



The Forgotten Muslims: How Kashmiris Breathe Islam Under Occupation

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Introduction

ہم کیا چاہتے؟ آزادی!
 آزادی کا مطلب کیا؟ لَا إِلَهَ إِلَّا اللَّهُ!
 تیرا میرا رشتہ کیا؟ لَا إِلَهَ إِلَّا اللَّهُ!¹

Hum kyā chahtay? Azādi!

Azādi kā matlab kyā? Lā' ilāha' illā-llāh!

Terā merā rishtā kyā? Lā' ilāha' illā-llāh!

(What do we want? Liberation!

What does liberation mean? That there is no God but Allah!

What makes you and me one? That our God is none but Allah!)

These words, reminiscent of Bilāl ibn Rabāḥ's declaration of "*aḥadun aḥad*" as he was tortured by his master for heeding the call of the Prophet Muhammad ﷺ, reverberate through the streets of the colonized valley of Kashmir at the moment. Is Islam irrelevant for Muslims when they are engaged in a struggle that consumes their lives and permeates their entire existence? Or can Islam constitute the lifeblood of the struggle that Muslims lead against the condition of colonization? The long struggle of Kashmiri Muslims against India's occupation tells us that not only is Islam a source of support and hope for a community of Muslims facing fierce oppression, it is also the light that guides the struggle of Kashmiris, the language that defines their quest for justice and the promise that makes surrender unimaginable.

A few days back, my 61-year-old mother, who has been in prison for more than 12 years for her involvement with the resistance movement, called my aunt from Tihar Jail, Delhi. While they were talking, my mother heard the sound of the *adhān* in my aunt's locality. Mother rarely exhibits vulnerability, but she had just heard the

¹ Haris Zargar, "Kashmir's Resistance Anthem," *New Frame*, October 15, 2019, <https://www.newframe.com/kashmirs-resistance-anthem/>.

call for prayer for the first time after four years of continuous imprisonment. During these four years, the sound of the *adhān* had never reached her ears. It overwhelmed her, so she asked my aunt if she could play a recorded audio of the *adhān* of the Prophet's Mosque in Medina as she has longed for its sound. My aunt played it on another phone and kept it close to the microphone of the phone on which they were talking and silently they kept listening until their 10-minute phone call came to an end.

The *adhān*, for her and many other Kashmiri prisoners, embodies the feeling of home that they have been deprived of, scattered in jails thousands of miles away from Kashmir all across India. And more so, it embodies the sense of belonging that they feel towards Islam—a belonging that comes with a cost, when you are experiencing a condition of occupation marked by hatred towards Islam.

So, what is the struggle of Kashmiris about? Firstly, the people of Kashmir are not fighting to be treated as “equal” Indian citizens with rights protected by the Indian state. The idea that Kashmiris seek equal Indian citizenship stems largely from liberal commentators in India. This argument obfuscates the true animating force of the Kashmiri struggle: not a yearning for greater integration with India, but for self-determination. This is seen in how the ongoing movement, known in Kashmir as *Tehreek*, has been guided by a demand for referendum and plebiscite, and not greater rights within the Indian union. As argued by Prof. Kanjwal, “Aside from the families associated with the client regimes of the Indian government, Kashmir’s Muslim-majority did not maintain any allegiance to or nostalgia surrounding Article 370. Kashmir’s ‘special status,’ enshrined in the Indian constitution, was built on the understanding between the Indian leadership and its client state in Kashmir that integration to India would be a hard sell for the vast majority of Kashmiris after partition.”

The struggle, then, is not against any particular political party that happens to rule India at a given moment. The intelligentsia, both Indian and non-Indian, have erroneously attempted to trace the oppression in Kashmir to Narendra Modi’s rise to power in 2014.² One reason academics lay the blame on Modi is their inability

² Hafsa Kanjwal, “The Violence on Kashmir Is Epistemological as It Is Physical,” *Jadaliyya*, December 11, 2019, <https://www.jadaliyya.com/Details/40341/The-Violence-on-Kashmir-is-Epistemological-as-it-is-Physical>.

to reconcile the Indian genocidal-colonial project in Kashmir with secular nationalism, which former prime minister Jawaharlal Nehru and his anti-colonial Indian National Congress claimed to espouse.

A secularist liberal, however, can indeed be a colonialist. Nehru was undoubtedly the architect of the military occupation of Kashmir.³ The aforementioned academics exceptionalize Modi's rule while tending to romanticize pre-Modi India. Any such romanticization can only happen by obfuscating India's seven decades-long colonization of Kashmir, and its equally old history of the otherization of Indian Muslims as well as other non-Brahmanical and non-Hindu communities.⁴ These academics and journalists⁵ may write against India's oppression of Kashmiris now, but only do so because this oppression is marked by very visible and outward Brahmanical religiosity. Had the colonizer adopted a secular-liberal political theology, which has happened frequently throughout history,⁶ the liberal intelligentsia would likely have acquiesced, or even justified the violence⁷ through discourses of civilizational progress, modernity, development, or democracy.

In March 2022, a high court in India's Karnataka state ruled that wearing hijab is not an “essential” part of Islam and thus could not be protected under the fundamental right to religion. The court upheld a state government order prohibiting hijab in school. A few days later, the education minister of the same state announced the government's plans to institute the study of Bhagavad Gita, a Hindu scripture, in the school curriculum for all students. This plan was justified by saying that Bhagavad Gita isn't essential just for Hindus, *but for everyone*.

³ Alastair Lamb, *Kashmir: A Disputed Legacy, 1846–1990* (Karachi: Oxford University Press, 2003).

⁴ Sharjeel Imam, “The Hindu Republic: Seven Decades of Muslim Exclusion in India,” *TRT World*, February 3, 2019, <https://www.trtworld.com/opinion/the-hindu-republic-seven-decades-of-muslim-exclusion-in-india-23794>.

⁵ Dexter Filkins, “Blood and Soil in Narendra Modi's India,” *New Yorker*, December 2, 2019, <https://www.newyorker.com/magazine/2019/12/09/blood-and-soil-in-narendra-modis-india>.

⁶ Uday Mehta, *Liberalism and Empire: A Study in Nineteenth-Century British Liberal Thought* (Chicago: University of Chicago Press, 1999).

⁷ Hafsa Kanjwal, “Kashmiris Do Not Need to Prove Their Humanity, India Needs to Prove Its Own,” *Washington Post*, July 12, 2017, <https://www.washingtonpost.com/news/global-opinions/wp/2017/07/12/kashmiris-do-not-need-to-prove-their-humanity-india-needs-to-prove-its-own/>.

While this religious favoritism might appear to contradict the logic of secularism, a closer examination suggests otherwise. It's important to remember that secularism almost always has a profound relationship with nationalism. In India, the sensibilities of Hinduism in many ways permeate and define Indian nationalism. No one demands that politics and nationalism be divorced from each other because national identity is seen as central to political imagination.⁸ Hinduism, then, isn't reducible to the category of religion as we understand the category today, but it has always constituted the core of what being an Indian means. Islam, on the other hand, has largely been confined to the realm of private belief, ritual practice, inner experience, and affective attachments. Islam is seen as just a *religion*, and hence Indian secular governance can demand that it be isolated from the political realm or at least made subservient to the more significant "national interest" with no claims to power or authority.

The blending of secularism with nationalism safeguards the interests of the Hindu majority, as they're the ones who suffuse Indian nationalism with meaning and define the realm of the *political*. Anyone who presents secularism as an alternative to Hindu majoritarianism in India fails to understand that the operationalization of secularism in India is closely tied to popular sovereignty, which in turn has unavoidable sensitivity towards majoritarian ideological or religious norms.⁹ This sensitivity isn't an anomaly, but rather internal to the logic of secularism. Indian secularism is one that has embedded Hindu norms into political and juridical institutions while privatizing those of other communities, especially Muslims, and heavily regulating expressions of their faith. So, as a Muslim, you might be allowed to believe in one God, but the parameters of the expression and manifestation of this belief and what it *does* will always be determined and regulated by the majority. As Hussein Agrama argues, the concept of "public order" is essential to liberal democracy, and public order necessitates the privileging of the majority.¹⁰

⁸ Carlton J. H. Hayes, *Nationalism: A Religion* (New Brunswick: Transaction Publishers, 2016).

⁹ Saba Mahmood, *Religious Difference in a Secular Age: A Minority Report* (Princeton: Princeton University Press, 2016).

¹⁰ Hussein Ali Agrama, *Questioning Secularism: Islam, Sovereignty, and the Rule of Law in Modern Egypt* (Chicago: University of Chicago Press, 2012).

Asking the right questions

An oft-repeated assertion concerning Kashmir is that it is marked by a condition of “lawlessness.” For example, one *Times* article argued that Kashmir has seen “absolute lawlessness as structures of accountability have been rendered dysfunctional.”¹¹ However, such an argument presupposes the possibility of a stable and steady rule of law, against which the “lawlessness” stands as a kind of anomaly. Such an argument fails to consider how the application of the law, its reformulation, its suspension, are all malleable instruments in the Indian colonial epistemic and political arsenal.¹² The fact that Kashmiris are subjected to Indian laws, regardless of the complexion of the law, is in and of itself a problem. The point is not that the Indian state misuses its power in Kashmir, but that the Indian state must not wield any power at all, regardless of how this power is deployed.

The Muslims of Kashmir do not resist India's rule in Kashmir because it does not give them their rights—they resist because the Indian state does not have the moral position or legitimate power to confer on them any right or deprive them of it. It is this power and subjection that they challenge. It is this power that sustains colonialism and characterizes it.¹³ The aspiration of Kashmiri Muslims is very clear for those who want to see—freedom. Freedom, for them, translates into complete liberation from India's illegal occupation, and all the structures that enable the continuation of this occupation. These structures include not just the military, but also the economic, cultural, and legal apparatus, that act as different modes of power working towards the same end—the continued enslavement of Kashmir.

Here it's important to note the limitations of even the well-intentioned efforts of pursuing justice for Kashmiris within a liberal human rights framework. In his book, *The Human Right to Dominate*, Neve Gordon accurately described how, under this framework, a colonial state responsible for extrajudicial executions,

¹¹ Khurram Parvez, “A Year after India Revoked Kashmir's Special Status, Kashmiris Worry about a Demographic Shift,” *Time*, August 7, 2020, <https://time.com/5877176/kashmir-special-status-india-domicile-rule/>.

¹² Zainab Ramahi and Azadeh Shahshahani, “Destroying to Replace: Settler Colonialism from Kashmir to Palestine,” *Verso Books* (blog), August 10, 2020, <https://www.versobooks.com/blogs/4817-destroying-to-replace-settler-colonialism-from-kashmir-to-palestine>.

¹³ Ahmed Bin Qasim, “The Metaphysics of India's Colonial Project in Kashmir,” *TRT World*, April 20, 2021, <https://www.trtworld.com/opinion/the-metaphysics-of-india-s-colonial-project-in-kashmir-46043>.

torture, home demolitions, and rape is asked to be both the arbitrator of and protector from the very violations that it is carrying out. He argues that this results in a paradoxical situation that enables the state to criticize itself while in effect producing its own legitimization. This paradox is characterized by a “tripartite configuration, operating as a complex and supposedly self-evident combination of protection from, protection by, and protection of the state.” Take, for example, the 1948 Convention on the Prevention and Punishment of the Crime of Genocide. By identifying the state and its officials as potential sources of genocide and human rights violations, the convention established protection from the state. However, it then required the same state to recognize the crime of genocide as a constitutive element of international law and to punish persons guilty of genocide, thereby ascribing to the same state the responsibility to protect. Hence, as Gordon notes, the citizen is simultaneously protected from and by the state. Lastly, as a tool that empowers the state to protect the citizen, the convention also provided the state with protection as well, and it did so by offering it legitimacy as the central actor and primary enforcer of the convention.

Overemphasizing human rights violations diverts our focus from the colonial underpinnings of domination, and the political rationale that produces the violations. To put it simply, India’s human rights violations in Kashmir are symptoms of the disease of colonization, and not the disease itself. As asserted by one of the most popular and beloved resistance leaders of Kashmir, Syed Ali Geelani, “Even if India macadamized the roads across Kashmir with layers of pure gold and diamonds instead of coal tar, the people of Kashmir are not going to give up their inalienable right of self-determination.”¹⁴

A historical overview: Kashmiri Muslims before 1947

In 1846, after the British East India Company prevailed over the Sikh Empire in the First Anglo-Sikh War, the British sold Kashmir, then ruled by the Sikh Empire, to a Hindu Rajput dynasty, the Dogra. This was a reward, of sorts, for Gulab Singh,

¹⁴ Yusuf Jameel, “‘Tunnels and Roads Can’t Resolve Kashmir Issue,’ Assert Separatists, Farooq Abdullah,” *Deccan Chronicle*, April 2, 2017, <https://www.deccanchronicle.com/nation/current-affairs/020417/tunnels-and-roads-cant-resolve-kashmir-issue-assert-separatists-farooq-abdullah.html>.

a Dogra who served as the ruler of Jammu in the Sikh Empire and had chosen to side with the British in the Anglo-Sikh war. The sale was formalized under the Treaty of Amritsar, through which the British colonizers sold Kashmir, along with its inhabitants, to Dogras for 7.5 million Nanakshahi rupees.¹⁵ The rule of the Dogra dynasty in Kashmir effectively established the first modern Hindu state.

In his seminal work, *Kashmir: Exposing the Myth Behind the Narrative*, historian Khalid Bashir notes that the arrival of Dogra rule brought with it the installation of expensive images and idols in temples across the Muslim-majority valley. Gulab Singh, the Dogra ruler, saw the preservation and elevation of Hinduism as an essential purpose of his rule. Muslims were economically crushed,¹⁶ their places of worship reduced to shambles. The repression of collective Muslim life was symbolized by the reduction of the Jamia Masjid, the most prominent of Kashmir's mosques, to ruins.¹⁷ Similar to what occurred under Sikh rule in Kashmir, the lands owned by the mosques and shrines were confiscated by the Hindu state, while some of the mosques themselves were converted into stores, stables, and granaries. Conversion to Islam was outlawed, punishable by imprisonment, torture, and seizure of property. While preaching any form of Islam was banned, preaching (and converting to) Hinduism bore no consequences.¹⁸

According to Khalid Bashir, the Dogra state escalated the criminalization of cow slaughter, instituting punishments as varied as hair-burning, nose-cutting, ear-chopping, and public hanging. One common punishment consisted of torching houses with the family of the accused locked inside. Suspecting a Muslim of “intent” to harm a cow in any shape or form typically sufficed for punishment. Actually harming a cow resulted in imprisonment for life.¹⁹ Ranbir Singh, the Dogra ruler who succeeded Gulab Singh, took more severe measures to ensure that the punishment translated into the death penalty. In one such incident, a young man was incarcerated on the suspicion of cow slaughter. During imprisonment, he was

¹⁵ Lamb, *Kashmir*.

¹⁶ Mohamad Junaid, “Kashmir: A Historical Timeline,” *Adi Magazine*, 2020, <https://adimagazine.com/articles/kashmir-a-historical-timeline/>.

¹⁷ Sheikh Showkat Hussain, “Kashmir Saga,” Kashmir Institute, 2016.

¹⁸ Arsilan Aziz, “Orientalism, Kashmir and Islam,” *Inverse Journal*, December, 2019, <https://www.inversejournal.com/2019/12/24/orientalism-kashmir-and-islam-by-arsilan-aziz/>.

¹⁹ Khalid Bashir, *Kashmir: Exposing the Myth behind the Narrative* (India: Sage Publications, 2017).

forcibly fed so much food mixed with excess salt that he died of dehydration. On another occasion, an incarcerated Kashmiri Muslim had her tongue slit because she was charged with the crime of hitting a cow—a cow that had torn the clothes she had left out to dry in the open.

As the Dogra regime consolidated power in Kashmir, it centered the responsibility of administering Kashmir in the hands of a minority of native Kashmiri Brahmins, also known as Kashmiri Pandits, who were privileged by Ghulab Singh because they were Hindus. These Brahmins considered their hegemony over Kashmiri Muslims a religious birthright. They held every substantial position in the state administration, including control of the revenue department. Not a single part of Kashmiri Muslim life, from food to healthcare to marriage and even divorce, escaped the regime of heavy taxes.²⁰ The land the Muslims cultivated, the animals they owned or traded, the crops they grew, and the goods they sold, all were subjected to onerous taxation. So unforgiving was the economic repression that even gravediggers were taxed for burying fellow Muslims.

Even as mosques were shut, the *adhān* frequently banned, and any strong assertion of Islam curtailed, Muslims were made to pay taxes for the preservation of Hindu temples and the sustenance of Hindu priests. The taxes were only binding on Muslims. *In other words, Hindus were exempted from paying the taxes that supported their own religious life while the Muslims were made to uphold it instead.*

A number of creative torture methods were devised to forcibly extract these taxes from Muslims, including the application of nettle (called *soi* in the local language), a plant that severely stings upon contact with human skin; the dunking of Muslims in numbing ice-cold water, and the stripping and flogging of peasants.²¹

British orientalist also worked with the Dogra rulers and a native minority of Kashmiri Brahmins (Pandits) to produce multiple bodies of anti-Islam work that simultaneously served the interests of all three. The Pandits were asked by the Dogra rulers to share information with the European orientalist, and in return the

²⁰ “Cashmere’s Dogra Taxation System,” Kashmir Life, March 15, 2017, <https://kashmirlife.net/cashmeres-dogra-taxation-system-issue-50-vol-08-134879/>.

²¹ “Cashmere’s Dogra Taxation System.”

Pandits were depicted by the orientalist as true carriers of the pre-Islamic culture of Kashmir. In her book, *Territory of Desire*, Ananya Jahanara Kabir lists some of the contrasts constructed by orientalists, including James Knolwes comparing the “learned Pandit” to the “ignorant Mussalman” in 1894 and Sir George Grierson warning against Kashmiri Muslims contaminating the “purity” of Pandit speech. As Kabir puts it, “The Indologists had increasingly privileged Kashmir not merely as a Hindu enclave within a degenerate Muslim population but, in retrospect rather shamefully, as a ‘pure’ Brahmin Hindu enclave.”²²

With the end of British colonial rule in South Asia in 1947, and the creation of the modern Indian state and Pakistan in its aftermath, most of the princely states had to accede to one of the two newly-found dominions. Despite Kashmir’s overwhelming Muslim majority, the Dogra ruler of the time, Hari Singh, chose to cede the state of Jammu and Kashmir to Hindu-majority India without ascertaining the will of the Muslim population. Kashmir was militarily occupied by India in October of 1947,²³ and has been under this occupation ever since.

According to Salman Sayyid, the creation of Pakistan in 1947 disrupted Kemalist political imagination. Kemalism ought to be seen as a set of overlapping beliefs holding that only a secular national identity could be the vehicle of a political subjectivity throughout the Muslim world. Yet the demand for Pakistan identified Muslim political subjectivity, rather than ethnicity or language, as central to the formation of a community.²⁴ Pakistan’s seemingly Islamic approach to politics, along with its various geographical, historical, and economic connections to Kashmir, has resulted in many of the valley’s Muslims defining the liberation of Kashmir in terms of accession to Pakistan rather than the establishment of an independent, sovereign Kashmiri nation-state. The current world order is such that anti-colonial Muslim struggles have to operate on a terrain not of their own making, and hence the desire of these Kashmiri Muslims for a merger with Pakistan should be seen as a local manifestation of *ummatic* thinking. These

²² Aziz, “Orientalism, Kashmir and Islam.”

²³ Alastair Lamb, *Incomplete Partition: The Genesis of the Kashmir Dispute 1947–1948* (Oxford: Oxford University Press, 2003).

²⁴ Salman Sayyid, “The Meaning of Pakistan,” *Critical Muslim Studies* (blog), August 14, 2017, <https://criticalmuslimstudies.co.uk/project/the-meaning-of-pakistan/>.

Kashmiris see Pakistan not as another nation-state, but as a country created in the name of Islam. While they acknowledge some of the shortcomings of modern-day Pakistan, they argue that once Kashmir is free they will begin the crucial work of returning Pakistan to the Islamic ideal that birthed it. As Salman Sayyid argues,

The contested nature of Pakistan did not arise from Pakistan being insufficiently imagined, but rather it arose from it being insufficiently decolonized... Once the mobilization in the name of Islam had created Pakistan, the leadership of the new country, for the most part, unaware of the radical nature of its formation, began to banalize its claims and the process of depoliticization of Islam started. Unlike other Kemalist entities, Pakistani's Kemalist tendencies continued to run up against the founding narrative of Pakistan as a Muslim homeland. The recuperation of the Pakistani state in Kemalism meant that the decolonial potential of the experiment of Pakistan would remain unfulfilled. The tragedy of Pakistan remains that those who rule it, do not believe in it and those who believe in it, so far, have not been able to rule it.²⁵

Settler-colonialism and the place of Islam

As India's settler-colonial project in Kashmir progresses, people often ask if the phenomenon of settler-colonialism can be understood and addressed through Islam. One of the sayings of the Prophet Muhammad ﷺ answers in clear affirmation. Sa'īd ibn Zayd reported that the Prophet ﷺ said, "Whoever is killed protecting his **property** is a martyr. Whoever is killed protecting his **religion** is a martyr. Whoever is killed protecting his **life** is a martyr. Whoever is killed protecting his **family** is a martyr."²⁶ Interestingly, these four realms of life are exactly the ones that the Muslims of Kashmir have been guarding against the Indian colonial onslaught. The point is, when a Kashmiri Muslim defends his legitimate property and land from an aggressor, it's not necessarily a secular materialistic pursuit—it can be a pursuit fostered by Islam, especially when your property, land, and life are attacked *because* you are a Muslim and when you are resisting the attack *as* a Muslim.

²⁵ Sayyid, "Meaning of Pakistan."

²⁶ *Jāmi' al-Tirmidhī*, no. 1421.

Let me briefly touch upon all four of them.

When it comes to property, as Patrick Wolfe says, settler colonialism “destroys to replace.” In his allegorical novel *Altneuland*, Theodor Herzl, the founding father of Zionism, wrote that “if I wish to substitute a new building for an old one, I must demolish before I construct.”²⁷ Right from the inception of India’s rule in Kashmir, the latent or manifest long-term goal has been to transform the demography of Muslim-majority Kashmir by settling members of the Indian army, bureaucrats, and migrant laborers in the region. The Indian government has set in motion new domicile laws that allow Indian citizens to permanently reside and buy land in Kashmir if they have worked there for a period of 15 years or studied there for seven years. In addition to this, the children of Indian officers are entitled to domicile certificates if their parents have lived in Kashmir for at least a decade.²⁸ The hope is that the Kashmiri resistance can be overcome by altering the state’s demographic composition.

According to Kashmir studies scholar Goldi Osuri, if “the first phase of this (Indian) occupation (of Kashmir) was the contested accession to India, the second phase was the immense militarization of the region—which remains the most militarized in the world—and bringing in laws that give the Indian army complete impunity for their actions in Kashmir, then the third phase will be marked by a full-on settler-colonial project.”²⁹ Reducing Kashmiri Muslims to a minority in their own homeland would also jeopardize the possibilities of Kashmir’s freedom. As Professor Hafsa Kanjwal argues, the land in Kashmir had already been occupied by the Indian army, whose more than half a million soldiers had seized vast areas of land for building their cantonments, camps and bunkers. But the Indian state desires to render permanent its occupation of Kashmir, so the ruling party instituted its long-term goal of populating Kashmir with enough Hindu

²⁷ Patrick Wolfe, “Settler Colonialism and the Elimination of the Native,” *Journal of Genocide Research* 8, no. 4 (2006): 387–409, <https://doi.org/10.1080/14623520601056240>.

²⁸ Hafsa Kanjwal, “India’s Settler-Colonial Project in Kashmir Takes a Disturbing Turn,” *Washington Post*, August 5, 2019, <https://www.washingtonpost.com/opinions/2019/08/05/indias-settler-colonial-project-kashmir-takes-disturbing-turn/>.

²⁹ Goldie Osuri, “AJ Newshour Interview,” Al Jazeera, YouTube video, August 7, 2019, https://youtu.be/arM_4Rjf6DA.

settlers to render the Kashmiri Muslim majority's demand for freedom more difficult, if not impossible, to achieve.

However, the onset of settler-colonialism in the state of Jammu and Kashmir could be traced back to November of 1947, when thousands of Muslims were massacred in the Jammu region by mobs and the forces of the Dogra ruler, Hari Singh. The number of killings are estimated to be around 237,000. Nearly half a million Muslims were forcibly expelled across the border into the newly created Pakistan. According to prominent historians,³⁰ the killings constituted a “state sponsored genocide” that aimed at bringing demographic changes in Jammu, a region in which the population was overwhelmingly Muslim—until this massacre.³¹ In Kashmir valley, however, Muslims still constitute 96.4 percent of the population.³²

When it comes to religion, the Indian state has led an organized and multifaceted attack against Islam akin to that waged by the Meccans against the Prophet. Their variety of tactics include outright and visible forms of repression, like the closure of Jamia mosque,³³ the desecration of the Qur'an,³⁴ the criminalization of consuming beef,³⁵ and offering Eid *ṣalāh*.³⁶ In *Sūrah Al-Baqarah*, Allah states, “And who is more unjust than those who prevent the name of Allah from being mentioned in His mosques and strive toward their destruction.”³⁷

But the Indian state has also adopted a different tactic, which I call the “epistemic remaking” of Islam into pro-state forms that either validate India's rule in Kashmir or at least do not impede its colonial designs. As Sherman Jackson argues, states attempt to domesticate religion when they move it from a position in which it

³⁰ Lamb, *Kashmir*.

³¹ Rifat Fareed, “The Forgotten Massacre That Ignited the Kashmir Dispute,” Al Jazeera, November 6, 2017, <https://www.aljazeera.com/news/2017/11/6/the-forgotten-massacre-that-ignited-the-kashmir-dispute>.

³² “Kashmir Muslims Fear Demographic Shift as Thousands Get Residency,” Al Jazeera, June 28, 2020, <https://www.aljazeera.com/news/2020/6/28/kashmir-muslims-fear-demographic-shift-as-thousands-get-residency>.

³³ “Closed Kashmir Main Mosque Belies India's Religious Freedom Claim,” Al Jazeera, December 16, 2021, <https://www.aljazeera.com/news/2021/12/16/india-kashmir-srinagar-jamia-mosque-religious-freedom-muslims>.

³⁴ Jason Burke, “Four Killed in Kashmir Protests against Alleged Qur'an Desecration,” *Guardian*, July 18, 2013, <https://www.theguardian.com/world/2013/jul/18/kashmir-indian-forces-protesting-quran-desecration>.

³⁵ “Kashmir Shuts Down in Protest over High Court Beef Ban,” Al Jazeera, September 12, 2015, <https://www.aljazeera.com/news/2015/9/12/kashmir-shuts-down-in-protest-over-high-court-beef-ban>.

³⁶ Azhar Farooq and Rebecca Ratcliffe, “Eid in Kashmir Muted as India Bans Large Congregations,” *Guardian*, August 12, 2019, <https://www.theguardian.com/world/2019/aug/12/eid-in-kashmir-muted-as-india-bans-large-congregations>.

³⁷ Qur'an 2:114.

potentially threatens the state to a position in which it can only support its continuity, to the extent that it becomes difficult to differentiate between the vision of the good that is preached from the pulpit and the vision of the good that is espoused by the state.³⁸

There are many ways in which this epistemic reconstruction of Islam is carried out. For example, the '*ulamā*' that preach an Islam desirable in the eyes of the state and supportive of the state's position on Kashmir are promoted, while those who do not are either jailed³⁹ or deprived of their spaces of propagation.⁴⁰ Some Indian '*ulamā*' are sponsored, directly or indirectly, in their visits to Kashmir, where they have used the *minbar* to make such pronouncements as:

- a) Geography is created by Allah and human beings cannot alter it (and hence Kashmiris should see their destiny with India as inevitable)
- b) Allah has made Kashmir the crown of India, and how can we be willing to give up our crown?
- c) Kashmir is the land of peaceful Sufi masters, and violence must have no place here (note the violence that is criminalized here is not the state's violence, but the physical resistance that Kashmiris engage in against it)⁴¹
- d) Kashmiri Muslims are descendants of great scholars and saints, and Indian Muslims must not be deprived of the *barakah* of the land and the guidance of Kashmiri Muslims (and through this pronouncement an "Islamic" case for the continuation of India's rule in Kashmir is made).⁴²

³⁸ Sherman A. Jackson, *Islam and the Blackamerican: Looking Toward the Third Resurrection* (Oxford: Oxford University Press, 2011).

³⁹ Abdul Mateen, "Kashmir's Mandela, Dr Muhammad Qasim Completes 24 Years behind Bars," *Milli Gazette*, February 5, 2017, <https://www.milligazette.com/news/Human-Rights/15396-dr-muhammad-qasim-kashmirs-mandella-completes-24-years-behind-bars/>.

⁴⁰ "'Kashmir Is an Integral Part of India,' Says Jamiat Ulema-e-Hind, Calls for Normalcy in the Region," *Scroll.in*, September 12, 2019, <https://scroll.in/latest/937087/kashmir-is-an-integral-part-of-india-says-jamiat-ulema-e-hind-calls-for-normalcy-in-the-region>.

⁴¹ Gyan Varma, "All of J and K and PoK Part of India, There Should Be No Compromise: Mahmood Madani," *Mint*, September 15, 2019, <https://www.livemint.com/politics/news/all-of-j-k-and-pok-part-of-india-there-can-be-no-compromise-mahmood-madani-1568531536099.html>.

⁴² Muhammad Qasim, *Bāng* (N.p.: Muslim Deeni Mahāz J & K, 2015).

India's violence against Islam is not only reflected in the closure of *minbars*, but in the heavy regulation of preaching on the few permitted *minbars*. Islam is divested of its liberative value, reduced to a set of rituals that do not threaten the colonial power. One can worship Allah as long as the resistance against the Indian state is not part of one's servitude to Allah, as long as the rebellion against the false gods isn't part of one's obedience to Allah. It's similar to when the Meccans offered to worship the Prophet's God (Allah) for one year if he صلى الله عليه وسلم would worship their gods (the idols) for one year. In *Sūrah al-Qalam*, Allah says, "They [idol-worshippers] wish that you become flexible [in your faith] so that they should become flexible [in their hostile attitude]."⁴³

It's this flexibility that the Indian state has demanded from Kashmiri Muslims. The idea, if I put it simply, is that for most Hindu nationalists in India, the only good Kashmiri Muslim is dead or docile. For many Indian liberal secularists, on the other hand, the idea is to kill the Muslim in the Kashmiri to save the man. Either case results in death—a physical one, or a spiritual-political one that kills all that makes a Muslim a Muslim. In other words, colonial power doesn't always operate through visible violence. On many occasions, the Indian state has attacked Islam in Kashmir not by physically tormenting Muslims, but by reducing Islam to an illusory and hollow identity marker that the state imbues with whatever meaning aligns with its own ends at any given moment.

When it comes to life and family, the struggle of Kashmiri Muslims against the Indian state has been one for the preservation of their lives and the lives of their loved ones. That thousands have been murdered is not surprising, as India's colonization of Kashmir is typified, first and foremost, by the power the colonial-state wields to kill the subject Muslim population at will, without being subject to any rule other than the will itself.⁴⁴ The will is the only rule. The will is the only real law.

What we call injustice is internal to the logic of India's governmentality in Kashmir. Both the fear of death, and actual death itself, are used by the Indian state

⁴³ Qur'an 68:9.

⁴⁴ Safina Nabi, "A Fake Gunbattle in Kashmir and a Widow's 25-Year Battle for Justice," *Article-14*, November 29, 2021, <https://article-14.com/post/a-fake-gunbattle-in-kashmir-a-widow-s-25-year-battle-for-justice-61a442143518e>.

to keep Kashmiri Muslims from resisting a state that has turned countless children into orphans⁴⁵ and forced fathers to shoulder the coffins of their children.⁴⁶ It's a state that has widowed thousands of women and created a phenomenon of *half-widows*, women who do not know whether to mourn their disappeared husbands or hope for their return.⁴⁷ So many Kashmiri Muslims were imprisoned for their resistance that the jails in Kashmir could no longer hold them, and hence thousands of them were sent to jails across India, miles away from their families.⁴⁸ The figure of a "Kashmiri Muslim who refuses to be domesticated" is the Other for a vast majority of Indians, and these prisoners are often beaten up and humiliated not just by the police officers, but even by the Indian inmates. Even outside prisons, Kashmiri students studying in different parts of India face assaults regularly.

Islam in the Kashmiri *Tehreek* and secular anxiety

The place of Islam in the freedom struggle of Kashmiris is often obfuscated. Liberal commentators, both native to Kashmir and not, have typically argued that the issue is not a *religious* one, but a *political* one.⁴⁹ Before we proceed, it is pertinent to note that these notions of what constitutes the *religious* and *political* are not natural, fixed, or self-explanatory. Rather, they are products of a secular political theology that impregnates these terms with meaning. Secularism is not the absence of religion, is not a neutral space devoid of any claims to absolute truth, and is not a separation between pre-existing and eternally distinct realms of the public and private, political and religious. As Saba Mahmood argues⁵⁰ secularism is a project that creates these very spheres, delimits their boundaries, and permeates them with content, and then, through various modalities of power, makes these

⁴⁵ Nusrat Sidiq, "Kashmir's War Orphans Suffer in Isolation and Pain," Anadolu Agency, 2022, <https://www.aa.com.tr/en/asia-pacific/kashmirs-war-orphans-suffer-in-isolation-and-pain/2465865>.

⁴⁶ Rifat Fareed, "Kashmiri Man Demanding Son's Body Charged under Anti-Terror Law," Al Jazeera, February 9, 2021, <https://www.aljazeera.com/news/2021/2/9/family-of-kashmir-teen-under-anti-terror-for-demanding-his-body>.

⁴⁷ Ather Zia, *Resisting Disappearance: Military Occupation and Women's Activism in Kashmir* (Seattle: University of Washington Press, 2019).

⁴⁸ Ahmed Bin Qasim, "Delhi Is on Fire, and My Kashmiri Parents Are in Prison," *Nation*, February 28, 2020, <https://www.thenation.com/article/world/delhi-kashmir-india/>.

⁴⁹ Nitasha Kaul, "Kashmir: The Communalisation of a Political Dispute," Al Jazeera, July 26, 2017, <https://www.aljazeera.com/opinions/2017/7/26/kashmir-the-communalisation-of-a-political-dispute>.

⁵⁰ Saba Mahmood, *Religious Difference in a Secular Age: A Minority Report* (Princeton: Princeton University Press, 2015).

categories acquire a natural or unquestionable condition for people, such that they cannot but think in these terms.

This is important because it is not only their encounter with the Indian colonial-state, but also the transnational force of secular power that governs, shapes, and regulates the lives of Kashmiri Muslims. I argue, then, that Kashmiris face what could be referred to as *double colonization*: the immediate colonization at the hands of the Hindu state, that is informed by and also justifies itself through global Islamophobia, and the broader condition of neocolonialism. They share this latter condition with Muslims elsewhere, in which, as Dr. Ovamir Anjum [puts it](#), Islam has not been allowed to be Islam. The occupation of Kashmir by India doesn't only deny Kashmiris their liberation, but it also severs their sense of belonging to Muslim communities elsewhere.

It is argued that the Kashmiri struggle must be narrated in terms that are intelligible to the secular-liberal gaze, a gaze that refuses to see or accept the centrality of Islam in a people's most existential struggle. Salman Sayyid argues that this is a result of the categorization of Islam as a "religion." This is a limiting category insofar as it is modeled on a specifically Western Christian model of religiosity. The history of the West becomes the history of the world, and all struggles are compelled to reorder themselves into forms that fit somewhere on the Eurocentric spectrum of doing politics.⁵¹ Instead of approaching Islam as the Kashmiri Muslim response to the problem of occupation, Islam's assertion and presence in the practices and lexicon of resistance are seen as part of the problem. As William T. Cavanaugh argues, a transhistorical essence is attributed to all religions, and it is argued that *all* religions, if not subjected to secular reconstruction, are predisposed towards spilling into fanatical violence.⁵² Hence, a resistance against occupation that draws its life from Islam is seen as a priori unacceptable.

Some would argue that the struggle in Kashmir is not about Islam but about justice, but what these arguments neglect is how Kashmiri Muslims see Islam. Instead of understanding Islam as reducible to matters of theological, ritualistic, and

⁵¹ Salman Sayyid, *Recalling the Caliphate: Decolonization and World Order* (London: Hurst Publishers, 2014).

⁵² William T. Cavanaugh, *The Myth of Religious Violence: Secular Ideology and the Roots of Modern Conflict* (New York: Oxford University Press, 2009).

jurisprudential contestations, they understand it as submission to Allah's definition of justice. For us, Islam is the embodiment of justice. It takes a heightened sense of internalized Islamophobia to contend that a struggle for Islam is mutually exclusive with a struggle for justice.

Some scholars, in a similar vein, argue that this struggle is not about Islam but about preserving human survival and dignity. The underlying assumption here, as in the previous case, is that even if the lives that are at stake are those of Muslims, preserving them cannot be an effect of Islam, nor a Qur'anic command. When a Muslim expresses support for not just oppressed Muslims, but even a non-Muslim who is oppressed, this support can also be fostered and enabled by Islam. In addition to this, the erasure of Islam when a cause like Kashmir is narrated is often described as “humanizing” the cause. But is it through erasing Islam from a people's story of sacrifice and struggle that we humanize them and make them acceptable? Is secularity the condition of being seen as “properly” human?

A day on the streets of Kashmi amidst a protest makes it clear that Islam is central to the way people imagine and articulate their struggle. However, this presents a problem to the activists and scholars on the Eurocentric spectrum of thought, both on the Left and the Right.⁵³ For example, one of the slogans that Kashmiri Muslims raise in these protests is *Allahu Akbar*. What does this slogan mean and what is its value for Kashmiri Muslims?

For the answer, we turn to Ibn Khaldūn: “The vanquished always want to imitate the victor in his distinctive characteristics, his dress, his occupation, and all his other conditions and customs. The reason for this is that the soul always sees perfection in the person who is superior to it and to whom it is subservient. It considers him perfect, either because it is impressed by the respect it has for him, or *because it erroneously assumes that its own subservience to him is not due to the nature of defeat but to the perfection of the victor*”⁵⁴ (italics added).

⁵³ Muneeza Rizvi, “Palestine and the Question of Islam.” *Critical Muslim Studies* (blog), May 15, 2021, <https://criticalmuslimstudies.co.uk/palestine-and-the-question-of-islam/>.

⁵⁴ ‘Abd Al-Raḥmān B. Muḥammad Ibn Ḳaldūn, Franz Rosenthal, N. J. Dawood, and Bruce Lawrence, *The Muqaddimah: An Introduction to History* (Princeton: Princeton University Press, 2015).

The slogan of *Allahu Akbar* prevents Kashmiris from associating power with perfection or rightness. Their subservience to the Indian state is not because of the perfection of the victor, but because Allah is testing their faith. *Allahu Akbar* also prevents Kashmiris from thinking the power of the colonizer is everlasting, or unchanging, or absolute, and emphasizes its temporariness, contingency, and subservience to God's power. *Tawhīd* embodies the metaphysical support for the struggle against a mighty military occupation, as it is the most profound declaration that no system is eternal and everything besides Allah is *perishable*. As Enrique Dussel argues, everything, even the sun and the Earth, are contingent (could be nonexistent) and possibly non-necessary (even the sun did not exist at one point).⁵⁵ To remind a colonial state of its contingency and possible nonexistence gnaws at its claim to divinity and permanence. "There is no deity except Him. Everything will be destroyed except His Face."⁵⁶ To have faith that the occupation does not have ultimate or impregnable power is a necessary condition of making resistance against it possible. *Allahu Akbar* perturbs proponents of Hindutva and secularism alike. The reason is simple: the idea that Allah is the Greatest is an iconoclastic assertion against the cherished beliefs and idols of the former, and for the latter, a rejection of claims of secular power of being the final arbitrating authority on life.

For the liberal activist, the words that escape from the Kashmiri Muslim protestor's mouth present two problems. First, as Muneeza Rizvi put it, a public relations problem. "Talking about Islam demonizes the struggle, or it costs us an audience."⁵⁷ Such are the immediate rebukes heard from native and non-native liberals alike. If the visibility of Islamic sentiment does delegitimize a cause, shouldn't we question and challenge the very criteria of legitimacy? Shouldn't we pay heed to the underlying anti-Islamic animosity of it, wherein you only become eligible for an audience when you disrobe yourself of Islam?

Second, the pervasive presence of Islam in the lexicon of the Kashmiri resistance is seen as a failure on the part of Kashmiri Muslims to understand that India's

⁵⁵ Enrique Dussel, *Philosophy of Liberation*, trans. Aquilina Martinez and Christine Morkovsky (Eugene, OR: Orbis Books, 1985).

⁵⁶ Qur'an 28:88.

⁵⁷ Rizvi, "Palestine and the Question of Islam."

occupation doesn't have to do with religion, but with politics. The absurdity of this objection is best revealed in the case of Kashmir, where it's the Muslimness of Kashmiris that is subjected to different forms of oppression. The community of Kashmiri Brahmins, who are native non-Muslim Kashmiris, have been historically privileged by the Indian state and also by previous imperial formations, and empowered at the expense of Kashmiri Muslims.⁵⁸ While one does not have to be a Muslim to acknowledge that the occupation in Kashmir is illegal, immoral, and unethical, the fact remains that it's largely the Muslim population of Kashmir that has felt *occupied*, that has felt a sense of estrangement from the Indian state.

Another slogan that features prominently in Kashmiri resistance vocabulary is “*Yahan Kya Chalay Ga? Nizam-e-Mustafa ﷺ!*” (What must govern life in Kashmir? The Way of Mustafa ﷺ). Kashmiri Muslims see Nizam-e-Mustafa as epitomizing *‘adl*, justice, which is not to be found anywhere in the colonial order. It epitomizes a way of being for the Muslim collective in Kashmir in which the shared devotion to the Prophet Muhammad ﷺ binds people with one another. Nizam-e-Mustafa ﷺ is also the answer of many Kashmiri Muslims when asked about the shape that a free Kashmir would take—when asked about their model of decolonization. It tells us that the struggle of Kashmiris is not only defined by what they stand against, but also what they stand for.

Class, Kashmir, and Islam

It's also important to remember that many Marxist thinkers tend to argue that “class” is the predominant analytical category that one ought to think of when writing or talking about colonialism. They argue that religion is merely a cover for what is really important, which is class. For them, it is the economic relations, the economic infrastructure, that undergird the logic of occupation, and not religion. Religion is reduced to a mere superstructure that only exists on the surface. However, the history of the Kashmiri struggle doesn't allow for any neat separation between the question of class and religion. Fanon, talking about Algeria, said that in the colonies, you were black because you were poor, and you were poor because

⁵⁸ Bashir, *Kashmir: Exposing Myth behind Narrative*.

you were black. You were white because you were rich, you were rich because you were white.⁵⁹

In the case of Kashmir, the elitism and privileged status of Kashmiri Brahmins is a direct consequence of them being Brahmins, and the marginalization, both economic and cultural, of Kashmiri Muslims is *because* they are Muslims. One might argue that there are Kashmiri Muslims who have collaborated with the Indian state and have historically been close to the imperial power formation, but what we ought to note is that they are close to power not because of being Muslims, but *despite* being Muslims. Their proximity to power has been contingent on betraying the interests of the larger Kashmiri Muslim community and the Qur'anic imperatives of justice. So, one could argue that economic relations were shaped by religious belonging, as opposed to religion being irrelevant to the question of class.

Kashmir as the site of the *ummah*'s rekindling

The Indian state has regularly used the rhetoric and logic of the “war on terror” to demonize the Kashmiri struggle for liberation. Kashmiri Muslims imagine and narrate their struggle against the state’s occupation as *jihad*, and as Zunaira Komal argues, Kashmiri Muslims have had their “Islamic framework of physical and moral struggle labeled and collapsed under the global phantasm of ‘terrorism,’ a tactic that is strategically deployed by the global war on terror beneficiaries to disenfranchise Islamic anti-colonial movements.”⁶⁰ She further argues that to understand movements of freedom like that in Kashmir, we ought to take seriously the moral universe that guides their aspirations to freedom, and to adopt a hermeneutic that is sensitive to a moral discourse of Islam that runs against the very idea of *secular* freedom.

Kashmir is the site where the *ummah* ceases to be a mere abstract ideal. It comes to life through the anti-colonial struggle of Kashmiri Muslims, and also through their solidarity with persecuted Muslims elsewhere. To speak for the Rohingya Muslims when it entails no cost is easy, but when a Muslim community that itself is faced

⁵⁹ *Concerning Violence*, directed by Göran Olsson (Berlin: Films Boutique, 2014).

⁶⁰ Kanjwal, *Violence on Kashmir*.

with brutal repression comes out on the streets against the persecution of fellow Muslims—that is when the *ummah* is actualized. In 2017, thousands of Kashmiri Muslims protested on the streets against the persecution of Rohingya Muslims.⁶¹ The protests were held in Srinagar despite a curfew imposed by the Indian authorities. Many were injured and detained during the protests. Why would Kashmiri Muslims, already living under a tyrannical regime, add to their own suffering? How does one make sense of this except through Islam?

One might argue that it is due to some arbitrary universal notion of “humanity” and not about Islam, but as Muneeza Rizvi argues, this account denies Islam a capacity for the universal, exalts secular politics of humanity as devoid of particularistic commitments, and deems universalist concerns the patrimony of secular politics.⁶² In his book *White*, Richard Dyer argues that there is no more a powerful position than that of being *just* human, as the claim to power is the claim to speak for the commonality of humanity. This power secular humanism claims exclusively for itself, blind to its own parochial and ethnocentric nature. In *Sūrah Āl ‘Imrān*, Allah declares, addressing Muslims: “You are the best nation produced [as an example] for **mankind**. You enjoin what is right and forbid what is wrong and believe in Allah.”⁶³ A Muslim’s concern is global, including not just Muslims elsewhere, but the entirety of humanity.

Vehement anti-Israel protests erupted in Srinagar in June 1967, when the Zionist state annexed East Jerusalem. In 1969, when Al-Aqsa was set on fire, a man died of a bullet injury in Srinagar while another suffered a bullet injury during widespread protests across the valley. Many student protesters were detained and beaten ruthlessly, and on Aug. 23, 1969, a complete strike was observed in Kashmir in solidarity with Palestinian Muslims. A curfew was imposed by the Indian state for more than a week in Srinagar, and the arrests continued as protests

⁶¹ Zahid Rafiq, “Kashmiri Muslims Protest Rohingya Persecution,” Anadolu Agency, September 8, 2017, <https://www.aa.com.tr/en/asia-pacific/kashmiri-muslims-protest-rohingya-persecution/904686>.

⁶² Rizvi, “Palestine and the Question of Islam.”

⁶³ Qur’an 3:110.

grew, followed by the imposition of a law that criminalized the assembly of more than four people.⁶⁴

On the walls of the cities across Kashmir—cities that are unsafe for its Muslim inhabitants due to the occupation—the pervasive graffiti of “Save Gaza” announce loud and clear that the concern of Muslims for each other cannot be tamed within the borders that were not of our making. Even the small acts of solidarity that Kashmiri Muslims express for Palestinian Muslims do not go unpunished. As Palestinians were subjected to relentless Israeli aerial strikes and numerous children were murdered in Gaza, a neighborhood in Srinagar, embodying the Prophetic model, thought that the Kashmiri Muslim community ought to express some support, even if there was little it could do. A professional artist named Mudassir Gul was asked to paint graffiti. He climbed onto a platform and began his project. The graffiti depicted a woman wearing Palestine’s flag as her headscarf, besides it the words, *We Are Palestine*. People gathered near the graffiti, raised the flags of Palestine, and chanted anti-Israel slogans. Soon after, the Indian forces took Mudassir out of his home, and forced him to climb the platform again and cover his painting completely with patches of black paint.

The anxiety that the Indian state felt when Kashmiri Muslims, despite being colonized themselves, not only expressed concern for the plight of Muslims elsewhere but also translated this concern into small acts of protest, was immense. It was so immense that the Indian forces did not stop at blackening graffiti, but also detained Gul. The colonial forces launched an extensive raid and detained at least twenty more men surrounding the same case.⁶⁵ The police chief of the colonial police apparatus in Kashmir, Vijay Kumar, said that the detained Kashmiris were elements who were attempting to leverage the situation in Palestine to disturb “public peace and order” in the Kashmir valley. When the Prophet ﷺ called the Meccans to the message of Islam, they also complained that he was disturbing the “peace and order” of the community.

⁶⁴ Hilal Mir, “Palestine Solidarity: Kashmir’s Vocal Past and Muted Present,” Anadolu Agency, May 14, 2021, <https://www.aa.com.tr/en/asia-pacific/palestine-solidarity-kashmir-s-vocal-past-and-muted-present/2241156>.

⁶⁵ Inzimam Qadri and Haziq Qadri, “Kashmiris Are Being Arrested for Pro-Palestine Protests,” *Diplomat*, May 22, 2021, <https://thediplomat.com/2021/05/kashmiris-are-being-arrested-for-pro-palestine-protests/>.

The “peace” to which the police chief referred is one where the occupied Kashmiris accept the occupation as an unchangeable reality. To do this—to accept the Indian state’s oppression as a fact of life to which one must grow accustomed—is to abandon the truth of *Allahu Akbar*. It is this truth that gnaws at the colonial state’s claims of divinity, permanence, and supremacy, and reaffirms its contingency, transience, and immorality. For occupied Kashmiris, peace can only materialize from the death of colonialism, from the emergence of a reality in which the Prophetic enunciation of *ummah-as-one-body* finds a concrete manifestation, wherein the concern of Muslims for each other is not criminalized but nourished and preserved.

The Qur’anic and Prophetic imperative

As Ali Harfouch writes,⁶⁶ Kashmir poses a unique problem for the Muslim world. Not only is it on the edges of the international order dominated by the West, it is also on the margins of the Muslim world. Muslims have a multifold obligation towards Kashmir. The first obligation stems from the fact that its people are Muslim, and is augmented by the fact that they are oppressed. Allah’s Messenger ﷺ said, “Help your brother, whether he is an oppressor or he is an oppressed one.” People asked, “O Allah’s Messenger ﷺ! It is all right to help him if he is oppressed, but how should we help him if he is an oppressor?” The Prophet ﷺ said, “By preventing him from oppressing others.”⁶⁷

In the case of Kashmir, the oppressed are not merely oppressed—it is their steadfastness on being Muslim that has resulted in their oppression.

Many people, in order to dissuade Kashmiri Muslims from resisting India’s colonization, present the persecution we are experiencing as proof of Allah’s displeasure with us. The idea is unsustainable. Did the Prophet Muhammad ﷺ and his companions not starve and bleed when they chose to challenge the false gods of their time? Doesn’t Allah proclaim in *Sūrah al-Baqarah* that, “Surely We

⁶⁶ Ali Harfouch, “Kashmir Is Invisible,” Islam21C, August 26, 2019, <https://www.islam21c.com/politics/kashmir-is-invisible/>.

⁶⁷ *Ṣaḥīḥ al-Bukhārī*, no. 2444.

shall try you with something of **fear** and **hunger**, and **loss of wealth** and **lives** and **crops**; but give glad tidings to the steadfast, who, when disaster strikes them, say: Indeed, we belong to Allah, and indeed to Him we will return.”⁶⁸ Fear, hunger, loss of wealth and lives, and crops—is this not how Kashmiri Muslims have been tested under settler-colonialism? Yet for seven decades, they have remained steadfast.

Maḥmūd ibn Labīd reported: The Messenger of Allah, peace and blessings be upon him, declared, “If Allah loves a people, then he afflicts them with trials. Whoever is patient has the reward of patience, and whoever is impatient has the fault of impatience.”⁶⁹ Instead of regarding persecution as a manifestation of Allah’s anger, shouldn’t it be regarded as a natural consequence of Kashmiri Muslims holding fast to Islam in the face of a mighty tyrant? In the Qur’an, in *Sūrah al-‘Ankabūt*, Allah discredits the idea of equating suffering to Allah’s punishment when He says, “Do people think once they say, “We believe,” that they will be left without being put to the test?... There are some who say, “We believe in Allah,” but when they suffer in the cause of Allah, they mistake [this] persecution at the hands of people for the punishment of Allah. But when victory comes from your Lord, they surely say [to the believers]: We have always been with you. Does Allah not know best what is in the hearts of all beings? Allah will certainly distinguish between those who have [sure] faith and the hypocrites.”⁷⁰

Contrary to the assumption that persecution is necessarily an effect of a community’s sinfulness, Sa’d ibn Abī Waqqāṣ reported: I said, “O Messenger of Allah ﷺ, which people are tested most severely?” The Messenger of Allah, peace and blessings be upon him, said, “They are the prophets, then the next best, then the next best. *A man is put to trial according to his religion*. If he is firm in his religion, *his trials will be more severe*. If he is weak in his religion, he is put to trial according to his strength in religion. The servant will continue to be put to trial until he is left walking upon the earth without any sin.”⁷¹

⁶⁸ Qur’an 2:155.

⁶⁹ *Musnad Aḥmad*, no. 23122.

⁷⁰ Qur’an 29:2–11.

⁷¹ *Jāmi‘ al-Tirmidhī*, no. 2398.

The idea that harm, or suffering, is always evil, and material benefit is always synonymous with good, is closer to Jeremy Bentham's secular utilitarianism than it is to Islam. If persecution and its victims are *inherently* evil, then Kashmiri Muslims should be able to easily escape this condition simply by forgetting the teachings of the Qur'an and obeying the tyrant at the expense of obedience to God. But Kashmiri Muslims choose otherwise. They strive to be not among the hypocrites, but among those who have sure faith. They know that peace without justice is no peace, and that, [as argued](#) by Dr. Ovamir Anjum and Dr. Omar Suleiman, "compromise accompanied by weakness and appeasement only strengthens the enemy and aggravates his tyranny. Only unified, disciplined, and persistent action capped by fearlessness and utter trust in God brings an arrogant, unprincipled bully with far greater resources to the negotiation table." As Fanon said, colonialism only loosens its hold when the sword is on its neck, and never out of selfless generosity. The colonizer never gives away anything for nothing.⁷² Inaction against oppression does not solve the evil of oppression—it normalizes it.

The armed struggle of Kashmiri Muslims against the colonial state is validated by the Qur'an itself. Allah declares, "Permission [to fight] is given to those against whom aggression is launched, because they have been oppressed, and Allah is powerful to give them victory. [They are] those who have been evicted from their homes without right—only because they say: Our Lord is Allah."⁷³ In *Sūrah al-Nisā*, Allah says: "Why, then, should you not fight in the cause of God and of the oppressed, helpless men, women, and children, who cry out: 'O Lord! Bring us out of this land whose people are oppressors, and appoint for us from Your Presence a protector, and appoint for us from Your Presence a helper!'"⁷⁴ These verses speak both *to* Kashmiri Muslims and *for* Kashmiri Muslims. They speak to Kashmiri Muslims, in that they announce Allah's permission for them to struggle against the oppression they face. They speak for Kashmiri Muslims, in that they ask other Muslims to support them meaningfully in their battle against oppression.

⁷² Frantz Fanon, *The Wretched of the Earth* (Cape Town: Kwela Books, 1961).

⁷³ Qur'an 22:39–40.

⁷⁴ Qur'an 4:75.

Ali Harfouch rightfully reminds us of the fact that the Qur’anic and Prophetic model privileges the oppressed—the *mustaḍ‘afīn*. It demands that we see things not from the gaze of the oppressor, but from the prism of the oppressed; not from atop but from below. In *Sūrah al-Baqarah*, Allah says: “And fight them until there is no more oppression and the religion is for God, but if they cease, then no aggression is permitted except against the transgressors.”⁷⁵ India’s occupation of Kashmir signifies a multitude of transgressions both against God and His servants. In our desire to be close to power, we delude ourselves into thinking that it is meaningless to side with the oppressed. Thus we rationalize befriending the oppressor. The Kashmiri Muslims turn this condition upside down. They choose to side not with the oppressors of Muslims elsewhere, but instead with the oppressed, knowing very well that it would only add to their tribulations.

Ibn Qayyim al-Jawziyyah, a prominent jurisconsult and scholar of Islam, categorizes the virtue of *ṣabr*, patience, into four types:⁷⁶

1. Physical patience by choice, such as doing hard labor willingly.
2. Physical patience without choices, such as patiently bearing illness and extremes of heat and cold.
3. Psychological patience by choice, such as refraining from things which both the Sharia and common sense say are wrong.
4. Psychological patience without choice, such as patiently bearing an enforced separation from one you love.

Patience, then, can be practiced either by choice or without choice. Patience by choice, for Ibn Al-Qayyim, is more valuable and precious than patience without choice, as the latter is common to all while the former distinguishes the best from the ordinary. He gives, by way of example, two incidents that happened in the life of Prophet Yūsuf. Prophet Yūsuf’s patience in rejecting the sinful invitation of the

⁷⁵ Qur’an 2:193.

⁷⁶ Muḥammad ibn Abī Bakr ibn Qayyim Al-Jawzīyah and ‘Abd al-‘Alī ‘Abd al-Ḥamīd Ḥamīd, *Excellence of Patience and Gratefulness: Uddat Al-Sabirin Wa-Dhakhirat Al-Shakirin* (Riyadh: Darussalam, 2012).

the wife of al-‘Azīz, and his patience in bearing the punishment that followed, is of a greater status for Ibn Al-Qayyim than his patience in response to his brothers’ throwing him into the well, as he wielded no choice.

The Muslims of Kashmir, in their struggle against prolonged occupation, have exhibited all four forms of patience delineated by Ibn Al-Qayyim. They have patiently led the physical labor of fighting against an immoral occupation (**physical patience by choice**), and they have patiently endured the physical abuse inflicted upon them by the occupation (**physical patience without choice**). They have been psychologically patient by not permitting the condition of colonization to distort their *fiṭrah* and colonize their minds (**psychological patience by choice**), and they have patiently withstood the enforced separation from their imprisoned and martyred loved ones (**psychological patience without choice**).

The *kalimah* that the Indian state wants Kashmiri Muslims to truly live by is “*Lā ilāha illa India*,”—an absolute subversion of our faith that we will unceasingly resist. The *ummah* continues to breathe, not in the air-conditioned rooms of Riyadh, Cairo, or the Gulf, but under heavy repression on the streets of Kashmir, a valley that’s unfortunately been seen as peripheral to the Islamosphere. As in the case of Islam’s earliest martyrs, the steadfastness of Kashmiri Muslims under oppression is one of the profound ways in which their Islam is lived, embodied, and practiced. ‘*Ibādah*, for us, is not merely the daily five *ṣalāh* or other normative practices, but our struggle against the occupation.

When I speak to many Kashmiri prisoners, including my own parents, and ask them about what keeps them going, “We hope that our Allah is pleased with us!” is all they say.