

Migrant Workers in the Valley¹

- Rashmi Singh

In 2007, following the brutal rape and murder of a fourteen year old school girl, Tabinda Gani, spontaneous protests erupted in Langate demanding justice. Tabinda's body had grave marks of struggle and the horrifying method with which the crime was committed led to a lot of anger and demand for death sentence for the perpetrators. The case however is still dragging on² and has been largely forgotten by the media. Recently in November Syed Ali Shah Geelani reminded the public how the confusion deliberately created by police has kept the judgement pending. The state government however, [with its reputation for delaying speedy trial of rape cases in Kashmir unsoiled], has not missed the opportunity to rename the state award for bravery of children as 'Tabinda Gani State Award of Bravery for Children'³.

The rape was allegedly committed by two Kashmiri men from Langate, one carpenter from Uttar Pradesh and a fourth, a cobbler from Rajasthan. The immediate consequence of the protest was the involvement of some Kashmiri leaders including Geelani who asked outside workers to leave the state. The Hizbul-Mujahideen also gave a week's time for workers to leave Kashmir. These statements were retracted a day later, when public criticism followed, with organizations giving a clarification that only 'criminal elements' were asked to exit. The consequence of this was that thousands of migrant workers left the valley immediately out of fear. It became a political controversy as Hindutva parties quickly scooped up the issue to show the 'communal' nature of the Kashmiri struggle. The Shiv Sena [which brutally drove away Bihari migrants the next year with MNS in Maharashtra] equated it with the exodus of Kashmiri Pandits in 1990's. VHP state unit demanded persecution of Syed Ali Geelani under the National Security Act [NSA] for asking non-Kashmiris to leave Kashmir. BJP member Shahnawaz Hussain turned up in Srinagar to appeal to Kashmiris to not blame all the migrant workers for the crime of some. Ironically, Hussain had to give the example of Americans assuming every Muslim to be a terrorist to drive his point across for the migrant workers. Parties that claim Kashmir to be an 'inalienable' part of India invoked 'kashmiriyat' and the Sufi tolerance of Kashmiris for their call⁴. The migrant workers became an

¹ The field work for this research has been conducted by the author along with Sajad Hussain for the organization AMAN TRUST.

² 'Justice Delayed is Justice Denied: Tabinda's relatives', news report, Kashmir News Service, 19 July, 2011

³ Government Order 809-GAD of 2008. General Administration Dept, Government of Jammu and Kashmir, 18 June, 2008. Order available at: <http://jkgad.nic.in/statutory/Awards/809-GAD-of-2008.PDF>

⁴ 'Why the valley should be wary of fleeing migrants', news report, Indian Express, 3 August, 2007. Available at: <http://www.indianexpress.com/news/why-the-valley-should-be-wary-of-fleeing-migrants/208327>. Also, 'Stop exodus of non-locals: BJP', news report, Greater Kashmir, 5 August, 2007. Available at: <http://www.greaterkashmir.com/news/2007/Aug/5/stop-exodus-of-non-locals-bjp-34.asp>. And 'Pressure Politics' Quandry for non-local labour in Kashmir', news report, Priyashee Andley, IPCS, 7 August 2007. Available at: <http://www.ipcs.org/article/jammu-kashmir/pressure-politics-quandary-for-non-local-labour-in-kashmir-2350.html>

etched presence for the Indian political parties to again claim their territoriality and uninterrupted mobility in Kashmir as a part of 'continuous Indian territory', as also an occasion to posture higher morality on secularism, a moment that majoritarian-nationalist parties do not miss as per the stakes involved.

While the reaction of right-wing parties in India was predictable, a flurry of opinion followed in Kashmiri media, most it decrying the call to oust workers as hurried and unnecessary. Some of the opinion expressed was however xenophobic. Some write-ups in local newspapers termed the migrants as 'snake[s] that wait the warmth to bite us'. The workers have been blamed in several instances as unhygienic scum who indulge in 'immorality, waywardness and drinking of liquor', besides peddling drugs and acting as army informers. Though no one from Bihar was involved in the crime, many columns blamed the immorality on the slow permeance of 'bihari culture' in Kashmir. Most of these opinions dubbed this disturbance as unfortunate in a society guided otherwise by religious and moral principles⁵. The immorality of the migrant workers has been in some instances stretched and conflated easily with the ills that beget modernity and more seriously as a conspiracy to introduce Indian population in Kashmir. Qazi Sajad Delnavi, writing in *Greater Kashmir* questioned the logic of some of these statements, asking how the presence of a few lakh labourers could threaten Kashmiri culture at large. He also pointed out how the news - otherwise relegated to the inner pages of local newspapers, jumped to headlines as soon as non-local workers were implicated, while the two local workers involved were largely unscathed in the barrage of comments that followed. Arguing within the columns of the same newspaper, Inayat Choudhry argued that despite most of the migrant workforce being poor Muslim workers, it has been dubbed as an intrigue of Hindus out to destroy Kashmir's economy⁶.

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Post 2007 migrant workers are back in Kashmir in larger numbers. Migrant workers have been a close part of Kashmiri workforce for over two decades now. Though there are no statistics on total numbers, current estimates presume that about 5 lakh outside workers come to work in the Valley seasonally every year. They have been working in paddy fields, construction, brick kilns, as domestic help and in various other quarters including petty trade and sales. Most of them are from U.P., Bihar, Bengal and other north Indian states and work seasonally through the summer

⁵ See for instance: 'Biharees - wages of complacence', comment, Hassan Zainagiri, *Greater Kashmir*, 3 August 2007. Available at: <http://www.greaterkashmir.com/news/2007/Aug/3/biharees-wages-of-complacence-4.asp>.

'Geelani's faux pas', news report, Danish Manzoor, MeriNews, 17 August, 2007. Available at: <http://www.merineews.com/article/geelani-faux-pas/125988.shtml>. 'Paradise gone begging', comment, Ajaz-ul-Haque, *Greater Kashmir*, 7 October 2007. Available at: <http://www.greaterkashmir.com/news/2007/Oct/7/paradise-gone-begging-3.asp>

⁶ 'The myth of threat from outside workers', comment, Qazi Sajad Delnavi, *Greater Kashmir*, 18 August 2007. Available at: <http://www.greaterkashmir.com/news/2007/Aug/18/the-myth-of-threat-from-outside-labourers-6.asp>. 'Tabinda tragedy – Politics on Graves', comment, Inayat Choudhry, *Greater Kashmir*, 2 August 2007. Available at: <http://www.greaterkashmir.com/news/2007/Aug/2/tabinda-tragedy-politics-on-graves-3.asp>

returning to their native places once the winter sets in. According to some sources they have been in Kashmir since late 70's. This research has been conducted with the help of numerous interviews during last autumn with migrant workers working in construction industry, brick kilns and as hawkers in and around Srinagar, in places such as Hawal Chowk, Hyderpora etc. It can be said that more than half of Srinagar's workforce now consists of migrant workers from other states. Kashmir has been called in some instances, a 'second Gulf' for its high wages, good climatic conditions and work opportunities. Actual wages in construction industry for instance are much higher than those notified by the state government; masons in Kashmir earn around Rs. 400 per day, which is almost double of what they earn in other cities like Delhi. In the last decade, the big demand for construction workers from Bihar has also changed the nature of construction itself in the Valley, with now concrete and POP being used more than earlier forms of wood and stone construction, changing the architectural landscape completely. Locals prefer migrant workers since they are seen as more pliant, more productive and skilled than Kashmiri workers.

Interviews with migrant workers reveal a different picture than expressed in the newspaper comments mentioned above. Most workers have been coming for many years and feel comfortable owing to friendliness of employers and Kashmiri people. They feel more trusted, they are provided with better accommodation and have had almost no reported outwardly tension with the Kashmiri neighbourhoods. All the interviewees reported no communal tension either. They are also not 'Indian-ised' by the local people as easily as by some commentators, though most of them are quick to claim the nationality themselves. Some of them asserted that they openly cheer for India in cricket matches if they want to without fear of inviting ire. As Khurram Parvaiz of JKCCS puts it, though it cannot be denied that there is subtle casteism at work in some of the attitudes towards the workers in Kashmir, there is however no violence in the language of Kashmiris unlike Delhi's hostility in comparison. It is also to be noted that the ouster of workers in 2007 was more of a localized reaction to the rape, rather than a proactive campaign as conducted by communal right-wing parties in India, and even this call failed to be heeded seriously by the Kashmiris outside of the Handwara constituency.

Wazir, a contractor from Bihar says he lives like a local here and whatever disturbance workers from his area face are related to supply deficit in work. There is no discontent from Kashmiri workers; all the seeming threats are superficially politicized in nature. As for 2007, he believes that perhaps some sections believe they are army informers, but this is not a general opinion. But he adds despondently, "Bihari to Bihari hota hai, Hindu ya Muslim nahi" [A bihari worker is just that, not defined by his religion]. While most workers were unaffected by some of the opinions expressed against them, there were some cases where a few were abused and slapped and asked to go back to where they came from. Despite no seeming surface tension, a local trade union which works with shawl weavers and public sector employees declared in one of the interviews that it will not take up unionization work for migrant workers unless it gets backing of some or the other separatist sections because of the controversy it might raise.

Demographically too there has been a suspicion that the Indian government has been counting the army and migrant workers to show revised reduced number of Kashmiris to defeat the demand for independence statistically. Though these fears might be real, there has been a clear

misunderstanding of the reasons of livelihood for which labour migration happens⁷. Parallel to this, there have been many systematic killings of migrant workers by militants earlier, in which more than 86 workers from different areas have been murdered. These have not been studied properly, as workers are seen dispensable both by the media and the state⁸. However, like the Chittisinghpora massacre of Sikhs during Bill Clinton's visit, many of these killings get shrouded in mystery as one approaches the facts closely. Many of the shoot-outs have been performed by men in combatant uniforms, leaving a haze of difficulty in understanding intentions as also the identity of perpetrators. While the news reports and media have squarely blamed terrorists, some locals point to the 'ikhwani' or renegade militants, and the army for having conducted these killings to malign the armed struggle. As Barry Bearak has written in the New York Times, as the people in Kashmir suffer from 'massacre fatigue', the Kashmiri conflict 'has a way of boiling truth into vapour', with questions left unanswered about the involvement of militancy and the suspicious role of the state in persisting to colour the resistance as Islamist and intolerant⁹. Though while the Chittisinghpora massacre raised a lot of concern, not much attention has been spared for the workers' killings. These murders have the same confusing quality as the killings of migrant Bihari workers in Assam in 2007, where claims and counter-claims ricocheted between the state and ULFA for manipulating the killings for their respective narratives¹⁰.

The residual uneasiness around the presence of outside workers can be explained by other factors. There have been other campaigns over the years against liquor consumption and AIDS, which have pointed squarely at 'beggars' and outside migrants for introducing such 'ills' in the society. The state directed campaign to spread awareness about AIDS recruited local imams for the purpose. These campaigns initially invoked the presence of impoverished women from other states as a cause behind the spread of sexual diseases. Overtime, this became a general assumption about outside labour 'soiling the social environment', as a viral threat to an austere society¹¹. Wazir asks why Bihari workers are targeted for drinking by some orthodox imams and the police; he adds that Kashmiris drink much more than the workers, but the presence of country liquor is blamed on outsiders. A condition that is in fact imposed by employers to house migrant workers is to disallow liquor consumption within the premises.

Another reason for mistrust is perceived threat to community controlled gender norms. Some Kashmiri workers interviewed from Handwara emphasized their empathy with migrant workers

⁷ 'Counting Kashmiris', news report, Peerzada Arshad Hamid, Himal Magazine, April 2011. Available at: <http://himalmag.com/component/content/article/4355-counting-kashmiris.html>

⁸ 'It's life vs livelihood for migrants', news report, Peerzada Arshad Hamid, Tehelka, 1 July, 2006. Available at: http://www.tehelka.com/story_main18.asp?filename=Ne070106Its_life_vs.asp

⁹ 'A Kashmiri Mystery', news story, Barry Bearak, The New York Times Magazine, 31 December, 2000. Available at: <http://www.nytimes.com/2000/12/31/magazine/a-kashmiri-mystery.html?pagewanted=all&src=pm>

¹⁰ 'Assam: Updating the Past', commentary, M. S. Prabhakara, Economic and Political Weekly, 27 January, 2007.

¹¹ 'The threat of outside beggars', news report, Akram Sidiqi, Greater Kashmir, 12 September 2007. Available at: <http://www.greaterkashmir.com/news/2007/Sep/12/the-threat-of-outside-beggars-6.asp>. 'Impending AIDS epidemic in kashmir', news report, Showkat A. Motta, OneWorld South Asia, 10 December 2008. Available at: <http://southasia.oneworld.net/todaysheadlines/impending-aids-epidemic-in-kashmir/?searchterm=showkat%20aids>. 'Bright future', letter to the editor, Greater Kashmir, 19 October 2008. Available at: <http://www.greaterkashmir.com/news/2006/Oct/19/bright-future-7.asp>

but expressed discomfort with recent episodes of inter-marriages between Kashmiri women and non-local workers. They also stressed essential difference between local workers who demand better payment, and live better with no 'interference' in whichever society they work amidst, [in case of Kashmiri workers migrating for labour and trade elsewhere] with what they see in comparison as the docility of migrants - who work for less money, often live in degraded conditions and decrease incomes and living standards for both sections of workers, notwithstanding their interest in befriending Kashmiri women. In another interview, a Bihari worker Ghias-ud-din remarked how it would be impossible for any alleged interaction to happen easily given their stature as menial workers. Some inter-marriages have happened but with great difficulty; however they have not been as much a prestige issue as in other areas where usually violent threats are issued in response from the woman's family. However, another worker quipped with a laugh that Kashmiri men flirt rapaciously but question the intentions of workers; he said that atleast workers are committed to their women, while he believes that Kashmiri men cannot control their distractions! Most of the anxieties thus follow basic sociological logic of fear to one's culture by contact with another. However inter-mingling has only steadily increased since early 90's leading to greater acceptability of the migrant population.

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While the presence of migrant workers has coloured perceptions on morality and nationality, it has also framed Kashmiri workers in an opposite light. Native Kashmiri workers are seen as 'lazy' and disinterested, and costly as compared to outside labour. There have been various injunctions over the years that have juxtaposed the 'leisure-seeking' or 'ayash' mentality of Kashmiris to the productivity of outside workers; sometimes as accusations to the local workforce of shirking work and of harbouring a 'dependency syndrome'. Though the populist reactions have conflated perceived lack of hygiene with immorality and disease, the elite section of professors and journalists have framed the discomfort in 'rational-economic' discourse of economic besiegement. The fear is the loss of finance through remittances that workers send to their native states. Some reactions suggest regulation of the workforce through state mechanisms. One journalist interviewed also expressed fear Kashmiris will soon lose hold over their economy, as migrants might be soon found working even on handlooms and shawls. This perception frames local workers as losing out due to their laidback attitude, forgetting in the last instance the lack of opportunities for skill enhancement available to them.

Unemployment has been a deep concern in Kashmir. However, even as Omar Abdullah's government used it as an electoral issue and launched various programmes for Kashmiri middle class youth, there hasn't been equal concern for artisans, manual workers and like. While actual wages are higher than stipulated minimum wages, there has been no concerted initiative for health insurance or social security benefits for the unorganized sector. While unemployment is easily ferreted as the cause of militancy by the state and some mainstream Kashmiri political parties, even by its own ascribed logic it has not been controlled or stemmed with any serious effort. Kashmir

has always imported and exported labour, with many Kashmiris working as manual labour in Himachal and Punjab during the off-season in agriculture. However the presence of middle men and lack of proper unionization leaves many workers and artisans vulnerable to exploitation.

The public sector in Kashmir consumes most of the resources and incomes. As Usman Ahmed from Mercy Corps puts it succinctly, the state governments have always 'promised salaries and not services'. Industry has evaded the state due to its perceived lack of stability, and the land-locked nature of the economy. The centre's economic policies too have been skewed from the start. While at first a lot of subsidy was given to the state leaving no motivation for mobilizing its own resources, they were retracted and then serviced as loans that put the state in a lot of debt. The recent construction boom post 2000 has given some impetus to the economy, making cement production only next to agricultural production, but this is likely to be short-lived given rising land prices and lack of investment chances for the middle class apart from just real estate and local commerce. After the land reforms, there have been no substantive changes for the rural economy as the urban bias ensures that Srinagar grows at the cost of the rural hinterland, which due to the central governments' biased water policy suffers from improper housing and lack of basic services such as electricity or good healthcare.

Given the pressure on land, and limited employment avenues in public and private sector, the migrant worker is seen by some sections as a physical manifestation of the loss of both income and opportunity for Kashmiris. Though this sentiment is also quickly blamed on the younger generation and their disinclination for physical work, which is supposedly seen as degrading. Various interviewees from the civil society professed distress over how young Kashmiris are ready to work in the retail sector or as contractual government employees for paltry incomes, but not ready to take up profitable manual work that on a monthly level gives more income. However, these changes have been long in the making. The burgeoning Kashmiri middle class, with its increased literacy and ambition, has been opting for occupational mobility wherever possible. Given its different desires, it is unlikely that migrant workers would be envied any further on the question of remittances. But it also means that the 'labour question' might not be able to snatch itself out of the attached residues of economy or nationality and be able to be an independent area of concern for either migrant workers or Kashmiri workers benefit unless Kashmiri independence struggle approaches it differently, away from the ambit of morality and its infringement.

Some hope in this is provided by recent opposition to the Sharia court's call to expel four pastors from J&K by separatists such as Geelani, who maintained that expelling people would not help the matter and be insensitive, as opposed to his stance in 2007¹². Kashmiri politics has been more flexible to introspection than other such movements. However informal work in Kashmir's economy has not received much attention in terms of either activism or research. The Bihari construction workers while defending themselves against accusations of siding with the police or the army also emphasized emphatically how both migrants and Kashmiri workers have no recourse in case the employers cheat them of their payments, since reverting to the local policemen would involve expending more money to recover their losses by giving bribes. Besides this, the worrying

¹² 'Hurriyat leader Geelani decries ban on Kashmiri pastors', news report, The Christian Messenger News Desk, 31 January, 2012. Available at: <http://www.christianmessenger.in/hurriyat-leader-geelani-decries-ban-on-kashmir-pastors/>

pursuit of morality and the ascription of immorality to outside workers regresses both the principles of freedom and the movement's avowed foundational distance from the narrow vials of nationalism.

A struggle against nationalist hegemony has to perhaps tread carefully from mirroring the same orthodoxies and tendency of the nation-state to bureaucratize gender and class issues. While Kashmiri society overall has shown greater respect for outsiders and the skill they bring in, there has been no attempt to steer away with casteist notions of menial work; the migrant workers are privately called 'bagdi', a term of indictment for physical work. Unless a more clear enunciation of threat is removed from and distanced from mere presence, there are likely to be more skirmishes in future on the question of migrant labour. Politically, Islam offers less scope for distances based on class and nationality, and there is hope that growing concerns on economy and labour will keep the possible consequences of a singular identity politics in check.