After twelve years of retirement, Shaikh adopted some disciples and undertook an extensive tour of the Valley, preaching his simple gospel of unworldliness, purity, and piety. He died in Rupwan in 1438 CE. According to a legend Zain al Abidin himself led the funeral prayers.⁴ He was buried at Chrar where his final resting place has become a shrine of pilgrimage for all Kashmiris regardless of their religion.

Primarily a simple and unsophisticated ascetic-turned-religious preacher of sorts, the Shaikh never professed to be a poet. However, he delivered his sermons in the form of shlokas, called *shruks* in Kashmiri, the tradition of the ancient Indian *Rishis* and *Munis*. Such *Rishis* and *Munis* were found in a large number in ancient and medieval Kashmir, giving Kashmir the name of *Resh Waer* (the abode of Rishis). To this was later added the name of *Pir Waer* (the abode of Pirs) when the spiritual guides of the Sufi tradition abounded in the Valley, following the introduction of Islam. Of the indigenous Rishi tradition, the Shaikh is the greatest architect. In Kashmir where Islam was fast becoming the dominant faith, he and his Rishi Movement constituted both an extension of the indigenous Rishi tradition and its conversion to a Muslim colour and character.⁵

As an ascetic turned preacher, he was trying to communicate an authentic personal experience. His utterances are characterized by poetic beauty and power. The language of many of his *shruks* is creative and not mechanical and ritualistic.

However, to make a proper assessment of his poetic achievement one encounters certain major difficulties. In the first place, all the *shrukhs* credited to him are not indubitably his. His verses have got inextricably mixed up with the *vakhs*

³ Khan, M. Ishaq, *Kashmir's Transition to Islam: The Role of Muslim Rishis*, Manohar, 1994, pp. 101-102.

⁴ Fauq, Muhammadud Din, *Tarikh-i-Badshahi*, Srinagar, Gulshan Publishers, 1928, p. 423.

⁵ Khan, M. Ishaq, *Kashmir's Transition to Islam*, pp. 76.

of Lal Ded, with whom he shares in common some of his fundamental beliefs and convictions.

Some other verses of Shaikh are in the dialogue form where he is conversing with his mother, wife or son. Such verses can not be presumably wholly his. Similarly, some verses and poems written certainly later have been credited to him for imparting sanctity to them. *Gongal Namah*,⁶ as is evident from its language and style, is a later poem. Secondly, the language of the *shruks* is generally archaic and unfamiliar. It is nearer to Sanskrit than to the Kashmiri which is used today. A genuine literary appreciation of such language is therefore very difficult. However, the major portion of the verses ascribed to the Shaikh is undoubtedly his own.

Given Shaikh's limitations as a composer of verses, one should not look for mystic flights and depths of a seer's vision in his verses, he is a down-to-earth preacher of fundamental religious truths and realities of ascetic life. At times, however, one does come across occasional insights whose origin is traceable to the Quran and Sunnah.

Shaikh achieves the best poetic effects when he sings of unworldliness, devotion to God, death and the life after death, things which are prime objects of an ascetic's contemplation. Thus, a lover of God is described in the verse:

Taste the fire, swallow the poison
And ferry thyself across the stream of blood.⁷

On occasions, Shaikh's anxiety consequent on his revulsion against worldly pursuits and his frustration with his inability to fall in line with the unacceptable norms of life around him, find touching expression in his verses.

Shaikh al-Alam's poetry is moral and the addressee is nearly always present in his verses. Reaching out to others and speaking to them requires the use of language as a shared medium and as a vehicle of a peculiar state of mind. The dominant tone of Shaikh ul Alam's verses is, therefore, that of

⁶ Rafiqi, A. Q., *Sufism in Kashmir from the Fourteenth to the Sixteenth Century*, Bhartiya Publishing House, n.d., pp. 197-208.

⁷ Malik, G. R., *Kashmiri Culture and Literature: Some Glimpses*, Department of Kashmiri University of Kashmir, 2006, p. 101.

a missionary imbued with such sincerity and selflessness as would hardly require the assistance of hollow rhetoric:

The dawn is broken and the night is over
But you lie like a log in sleep
The *Azaan* and the prayer is the call of the Lord
Oh dear! What pledge have you given there
Do the obligatory duties and follow the Sunnah
And you shall be called to enter the heaven.⁸

This, as one would expect, is the general tone of Shaikh ul Alam's poetry. But since he is not communicating any borrowed or second-hand moral advice, but a vision all his own in the sense that he has earned it through long penance and self-mortification, it tends sometimes to find expression in a poignant and effective language and on rare occasions, takes the form of genuine poetry. This is particularly true of the verses which embody his mystical insights and his sense of anxiety of an atmosphere hostile to moral and spiritual growth.

Reformers like Shaikh ul Alam have a deep understanding of human nature and of the fact that unless the minds and hearts of individuals are changed no legal, socio-political or systemic changes can bear the desired fruit. The purpose of the Shaikh's extensive tours of Kashmir was to establish close contacts with people and pick up individuals, whom he could identify with his miraculously discerning eye, for spiritual training and edification. This he achieved by implanting in the minds of the chosen individuals a firm faith in an ever-watchful God and accountability on the Day of Judgment. This naturally is also the most recurrent theme of his *shruks*. The ultimate ideal that he sets before the seeker in the path is, of course, the pleasure of God.

But he knows that the only means to achieve closeness to God is to create in the hearts of people a strong desire for salvation in the hereafter. In *shruk* after *shruk*, he returns to this theme. This worldliness is replaced by the ideal of unworldly worldliness⁹, that is, you do your duties in this

⁸ Afaqi, Asadullah, *Kuliat-I-Shiakh ul Aalam*, p. 164.

⁹ Malik, G. R., *Kashmiri Culture and Literature*, p. 112.

world but your heart is engaged somewhere else so that this world is not an end but a means to an end.

Trade Relations between Kashmir and Punjab (1846-1947)

Shiraz Ahmad
Farooq Ahmad

Abstract: During Dogra rule (1846-1947) trade relations of Kashmir with Punjab received great impetus. There was influx of large volumes of both import and export goods. Before the rule of Dogras, the traditional mode of trade was carried by the able-bodied men of Kashmir on their backs who used to work as coolies in Punjab during the winter months. During the Raj of Dogras, in the brisk trade relations of Kashmir with Punjab, special clans and communities like Wanis or Bakals and professional muleteers (Markabans) were involved in business, who were having the relations of trade with the Bullock drivers of Punjab. There were also Punjabi traders, known as Khatris who were having monopoly on the exchange centres of trade in Kashmir. Growing trade relation led to the mobility of population and influx of money brought changes in the economic structures of the society. In this paper an attempt has been made to analyse the developments of trade, role of trading communities, imports, and exports of trade and the changes that occurred in the economy of the Valley.

Introduction: The valley of Kashmir, surrounded by lofty mountains and the absence of roads, fit for wheeled carriage was difficult to access till late nineteenth century. It relied on its own limited resources and was to a great extent a self-supporting country.¹ But despite its mountainous nature and absence of adequate means of transport, Kashmir had a very long and continuous tradition of having trade relations with the outside world. Right from the ancient times, Kashmir remained linked with India through the south and with

¹ Amar Singh Chohan, *Communication and Transport in the Princely State of Jammu and Kashmir: 1846-1947*, Jammu: Radha Krishnan Anand and Co., 1998, p. 24.

China, Tibet, Central Asia, and Kabul through the north and north-west both culturally and commercially.²

The era of significant road development in Kashmir commenced in 1890, marked by the completion and opening of the Jhelum Valley (JV) Road for traffic. Extending from Srinagar to Khohalla along the river Jhelum's course, this road spans 146 miles, with a total distance of 196 miles from Rawalpindi to Srinagar. Designed to accommodate heavy bus traffic, it stands as a remarkable feat of engineering, especially as it traverses mountainous terrain from Srinagar to Murree.

Before the establishment of the Banihal Cart Road, the JV Road served as the primary route for the Dogra family's journey from Jammu to Kashmir, the State's summer capital.³ In 1901-02 A.D., the State Government initiated the construction of a cart road from Jammu to Udampur, completed in 1902-03 A.D., and subsequently extended to Banihal by 1909 A.D. This paved the way for the construction of a wheeled traffic road from Jammu to Srinagar, passing through the Banihal pass via a 660-feet long tunnel. This project, taking 13 years to complete at a cost of Rs 43,00,000, was opened to the public in 1922 A.D.⁴ So there were two main roads connecting Kashmir with the Punjab, terminating at railheads. The Banihal Road initiates from Srinagar, traverses southward, pierces the Banihal Mountain, passing through Ramban, Batote, Kud, Udampur, and Jammu city before reaching the railhead at Jammu Railway Station. This route forms the vital link between the valley of Kashmir and the rest of India.

On the other hand, the JV Road departs from Srinagar in a western direction, passing through Pattan, Baramulla, Uri, Garhi, and Domel, where it bifurcates. The main route continues through Kohalla, crossing Murree before reaching

² R.K. Parmu, *A History of Muslim Rule in Kashmir*, People's Publishing House, New Delhi, 1969, pp. 419.

³ S.N. Koul, *Kashmir Economics*, Normal Press, Srinagar, 1954-55, p. 129; Parvez Ahmad, *Economy and Society of Kashmir: A study in Change and Continuity (1885-1925)*, p. 227.

⁴ Ibid., p. 227; M. Ganjoo, *The Textile Industries in Kashmir*, Premier Publication Co., Delhi, 1945, p. 12;

the railhead at Rawalpindi. The branch road originating from Domel proceeds via Abbottabad, rejoining the Kohalla-Murree road at Rawalpindi. This branch road serves as a crucial alternative during winter months when heavy snowfall obstructs the main route, enabling bus traffic to reach Rawalpindi via Abbottabad. It is also known as the Havellian-Srinagar Road, connecting Srinagar with the nearest railhead at Havellian in the N.W.F. Province.

The Ghari Habib Ullah Route was constructed with the aim of establishing a more direct connection between Srinagar and Rawalpindi, as opposed to the Jhelum Valley Cart Road, which passed through Murree. Its construction was undertaken in 1899 A.D. and was brought to completion in 1902 A.D.,⁵ allowing for cart traffic to traverse its length. Beginning from Domel, it linked the Kashmir province with the Hazara borders at Ramkot, subsequently leading into British territory up to Abbottabad, where it intersected with the railways.⁶ Spanning a mere 10 miles within the State's territory, it provided a relatively straightforward passage and remained accessible even during winter months. Despite being a superior alternative to the commonly used route, insufficient maintenance led to its eventual neglect.⁷

During Dogras period, Indo-Kashmir trade got revived and British goods found their way into the Valley. Trade relations of Kashmir with Punjab received great impetus and there was large influx of the Punjabis (*khatris*) into the Kashmir, for business and employment purposes. They established their trading business in Kashmir permanently or semi-permanently. The *bazars* of Kashmir which were the centres for imports and exports became the monopoly of Punjabi businessmen. Among the commercial centres of Kashmir like Islamabad (Anantnag), Baramulla, Sopure, the Punjabi traders had made the Srinagar city the centre of collection and distribution of goods over a large region of

⁵ *Annual Administrative Report of Jammu and Kashmir State*, 1901-04, p. 463-64.

⁶ M. Ganjoo, *The Textile Industries in Kashmir*, Premier Publication Co., Delhi, 1945, p. 12.

⁷ A. E. Ward,, *The Tourist's and Sportsman's Guide to Kashmir and Ladakh etc.*, Central Press Co., Calcutta, 1896, pp. 17-18.

Kashmir.⁸ These growing trade relations with Punjab with the passage of time led to the mobility of population and changes in socio-economic structure of the society.

Traditional Trade Routes and Means of Transport: Up to the nineties of nineteenth century, the traditional mode of transportation did not witness any change and trade was carried through the passes that linked the mountain locked Valley with external world.⁹ There were 26 passes, among which the most important passes which the traders of Kashmir were frequently using in order to trade with Punjab were *Banihal*, *Tosamaidan*, *Khul-Narwav*, *Pir Panjal*, and *Baramulla*. It was through these routes, through which both ingress and egress took place.¹⁰ Trading commodities were carried on by different means of transportation such as coolies, ponies and mules, horse, yak, sheep and ass. Goods were sometimes carried on the backs of the baggage potters to various directions. But largely transport was available by means of horse, mules, ponies, and ass, each carrying a load of twenty to twenty five *traks* (1 *trak*=5 *seer*).¹¹ During the heavy rain and snowfall, although the journeys of these routes was difficult and miserable, but during the normal weather conditions it was easy. So these routes were not only fair weather passages but seasonal also.¹² Furthermore, these routes were slender and connecting the Valley with certain other parts of the world.¹³ From 1890's onwards, trade was mainly carried through the roads which include, the Jhelum Valley Cart Road, Banihal Cart Road, and Ghari Habib-Ullah Road.

These roads opened the Valley to the world and made large scale trade possible. *Mules*, *tongas*, *ekkas* and bullock

⁸ Mohd Ishaq Khan, *History of Srinagar*, Aamir Publication, Srinagar, 1978, p. 40.

⁹ Ali Mohammad Dar, *Trade and Commerce during the Dogra Rule in Kashmir*, Om Publication, Faridabad Haryana, 1999, p. 19

¹⁰ Charles Elson Bates, *Gazetteer of Kashmir and Ladakh*, Light and Life Publishers, New Delhi, 1980, p. 9.

¹¹ Ibid.

¹² Parveen Ahmad, *Economy and Society of Kashmir*, (1885-1925), Oriental Publishing House, Srinagar, 2007, p. 187.

¹³ Ibid.

carts plied on these roads and with the passage of time not only trade developed, but also led to the emergence of various spots on these routes where the travellers and traders could procure supplies. The construction of roads also led to a steady increase of Kashmiri tourism and influx of money. Large number of foreigners who spend considerable amount, visited, became the permanent customers of the trade in Kashmir, and gave impetus to the commerce of the Valley. Also, due to the influx of money, barter system was steadily replaced by cash transactions which attracted more people towards the commercial activities.¹⁴ The purchasing power of the people got increased which gave fillip to the trade and industries of Kashmir. The old way of life began to change and the cultivators, who had earlier to work as load carriers in order to acquire money for the payment of land revenue, were now able to pay the revenue and had not to go for seasonal migration in the same numbers as in the former times to the Punjab. Due to the influx of money, the position of cultivators got better and they were now able to earn locally.¹⁵

Trading Communities: From centuries, Kashmiris visited the different places of India like Allahabad, Hardwar, Varanasi, Lucknow, and Mathura for the purpose of trade. They went out with their merchandise and brought from distant and nearer places like Kabul and Samarkand on the one hand and India, Ladakh, Baltistan, Tibet and China on the other.¹⁶ They had established their own entrepôts in the countries where Kashmiri goods had a demand. In the brisk trade relations of Kashmir with Punjab as per Sir Walter Lawrence, there were special clans and communities which played a dominant role. The communities who were involved in trade business were *Wanis* or *Bakal* (*Musalmans*) and the professional muleteers (*Markabans*) and all these classes were located in and around the Srinagar.¹⁷ *Wanis* were engaged in

¹⁴ Ibid., p. 183.

¹⁵ Walter R. Lawrence, *Valley of Kashmir*, Oxford University Press, London, 1895, pp. 386-87.

¹⁶ R.K. Parmu, *A History of Muslim Rule in Kashmir*, p. 419.

¹⁷ Walter R. Lawrence, *Valley of Kashmir*, p. 387.

petty rural-urban trade and were also acting as money lenders, largely carried their trade on items like salt, sugar, snuff, oil, and tea. Apart from it they had few rolls of European or Indian cloth and cotton piece goods in their stock.¹⁸ But they had not the means or the enterprise to take up the position of collecting agents. Lawrence says, "He (*Wani*) was a man of no enterprise and allowed the export trade to pass entirely into the hands of the Punjabi traders of the city and the towns."¹⁹ As a result, Punjabis formed an important trading class in Kashmir. These traders also had their own agents who exploited the resources of the Valley and always remained busy in buying all articles of export through the system of advances.²⁰ However, later on due to the influx of money from the outside, *Wanis* began to lend money to their customers with interest rate of 24-36% under the system known as *Wad*.²¹ This local group did play a role of in intra-rural as well as rural-urban trade. *Markabans* (Muleteers) carried trade with the Punjab bullock drivers. Apart from trade these *Markabans* (Muleteers) and Punjab bullock drivers also performed the functions of transporters.²² There were also the grain merchants or *galladars* in Srinagar who procured grains from villages to supplement the stock provided by the state and sold it to the urban population.²³ Among other groups, were the *Karkhandars* who were the dealers of Kashmir handicrafts but also acted as traders? They had their shops not only in the Valley but outside also like Calcutta, Delhi, Amritsar, Bombay and Madras.²⁴ These manufactures and traders (like Suffering Moses) showed every interest and zeal in the Kashmir manufactures and popularised their products in different areas of India.²⁵

¹⁸ Ibid.

¹⁹ Ibid.

²⁰ Parveez Ahmad, *Economy and Society of Kashmir* (1885-1925), p. 181.

²¹ Walter Lawrence, *Valley of Kashmir*, p. 387.

²² Parveez Ahmad, *Economy and Society of Kashmir* (1885-1925), p. 181.

²³ Walter R. Lawrence, *Valley of Kashmir*, p. 397.

²⁴ Parveez Ahmad, *Economy and Society of Kashmir* (1885-1925), p. 182.

²⁵ Mohd Ishaq Khan, *History of Srinagar*, p. 53.

Imports from Punjab to Kashmir: In Kashmir there were certain depots of trade like Srinagar, Islamabad, Shopiyan and Bandipoor. At these places Punjabi traders had established the business and were importing raw and manufactured cotton, liquor, tea, salt, sugar, grains, drugs, medicines, pulses, snuff, tobacco, leather, gunny bags, wool, metals, oil, species and manufactured silk.²⁶

The quantity and value of imports from Punjab to Kashmir for the years 1898 to 1927 is given below in the table:-

Table 1
Imports from Punjab to Kashmir

Year	Quantity in Mounds	Value in Rupees
1898-99	268069	35800083
1899-1900	264635	4042847
1900-01	202228	4068443
1901-02	380041	5743610
1902-03	320901	4540154
1903-04	442685	4644680
1904-05	532891	5152532
1905-06	345789	6012242
1906-07	517475	6334261
1907-08	456790	6334261
1908-09	374488	7730650
1909-10	452009	7897954
1910-11	398164	7192118
1911-12	475088	7552885
1912-13	452118	8543431

²⁶ Walter R. Lawrence, *Valley of Kashmir*, p. 387. See also Annual Trade Report of J & K State, 1900-01, Jammu and Kashmir Archives, Srinagar, p. 4.

1913-14	482926	8963123
1914-15	507190	9176890
1915-16	435157	9710280
1916-17	445538	7145062
1917-18	533719	10216420
1918-19	491091	112588663
1919-20	584253	13243969
1920-21	474520	14522529
1921-22	581530	16686989
1922-23	551264	19780591
1923-24	584253	16741324
1924-25		14084951
1925-26	584253	15875719
1926-27		15335877

Source: *Annual Trade Reports of J and K State (1889-1927)*

Exports from Kashmir to Punjab: Among the chief articles of export to Punjab includes non-intoxicating drugs, fibres, fruits, hides and skins, ghi, linseed, rape seed, and wool, raw and manufactured.²⁷ Apart from these the chief articles of export, ducks were also exported to the Punjab.²⁸

Conclusion: The progressive developments of both import and export trade during the Dogra rule led to overall economic mobility of the Valley. The purchasing power of the

²⁷ Walter R. Lawrence, *Valley of Kashmir*, p. 387.

²⁸ *Ibid.*, p. 365.

Table II
Exports from Kashmir to Punjab

Year	Quantity in Maunds	Value in Rupees
1889-99	175575	2110869
1899-1900	208585	1922673
1900-01	398450	249903
1901-02	371177	2729092
1902-03	392362	4656241
1903-04	278422	5250194
1904-05	204141	3492212
1905-06	698372	4384392
1906-07	883141	5388406
1907-08	977305	5668467
1908-09	968369	5528040
1909-10	1000602	5941349
1910-11	970517	6039130
1911-12	967641	6597125
1912-13	1848842	8205936
1913-14	1576580	665712
1914-15	1148491	8205935
1915-16	1058575	6366802
1916-17	1660081	9982682
1917-18	1347406	11352283
1918-19	1311808	11886666
1919-20	1182819	8907625
1920-21	1251513	10314228
1921-22	1214723	9266302
1922-23	1646331	12491140
1923-24	1485479	11749930
1924-25	1530115	13512653
1925-26	1807883	13430290

Source: Annual Trade Reports of J and K State (1889-1926)

people got increased, though in certain sections of the society. The older system of barter began to be replaced by the cash transactions which increased the interest of the people towards commercial activities. The influx of money increased the value of the trade. Besides, the peasants of the Kashmir Valley became able to pay revenue in cash instead of

kind. Their economic position over the period got better and they became able to earn locally. Developments of trade and communication led to the mobility of population and the Kashmir Valley got exposed to the outer world.

Combating Transnational Environmental Crimes

Iftikhar Hussain Bhat

Abstract: *Transnational environmental crimes, spanning illegal wildlife trade, pollution, and deforestation, pose significant threats to global ecosystems. This research article delves into the intricate landscape of transnational environmental crimes, encompassing activities such as illegal logging, wildlife trafficking, and pollution, with profound implications for global ecosystems. Within the context of international environmental law, a thorough examination unfolds, covering the nuances of defining and understanding these crimes, evaluating existing legal frameworks, and navigating the challenges associated with enforcement. The analysis extends to the role played by international courts and tribunals, the varied approaches of national legislation, the dynamics of global cooperation, the impact of technological innovations, the intricacies of corporate accountability, and the vital role of community engagement. Notably, the study highlights the imperative for legal reforms, emphasizing the harmonization of definitions, expanding jurisdiction, and instating rigorous corporate liability measures. The trajectory toward addressing transnational environmental crimes hinges on the seamless integration of legal reforms, technological advancements, fortified international collaboration, active community engagement, robust capacity building, enhanced corporate responsibility, and elevated public awareness. The research underscores the intricate interdependence of these strategic elements, advocating for a global synergy and a culture of innovation. As nations, organizations, and communities converge in a collective commitment to environmental stewardship, this paper emerges as a guiding blueprint for a future characterized by sustainability and resilience.*

Introduction: Environmental issues are no longer confined by national borders, and the increasing interconnectedness of

the global community has given rise to transnational environmental crimes.¹ These crimes, characterized by activities that harm the environment and cross international boundaries, pose significant challenges to legal systems worldwide.² The last few decades have witnessed a surge in environmental degradation, driven by human activities that disregard ecological boundaries. From illegal wildlife trafficking and illegal logging to dumping hazardous waste across borders, transnational environmental crimes have become a pressing concern.³ The consequences of such crimes extend far beyond the immediate geographical locations of the offences, impacting ecosystems, biodiversity, and human health on a global scale. The urgency to address transnational environmental crimes is underscored by the interconnectedness of ecosystems, the shared responsibility for global environmental protection, and the potential for irreparable harm to the planet.⁴ The degradation of natural resources, loss of biodiversity, and climate change are not confined to specific nations but have cascading effects that reverberate across borders. As a result, the need for effective legal mechanisms to tackle these crimes on an international scale has become increasingly evident.

Several factors contribute to the significance of studying transnational environmental crimes. In an era of globalization, environmental issues are inherently global. A holistic understanding of transnational environmental crimes requires an examination of the interconnected nature of ecosystems, the interdependence of nations, and the shared responsibility for environmental stewardship. Transnational environmental crimes not only harm the environment but also pose threats to human security. The illegal exploitation

¹ United Nations Environmental Programme (UNEP). "Our Planet, Our Health: Report of the WHO/UNEP/CBD Expert Working Group on Biodiversity, Climate Change, and Human Health" (2020).

² Elliott, L. *Transnational Environmental Crime: Toward Eco-global Criminology*, Routledge, 2016.

³ Boas, I., and D. Rothe. "Environmental Crime and Social Conflict: Toward a Criminology of Environmental Harms". *Critical Criminology*, vol. 24, no. 3, 2016, pp. 327-343.

⁴ United Nations Office on Drugs and Crime (UNODC). "World Wildlife Crime Report: Trafficking in Protected Species" (2020).

of natural resources can lead to conflicts, displacement of communities, and exacerbate existing socio-economic disparities⁵. The complexity of transnational environmental crimes presents legal challenges, including jurisdictional issues, varying legal standards, and the difficulty of enforcing laws across borders⁶. Addressing transnational environmental crimes requires collaborative efforts at the international level. Studying the rationale behind such cooperation helps identify opportunities for strengthening global responses to these crimes⁷. The interconnectedness of environmental issues necessitates an international approach, and understanding the context and rationale behind studying transnational environmental crimes lays the foundation for a comprehensive examination of this critical subject.

Understanding Transnational Environmental Crimes:

Defining transnational environmental crimes involves navigating through the complexities of legal, environmental, and jurisdictional considerations. Transnational environmental crimes encompass a range of activities that violate environmental laws and regulations and have cross-border implications⁸. These crimes often involve illegal activities that exploit natural resources, pollute the environment, or contribute to the degradation of ecosystems across multiple jurisdictions. The scope of transnational environmental crimes is vast and includes activities such as illegal wildlife trafficking, illegal logging, illicit trade in hazardous waste, and the illegal exploitation of natural resources. These crimes are characterized by their transboundary nature, where the environmental harm extends beyond the borders of a single nation, affecting

⁵ Boas, I., and D. Rothe. "Environmental Crime and Social Conflict: Toward a Criminology of Environmental Harms." *Critical Criminology*, vol. 24, no. 3, 2016, pp. 327-343.

⁶ Elliott, L. "Transnational Environmental Crime: Toward an Eco-global Criminology." Routledge, 2016.

⁷ UNODC. "World Wildlife Crime Report: Trafficking in Protected Species" (2020).

⁸ White, R. "Transnational Environmental Crime: Toward an Eco-global Criminology." Open University Press, 2008.

ecosystems, biodiversity, and communities on a global scale⁹. The illicit trade in wildlife is a prime example of a transnational environmental crime that has garnered international attention. Poaching and smuggling of endangered species, such as elephants and rhinos, involve criminal networks operating across borders¹⁰. This not only poses a severe threat to biodiversity but also has economic, social, and security implications. The illegal logging of forests, often followed by the illicit trade in timber, is another transnational environmental crime with far-reaching consequences. Criminal enterprises exploit weak regulatory frameworks, leading to deforestation, loss of biodiversity, and negative impacts on local communities¹¹. The illegal disposal and trade of hazardous waste materials across borders pose significant environmental and health risks. Criminal organizations engage in the improper disposal of toxic waste, contributing to soil and water contamination¹². Transnational crimes extend to the seas, where illegal, unreported, and unregulated fishing operations threaten marine ecosystems and deplete fish stocks. These activities often involve the evasion of national and international fishing regulations¹³. Examining these examples underscores the diverse nature of transnational environmental crimes and emphasizes the need for robust legal frameworks and international cooperation to address these challenges effectively.

International Legal Frameworks: The effective management of transnational environmental crimes demands

⁹ UNODC. "Guidelines for the Legal Framework for the Control of Transboundary Movements of Hazardous Wastes and Their Disposal" (2019).

¹⁰ Wyatt, T. "Exploring the Organization of Russia Far East's Illegal Wildlife Trade: Two Case Studies of the Illegal Fur and Pet Macaque Trades." *Global Crime*, vol. 14, no. 1, 2013, pp. 1-25.

¹¹ EIA. "Deforestation by Definition: The Real Impact of the Definition of Forests on the Legality of Timber" (2020).

¹² Reis, C. A. "Environmental Crime and the Media: News Coverage of Petroleum Refining Industry Violations." *Springer*, 2017.

¹³ Gjølstad, T., & Sollund, R. "Fisheries Crime as a Global Phenomenon: Challenges and Solutions." *European Journal of Criminology*, vol. 10, no. 3, 2013, pp. 331-349.

a robust international legal framework that transcends national boundaries. International efforts to combat transnational environmental crimes have resulted in the establishment of numerous treaties and conventions. These legal instruments aim to foster cooperation among nations, harmonize legal standards, and provide a framework for addressing specific environmental issues. One cornerstone of international efforts to combat transnational environmental crimes is the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, 1989 which addresses the illegal transboundary movement and disposal of hazardous wastes. This treaty establishes a framework for the control of such movements, aiming to minimize environmental and health risks¹⁴. Article 4 of the Basel Convention outlines the obligations of parties regarding the control of transboundary movements of hazardous wastes and their disposal. Similarly, the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) 1972 is a vital treaty addressing the illegal trade of endangered species. It regulates international trade in wildlife and plants, offering a legal framework to combat wildlife trafficking¹⁵. The United Nations Framework Convention on Climate Change (UNFCCC) 1992 and the Kyoto Protocol, though not specifically targeting transnational environmental crimes, address a critical aspect of environmental harm with global implications. The Kyoto Protocol, established in 1997, focuses on reducing greenhouse gas emissions to mitigate climate change. Both agreements emphasize international cooperation to address environmental challenges. The Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade 1998 is a vital instrument addressing hazardous chemicals and pollutants. Adopted in 1998, this convention establishes procedures for the international trade

¹⁴ Bodansky, D. "The Basel Convention on Hazardous Wastes: A Milestone in International Environmental Law." *The American Journal of International Law*, vol. 93, no. 4, 1999, pp. 628-639.

¹⁵ CITES. "Convention on International Trade in Endangered Species of Wild Fauna and Flora" (2020).

of certain hazardous chemicals and pesticides, promoting informed decision-making and preventing the transboundary movement of dangerous substances. The United Nations Convention against Transnational Organized Crime (UNTOC) 2000, also known as the Palermo Convention includes protocols targeting different forms of organized crime. The Protocol against the Illicit Manufacturing of and Trafficking in Firearms, their Parts and Components and Ammunition (Firearms Protocol) is particularly relevant, as it addresses the illegal trade in environmental crimes, including illegal logging and wildlife trafficking.¹⁶ The United Nations Convention against Corruption (UNCAC) though not exclusively focused on environmental crimes, includes provisions related to corruption in the environmental sector. This convention recognizes the link between corruption and environmental degradation and emphasizes the need for preventive measures.¹⁷

A comparative analysis of these key agreements reveals the diversity of approaches and scopes in addressing transnational environmental crimes. This diversity reflects the complex nature of environmental challenges, necessitating a multifaceted legal response. The strengths of these international legal frameworks lie in their ability to establish standardized norms, facilitate cooperation among nations, and provide a platform for collective decision-making¹⁸. The binding nature of some agreements, such as the Basel Convention, empowers nations to hold each other accountable for their environmental actions. Enforcement mechanisms and dispute resolution processes add teeth to these agreements, ensuring that violations are addressed through legal means.

¹⁶ UNODC. "United Nations Convention against Transnational Organized Crime and the Protocols Thereto" (2004).

¹⁷ Haugerud, A., & Tostensen, A. "Corruption in the Natural Resource Sector: Challenges for Legal Transplants and Comparative Law." *Bergen Journal of Criminal Law & Criminal Justice*, vol. 1, no. 1, 2003, pp. 1-27.

¹⁸ Bodansky, D. "The Art and Craft of International Environmental Law." *Harvard University Press*, 2015.

Challenges in Enforcing Transnational Environmental

Laws: Enforcing transnational environmental laws poses a myriad of challenges that hinder the effective implementation of international agreements and treaties. One of the primary challenges in enforcing transnational environmental laws stems from jurisdictional complexities. Transnational crimes, by their nature, often occur across multiple jurisdictions, making it challenging to determine which country's legal system should have authority and how jurisdictional conflicts should be resolved. Many transnational environmental crimes involve activities that originate in one country but cause harm in another. Determining which country has the right to prosecute these offences, known as extraterritorial jurisdiction, often leads to legal disputes and challenges¹⁹. This is particularly evident in cases of illegal logging, where the crime occurs in one country, but the timber is traded internationally. The absence of uniform standards for jurisdiction in transnational environmental cases further complicates enforcement efforts. Varying legal principles and interpretations among nations contribute to the difficulty in determining which jurisdiction should take precedence²⁰. Jurisdictional issues often intersect with concerns related to national sovereignty. Countries may be hesitant to allow external entities or international bodies to intervene in their domestic affairs, particularly when addressing environmental crimes that have cross-border implications²¹.

The effectiveness of transnational environmental law enforcement is also hampered by significant gaps and inconsistencies in existing legal frameworks. These gaps create opportunities for perpetrators to exploit weaknesses

¹⁹ UNODC. "Extraterritorial Jurisdiction in Prosecuting Corruption: A Review of International Legal Frameworks" (2016).

²⁰ Dam, K. W. "Transnational Environmental Crime and Jurisdictional Challenges: Lessons from the Trade in Electronic Waste." *Georgetown International Environmental Law Review*, vol. 25, no. 2, 2013, pp. 257-288.

²¹ Nollkaemper, A., & Plakokefalos, I. "Principles of Shared Responsibility in International Law: An Appraisal of the State of the Art." *Cambridge University Press*, 2016.

and evade prosecution. Some international agreements may not comprehensively cover all forms of transnational environmental crimes. This limitation can be exploited by criminals engaging in activities not explicitly addressed by existing legal instruments²². The presence of ambiguities and vague definitions in international environmental laws can create interpretational challenges. Criminals may exploit these ambiguities to mount legal defenses, leading to challenges in establishing guilt and securing convictions²³. The lack of harmonization among national legal systems in implementing international environmental agreements poses a significant obstacle. Discrepancies in domestic laws can result in variations in enforcement approaches, impeding a cohesive global response²⁴.

Resource constraints, both in terms of financial and human resources, present another formidable challenge in enforcing transnational environmental laws. Insufficient resources limit the capacity of nations to investigate, prosecute, and adjudicate cases effectively. Enforcing transnational environmental laws requires substantial financial resources to conduct thorough investigations, support legal proceedings, and implement preventive measures. Many nations, especially those with limited economic resources, may struggle to allocate adequate funds to address environmental crimes²⁵. Building and maintaining the necessary expertise and capacity within law enforcement agencies and judiciaries is crucial. However, shortages of skilled personnel with knowledge of environmental laws and the intricacies of transnational crimes impede effective

²² Nurse, A. "The Role of International Environmental Law in Combating Environmental Crime: A Critical Appraisal." *Journal of Environmental Law*, vol. 30, no. 2, 2018, pp. 261-281.

²³ United Nations University. "Global Environment Outlook 6: Summary for Policymakers" (2019).

²⁴ Recht, R. F. "Enforcing International Environmental Agreements in U.S. Courts." *Cambridge University Press*, 2008.

²⁵ Elliott, L. "Transnational Environmental Crime: Mapping and Analysing its Social Organisation." *Crime, Law and Social Change*, vol. 71, no. 2, 2019, pp. 167-190.

enforcement²⁶. Limited resources also impact the ability of nations to engage in international cooperation effectively. Cooperation is essential for sharing information, conducting joint investigations, and ensuring a coordinated response to transnational environmental crimes²⁷.

Role of International Courts and Tribunals: The escalating threats of transnational environmental crimes have prompted a growing reliance on international courts and tribunals as mechanisms to address these complex issues. The International Court of Justice (ICJ), established by the United Nations, serves as the principal judicial organ for resolving disputes between states. While the ICJ has not been exclusively dedicated to environmental cases, it has played a crucial role in addressing disputes with transboundary environmental implications. In a notable case, *Pulp Mills on the River Uruguay (Argentina v. Uruguay)* (2010) the ICJ decided a matter regarding the construction of pulp mills on the Uruguay River, which raised concerns about potential environmental harm. The court's decision emphasized the importance of environmental impact assessments and cooperation between states in preventing environmental harm²⁸. The *Permanent Court of Arbitration (PCA)*, established in 1899, provides a forum for the arbitration and resolution of international disputes. While not a traditional court, it has been involved in cases related to environmental issues, offering a platform for states to resolve disputes peacefully. *The South China Sea Arbitration* (2016), while not solely focused on environmental issues, this arbitration case addressed disputes over territorial claims in the South China Sea. The tribunal's award had implications for environmental

²⁶ Brisman, A., & South, N. "Green Cultural Criminology: Constructions of Environmental Harm, Consumerism, and Resistance to Ecocide." *Routledge*, 2012.

²⁷ INTERPOL. "Project LEAF: Law Enforcement Assistance for Forests" (2018).

²⁸ International Court of Justice. "Pulp Mills on the River Uruguay (Argentina v. Uruguay)" (2010).

protection in the contested region²⁹. *The International Criminal Court (ICC)* is primarily known for prosecuting individuals for genocide, crimes against humanity, and war crimes. While not exclusively an environmental court, the ICC has increasingly recognized the link between environmental destruction and certain crimes. In a notable case *Al Mahdi Case* (2016) the ICC adjudicated a dispute related to the destruction of cultural heritage sites in Timbuktu, Mali. The court recognized the intentional destruction of cultural and religious buildings as a war crime, highlighting the broader implications of environmental destruction in conflict zones³⁰.

While international courts and tribunals have made strides in addressing transnational environmental crimes, their effectiveness remains a subject of ongoing debate. Several factors contribute to the assessment of their impact. Adjudication by international bodies can serve as a deterrent, discouraging states and individuals from engaging in environmentally harmful activities. The ICJ's decision in the *Pulp Mills on the River Uruguay* case underscored the importance of adhering to environmental impact assessments, contributing to preventive efforts³¹. International environmental adjudication helps shape legal norms and standards. The recognition of intentional environmental destruction as a war crime in the *Al Mahdi Case* contributes to the development of international legal norms related to environmental protection. International courts and tribunals provide a forum for the peaceful resolution of disputes between states. The PCA's involvement in cases related to territorial claims, as seen in *The South China Sea Arbitration*, illustrates the role of adjudication in

²⁹ Song, Y., & Valencia, M. J. "The South China Sea Arbitration: A Chinese Perspective." *Asian Journal of International Law*, vol. 7, no. 2, 2017, pp. 151-176.

³⁰ International Criminal Court. "Situation in the City of Timbuktu, Mali" (2016).

³¹ International Court of Justice. "Pulp Mills on the River Uruguay (Argentina v. Uruguay)" (2010).

addressing complex geopolitical and environmental issues³². Despite their potential impact, international judgments face challenges in implementation. Compliance with court decisions is not guaranteed, and the effectiveness of adjudication may be limited by the willingness of states to enforce and adhere to the court's rulings³³. The jurisdiction of international courts may be limited to specific types of cases, and some environmental issues may fall outside their purview. The establishment of specialized environmental courts or tribunals could potentially address this limitation³⁴.

Global Cooperation and Information Sharing: In the face of escalating transnational environmental crimes, global cooperation and information sharing have become indispensable components of the collective effort to combat illicit activities that span across borders. Interpol, the International Criminal Police Organization, plays a crucial role in coordinating international efforts against transnational environmental crimes. With a global network of member countries, Interpol facilitates collaboration among law enforcement agencies to address various forms of environmental offences. Interpol has established specialized units, such as the Environmental Crime Programme, dedicated to tackling crimes like illegal logging, wildlife trafficking, and pollution. These units provide expertise, resources, and a platform for information exchange among member countries³⁵. *The United Nations Office on Drugs and Crime (UNODC)* actively engages in addressing environmental crimes through its Global Programme for Combating Wildlife and Forest Crime. This initiative focuses

³² Song, Y., & Valencia, M. J. "The South China Sea Arbitration: A Chinese Perspective." *Asian Journal of International Law*, vol. 7, no. 2, 2017, pp. 151-176.

³³ Niemann, M., & Neumayer, E. "Global Sustainable Development in the 21st Century: Legal Aspects of International Cooperation." *European Journal of International Law*, vol. 27, no. 2, 2016, pp. 387-414.

³⁴ United Nations Environment Programme (UNEP). "Strengthening the Role of the Environmental Rule of Law in Sustainable Development: An Issue Paper" (2017).

³⁵ INTERPOL. "Environmental Security: A Priority for INTERPOL" (2020).

on strengthening legal frameworks, enhancing enforcement capacities, and promoting international cooperation to combat wildlife trafficking and illegal logging. UNODC collaborates with various partners, including Interpol, to foster global cooperation. The joint efforts aim to address the interconnected challenges of transnational environmental crimes and other forms of organized crime³⁶.

Transnational environmental crimes often involve activities spanning multiple jurisdictions. Jurisdictional challenges can hinder the seamless exchange of information, as legal frameworks and requirements may vary among countries³⁷. The sensitive nature of information related to ongoing investigations can pose challenges. Law enforcement agencies may be cautious about sharing details to protect the integrity of cases, potentially leading to delays in information exchange³⁸. Some countries may face resource constraints in establishing and maintaining effective information-sharing mechanisms. Limited technological infrastructure and financial resources can impede the swift exchange of data³⁹. Operation Thunderbird, led by Interpol in 2020, targeted transnational environmental crimes across 109 countries. The operation resulted in numerous arrests and the seizure of illegal wildlife products, highlighting the effectiveness of international collaboration in disrupting criminal networks⁴⁰. *Europol's European Environmental Crime Task Force* focuses on combating environmental crimes within the European Union. By facilitating information exchange and

³⁶ UNODC. "Combating Environmental Crime: A Review of International Cooperation and Partnerships" (2018).

³⁷ Haugerud, A., & Tostensen, A. "Fighting Transnational Environmental Crime: Problems of and Possibilities for Jurisdiction." *International Criminal Law Review*, vol. 18, no. 2, 2018, pp. 324-349.

³⁸ Sollund, R. "Sharing Environmental Crime Information: A Nordic Study of Law Enforcement Perspectives on National and International Cooperation." *Crime, Law and Social Change*, vol. 71, no. 2, 2019, pp. 225-245.

³⁹ Elliott, L. "Transnational Environmental Crime: Mapping and Analysing its Social Organisation." *Crime, Law and Social Change*, vol. 71, no. 2, 2019, pp. 167-190.

⁴⁰ INTERPOL. "Environmental Security: A Priority for INTERPOL" (2020).

collaboration among EU member states, the task force has contributed to successful investigations and prosecutions⁴¹. *International Consortium on Combating Wildlife Crime (ICCWC)* comprising Interpol, UNODC, CITES, World Customs Organization (WCO), and the World Bank, exemplifies successful multilateral cooperation. The consortium works to enhance coordination, intelligence sharing, and capacity building to combat wildlife crime globally⁴².

Strengthening international legal frameworks can help overcome jurisdictional challenges. Agreements and conventions that harmonize definitions and penalties for transnational environmental crimes can facilitate smoother information exchange⁴³. Investing in technology and capacity building, especially in resource-constrained regions, is crucial. The development of secure platforms for information exchange and training programs can enhance the ability of countries to participate effectively in global cooperation⁴⁴. Public-private partnerships can bolster efforts to combat transnational environmental crimes. Collaboration between law enforcement agencies, non-governmental organizations (NGOs), and private entities can provide valuable resources, intelligence, and expertise⁴⁵. Resolving data privacy concerns is essential for effective information exchange. Establishing clear protocols and safeguards for sharing sensitive information while respecting privacy rights can foster trust among participating countries⁴⁶.

⁴¹ Europol. "European Environmental Crime Task Force" (2021).

⁴² ICCWC. "International Consortium on Combating Wildlife Crime" (2021).

⁴³ Trouwborst, A., & West, T. H. "The Role and Modus Operandi of Transnational Environmental Crime." *Transnational Environmental Law*, vol. 7, no. 2, 2018, pp. 251-282.

⁴⁴ INTERPOL, "Capacity Building and Training" (2021).

⁴⁵ White, R. "Transnational Environmental Crime: Toward an Eco-global Criminology." *Routledge*, 2018.

⁴⁶ Wyatt, T. "The Politics of Risk and the Limits of Governance: The Case of UK CITES Enforcement." *Global Environmental Change*, vol. 23, no. 6, 2013, pp. 1397-1407.

Technological Innovations and Surveillance: The advent of technological innovations has significantly transformed the landscape of combating transnational environmental crimes. Satellite imagery and remote sensing technologies have become indispensable in monitoring deforestation activities. High-resolution satellite data enable authorities to detect illegal logging, land clearing, and changes in forest cover in near real-time. Advanced satellite surveillance helps identify sources of pollution, including illegal discharge of pollutants into water bodies or unauthorized emissions from industrial facilities. This technology facilitates prompt response and enforcement actions⁴⁷. *Geographic Information Systems (GIS)* technology enables the spatial analysis of environmental crimes, allowing law enforcement agencies to identify patterns and hotspots. Understanding the spatial distribution of offences aids in targeted interventions and resource allocation. GIS is instrumental in mapping and analyzing wildlife trafficking routes. By visualizing the movement of illegal wildlife products, authorities can design strategies to intercept and disrupt criminal networks⁴⁸. Blockchain technology offers a transparent and secure way to track and verify the origin of natural resources. In the context of environmental crimes, it can be employed to ensure the legality of timber, minerals, and other commodities by creating an immutable record of their supply chain. Blockchain can be utilized to create a tamper-proof ledger of fishing activities, ensuring the traceability of seafood products. This technology helps combat illegal, unreported, and unregulated fishing practices⁴⁹. The use of satellite surveillance raises privacy concerns, as it involves capturing detailed images of private properties. Striking a balance

⁴⁷ Lechner, A. M., Brown, G., & Moilanen, A. "Modeling the Environmental Suitability of Crime." *Applied Geography*, vol. 29, no. 3, 2009, pp. 289-298.

⁴⁸ Chainey, S., Thompson, L., & Uhlig, S. "The Utility of Hotspot Mapping for Predicting Spatial Patterns of Crime." *Security Journal*, vol. 21, no. 1-2, 2008, pp. 4-28.

⁴⁹ Gipp, B., & Gipp, T. "Digital Content Blockchain – The Missing Link for a Transparent, Trusted and Fair Market for Digital Content." *Digital Communication and Networks*, vol. 5, no. 4, 2019, pp. 282-291.

between the need for effective monitoring and respecting individuals' privacy rights poses legal challenges. Geographic Information Systems often involve the collection and analysis of location-based data. Ensuring compliance with data protection laws and safeguarding the privacy of individuals represented in spatial data are critical considerations⁵⁰. The development and deployment of technological tools in environmental enforcement should consider issues of bias and fairness. Ensuring that surveillance technologies do not disproportionately impact specific communities or populations is an ethical imperative⁵¹. Ethical considerations involve obtaining community consent for the use of surveillance technologies. Balancing the benefits of crime prevention with the potential negative impacts on communities is essential for ethical enforcement⁵².

Establishing international standards and guidelines for the ethical use of surveillance technologies in environmental enforcement can provide a framework for consistency and accountability. Collaboration between international organizations, governments, and technology experts is crucial in developing ethical norms for the deployment of surveillance tools. Ensuring that law enforcement agencies have the necessary capacity and training to effectively utilize technology is essential. Training programs should encompass ethical considerations, legal frameworks, and the responsible use of surveillance tools. Fostering public awareness and participation in the deployment of surveillance technologies is vital. Transparent communication about the purpose, scope, and ethical guidelines surrounding the use of technology can build trust and support from the public⁵³. Legal frameworks need to be adaptive to the evolving

⁵⁰ Kallioras, D. "The Legal Dimension of Geospatial Technologies and the Protection of Personal Data: A Multi-Level Governance Framework." *Land Use Policy*, vol. 81, 2019, pp. 235-243.

⁵¹ Heeks, R. "Ethical Guidelines for IS Research." *Communications of the Association for Information Systems*, vol. 44, no. 1, 2019, pp. 276-286.

⁵² Sollund, R. "Sharing Environmental Crime Information: A Nordic Study of Law Enforcement Perspectives on National and International Cooperation." *Crime, Law and Social Change*, vol. 71, no. 2, 2019, pp. 225-245.

⁵³ INTERPOL, "Capacity Building and Training" (2021).

landscape of technological innovations. Regular reviews and updates of laws to address privacy concerns, authentication of technological evidence, and ethical considerations are imperative⁵⁴.

Corporate Accountability: The issue of corporate accountability in the context of transnational environmental offences has gained prominence as the global community seeks to address the impact of corporate activities on the environment. Various international agreements and conventions address the liability of corporations for environmental offences. For example, the Basel Convention regulates the transboundary movement of hazardous waste and holds both states and entities accountable for improper disposal⁵⁵. Many countries have enacted laws that explicitly define and impose liability on corporations for transnational environmental crimes. These laws often include provisions for fines, sanctions, and legal action against companies involved in offences such as illegal logging, pollution, or wildlife trafficking. Corporations can be held civilly liable for environmental damages through lawsuits filed by affected communities, NGOs, or government agencies. Civil liability may involve compensating affected parties for harm caused by the company's actions. In some cases, corporations may face criminal charges for transnational environmental offences. Criminal liability can result in fines, penalties, and, in extreme cases, imprisonment for individuals within the corporate hierarchy⁵⁶. Corporations engaged in joint ventures may share liability for environmental offences committed during the partnership. The legal framework often determines the extent to which each party is held accountable for the actions of the joint venture. Some legal

⁵⁴ Wyatt, T. "The Politics of Risk and the Limits of Governance: The Case of UK CITES Enforcement." *Global Environmental Change*, vol. 23, no. 6, 2013, pp. 1397-1407.

⁵⁵ *Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal* (1989).

⁵⁶ Faure, M. G., & Zhang, H. "Civil Liability for Environmental Damages: Comparative Analysis and Proposals for China." *Environmental Science & Policy*, vol. 87, 2018, pp. 13-22.

systems recognize the concept of parent company liability, holding a parent company responsible for the actions of its subsidiaries, especially when it exercises significant control over their operations⁵⁷.

Determining the jurisdiction in which a corporation can be held accountable for transnational environmental offences is challenging. Extraterritorial jurisdiction may be contested, especially when the impacts of the offences span multiple countries. Corporations may exploit jurisdictional differences by engaging in forum shopping—selecting legal forums where regulations are less stringent or enforcement is lax. This practice can hinder efforts to hold corporations accountable globally⁵⁸. Some corporations operate within complex and opaque corporate structures, making it challenging to identify the ultimate responsible party for environmental offences. This complexity can impede investigations and accountability efforts⁵⁹. Legal frameworks that provide limited liability protections for corporate entities may shield certain subsidiaries or individuals from direct accountability. This limitation can hinder the pursuit of justice in cases of environmental harm. Corporations often possess substantial legal and financial resources, allowing them to mount robust legal defences against environmental liability claims. This resource disparity can create challenges for affected communities or regulatory bodies seeking to hold corporations accountable⁶⁰. Regulatory agencies may face challenges in enforcing environmental regulations due to regulatory capture, where agencies may be influenced or co-opted by the industries they are meant to regulate.

Enhancing international cooperation involves harmonizing legal standards for corporate liability across countries. Common definitions, legal frameworks, and

⁵⁷ Lin, C. Y. “The Responsibility of Multinational Corporations to Protect the Environment.” *Routledge*, 2019.

⁵⁸ Harmon, A. “The Globalization of Corporate Environmental Liability.” *Yale Journal of International Law*, vol. 42, no. 2, 2017, pp. 485-548.

⁵⁹ Lipton, J. M. “The Fault Lines in Corporate Criminal Liability.” *The Yale Law Journal*, vol. 127, no. 2, 2018, pp. 308-391.

⁶⁰ Bakan, J. “The Corporation: The Pathological Pursuit of Profit and Power.” *Free Press*, 2004.

enforcement mechanisms can facilitate more effective cross-border accountability⁶¹. Interpol and other international agencies can play a crucial role in facilitating cooperation among law enforcement agencies from different countries. Collaboration in intelligence-sharing and coordinated investigations can overcome jurisdictional challenges. Introducing mandatory reporting requirements for corporations regarding their environmental impact and efforts to address environmental risks can enhance transparency. This includes disclosing information on supply chains, emissions, and environmental practices. Facilitating public access to information about corporate activities, environmental impacts, and compliance with regulations fosters accountability. Transparency initiatives empower civil society, affected communities, and investors to hold corporations accountable⁶². Establishing strict liability standards for certain environmental offences can simplify legal proceedings by holding corporations automatically responsible for harm caused by their actions. This approach may reduce the burden of proving negligence. Holding corporate executives criminally liable for environmental offences can serve as a deterrent. Ensuring that individuals at the highest levels of corporate decision-making face consequences can influence corporate behaviour⁶³.

Community Engagement and Advocacy: Community engagement and advocacy play pivotal roles in addressing transnational environmental crimes by empowering local communities and leveraging the influence of civil society to raise awareness and pressure for legal action. Local communities often possess invaluable knowledge about their ecosystems. Engaging communities in monitoring environmental activities enables the identification of potential offences, such as illegal logging, poaching, or

⁶¹ OECD. "OECD Guidelines for Multinational Enterprises" (2021).

⁶² Unerman, J., Bebbington, J., & O'Dwyer, B. "Corporate Reporting and Accounting for Externalities." *Accounting, Auditing & Accountability Journal*, vol. 20, no. 3, 2007, pp. 394-413.

⁶³ Harmon, A. "The Globalization of Corporate Environmental Liability." *Yale Journal of International Law*, vol. 42, no. 2, 2017, pp. 485-548.

pollution, through their unique insights and observations. Establishing effective reporting mechanisms empowers communities to report suspicious activities to relevant authorities. This grassroots approach enhances the reach of environmental law enforcement and ensures a more comprehensive understanding of local environmental dynamics⁶⁴. Engaging communities in conservation initiatives fosters a sense of local stewardship. When communities are involved in the protection and sustainable management of natural resources, they become proactive partners in preventing environmental crimes. Recognizing and integrating traditional ecological knowledge and sustainable practices into conservation efforts enhances the effectiveness of community-based initiatives. This synergy contributes to the preservation of biodiversity and ecosystems⁶⁵.

Ensuring that local communities have access to justice is crucial. Legal empowerment initiatives, including providing information about environmental laws and offering legal support, enable communities to actively participate in legal processes related to environmental offences. Collaborating with legal experts, NGOs, and community leaders to develop community-based legal strategies strengthens the position of local communities in holding perpetrators of environmental crimes accountable⁶⁶. Civil society organizations play a crucial role in advocating for legal reforms to strengthen environmental protection laws. This may include pushing for stricter regulations, increased penalties for offences, and the inclusion of community perspectives in policy development. Building partnerships with governments and international organizations allows civil society groups to actively contribute to the formulation and implementation of policies

⁶⁴ Brosius, J. P., Tsing, A. L., & Zerner, C. "Representing Communities: Histories and Politics of Community-Based Natural Resource Management." *Society & Natural Resources*, vol. 11, no. 2, 1998, pp. 157-168.

⁶⁵ Berkes, F. "Rethinking Community-Based Conservation." *Conservation Biology*, vol. 18, no. 3, 2004, pp. 621-630.

⁶⁶ Sikor, T., & Newell, P. "Globalizing Environmental Justice? Geographical and Sociological Perspectives on the Political Economy of Injustice." *Antipode*, vol. 46, no. 2, 2014, pp. 491-512.

aimed at preventing and addressing transnational environmental crimes⁶⁷. Civil society organizations leverage media campaigns to raise public awareness about the consequences of environmental crimes. Through documentaries, social media, and traditional media outlets, these campaigns educate the public and foster a sense of urgency regarding the need for environmental protection. Implementing educational programs in schools and communities enhances environmental literacy. These programs empower individuals to recognize the impact of their choices on the environment and encourage responsible behavior⁶⁸. Civil society organizations form global networks to monitor and advocate against transnational environmental crimes. Collaborative efforts allow for the exchange of information, pooling of resources, and coordinated advocacy on an international scale. Collaborations between non-governmental organizations (NGOs), community groups, and legal experts strengthen the collective impact of advocacy initiatives. These networks provide a platform for sharing best practices and amplifying the voices of affected communities⁶⁹.

Power imbalances between communities, corporations, and governments can hinder effective community engagement. Addressing these imbalances requires efforts to empower marginalized communities and ensure their voices are heard in decision-making processes⁷⁰. Environmental activists and community leaders advocating against transnational environmental crimes may face threats, harassment, or violence. Ensuring the safety and protection of activists is a critical challenge that requires attention from

⁶⁷ United Nations Development Programme (UNDP), "Engaging Civil Society in Environmental Governance" (2018).

⁶⁸ Corbett, J., & Durfee, J. L. "Testing Public (Un)certainly of Science and the Environment." *Public Understanding of Science*, vol. 13, no. 3, 2004, pp. 269-282.

⁶⁹ Keck, M. E., & Sikkink, K. "Activists beyond Borders: Advocacy Networks in International Politics." *Cornell University Press*, 1998.

⁷⁰ Hicks, A., & Beckett, A. "Environmental Activism and Environmental Justice: A Social Movement Analysis of the Global Environmental Justice Movement." *Journal of Human Rights and the Environment*, vol. 9, no. 1, 2018, pp. 23-47.

both local and international actors. Harnessing technology for advocacy, including social media platforms, allows civil society organizations and communities to amplify their messages and reach a global audience. Digital platforms facilitate the rapid dissemination of information and mobilization of support. Utilizing existing legal instruments, such as the Aarhus Convention, which grants the public rights regarding access to information, public participation, and access to justice in environmental matters, provides opportunities for communities and civil society to engage in environmental decision-making⁷¹. Investing in the capacity building of local communities and civil society organizations enhances their ability to actively engage in environmental protection. This includes providing training on legal frameworks, environmental monitoring techniques, and advocacy strategies. Collaborating with academic institutions and researchers allows communities and civil society organizations to access scientific expertise. This collaboration strengthens the evidence base for advocacy efforts and informs decision-makers⁷².

Strengthening Legal Mechanisms: Transnational environmental crimes pose complex challenges that require robust legal mechanisms and enhanced international cooperation. The harmonization of definitions and penalties for transnational environmental crimes across jurisdictions are essential. Standardized definitions ensure a consistent understanding of offences, while uniform penalties deter perpetrators and streamline legal proceedings. Advocating for the development of global conventions that establish common definitions and penalties for specific transnational environmental crimes enhances legal clarity and facilitates international cooperation⁷³. Proposals to expand

⁷¹ Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (1998).

⁷² Brulle, R. J., & Pellow, D. N. "Environmental Justice: Human Health and Environmental Inequalities." *Annual Review of Public Health*, vol. 27, 2006, pp. 103-124.

⁷³ United Nations Office on Drugs and Crime (UNODC). "Model Legislation against Environmental Crime" (2010).

extraterritorial jurisdiction empower countries to prosecute individuals and entities involved in transnational environmental crimes, even if the offenses occur outside their borders. This can address challenges related to jurisdictional limitations. Promoting universal jurisdiction for certain environmental offences allows any country to prosecute and punish perpetrators, irrespective of the location of the crime or the nationality of the offender⁷⁴.

The stricter corporate liability regulations can deter corporations from engaging in environmentally harmful activities. This includes holding corporations accountable for the actions of their subsidiaries and joint ventures and ensuring a comprehensive approach to corporate responsibility. Implementing due diligence requirements for corporations involved in industries with high environmental impact ensures that companies take proactive measures to prevent and address potential offences⁷⁵. Recommendations for strengthening Interpol's capacity to combat transnational environmental crimes involve allocating dedicated resources and personnel. Interpol can play a central role in coordinating global efforts, facilitating information exchange, and conducting joint operations. The establishment of specialized task forces, such as the European Environmental Crime Task Force, in various regions can enhance collaboration among law enforcement agencies and increase the efficiency of investigations⁷⁶. The creation of global databases and platforms for sharing information on environmental offences can streamline collaboration. Such platforms enable real-time information exchange, analysis, and coordination among countries and international organizations. Enhancing intelligence collaboration between national law enforcement agencies, Interpol, and other international bodies facilitates the identification of criminal

⁷⁴ Bodansky, D. "Extraterritorial Jurisdiction over Environmental Offenses after Eichmann." *Virginia Journal of International Law*, vol. 55, no. 3, 2015, pp. 537-580.

⁷⁵ Branco, M. C., & Rodrigues, L. L. "Corporate Social Responsibility and Resource-Based Perspectives." *Journal of Business Ethics*, vol. 80, no. 4, 2008, pp. 791-805.

⁷⁶ Europol. "European Environmental Crime Task Force" (2021).

networks, patterns, and emerging threats in the realm of transnational environmental crimes⁷⁷.

Mutual Legal Assistance Treaties (MLATs) can expedite the exchange of legal information and evidence between countries. Clear and efficient MLAT processes are crucial for cross-border investigations and prosecutions. The standardization of MLAT provisions, including timelines for responses and the scope of assistance, can enhance the effectiveness of legal cooperation in addressing transnational environmental crimes⁷⁸. Exploring public-private partnerships offers opportunities for leveraging resources and expertise. Collaborating with corporations, NGOs, and international organizations can enhance the effectiveness of efforts to combat transnational environmental crimes. Harnessing technological advancements, such as artificial intelligence, satellite imagery, and blockchain, presents opportunities for improving monitoring, detection, and evidence gathering in environmental crime cases⁷⁹.

Conclusion: In the realm of environmental law, combating transnational environmental crimes requires a multifaceted approach that involves legal reforms, international cooperation, and community engagement. The international legal framework for addressing transnational environmental crimes plays a pivotal role in the effective management of transnational environmental crimes. The overview of relevant treaties and conventions, comparative analysis of key agreements, and examination of strengths and weaknesses underscore the complexity and interconnectedness of global efforts in this domain. Challenges related to jurisdictional

⁷⁷ Lunn, J., & Robertson, J. "Environmental Crime in Transnational Context: An Analysis of Environmental Criminology beyond National Borders." *Critical Criminology*, vol. 22, no. 2, 2014, pp. 163-177.

⁷⁸ Verbruggen, F., & Zebregs, S. "Mutual Legal Assistance in Criminal Matters in the European Union: Towards Harmonization and a More Efficient System." *European Journal of Crime, Criminal Law and Criminal Justice*, vol. 27, no. 4, 2019, pp. 363-393.

⁷⁹ Wyatt, T. "Quantifying the Environmental Impact of Transnational Environmental Crime." In T. White & R. H. Liu (Eds.), *Environmental Crime and Its Victims: Perspectives within Green Criminology*, Ashgate Publishing, 2013, pp. 36-55.

issues hinder the effective enforcement of transnational environmental laws. Addressing these challenges requires international collaboration and the development of mechanisms for resolving jurisdictional conflicts. Gaps in legal frameworks contribute to the difficulty in prosecuting and penalizing offenders. Proposals for legal reforms, including harmonization of definitions and penalties, aim to close these gaps and create a more cohesive international legal response. Resource constraints faced by law enforcement agencies and regulatory bodies limit their capacity to address transnational environmental crimes. Capacity-building initiatives and international support are essential to overcome these constraints. The role of Interpol and other international collaborative efforts is pivotal in addressing transnational environmental crimes. Strengthening these collaborations enhances information sharing, coordination, and the collective impact of global efforts. Analyzing challenges and success stories in information exchange provides insights into the dynamics of global cooperation. Overcoming challenges and building on success stories are critical for advancing international collaboration: the role of Interpol and other international collaborative efforts is pivotal in addressing transnational environmental crimes. Strengthening these collaborations enhances information sharing, coordination, and the collective impact of global efforts. Technology plays a significant role in detecting and preventing environmental crimes. From satellite imagery for monitoring deforestation to blockchain for tracking supply chains, technological innovations offer powerful tools for enforcement. The legal implications of using technology for enforcement require careful consideration. Balancing the benefits of technological advancements with privacy concerns and ethical considerations is essential for responsible and effective use.

The future prospects for addressing transnational environmental crimes hinge on a concerted global effort that integrates legal, technological, and community-driven approaches. Key considerations for the future include:

1. Integration of Legal Reforms:

- a) The integration of proposed legal reforms at both the international and domestic levels is crucial for creating a comprehensive and consistent legal framework. Harmonizing definitions, expanding jurisdiction, and enhancing corporate liability should be prioritized in ongoing legal discussions.
- b) Collaborative efforts among legal experts, policymakers, and environmental organizations can contribute to the development and implementation of effective legal reforms.

2. Advancements in Technology:

- a) Technological innovations will play an increasingly significant role in addressing transnational environmental crimes. Continued investment in technologies such as artificial intelligence, satellite monitoring, and blockchain can enhance detection, prevention, and evidence gathering.
- b) Policymakers should work in tandem with technology experts to ensure responsible and ethical use of technology, addressing potential legal and privacy concerns.

3. Strengthening International Cooperation:

- a) Strengthening international cooperation requires ongoing efforts to improve information sharing, coordination, and collaboration among nations. Organizations like Interpol should continue to evolve and adapt to emerging challenges in environmental law enforcement.
- b) Global forums and summits focused on environmental protection can serve as

platforms for fostering international cooperation and establishing shared goals.

4. Community Involvement and Advocacy:

- a) Empowering local communities and enhancing civil society's role in advocacy are essential components of future strategies. Governments and NGOs should invest in community-based initiatives, education programs, and partnerships to amplify the impact of grassroots efforts.
- b) Integrating community perspectives into policy development ensures that legal frameworks are reflective of local needs and challenges.

5. Capacity Building and Training:

- a) Continued investment in capacity building and training programs is necessary to equip law enforcement agencies, judicial authorities, and other stakeholders with the skills and knowledge needed to combat transnational environmental crimes.
- b) International organizations, governments, and academic institutions should collaborate to provide ongoing training opportunities and resources.

6. Corporate Responsibility and Accountability:

- a) Future efforts should focus on encouraging corporate responsibility and accountability for environmental practices. Stricter regulations, due diligence requirements, and incentives for sustainable practices can influence corporate behavior.

- b) Engaging with corporations through public-private partnerships and voluntary initiatives can further advance environmental stewardship.

7. Public Awareness and Education:

- a) Ongoing public awareness campaigns and educational programs are vital for fostering a sense of environmental responsibility among the global population. Media, schools, and online platforms can contribute to a more informed and engaged public.
- b) Collaborative initiatives between governments, NGOs, and media outlets can amplify the impact of awareness-raising efforts.

8. Legal Mechanisms for Emerging Environmental Threats:

- a) Anticipating and addressing emerging environmental threats, such as those related to climate change, requires the continuous evolution of legal mechanisms. Policymakers should remain proactive in adapting legal frameworks to address evolving challenges.
- b) International cooperation on issues like climate-related crimes and environmental security will be critical for the effectiveness of legal responses.

Poetry of Nur-ud-Din Reshi: Socio-historical Dimension

Mohsin Yousuf

Abstract: *From times immemorial the valley of Kashmir has been the home of Reshis and it is for this reason that it is also known as Reshwar (abode of Reshis). There are some forests in the Valley which are named after Reshis and it provides credence to the oral sources of Reshi tradition. It is believed that before the advent of Islam these Reshis were not socially active. They led an isolated life in forests and on the tops of hillocks. It was with the rise of the Muslim Reshi order led by Nur-ud-Din (1378-1439 AD) that the social recognition of the Reshi tradition was established. No doubt it was under his influence that the Reshis emerged as a social force. It is evident from the fact that they found mention in the chronicles of keen observers on Kashmir like Abul Fazl and Emperor Jahangir. Besides, there are various hagiographical works wherein we come across the praise of the Reshis which also attest to their social role. Nur-ud-Din Reshi's message was disseminated among Kashmiris through the medium of his poetry. This poetry had been composed in the local language of the people and as such it was easily understood and appreciated by the common masses. Consequently, his Reshi order took the form of a movement that went a long way towards the spread of Islam and the making of inclusive culture with its roots in tolerance, compassion, and forbearance.*

Nur-ud-Din had imbued deep influence from a Shivite Yougni famous among Kashmiris as Lal Ded. It is worthwhile to mention that Nur-ud-Din had come in touch with Lalla right from his birth and as such her mystic values had laid a profound impact on his mindset. Lalla's philosophy stood against the hegemony of Brahmins and it is evident from her poetry. She desired to liberate the common man by challenging the age old conservative traditions and by emphasizing upon the purification of soul and the equality of mankind. No doubt the Reshis stood for the cardinal

principles of Islam, but the impact of Buddhism and Shaivism is obvious on their ideology. Therefore, the fusion of the liberal philosophy of Kashmiri Shivism and the mystic form of Islam became the bedrock of the inclusive culture of Kashmir. In order to understand the message of Nur-ud-Din popularly known as Alamdar (standard bearer of Kashmir), the study of his poetry is imperative. Therefore, the present paper is aimed at a humble endeavour to analyse the poetry of Nur-ud-Din Reshi.

Message of Equality: No doubt, the modern idea of equality originated from the West and in this direction the French revolution of 1789 was a landmark development. But, this idea was not missing among the natives altogether. Even in ancient and medieval times ascetics and men of letters had emphasized upon this human value. In case of India the role of the Bhakti movement in this connection was dynamic.¹ Similarly, Lal Ded and Nur-ud-Din by advocating the equality of mankind have played a commendable role in the annals of Kashmir. Both of them castigated the concept of caste by emphasizing upon the oneness of God and the identical origin of human beings by refuting the stereotypes of purity and pollution. Lalla made an open critique of the notions of caste and the hegemony of Brahmins with an avowed purpose of liberating the common man from the chains of subordination and exploitation. Similarly, we find Nur-ud-Din very critical to Brahmins as well as Mullahs who interpreted religion accordingly to their whims and wishes.

In his attempt towards the construction of a just social order Nuruddin stressed upon the oneness of mankind and composed poetry in reaction to the belief of caste and creed. He reminded the people that their origin is same and Adam and Eve are their original parents. The notions of caste and other types of discrimination is simply man-made. It is the good deeds of a person that basically matter. Reminding the

¹ For details see Mohammad Ishaq Khan, *Islamic and Cultural Foundations of Kashmiriyat*, Primus Books, 2021, p. 49.

human beings about their uniform origin Nur-ud-Din exclaimed:²

Adm is the father of all the mankind
From him came Eve, our mother
How can waterman, cobbler, and butcher be inferior?
How can same stock chide each other?

Critique of Clergy: As mentioned earlier that Nur-ud-Din on the basis of his experience was very critical to both Muslim as well as Hindu clergy. The main principle of Reshis was the control of *nafsiamara* (personal lust) and the purification of mind and soul in order to seek salvation and to come closer to God. That is why the Reshis preferred to live on dry vegetables like *Vopalhak* and abstained from taking mutton, fish and other non-veg dishes. Nur-ud-Din had probably seen clergy doing against their scholastic responsibilities. That is why we find him critical to it. A thorough study of his poetry reveals that most of the Mullahs like Brahmins were promoting rituals with an avowed purpose of exploitation of common man. That is why he questions their sincerity of the purpose and condemns them as parasites. Nur-ud-Din appears dissatisfied with the conduct of Mullahs as the custodians of Islamic heritage. In his opinion they had derailed and their preference was their *Nafas* (personal interest) in the form of worldly comforts instead of promoting morality and social justice by interpreting religion in its proper context.

The poetry of Nur-ud-Din represents the discontent of the long subordinated rural population against the age old domination of clergy. As in Western Europe such development was associated with social conflict and protest in the form of Reformation Movement, the Reshi movement also strived for a transformation in social life. It has been expressed by Nur-ud-Din in opposition to the decadent

² Assadullah Aafaqi, *Anthology of Shaikh-ul-Alam*, 2008, p. 295.

Brahmanic order, its working, and its doctrines. While denouncing the caste system Nur-ud-Din versified:³

Why are you harping on the caste (when).
He is the only caste.
His essence is beyond the bonds of knowledge.
The doers of noble deeds have the same caste.
And in the hereafter, no one will bear any caste
If O Brother you surrender to him
Then alone will you become pure

Appreciation of Social Obligation: After spending about twelve years in cave Nur-ud-Din had realized that physical seclusion in spite of being useful for promoting selfdiscipline does not make sense. Therefore, the best way dearer to God lies in following the foot prints of Prophet Muhammad (pbuh). It is evident from the following observations of Nur-ud-Din:⁴

There are jackals and monkeys in the forests.
The caves are infested with rats
Those who offer prayers five times a day to wash off
dirt of their heart.
Those who lead a family life, they are privileged.
A dutiful householder will be crowned (with success
on the day of judgement)
The messenger of Allah (Mohammad) led a married
life and won divine grace.

Social responsibility towards wife, children, parents and other members of the family in Nur-ud-Din's thought, therefore, enjoin as much importance as other religious duties. Nur-ud-Din stressed that the basic social obligations are not to be neglected even after a complete surrender to divine obligations. He disapproved the earlier course of renunciation and admitted that during that time his love for

³ Mohammad Ishhaq Khan, *Islamic and Cultural Foundations of Kashmiriyat*, p. 60.

⁴ Ibid., p. 61.

seeking truth was not perfect. In this connection Nur-ud-Din versified:⁵

Nasr Baba, it did not behove me to retire to the jungle,
I thought it was supreme act of worship.
Lo! It was an ignominy.
But the truth was revealed only after introspection.

Pro-poor Utterances: Nur-ud-Din had a series of apostolic visits in the length and breadth of Kashmir. We come across a number of villages in the Valley which till now preserve the memories of his journey. During these on foot visits he attracted the weaker and those who had been ignored and neglected or held in contempt in the caste based society. Besides, Nur-ud-Din laid an emphasis on the *aamal* (deeds) of a human being and in his opinion it is ultimately the good deeds of a person that lead him to salvation. Equally, he also stressed upon the sincere *neat* (design) of a human being and its importance before God. That is why he exclaimed:⁶

He does not consider the creed and colour
His eye is always on the heart

It is worthwhile to mention that Nur-ud-Din identified himself with the poor. That is why that he took pride in *faqur* (poverty). He lived in denial of all worldly pleasures. Nur-ud-Din did not like the life of pomp and show and also desired his followers to follow the way of the prophets who were above from the considerations of wealth and who preferred *faqur* (poverty). In the praise of poverty Nur-ud-Din revealed:⁷

Poverty is a shield against hell,
Poverty is true virtue of prophets,
Poverty is the wealth of this and the next world.
Poverty is sweet and fragrant,
One who is steadfast in the path of poverty,
So will be honoured here and in the Hereafter.

⁵ Ibid.

⁶ Assadullah Aafaqi, *Anthology of Shaikh-ul-Alam*, p. 189.

⁷ Ibid., p. 228.

Idea of Non-Violence: No doubt the idea of universal love is decreed by the Holy Koran, but it never developed into the ethic of non-injury to all living creatures. However, in the Reshi movement of Nur-ud-Din it was the cosmical love of nature which formed the central point and stressed the ethics of universalism and mystical identity of all souls. Therefore, he owes this concept more to his Buddhist and Hindu moorings than to the teachings of Islam. Moreover, the attitude of Nur-ud-Din towards the living things is also evident from his conversation with some peasant girls during his visit to Hunchipora in Beru, Badgam. Nur-ud-Din had cautioned them against the cutting of the green grass as fodder for their livestock by arguing:⁸

Life it has, so why should then cut it?
Never shouldst thou feed life on life
However, who can undo the writ of fate?
All that I wanted to find was thy pious motive.

But, surprisingly one of the girls replied that the cow fulfilled the requirements of the people. In her reply she observed:⁹

May be milk and ghee will cool someone's fire, father;
So did I come with a sickle in my waist.

Therefore, the faith of Nur-ud-Din in the equality of all creatures in the world of God is an attempt to reconcile Islamic ethics with the idea of non-violence. Taking into account his urge for the help to the needy, kindness to all and the denial of lust and anger, we conclude that the idea of non-violence contained in his philosophy clarify not only his commitment to Koranic emphasis on mercy, but also demonstrate the belongingness of the Reshis to the old traditions of non-violence.

Realization of Self: Noor-ud-Din while advocating the down to earth approach of a human being into his day to day

⁸ Parimoo, *The Ascent of the Self*, New Delhi, Motilal Banaraswa, 1978, p. 275.

⁹ Ibid., p. 276.

life also emphasizes upon them the realization of their true self. This aspect of his teachings has a close resemblance with the ideas of 19th century socio-religious reformer Swami Vivekananda (1863-1904), a Vedantic Philosopher. Vivekananda in his writings and speeches often stressed upon the development of atmashakti (self-confidence) by considering fear as the worst enemy of mankind. While advocating the realization of one's self and the regulation of the self within the frame of a moral code of conduct, Noor-ud-Din versified:¹⁰

Don't curse the self
Your essence is your self
Keep it under the control
Realization of the self is the realization of God.

Critique of Worldliness: Nur-ud-Din was critical to the materialistic approach to life that in his opinion was responsible for the contamination of soul. He considered material lust as a hurdle that impedes human beings in seeking salvation. The purification of soul in Noor-ud-Din's opinion is possible only by rising above materialistic approach to life and remaining careful about the day of judgement when human beings would be questioned about their worldly deeds. It is worthwhile to underline a few verses:¹¹

The worldliness allured me
Made me to hover around the desires
The devil ignited me like a heap of straw
And I like an embarrassed thief lost the track
I loved the world unnecessarily
While after the birth I got devalued.

Stress on Knowledge and Wisdom: Nur-ur-Din in addition to other significant aspects of life has laid an emphasis on the attainment of knowledge that serves as a beacon light to wisdom. Even if the saint belonged to the fourteen century,

¹⁰ Assadullah Aafaqi, *Anthology of Shaikh-ul-Alam*, p. 211.

¹¹ Ibid., p. 247.

his most of the teachings resemble with the nineteenth century social reformers. He considers knowledge as a formidable means for attaining salvation. Nur-ud-Din is critical of ignorance and in his verse he terms an ignorant as 'mudeh' and cautions him for remaining conscious to the right and wrong deeds. In his appreciation for seeking knowledge Nurud-Din exclaimed:¹²

Securing knowledge is just like storing gold
Faith is just like a candle and save it from the blow
Heart is like fish and don't keep it dry
Sate it with the remembrance of God.

Real and Nominal Reshi-hood: Nur-ud Din Reshi being the top leader of the Reshi movement in Kashmir often reminded about and supported the ideal of introspection. It is evident from his critique about the existing Reshi order. Nur-ud-Din seems dissatisfied while comparing the commitment of old and the new Reshis towards the attainment of salvation. This ideal of the saint informs us that he was certainly a visionary who believed that the healthy criticism that acts as a means of regulation is necessary for any kind of organization aimed at the reformation of society on the whole. It is worthwhile to underline a few verses that attest to our observation:¹³

Oh! Naser Baba if the Reshis would act upon Reshihood
They are not committed to it
They consume themselves with anger and biasness.

About Unfair Earnings: In the poetry of Nur-ud-Din there is an emphasis on the distinction between the *halal* (just) and *haram* (unjust) means of livelihood. The saint frequently stresses upon procuring the living though fair and genuine means by putting in hard labour. That is why the Reshis had preferred agriculture in order to produce to live and let live by arranging free *langar* (dining) in the concerned localities. The popularity of the Reshi order in rural Kashmir also hints and attests to this observation. Moreover, the language that

¹² Ibid., p. 139.

¹³ Ibid., p. 303.

Nur-ud-Din has used in determining the *halal* earnings also refers to hard-earned agricultural commodities. To our understanding there are two main reasons for it. First it was the 14th century when agriculture was the main source of livelihood and second any type of agricultural produce often involves very hard labour. In his appreciation for hard earned agricultural produce in comparison to the assimilation of gold and silver through wrong means Nur-ud-Din exclaimed:¹⁴

What to do with silver and gold
In comparison to it the grains are worthy
What to do with the treasure of hush money
In comparison to it single grain of just earning is better.

About the Self-Control: As already mentioned that Nur-ud-Din considered that personal lust of a person acts as a stumbling block towards the attainment of salvation. In this regard he advocated and appreciated the norm of self-control. *Nafas* (worldly desire) as reflected from his poetry frequently is a broad term which denotes eating tastes, various other biological needs, and hunger for riches. Nur-ud-Din considers it as the worst enemy of mankind that often derails it from the righteous path. That is why the saint has laid a stress on the control of *nafsiamara* (personal lust) in order to come close to the God. It is pertinent to refer to a few verses in this regard:¹⁵

The self has afflicted me
My own self has snared me to face the devil
The self has destroyed the bridges of pious
My own self has disguised as the Hell.

Result of Forgetfulness: Nur-ud-Din as we understand cautions human beings about the disadvantages of forgetfulness both in case of seeking salvation as well in everyday life. In case of faith he emphasise upon a person not to forget about his religious duties right from his young days,

¹⁴ Ibid., p. 273.

¹⁵ Ibid., 198.

while in case of worldly affairs he opines that *yus kareh gungul teh sui kareh krau* (means that one who would start his agricultural work of ploughing by performing the ritual of *gungul* at the earliest in spring would certainly enjoy the dividends of harvest). Nur-ud-Din recommends a life style within the framework of piousness and honest earning and in order to be steadfast in this direction he cautions human beings to avoid any forgetfulness throughout their journey of life. In his opinion the results of forgetfulness are detrimental to a successful life in the world as well the world hereafter. In this connection, it is worthwhile to note down a few verses.¹⁶

In summers sleep overwhelmed me till winter set in
So I spent my time in vain
The day I realized my responsibilities
Meanwhile the death called on me

Conclusion: The above discussion which is based only at a tip of an iceberg of Nur-ud-Din's poetry proves beyond any iota of doubt that he was an outstanding saint of his times. It was on the basis of his approach to life and pro-people teachings that both the Hindus as well as Muslims of the Valley hold him in high esteem. Muslims popularly call him as *Alamdard* (the standard bearer of Kashmir) while the Kashmiri Pandits remember him as Shajanand (the most wise). Nur-ud-Din Reshi in deed represents the indigenous culture of Kashmir and his teachings are emphasising upon the purification of soul and *zabti nafas* (self control). In his poetic utterings we observe that it is practically the purity of mind and the good deeds of a person that ultimately matter and any huge knowledge without an honest practice in day to day life does not make any sense. He is critical to the corrupt clergy of his times irrespective of their religious affiliations. It is owing to his noble legacies that he is considered the founder of *Kashmiriyat* and his shrine located at Chrar town is a centre of attraction for all the Kashmiris irrespective of their caste and creed. It acts as a melting pot of sub-cultures

¹⁶ Ibid., p. 285.

that continues to strengthen the composite culture of Kashmir.

Unveiling Inequalities: Caste Dynamics and Socio-economic Disparities in Muslim Communities

Rabiya Yaseen Bazaz

Abstract: *This research endeavors to explore the intricate interplay between education, employment, and caste dynamics among the Muslim population in the region of Kashmir. The study aims to unravel the multifaceted factors that influence the socio-economic landscape within this community, shedding light on the challenges and opportunities that individuals face. The study will investigate the role of caste in shaping social structures and influencing access to education and employment opportunities. By examining historical perspectives and contemporary realities, the research seeks to identify the impact of caste dynamics on social mobility and economic progress among the Muslim population in Kashmir. Using both quantitative and qualitative data collected from all 704 eligible respondents available in the specific research area this study identifies three layers of 'caste-like groups' and 'castes' and finds that each of these groups has caste capital which negatively influences the educational and occupational choices. The findings of this research aim to contribute to a nuanced understanding of the complex relationships between education, employment, and caste among Muslims in Kashmir. Such insights are essential for policymakers, educators, and community leaders in crafting targeted interventions and policies that foster inclusive development and address socio-economic disparities within the region.*

1. Introduction: The caste system represents a highly intricate phenomenon within Indian society. The term 'caste' originates from the Spanish word 'casta' signifying race. Hindu society, guided by the Varna system, is divided into four categories: 'Brahmins' (priests and teachers), 'Kshatriyas' (warriors and royalty), 'Vaishyas' (traders, merchants, moneylenders), and 'Shudras' (those engaged in lowly jobs serving the top three). Additionally, there were 'Ati Shudras'

or 'untouchables' forced into performing the most polluted and menial work¹. Numerous studies in India have examined caste, with G.S. Ghurye (1932)² identifying six core features, including segmental division, hierarchy, restrictions on social interactions, civil and religious privileges, occupational limitations, and restrictions on marriage. Celestin Bougle (1958)³ highlighted three features of caste- heredity, specialization, hierarchy, and repulsion. Dumont ⁴(1998) argued that 'hierarchy' is the fundamental principle of the caste system, maintaining the separation of pure and impure. F.G. Bailey (1957)⁵ referred to caste as 'hereditary occupational groups,' emphasizing their role in securing advantageous positions in the evolving economic landscape.

In India Muslim, constitute nearly 12% of the total population.⁶ Muslim population in India represents a mixture of groups drawn from the indigenous converters and foreign ancestors. Muslims are followers of Islam, which advocates for an egalitarian society and prohibits any kind of distinction that divides people into low or high and pure or impure⁷. The existence of a caste system among Muslims in India has been an object of analysis for a long time and has raised enough debates among scholars. One side holds that Muslims are

¹ Ambedkar, B.R. 'Caste in India: Their Mechanism, Genesis and Development' *Indian Antiquary*, 1917, XLI, 6-10.

<http://www.ambedkar.org?ambcd/01.Caste%20in%20India>

² Ghurye, G.S. *Caste and race in India*. London: Kegan Paul, 1932, 10-20.

³ Bougle, C. 'The Essence and Reality of Caste System', *Contribution to Indian Sociology*, 1958, 11 (1): 7-30

⁴ Dumont, L. *Homo Hierarchicus: The Caste System and Its Implication*. Delhi: Oxford India Paperbacks, 1998, 12-20.

⁵ Bailey, F.G. *Caste and the Economic Frontier: A Village in Highland Orissa*. Manchester: Manchester University Press, 1957, 11-25.

⁶ Census of India, *Provisional Population Totals*. New Delhi: Government of India, 2011.

⁷ Ahmed, Z. 'Muslim Caste in Uttar Pradesh', *Economic and Political Weekly*, 1962, pp 325-336.
www.epw.in/system/files/pdf/1962_14/7/muslim_caste_in_uttar_pradesh.pdf

different from Hindus in ethos and social stratification and are not comparable in any respect to the Hindu caste system,⁸ while the other side asserts that many Hindu caste practices are prevalent among the Muslims of India.⁹ Several studies divide Muslims into two groups Ashraf and Ajlaf based on birth and descent.¹⁰ In Kashmir, certain studies have divided caste into four categories where they placed Sayyid at the top followed by Mughals, Pathans and Taifadarans.¹¹ There are a lot of debates regarding the prevalence of caste among Muslims and this debate often arises because caste conventionally is seen in continuity with Varna and the fourfold birth-based hierarchy prevailing within it. Dumont and some other scholars have defined the caste system in such a way that it has narrowed down its scope. It does not allow analysis of some parts (like urban areas) and communities of India.¹² Srinivas (2003)¹³ in his paper talks about the death of the caste system and the rise of individual

⁸ Mines, M. 'Caste Stratification among the Muslim Tamils in Tamil Nadu, South India' in Imtiaz Ahmed (ed.), *Caste Social Stratification among Muslims in India*, pp. 159-169. Manohar: New Delhi, 1978.

⁹ Bhattacharya, R.K. 'The Concept and Ideology of Caste among the Muslims of Rural West Bengal' in Imtiaz Ahmed (ed.), *Caste Social Stratification among Muslims in India*, pp. 269-298. Manohar: New Delhi, 1978.

¹⁰ Rout, B. R. 'Social Stratification among Muslims', *Economic and Political Weekly*, 2017, LII (5): 69-70; Zainuddin, S. 'Islam, Social stratification and empowerment of Muslims OBCs', *Economic and Political Weekly*, 2003, 38(56): 4898-4901.

¹¹ Lawrence, W. R. *The Valley of Kashmir*. London: Oxford University Press, 1891, 301-318; Sinha, K.S. *J&K Anthropological Survey of India*. New Delhi Monohara Publication, 2003, 11-30.

¹² Desai, S and Dubey, A 'Caste in 21st Century India Competing Narratives', *Economic and Political Weekly*, 2011, 46 (11): 40-49; Madan, A. Unpacking Intersectionality: Conceptual Exploration of the Convergences and Divergences of Class, Caste and Gender in Education in the 66th NSS survey CAS Working Paper Series. Centre for the Study of Social System. JNU, New Delhi. (CAS/WP/15-9), 2015, 1-27.

¹³ Srinivas, M. N. 'An Obituary on Caste as a system', *Economic and Political Weekly*, 2003, 38(5):455-459.

caste. These individual castes compete with each other for access to secular benefits. There is a considerable differentiation (economic, social, and cultural) within each caste, though it is far more visible among the higher, and the dominant castes, than among the others.

Based on the review and empirical analysis it can be said that the Muslim community is in practice not a homogenous entity. They are differentiated into various groups and sub-groups along ethnic, social, and cultural lines and are organised in a stratified social order. Further, there are many occupational groups among Muslims, that have experienced marginalisation and backwardness and their social situation is not much different from OBC's of the country. Moving away from the conventional definition of caste this paper explores the caste system among the Muslims of Kashmir and argues that certain dominant and systematic features of the caste system may weaken or disappear, but this does not mean caste does not play a role. In modern society caste continues to shape inequality though not in the same traditional way, but in more hidden and different forms where a particular caste uses its 'caste capital' to influence the distribution process.

There is a dearth of academic studies, conducted within the sociological framework, on caste in Kashmir. Most of the studies on caste in Kashmir focus on the origin and features of caste and based on these features they have divided castes into several categories/groups. However, none of these studies focused on the importance of caste in shaping 'material inequalities'. This paper is a modest approach in this direction.

2. Methodology and Objectives: This study is conducted in three Mohallahs of Srinagar namely Nalabal, Baghi Ali Mardan Khan, and Mahideen Shahib. This study covered 245 households consisting of 704 respondents out of which 65 percent are Sunni Muslims and 35 percent are Shia Muslims. Purposive sampling was used for selecting a heterogeneous population and the census method was used for identifying the respondents. Interview Schedule was used for collecting data from all 704 eligible respondents available in the

research area and some typical cases were also selected for case study. The study was primarily conducted to know the employment and educational conditions of the people of Srinagar.

2.1 Objectives: To explore linkages between caste, education, employment, and income and delineate the social structure of caste among Muslims in Kashmir.

3. Social Structure of Kashmir: At the beginning of the 14th century the population of the Kashmir valley was predominantly composed of Hindus.¹⁴ The Brahmans of Kashmir, commonly known as Pandits were the dominant caste of the Valley. The Pandits are broken up into numerous gotras and in one gotra there were many Krams (surnames) like Tikku, Razdan, Kak, Munshi, Mathu, Kachru, Pandit, Sipru, Zitshu, Raina, Dar, Fotadar, Madan, Thusu, Wangnu, Muju, Bazaz, Hokhu, and Dulu. The village people always speak of the Pandits as 'Bat'. The other Hindu castes of the Valley were not numerous like Rajputras, Kayastha, Vaishya and the Bohras or Khattris. Khattris reside in Srinagar and were mostly engaged in trade and shop-keeping.

In the social stratification of Kashmiri Hindu, Brahmans (custodians of scriptures, priests, teachers, and warriors) occupy the highest place followed by Rajputras (tantrins, ekangas and lavania) Damaras (landed aristocracy), Kayasthas (officials), Shudras (dombas, chandalas), Nishads (boatmen) and miscellaneous tribal groups¹⁵.

However, the ethnic composition of Jammu and Kashmir underwent a radical change after the advent of Islam, in the middle and end of the 14th century. With the influx of Muslim saints and philosophers from Persia and Central Asia, most of the people belonging to other castes embraced Islam. The Muslims emerged as a majority community and with that new social structure emerged.

¹⁴ Lawrence, W. R. *The Valley of Kashmir*, 308.

¹⁵ Sinha, K.S. 2003. *J&K Anthropological Survey of India*, New Delhi: Monohara Publication, 310.

Different thinkers presented their views regarding the 'caste system' of Kashmir. Lawrence (1891)¹⁶ does not present any hierarchy of caste among Muslims in Kashmir. However, he mentions a few caste groups like Sheikh, Sayyids, Mughal, Pathans, and Taifdaran. The first four castes more or less are considered superior and Taifdaran, which consists of gardeners, herdsmen, shepherds, boatmen, leather-workers etc, are considered inferior. These caste groups have their own 'Krams', the 'Kram' is the relic of a nickname applied to the ancestor of the subdivision. According to Lawrence (1891) the whole subject of the Kashmir 'Krams' is fraught with difficulty and this is increased by the fact that men of low occupation are arrogating high-sounding names. The social system in Kashmir is delightfully plastic.

Sinha (2003)¹⁷ presents a scheme of social stratification in which he placed Saiyid at the top followed by Sheikh. All converts to Islam from the *dwij* category of the then-existing Varna order formed the rank of Sheikhs which includes converts from Brahmans, Rajputs, Damaras, and Kayasthas. Sheikhs were reconciled to a status lower than that of Saiyids who were immigrants and held prime positions by their consanguineal proximity to the prophet Muhammad (pbuh). After Sheikh was placed Mughal and Pathans. The Shudras and Nishad joined the rank of Taifadars. The Taifadars were considered inferior and consisted—of gardeners, herdsmen, shepherds, horsemen, boatmen (*hangi*), leather workers, minstrels (*bhagat/bhand*), scavengers (*Watal*), artisans (*Nangars*), cremators (*Kavoj*) and others.

Dabla (2012)¹⁸ argues that 'caste' prevails among Muslims in Kashmir. The social structure of Kashmiri Muslims reflects it clearly and sufficiently. Some Hindu caste traits such as caste name, caste descent, caste endogamy, occupational specialization, and segregation partly are clear in the social life of this society. In actuality, the Kashmiri Muslims maintain caste as a social system, but not as a set of

¹⁶ Lawrence, W. R. *The Valley of Kashmir*, 318.

¹⁷ Sinha, K.S. *J&K Anthropological Survey of India*, 12.

¹⁸ Dabla, B.A. *Directory of Caste in India in Kashmir*. Srinagar: Jaykay Books, 2012, 10-30.

traits of stratification. He presented a fourfold schema of social stratification where he placed 'Sayyid castes' at the top, followed by 'Khan Castes', 'Occupational castes' and 'Service castes'.

3.1. Description of various Caste and Caste groups: This study identifies 53 different castes and caste-like groups. These groups are often referred to by local people as 'zaat' which means caste. Description of various caste and caste-like groups based on family names are given below:

1. **Saiyid:** Saiyid claims that they are the progeny of the prophet Muhammad (PBUH). Their subgroups in Kashmir are *Saadat-e-Hamadaniya* (Peerzada), Mantaqi, Baihaqi, Rizvi, Mosavi, Shirazi, Andrabi and Bukhari (Sinha, 2003).¹⁹ In this study, we consider Saiyid as a caste-like group.
2. **Rizvi:** Rizvi is the subgroup of 'Saiyid'. 'Rizvi' is commonly used by the Shia Muslims of Kashmir. In this study, we consider Rizvi as a caste-like group.
3. **Siddique:** Siddique is the subgroup of 'Saiyid' (Dabla, 2012)²⁰. In this study, we consider Siddique as a caste-like group.
4. **Qadri:** Qadri is also the subgroup of 'Saiyid'.²¹ In this study, we consider Qadri as a caste-like group.
5. **Fazile:** Fazile is another title that people who are from 'Saiyid' family often use in Kashmir.²² In this study, we consider Fazile as a caste-like group.
6. **Hamdani:** Hamdani is another subgroup of 'Saiyid'. In this study, we consider Hamdani as a caste-like group.

¹⁹ S Sinha, K.S. *J&K Anthropological Survey of India*, 30.

²⁰ Dabla, B.A. *Directory of Caste in India in Kashmir* 20.

²¹ Sinha, K.S. *J&K Anthropological Survey of India*, 21.

²² Dabla, B.A. *Directory of Caste in India in Kashmir*, 13.

7. **Khan:** The Afghans came to the valley of Kashmir 200 to 250 years ago and are popularly known as Khan by the local population²³. We consider Khan as caste-like group
8. **Beg:** The Beg are believed to be Mughals who were the custodians of treasure during the Mughal period.²⁴ /In this study, we consider Beg as a caste-like group.
9. **Khawaja:** Khawaja means a pious person. Khawaja is the title used across the Middle East, South Asia, Southeast Asia, and Central Asia, particularly towards Sufi saints. People who use this title in Kashmir are believed to be of foreign origin²⁵. In this study, we consider Khawaja as a caste-like group.
10. **Sheikh:** Sheikh means high status. It is the title given in honour. The Kashmiri Sheikhs have their origin in Kashmir. After the advent of Islam in Kashmir many of the twice-born castes, of the then-existing Varna order, after their conversion swelled in the rank of Sheikh.²⁶ In this study, we consider Sheikh as a caste.
11. **Qureshi:** Qureshi in Kashmir is largely an occupational community. It is a foreign caste which has been adopted by the local people²⁷. In this study, we consider Qureshi as a caste.
12. **Bulbul:** Many caste groups in Kashmir represent the names of birds, insects, animals, flowers etc. These caste groups are of local origin. 'Bulbul' is the name of a bird in Kashmir.²⁸ In this study, we consider Bulbul as a caste.

²³ Sinha, K.S. *J&K Anthropological Survey of India*, 18.

²⁴ Ibid., 50-80.

²⁵ Dabla, B.A. *Directory of Caste in India in Kashmir*, 10-22.

²⁶ Sinha, K.S. *J&K Anthropological Survey of India*, 14.

²⁷ Dabla, B.A. *Directory of Caste in India in Kashmir*, 10-15.

²⁸ Ibid.

13. **Poosh:** Poosh in the Kashmiri language refers to the flower²⁹. In this study, we consider Poosh as a caste.
14. **Gani:** Gani is the local caste of the region and is largely an occupational community. In this study, we consider Gani as a caste.
15. **Mir:** Mir is the Kashmiri family name with an origin in the Kashmir valley³⁰. In this study, we consider Mir as a caste.
16. **Shah:** It is said that this is not a clan but rather a title that was given to a few people who perform deeds of virtue. Even Pirzadas are called Baba or Shah. In this study, we consider the Shah as a caste.³¹
17. **Rather:** The Rather are said to be originally the community of the Rathors of Hindu history. However, no evidence for such a connection has ever been presented from historical documents and at best it remains only a conjecture. They are businessmen. In this study, we consider Rather as caste.³²
18. **Bazaz:** Bazaz in Kashmiri refers to the cloth merchant. They are businessmen. There exist many surnames and titles which had their origin from Kashmiri Pandits and Bazaz is one such surname.³³ In this study, we consider Bazaz as a caste.
19. **Malik:** It is an Islamic title given by emperor Akbar. The 'Maliks' were appointed by the emperor as in charge of the passes that led to Kashmir. These appointed people were largely local. This title was given to various Butts,

²⁹ Ibid.

³⁰ Ibid.

³¹ <http://kashmirasitis.com/kashmiri-surnames>

³² For more details, see: <http://research.omicsgroup.org/index.php/KashmiriMuslims#Rather>

³³ <http://kashmirasitis.com/kashmiri-surnames>.

Shaikhs, and Dar clans of Kashmir. Sinha (2003) says Malik is one of the castes of Kashmir.

20. **Qazi:** Qazi is the title given to one who performs 'Nikkah' of the eligible couple. In this study, we consider Qazi as a caste.
21. **Baba:** Baba is the surname usually given to those who serve the 'Pirs' and are known as 'Khidmatgars' of Pir.³⁴ In this study, we consider Baba as a caste.
22. **Hakak:** Hakak means elderly or wise person. In this study, we consider Hakak as a caste.
23. **Raja:** According to Dabla, 2012 Raja was the surname of Pandits. It means ruler. In this study, we consider Raja as a caste.
24. **Bhat:** Bhat is one of the most common surnames among Kashmiri Muslims. It is derived from the Sanskrit word 'Bhatta' meaning a priest or a learned person and was the surname of many Kashmiri Pandits. In this study, we consider Bhat as a caste.
25. **Rangrez:** Rangrez are the ones who colour the clothes. In this study, we consider Rangrez as a caste.
26. **Zargar:** The smith in the Kashmir language is called 'Zargar'. In this study, we consider Zargar as a caste.
27. **Alai:** Dabla, 2012 says that Alai is the local caste group of the region and is largely an occupational community. In this study, we consider Alai as a caste.
28. **Parray:** Parray is largely an occupational community. In this study, we consider Parray as a caste.
29. **Naqati:** Naqati in Kashmiri is one who draws designs on utensils. In this study, we consider Naqati as a caste.

³⁴ Sinha, K.S. *J&K Anthropological Survey of India*, 10-20.

30. **Misgarh:** Misgarh deals with copper utensils. In this study, we consider Misgarh as a caste.
31. **Kharadi:** Kharadi is largely an occupational community. In this study, we consider Kharadi as a caste.
32. **Munshi:** Munshi means a clerk. It is said that a certain Pandit of Tikoo family was employed as a Munshi during the rule of Sikhs. He was the most intelligent and efficient Munshi Kashmir had ever seen. Therefore, he became famous by his professional name and his children were also known by this name. In this study, we consider Munshi as a caste³⁵.
33. **Lone:** Lone are converted from the 'Vaishyas', a Hindu community of Kashmir. They are the business community³⁶. In this study, we consider Lone as a caste.
34. **Kozghar:** Kozghar deals with unani medicines In this study we consider Kozghar as caste.
35. **Naqaash:** Naqaash means art³⁷. In this study, we consider Naqaash as a caste.
36. **Wani:** Wani is the Kashmiri term for a grocer. Wani was the surname of some Hindus in Kashmir. All historians agree that before accepting Islam they were part of the Hindu caste known as 'Vaishyas'. 'Vaish' is the merchant caste among Hindus³⁸. In this study, we consider Wani as a caste.
37. **Bisati:** Bisati is the dealer.³⁹ In this study, we consider Bisati as a caste.

³⁵ <http://thekashmirian.blogspot.in/2009/11/kashmiri-humour-and-surnames.html>

³⁶ Lawrence, W. R. *The Valley of Kashmir*, 315.

³⁷ Dabla, B.A. *Directory of Caste in India in Kashmir*, 22.

³⁸ Sinha, K.S. *J&K Anthropological Survey of India*, 60.

³⁹ Dabla, B.A. *Directory of Caste in India in Kashmir*, 10.

38. **Want:** It is largely an occupational community. In this study, we consider Want as a caste.
39. **Kumar:** Kumar is one who makes earthen utensils. In this study, we consider Kumar as a caste.
40. **Gogeery:** A Gujjar community. In this study, we consider Gogeery as a caste.
41. **Shora:** Shora in Kashmiri means gunpowder and people who hail from this category are largely engaged in carpentry in Kashmir.⁴⁰ In this study, we consider Shora as a caste.
42. **Najar:** In Kashmiri language Najar means carpenter.⁴¹ In this study, we consider Najar as a caste.
43. **Joo:** Joo is the title that Hindus of Kashmir use. Joo in Kashmiri is largely an artisan group. In this study, we consider Joo as a caste.
44. **Chalak:** Chalak in Kashmiri language means clever. In this study, we consider Chalak as a caste.
45. **Tanki:** Tanki in Kashmir is service-providing caste. In this study, we consider Tanki as a caste.
46. **Sofi:** Sofi in Kashmir is a group of bakers. In this study, we consider Sofi as a caste.
47. **Dar:** was the surname of Hindus of Kashmir who were *Kshatriyas* before their conversion to Islam. Dar was the popular surname among the land cultivators and farmers in rural Kashmir. However, this surname is then used by the fishermen community of Kashmir and is also known

⁴⁰ Ibid., 11.

⁴¹ Ibid.

as 'Gaad Haenz'.⁴² In this study, we consider Dar as a caste.

48. **Naye:** Naye means hair cutter. In this study, we consider Naye as a caste.
49. **Ganae:** Ganae in Kashmir is a butcher community. In this study, we consider Ganae as a caste.
50. **Kalo:** Kalo is the service-providing group. In this study, we consider Kalo as a caste.
51. **Nago:** Nago is an occupational community. In this study, we consider Nago as a caste.
52. **Dhobee:** Dhobee means washermen. In this study, we consider Dhobee as a caste.
53. **Darzee:** Darzee means tailor. In this study, we consider Darzee as a caste.

3.2. Grouping and Categorization of various Caste Groups/Family Titles: In this study, we have grouped 53 caste groups/family titles into the following three social groups:

Group-I: Groups who claim to belong to the families of Prophet Muhammad (PBUH) and other dynasties of Arabian origin. It includes the following family titles; Sayyid, Rizwi, Siddique, Qadri, Fazile, Hamdani, and we consider them caste-like groups

Group II: Groups whose surnames reflect the foreign racial origin/ link of the communities and they have migrated to India at different intervals of time. It includes the following family titles; Khan, Beigh, Khawaja, and we consider them as a caste-like group

⁴² Sinha, K.S. *J&K Anthropological Survey of India*, 20.

Group-III: Occupational group/ surnames some of them closely resembling Hindu counterparts; these are most likely converted indigenous people while some represent the name of some place, animal, bird etc. It includes the following family titles; Shiekh, Qureshi, Bulbul, Poosh, Gani, Mir, Shah, Rather, Bazaz, Malik, Qazi, Bazaz, Hakak, Raja, Bhat, Rangrez, Zargar, Alai, Parray, Naqati, Misgarh, Kharadi, Munshi, Lone, Kozghar, Naqaash, Wani, Bisati, Want, Googery, Tanki, Darze, Shor, Najar, Sofi, Dar, Nayi, Ganae, Kolu, Nago, Dhobee and we consider them as caste.

4. Empirical results: The following section will tend to focus on the education, occupation, and income profile of various social groups. From these observed facts we will try to analyse the underlying social relations to understand the true role of caste in Kashmir.

4.1. Educational Profile of Social Groups: The educational profiles of different social groups indicate that among the total respondents in 'Group-I', 'Group-II', and 'Group-III', 86%, 53%, and 44%, respectively, possess some form of 'higher qualifications' ('graduate and above', 'professional', and 'diploma'). Consequently, a significant majority of respondents from 'Group I are engaged in higher education, while less than half of the respondents from 'Group II are pursuing 'higher education.' Notably, the percentage of individuals with 'professional education' is notably low among respondents in 'Group III' (refer to Table 1). This disparity in educational achievement is evident among various social groups, and such inequality in educational opportunities often translates into disparities in outcomes.

Regarding gender, women in 'Group-I' exhibit a relatively superior educational profile compared to women in other social groups. However, when compared to their male counterparts, women in 'Group II and 'Group III' have a more favourable educational profile.

4.2. Occupational Profile Social Groups: As per the National Sample Survey Organization (NSSO) data for 2011-12,

Table 1
Educational profile of social groups

Social Groups	Educational Categories				
	Illiterate	Upto senior secondary	Diploma	Professional	Graduate and above
Group-I	0	14%	4%	20%	62%
Group-II	6%	41%	2%	18%	33%
Group-III	11%	45%	2%	8%	34%

60.2% of the population in Jammu and Kashmir are self-employed, 19.4% are casual labourers, and only 4.2% work as regular salaried employees.⁴³ The majority of individuals in Kashmir fall into the category of ‘self-employed.’ However, out of the 60.2% who are self-employed, only 1.62% work in the formal sector, with 58.5% engaged in the informal sector. The underdevelopment of private sectors in Kashmir, primarily due to a lack of privatization and the impact of armed conflict on business growth, results in heightened competition for government services.

Analyzing the occupational distribution among different social groups, it is noted that 70% of respondents from ‘Group-I’ are in service, with 42% employed in the government sector, and none working as daily wage labourers. In ‘Group II,’ 48% of respondents are in service, including 26% in the government sector and 5% as daily wage workers. For ‘Group III,’ 41% of respondents are in service, with only 18% in government service and 11% working as daily wage labourers (refer to Table 2).

Further examination of the ‘government sector’ composition reveals that, among total male respondents, 52%, 32%, and 22% from ‘Group I,’ ‘Group II,’ and ‘Group III,’ respectively, are employed in the government sector. For

⁴³ *National Sample Survey Office, NSSO 66th round 2011-2012, Informal Sector and Condition of Employment in India, Ministry of Statistics and programme implementation Government of India.*

females, 30%, 19%, and 13% from ‘Group I,’ ‘Group II,’ and ‘Group III,’ respectively, hold positions in the government sector. Consequently, respondents from ‘Group 1,’ especially males, are more predominantly employed in the government sector.

Despite females outperforming males in the educational field, their education does not translate into sufficient employment opportunities. The combined unemployment rate among females across all social groups is 47%, whereas among males, it is 33%.

Table-2
Occupational profile of various social groups

Social Groups	Occupational Categories				
	Govt. service	Private service	Self-employed	Daily wage worker	Un employed
Group-I	42%	28%	9%	0	21%
Group-II	26%	22%	21%	5%	26%
Group-III	18%	23%	25%	11%	23%

4.3. Income Profile Social Groups: Table 3 depicts the annual income of various social groups. The educational and occupational status of the respondents of ‘Group I’ is remarkably better than other social groups. A similar pattern can be observed in terms of their income where most of the respondents from ‘Group-I’ fall within the income group of ‘600000 and above’. Similarly, most of the respondents from ‘Group-II’ fall within the income group of ‘1, 20,000-300000’ whereas from ‘Group-III’ most of the respondents fall within the income group of ‘48000-1, 20,000’.

In other words, it can be said that the income profile of the respondents reveals that 64% of respondents from ‘Group I’ and 43% of respondents from ‘Group II’ and 31 % of respondents from ‘Group III’ fall within income brackets of

‘3,00,000-6,00,000’ and ‘6,00,000 and above’ (high-income bracket). Similarly, 5 % of respondents from ‘Group-II’ and 13% of respondents from ‘Group-III’ fall within income brackets of ‘up to 24000’ and ‘24000-48000’ (low-income bracket) and none of the respondents (both male and female) from ‘Group-I’ fall within this income brackets. Similarly 36% of respondents from ‘Group I, 52% of respondents from ‘Group-II’ and 56% of respondents from ‘Group-III’ fall within the income brackets of ‘48000-1,20,000’ and ‘1,20,000-3,00,000’ (middle-income bracket).

Table-3
Income Profile of various social groups

Social Groups	Income Group					
	Upto 24000	24000-48000	48000-120000	120000-300000	300000-600000	600000-above
Group-I	0	0	18%	18%	27%	36%
Group-II	2%	3%	19%	33%	13%	29%
Group-III	3%	10%	32%	24%	15%	15%

4.5. Education and Economic Profile of the Backward Class of Kashmir: In order to explore the educational and economic status of those who are engaged in ‘low and menial occupations’ like washer men, sweeper, tailor, barber, carpenter, labourer etc ‘Group-III’ is further divided into three categories: (i) Business and non-manual work; (ii) Artist and others, engaged in manual work; (iii) Low and menial occupation. In this section, we will largely explore the educational and economic status of respondents engaged in ‘low and menial occupation’

The educational status of respondents who are engaged in ‘low and menial work’ reveals that only 33% of them have attained any ‘higher education’ half of them (53%) have educational qualifications varying between ‘primary to senior secondary level’ and 14% are ‘illiterate’ (Table-4). The male and female educational profiles of these respondents are

further very disappointing where more than half (61%) of the male respondents have education qualifications varying between 'primary to senior secondary' level and 16% are 'illiterate' and only 21% have attained any 'higher qualifications' out of which only 5% have any 'technical education'. However, in the education field status of women as compared to their male counterparts is better where 50% of females have attained any 'higher qualifications' (out of which 3% have any technical education) and 39% of the total females have education qualification varying between 'primary to senior secondary level' and 11% are 'illiterate'. Due to various socio-economic impediments, these people cannot continue their education for a long period. Students from the weaker section are the first to drop out of school. Their previous education does not serve them much and thus end up doing menial work which further aggravates their marginalization and causes specific deprivation among them.⁴⁴

Table 4
Educational Profile of Backward Castes

Educational Category	Percentage
Illiterate	14.3
Up-to senior secondary	53.1
Diploma	2.0
Professional	2.0
Graduate and above	28.6

The occupational status of respondents reveals that only 11% are working in the formal sector and the rest are generally working either in the private sector as low-paid contractual

⁴⁴ Madan, A. 'Does education change society: theoretical reflection on a case study' in Nambissan, B & Rao, S (Eds.), *Sociology of education: changing contours and emerging concern*, New Delhi: Oxford, 2013, pp- 136-153.

employees or are engaged in some trivial marketing or work as daily wage skilled/ semi-skilled/ unskilled workers. These facts are further supported by their income status where only 2.5% of the total respondents fall within the income bracket of ‘6, 00,00 and above’ per annum (high-income bracket) (Table-5&6).

Table 5
Occupational Profile of Backward Castes

Occupational Category	Percentage
Government service	11.2
Private service	22.4
Self-employed	27.6
Daily wage workers	19.4
Unemployed	19.4

Table-6
Income Profile of Backward Castes

Income Category	Percentage
upto 24000	8.9
24000-48000	10.1
48000-120000	45.6
120000-300000	22.8
300000-600000	10.1
600000-above	2.5

Low and menial occupation: Kashmiri Muslims who are engaged in ‘low and menial occupation’ have traditionally been treated as low caste. Ganai (2020) argued that the modernization process opened various job opportunities for the lower castes of Kashmir, especially the sweeper

community (*watal*). However, in comparison to other communities, they continued to be economically humble⁴⁵. These are largely backward classes of Kashmir. In other parts of India (both among Hindus and Muslims) these people were given the status of 'OBC' and also enjoyed some privileges on the grounds of caste discrimination⁴⁶. However, in Kashmir Muslims of similar social positions have failed to enjoy such opportunities because it is generally believed that a caste system does not exist among Muslims and this overlapping identity of the Muslim in the form of caste-like or class-like categories further makes the situation more complicated.

Caste is an important social phenomenon in Kashmir. People maintain and regulate it in their actual lives. Though its role may or may not be much visible in terms of endogamy, purity and pollution, hierarchy, occupational specialization etc its role is much visible in educational and economic fields. While 'Group-I' form 8 % of the sample, they appear to be uniquely privileged. These traditional dominant social groups (Group-I) are more likely to have higher education, higher income and occupy dominant occupations. Results suggest that caste background continues to define opportunities available to individuals. 'Group-III (especially people employed in menial and low occupation categories) have lower educational attainment, lower income and lower economic opportunities. If these material disadvantages are combined with an absence of social discrimination then it would be easy to argue that caste has been transformed into class and there is no need to pay heed towards the caste system. However, if it is so then why education is not increasing employment opportunities for women whose educational profile in this study is more or less much better than males? Why these well-being components (education

⁴⁵ Ganai, M. Y. History from below: A study of Watal community in rural Kashmir (1846–1900). *The Journal of Kashmir Studies*, 7(1), (2020), 37-48.

⁴⁶ Mondal, S.R. 'Social structure, OBCs and Muslims', *Economic and Political Weekly*, 2003, 38(46): 4892-4897.

attainment and economic opportunities) are highly distributed among the traditionally considered dominant caste-like social group (i.e. Group I). We will try to address these queries in the next section.

5. Discussion and Conclusion: The aforementioned findings highlight the presence of educational and economic disparities among diverse social groups in Kashmir. To comprehend this phenomenon, it is imperative to move beyond the traditional discussions on caste, which has historically been shaped by the concept of social hierarchy based on notions of purity and pollution. Instead, there is a need to delve into the underlying mechanisms and structures of inequalities, examining how they operate in contemporary society. While advocating for the development of a new model of social stratification, it is crucial to recognize that caste relations have not been replaced by class relations. Access to crucial resources like education and employment remains intricately linked to caste. Lower-caste children continue to face educational disadvantages compared to their upper-caste counterparts. Applying Bourdieu's (1986)⁴⁷ concept of 'social reproduction' to the 'Kashmir caste structure' helps elucidate how caste, through its social and cultural capital, monopolizes various aspects of well-being.

The success of a child in the education system hinges on various factors, including their decisions, individual abilities, and, significantly, the socially derived resources associated with their birth caste. To compete for secular resources, traditionally dominant castes leverage their caste capital, manifested in social and cultural capital, influencing the distribution process in a manner that appears natural or rooted in class-based competition. Individuals are conscious of their caste status at an individual level, and each caste

⁴⁷ Bourdieu, Pierre, "The forms of capital (1986)", *Cultural Theory: An Anthology*, 1(81-93) (2011), 949.

accumulates its caste capital over generations, with variations based on caste.

Bourdieu's theory of social reproduction and cultural capital suggests that the culture of the dominant class is transmitted and rewarded by the educational system. Wealthy castes historically play an often overlooked role in shaping opportunities. Upper-caste students, equipped with cultural capital, easily assimilate into educational institutions, seeking institutional and other rewards through their caste capital. In contrast, lower-caste students, lacking inherited cultural capital and networking, face challenges in assimilation, which negatively impact their chances of personal and academic success. In conclusion, caste operates as a close-knit group—a network of social capital ensuring the specific transfer of cultural capital among its members—and its overall impact is prominently visible in economic capital.

Conservation and Restoration of Dal Lake in Kashmir: A Historical Perspective

Mehraj ud Din

Abstract: *This research paper delves into the historical trajectory of conservation and restoration initiatives undertaken for Dal Lake in Kashmir, shedding light on the multifaceted challenges faced by this iconic water body. Over the years, Dal Lake has witnessed environmental degradation, pollution, and encroachments, necessitating sustained efforts to preserve its ecological balance and cultural significance. The study examines the evolution of conservation strategies, encompassing technological innovations, community engagement, and policy interventions. Noteworthy measures include the installation of sewage treatment plants, regulation of houseboat operations, and the implementation of wetland management practices to mitigate pollution and protect biodiversity. Furthermore, restoration projects focused on enhancing the lake's aesthetic appeal and recreational value through initiatives such as invasive species removal and sustainable tourism promotion. A key aspect of this research is the exploration of the historical and cultural context, emphasizing the interconnectedness of nature and heritage in Kashmir. The conservation and restoration endeavours not only aim to safeguard the ecological integrity of Dal Lake but also address its role as a symbol of the region's rich cultural identity. The paper underscores the significance of community involvement, emphasizing the importance of local residents in fostering a sense of ownership and responsibility toward Dal Lake's sustainable future. Despite persistent challenges, the historical analysis of conservation efforts provides valuable insights into the intricate dynamics of preserving a vital natural and cultural asset. It contributes to the broader discourse on*

environmental conservation and heritage preservation, offering lessons and implications for similar endeavours globally.

Introduction: The escalating global population, intensified agricultural practices, and rapid industrial expansion have imposed substantial strain on freshwater resources. Despite water constituting less than 0.5% of the Earth's total volume, its significance cannot be overstated, particularly in the face of growing water scarcity, particularly in developing nations. India, with over 16% of the world's population, faces a significant challenge as it only possesses 4% of the world's water resources.¹ This stark disproportion between population and available water underscores the urgent need for the conservation and effective management of surface water resources, encompassing streams, lakes, and wetlands. Lakes and wetlands play a crucial role in maintaining ecological balance and supporting biodiversity. Their conservation is paramount not only for the sustenance of the environment but also for the well-being of communities that depend on these resources for various needs.²

Restoration is a process to return a degraded ecosystem to its original condition. However, in practice, restoration projects often have to settle for an approximation rather than a duplication of original conditions.³ Once a resource is impacted by undesirable human activities it loses its valuable environmental functions and amenities, which are important to society. In such cases, appropriate restoration and management strategies are required to protect the ecological integrity of the aquatic ecosystem so that various functions are maintained at a certain acceptable level. Over-exploitation of natural resources has a negative socio-economic impact. There is no silver bullet solution to an environmental problem that will apply effectively in all

¹ D.P. Zutshi & A.R. Yusuf, *Lakes and Wetlands of Kashmir Himalaya*, Heritage Publishers, New Delhi, 2014, p. 331.

² F. Ahmad, Premain System in North and Northern parts of Kashmir Himalaya, in *Himalayan Geology*, Vol. 8, 2008, p. 251.

³ D.P. Zutshi & A.R. Yusuf, *Lakes and Wetlands of Kashmir Himalaya*, p. 331.

situations because responses to most events in lakes and wetlands vary over time.⁴ All management strategies must have a clear goal. One of the general aims is to achieve a sustainable development of aquatic ecosystems. Targets or milestones must be clearly defined for the successful restoration of degraded ecosystems. Ecological values of a lake and a wetland include resilience to strain and the ability to recover either completely or partially after disturbance, provide goods and services such as clean drinking water, water for irrigation, recreation, fishery and other biodiversity, washing and bathing and water for aesthetics and ecological integrity to maintain an adaptive biological system. Brinck et al. (1988) recognized two approaches to restoration: (i) Active restoration that aims at an accurate re-creation of site conditions existing prior to the disturbance activity involving a consideration of all environmental components, whether valued or not; and (ii) Passive restoration abandons disturbed areas in condition designed to be habitable to organisms that were originally present or others that approximate for natural regeneration.⁵ The surface water resources of Kashmir were protected from pollution and over-exploitation for centuries because of strong religious beliefs. Nature conservation used to be an important part of the daily life of the people. Unfortunately, in recent years things have completely changed and water is now freely wasted and is the most abused resource. There is often deep conflict between various uses of water, and most of the time it becomes exceedingly difficult to strike a balance in these uses. The lakes and wetlands of Kashmir are facing new challenges because of the fast changes that are taking place in the society living around them. The chemically active run-off from the agricultural fields and untreated domestic sewage flowing into water bodies is causing cultural eutrophication in the otherwise healthy ecosystems, which served the community fairly well for a long period of time. Mindless deforestation triggering excessive erosion from hill slopes is causing rapid filling of

⁴ Ibid.

⁵ Government of Jammu and Kashmir, *Report on Dal Lake* Prepared by L. Brinck, 1988, p. 17

water bodies. The aquatic ecosystems of Kashmir are now the “threatened ecosystems”. In many lakes, accelerated sedimentation has resulted in a drastic reduction of their useful life. The prolific growth of invasive species has seriously impacted biodiversity and community structure of aquatic communities. In the past, a healthy relationship existed between the people of Kashmir and the water bodies on which they depended their daily needs. It was the responsibility of the local community ensures that the water quality was not harmed in any way. The need for restoration and conservation of water bodies arises from the fact that the ecosystems are no longer able to operate in self-sustaining ways.⁶

The damage inflicted by various human activities has almost completely disturbed the self-repairing process of the lakes and wetlands and in many cases the magnitude of damage is enormous. There are a number of constraints and limitations within which various restoration and conservation measures can be operated. It has to be well understood and accepted that once an ecosystem is impacted and disturbed it is not possible to bring it to its original pristine state. It is, therefore, essential to spell out the restoration objectives in clear terms and define the level to which an ecosystem could be brought after implementation of the designed restoration measures. There is nothing like offering a restoration package, because every aquatic ecosystem is different and, therefore, would require different approach for rehabilitation. There are no readymade solutions, models or strategies, which could come as a panacea for all types of environmental problems.⁷ A multi-disciplinary approach is perhaps the best approach, which could be adopted to improve the environmental conditions. The conservation and management strategy should include protection and quality enhancement of the environment, promotion of sustainable development, cooperation between stakeholders and

⁶ M.J. Casimir, *Floating Economies: The Cultural Ecology of the Dal Lake in Kashmir*, India, Berhahn, New York, p. 189.

⁷ M. Dar, *Water Bodies in Kashmir History*, Unpublished PhD Thesis, Department of History, University of Kashmir, 2020, p. 166.

government agencies, building of strong public and political support and the implementation of the state-of-art research. It is of paramount importance to obtain complete scientific information on various components of the ecosystem for effective resource management. The evaluation of the rate of change of an ecosystem would help in establishing priorities for management purposes by targeting the most altered parameters.⁸

Legal Framework: Environmental consciousness in ancient Kashmir is reflected in historical accounts that highlight the awareness and efforts of rulers to preserve the region's natural resources. One notable example is Sultan Zain-ul-Abdin (1420-1470), who ruled during the 15th century. He demonstrated an understanding of the environmental impact of human activities, particularly the expansion of man-made floating gardens on Dal Lake.⁹

Sultan Zain-ul-Abdin issued a royal decree to address this concern, prohibiting farmers from converting shallow water areas of Dal Lake into floating gardens. The decree strategically confined the laying of floating gardens to a specific part of the lake, showcasing a thoughtful approach to balancing human needs with environmental preservation.¹⁰

However, despite such early efforts, subsequent rulers, including the Mughals and Pathans in the 16th and 17th centuries, were less focused on regulating local cultivators and their potentially detrimental environmental practices. This period witnessed challenges such as the uncontrolled proliferation of floating gardens due to the lack of regulation.¹¹

It is essential to acknowledge that, while specific historical examples exist, the documentation of environmental consciousness in ancient and medieval times might be limited. Nevertheless, these instances demonstrate that some rulers in Kashmir recognized the importance of

⁸ Ibid.

⁹ J.C. Dutt, *Srivara's Zainatarangni*, City Books, Srinagar, 2010, p. 44.

¹⁰ Ibid.

¹¹ P.A. Kaul, *Geography of Jammu and Kashmir State*, Life and Light Publishers, Jammu, 1930, p. 23.

sustainable practices and took measures to protect the environment, even if not consistently upheld by subsequent administrations.

However, during the Dogra rule in the 19th and 20th centuries, proactive measures were taken, and various laws were enacted to protect aquatic ecosystems and other natural resources in the state. Till 1947, when India achieved its independence, these laws were effective to a great extent and were instrumental in safeguarding water bodies from further reclamation through filling and one of the earliest laws dealing with the protection of natural resources was the Jammu and Kashmir State Fisheries Act of 1903.¹² Under the act water bodies such as lakes, wetlands, ponds, and streams were classified as sanctuaries, reserved waters and prohibited waters. The law prevented people from fishing in areas designated as sanctuaries because of the sacred nature of the place. Fishing in protected waters was allowed only under some specified conditions issued by the concerned department and after payment of the required fee. The mode of fishing in these waters was also clearly defined by the state government. The classification of reserved waters included water bodies that were used for development of trout fishery.¹³ A note that was added to the Fisheries Act stated that the erection of dams for water mills, etc., was permitted but with a rider that in all the cases a free channel must be left open for the passage of fish up and down the river. Use of dynamite, poison and fixed engines were strictly prohibited in water bodies. Night fishing was strictly prohibited in trout streams and in reserved waters. During certain months commercial fishing was prohibited because of the onset of spawning. Under the rule 17 (g) of the Act, extraction of hakreza, water nuts, aquatic plants and sand, etc., was prohibited during the spawning season of fish in reserved and protected waters, i.e., from March to July and in trout waters from November to February. Modifications to the Fisheries Act were introduced in July 1939, which allowed the appointment of fisheries officers, distribution of powers for

¹² Pol. File.no. 311/03, State Archives Srinagar

¹³ Ibid

the implementation of the act, fixation of the license fee, and fixing the time of fishing, especially in waters stocked with trout fish.¹⁴ The protection of water resources of the State was also covered under the Ranbir Penal Code of 1932 (chapter xiv) section 277. The law stated that whoever voluntarily corrupts or fouls the water of any public spring or reservoir, to render it less fit for the purpose for which it is ordinarily used will be punished with imprisonment or with fine and at times with both.¹⁵

A Land Revenue Act was promulgated in 1939 to protect water areas of lake from being filled into built areas. Under clause 133 (B) of this Act. no person will (a) convert any water surface, water field, or floating field into land by filling or by any manner whatsoever, (b) fill with earth, stones, rubble or any other material or fence or enclose in any manner whatsoever, any water for creating a water field or floating field or expanding the area of any authorized water field or a floating field, (c) use any water surface, water field (radh) thereon within such limits as may be specified by the Government in any lake in Kashmir province. For this purpose, the lakes identified were Gagribal (basin) Lake, Dal Lake (Bod Dal and Hazratbal), Nagin (basin) Lake, Anchar Lake, Manasbal Lake, Hokarsar (wetland) Lake, Haigam (wetland) Lake and other lakes as may be notified by the government from time to time. Any person contravening the provisions of the act was liable to restore the water surface to its original condition or the collector could use force to remove such illegal contravention¹⁶. Unfortunately, the enforcement of these laws fell into disuse after 1947 and as a consequence, the lakes and wetlands were gradually converted into built-up areas.

The Grow More Food Scheme launched in 1950's led to the reclamation of vast tract of land from the Dal. Besides this, other factors also contributed to deterioration of water bodies viz use of fertilizers by the *mirbahri* people for the

¹⁴ M.Dar, *Water Bodies in Kashmir History*, p. 99.

¹⁵ Ibid.

¹⁶ Ministry of Home Affairs prepared Dal Development Report, LAWDA, Srinagar, 2014, p. 123.

increase in the agricultural production, construction of hotels and commercial structures and houseboats on the margins of Dal facilitated by government went against the protection of water bodies. The rising issue of conversion of water surface into build up areas caused a great threat to the life of the water bodies. Up to the 1970 government in the State mostly remained busy in the promotion of agriculture and other developmental activities. Although the Master Plan for Srinagar drawn in 1971, inter alia recommended a complete moratorium on reclamation of open water area of Dal Lake by local cultivators and nothing much was done to stop this activity.¹⁷ But it was only in the mid 1970s that government took a big leap towards the preservation of the Dal Lake. The reason being that in 1972, United Nations Organization convened a conference in Stockholm on the Human environment. The conference stressed to the member nations on the issue of environmental degradation should be taken seriously. The government of India realized that the country required well defined laws to protect its environment against rapid industrial growth, expanding human settlements especially in urban areas. The government went for the restoration of the water bodies which was very much necessary for the promotion of tourism in Kashmir. For conservation and protection of the water bodies The Water Prevention and Control of Pollution Act was passed by the Indian Parliament in 1974.¹⁸ It was because of this Act that Pollution Control Boards at the Centre and in the States were established. The basic objective of this Act was to maintain and restore the wholesomeness of natural aquatic resource by prevention and control of pollution.¹⁹ This was an important step towards monitoring and control of water pollution.

¹⁷ Anonymous, *Master Plan for Srinagar City*, prepared by Government of Jammu and Kashmir, 1971, p. 82.

¹⁸ D.P Zutshi, and A.R. Yousuf, *Lakes and Wetlands of Kashmir Himalaya: Ecology, Conservation and Management*, (New Delhi Heritage Publishers,2014), p. 302

¹⁹ Mona Bhan and Nishita Trisal, *Fluid Landscape, Sovereign Nature: Conservation and Counterinsurgency in Indian controlled Kashmir*, (Sage, Critique of Anthropology, 2017, Vol. 37(i) 67-92), p. 73.

It was the influence of the above mentioned law that state government realized the importance of the Dal Lake. After coming to power in 1970's Sheikh Abdullah started in this very case the bureaucratic intervention to "Save Dal Lake", being now the chief minister of the State, he instituted numerous measures to prevent human encroachments on the lake.²⁰ The first such intervention came in the name of Dal Development Project,²¹ the major recommendations of the projects were:

- a) Plantation of the Catchment area of the Lake
- b) Creation of an earthen bund (embankment) to separate the floating garden area from the open water area of the lake.
- c) Provision of sewage system based on high-density polyethylene pipe lines to be laid on the lake bed. Sewage is to be transported by pumping and treated in oxidation ponds.
- d) Construction of a Northern Foreshore Road (NFR) to arrest further encroachment.²²

The last recommendation which the state implemented in 1978 was designed to facilitate vehicular traffic around the lake and created a promenade for recreational and commercial purposes.²³ From its beginning in the 1970s, the Dal Lake's conservation was deeply contested, mostly by the dwellers of the Dal who bore the brunt of such efforts. For instance, infrastructural and city development projects carried out in the name of conservation led to the eviction of

²⁰ B.L. Chaku, *The Dal of Srinagar (Kashmir Valley)-An Environmental Degradation*, In S.K Chadha, (ed), *Himalayas: Environmental Problems*, (Delhi Ashish Publishing House, 1990), pp. 37-43.

²¹ The Dal Development Project was implemented in 1977 in consultation with New Zealand under the Commonwealth Technical Assistant Programme. See B.L. Chaku., *The Dal Lake of Srinagar (Kashmir Valley)-An Environmental Degradation*, in: S.K. Chadha (ed), *Himalayas: Environmental problems*, (New Delhi Ashish Publishing house, 1990), pp. 37-43.

²² Anonymous, *Master Plan for Srinagar City*, prepared by Government of Jammu and Kashmir, 1971, p. 71.

²³ B.L. Chaku, *The Dal of Srinagar (Kashmir Valley)-An Environmental Degradation*, p. 40.

at least 2600 Hanji households from the Dal Lake in the 1970s and early 1980s. Hanjis were very critical of this decision to construct Foreshore Roads that encouraged hotels and other businesses to mushroom along the lakeshore.²⁴ Fishermen claimed that Sheikh's efforts established the precedent for differentiated legality in Kashmir, mostly along ethnic and occupational lines as the dwellers of the lake mostly belong to Shia community and are professionally considered inferior in Kashmir.²⁵

Protection policies at the local level were hard to contest, however, since they were the outcome of the growing emphasis on international environmentalism as well as good governance initiatives of the World Bank in the 1970s, with money from multilateral institutions pouring into India for environmental and conservation projects, the State governments across the country enhanced their "efficiency" and institutional capacities by forging connections with private and public sectors. To review the environmental implications of the then-ongoing Dal Lake Development Project, the Overseas Development Administration (ODA) in London and the Government of India invited Prof. R. Riddell of Cambridge University, U.K, in 1982. In his report submitted to the Government in 1983. Prof. Riddell observed that there was no evidence to show that any pre-project evaluation, project ranking or any progress monitoring was undertaken.²⁶ The funds spent on capital works (Northern Foreshore Road, siltation tank) had limited beneficial effects upon the all-important land usage and water purity problem, which dominated the southwestern lake area. Riddell stated that it was the major failing of the ENEX proposal that considerations of low-cost managerial order took second place to issues of a high-cost technical kind.²⁷ It was highly desirable that limited expenditure on more purposeful and

²⁴ Mona Bhan, *Fluid Landscape, Sovereign Nature*, p. 73.

²⁵ Dr. ShantaSanyal, *Boats and Boatmen of Kashmir*, (Srinagar, Light and Life Publishers), 1978, p. 10.

²⁶ K. N. Dhar, *Dal Lake Through the Ages: A Historical Resume*, Paper presented at the workshop on Dal Lake, Kashmir, Centre of Research for Development, University of Kashmir, pp. 1-7.

²⁷ D.P. Zutshi, *Lakes and Wetlands of Kashmir*, p. 307.

less costly measures was undertaken. The important recommendations of the Riddell reports were:

- a) Creation of Dal Development Authority with legal, administrative, technical and financial powers.
- b) Forestation, soil conservation, water conservation, etc., in the catchment.
- c) Environmental Education.
- d) Total removal of floating gardens is not going to be beneficial to the overall ecological state of the lake.
- e) Tight control in the floating garden area over rebuilding and new construction.
- f) A strict moratorium on houseboats, Dunga boats, buildings and lakeside constructions.²⁸

It was very unfortunate that the UEED did not take into consideration any of the recommendations put forth by Riddell. The report was not even discussed by the high-power committee of the government. No decision regarding the creation of the Dal Development Authority for the lake was taken.²⁹

However, by the 1980s, new alliances emerged in Kashmir and beyond formal spheres of government (the executive, legislature, judiciary), NGOs, and other civil and commercial bodies such as local banks and corporations collaborated on projects of environmental or biodiversity conservation. In this field, it was Centre of Research for Development, University of Kashmir in collaboration with MoEF (Government of India), UEED and the Soil Conservation Department of the State government organized a workshop in 1984.³⁰ Unfortunately, there was no follow-up by the State government on the recommendation of this workshop including the creation of a Regional Development Authority for Dal Lake, which was based on the unique concept of “State within the State”. However, the State government imported a couple of mechanical harvesters from

²⁸ Ibid., p. 308.

²⁹ Anonymous, *Study of the Pollution of Dal Lake, Kashmir (India)*, Prepared for the Commonwealth Fund for Technical Cooperation, ENEX of New Zealand, Inc, 1978, pp. 14-18.

³⁰ D.P. Zutshi, *Lakes and Wetlands of Kashmir*, p. 308.

abroad and introduced them for harvesting weeds from the lake.³¹

For the cleaning of the lake in 1985, the Ministry of Works and Government of India appointed another consultant firm, Babbie Shaw and Morton of Glasgow, U.K., under ODA to prepare yet another report on Dal Lake. The report made by this firm observed the following cases:

- a)The report opposed the relocation of lake dwellers
- b)The creation of the Dal Development Authority called for a revised development plan for the Northern part of the Lake
- c)The other recommendations included strict regulations of the new developments within and outside the lake.
- d)Moratorium on expansion of floating gardens and construction of new houseboats.
- e)The most important recommendation was regarding the indigenous population living within the lake. The report stated that the “resettlement of people from floating gardens need not to be implemented as it is ineffective and impracticable as a solution to the problem of lake pollution and would involve considerable social and economic disruption.”

These recommendations were not taken into consideration by the State government due to the lack of funds at that time. Besides the government was not satisfied with the recommendations that speak in favor of people living within the lake. It was during this time that people started talking about the State's attitude of involving machinery in cleaning the lake as against the services of the people who used to clean it by using their boats and traditional methods of extracting unwanted weeds since ancient times.

The mid-eighties of the twentieth century saw an increasing number of tourists in the valley which forced the State to work on water bodies like that of Dal and Nagin Lake as these were the prime visiting destinations of the tourists. The new revised project on the Integrated Development of Dal and Nagin Lake was jointly prepared by ENEX, Babbie Shaw and

³¹ K .N. Dhar, *Dal Lake Through the Ages: A Historical Resume*, pp. 1-7.

Morton. This report was submitted to the Central Government of India in 1987.³² In addition to the earlier recommendations, a few new suggestions were also made in the reports which include the improvement in the Nallah Amir Khan water outflow channel and, the construction of a subsurface outflow channel from Brari Nambal to Jhelum River for improvement of Lake Hydrology.³³ Regarding the presence of floating gardens in the Lake a proposal was made that the floating gardens should be taken over by the State government and the agricultural department should be given the job of engaging vegetable growers to arrest further encroachment on the vacated floating gardens. However according to Zutshi, it was unrealistic as it would have been an additional source of pollution to the lake.³⁴ Moreover, some of the suggestions that the report contained were very useful for the lake including demarcation of the lake area and water flow improvement measures.³⁵ These agencies like ODA further prepared plans and projects but the changing political scenario of the state forced them to abandon the projects in 1989.

From 1990 to 1996, the lake environment suffered heavily due to the absence of any effective regulatory authority to arrest illegal encroachments on the lake. As a result, encroachment reached at its peak. The outbreak of armed rebellion in 1989 leading to the imposition of presidential rule in Kashmir shifted the attention from the conservation of water bodies to the management of Law and Order in Kashmir and the rehabilitation of Hanjis remained on paper only.³⁶ This is reflected in the fact that the number of households in Dal Lake increased from 12000 in 1986 to 22000 in the year 1996.³⁷ After 1996 the State government like

³² ENEX Report, *Study of the Pollution of Dal Lake, Kashmir*, A Report prepared for the Commonwealth Fund for Technical Corporation, ENEX New Zealand, 1987, p. 14.

³³ Ibid.

³⁴ D.P. Zutshi, *Lakes and Wetlands of Kashmir*, p. 310.

³⁵ Ibid.

³⁶ Mona Bhan, *Fluid Landscape, Sovereign Nature*, p. 80.

³⁷ JK LAWDA Official Survey Report, prepared by JK LAWDA, Srinagar, 1996.

other states created a SPV under the Jammu and Kashmir Development Act of 1970. One such SPV called the LAWDA, was established in Kashmir in 1997. LAWDA was set up to consolidate and centralize desperate conservation-based initiatives of the state government and align the lake's conservation with ongoing environmental and conservation projects in India.³⁸ Soon after its formation, LAWDA took immediate steps to "Save the Lake": it removed "Weeds from the interiors of the Dal Lake on [a] war footing basis; it built pavements and ramparts around the Dal Lake; it procured top-of-the-line machinery to extend and deepen the lake's water expanse; and it ensured that "pollution levels in different portions of the water body [were frequently] assessed."³⁹

LAWDA was also vested with sweeping powers to evict Hanjis, demolish their homes, and prevent Hanji farmers, or, zamindars, from indiscriminately converting portions of the lake into cultivable radhs or floating gardens. An obvious outcome of LAWDA's wide-ranging interventions in the post-1996 election period was that Kashmir's water bodies came under the strict purview of the newly established NC government.

In a sense, LAWDA's mandate was to reinvent Kashmir once again as an idyllic space of spectacular land and waterscapes so that it could revive the tourist industry after a violent and prolonged insurgency. In addition to government agencies devoted to the task of conservation, NGOs like HOPE and Global Green Peace also worked collaboratively with LAWDA to manage and treat the solid waste generated inside the lake through human activities. Various educational institutes and other civic and local organizations in the city organized rallies to highlight the rising issue of the lake. In one such rally organized by a local kindergarten in collaboration with an Indian mobile company Aircel, young

³⁸ M.S. Reddy and N.V.V. Char, *Management of Lakes in India*, In *Lakes and Reservoirs: Research and Management*, No 11, 2006, pp. 227-237

³⁹ See Greater Kashmir (online). Available at <http://www.greaterkashmir.com/news/2011/Dec/27/tara-direct-lawda-to-extract-weeds-from-dal-lake-interiors-47.asp> (accessed 18/6/2018).

students marched on with their placards urging locals to “stop polluting the Dal” to save Kashmir's beautiful heritage.⁴⁰ Looking such kinds of developments that was going there for nature's conservation in Kashmir has been argued by Guha that it had become now a wide-ranging social and political program.⁴¹

By 2000, only three years after its formation, LAWDA came under intense public scrutiny for its dismal progress in stemming out encroachments, curbing pollution, and restoring the Dal Lake's water expanse. Civic bodies blamed LAWDA officials for misappropriating government funds in the name of conservation and filed a charge sheet against the organization, leading to fifty official suspensions in a year.⁴² Predictably, LAWDA lost considerable legitimacy and was widely derided as the “Lakes and Waterways Destruction Agency.” LAWDA's failure to curb Dal encroachments was criticized on several public stages. For example, the media broadcasted a show entitled “April Fool,” which portrayed a dismal attitude of people's responsibility to save the water bodies, using strands of humour and sarcasm to conjure a scenario where the waters of the Dal lake had completely dried up and the government was issuing permits for the construction of a residential colony.⁴³ The self-interested greedy people, including government officials and Hanjis, were shown investing in real estate to claim a portion of the Dal Lake with an utter disregard for the fate of the environment. Such public portrayals of LAWDA's mismanagement were common and reflected many Kashmiris' suspicions of top LAWDA officials as corrupt individuals who were unmoved by the Dal Lake's deterioration.⁴⁴

Also, PIL was filed which asserted that the lake was an integral element of “people's common heritage” and that the

⁴⁰ Mona Bhan, *Fluid Landscape, Sovereign Nature*, p. 75.

⁴¹ Ramachandra Guha, *How Much Should a Person Consume?: Environmentalism in India and the United States*, (Berkeley: University of California Press, 2006), p. 6.

⁴² G.H. Kaloo, *Kashmir in Mirror Reflection*, Vol I, p. 29.

⁴³ Mona Bhan, *Fluid Landscape, Sovereign Nature* p. 75.

⁴⁴ Ibid.

judiciary should play an important part in its conservation and restoration. Many environmental activists and scholars argued and recommended that in a region that had long suffered from ineffective governance and violence due to protracted conflict, “only the court could play an effective role to salvage the Dal.”⁴⁵ In legal directives of the high High Court LAWDA was instructed to “actively speed up their conservation measures,” to ensure that Hanji demolitions were successfully undertaken, and to prevent Zamindar Hanjis from converting large portions of water into *radhsor* floating gardens.⁴⁶ By giving its verdict court for the environmental conservation secured LAWDA’s “trusteeship” and regulatory powers over the region’s water resources.⁴⁷ That according to the court would protect the lake and its resources. With the intervention of the judiciary, strict vigil was being exercised by LAWDA to stop further degradation of the lake. According to well-placed sources, the LAWDA paid compensation for 1106 structures and the evictees were rehabilitated properly in the colonies identified by the said authority.⁴⁸ However, many Dal dwellers contested against these activities of LAWDA. As per the LAWDA reports, the eviction of those is necessary who are not the actual residents of the Dal as per the 1986 census survey.⁴⁹ To clear the Dal,

⁴⁵ Riyaz Wani, *Dry and Dal? No More*, Indian Express Online, 2006, available at: <http://www.indianexpress.com/oldstory/86803> (accessed 18/7/2018).

⁴⁶ Mona Bhan, *Fluid Landscape, Sovereign Nature*, p. 76.

⁴⁷ L. Rajamani, Public Interest Environmental Litigation in India: Exploring Issues of Access, Participation, equity, effectiveness and sustainability, in *Journal of Environmental Law*, vol 2, No 20, pp. 334-336.

⁴⁸ There are eight colonies namely BotaKadel, DavidiBagh, HabibullahNowshari Colony, AgroBagh, JKPC Colony, PanchKharwani, Bemina Colony and Chandipora developed by the LAWDA for the rehabilitation of dislocated personnel. See G.H. Kaloo, *Kashmir in Mirror Reflection*, p. 37.

⁴⁹ In 1986, a census survey of Hanji households was conducted to assess the nature and extent of Hanji settlements and to devise plans for their rehabilitation. According to a senior LAWDA official, the survey was so “liberal” that it legalized all forms of settlements on the lake – from “Hanji houses to their cowsheds.” Consequently, when the NC government constituted LAWDA in 1997 to oversee the Dal Lake’s

LAWDA soon started demolishing the drive in the Dal Lake. Nearly 125 illegal structures have been reportedly demolished in 2007.⁵⁰ But nothing more was done because of the intervention of some leaders who were very active in the legislative assembly.

After the year 2002, Kashmir witnessed normalcy and peace for a limited time and it was in these years that there emerged an extensive campaign to save the Dal, in which politicians, bureaucrats and NGOs participated actively and were demanding the actions needed to be taken in its care and restoration. It was in these circumstances of peace that to improve the condition of the lake and the people living in it Central government has sanctioned an additional grant of Rs 356 Crore for the rehabilitation of about 10000 families who were living within the Dal Lake.⁵¹ Since then almost 6 years had gone, and no such effort had been yet taken by the government apart from terrorizing the dwellers of the Dal who have not been allowed to renovate their houses which were destroyed by the floods in 2014. Despite the fact that the lake conservation project has been in operation right from mid-1970 and huge sums of money have been already spent on various restoration works, the general perception is that the lake environment instead of improving has deteriorated. No scientific evidence has been put forth by LAWDA to show any positive improvement in the lake environment.

Interacting with the CEO of LAWDA about failing to rehabilitate the locals, he said 'that since governments sanctioned a huge amount which was invested on the new machines working for extracting the unwanted weeds from the lake'. For more than 5 years these machineries are working and we are witnessing no improvement as for as quality of water in Dal lake. This is because as has been mentioned by Barry Commoner that 'technology cannot work

conservation, there were many Hanji families or household members whose names did not appear in the 1986 survey. For details; See Mohan Bhan, *Fluid Landscape, Sovereign Nature*, p. 80.

⁵⁰ Kaloo, *Kashmir in Mirror Reflection*, Vol I, p. 37.

⁵¹ D.P. Zutshi, *Fluid Landscape, Sovereign Nature*, p. 316.

for the conservation'.⁵² By using technology we are benefitting capitalists rather than nature.

Despite failing to implement the proper regularity measures for the restoration of the Dal Lake. State Government continued its efforts in restoring the water resources in the State and introduced the Jammu and Kashmir Water Resources Regulation and Management Act, 2010.⁵³ Under the Act, a Resource Regulatory Authority is to be set up and one of the main roles of the Authority will be to advise the Government on the measures to be undertaken to the replenishment of groundwater and to make judicious use of water, A National Rural Water Quality Monitoring and Surveillance Programme is also being undertaken. It is proposed to conserve water resources using deepening and de-silting the existing lakes and wetlands. A survey is being undertaken to identify various existing water bodies in all the districts of the state, though belated, this step if undertaken seriously by the implementing organization is going to have long-lasting benefits to the rural population. Already a large number of wetlands and small water bodies have been filled up and converted into settlements in the absence of any regulatory authority.⁵⁴ The Government is also contemplating amending the WRA 2010 to pave the way for using the money collected as the water usage charges for constructing new hydroelectricity projects and also buying back the projects already in existence.⁵⁵

In October 2012, the state water resources regulatory authority (comprising besides Chairperson, two members) in terms of section 139 of the J&K Water Resources Act, 2010 was established.⁵⁶ The authority will determine the entitlement and distribution for various categories of use of water within each category and the terms and conditions of distribution or allocation. The authority will regulate the use of water by the users and issue licenses for use of all water resources in the State, adjudicate upon the disputes between the license

⁵² Rachel Curson., *Silent Springs*, (London Penguin Books, 1962), p. 169.

⁵³ Ibid.

⁵⁴ Ibid.

⁵⁵ Ibid.

⁵⁶ M. Dar, *Water Bodies in Kashmir History*, p. 144.

holders and the department, advise the government in the promotion of completion for the optimum utilization of water resources in the State, administer and manage inter-state water resources apportionment on river systems of the State, approve and review water resource schemes and projects, establish system of enforcement, monitoring and measurement of use of water both in quantity and type of use.⁵⁷ The authority will also establish a regulatory system for the water resources of the state including surface and sub-surface waters and promote efficient use of water to minimize the wastage of same. The implementation of the Water Resources (Regulation and Management) Act may be instrumental in saving the lakes and wetlands of the State, which at present are almost at the verge of extinction.⁵⁸

The first explicit legislation for protecting wetlands from further degradation was notified by the Ministry of Environment and Forests, in December 2010. It is known as the Wetlands (Conservation and Management) Rules 2010. The major highlights are:

1. Constitution of a Central Wetland Regulatory Authority and also Committees at state and district levels.
2. To regulate wetlands, which include Ramsar Sites, ecologically Sensitive wetlands, wetlands in protected areas, wetlands near UNESCO sites, wetlands above 2500m elevation with more than 5 ha area, wetlands below 2500m altitude having more than 500ha area and also wetlands included by the appropriate regulatory authority.
3. Restrictions are to be imposed on the activities within the wetlands such as reclamation, setting up of industries in close vicinity, release of substances, discharge of untreated effluents, permanent construction, solid wastes, dumping of stones and/or manufactured hazardous etc.
4. Regulated activities (not permitted without the consent of the state governments), change in water regime,

⁵⁷ D.P. Zutshi & A.R. Yusuf, *Lakes and Wetlands of Kashmir Himalaya*, p. 331.

⁵⁸ Ibid.

unsustainable grazing, harvesting of resources, release of treated effluents, aquaculture, and agriculture.

5. The authority will identify new wetlands for conservation; ensure that rules are followed by the local bodies; and issue clearances.
6. State governments to submit a brief document about the wetlands in their state, that qualify for protection.
7. Any appeals against the decision of the authority can be made to the National Green Tribunal, which has started functioning from 2011.⁵⁹

In early 2013, the Ministry of Environment and Forests (MoEF) decided to merge the NWCP and NLCP into one integrated programme known as “National Plan for Conservation of Aquatic Ecosystems (NPCA)” to avoid overlap and promote better synergies. It was felt necessary that uniform policy and guidelines be applied for the conservation and management of lakes and wetlands for achieving the desired objectives such as water quality improvement, biodiversity conservation, and safeguarding of unique ecological values.⁶⁰

In a nutshell, it can be said that the continuous efforts made by the government at different points of time more or less failed to restore the lake the reason being the negative interest shown by the local population towards the conservation. As long as members of the different strata of society like NGOs, the political elite, social activists, the municipal workers in the departments concerned, local communities, various other stakeholders and the general public do not cooperate with the State, the Lake’s conservation and restoration cannot be achieved.

⁵⁹ Ibid.

⁶⁰ D.P. Zutshi & A.R. Yusuf, *Lakes and Wetlands of Kashmir Himalaya*, p. 312.

Quranic Contribution to the Development of Physical Sciences

Riyaz Ahmad Bhat

Abstract: *The Qur'an, the last and final revelation of Allah, is not merely the central religious text of Islam; rather it claims to be the guidance for mankind for every time to come. The coming of the Qur'an in the seventh century not only transformed Arabia but also the lands that were under the influence of Muslims. The peace and sense of security that Islamic rule brought about consequently produced one of the most successful civilizations in the history of the world that excelled in the fields of physical, natural and social sciences. The Qur'an inspired Muslims to go from the depths of ignorance of the pre-Islamic era to being the leaders of the world in the sciences. Many of these scientists were excellent Islamic theologians and it was the Qur'an that drew their attention to inquire into the natural world and showed them the path to knowledge and enlightenment. The very first verse of the Qur'an that was revealed on Prophet Muhammad (SAAS) was to "read". Thus the Qur'an attaches great importance to knowledge and education. It lays great stress to use our senses to observe the world around us, thinking, pondering and reflecting on what we observe, putting ideas to the test and providing witnesses to validate our conclusions. It was only because of this nature of the Qur'an that Ibn al Haytham, the great optician, stated that it was the Qur'an that inspired him to study philosophy and science.*

The paper will focus on Quranic verses which stress scientific knowledge and inquiry. Various important Muslim scientists and their contributions will be discussed in detail. This will be followed by the causes of Muslim decline in scientific knowledge and a brief conclusion will be drawn thereof.

Introduction: Among the revealed texts of Allah (SWT) to His Prophets, from the advent of Adam (AS), the Qur'an is the last and final message to humanity. All these texts promulgated the code and laws of Islam. The Qur'an, which was revealed on Prophet Muhammad (SAAS), in the seventh century BC, testifies to these scriptures. However, all the

earlier texts were either corrupted or lost and thus Allah (SWT) sent His last message to Prophet Muhammad (SAAS), which we believe is without any error, amendment, or correction since its revelation. It affirms everything that was revealed to all the previous Prophets of Allah (SWT) in the past including Prophet Abraham (AS), Musa (AS) and Jesus (AS).¹ The Qur'an acknowledges that the divine message has been sent to all in all languages and also affirms the continuity of the divine message.² Qur'an addresses human beings in many places as, '*ya aiyuh al nas*' (O Humankind) directly 306 times and indirectly more than two thousand times in its over six thousand verses. In contrast, the Qur'an specifically addresses Muslim men and women as *ya aiyuh al Muslimun/ Muslimat/ Muslimatun* etc., by name only 49 times. In fact, the first revelation that the Prophet Muhammad (SAAS) received was first recited by him (SAAS) to non-Muslims. Such spirit of the Qur'an directly stresses the fact that it is not a book for Muslims only, but guidance for every human being for every time to come. Soon after its revelation, the Qur'an not only transformed Arabia but also the rest of the world. It brought mankind out of the state of oppression and injustice. The history of the human race was changed forever. It showed the way to mankind in every walk of life. It provides solutions to every problem of a social, economic, political, and ethical nature. After a few decades of its revelation, Muslim countries became the most advanced countries on earth in the whole world in the Middle Ages, which is considered as one of the main bases of modern civilization. While the medieval centuries are well known in the Western world as the "Dark Ages," Muslim countries were shining with knowledge and glory. Public libraries, hospitals, universities, and other institutions of learning and research were located in different cities in the Muslim world including Baghdad, Damascus, Cairo, and Cordova. This transformation of the Muslim world, from ignorance to knowledge, was not an act of coincidence, but it was possible only with the

¹ Al Qur'an, 3:50.

² Ibid., 42:13.

intellectual awakening of the Qur'an. The Qur'an inspired Muslims to go from the depths of ignorance of the pre-Islamic era to being the leaders of the world in the sciences. Many of these scientists were excellent Islamic theologians and it was the Qur'an that drew their attention to inquire into the natural world and showed them the path to knowledge and enlightenment.

In this paper, an attempt has been made to discuss some of the verses of the Qur'an which direct man to acquire knowledge and stress upon him to ponder on the creation of Allah (SWT). This ultimately paved the way for him to excel in various fields of science. The paper further deals with some of the most important Muslim scientists of the Middle Ages who contributed to physical sciences. This is followed by the causes of the decline of Muslim science and a conclusion is drawn thereof.

Qur'an and Knowledge: The Qur'an has laid great importance to the process of seeking knowledge. If we look at the first five verses revealed from the Qur'an, we can see that the word "Iqra" (read) is repeated two times, the word "Qalam" (pen) is mentioned once and the word "Alama" (teach) is repeated twice.³

Read! In the name of your Lord who created: He created man from a clinging form. Read! Your Lord is the Most Bountiful One who taught by [means of] the pen, who taught man what he did not know.

It is interesting that of all the things which God could have begun His revelation with, the actions of reading and writing were chosen. The very first word revealed was a commandment to "read". Thus the Qur'an attaches great importance to knowledge and education.⁴

³ Ibid., 96:1-5.

⁴ Ibid., 16:78.

And Allah has extracted you from the wombs of your mothers not knowing a thing, and He made for you hearing and vision and intellect that perhaps you would be grateful.

God created man and provided him with the tools for acquiring knowledge, namely hearing, sight and wisdom. Thus the Qur'an reminds us that we should be grateful to God for these tools that give us the means to obtain knowledge.⁵

. . . . How can those who know be equal to those who do not know? Only those who have understanding will take heed.

Here the Qur'an highlights the noble status of the one who knows; they are superior to those who lack knowledge, as one who is knowledgeable has greater understanding. This encourages Muslims to continually seek knowledge. Such is the importance of the knowledge that Allah (SWT) directed the Prophet (SAAS) to pray that he will be granted more of it. Allah says in the Qur'an: "And say: my lord, increase me in knowledge".⁶

The Qur'an draws our attention to many natural phenomena by encouraging us to observe the world around us. Allah says:

Then do they not look at the camels - how they are created? And at the sky - how it is raised? And at the mountains - how they are erected? And at the earth - how it is spread out?⁷

There truly are signs in the creation of the heavens and earth, and in the alternation of night and day, for those with understanding, who remember

⁵ Ibid.,39:9.

⁶ Ibid.,20:114.

⁷ Ibid., 88:17-20.

God standing, sitting, and lying down, who reflect on the creation of the heavens and earth. . .⁸

Moreover, this observation of the world around us should not be aimless but rather we should ponder and reflect on what we see. And it is only because of knowledge that man can fear Allah. Qur'an says:

Allah will exalt those who believe among you and those who have been granted knowledge to high ranks.⁹

It is only those who have knowledge among His servants that fear Allah¹⁰

These verses clearly signify the importance of the knowledge that those who are knowledgeable will be granted the favour of Allah (SWT). It is only knowledge that makes man able to recognize his creator and only knowledge helps him to fear his Lord.

The Qur'an lays great stress to use our senses to observe the world around us, thinking pondering and reflecting on what we observe, putting ideas to the test and providing witnesses to validate our conclusions. Allah says:¹¹

If you have doubts about the revelation We have sent down to Our servant, then produce a single chapter like it- enlist whatever witnesses you have other than God- if you truly [think you can].

The Qur'an reflects that one must use all methods of inquiry to come to a conclusion and decisions and all aspects of life must not be based on superstitions and hearsay. If man follows anything or acts, without having knowledge of it, he is accountable before his Lord on the Day of Judgment.¹²

⁸ Ibid., 3:190-191.

⁹ Ibid., 58:11.

¹⁰ Ibid., 35:28

¹¹ Ibid., 2:23.

¹² Ibid., 17:36.

And pursue not that of which you do not know; for every act of hearing, or of seeing or of (feeling in) the heart will be inquired into (on the Day of Reckoning).

Some Great Muslim Scientists and Their Contribution:

During the golden period of Umayyads of Cordova and Abbasids of Baghdad, science developed and made tremendous contributions to inventions and discoveries. Islamic scientific achievements encompassed a wide range of subject areas, especially astronomy, mathematics, medicine, alchemy, geography, botany, zoology, physics, pharmacology, and cartography. Medieval Islamic science had practical purposes as well as the goal of understanding. For example, astronomy was useful for determining the Qibla, the direction in which to pray, botany had practical application in agriculture, as in the works of ibn Bassal and ibn al 'Awwam, and geography enabled Abu Zayd al Balkhi to make accurate maps. Mathematicians such as al Khwarizmi, Avicenna and Jamshid al Kashi developed methods in algebra, geometry and trigonometry. Doctors described diseases like smallpox and measles and challenged classical Greek medical theories. Al Biruni, Avicenna and others described the preparation of hundreds of drugs made from medicinal plants and chemical compounds. Physicists studied optics and mechanics as well as astronomy and criticized Aristotle's view of motion.

Jabir ibn Hayyan (8th-9th centuries), known in the West as 'Geber the Wise', is renowned in the Muslim world as the founder of alchemy.¹³ He described laboratory techniques and experimented with methods that would continue to be used when alchemy had transformed into chemistry. He recognized and stated the importance of experiments in chemistry.¹⁴ He identified many substances including sulphuric and nitric acids, and described processes like sublimation, reduction, and distillation.

¹³ John Freely, *Aladdin's Lamp: How Greek Science Came to Europe Through the Islamic World*, Vintage Books, New York, 2009, p. 74.

¹⁴ M. Saud, *Islam and Evolution of Science*, Adam Publishers and Distributors, New Delhi, 2003, p. 61.

Developing the science of astronomy and cosmology, Al Battani (850-922) accurately determined the first appearance of the new moon, the length of the Tropic and Sidereal year, the obliquity of the ecliptic, the lunar anomalies, and the parallaxes etc.¹⁵ Some of his astronomic tables were later used by Copernicus. Copernicus has mentioned the contribution of some Arabic astronomers like al Battani, al Bitruji, al Zarqali, Ibn Rushd, and Thabit ibn Qurra in his *De Revolutionibus*.¹⁶ Al Zarqali (1028-1087) developed a more accurate astrolabe, used for centuries afterwards. He discovered that the sun's apogee moves slowly relative to the fixed stars, and obtained a good estimate of its motion for its rate of change. He explained the construction of the trigonometrical tables.¹⁷ Nasir al Din al Tusi (1201-1274) wrote *Tehrir Kitab al Manazir*, a commentary of Ibn al Haytham's book¹⁸ and developed trigonometry as a separate field, and compiled the most accurate astronomical tables available up to that time.

The study of the natural world extended to a detailed examination of plants. The work done was directly useful in the unprecedented growth of pharmacology across the Islamic world. Al Dinawari popularized botany in the Islamic world with his six volumes *Kitab al Nabat* (Book of Plants). He described everything about plants minutely.¹⁹ Zakariya al Qazwini's thirteenth-century encyclopedia, *Ajaib al Makhluqat* (The Wonders of Creation) contained, among many other topics, both realistic botany and fantastic accounts. The use and cultivation of plants were documented in the 11th century by Muhammad bin Ibrahim ibn Bassal of Toledo in his book *Diwan al Filaha* (The Court of Agriculture), and Ibn al 'Awwam al Ishbili of Seville in his 12th-century book, *Kitab al Filaha* (Treatise on Agriculture). Ibn Bassal had travelled widely across the Islamic world, returning with a detailed knowledge of agronomy. His practical and systematic book describes over 180 plants and how to propagate and care for them. It covered leaf and root

¹⁵ Ibid., p. 51.

¹⁶ John Freely, *Aladdin's Lamp*, p. 189.

¹⁷ M. Saud, *Islam and Evolution of Science*, p. 29.

¹⁸ Ibid., p. 41.

¹⁹ Ibid., p. 97.

vegetables, herbs, spices, and trees. Abu al Khayr described in minute detail how olive trees should be grown, grafted, treated for disease, and harvested. He gave similar details for crops such as cotton.

The swift spread of Islam across West Asia and North Africa encouraged an unprecedented growth in trade and travel by land and sea as far away as Southeast Asia, China, much of Africa, Scandinavia, and even Iceland. Geographers worked to create increasingly accurate maps of the known world, starting from many existing but fragmentary sources. Abu Zayd al Balkhi (850-934), founder of the Balkhi School of Cartography in Baghdad, wrote an atlas called, *Suwar al Aqalim* (Figures of the Regions). Al Biruni (973-1048) measured the radius of the earth using a new method. It involved observing the height of a mountain at Nandana (now in Pakistan). In his *Kitab al-Hind*, he gives descriptions of the Himalayas, people, rivers and various other things of the Indian subcontinent. Al Idrisi (1100-1166) created a map of the world for Roger, the Norman King of Sicily. He also wrote the Book of Roger, a geographic study of the peoples, climates, resources, and industries of the whole of the world known at that time. The *Masalik al Mamalik* of al Istakhri contains a coloured map for each country. Yaqut Hamavi in his *Mujam al Buldan* gives the description of different countries known at that time.²⁰ Ibn Khurdadbeh determined the latitudes and longitudes of various places in the Muslim world.²¹

Muslim mathematicians gathered, organized and clarified the mathematics they inherited from ancient Egypt, Greece, India, Mesopotamia and Persia, and went on to make innovations of their own. Ancient Greek works such as Ptolemy's *Almagest* and Euclid's *Elements* were translated into Arabic by the second half of the ninth century. Al Khwarizmi (8th-9th centuries), considered the greatest mathematician of Islamic civilization, was instrumental in the adoption of the Indian numbering system. He developed algebra, which also had Indian antecedents, introduced

²⁰ Ibid., p. 105.

²¹ Ibid., p. 10.

methods of simplifying equations, and used Euclidean geometry in his proofs. He named his book as *Kitab al Jabrwal Muqabalah*.²² Ibn Ishaq al Kindi (801-873) worked on cryptography for the caliphate. Avicenna (980-1037) contributed to mathematical techniques such as ‘casting out nines’. Thabit ibn Qurra (835-901) calculated the solution to a chessboard problem involving an exponential series. Al Farabi (870-950) attempted to describe, geometrically, the repeating patterns popular in Islamic decorative motifs in his book *Spiritual Crafts and Natural Secrets in the Details of Geometrical Figures*. Umar Khayyam (1048-1131), known in the West as a poet, calculated the length of the year to within 5 decimal places. He found geometric solutions to all 13 forms of cubic equations. While al-Khwarizmi deals only with quadratics, Umar al-Khayyam mostly discusses cubic equations.²³ Jamshid al Kashi (1380-1429) is credited with several theorems of trigonometry including the law of cosines, also known as Al Kashi’s Theorem. He is often credited with the invention of decimal fractions, and a method like Horner’s to calculate roots. He calculated π correct to 17 significant figures.

Keeping into consideration the rulings of Islam on good health and hygiene, Muslims paid careful attention to medicine. The physicians inherited knowledge and traditional medical beliefs from the civilizations of classical Greece, Rome, Syria, Persia, and India. These included the writings of Hippocrates and Galen. Al Razi (854-925), the author of *Al Hawi*, identified and differentiated between smallpox and measles,²⁴ and recognized that fever was a part of the body’s defence. He is indisputably held as the great Muslim physician.²⁵ Al Zahrawi (936-1013) was a surgeon, whose most important surviving work is referred to as *Al Tasrif*. It is a 30-volume set mainly discussing medical symptoms, treatments, and pharmacology. The last volume,

²² Ibid., p. 21.

²³ Ibid., p. 28.

²⁴ Ibid., p. 75.

²⁵ Dr. Muhammad R. Mirza and Muhammad Iqbal Siddiqi, *Muslim Contribution to Science*, Kazi Publications, Lahore, Pakistan, 1986, p. 10.

on surgery, describes surgical instruments, supplies, and pioneering procedures. Great European historians admit that Europe owes her primary advancement in surgery to al Zahrawi's *Kitab al Tasrif*.²⁶ Ibn Sena (Avicenna), wrote the major medical textbook, *The Canon of Medicine*, which formed half of the medical curriculum of the European universities in the latter part of the 15th century and continued as a textbook up to 1950 in the universities of Montpellier and Louvain.²⁷ Ibn al Nafis (1213-1288) wrote an influential book on medicine; it is believed to have replaced Avicenna's *Canon* in the Islamic world. He wrote commentaries on Galen and Avicenna's works. One of these commentaries, discovered in 1924, described the circulation of blood through the lungs. It is worth mentioning that Muslim Cordova, during the Middle Ages, was the favorite resort of Europeans for surgical operations.²⁸

The science of optics developed rapidly in this period. By the ninth century, there were works on physiological, geometrical, and physical optics. Topics covered, included mirror reflection. Hunayn ibn Ishaq (809-873) wrote the book *Ten Treatises on the Eye*; this was influential in the West until the 17th century. Abbas ibn Firnas (810-887) developed lenses for magnification and improvement of vision. Ibn Sahl (940-1000) discovered the law of refraction known as Snell's law.²⁹ He used the law to produce the first aspheric lenses that focused light without geometric aberrations. Ibn al Haytham (965-1040) rejected the Greek ideas about vision, whether the Aristotelian tradition that held that the form of the perceived object entered the eye (but not its matter), or that of Euclid and Ptolemy that held the eye emitted a ray. Al Haytham in his book, *Kitab al Manazir* (The Book of Optics) changed the traditional view by putting forward the theory that objects are seen by rays passing from them towards the eye and not by the opposite process.³⁰ He suggested that light

²⁶ M. Saud, *Islam and Evolution of Science*, p. 14.

²⁷ Ibid., pp. 13-14.

²⁸ Dr. Muhammad R. Mirza, *Muslim Contribution to Science*, p. 11.

²⁹ John Freely, *Islam and Evolution of Science*, p. 99.

³⁰ M. Saud, *Islam and Evolution of Science*, p. 39.

was reflected from different surfaces in different directions, thus causing objects to look different.³¹ *The Book of Optics*, according to George Sarton, exerted a great influence on European scientists from Roger Bacon to Kepler, i.e. for about 600 years.³² The invention of camera obscura is also credited to Ibn Haytham.³³

Advances in botany and chemistry in the Islamic world encouraged developments in pharmacology. Muhammad ibn Zakariya Razi (Rhazes) (865-915) promoted the medical uses of chemical compounds. Abu al Qasim al Zahrawi (Abulcasis) (936-1013) pioneered the preparation of medicines by sublimation and distillation. Sabir ibn Sahl (d 869) was the first physician to describe a large variety of drugs and remedies for ailments. Al Biruni wrote *Kitab al Saydalah* (the book of drugs), describing in detail the properties of drugs, the role of pharmacy and the duties of the pharmacist. Ibn Sina described 700 preparations, their properties, and mode of action and their indications. One of the most important botanists was Ibn' Ali al Suri. He was the greatest authority on simple drugs, the variety of their names, their properties and uses.³⁴

The fields of physics studied in this period, apart from optics and astronomy which are described separately, are aspects of mechanics, statics, dynamics, kinematics, and motion. In the eleventh century, Ibn Sena adopted the idea that a moving object has a force that is dissipated by external agents like air resistance. He distinguished between 'force' and 'inclination' (mayl); he claimed that an object gained mayl when the object is in opposition to its natural motion. He concluded that continuation of motion depends on the inclination that is transferred to the object and that the object remains in motion until the mayl is spent. He also claimed that a projectile in a vacuum would not stop unless it is acted upon. That view is consistent with the first law of motion of Newton on inertia. Abul Barakat al Baghdadi (1080-

³¹ Ahmad Dallal, *Islam, Science, and the Challenge of History*, Yale University, 2010, pp. 38-39.

³² M. Saud, *Islam and Evolution of Science*, p. 14.

³³ John Freely, *Aladdin's Lamp*, p. 160.

³⁴ M. Saud, *Islam and Evolution of Science*, p. 96.

1164) disagreeing with Aristotle's theory of motion, argues that velocity and acceleration are two different things, and that force is proportional to acceleration, not to velocity.³⁵ Ibn Bajjah (Avempace 1085-1138) proposed that for every force there is a reaction force. While he did not specify that these forces be equal, it was still an early version of Newton's third law of motion. The Banu Musa Brothers, Jafar, Muhammad, Ahmad and al Hasan (9th century), created automated devices described in their *Book of Ingenious Devices*.³⁶

Causes of Decline of Muslim Scientific Knowledge:

During the Middle Ages, as Islam expanded, it conquered the Persian Empire and parts of the Eastern Roman Empire. In this process, it absorbed some of the ancient world's most significant centers of learning like that of Alexandria, Antioch, Nisibis, Edessa, and Jundishapur. The Abbasid caliphs actively sponsored the translations of the works from Greek, Latin and Persian into Arabic, and were devoting huge sums to fund the work of translators and scholars in the 'House of Wisdom' in Baghdad. For four hundred years, this institution brought together scholars from all over the Muslim world and gave them the opportunity to study Arabic translations of ancient Greek and Persian works as well as the works of more recent Islamic scholars. Other centres of scholarship in the Golden Age were Cordova, in Muslim Spain, Palermo in Sicily and Cairo in Egypt. Scholars in these centres were motivated by the Islamic jurisprudential concept known as *ijtihad* – the diligent, independent analysis of an issue based on thorough knowledge, structured process, and logic. This had its origins in the study of the Qur'an and questions of jurisprudence arising from it, but it also gave rise to a rigorous openness to exploring new ideas in other

³⁵ Shlomo Pines, *Studies in Arabic Versions of Greek Texts and in Medieval Science*, Brill Publishers, 1986, p. 203.

³⁶ David Lindberg, *Science in the Middle Ages*, The University of Chicago, 1978, pp. 23, 56.

disciplines and to a tendency to do so in a structured and logical way.

The decline of Muslim science came when the Islamic world was more fractured and under severe pressure from both East and West. From the West, from the eleventh century onwards, a newly invigorated medieval Christian Europe was beginning to expand. The Crusades established Christian kingdoms in the Levant for around 200 years, but more significant was the Christian re-conquest first of Sicily and then of Spain. In both places, former Islamic centers of learning fell to Christian rulers and were lost to the Islamic world. This helped in Christian Europe, with far-reaching consequences for European intellectual history. The loss of scholarly centres like Toledo was a blow to Muslim scholarship. In the east, the Islamic world came under severe pressure from the Mongols, who pressed as far west as the borders of Egypt before finally being defeated and beaten back. The trail of destruction they left behind was significant and their conquest and sack of Baghdad saw the end of the 'House of Wisdom' and the burning of its huge library.

Further, the philosophical changes in the Islamic world meant attitudes to free inquiry began to shift, which had some effect on the study of the sciences. As time went on, the *ijtihad* approach to the study of the Qur'an and legal issues began to be replaced by a less open and more traditional position. The new attitude was that all the important questions had been settled and all that was now required was to follow the set precedents and traditional answers. This situation of imitation *taqlid* represented a more rigid and conservative approach to analysis. Just as it is thought *ijtihad* helped drive an open and free way of inquiring about the world of science, it is thought that the intellectual shift to *taqlid* saw a decline in that kind of inquiry. The fall of scholarly centres to Christian forces meant that the scholarship in these places found its way into the Christian sphere- accelerating the Christian 'translation movement' that led to a flood of lost Greek works and new Arabic works into medieval Europe. All these happenings resulted in the decline of scholarship in the Islamic world, and simultaneously it was taking on a new and highly vigorous

form in medieval Europe. This was to lay the foundations, both intellectual and institutional, of the dominance of European thinkers for the next several centuries.

Conclusion: The revelation of the Qur'an to Prophet Muhammad (SAAS), brought with it a philosophy of inquiry, analysis and deeper understanding of all the creation of Allah. The empiricism in modern natural and social sciences is a known reality of Quranic epistemology. The Qur'an has announced this maxim clearly. It clearly reflects that one must use all methods of inquiry to come to a conclusion and decisions and all aspects of life must not be based on superstitions and hearsay. The Qur'an not only supports and strengthens modern science in all its essential aspects but has actually founded it and has given it its present direction. It was the Qur'an that brought not only Muslims, but non-Muslims also, out of ignorance and kindled in them a ray of deeper analysis, understanding, and inquiry to explore the truth behind everything. Qur'an commands to use one's senses properly in order to understand the mysteries of the creation. These mysteries when revealed help man to testify that there is no God but Allah. He is the Lord of the world and the world hereafter. The Quranic verses dealing with earth, sky, seas, mountains, day and night, animals, water cycle, the big bang, embryo, and other things and phenomena, clearly reveal that man has to inquire, analyze and ponder on the things so that he will be able to pronounce "O our Lord, You did not create this aimlessly".

Integration of Rishi Order in Orthodox Sufism: A Study in Causation

Sajad Ahmad Darzi

Abstract: *The avowed aloofness of Rishis from worldly affairs and their unflinching belongingness to the common masses had made them saviours of people, especially the peasantry. Rishis avoided formal learning, scorned conventional and ostentatious ceremonial piety and upheld the old brand of indigenous mysticism. They gave up the home and hearth and subsisted on less preferred foods like kale, mellow and dandelion. They were strict vegetarians who avoided garlic and onions. From the 14th to 16th century, the Rishi movement remained quite strong and was gradually subsumed by orthodox Sufi orders like Suharwardis. The grand communion entailed a process of compromise on both sides. The Rishis acknowledged supremacy of Sunnah and Suharwardi saints acknowledged the astounding virtues of Rishis. The present paper is a humble attempt towards understanding the synthesis of the different strands of mysticism in medieval Kashmir*

Introduction: The emergence of the Rishi movement in medieval Kashmir bears witness to the gradual transition of Kashmir to Islam. The retention of the very title “Rishi” undisputedly had pre-Islamic appellation indicates a strong primordial affiliation of the movement. The emergence of the Rishi movement was facilitated by strong historical forces and it was in a definite historical context in which Rishi emerged as the champion of the plebian classes. The relevance and propensity of the Rishi order was made prominent by the invocation of the old surviving Rishi title itself, retention of local customs, celebration of piety, abstention from violence, abdication of non-vegetarian diet, retention of names that were common and mostly derived from old traditions like *Sangram, Ladimal, Shanki, Roopi, Neki, Gangi* etc. Identification with commoners especially with peasants, attribution of miracles befitting the common fancy and preaching the ideas in vernacular medium, especially Verse, suppression of desires and celebration of contentment gave

Rishi order an exclusive mass appeal. However, the most important principle that almost all the elder class of Rishis during the 14th and 15th centuries cherished and held pivotal for spiritual progress was avoiding any state patronage and keeping away from the state functionaries. Thus, Sheikh Noor ud Din and his illustrious disciple successors avoided any proximity with the echelons of power. The acrimony between Zain-ud-Din Rishi and Sultan Zain-ul-Abdin is too well known; similarly, the debate between Baba Bamudin and Sultan Ali Shah is a point in the case where Baba even declined to give the Sultan any advice.

In tune with this approach, Rishis were always sceptical of the *Ulema* who traded their knowledge for wealth, name and fame and had lesions with ruling classes. The renunciation of worldly desires prompted most of the Rishis to leave their home and hearth. The Muslim Rishis hardly bothered about their subsistence, had unflinching faith in God as a provider, and, therefore, avoided getting into the trouble of earning a livelihood. Thus, Sheikh Noor-ud-Din is said to have told his mother when asked how he proposed to support his family, "Bread is provided by God, and trades and professions are means of getting it. A slave of God should worship him caring nothing for food and drink."¹ The *khulfa* of Sheikh-ul- Alam who became a vanguard of the Rishi movement solemnly followed the ideas adumbrated and followed by Sheikh hence refusing to moisten their palms with any State support. They gave more importance to meditation and cultivation of mind, therefore hardly bothered about their sustenance, and hence did not take to any vocation. Rishis' exclusive stress on fasting is the index of this ideology. They mostly subsisted upon wild vegetables like *Vopal Haakh*, *Haend*, and *Saag* even at times they refused to eat green herbs for these had life². One of the Rishis by the name of Sati Rishi used to mostly subsist on pine pitch (*Kilam*). The classical description of Rishi is offered by Abul Fazl who writes:³

¹ Rafiqi Abdul Qaiyum, *Sufism in Kashmir, Fourteen to Sixteen Century*, Good Word Media, Sydney, 2003, p. 180.

² Ibid., pp. 200-201.

³ Allami Abul Fazal, *Ain-e-Akbari*, Translated by H.S. Jarret, New Taj Office Delhi, 1989, Vol. III, p. 355.

The most respectable class in this country are the Brahmans (Sic) (Rishis) who notwithstanding their need for freedom from the bonds of tradition and custom are true worshippers of God. They do not loosen the tongue of calumny against those, not of their faith nor beg nor importune. They employ themselves in planting fruit trees and are generally a source of benefit for the people. They abstain from flesh, and meat and do not marry. There are about two thousand of them.

The expansion of the Rishi order over three centuries certainly entailed its metamorphoses. The *khulfa* of Sheikh-ul-Alam enrolled disciples from varied fields of life including state officials like *Baba Rajab-ud-Din* whose brothers were intimate companions of the ruler of time⁴. Thus, the Rishi movement was passed on to younger Rishis who though like their predecessors were strict in the observance of the Rishi code like unworldliness and celibacy, but modified their way of life by relying on hard manual labour. The advanced carders of Rishis began to take to agriculture, thus *Nuri Rishi* along with his disciples took to cultivation. *Baba Hardi Rishi* advocated cultivation and eking out life by hard agriculture labour⁵. The Rishis began to assume an agrarian character. So great was the emphasis of the Rishis on combining ascetic way of life with agricultural labour that they put novices on trial by directing them to do hard labour to atone for their past sins⁶. The social affiliations of Rishis widened and they began to accept food offered by the faithful and even accepted gifts of cultivable land for the benefit of society at large.⁷ The unrelenting criticism of formalist *Ulema* and Rishis ignorance of esoteric Islamic knowledge created a rift between them and the *Shariah*-conscious Sufis. Sensing the importance of Rishis and their exemplary piety clubbed with their mass appeal the Suharwardi Sufis made overtures to

⁴ Rafiqi, *Sufism in Kashmir*, p. 207.

⁵ Ibid., p. 212.

⁶ Mohammad Ishaq Khan, *Kashmiris Transition to Islam, Role of Muslim Rishis, The Role of Muslim Rishis*, Manohar Publications, New Delhi, 1994, p. 231.

⁷ Rafiqi, *Sufism in Kashmir*, p. 213.

integrate them within the framework of conventional Sufi Islam. To precede in this venture the stalwart of the Suharwardi order Sheikh Hamza Makhdum adopted a more conciliatory approach. He made a pilgrimage to the mausoleums of Sheikh Noor-ud-Din at Chare Sharif, Baba Zain-ud-Din at *Ashmuqam* and Baba Latif-ud-Din at *Ushkar*. He also directed his younger brother Baba Ali Raina to visit the mausoleum of Sheikh-ul-Alam at Charar-e-Sharif, where he had a vision of Sheikh who asked him to give some money to the poor *Mujavirs* of his shrine.⁸ To take the mission further Sheikh Hamza Makhdum went to meet Hard Rishi who was most leading Rishi of his time at Anantanag. As Hard Rishi was an *Owasi* and he was following his spiritual preceptors who had already physically left the world and became Makhdum's disciple on the divine command⁹, the following lines make it amply clear:

*Bood Baba Hardi Rishi tabe piraan e gaib
Ba hama sahab akhiraz tabiatash afkhar shud ast.*¹⁰

Trans.

Baba Hardi Rishi was a follower of *piran e gaib* (The concealed preceptors) lastly he accepted the discipleship of Sheikh Hamzah Makhdum with pride.

The Suharwardi hagiographer Baba Dawood Khakhi showers heaps of praises on Hard Rishi as he says:

*Moomini ahle silah wa aarife billah bood
Doostdare Mustaf^(s.a.w) chahar yaro wa aal.*¹¹

Trans.

He was the real Moomin of Concord and a friend of God.

True lover of prophet Mustafa^(s.a.w), his companions and his progeny.

⁸ Khan, *Kashmiris Transition to Islam*, p. 146.

⁹ See Khaki Baba Dawood, *Dastur ul Salikeen* Sharah Wirdul Murdeen, Gulshan Publishers, Srinagar, 2001, p. 487.

¹⁰ Ibid.

¹¹ For full text, see *Qasiah Lamia*, RPD, Srinagar, Accession Number 822.

Not only Shurwardis but Rishis were highly praised by Kubravi sufis like Khawaja Habibullah Naushahri¹² and even by stricter Naqshbandis.¹³

To confirm his discipleship and signify Rishi's integration with *the Shariah*-conscious Suharwardi order, Hardi Rishi for the only time in his life tasted meat.¹⁴ Similarly, Baba Zain Rishi and Baba Shaikh Bahadur who were astute Rishis were brought into the Suharwardi fold.¹⁵ These meetings and conversions had a greater significance for the integration of the Rishi order into conventional Sufism, but it was not Sufi triumph over Rishis as prominent historian Mohammad Ishaq Khan rightly holds:¹⁶

The emphatic attitude of the celebrated Suharwardi Saint towards Hardi Rishi gave a flip to both Rishis and Suharwardis for perfecting the process of Islamic acculturation of masses with the bonds spiritual and legal structure of Islam . . .

Moreover, the purpose behind Hamza Makdumi's meaningful meeting with Hardi Rishi was not only to confirm the supremacy of Sunna's Sufism but it was also to legitimize the social behaviour of Rishi, which though in consonance with local conditions did not amount to flagrant violation of Sunna.

Even Suharwardi stalwart Baba Dawood Khaki had a compassionate view of extreme piety and penance of Rishis which in orthodox and esoteric Islam might have been labeled as deviation or innovation (*Bidat*) as he says:

*Dar Shariat e Moomina har bidat I mazmom niest:
Chun ba beeni bidati mandooba husno manal.*¹⁷

Trans.

¹² Khan, *Kashmiris transition to Islam*, p. 161.

¹³ Ibid.

¹⁴ See *Qasidah Lamia* RPD. Srinagar Acc. 1822. Also *Hardi Rishi*, Idarah Sultania, Srinagar, pp. 55-60.

¹⁵ Tulmuli Baba Haider, *Hidayat ul Mmukhliseen*, translated by Moulana Ghulam Rasool Farouqi as *Taj ul Arifeen*, Global Booksellers, Srinagar, 2004, pp. 325-26.

¹⁶ Khan, *Kashmiris transition to Islam*, p. 148.

¹⁷ Khaki Baba Dawood, *Qaida Lamia*, RPD Srinagar, Acc. no 1882, Folio 12.

In the *Sharia* of truth, every innovation is not bad per se.
If it is seen with the spirit of goodness and faith of course!

The intellectual and spiritual communion of Rishi and Suharwardi's paved the way for the integration of two strands of the mystic tradition of Islam. Thus *Rishis* joined the Suharwardi, mission of spreading Islam both in mystic and formalist representation. Hence we find Baba Nasib-ud-Din Ghazi who himself even did not touch the money accepting it for the benefit of people as it was expensed for charitable purposes including repair of Mosques, Public baths and toilets¹⁸. Hard labour in agricultural pursuit combined with the concern for the poor and needy was in Baba Nasib's estimation the prime virtue of true Rishi¹⁹. The political conquest of Kashmir by Mughal in 1586 C E necessitated the placation of public sentiment and the invocation of mass support for its consolidation. Thus Mughal emperor forbade any activity that would in any way prop trouble for the nascent territory. The country that was fraught with sectarian strife was stabilized. The exploitations like unpaid forced labour was put to a stop. When Akbar came to Kashmir, he cancelled *Jaziya* which was taken under Chaks on Brahmanas²⁰ after fixing annual the soldiers were forbidden to enter the villages.²¹ Even Mirza Lashkar burnt the boat on which Mughal troopers had forced the boatman to load wood²².

The Mughal chronicles tactfully avoided any reference to *Ulema* and esoteric scholars of religion from Kashmir who were part and parcel of power politics instead they chose to praise Rishis who were apolitical and believed in social services, Thus, on the ideological side Mughal authors tried to portray Rishis as ideal representatives of Kashmir as they believed in total non-violence bereft of any political

¹⁸ Ibid., p. 157.

¹⁹ Ibid., p. 159.

²⁰ Suka *Chaturtirajatarangani*, Vide Jonaraja et.al, *Jaina Rajtarangani*, Translated by Jogesh Chandra Dutt, *Kings of Kashmira*, Gian Publishers, New Delhi, Reprint, 1987, p. 421.

²¹ Ibid., p. 432.

²² Ibid.

commitment or resistance. On the practical side, the state patronized the Suharwardi order that subsumed the indigenous Rishi order, so that the society and its mystic order may be homogenized to weed out any local sentiment and integrate the region with the Empire.

Conclusion: The Rishi order continued the age-old tradition of Kashmir. To fit into common fancy Muslim Rishis gave up home and heart, non-vegetarian diet, ego and attachment to the world and above all proximity to the echelons of power. The passing of the reigns of order to younger Rishis tended to change the character of the movement. They now took to agriculture and accepted gifts of land and money though for public good only. However, this tradition was gradually subsumed by Suharwardi order. The process entailed considerable flexibility on both sides and was long drawn out. The role of the state in promoting orthodox Sufi orders like Suharwardi and Qadri is well established. The Suharwadis held proximity to the state. On one hand, the Mughal rulers and their coterie tried to project the Rishis as true representatives of Kashmiri ethos as they preferred aloofness and nonviolence; on the other hand, they patronized the orthodox Sufis who legitimized the state. The role of the state was perhaps aimed at leaving no trace of regional belonging and people were ideologically harmonized with the empire.

Transitioning Sovereignty: Customary Shifts in Dogra Rule to British Residency

Mohammad Shafi
Sajad Ahmad Rather

Abstract: *This article undertakes an examination of the intricate relationship between the colonial State and the legal development characterized by 'hybridity' within the Princely State of Jammu and Kashmir during the latter half of the nineteenth century. Addressing a notable lacuna in South Asian legal scholarship, the study endeavours to illuminate the evolutionary trajectory of law in the princely states, which, constituting one-third of the subcontinent's landmass and harbouring one-fifth of its population, has long been overlooked. Aligned with the requisites of interdisciplinary research, the article employs law as a focal lens to scrutinize diverse facets of the princely state. It aims to delineate and acknowledge the semi-colonial status of the State, wherein the legal system, particularly characterized by 'hybridity,' is shaped by both indigenous and exogenous influences. The analytical framework demonstrates the inherent flexibility, contingency, and substantial dependence on the interests of the colonial state, all while recognizing the idiosyncratic local contextual factors. Additionally, the article discerns how the relationship underwent perpetual flux, with dynamics dictated by the Maharaja and imperial overlords. The investigation unveils the malleability of the relationship, showcasing instances of clashes, negotiations, and cooperation that ultimately influenced the redirection of colonial objectives vis-à-vis the Princely State. Furthermore, the article elucidates how colonial institutions and policies emerged as outcomes of these intricate interactions, shedding light on the multifaceted nature of the historical narrative.*

Introduction: The genesis of the Princely State of Jammu and Kashmir is intrinsically linked to the expansive manoeuvres of the British in Northern India, a geopolitical transformation catalyzed by the fragmentation of the Sikh Empire under Maharaja Ranjit Singh. The pivotal moment in

this historical narrative occurred subsequent to the renowned Battle of Sobraon on February 10, 1846. The aftermath of this military engagement witnessed the British occupation of Lahore and the consequent submission of the Sikhs to the imperial forces. This pivotal juncture marked the initiation of the British influence in the region, leading to the establishment of Jammu and Kashmir as a geopolitical entity.¹ The triumph in the conflict bestowed upon the British dominion over the expanse delineated by the Sutlej and the Beas Rivers, accompanied by a demand for war indemnity amounting to one and a half crores of rupees.² This engagement, therefore, bore significant political and economic repercussions. Initially, the Treaty of Lahore was executed on the 9th of March, 1846, resulting in the British acquiring territorial control over the expanse encompassing both elevated and lowland regions between the Beas and Sutlej rivers. Additionally, the agreement vested the British with dominion over the mountainous terrain extending from the Beas to the Indus, incorporating the provinces of Kashmir and Hazara. Under these stipulations, Raja Gulab Singh was formally conferred with the honorific title of Maharaja on the 15th of March, 1846. Subsequently, the renowned Treaty of Amritsar was executed between him and the British government on an ensuing day. This treaty delineated his territorial jurisdiction over all the mountainous terrain and its associated regions situated between the Indus and the Ravi rivers, encompassing significant territories such as Kashmir, Ladakh, Gilgit, and Chamba, with the exception of Lahul. In reciprocation for this consequential transaction, Raja Gulab Singh committed to remitting a sum of 7.5 million rupees to the British government.³

The undertaking was recognized as a skilful manoeuvre in statecraft, achieving dual objectives with singular efficacy: a substantial debilitation of the Sikh Empire and the

¹ Dilip Kumar Ghose, *Kashmir in Transition*, Calcutta: The World Press, 1975, p. 1.

² Ravinderjit Kaur, *Political Awakening in Kashmir*, New Delhi: Alp Publishing House, 1996, p. 2.

³ C. U. Aitchison, *A Collection of Treaties, Engagements and Sanads*, vol. ix, (Calcutta: Foreign Office Press, 1892), p. 342.

establishment of a friendly and subservient authority along the paramount and strategically crucial frontier of the British Empire. It is pertinent to assert that the British were cognizant of the strategic significance of the region, as evidenced by the discerning observation of Sir Francis Younghusband, who noted, "It would be wrong to say that British did not know the strategic importance of the region. . . This was the reason we did not annex Kashmir." At that juncture, the Punjab had not yet been annexed, and the East India Company (hereafter EIC) in 1846 exhibited reluctance towards an assertive policy, opting not to advocate territorial expansion or annexations.⁴ Facing a formidable and assertive neighbour, the British pursued a strategic approach wherein they rewarded a figure who had displayed favourability towards their interests. This strategic manoeuvre underscores the sagacity of British policymakers, who operated with a keen awareness that practical politics often diverge from ethical canons. Along with the political and military reasons, the EICs commercial⁵ interests were also fulfilled. This treaty made a formal inauguration of the indirect rule in the state of Jammu and Kashmir and thus, the uncertain and ambiguous process – British Paramountcy and internal sovereignty was its immediate as well as long-term consequence. Indirect rule, akin to colonialism, invariably manifested as an inherently unpredictable process or phenomenon. During the pre-1947 era, a significant proportion of the entire Indian subcontinent, comprising two-fifths, did not fall under British jurisdiction, and a notable fraction, constituting two-ninths of the population, did not hold British subject status. This territorial expanse was fragmented into more than 562 distinct states, each under the governance of indigenous princes varying in rank and standing, all acknowledging allegiance to the colonial empire. The princely states⁶ exhibited considerable heterogeneity in terms of geographical

⁴ After the end of the Revolt of 1857, the British Government passed the Government of India Act 1858, which abolished EIC and its rule in India and transferred the same to the British crown.

⁵ 7.5 million for the Treaty of Amritsar.

⁶ The terms 'princely state', 'native state', 'Kashmir' and 'Valley' have been used interchangeably throughout this article.

expanse, demographic composition, cultural characteristics, and notably, their fiscal contributions in the form of tribute or revenue. On an individual basis, these states showcased a broad spectrum ranging from the distinctive and expansive state of Kashmir, the largest among them, encompassing an area of 84,471 square miles and a population of 3,646,243,⁷ to the diminutive Kathiawar state of Veja (Veja-No-Ness) covering approximately 0.79 square miles with a population of 184 individuals.⁸

Untangling Myth and Reality: Reassessing the Cat and Lion Nexus

The princely state of Jammu and Kashmir, under British suzerainty, held the distinction of being the largest among such states. It ranked third in terms of population and held the designation of a 21-gun salute state. However, the elevated “ritual status” bestowed upon Jammu and Kashmir offered limited compensation, considering the substantial financial contributions made by this princely state to the overall revenue collected by the Government of India (hereafter referred to as GOI) from the Indian States.⁹ This financial commitment was accompanied by the substantial services rendered by the first two maharajas.¹⁰ Notwithstanding centuries of foreign rule in Kashmir, the Dogra dominion stands out as distinctive due to the nuanced circumstance wherein the Dogras themselves served as vassals to a more formidable entity—the British colonialists.¹¹ Predictably, the inhabitants of the state found themselves

⁷ *Census of India*, vol. XXIV, Jammu and Kashmir State, 1931.

⁸ Wikipedia.org

⁹ Sir Concord Corfield, *The Princely India I Knew from Reading to Mountbatten*, Madras: George Thomas India British Historical Society, 1975, p. 196.

¹⁰ The role played by Maharaja Gulab Singh during the battle of *Sobraon* (1846) and Maharaja Ranbir Singh during the Revolt of 1857 by sending his troops, and remains loyal throughout.

¹¹ Article X of the *Treaty of Amritsar* (1846), ‘maharaja Gulab Singh acknowledges the supremacy of the British Government, and will in token of such supremacy present annually to the British Government one horse, twelve perfect shawl goats of approved breed (six male and six female), and three pairs of *Cashmere* shawls’.

obligated to express and sustain their loyalty to two authorities—the Dogras and the British—a phenomenon characterized by Altaf Hussain Para as ‘double imperialism.’¹² Within this context, the public sphere and civil society of the state-operated under the purview of indigenous institutions,¹³ subject to the discretion of the reigning Maharaja. Concurrently, it is imperative to acknowledge that the State was compelled to conform to the order imposed by British India, a paradigm often associated with modernity.¹⁴ These dynamics facilitate the conceptualization of the public realm as positioned beyond the confines of the State, consequently relegating the native locality to the domain of private affairs. These divergent strands engaged in competition during the latter half of the nineteenth century, particularly in the representations of the princely state within the realms of political and administrative discourse.¹⁵ The distinctive nature of the Princely State found expression through hierarchical manoeuvres, alternately horizontal and vertical, orchestrated by the two principal actors—the British state and the reigning Maharaja, until the concluding decade of the nineteenth century. Entangled in divergent political agendas, both entities exhibited apparent paradoxes, leading to a competitive dynamic wherein each sought to overshadow the influence of the other. Regrettably, the primary casualties in

¹² Altaf Hussain Para, *The Making of Modern Kashmir*, London: Routledge, 2019, p. 12.

¹³ If the state witnessed any issue internally that might pose a threat to the imperial order, it was the native prince who stood responsible not only for any kind of untoward but had to use his own machinery to pacify things.

¹⁴ The colonial construction of India was essentially backward and uncivilized. In this process, the inferiority of India determined the superiority or even modernity of Western notions that were used to sustain ideological rationale for colonialism. Thus, the language and structure of modernity permeated the hierarchy for princely India, so that some native states were labelled more progressive than others, which in turn strengthened the roots of colonial state, by competing with each other in adopting the institutions prevalent in British India.

¹⁵ With the establishment of the state in 1846, the Maharaja considered it as his private property and thus state witnessed an absolute monarchical rule with power most concentrated in one person—Maharaja.

this contestation were often the populace, enduring consequences beyond remediation. In ordinary parlance, the following proverb depicts the unholy union and its repercussions:¹⁶

Sumis sum gainaimatth be-sum kayamat
Like with like is a blessing, but unlike is a disaster

Divergent Trajectories: A Study of Reform and Intervention from 1846 to 1889

The historical narrative of British engagement with the princely state of Jammu and Kashmir, spanning the years 1846 to 1889, is characterized by an escalating level of involvement and interference. This trend became particularly pronounced in the aftermath of the mid-1880s, marked by the implementation of more interventionist policies. These interventions encompassed significant measures such as the appointment of British residents, the deposition of Maharaja Ranbir Singh's successor, Maharaja Pratap Singh, in 1889, the establishment of a Council, and the introduction of various administrative reforms. The reinforcement of this interventionist trajectory was influenced by ground realities, notably issues of governance, pragmatic considerations such as the perceived Russian threat, the abolition of the mixed court system, and opportunistic factors such as the prompt imposition of a Resident following Ranbir Singh's demise, along with the institutionalization of administrative systems.¹⁷ The British inclination to exert influence over the political dynamics of the strategically positioned Princely State swiftly intensified immediately following its transfer to Maharaja Gulab Singh (1846-56). Almost immediately after the conclusion of the Treaty of Amritsar (bi-nama-i-Amritsar), the ink of which had barely dried, British actions commenced contravening the stipulations of the treaty by intervening in the internal affairs of the state. This

¹⁶ J. Hinton Knowles, *A Dictionary of Kashmiri Proverbs and Sayings*, Bombay: Educational Society's Press, 1885, p. 286.

¹⁷ The Residents were transferred very quickly, Sir Oliver St. John, T. C. Plowden, Colonel R. Parry Nisbat and D. W. K. Barr were appointed in the state from 1885-1894.

intervention was prompted by grievances lodged by subjects of the Maharaja, leading to the dispatch of a mission to Srinagar under Lieutenant Reynell Taylor in 1847. The mission was tasked with investigating the complaints and proposing administrative reforms through consultation with both the Maharaja and his subjects. While Maharaja Gulab Singh extended a seemingly warm welcome to the mission, he astutely obstructed its progress, preventing the completion of its originally intended scope of work.¹⁸

The Maharaja's failure to fulfil his obligations prompted British intervention to address the severe misrule. In this context, Lord Hardinge conveyed on January 7, 1848, to the Maharaja of Kashmir that there existed no imperative "to force the people to submit to a ruler who has deprived himself of their allegiance by his misconduct."¹⁹ The narrative progressed in 1852 when the Government of India (GOI) suggested the appointment of an "Officer on Special Duty in Kashmir," ostensibly designated to safeguard the interests of European travellers who frequently visited the Valley.²⁰ In actuality, the underlying objective was to closely monitor the activities of the Maharaja and his administrative officials under the guise of ostensibly overseeing the welfare of European travellers.²¹ Nevertheless, the Maharaja rejected the aforementioned proposal, deeming it a breach of the treaty. However, the British persisted in their determination to

¹⁸ Following the instructions of the British Government, Taylor called a general *darbar* in the heart of the city (Srinagar) *Maisumaground* and in a very loud voice inquired "O you, the people of Kashmir are you happy with the Maharajas rule or not? Some of the people who were tutored by Pandit Raj Kak Dhār, shouted back "Yes, we are" and finally Taylor *Sahib* went back to *Hindustan* with a disgusted heart. See also Hasan Shah Khoihami, *Tarikh-i-Hasan*, vol.ii, p. 632

¹⁹ Sir William Lee-Warner, *The Native States of India*, London: Macmillan and Co., 1910, p. 302

²⁰ Ravinderjit Kaur, *Political Awakening in Kashmir*, p. 8

²¹ Ghulam Mohi ud-din Gazi, *Development of the legislature in Jammu and Kashmir*, Type-script in History Department Library, Kashmir University, 1970, p. 3

appoint the Officer on Special Duty, compelling the Maharaja to reluctantly acquiesce to the proposal.²²

Driven by the conviction that the stability of their government in the colony hinges upon the contentment and safeguarding of the native population, the British initiated a restrained form of intervention. This principle held true in the context of the Princely State of Jammu and Kashmir as well. Commencing from 1856, the Government of India (GOI) assumed jurisdiction over European visitors to the state. Additionally, the Officer on Special Duty, referred to as the British representative until 1872, wielded authority to intervene in instances where public decency was transgressed, or the laws and customs of the region were violated by European individuals.²³ In 1872, the incumbent was officially designated as the 'Political Agent' and 'Justice of Peace,' with a principal responsibility for safeguarding the interests of European visitors in the state. Furthermore, the British authorities entrusted the individual with the exercise of first-class magisterial powers, adjudicating both civil and criminal cases involving Europeans and subjects of the Maharaja. Mixed courts were subsequently instituted under the jurisdiction of the Officer on Special Duty in the princely state.²⁴

Given that stability constituted the essence of the indirect rule system, both British political officers and the Maharaja found themselves compelled to engage in compromises more frequently than not in order to sustain this *modus operandi*. A comparable diplomatic approach was observed on the part of Argyll concerning the appointment of a resident to the court of the Maharaja of Kashmir. This measure faced vehement opposition from the Maharaja, contending that his 'treaty' exempted him from such supervisory arrangements.²⁵ Nevertheless, the Maharaja

²² Ghulam Mohi uddin Gazi, *Development of Legislature in Jammu and Kashmir*, pp. 3-4

²³ File no.89-97-EA/1891, year May 1891, National Archives of India (hereafter NAI)

²⁴ File no. 374-377-PA/1872, year October 1872, N.A.I.

²⁵ Caroline Keen, *Princely India and the British, Political Development and the operation of Empire*, London: I.B.Tauris, 2012, P. 134

remained unaware of the imperial policy wherein treaties, Sanads, and other legal-political documents coexisted with what imperial administrators termed as 'Usage' or 'Political' practice. Paramountcy, characterized by flexibility, was fundamentally a political and administrative reality unbound by strict legal constraints.²⁶ Despite the deterioration of the situation within the State, particularly from 1870 onward, the trajectory of future endeavours was shaped not only by imperial policy but also by the distinct characteristics of individual Viceroys. In the midst of these challenging circumstances, Lord Lytton exhibited limited prowess in identifying a more acceptable method of disciplining Ranbir Singh without inevitably progressing towards annexation. In his report to the Secretary of State, Lord Cranbrook, in July 1879, Lytton conveyed the persistent pressures exerted by the Punjab Government,²⁷ and public opinion in British India to understand the management of horrible famine in Kashmir;²⁸ he was unwilling to intervene and to stop the 'wholesale corruption and terrible depopulation'. As the Viceroy described:

This I have declined to do, partly because the famine is too far gone to be successfully treated by any system or at any cost, but mainly because such an

²⁶ Sunil Purushotham, *From Raj to Republic*, Sovereignty, Violence and Democracy in India, California: Stanford University Press, 2021, pp.12-13

²⁷ The pressure was from Punjab particularly because up to 1877, the affairs of the state with the GOI were conducted through the Punjab Government, but in that year GOI took over direct control of the state. All those efforts were well thought out and were designed so to break the grip and sovereignty of the Maharaja of Kashmir over his own territory.

²⁸ The horrific description of Famine goes like this 'No European who carefully examined the city this summer (1879) with a view of guessing its population ever puts the people at over 60,000 souls, but nothing can be exactly said. A number of the chief valleys to the north were entirely deserted; whole villages lay in ruins; some suburbs of the city were tenantless; the city itself was half destroyed; the graveyards were filled to overflowing; the river had been full of corpses thrown into it. It seems true that more than two-fifths of the people of Kashmir now survive'. For details see Mr Henvey's revised note on the famine of Kashmir, file no 86, SE/1883, sec. E March 1883, FD, N.A.I.

attempt would involve the suppression of the whole machinery, and maharaja's authority and finally the annexation of the Kashmir, after a great and useless expenditure by us. . . all native states are badly governed, according to our standard, and if we once start to interfere in the internal affairs of these states, we shall infallibly *end* by being forced to annex.²⁹

The dichotomous interplay between reform and intervention becomes more evident when examining how and why these approaches were selectively applied in response to famine and its aftermath. The princely state's connection with the imperial government initially transpired through Punjab but was relinquished in 1877. This shift appears to bear political implications, coinciding with the placement of Kashmiri Vakil Diwan Gobind Sahai at the Government of India (GOI) headquarters in Calcutta during the same year. However, this arrangement concluded in 1885 with the appointment of a permanent Resident, and the GOI asserted that no additional communication channel was deemed necessary.³⁰ This privilege extended to the Maharaja was unprecedented for any native State in contemporary times. While perceived as a privilege by the Maharaja, for the British, it represented a calculated political manoeuvre to maintain continuous oversight over the proceedings and events within the Maharaja's Darbar.

The impact of the forty years of treaty relations was eventually brought to a conclusion, and it was in the mid-1880s that the Government of India (GOI) replaced the Officer on Special Duty in Kashmir with a Resident, bestowed with equivalent position and responsibilities akin to political Residents in other native States engaged in a subordinate alliance with the British Government.³¹ The Resident according to Mridu Rai was to act as a watchdog on behalf not only of the British government but also of the 'people at

²⁹ Lytton to Cranbrook, 8 Feb. 1879, quoted in Keen: *Princely India and The British*, p. 144

³⁰ File no. 423-428, 1886/SE, year July 1886, FD, NAI.

³¹ NAI, FD, 1886, Feb. sec. E, no.11.

large' in Kashmir, who were to see in his appointment an era of reforms.³² The State-building initiative, marked by the appointment of a Resident in the State, served as an essential precursor to the initiation and implementation of comprehensive reforms in the final decade of the nineteenth century. These reforms encompassed the implementation of a more lenient assessment of revenue, preferably in cash, the elimination of tax farming, the discontinuation of State monopolies, and the thorough revision of existing taxes and dues—especially transit dues and various levies on trades and professions. Furthermore, the reforms included the appointment of esteemed officials with a consistent salary structure, the reorganization, and punctual payment of the army, the establishment of meticulous financial oversight, enhancements to the judicial system, the construction of adequate roads, and the elimination of all restrictions on immigration.³³ Would a ruler of Kashmir, even with the best will in the world, ever come close enough to fulfilling it to satisfy a demanding suzerain?³⁴ The unfolding of time and the imperatives set by the colonial foreign policy would be instrumental in revealing the trajectory ahead. However, it is conspicuously evident that the system of indirect rule was undergoing a discernible shift towards a less indirect form. This transformation was attributed to the mounting interests of the British State in the internal affairs of the northernmost Princely State in British India. The imperative of rectifying decades of perceived 'misrule' within the princely state of Jammu and Kashmir prompted the Government of India (GOI) to enlist the services of several of its officials. Their role encompassed thorough investigations and comprehensive reforms aimed at restructuring the economic, financial, and administrative frameworks of the State.³⁵

³² Mridu Rai, *Hindu Rulers, Muslim Subjects*, New Delhi: Permanent Black, 2004, p. 137.

³³ Mridu Rai, *Hindu Rulers, Muslim Subjects*, pp. 136-137.

³⁴ Robert A Huttenback, *Kashmir and the British Raj, 1847-1947*, Karachi: Oxford University Press, 2004, p. 63.

³⁵ Walter Lawrence (settlement officer), R Logan (finance), Pandit Bhag Ram (judiciary), and Khan Bahadur Ghulam Mohi-ud-din (police) were appointed.

Emerging Legal Landscapes:

The Hybridization of Law and Custom in Kashmir

The paper delves into the examination of how and why the British state formulated the policy of indirect rule within the princely state of Jammu and Kashmir, elucidating the assimilation of contrasting ideas within this overarching framework. The study focuses on two key elements: firstly, discerning the general and specific aspects of this interaction, and secondly, delving into the theoretical and empirical correlations between law and custom. A crucial aspect of this examination involves scrutinizing the historicity of both law and custom, as the State does not conceive and originate legal principles in isolation. Instead, it derives legal norms from prevalent social practices, and law, in this context, is perpetually and universally in the process of formation, inherently emergent.

In this context, the initial interaction between the British and the Princely State through law and custom emerged in 1847 and culminated in the examination of the establishment of a codified and institutionalized legal system in 1892. Arguing along these lines, the abolition of sati in Lahore, whether influenced by pull or push factors, left an even more significant impact in the Princely State of Jammu and Kashmir. The newly appointed Maharaja, Gulab Singh (1846-56), was cognizant of the deliberate British departure from the policy of annexation in the context of Kashmir following the Sikh defeat in the Battle of Sobraon (1846). Overnight, Gulab Singh's status was elevated significantly from Raja to Maharaja, and he promptly expressed his intent to suppress both sati and female infanticide. Initially, he claimed that he lacked the strength to enforce a prohibition of sati in the State. The British were not satisfied with this, however, and by the end of 1847 a direct [request] from the Governor General resulted in the prohibition of the *sati* in his dominions.³⁶

It would be accurate to assert that the legal framework of the state originated from the exchange of communications

³⁶ PDR/S 172, 24 December 1847, NAI

between the Dogra government and the Government of India (GOI). The crux of the matter lies not in a moral dichotomy of good or evil but in the feasibility of subjecting it to regulatory oversight. The initial construction of this legal framework, previously sanctified by religious tenets, underwent reversal starting in the 1820s. This reversal was undertaken to rationalize the 'imposition of restrictions' and 'imposition of responsibilities' on the longstanding practice in question.³⁷ Official declarations from British India, while not directly linked to actual practices, effectively compelled the new Maharaja to distance himself from the Dogras' proud Rajput heritage. In agreeing to abolish the custom without explicitly questioning its validity, Ranbir Singh sought to strike a delicate balance between his own political interests and those of his State, both inherently tied to maintaining favourable relations with the British. This decision, while a political necessity, marginalized the ancient Kashmiri practice of sati, even observed by royal ladies in antiquity.³⁸ A Kashmiri proverb runs *Buchi shuni maaz halal* (it is quite lawful for a hungry man to eat the flesh of a dog).³⁹ The maharaja of course was aware of the limits of intervention as well as the boundary of the freedom, and it was in this process that he advised local officials and subjects (even his own heirs and successors) to ensure that the evils must be uprooted.⁴⁰ In conjunction with these directives, he implemented several constructive measures to investigate the underlying causes. Simultaneously, he made substantial provisions for the future sustenance of widows within his jurisdiction. It is not an exaggeration to note that in January

³⁷ I have borrowed the term from Ranabir Samaddar's article titled Crimes, Passion and Detachment: Colonial Foundations of Rule of Law.

³⁸ Khalid Bashir Ahmad, *Kashmir: Exposing the Myth behind the Narrative*, New Delhi: Sage Publications, 2017, p.56.

³⁹ Knowles, *A Dictionary of Kashmiri Proverbs and Sayings*, p. 35.

⁴⁰ The *sati* and female infanticide were issues of great importance for the colonial state and Ranbir Singh was pressurised to extract the root causes of these problems and then use his own machinery both political and economic to curb the menace.

1861, he approved an endowment of one hundred thousand rupees for the betterment and support of widows.⁴¹

The systems of governance, especially the administration of justice during the pre-codification period in the State, have undergone extensive scholarly scrutiny. In this era, Pandit Salig Ram Kaul observed that the responsibility for maintaining law and order and administering justice was ostensibly the duty of no specific individual; instead, it was a collective responsibility shared by individuals occupying various responsible positions throughout the State.⁴² In a similar vein, Francis Younghusband maintained that justice operated on the principle that “those who could afford it could at any time extricate themselves from qaidkhana (jail), while the impoverished residents endured life and death within its confines with little prospect of relief.” On a parallel note, Michael Brecher contended that lacking any formal law or constitution, “whatever the Maharaja decreed became law, and anything he proscribed constituted a criminal act or sedition.”⁴³

Sovereignty was fragmented, delegated to regional governors and other indigenous State officials responsible for overseeing the judicial administration within their respective areas, operating without a codified legal framework. However, individuals dissatisfied with the decisions of these dispersed officials or authorities were entitled to seek a personal audience with the Maharaja (Maharaja Arzhai). It is prudent to scrutinize and analyze the micro-sites of the practical exercise of power within society. During Ranbir Singh's era, with the exception of cases involving capital punishment and life imprisonment, which required referral to the ruler for directives, shareholders (Jagirdars) were granted the autonomy to adjudicate all other cases within their

⁴¹ Sukhdev Singh Charak, *Life and Times of Maharaja Ranbir Singh*, Jammu: Jay Kay Book House, 1985, p. 239.

⁴² Pandit Salig Ram Kaul, *The Biography of Maharaja Gulab Singh*, Srinagar: Salig Ram Press, 1923, p. 237

⁴³ Michael Brecher, *The Struggle for Kashmir*, New York: OUP., 1953, p. 8

jurisdictions.⁴⁴ The changes within the criminal justice system in British India had a profound impact on how the colonial State viewed the indirectly ruled region in general and the administrative system in particular. The organised fluid indigenous hierarchy was at all odds with colonial views of how law and order should be perpetuated in the princely state. It was essentially a *vision* infused by a number of interests. The binary reciprocal stability brings hybridity. Thus, the political economy of the Princely State is contributing sufficiently and there was no need to dismantle the indigenous system. Power was regarded as an exclusive right belonging to the state argues RanjanChakraborti;⁴⁵ the State was the Maharaja and Maharaja was the State [emphasis mine].⁴⁶

The punitive measures lacked a reformatory essence, consequently being perceived as both primitive and barbaric. The punishment for killing a gau (cow), ox, and buffalo was particularly gruesome, initially entailing the culprit being boiled in hot oil (a form of capital punishment), followed by the public display of their body at Fatah Kadal (Third Bridge in Srinagar). Subsequently, this penalty was mitigated to life imprisonment and ultimately further reduced to seven years of rigorous punishment.⁴⁷ In cases of qatl (murder), the punishment exhibited variation depending on the location, but commonly, the practice of azhab was applied. Azhab involved the amputation of limbs before the imposition of the death penalty by hanging. The emphasis on deterrence and

⁴⁴ These include *Kotwals, Thanedars, Kardars, Zaildars, Jagirdar, Maufidars and Muqaddams*.

⁴⁵ Ranjan Chakrabarti, *Terror, Crime and Punishment: Order and Disorder in Early Colonial Bengal, 1800-1860*, Kolkata: Readers Service, 2009, p. 268

⁴⁶ It was a colonial strategy that continued from the latter half of the nineteenth century. Rulers could be both deposed and restored, but their status could not be abolished.

⁴⁷ The term *hathai* is used to convey a crime of unpardonable nature i.e., cow killing, for details see Tyndale Biscoe, *Kashmir in Sunlight and Shade*, London: Seeley Service and Co., 1922, p.123; Muhammad Yusuf Ganai, *Kashmir's Struggle for Independence, 1931-1939*, Srinagar: Mohsin Publication, 2003, pp. 15-16

oppression in the punishment of crime within this context stands in stark contrast to Beccaria's discourse.⁴⁸

The empirical evidence and experiences within princely Kashmir contradicted the assumption of a gradual disappearance of "tradition"; instead, the past and tradition demonstrated a persistent presence. In the realm of law, L. I. Rudolph and S. H. Rudolph addressed the continuity of the traditional legal system by illustrating the coexistence of two distinct legal systems—modern and traditional. They posited that both systems coexist but undergo modification through their interactions.⁴⁹ The Dogra state was indeed authorized to introduce a new legal framework at its own initiative, and it was through this transformation that the new Maharaja Ranbir Singh (1856-1885) aspired to usher in what Sukhdev Singh Charak referred to as an 'era of reforms.'⁵⁰ For evident reasons, the Maharaja exhibited a favourable disposition towards the British legal system. Consequently, the State, for the first time in its entire history, underwent the introduction of a codified penal code known as RanbirDandBidhi (Ranbir Penal Code). This penal code exemplified practical hybridity in its formation, predominantly derived from Lord Macaulay's Indian Penal Code. Initially published in a bilingual treatise in Dogri and Persian, the code consisted of one hundred sections. This code, with subsequent amendments, served as the foundational framework for the law and judicial processes within the State. It remained in effect until 1892 when a new State penal code, Shri Ranbir Dand Bidhi, was enacted under the State Council Resolution (No: 19) on June 18, 1892 AD. The revised penal code was adopted, and the number of sections increased from one hundred to two hundred-three.⁵¹

⁴⁸ Like Bentham, Beccaria was most interested in protecting the rights of the accused from the wraths of the state power, while at the same time keeping at minimum the punishments used for a crime.

⁴⁹ L.I. Rudolph and S.H. Rudolph, *The Modernity of Tradition: Political Development in India*, New Delhi: Orient Longman Limited, 1999, pp. 253-293

⁵⁰ Sukhdev Singh Charak, *Life and Times of Maharaja Ranbir Singh*, pp. 72-88,

⁵¹ It was finally in the fourth decade of the twentieth century that the new penal code known as Ranbir Penal Code emerged as a uniform criminal law of the state. The said code consists of 24 Chapters with

The hybridity is also evident in other aspects of judicial administration. The High Court known as *Adalat-i-Alaia* (1877) was the highest court of appeal or revision but was under the control of the Highness the Maharaja. At the same time, the rules and regulations for court fees, stamp duties and registration were also framed.⁵² Similarly, court rooms, record houses and prison houses had also been established in the state by this time.

Beyond the confines of the penal code,⁵³ various elements persisted until the state acknowledged that the existing framework failed to yield the desired outcomes and contradicted the moral fabric of society. Examining the historical dynamics between law and custom, it becomes evident that the process was inherently adaptable, contingent, and reliant on the discernment of colonial interests, rather than being constrained by rigid notions of legal or moral principles.⁵⁴ It is noteworthy that disputes and other criminal matters were resolved through negotiations facilitated by village elders, known as *zeith*. An interesting observation by Lawrence sheds light on the functioning of the state apparatus, stating that, starting from the 1890s, all land-related suits, excluding those from Srinagar and adjacent areas were redirected from ordinary courts to his jurisdiction for resolution. This underscores the significant role played by the prevailing social order in expeditiously settling disputes outside the complexities of formal court procedures. Additionally, Lawrence's remark on the psychological aspect of the people is revealing: "A Kashmiri will rarely lie when confronted in his village by his own fellows; whereas, he will

more than five hundred Sections with slight modifications here and there from the Indian Penal Code.

⁵² Nar Singh Das Narain, *Tarikh-i-Dogra Desh*, Jammu: Chand Publishing House, 1967, pp. 667-668

⁵³ The practice that was prevalent mostly in Jammu was that of hypothecation of human beings in lieu of debts. The practice gives an undue advantage to the creditor and humiliation to the debtor. It was later criminalised and dealt with under Section 143 of the *Ranbir Dand Bidhi*.

⁵⁴ Barbara Ramusack, *The New Cambridge History of India*, Vol. 3.6, *The Indian Princes and their States*, Cambridge: Cambridge University Press, 2004, pp. 48-131

invariably lie when he enters the sombre atmosphere of the law courts.”⁵⁵ The following Kashmiri proverb depicts the amalgam of wit and spirituality:

Halalas hisab tah haramas azab

A reward for things legal, and
Punishments for things illegal

Conclusion: Hence, the persistence of the indigenous system’s influence in practical matters and the degree to which power was delegated demonstrated a willingness to collaborate with the state. It becomes imperative for the State to maintain a state of hybridity, adjusting its resources to cater to local needs. This dynamic illustrates the operation of the State’s legal system, governed by the state’s authority and subject to negotiation in everyday disputes, both at the central and peripheral levels. The fascinating hybridity unveils a convergence between the principles of ‘dual sovereignty’ and the coexistence of ‘dual legal systems,’ highlighting the intricate interplay between indigenous practices and State governance. This nuanced relationship underscores the adaptability and negotiation intrinsic to the complex legal landscape in the princely state of Jammu and Kashmir.

⁵⁵ Walter R. Lawrence, *The Valley of Kashmir*, Srinagar: Living Thoughts, 2010, pp. 5-6.

Nostalgic Reverie by Rehman Rahi: Stylistic Analysis

Shafqat Altaf

Abstract: *Etymologically Style is the upshot of the Latin word Elocutio which means one of the five canons of classical rhetoric or the mastery of stylistic elements. A style is a way of doing something. Thus, one may speak of a Japanese style of flower arrangement, Dilip Kumar's style of acting, or Shakespeare's style of writing. Concerning language, the concept of style is the adaptation of language for particular purposes, occasions, and content. Stylistics explores how readers interact with the linguistic style of a text to explain how we understand it more objectively and pragmatically. With stylistics, we aim how to analyse the words of a text and create the feelings and responses that we get when we read them. This paper aims to demonstrate a stylistic analysis of a poem written by a veteran poet Prof. Rehman Rahi¹. It will attempt to analyse it in a well-structured manner and to relate its linguistic elements to the meaning.*

Introduction: The poem "Nostalgic Reverie" embodies a lyrical and emotive style, skillfully utilizing various stylistic devices to create a deeply evocative and immersive experience for the reader. The poet's choice of language and imagery imparts a sense of timelessness, transporting the audience to the serene river bank where the speaker's memories are vividly brought to life. The emotive tone resonates with the reader, evoking feelings of melancholy, longing, and introspection.

Throughout the poem, the poet employs rich and vivid imagery to paint a picturesque scene. The river bank, the chinar tree, the moon, and the acacia-scented breeze act as powerful symbols, elevating the poem's emotional depth. The imagery of the "chirp from the chinar above" and "moon like a mermaid" immerses the reader in the tranquil and ethereal atmosphere of the setting. These visual descriptions enable the audience to experience the emotions firsthand, making

the poem a poignant and relatable exploration of love and time.¹

Rehman Rahi— a known Kashmiri poet, translator and critic received the Jnanpith Award (India’s highest literary award in 2007) for his poetic collection *Siyah Roodeh Jaeren Manz* (In Black Drizzle).

Additionally, the poem’s use of metaphors and comparisons contributes to its stylistic finesse. The loved one’s “flower-like feet” and “hennaed hands” add a touch of delicacy and beauty to the portrayal, deepening the reader’s emotional connection to the speaker’s memories. The poet’s skilful integration of figurative language amplifies the emotional impact of the poem, making it a captivating piece of literature that transcends the boundaries of time and space.

The Theme of the Poem: “Nostalgic Reverie” by Rehman Rahi is a poignant and emotive poem that delves into the depths of the speaker’s heart, recounting a past encounter with a loved one by a river bank. The poem transports readers to a moment suspended in time, where nature’s elements—the chinar tree, moon, and acacia-scented breeze—create a timeless backdrop for the emotions to unfold. Through rich imagery and powerful metaphors, the poet conveys the enduring impact of a fleeting moment, as ten years have failed to fade the memories or emotions attached to it. The speaker’s longing and attachment to the past become palpable, intensifying with the knowledge that the loved one has passed away, leaving a promise unfulfilled. The poem’s lyrical style, augmented by sound devices such as alliteration and assonance, captivates the reader, as they traverse the realms of nostalgia and lost love alongside the speaker. This journey through memory and emotion makes “Nostalgic Reverie” a hauntingly beautiful exploration of the human experience, resonating deeply with anyone who has cherished a moment in time that remains forever etched in the recesses

¹ Phonology is the organization of sounds into patterns. To fulfil the communicative functions, languages organize their material, the vocal noises, into recurrent bits and pieces arranged into sound patterns

of the heart. The following are different inter-related levels of analysis to describe the poem stylistically:

(A) Phonological Level: The phonological level² of the poem plays a crucial role in enhancing its auditory appeal and evoking a musical quality that resonates with the reader. The poet employs a range of sound devices, such as alliteration, assonance, and consonance, to create a rhythmic flow that mirrors the gentle movements of the river and the emotions conveyed in the verses.

Alliteration, the repetition of initial consonant sounds, is deftly utilized in phrases like “chirp from the chinar” and “moon like a mermaid”. The repetition of the “ch” and “m” sounds creates a soft and soothing effect, contributing to the poem’s tranquil atmosphere. These alliterative phrases also help to establish a sense of cohesion and harmony in the poem, mimicking the rhythmic patterns found in nature.

The poem’s assonance, the repetition of vowel sounds, is exemplified in phrases like “acacia-scented breeze” and “flower-like feet.” The recurrence of the “ee” and “o” sounds adds a melodic quality, emphasizing the tender and ephemeral nature of the memories being recounted. This assonance enhances the poem’s emotive power, allowing the reader to be immersed in the speaker’s sentimental journey.

Moreover, the use of consonance, the repetition of consonant sounds within words, can be observed in phrases like “hennaed hands”. The repetition of the “n” sound creates a flowing and gentle sensation, underscoring the emotional significance of the loved one’s touch. The poet’s strategic implementation of consonance adds depth and nuance to the poem, enriching its overall aesthetic and emotional impact.

(B) Sound Devices: Sound devices play a crucial role in poetry, enriching the auditory experience and adding a musical quality to the verses. In the poem “Nostalgic Reverie,” the poet skillfully employs various sound devices to enhance the rhythmic flow and emotional impact of the poem.

² Phonology is the organization of sounds into patterns. To fulfil the communicative functions, languages organize their material, the vocal noises, into recurrent bits and pieces arranged into sound patterns.

One of the prominent sound devices used in the poem is alliteration. Alliteration involves the repetition of initial consonant sounds in neighbouring words or stressed syllables. For instance, in the line “chirp from the chinar above,” the repetition of the “ch” sound creates a soft and soothing effect, evoking the tranquillity of the river bank setting. Similarly, in the phrase “moon like a mermaid,” the repetition of the “m” sound adds a melodic quality, complementing the ethereal and magical imagery associated with the moon. By employing alliteration, the poet creates a sense of cohesion and rhythm, guiding the reader through the poem’s emotional journey.

Another sound device utilized in the poem is assonance. Assonance involves the repetition of vowel sounds in stressed syllables without the repetition of consonants. An example of assonance in the poem can be found in the phrase “acacia-scented breeze.” The recurrence of the “a” and “ee” sounds adds a melodic and gentle quality to the line, mirroring the caressing nature of the breeze described in the poem. This use of assonance not only enhances the poem’s auditory appeal but also contributes to its emotive power, as the reader is immersed in the sensory experience of the natural elements.

Consonance, another sound device employed in the poem, refers to the repetition of consonant sounds within words or stressed syllables. In the phrase “hennaed hands,” the repetition of the “n” sound creates a flowing and soothing sensation, echoing the tenderness and intimacy of the speaker’s memory. The use of consonance adds depth and nuance to the poem, accentuating the emotional significance of the speaker’s recollections.

(C) Morphological Level: At the morphological level, the poem “Nostalgic Reverie” exhibits a rich array of morphemes and inflexions that contribute to the formation of words and the overall structure of the poem.³ Morphemes are the

³ Morphology is the science and study of the smallest grammatical units of language and their formation into words including inflection, derivation, and composition.

smallest units of meaning in a language and can be prefixes, suffixes, or root words. The poet's meticulous choice of morphemes allows for precise and evocative language, enhancing the poem's emotive power and imagery.

One of the key morphological elements in the poem is the use of prefixes. For example, the word "unmindful" consists of the prefix "un-" and the root word "mindful." The prefix "un-" conveys negation, transforming "mindful" from attentive and conscious to "not mindful" in the context of the poem. This word choice underscores the speaker's unintentional and unguided return to the same river bank, highlighting the sense of fate or destiny surrounding their nostalgic reverie.

Furthermore, the poem features several inflexions, particularly in the form of verb conjugations and noun plurals. For instance, the word "chirp" is a singular noun, while "chirped" is its past tense form. The use of verb inflections aids in depicting the passage of time, as the speaker reflects on a moment from the past, and further contributes to the poem's sense of nostalgia. Additionally, the word "chinar" refers to a type of tree, and "chinars" would be its plural form, emphasizing the presence of multiple chinar trees in the surroundings, setting the scene of the river bank.

The poet's adept use of morphemes also extends to the adjectives and adverbs chosen to describe the natural elements in the poem. Phrases like "acacia-scented breeze" and "flower-like feet" exemplify the use of descriptive adjectives that evoke sensory experiences, allowing the reader to vividly imagine the scents and textures of the environment. These carefully selected adjectives enhance the poem's imagery and immerse the reader in the beauty of the river bank and the emotions of the speaker.

(D) Word Derivational Process: The word derivational process involves forming new words by adding prefixes or suffixes to existing words, thus altering their meaning or part of speech. In the poem "Nostalgic Reverie," while there are no explicit instances of word derivational processes, the poet skillfully employs figurative language, metaphors, and

comparisons to evoke powerful emotions and create a deeper layer of meaning in the poem.

Metaphors, a form of word derivational process, play a significant role in the poem. For instance, when the poet likens the moon to a mermaid with the phrase “moon like a mermaid,” a metaphorical association is established between two seemingly unrelated entities. The word “mermaid” evokes images of enchantment, mystery, and femininity, which infuses the moon with these attributes. This metaphor imbues the moon with a personified essence, intensifying the sense of longing and ethereal beauty present in the poem. The moon is no longer merely a celestial body but becomes a symbol of lost love, a dreamlike figure that haunts the speaker’s memories. Another instance of the word derivational process is evident in the phrase “flower-like feet.” The poet metaphorically compares the loved one’s feet to flowers, employing the word “flower-like” to describe their delicate and beautiful nature. By using this figurative language,⁴ the poet elevates the description of the loved one’s feet beyond the ordinary, imbuing them with a sense of grace and elegance. The choice of the word “flower-like” is derived from the combination of “flower,” a noun representing natural beauty, and the suffix “like,” which transforms the noun into an adjective. This word derivational process allows the poet to evoke a vivid sensory image of the loved one’s feet and intensify the poem’s emotional impact.

In conclusion, the poem “Nostalgic Reverie” demonstrates the power of word derivational processes through the use of metaphors and figurative language. The employment of metaphors enables the poet to create a deeper layer of meaning and imbue ordinary objects with profound symbolism. By utilizing figurative language to evoke emotions and sensory experiences, the poet connects with the reader on a deeper level, making the poem a timeless and resonant exploration of nostalgia and lost love.

⁴ Figurative language is a type of communication that does not use a word’s strict or realistic meaning.

(E) Word Formation Process: The word formation process refers to how words are created through various linguistic mechanisms, such as compounding, blending, and conversion. In the poem “Nostalgic Reverie,” the poet uses different word formation processes to enrich the language and convey nuanced emotions and imagery.

One of the word formation processes utilized in the poem is compounding. Compounding involves combining two or more words to create a new word with a specific meaning. An example of this can be found in the phrase “acacia-scented breeze.” In this compound word, “acacia” is a noun referring to a type of tree known for its fragrant flowers, and “scented” is an adjective denoting a pleasant smell. By combining these two words, the poet crafts a vivid description of the breeze, evoking the sensory experience of the scented air. The word “acacia-scented” not only enriches the imagery of the poem but also immerses the reader in the natural setting of the river bank.

Blending is another word formation process evident in the poem. Blending involves merging parts of two or more words to form a new word. An example can be found in the word “hennaed,” which combines “henna” and “ed.” “Henna” is a noun referring to a plant used for dyeing, while the suffix “- ed” denotes the past tense of a verb. By blending these elements, the poet creates the adjective “hennaed,” describing the loved one’s hands adorned with henna dye. This word formation process enhances the poem’s imagery, providing a glimpse into the cultural context and adding a touch of tradition and beauty to the memories.

Conversion is also utilized in the poem to transform a word’s part of speech without adding any affixes. An example of this can be seen in the phrase “the moon like a mermaid.” Here, the word “moon” functions as a noun, referring to the celestial body. However, in the context of the poem, it takes on a more descriptive role, functioning as an adjective to modify the noun “mermaid.” This poetic conversion allows the moon to embody the attributes of a mermaid, infusing it with enchantment and otherworldly qualities. This word formation process contributes to the poem’s imagery and the depiction of the moon as a symbol of lost love and nostalgia.

(F) Lexical Level: The lexical level⁵ of the poem “Nostalgic Reverie” involves the careful selection of words and phrases that evoke strong emotions, create vivid imagery, and contribute to the overall theme of the poem. The poet’s choice of words plays a pivotal role in conveying the speaker’s longing, the passage of time, and the essence of the river bank setting.

One of the prominent features at the lexical level is the use of evocative and sensory language. Words like “chirp,” “acacia-scented,” “hennaed,” and “flower-like” appeal to the reader’s senses, enabling them to immerse themselves in the natural environment described in the poem. These words contribute to the sensory experience, making the reader feel the tranquillity of the river bank, smell the fragrance of the acacia breeze, and envision the beauty of the loved one’s adorned hands and delicate feet.

The poem also exhibits rich imagery through carefully chosen words and phrases. Words like “mermaid” and “chinar” evoke mythical and cultural connotations, adding depth and symbolism to the poem. The imagery of the “moon like a mermaid” transforms the celestial body into a figure of enchantment and allure, mirroring the captivating allure of the loved one in the speaker’s memories. Similarly, the “chinar” tree, a symbol of beauty and resilience, complements the nostalgic setting, contributing to the poem’s emotional intensity.

Moreover, the use of adjectives like “unmindful,” “occasional,” and “occurs every day” emphasizes the speaker’s recurring memories and emotions. These words highlight the ten years of longing, demonstrating the timeless quality of the river bank encounter in the speaker’s mind. The lexical choices effectively capture the essence of the speaker’s emotions, creating a relatable and poignant portrayal of love, loss, and remembrance.

⁵ In literary studies, stylistic foregrounding is a linguistic strategy of calling attention to certain language features to shift the reader’s attention from what is said to how it is said.

(G) Foregrounding: Foregrounding⁶ is a stylistic device used to draw attention to specific elements within a text, emphasizing their significance and creating an impact on the reader? In “Nostalgic Reverie,” foregrounding is skillfully employed to accentuate the poem’s themes, emotions, and imagery.

One of the foregrounding techniques utilized in the poem is repetition. The repetition of the phrase “Ten years it has been” serves to emphasize the passage of time and the enduring nature of the speaker’s emotions. This repetition becomes a refrain, echoing the central theme of nostalgia throughout the poem, leaving a lasting impression on the reader. The repeated use of “Yes” also serves to foreground the speaker’s vivid memories of the loved one, underscoring the significance of the past encounter at the river bank.

Additionally, parallelism is employed to create a structured and rhythmic effect. The lines “Yes, from the same porch she had come down donned in youth/Yes, from the same street she had appeared suddenly drumming the pot with her hennaed hands / Yes, her flower-like feet had caressed the same patch of grass/Yes, these very stairs had kissed and kept count of her steps” utilize parallel structure to emphasize the speaker’s longing for the loved one. This repetition of the word “Yes” and the consistent pattern of description add to the poem’s emotive power, further foregrounding the nostalgia and love depicted in the poem.

The poet’s use of vivid and sensory language, such as “acacia-scented breeze” and “moon like a mermaid,” also foregrounds the natural elements of the river bank setting, transporting the reader to the scene of the past encounter. These foregrounded elements engage the reader’s imagination and senses, enhancing their emotional connection to the poem.

⁶ In literary studies, stylistic foregrounding is a linguistic strategy of calling attention to certain language features to shift the reader’s attention from what is said to how it is said.

(H) Graphical Level: The graphical level⁷ of a poem refers to the visual arrangement of the text, including line breaks, stanza formation, and punctuation. In “Nostalgic Reverie,” the graphical level is straightforward and traditional, with regular line breaks and stanzas that contribute to the poem’s rhythmic flow.

The poem consists of four stanzas, each comprising four lines, maintaining a consistent quatrain structure. This regularity contributes to the poem’s musical quality and emphasizes the sense of continuity and passage of time. The stanzas create a structured framework, allowing the poet to explore different aspects of the speaker’s memories and emotions in a well-organized manner. The poet also employs enjambment, where a sentence or phrase flows from one line to the next without a pause, enhancing the poem’s fluidity and connectivity. For instance, the lines “Unmindful steps took me again to the same river bank/Suddenly, the wandering heart found clues and the eyes came along” use enjambment to connect the speaker’s physical steps with the awakening of their emotions and memories.

Additionally, the poet uses punctuation sparingly, allowing the lines to flow seamlessly. The poem does not rely on elaborate punctuation marks or parentheses, which enhances the continuity of thought and reinforces the poem’s introspective and emotive nature.

The graphical level of the poem, with its traditional quatrain structure, regular line breaks, and judicious use of enjambment and punctuation, contributes to the poem’s overall aesthetic appeal and reinforces the emotional impact of the speaker’s nostalgic reverie.

Conclusion: In “Nostalgic Reverie,” the poet skillfully weaves together various stylistic elements and linguistic devices to create a poignant and emotive exploration of love, time, and memory. At the lexical level, the poet’s precise word choices evoke sensory experiences and imagery, drawing the reader into the world of the river bank setting and the speaker’s

⁷ It is the study of all the conventions used in representing speech in writing.

Nostalgic Reverie by Rehman Rahi | 171

emotions. The poem's foregrounding techniques, such as repetition and parallelism, emphasize the central themes of nostalgia and lost love, leaving a lasting impression on the reader.

The use of sound devices, such as alliteration, assonance, and consonance, enhances the poem's auditory appeal, creating a melodic and rhythmic flow that mirrors the natural elements of the scene. At the morphological level, the poet employs metaphors and figurative language to deepen the emotional impact and add layers of meaning to the descriptions.

The graphical level of the poem, with its regular stanzas and line breaks, reinforces the poem's musicality and allows the reader to be immersed in the speaker's introspective journey. In conclusion, "Nostalgic Reverie" is a beautifully crafted poem that resonates with readers on a profound and emotional level, inviting them to partake in the timeless journey of love, memory, and the enduring power of a moment by the river bank.

Rehman Rahi and His Progressive Poetry (1950-1990)

Zameerah Yusuf

Abstract: *Abdul Rehman Rahi popularly known as Rehman Rahi was born on 6 May, 1925 at Wazpora, Srinagar. He had started his career as a teacher at Islamia School, Rajveri Kadal, Srinagar. After qualifying his M A in Persian he was appointed as lecturer at Sri Pratap College, Srinagar, and later in the Department of Persian at Kashmir University. Rahi had also qualified M A in English literature. From his very childhood he was inclined to the composition of poetry. Having some exercise of Urdu poetry for some time he ultimately turned to Kashmiri language and began to compose poetry and to write literary criticism. Later on Rahi was appointed as Professor in the Department of Kashmiri, University of Kashmir and headed this Department from 1975 to 1985 when he retired from active service. In 1961 he received the Sahitya Academy Award and in 2007 he was honoured with Jnanptih Award for his monumental composition entitled Siyah Roodeh Jeren Manz. (Amidst black showers). The poet after making enormous academic contributions breathed his last on 9 January, 2023. The present paper attempts to underline the significance of the prominent poetic works that Rehman Rahi has penned down from time to time.*

The emergence of prominent personalities is often deeply intertwined with the socio-cultural, political and economic context of their place and time. In fact, these individuals do not rise in isolation but are shaped by the circumstances and challenges surrounding them. Therefore, it is worthwhile to have a brief discussion about the context when Rahi was born and the period in which he became a poet and began to give vent to his feelings. Before his birth in 1917 the Russian Bolshevik revolution under the leadership of Lenin had taken place bringing into being the first ever socialist state in the form of Soviet Union. Later the Great Economic Depression (1929) in United States which gradually spread to the rest of the world accentuated the cause of socialism further. At one time the number of unemployed rose to 3 million in Britain, 6

million in Germany and 12 million in United States. In comparison to it the economic condition in the newly born Soviet Union was quite different. There was no slump and the years between 1929 and 1936 saw the successful completion of the first two Five Year Plans. Moreover, the Soviet industrial production rose by more than four times. The world depression, thus, brought the capitalist system into disrepute and drew attention of educated youth towards Marxism and socialism.¹ The valley of Kashmir despite being situated on the fringes of Northern India and surrounded by lofty mountains could not remain immune from the socialist influences. Among the progressive poets of Kashmir Abdul Ahad Azad the predecessor of Rahi had already made significant contributions by composing pro-people poetry. It was under his advice and influence that Rahi also entered into the fold of progressive ideology. In this context it is pertinent to quote Rahi:²

. . . Later I came in touch with Abdul Ahad Azad when I met him on this shop (Shop of bookseller Noor Muhammad at Maharajgung) and he suggested me to study Marxist literature.

The economic depression of 1929 was followed by the rise of fascism in 1933 that created a socio-economic and political crisis at global level. The emergence of racial antagonism in Europe threatened to destroy the fabric of basic values of humanity and culture all over the world. Countering the regressive forces and to forestall the fascist designs and save the human civilization necessitated the unity of intellectuals committed to socialism and democracy.³ The idea came to fruition with the convention of an International Congress of progressive writers in Paris on 21

¹ Chandra, Bipan, *India's Struggle for Independence*, Penguin Books, 1989, p. 297.

² Munawar, Naji and Shauq, Shafi, *Nau Kashre Adbuk Tawarikh*, Department of Kashmiri, University of Kashmir, Srinagar, 1992, pp. 279-280.

³ For details about the rise of facism in Euope see Aazmi, Khalil-ur-Rehman, *Urdu mein Taraqi Pasand Adbi Tehreek*, Educational Book House, Muslim University Market, Aligar, 2022, pp. 28-29.

June, 1935. Among the prominent people who participated in this Congress included Romain Rolland, Henri Barbusse and Maxim Gorky. More than 250 delegates from 38 countries participated in the deliberations that continued from 21 June to 25 June, 1935.⁴ Among the progressive writers of India, it was Sajad Zaheer and Mulk Raj Anand who participated in this Congress that aimed at the defence of culture. Later in December, 1935 Sajad Zaheer in consultation with Moulvi Abdul Haq, Munshi Prem Chand and Josh Maliehabadi at Allahabad initiated the Progressive Writers' Association and an All India Conference of progressive writers was organized in April, 1936 at Lucknow which was presided over by Munshi Prem Chand.⁵ The Progressive Writers' Association played a commendable role in supporting the democratic forces, producing the humanist literature both in the form of poetry and prose, besides opposing the impending danger of Nazism and Fascism. It played a pro people role till it reached to its culmination in 1956.

The valley of Kashmir could not remain unaffected from progressive ideas particularly when National Conference leadership was favourably inclined to the entry of progressive elements in Kashmir. It included poets, academicians and various other people with anti-colonial and pro-people mindset.⁶ The Kashmiri poets were, therefore, greatly influenced by the progressive writers of India. Consequently, in 1949 they also organized a Progressive Writers Association with its prominent organ called Kong Posh (Saffron flower).⁷ The impact of the progressive poets of Indian plains on Rehman Rahi is evident from the titles of his various poems like *Akh Sawal* (A question) that he wrote in May, 1955 which

⁴ Ibid., p. 31.

⁵ Ibid., pp. 41-42.

⁶ Among these it is pertinent to refer to Kanwar Muhammad Ashraf, Baba Pyare Lal Bedi, Freda Bedi (his spouse), Makdoom Mohiuddin, Ali Sardar Jafri, Rajinder Singh Bedi, Sheila Bhatia, Sajjad Zaheer, Balraj Sahni, Shivdhan Singh Chauhan, Dhanvantri, Kamal Ahmad Siddiqi, Ramanand Sagar and Faiz Ahmed Faiz. For details see Khayal, Ghulam Nabi, *Progressive Literary Movement in Kashmir*, 2011, p. 68.

⁷ Ibid, p. 95.

are identical to the titles of poems composed by progressive poets of India during the horrible famine of Bengal in 1943.

Having a cursory glance on the times when Rahi emerged and started to compose his poetry it is worthwhile to write about his prominent poetic contributions. Among the early publications of Rahi there is a booklet under the title of *Navroz-e-Saba* (Newday dawn). It includes the poems that he wrote in 1950s and its first edition was published in March, 1957. The second edition has been published later in 2009 by the Department of Kashmiri, University of Kashmir. Keeping in view the timing of this publication it is again imperative to ponder over the genesis of such poetry. It was the time when unfortunately the freedom had already dawned with partition and there were several issues confronting the nationalist Government. Above all, the Kashmir freedom struggle (1931-1947) with its pro-people agenda⁸ had placed the Kashmiri nationalists on a litmus test in view of the expectations of the working classes and various other marginalized sections of the society. No doubt, the nationalist leadership began to address the peoples grievances in the form of land reform and the establishment of debt reconciliation boards, besides spending 35% of State budget on the education of the people⁹, but the chronic poverty and illiteracy was so deeply entrenched that it was very difficult to address it significantly overnight. Therefore, unsurprisingly expectations of most prominent progressive poets including Ghulam Ahmed Mahjoor, who had dedicated their poetic faculties to the freedom movement for a long time could not be fulfilled so immediately as they expected.¹⁰

⁸ For details about the pro-people agenda of National Conference (1939-1947) see Naya Kashmir Manifesto vide Taseer, Abdul Rashid, *Tehreek-i-Hurriyat-i-Kashmir, Vol-II*, pp. 310-383.

⁹ For revolutionary measures taken by the Nationalist Government between 1947 and 1953 see Abdullah, Shaikh Muhammad, *Atashi-e-Chinar*, (autobiography), Ali Muhammad and Sons, Srinagar, Kashmir, 1986, p. 499.

¹⁰ In order to have a glimpse of Mehjoor's disillusionment with the functioning of the nationalist Government see his poem Aazadi (freedom) written probably between 1949 and 1950 vide, *Kuliyat-e-Mehjoor*, (Anthology of Mehjoor), Jammu and Kashmir Academy of Art, Culture and Languages, p. 324. It is worthwhile to note a verse

Rahi as we observe from some of his poems published in *Navroz-e-Saba* is in a way highlighting the miseries of the working classes in order to invite the attention of the political elite and others in power to adopt revolutionary measures to end their chronic poverty and relieve them from long starvation. Rahi like Mahjoor is not satisfied with the pace of the measures taken by the nationalist Government towards the socio-economic upliftment of the masses. But he did not given up the hope and as such reminds the leadership of its unfinished agenda. It is evident particularly from the poems like *Subhuk Mukam* (Morning stage) written in May, 1955, *Waeshaikh te Rafgar* (Baishaikhi and the shawl-weaver), May, 1955, *Akh Sawal* (A question) May, 1955 and *Magar Vyeth ma cha Shoungith?* (But the Vitasta is not asleep?) September, 1954. In his poem *Subhuk Mukam* the poet is very clear about the end of colonial era and the dawn of freedom which is amply clear from the title of the poem itself. However, the poet as yet is not satisfied with the socio-economic reforms that had taken place as a result of various measures taken by the welfare State. His pitch of expectations is very high and he desires for revolutionary changes. That is why he exclaims:¹¹

The wine of life has not become available to one and all
 Those who are waiting while holding goblets in their
 hands are restless
 Who told that the system of our nation has changed
 altogether?
 Nevertheless a good beginning has been made
 Till now the tenant has not been empowered to our
 satisfaction
 However the Princely States with feudal order are gone
 Even if the poor continues to suffer due to the poor
 delivery of judiciary
 Still the erstwhile wealthy judges have lost their prestige.

The poem *Waeshaiekh te Rafugar* (Baishakhi and the Shawl-weaver) has drawn the picture of the hard lifestyle of

from the poem: "This freedom hath showers of compassion on the West. In case of ours (Asians) it causes hollow thunders alone".

¹¹ Rahi, Rehman, *Navroz-e-Saba*, (Newday dawn), Department of Kashmiri, University of Kashmir, 2009, pp. 74-75.

the weavers. The onset of Baishakhi on 14 April, which in local parlance is termed as *Waeshaiekh* marks the beginnings of the spring season in the valley of Kashmir. Till recent past this day was celebrated with all enthusiasm both in Urban as well as rural Kashmir. The people of Srinagar and its suburbs especially the elite had a tradition of visiting the famous Mughal Gardens of Nishat and Shalimar situated in close proximity of the city along with their families for rejoicing. Rahi in this poem has drawn a picture of all the festivities of the occasion, but concludes the poem with a note of sorrow revealing that owing to their workload as a result of their being in debt the Rafugars (Shawl-weaves) could not enjoy this event. Let us refer to the concluding verses of the poem that contain a conversation between the weaver and a bulbul (Nightingale):¹²

O Bulbul, what are you gazing at from afar?
Sit on this window and sing a sweet song
Describe in detail the hues that your flowers have
taken on
Has the dew left the thirst of any bush unslaked?
Getting restless? What is the hurry? Stay a while, what
hour is it?
Soon you will spread your wings and tour the sky.
Would that I were a bulbul and could take flight!
If only I too had some leisure.
If only I was not caught in debt!
Sitting in this workplace, who have desire to put in
chains?

Similarly, the poem *Akh Sawal* (A question) written in May, 1955, invites the attention of a reader towards the complex socio-economic milieu in which one section of society was exploited by another section of society. The poet is critical to class differentiation in which the poor sections of the society lived at the mercy of the capitalists. It is worthwhile to refer to the following verses:¹³

The tenant is aiming on a good harvest

¹² Ibid., pp. 30-31.

¹³ Ibid., pp. 84-85.

The hoarder is pleased with a flood fury.
 See the shawl-weaver has ripened due to hard work
 Whereas the *Karkhandar* (industrialist) is leaving for
 a feast.
 This sister has lost her youth while spinning
 That intermediary is busy with the counting of cash.
 This poet is healing the wounds of tulips
 That usurer is serving the notices of
 confiscation.

Another poem of *Navroz-e-Saba* that is revolutionary in its nature is *Magar Vyeth ma cha Shoungith?* (But the Vitasta is not asleep). The poem has been composed in September, 1954, when the turmoil after the dismissal of Shaikh Abdullah in 1953 had calmed down considerably. The political events in the Valley had created bitterness among the progressive intellectuals and in this process they deemed a sabotage of the progressive programme of the Nationalist Government. The poem as we understand has been written at this juncture and aimed at invoking courage and optimism with the expectations of a promising future. The following verses are attesting to our observations:¹⁴

I know that some enemies want to keep tabs on love
 Our sweet talk tastes bitter to some ignorant ones
 I know life has not yet taken the colour of your beauty
 Many obstacles hinder the fulfilment of our desires,
 branches have not blossomed yet.

After the accession of Jammu and Kashmir with Indian Union and the restoration of normalcy after partition Shaikh Abdullah—an anti-colonial stalwart and the most popular leader of Kashmir—was sworn in as Prime Minister on 5 March, 1949.¹⁵ After some time he realized that the Central Government was encroaching upon his autonomy that resulted into an acrimony between him and the then Prime Minister of India Jawaharlal Nehru. It ultimately paved a way

¹⁴ Ibid., p. 44.

¹⁵ Bazaz, Prem Nath, *The History of Struggle for Freedom in Kashmir*, Kashmir Company, New Delhi, 1954, p. 406.

for the Delhi Agreement between the two in 1952. But, after some time Abdullah once again realize that the Central Government was not sincere and he was not allowed to exercise the autonomy guaranteed under the article 370 of the Indian Constitution. It once again resulted into a misunderstanding between Abdullah and Nehru. Bakshi Ghulam Muhammad the Deputy Prime Minister of the State was the incharge of affairs between the Centre and the State. He was tamed by Nehru in order to utilize his services and a conspiracy was hatched against Abdullah. Accordingly he was dismissed and arrested on 9 August, 1953 and Bakshi Ghulam Muhammad took over as Prime Minister of Jammu and Kashmir.¹⁶

Leaving the narrative of political history aside it is pertinent to return to the poetry of Rehman Rahi and the style of his presentation. In April, 1958 he composed a poem under the title of *Mafinama* (An account of apology) which most of the contemporaries reveal had been written to draw a picture of the misgovernance that prevailed during the times of Bakshi (1953-1963) as Prime Minister. It is the second poem of his celebrated poetic work *Siyah Roodeh Jaren Manz* (Amidst black showers). The poem depicts an authoritarian regime where the people had bitter experience of a governance through intimidation and terror. There was no respect for the rules and regulations and the procedures had been thrown to winds. It is worthwhile to underline some appealing verses:¹⁷

Why have you taken offence at my words?
If I have been foolish
Pardon me, I acted unwittingly
Who am I to confront you?
You are a ruler rolling in riches
And I a penniless poet
Who wants to be reckless and invite trouble?
Rebellion it is to smell a rose without your consent

¹⁶ Abdullah, Shaikh Muhammad, *Atash-e-Chinar*, (Autobiography), Ali Muhammad and Sons, Srinagar, Kashmir, 1986, pp. 595-596.

¹⁷ Rahi, Rehman, *Siyah Roodeh Jaren Manz*, kitab Gar, Budshah Chowk, Maulana Azad Road, Srinagar, Kashmir, 1977, pp. 20-24.

You may, if you wish, call the night day
Or turn the summer into chilling winter
A casual remark, and the law will be suspended
Your mere glance and justice will be imprisoned
Who am I to confront you?
You have the fortune of Taimur, I that of miserable
Hafiz!

In 1976, Rahi composed the anthem of Kashmir University which is classical in its nature. In addition, to drawing a vivid picture of the scenic beauty of the Valley it reminds about the rich literary heritage of Kashmir from ancient to modern times. While depicting the significance of Kashmir as a great centre of learning the author refers to the great contributions of Khamendra, Bilhana, Kalhana, and Abhinava Gupta in a chronological order. In case of medieval Kashmir he reminds about the poetry of the two renowned sages like Lalla Ishwari and Shaikh Nur-ud-Din that played the role of a bed rock in the foundation of inclusive culture in Kashmir. The poet while referring to the glorious memories of the past reminds about good times of Sultann Zain-ul-Abideen (1420-1470) and the poetic contributions of Shaikh Muhammad qbal who also had a Kashmiri origin.

In case of the traditions of self respect among the men of letters from remote past, he makes a reference to the prominent poet of Kashmir Ghani Kashmiri who in a feeling of anger tore away his shirt while declining for his presence in the Mughal court. Switching over to recent past Rahi appreciates the constructive hard work of Pandit Jawaharlal Nehru (who also owed his origin to the Valley) that he did in the making of post independence India. Similarly, while referring to significance of the snow clad Harmukh peaks in hot summers the author in between refers to the lion which is a reference to Shaikh Muhammad Abdullah who was popularly known as Sher-i-Kashmir (Lion of Kashmir). All this speaks about the enormous knowledge that Rahi had about the literary traditions of Kashmir. Above all it reflects the immense love and affection that the poet had for the scenic

Rehman Rahi and His Progressive Poetry | 181

beauty of his motherland. It is pertinent to underline the relevant verses:¹⁸

O. Mother Kasheer: All founts of knowledge have ever
been at your bidding command.

O. You who flows like a Vitasta of gnosis, through our
bosoms.

You willed, and this seat of learning came into begin in
this paradise on earth.

This fountain of Knowledge made a leap at

Your will; and yours was the intent which bodied
forth into what we behold around us here.

You are the wisdom of our past which kindly leads us
on today.

This is the land that harbours Khamendra's poignant
tale,

and treasures Bilhana's fond memories.

Isn't it here that Kalhana's Vitasta sprawls far and wide,

and Abhinava Gupta's ocean of knowledge surges high?

You are the refulgent flame of Lalla's verse;

you are the solemnity of the Shaikh's sacred hymns.

When aspiring souls take their wing, Budshah comes
forth to greet them;

when devotion stirs our souls, we raise a song of praise
to Iqbal.

Ghani, who tore his shirt to shreds, spoke for the
conscience aroused.

The fresh and bold imagination of Nehru wrung milk
out of perspiring rocks.

It is here that the Harmukh peeks cool the
scorching summer

and the lion's eyes burn bright in the caves of
snow.

As mentioned earlier that after the dismissal of popular
Government in 1953 Bakshi Ghulam Muhammad was
arbitrarily made the Prime Minister of trouble torn Jammu
and Kashmir. Even at the end of Bakshi regime in 1963 the

¹⁸ Kashmir University Tarana (Anthem), written by Rehman Rahi in 1976,
Courtesy EMMRC, University of Kashmir, Hazratbal, Srinagar,
Kashmir.

Union Government continued to impose puppet Governments till 1977 when the elections of the State Legislative Assembly were held in a fair manner free from any rigging. However, this tradition in case of the Valley was repeated in 1987 when the elections were rigged once again.¹⁹

It is pertinent to mention that the disempowerment of the masses in view of the imposition of puppet Governments in 1950s and 1960s to a great extent had been forgotten due to the restoration of Shaikh Abdullah and as a result of the free and fair elections held for State Assembly in 1977 and 1983. But, the rigging of elections in 1987 when the political consciousness among the educated unemployed youth had reached to its climax proved detrimental.²⁰ It served as an immediate cause of the eruption of insurgency that cost a huge number of lives. It also led to a sort of polarization that unfortunately gave a set back to the centuries old inclusive culture of Kashmir even if it continues in the genetic makeup of every Kashmiri irrespective of caste and creed. While wailing upon the ramification of insurgency the poet versified:²¹

The shrine burnt to the bottom in a devastating fire at
last,
Even the giaour sage wailed over it at last.
In trepidation, the ground of the catacomb was dug
out,

¹⁹ The author on the basis of several interviews with various political activists confirmed that there was a rigging in 1987 Assembly election. It is pertinent to mention that the father of the author who happened to be one of the close associates of Late Muhammad Maqbool Dar (Ex-Union Minister for Home Affairs) an independent candidate from erstwhile Shangus constituency along with other workers had been arrested in the evening hours of the polling day and imprisoned for a few nights at Police Lines, Khanabal, Anantnag.

²⁰ Most of the polling agents especially in the Srinagar were harassed and humiliated by National Conference leadership by misusing the police force that caused a deep rooted alienation among them. Consequently, these youths later on crossed the border in order to receive training in militancy from Pakistan. It were these young-men who on their return to the Valley in 1989-1990 waged a guerrilla warfare in Kashmir.

²¹ Rahi, Rehman, *Kadla Thathi Peth* (On The Pier of The Bridge), Meezan Publishers, Srinagar, Kashmir, pp. 72-73.

Rehman Rahi and His Progressive Poetry | 183

even the mud wall of the compound was removed at last.

Though they cherished their dreams individually, the numbness of their eyes for want of sleep had a common effect at last.

The moon was already erratic, casting human foot on it has furthered its blurredness at last.

The earth was persistently sucked to hollowness, the sky's only hope for us has developed whole in it at last.

Conclusion: The above account leads us to the conclusion that the poet being a sensitive soul had been influenced by his environs immensely. Being conscious about the socio-economic problems of the poor in colonial and post colonial times the poet has dedicated his poetic faculties for their elevation. The present paper has attempted to contextualize only a tip of an iceberg of his huge record of poetry. It has not touched the romantic and natural aspects of his poetry. Besides, being a great poet and critic of his times, Rahi as revealed by his students was a committed teacher. The future generations we believe would always cherish his enormous contributions as an outstanding poet and critic.

Banking Amidst Adversity: Mapping Growth Trajectory of the J&K Bank (2011-2021)

Umair Rashid

Abstract: *The paper maps decadal growth trajectory (2011-2021) of a prominent public sector bank, the Jammu and Kashmir Bank, which is head-quartered in the Jammu and Kashmir Union Territory and has operations throughout the country and also significant financial activities abroad. The region of J&K during this period of study from 2011 to 2021 has seen many adverse situations like climatic disasters, floods, political upheavals and the latest COVID-19 pandemic scenario. In spite of these adversities the J&K Bank has shown significant financial dexterity and resilience in its operations and planning which has resulted in its overall positive growth across these years. The current paper reviewed its annual reports, balance sheets and other financial briefs released since 2010 uptill 2021, looked at the time series data of its total advances and total deposits, and also focusing on the corresponding growth rates in these parameters. The results validated that a financial institution's growth and progress is closely tied up with the parameters of total advances and total deposits, and the paper has attempted to showcase the same.*

Introduction: The Jammu and Kashmir Bank is one of the prominent financial institutions in the Jammu and Kashmir region with its operations across major cities of India and also in few prominent cities abroad. It is a Scheduled Commercial Bank and one of the most seasoned private area Bank in India. (JKB 2021). Its Corporate Headquarters are in Srinagar, Jammu and Kashmir with its Zonal Offices in J&K, Delhi, Mumbai and Ladakh. The Bank was the first in the country as a state claimed bank and started its business from fourth (4th) July, 1939 in Kashmir.

Originally, the Jammu and Kashmir Bank (J&K Bank) was established on October 1, 1938, under letters patent given by then Maharaja of Jammu and Kashmir, Maharaja Hari

Singh. The Maharaja had welcomed famous financial backers to turn into the establishing chiefs and investors of the bank. Then, the Indian Companies Act 1956 characterized Jammu and Kashmir Bank as an administration organization. In 1971, the Bank also received the status of a scheduled bank and was proclaimed as “A” Class Bank by the Reserve Bank of India (RBI) in 1976. It is a semi-government monetary organization with 68.18 percent of shareholding of the government of Jammu and Kashmir and remaining of different investors/ shareholders as on March 31, 2021. (JKB Report 20-2021). This bank functions as a main establishment in both the association regions of J&K and Ladakh. The RBI in fact additionally considers it as its select specialist for completing financial business for the Government of Jammu and Kashmir and Ladakh. The bank acts as a financial supporter to wide variety of peoples in UT of J&K; be it business establishments, government servants, people working in semi-government and autonomous bodies, farmers, artisans, public sector agencies and corporate clients. The bank provides various types of loans to the people in both the UT’s like home loans, personal loans, education loans etc. The bank also offers a number of unique financial products for various types of customers (JKB 2020). As on July 31, 2021, the J&K Bank has an organization of 957 specialty units and 1386 ATMs spread over to more than 18 states and 4 UTs the nation over. Out of 957 BUs, 798 are working in the UT of J&K, 35 in UT of Ladakh and 124 are working outside the UTs of J&K and Ladakh. (JKB Report 2021). The bank being the major monetary player in the region of Jammu and Kashmir holds a main piece of the pie of advances (64.84%), deposits (63.92%) and branches (39.3%) of the multitude of scheduled commercial banks working in the J&K region as of March 31, 2021.

Background: J&K bank is an influential institution in the J&K region performing a crucial role in the affairs of the UT and is also listed on the NSE and BSE. J&K Bank involves an

interesting and leading position inside J&K because of its strong presence in market- arena and its position as selective specialist assigned by the RBI for doing banking business for the Government of J&K and its administration claimed organizations and divisions. The bank gathers tax revenues inside J&K and Ladakh for the Central Government for the benefit of the Central Board of Direct Taxes and Central Board of Excise and Customs, and works with the UT Government of J&K and Ladakh in the execution of various lead drives including work of youth, ladies strengthening and so on. J&K bank is also one of the key employment providers in both the UT's of Jammu and Kashmir and Ladakh. As of year 2021, the bank has over 12,307 employees. (JKB Report 2021). J&K Bank also has 1028 branches in the following states of India:

Table 1: Number of JKB Branches in Different States/UTs (Source: JKB Report 2021)			
State	No. of Branches	State	No. of Branches
Andhra Pradesh	3	Bihar	3
Chandigarh	1	Chhattisgarh	1
Delhi	30	Goa	1
Gujarat	4	Haryana	12
Himachal Pradesh	5	J&K	887
Jharkhand	1	Karnataka	9
Kerala	2	Madhya P	2
Maharashtra	21	Punjab	20
Rajasthan	2	Tamil Nadu	5
Uttar Pradesh	16	Uttarakhand	3
West Bengal	2		

The logo of J&K Bank is a visual portrayal of the Bank's theory and business procedure. The three hued squares address the regions of Jammu, Kashmir, and Ladakh. The counter-structure made by the association of the squares is a hawk with outstretched wings—an image of force and strengthening. The collaboration between the three locales impels the bank towards new horizons. Green means development and restoration, blue passes on soundness and unity, and red addresses energy and power. This multitude of traits are incorporated and acclimatized in the white counter-structure.

Literature Review: The Indian economy's advancement in the mid 1990s has come about in the form of establishment of different private and corporate banks. This has marked huge increase and expansion in banking area in the next two decades. The banks' income in India increased from US\$ 11.8 billion to US\$ 46.9 billion, though the benefit later charge raised almost nine-fold from US\$ 1.4 billion to US\$ 12 billion over 2001-10 (IBEF Report 2013). This push and jump was mediated primarily by two elements. To begin with, the deluge of Foreign Direct Investment (FDI) of up to 74 percent with few limits. Second, the moderate strategies of the Reserve Bank of India (RBI), which have safeguarded Indian banks from downturn and worldwide monetary disturbance.

As far as J&K Bank is concerned, Sheikh and Rajmohan (2016) discovered in their study that 57% of the overall population in Jammu and Kashmir had accounts with other banks, whereas 43% of them were customers of the Jammu and Kashmir Bank. Because Jammu and Kashmir Bank branches are nearly all significant, the majority of individuals prefer to have an account there. Due to the elimination of geographical restrictions and the creation of new opportunities, the Internet banking revolution has dramatically altered the banking system throughout the world.

Further, according to Wani and Mushtaq (2013), the majority of Jammu and Kashmir Bank clients are quite dependable. However, some clients have a tendency to be dissatisfied with specific aspects. For example, 40% of

students are dissatisfied with the service fees and convenient locations of their branches. As a result, there is a good likelihood that by lowering service fees and adding additional branches in both urban and rural locations in the near future, these clients will also grow to be dependable and devoted to Jammu and Kashmir Bank.

Keeping in view these arguments the current paper attempts to study the Jammu and Kashmir Bank and understand its growth trajectory in the previous decade during which the region of J&K witnessed severe climatic, political, and regional situations. As it is understood that the J&K Bank as a financial institution more or less touches every soul in the J&K region. In this context, the current paper aims to track the J&K bank's growth trajectory since 2011 by critically examining bank's yearly annual reports, growth in total advances and total deposits.

Methodology: The current research assignment aims to trace the growth and progress trajectory of the J&K Bank in the previous decade. In order to arrive at certain logical conclusion the researcher reviewed relevant annual reports, financial statements and other policy briefs issued by the J&K Bank from 2010 to 2021. These sources of data were thoroughly studied in the context of the objectives of the present paper.

Objectives of the Paper: The paper attempts to understand performance of the J&K Bank as a financial institution at national and regional levels. The specific objectives are outlined below:

- 1) To map growth trends in key financial indicators of the J&K Bank from 2011 to 2021 with emphasis on total advances and total deposits of the bank issued from year to year.
- 2) To understand the contribution of J&K bank as the main financial agency for the Government and society in the region.

Sources of Data, Tools & Techniques, and Analytical

Plan: The researcher collected all the relevant annual reports, financial statements, balance sheets and other policy briefs issued by the J&K Bank and Government of Jammu & Kashmir from 2010 to 2021. The same provided data and other important information that were needed in light of the aims and objectives of the paper. For instance, data was identified and compiled regarding key parameters and indicators of growth like total advances, total deposits, and their respective growth rates, other physical and financial domains of the bank's programs and policies. These documents were critically studied and reviewed, and also key parameters were taken note of. Time- series data related to total advances and total deposits were compiled and analyzed by using *MS Excel* and *Eviews* software's.

Major Findings: After the review of diverse literature and data pertaining to different parameters of the Bank's operations and functions, the key data-indicators were compilation and tabulation and a thorough analysis was attempted keeping in view the aims and objectives of this paper. The key findings and inferences have been discussed with focus on the identified key themes:

- 1) Growth in Advances and Deposits
- 2) Data Analysis using Eviews
- 3) Contribution of J&K Bank as the main financial agency
- 4) Community Development
- 5) Promotion of Education
- 6) Skill Development

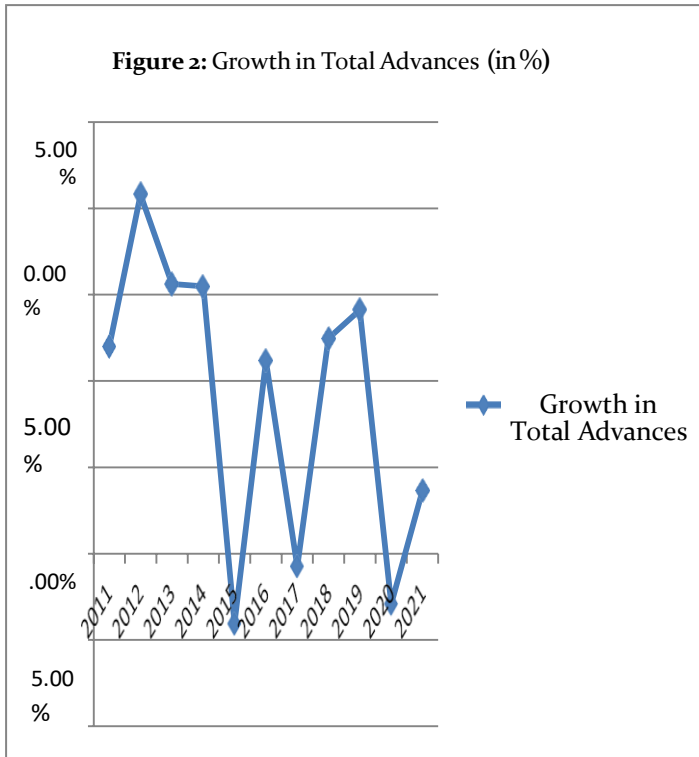
As shown in the graph below, the total advances of the bank during the last decade increased rapidly only in the year 2012 where there was 20.81 percent increase in the total advances of the bank from 11.98 percent in 2011 means the bank registered 8.83 percent increase in total advances in the year 2012. Then from that onwards, the bank couldnot maintained

Table 2: Growth In Advances and Deposits (Source JKB Annual Reports 2010-21)				
Financial Year	Total Advances (in Crores)	Total Deposits (in Crores)	Growth Rate in Total Advances (in %age)	Growth Rate in Total Deposits (in %age)
2010	23,057	37,237		
2011	26,194	44,676	11.98	16.7
2012	33,077	53,347	20.81	16.3
2013	39,200	64,221	15.62	16.9
2014	46,385	69,336	15.49	7.4
2015	44,586	65,756	-4.03	-5.4
2016	50,193	69,390	11.17	5.2
2017	49,816	72,463	-0.76	4.2
2018	56,913	80,006	12.47	9.4
2019	66,271	89,638	14.12	10.7
2020	64,399	97,788	-2.91	8.3
2021	66,841	1,08,061	3.65	9.5

Figure 2 and Figure 3
Highlights graphically the growth rate in total
advances and total deposits
Source: Author Calculation

the same growth rate in advances and the advances started increasing lower than this rate. Infact, there was a decline in total advances from 46,385 crore in the year 2014 to 44,586 crore in 2015. So, the advances fell by -4.03 percent in this period. The reason could be the widespread floods in Kashmir in the year 2014. Similarly in the year 2017, there was a decline in total advances from 50,193 crore in 2016 to 49,816 crore in 2017 thus, falling by -0.76 percent. One of the key reasons for this decline in 2016 was public unrest, restrictions and curfews in the wake of the killing of militant commander Burhan Muzaffar Wani. Similarly, in the year 2020 the total advances declined from 66,271 crore in 2019 to 64,399 crore in 2020 falling by -2.91 percent. The primary reason was unrest

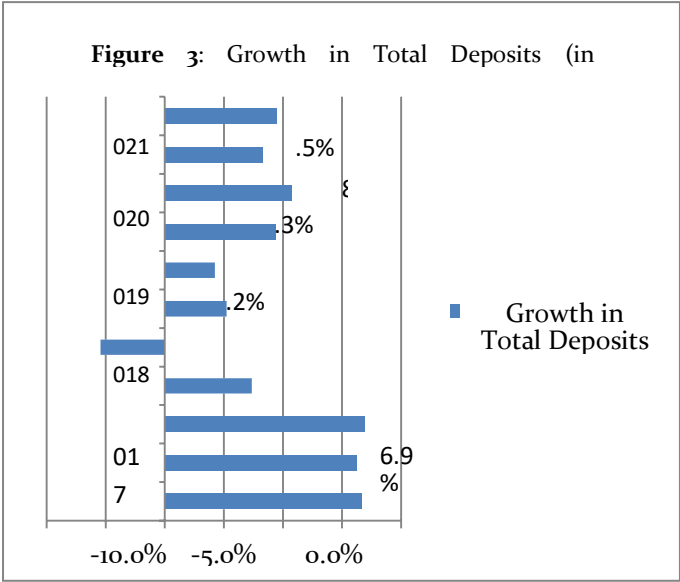
and strict restrictions due to the abrogation of the article 370 in August in the year 2019. The precarious situation was not



conducive for business and routine economic activities in the region. Other than these years where there was disturbance, the bank has been gradually registering an increasing growth rate yearly in terms of total advances.

As shown in the graph above, the bank maintained a significant growth rate of more than 16 percent in total deposits during the period from the year 2011-2013. Then the growth rate in total deposits fell from 16.9 percent in 2013 to

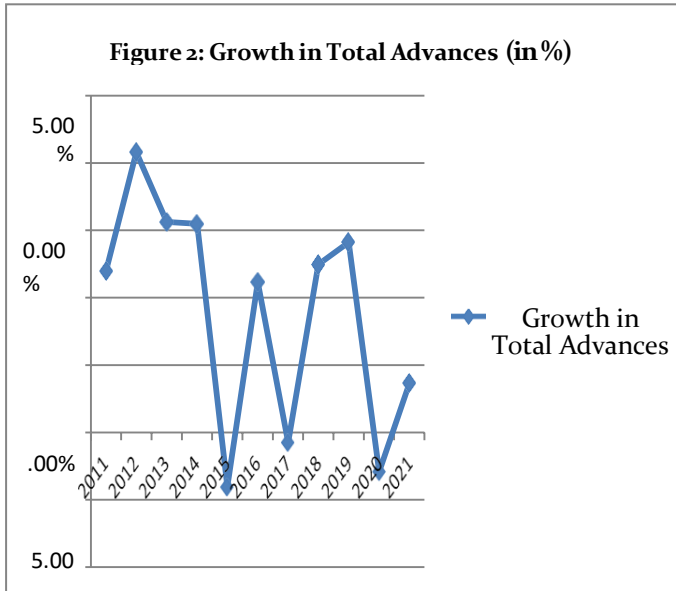
Figure 3:
Highlights graphically the growth rate of total deposits



Author Calculation

As shown in the graph above, the bank maintained a significant growth rate of more than 16 percent in total deposits during the period from the year 2011-2013. Then the growth rate in total deposits fell from 16.9 percent in 2013 to only 7.4 percent in 2014. In fact, it showed a decline in the year 2015 where the total deposits fell from 69,336 crores in 2014 to 65,756 crores in 2015 falling by -5.4 percent. Again the reason of it could be the widespread floods in Kashmir in the year 2014. However, from 2015 bank again started registering growth in total deposits though below 10 percent till the year 2018. And in the year 2019 there was a significant growth again in total deposits from 80,006 crores in 2018 to 89,638 crores in 2019 registering growth rate of 10.7 percent. And in the recent two years i.e, 2020 and 2021 the banks total deposits have grown by 8.3 percent and 9.5 percent

respectively. So, overall the bank has been able to maintain a healthy growth rate in its total deposits year by year.



Contribution of J&K Bank as the main financial agency:

For the sustainability of the society, J&K bank had launched Corporate Social Responsibility policy which is as per the Section 135 of the Companies Act 2013. Corporate Social Responsibility isn't simply compliance, however, a social venture to help manageability of society. It is a pledge to help drive that quantifiably works on the existences of disadvantaged by tending to their necessities. Being the largest and the most seasoned business establishment in Union Territories of J&K and Ladakh, the Jammu and Kashmir Bank Ltd has embraced Corporate Social Responsibility (CSR) as a thought which implies for reasonable development and accepts that CSR isn't gracious cause or a simple gift, however, a method of showing to age-old commitment that values shared worth and adding to social responsibility of an institution. Under CSR, the J&K Bank has zeroed in on persistent obligation to the social, financial empowerment of

the marginalized and disadvantaged people in areas and advance comprehensive, amicable social monetary government assistance, local area strengthening, enhancing capacities and working for environment and sustainable development. It is in arrangement with the mission of social strengthening, the bank as a socially responsible corporate resident, will upgrade value creation in the general public and the local area it works through its CSR exercises, which at last would be intended to advance supported development of the general public and protection of environment. The key areas of JKB's CSR activities include:

1. Development of essential assets and services in diverse communities which comes under a programme called Community Development Initiative.
2. Promoting Education and creating infrastructure in this domain especially in backward areas.
3. Building services for Promotion and Preventive Health care services.
4. Development of sports and physical activities centers across the servicing areas for common public.
5. Working in the sector of hygiene and Sanitation
6. Preserving environment and wildlife and also conserving Heritage assets.
7. Enhancing and Development of Skill Development and Innovation cum incubation centres for development of entrepreneurship in the regions, (JKB Report 2021).

Now if we talk about the CSR activities of the J&K Bank in the year 2018-19 in above sectors, the performance is as:

Community Development: During the FY 2018-19, various drives were embraced by J&K bank towards this path. The exercises under CSR initiative like Community Development (CD) drive changed from improvement of Rajinder Park Canal Road Jammu for joggers and overall population, giving fundamental conveniences/supplies to Night Shelter Home at Boria Basti Jammu. The bank likewise under CSR made contributions to relief fund of Kerala for people devastated by

floods during previous years. Other than an Omni rescue vehicle was given to the Idara-Auqaf Gousia Trust and water filters introduced at DM office Ganderbal for the utilization of huge number of individuals visiting the said office. The J&K Bank embraced the charge of venerated sanctuary of Baba Peer Budhan Shah Ji Jammu which is being troubled by huge number of loyal from the nation over. Notwithstanding the previously mentioned exercises under local area advancement, the bank likewise introduced seats at Rajouri's main Hospital and gave inverters to Integrated Child Protection Unit (ICPS) Budgam.

Promotion of Education: Education being imperative in nation building, J&K Bank has shown main concern to advancement of training under its CSR program. An impressive part of CSR financing was spent in the field of schooling. The Jammu University was given with the battery operated vehicles for persons with disabilities (PWD) students. J&K Bank likewise added to the Students' Welfare Fund to be used for poor, viewing as hard to get the affirmation regardless of being praiseworthy. The bank likewise gave permission to redesign Rotary Inner Wheel School run by Deepak Goswami, a PWD craftsman. Other than Omni Van was given to IIT Jammu, and an entryway receiving wire was introduced at Central University Jammu. To give nonstop jolt to the NIT Srinagar, 60 UPS were given to the organization to benefit the students pursuing courses in technical field. Furthermore, 50 benches and bicycles were given to the Kashmir University and library of Govt. College Women Parade was completely computerized by the J&K bank.

In the same way the bank has also contributed in the healthcare sector by providing medical equipments etc. In sanitation, the bank in accordance with the Swachta Hi Sevamission, conveyed forward the drive by giving Garbage vehicles to the Jammu Development Authority (JDA) and furthermore directing Cleanliness and Sanitation/health drives/activities at different areas in Jammu. The bank has effectively taken part in the public authority's "Swachh Bharat Mission" by reacting to the call with energy and empathy for

the honorable drive of the public authority. The bank also during this time and continuously has contributed in the promotion of sports activities in the J&K region by providing financial support.

Skill Development: The bank comprehends the significance of expertise advancement for working on the capacities and capabilities of the hopeful youth to get utilized in the steadily developing cutthroat market. During the year 2018-19, the bank offered help to Craft Development Institute (CDI) Srinagar with foundation improvement so that students get benefits having long lasting impact.

Awards and Recognitions: The Jammu and Kashmir Bank was also able to receive several noteworthy awards during the period from 2018-20. These include Indian Banking Association (IBA) award for the year 2019-20 for being the best technology bank of the year, Banking Financial Sector and Insurance Services (BFSI) leadership award for the year 2018-19, top banker award for Prime Minister Employment Generation Programme (PMEGP) for 2019-20, HUDCO award for outstanding in the Housing Sector for 2018-19 and Central Statistical Office award (CSO) 100 for the year 2018-20. According to Public Financial Management System (PFMS), the bank was also among top five performing banks for 2019-20.

Discussion and Conclusion: Despite ups and downs throughout the last decade, we can conclude on the positive note that Jammu and Kashmir Bank is becoming a major key financial player in the UT of Jammu and Kashmir. Apart from some years where there was disturbance and turmoil in Kashmir, the bank is consistently showing an increasing growth rate in terms of its total advances and total deposits which is evident from our data analysis. From our regression analysis and co integration test, it is clear that there is a very strong and long-run relationship between the growth rate (GR) and total advances (TA). These are highly correlated. The more the bank is able to lend loans to the people the

more it registers growth rate. Similarly, the growth rate (GR) and total deposits (TD) are also highly correlated. The more the bank is able to convince people to place their money in the bank as deposits the more the bank expands. So it is essential for the J&K bank to keep maintaining growth in terms of its total advances, total deposits as these two indicators are important for long term growth, and development in the banking sector and the J&K bank has been trying to accomplish the same. Moreover, the bank is also regularly registering increase in its customer base. Majority of the people either directly or indirectly are linked with the bank which truly highlights the bank's growth and expansion. The bank is also regularly expanding its customer facilities in different districts, villages etc. Each year the bank is setting up new ATMs, establishing new branches within and outside the J&K UT, bringing a lot of ease to its customers. The bank also provides various financial loans to the people like housing loans, education loans, business loans with decent interest rates and subsidies. According to latest annual report (2020-21), the net advances of the Bank stood at Rs. 66841.73 Crore as on 31st March, 2021. So, this figure clearly highlights how many people are associated with the bank and how much amount bank has spent in terms of lending loans to the people. Jammu and Kashmir Bank has over the years spearheaded the financial and social change and has turned into a serious accomplice in encouraging this financial and social change the nation over through a profound obligation to value creation for every one of its stakeholders and partners, while proceeding to expand on its memorable business relationship with Jammu and Kashmir and Ladakh.

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Book Review
**The Making of Early Kashmir: Landscape
and Identity in the *Rajatarangini***

Irfan Bashir

The book *The Making of Early Kashmir* (Oxford University Press, Delhi, 2018) by Shonaleeka Kaul deals with the cultural history of Kashmir; it ventures to look at the *Rajatarangini* critically. It follows a revisionist approach to properly understand the cultural past of Kashmir. Shonaleeka Kaul asserted that with the help of *Rajatarangini*, through its textual representations, she identified and interpreted the values associated with the region (Kashmir) from its origin till the 12th century. The book is, in a way, a critique of history writing mostly based on the *Rajatarangini* of Kalhana. In erstwhile writings, Kaul demonstrated that the region of Kashmir is depicted as a separate region from the Indic mainland (supra region), the earliest exposition to this being the Kalhana's narrative. This articulation on the region has brought a distinct way of looking at the established writing norms in ancient and early medieval Kashmir. Her variance with the former historiography of the region is due to the glorification of the region as separate from the mainland. She tried to disprove the claims made by some scholars that Kashmir was in isolation due to its topography and situated at the periphery of the mainland of the subcontinent, subsequently developed as a unique entity.

The book is divided into three chapters with an introduction and conclusion. It is based on a study of temporality, spatiality, and identity in early Kashmir. It is an effort to understand the wide range of discursive and material processes through which Kashmir emerged as a historical region. Primitively, she comes up with the general view of how *Rajatarangini* is being designated as the only historical work of the subcontinent by the scholarship, which Kaul described as the deprecation of the whole civilisation. She claimed the Kalhana's work which is being ascribed the merit of assigning chronological dates to the dynasties ruled over Kashmir, is not unprecedented rather, we have an abundant

number of treatises which were written on such themes, *Vamshavallis* and other *Puranas*, which are genealogical accounts of various dynasties that ruled over the subcontinent. Besides, the inclusion of various myths in the *Rajatarangini* from the epics, local *Puranas* or the local legends serve the didactic purpose. She explicitly propounds how the work, which comprises of rhetoric didactic aspects assumed the status of being history. A generation of historians assumed it to be history rather than *kavya* poetry. While making various assertions, she wished to reinstate it to the genre of *kavya*. Kaul asserted that Kalhana was not only the creator of the past but the creator of the region. He is described as the one with a preconceived mission to instruct the present with the help of various moral lessons. Thus, she thought that the tendency to moralise was the leading thrust of *Rajatarangini*.

Shonaleeka Kaul argued that in *Rajatarangini*, Kalhana fabricated the region of Kashmir from abstract space to specific space through a range of cultural constructions like myths and memories. These mythical stories revolve around the natural forces and natural features that generate a sense of the region. The intertwining of geographical, mythical, and other discursive practices smoothened the process. She argued that this whole process is done by Kalhana not through any vernacular expression, but through a cosmopolitan Sanskrit. By this paradigm, Kaul questioned the thesis of Sheldon Pollock. Moreover, Kalhana employed certain practices with which he elaborated a region as a homeland. Among these indexes, mention could be made of Kalhana's portrayal of tangible features of Kashmir and narrative of the geography, which in turn develops belongingness in the land through a literary expression.

Kaul argued that her approach to Kashmir is not linear. She pleaded for the textual reinterpretation of *Rajatarangini*. Kalhana created a region of Kashmir through his narrative, and all regions are relational to supric regions. The need for understanding this relational location is vital due to the impression left by the Valley upon the other scholarly imagination of being in isolation due to its topography that further led to insularity and, subsequently, to uniqueness,

which subsequently supplemented the concept of centrality and peripherality of the region in the text. Kaul questioned the peripherality of the region. She tried to highlight certain cultural markers depicting Kashmir as part of the Indic mainland. To substantiate her claim, she pleaded that connected histories need to be followed as the regions do not come into existence in isolation, but with interactions with the surrounding areas. The political aggrandisement between the rulers of Kashmir and the Indic rulers is highlighted. Various important cultural markers of identity are discussed, like the assemblage of archaeological culture, art, script, and language from ancient Kashmir.

The Making of Early Kashmir Landscape and Identity in the Rajatarangini is an important book written on ancient Kashmir. The book adopts a revisionist approach, challenging the prevailing historical narrative primarily based on Kalhana's *Rajatarangini*. The book has certain imperfections which need to be revisited. She is more concerned with locating the identity of Kashmir with the Indic region; while doing so, she described her approach as a connected approach. However, while taking recourse to this, she ignored the regions surrounding the Valley and mainly highlighted the interaction between Kashmir and the Indic mainland.

Kaul asserted that Kashmir is being described as unique due to its insularity and isolation. She invalidates the claim of Kashmir being unique due to its peripherality and tries to put forward some noticeable linkages and integrations between the region and the supra region. In this context, Kashmir is mentioned as part of the Mauryan Empire. The ruler mentioned in *Rajatarangini* as Ashoka seems to be a local ruler rather than a famous Mauryan emperor. Besides, Ashoka Maurya is credited with sending missions to spread Buddhism to all neighbouring countries. In this regard, Mauryan Ashoka sent *Mahjantika* to the kingdom of Kashmir, which is inconclusive to the claim of Kashmir being a part of the Mauryan Empire.¹ It seems implausible for a ruler to send a mission to propagate the same religion that he was

¹ Geiger, Wilhelm, ed. *Mahavamsa: Great Chronicle of Ceylon*, Vol. 63, London: Oxford University Press, 1912, pp. 82-84.

following in the territory that, according to her, constitutes his realm. Although the provenance of many luxury goods generally associated with the Mauryan Empire discovered at Semthan indicate interlinkages, we should not disregard the potential of trade relations between the two regions. Secondly, the territorial expansion of Mukhtapida with the Indic rulers is emphasised for correspondence purposes. Moreover, *Rajatarangini* describes how he waged extensive wars with all the rulers in every direction and had much closer ties with the Tang, as attested by numerous itinerants in their accounts. Despite this, there is no denying that the people of ancient Kashmir considered the Indic subcontinent to be their sacred territory due to their shared religious beliefs. However, it is incorrect to argue that Kashmir just has cultural ties to the Indian subcontinent; there is evidence suggesting that Kashmir also has cross-cultural ties with other neighbouring countries. The book takes a corroborative approach to the ancient history of Kashmir by combining archaeological and literary sources. However, in several instances, it looks like the author has made some dubious claims.

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