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# Conceptual Analysis of Censorship in Kashmir Media

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## ABSTRACT

Media in Indian-administered Kashmir has essentially navigated through structural barriers imposed by the state and cultural barriers of the society to negotiate its space. Analysing the trajectory of media proliferation and its functioning, a pattern of devolution from a comparatively independent media to what can be called governmentality of information to establish dominance and grant legitimacy to the state is discernible. This conceptual paper examines the patterns of state control over the media as reactionary and proactive measures. Reactive measures meaning measures taken directly in response to an immediate factor/event, like state oversight of media content, jamming of telecommunication networks, choking media houses of finances by denial of advertisement revenue, et al. The proactive measures include the use of legislative and executive power over the media with a long-term vision — to create perceptions and behaviours to legitimize state control. One such example is the media policy 2020 which aims to replace "negative" coverage of the government and saturate the papers with uniformly positive and identical content. Based on the assessment of recent incidents of censorship, this article argues that reactionary and proactive measures have together created an atmosphere of uncertainty and self-censorship gravely impacting the reporting of events in Indian-administered Kashmir.

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## Conceptual Analysis of Censorship in Kashmir Media

*“What does not exist in the media does not exist in the public mind, even if it could have a fragmented presence in individual minds. Therefore, a political message is necessarily a media message” (James Curran, 2010)*

Jammu and Kashmir, the northernmost state of India has a long contested history. Sharing its border with Pakistan, the erstwhile state has been a breaking point between the two countries, with both countries claiming parts of it, in addition to China claiming a part as well. Hence, the governments of all three sides have made efforts throughout to maintain and increase control over their claimed parts. The international bodies have documented the human rights abuses on both sides- of Indian administered and Pakistan administered parts. With the increasing proliferation of

media, the documentation has gotten rigorous too. Simultaneously, the ways of control over the media have also evolved.

The last decade saw enormous growth in the number of newspapers published in Indian-administered Kashmir and at the same time, Indian-administered Kashmir has been referred to as “an open-air prison” (RSF, 2020; Pandow and Kanth, 2021). In describing the recent patterns of censorship in Indian administered Kashmir by the Indian State, Koul (2020) draws attention to Indian media’s silence over the human rights situation in Indian administered Kashmir but vocal condemnation of the same in Xinjiang in China. She writes what Xinxiang is to China, Indian administered Kashmir is to India.

Pandow and Kanth, (2021) call Indian media’s reporting of Indian-administered Kashmir an agenda to legitimize the Indian state’s claim over the region. This, along with frequent internet shutdowns and reporting of local media remains the only potential source of authentic information on day-to-day happenings. As Castels (2007) explains, media messages are important because the media is so influential. If something isn’t portrayed in the media, it doesn’t exist in the public. “Therefore, a political message is necessarily a media message” (Castels, 2007).

Pandow (2020) traces the threats and dangers faced by the Indian-administered Kashmir journalists post unilateral abrogation of Article 370 in August 2019 and notes that despite such dangers, many journalists risk their safety and continue to put the truth before their audience. However, the same optimism is not shared by valley-based journalists such as Gowhar Geelani who feels that the media persons in the valley have been compelled to become extensions of the state as opposed to being watchdogs for society and Shahna Butt who sees the future of journalism to be very bleak in the valley.

India, despite being a democracy, scholars have noted a gradual decline in freedom of expression over the last few decades. Nandy (2005) predicted censorship to have a bright future in India. He went to the extent of comparing censorship in dictatorships with democracies. The latter, he said, manufactured the need for censorship by making them believe that it was necessary for and in the interest of national security (Sirhan, 2021). The continued censorship of media by successive governments in India is described by Mehta and Kaye (2021) as India’s inability to forgo the colonial legacy.

The increasing reliance on advertisements has further restricted the reportage of news houses in India (Gupta, 2005). However, for Indian-administered Kashmir’s protracted conflict, the layers of control and “regulation” get multiplied because states try to increasingly control the discourse (Brooten, 2017) to avoid the challenge that accurate news reporting poses to the government narrative (Sirohi, 2020).

Indian administered Kashmir’s media institutions have had to navigate multiple layers of state control. They have been under pressure from outside forces, like the government, the military, and the militants. This also builds up internal pressure for self-censorship. The most obvious way is the laws that prohibit certain forms of expression. However, other ways are less visible but no less important. These include the financial pressures on media houses. The Government of India (GoI) has used internet shutdowns in J&K as part of a larger campaign to quell the region’s demand for more democratic autonomy. Internet shutdowns have become regular in J&K, one of the world’s most militarized zones, even if there is even the slightest prospect of disturbance and protest. However, techniques are changing as methods of controlling information have become more multifaceted, including direct attacks on journalists and journalistic freedoms.

In this article, the authors expand on the typologies of recent censorship practices in Indian-administered Kashmir to offer an overall view of how state control works through bureaucratic and policing institutions to produce media. The article argues that censorship practices involve the interaction of both formal and informal regulatory measures designed to ensure state control over the contested public sphere.

### **Censorship: Meaning and Trends**

Broadly understood as the suppression of information that poses any threat to an authority-political or cultural (Mazzarella and Kaur, 2013; Evans and Selgelid, 2015; Sirhan, 2021) censorship is diametrically opposite to Freedom of expression, a fundamental human right. It is not merely a tool used by repressive regimes to restrict expression on religious, political, and moral grounds, but a way of maintaining power and control over social groups (King, Pan and Roberts, 2013). Sue Curry Jansen in her book *Censorship: The Knot that Binds Knowledge and Power* puts forth her definition as:

*“It encompasses all socially structured proscriptions or prescriptions which inhibit or prohibit the dissemination of ideas, information, images, and other messages through a society’s channels of communication whether these obstructions are secured by political, economic, religious, or other systems of authority,”* (Jansen, 1988).

She suggests that, as opposed to the more overt methods of communication and cultural control that criticism has a history of emphasizing, we examine the implicit mechanisms of censorship.

Censorship does not only stop something new from being said or created but it also alters the past histories in a way to suits the present, thereby denying the people their memory and heritage. Volf (2006) best explains the human rights perspective in this regard that if no one knows about the atrocities, it remains a secret. Both victims and perpetrators are misunderstood by others because they don’t know what happened. When a person is harmed or their rights violated, the victim suffers twice—first from the original deed and second from being disrespected by those who never knew what happened to them (Volf, 2006).

Foucault links the notion of power to discourse, describing how power is used to create and in effect, also conceal, the knowledge that can generate discourse. Although Foucault did not specifically mention media in his works on discourse, he emphasizes the complexity of power relations which shape discourse and produce knowledge and truth for the public (Foucault, 1980). In Foucault's writings, the ontology of censorship and its power connection are recurring themes. He dismantles the connection between restriction and censorship in *The History of Sexuality* from 1976, arguing that our impression of the connection between sexuality and repression is false. Foucault investigates how progressive institutions like Jeremy Bentham's Panopticon enforce discipline. The structure's design tenets serve as a road map for the development of self-censorship. The Panoptic society, which is portrayed in the architecture of this jail, replaces external punishment and monitoring with internal norms of conduct. When describing how these restrictions work, Foucault makes sure to emphasize that they are there to analyze, monitor, and rectify the "abnormal" (Freshwater, 2004).

Censorship, whether it takes the form of prior restraint or post-publication repression, believes that individuals are capable of developing dangerous notions in understandable formats, which the authority seeks to prevent. Althusser (2014) contends that despite their certain existence, these techniques are only a byproduct of a larger initiative to render such ideas really unthinkable rather than merely unpublishable. Gramsci (1975) examines this kind of governmental strategy by arguing that authoritarian control and fanaticism create a climate of mistrust towards events, incidents and



individuals that might even hint at separatism and violence and the alienation of due process by the state methodically tearing apart the social structures, leading to cycles of violence, unchecked power, impunity and violent resistance (Boga, 2020).

Despite the instincts, desires, and rights of people to be able to express themselves in any way they want, their ability to do so is tied to governments and markets that try to control human expressions in every form- artistic, journalistic, academic, protests, and so on. The history of censorship is long and dated. One of the earliest known forms of censorship occurred in ancient Egypt during the reign of Akhenaten (1351–1334 BC) who criminalized the making of images of several Gods to put an end to polytheism which was prevalent in Egypt in that period (Hollis, Hornung and Lorton, 2001).

As much as communication methods evolved over the years, censorship methods only evolved. Under Article 19 of UDHR and Resolution 59 of the UN General Assembly adopted in 1946, the United Nations has repeatedly been emphasizing the need for freedom of expression, of which, freedom of media has become a fundamental pillar. To celebrate the spirit of freedom of expression, the United Nations (UN) also marked Freedom of information as the theme of 2019, at the same time acknowledging the different ways governments harass and intimidate media in different countries to curtail freedom. Despite the recognition at international forums, several countries have been reluctant in introducing and following the positive obligations in providing such freedom to journalists and media houses.

The report on Press Freedom worldwide published in 2006 divided the countries into three categories based on the media freedom in these countries- Free, Partially Free, and Not Free. It ranked 73 of the 194 survey countries Free with respect to their media. India fell in the partially free category, along with Turkey, Sri Lanka, Ukraine, and 54 other countries and the remaining 66 were put in not a free category. The report describes the call for a “responsible press” as a justification by the state to impose censorship and emphasizes the need for free media, a precondition for accountability and rule of law.

Another report by the same organization- the Freedom House described media freedom globally as going into a downward spiral. Their specific findings on India noted that the government in the country was sending out all the signals to media houses to toe their line and also growing its army of propaganda disseminators.

Media from across the globe is known for its power to generate discourses through agenda-setting function and to equally divert attention from situations to control the narratives. Analysing the scope and reasons for censorship, the International Journalists attending the Salzburg Seminar Session 396 in 2002 contended that the threats press freedoms are historically political in nature (Mitchell, 2020). The same was echoed by the Media Freedom report 2020, stating that dynamic political scenarios exact and dictate the media ‘regulations’ in a country.

On the World Press Freedom index, India stood 142 out of the 180 countries, calling it one of the most dangerous countries for journalists. In 2019, it stood at 140. A decade back, India stood at 131, at least 10 ranks behind its current rank. The reports highlighted the particular challenges faced by journalists in Jammu and Indian-administered Kashmir including suspension of internet and communication lines, physical threats to journalists and media houses, and the visas of foreign journalists being turned down.

## **Self-Censorship**

Recently, the Indian state has utilized extreme censorship, severe limits, severe intimidation, and violence against journalists to limit media access and reach in Indian-administered Kashmir. To muzzle the media, legislation like the UAPA (Unlawful Activities Prevention Act), charges brought against some journalists, raids, physical assaults, interrogations, travel restrictions, and other coercive techniques are used.

The new media landscape is significantly shaped by market pressures as well as the ideological influences of the forces in power. During such phases, it is but natural for the media outlets to change themselves suitably to the ongoing undercurrents. Media outlets or journalists decide not to say/write anything that may be of significance to the public, such as not to report a story about the government or express an opinion on new legislation, either because it is accurate or because it would add to a heated public discussion of the topic.

Although self-censorship is thought to be a choice action, it frequently results from pressure or fear of repercussions. Along with reinventing the effects of censorship, New Censorship Theory recasts its actors. Contrary to conventional notions of censorship, which place more emphasis on the reactions of influential institutions within the nation or its institutions, the New Censorship Theory sees censorship as a diffuse, pervasive phenomenon in which a variety of stakeholders, including personal and structural conditions, function as effective censors (Bunn, 2015).

The capacity of individuals to consume free media is hampered by coercion and influence on media to self-censor. Furthermore, this ends the democratic discussion. An open and democratic government relies on the willingness and capacity to get information, analyse issues, and then articulate and engage in discussion from people's perspectives. However, in an atmosphere where people are faced with pressures to self-censor, no such free flow of information is possible. This new approach to censorship is referred to as the "New Censorship Theory," according to Bunn (2015) since it extends the conventional notions of censorship to include self-censorship as a result of the exercise of more decentralized and indirect means of power. According to Bourdieu's (2018) reasoning, a state's use of direct coercion to censor content is an indication that it has failed to impose a widely accepted set of ideas on society. This makes self-censorship stealthier than censorship and more challenging to discern empirically.

The present study focuses its attention on the practices of censorship in Indian-administered Kashmir on local media as well as gradually controlling the stories in the national and international media about the region. The region is significant not only in terms of its geographical positioning but also relevant to the politics of the whole country. The political tides in Kashmir have a ripple effect on politics in India and Indian relations with its neighbours, hence the practice to control the narrative about this region holds significance. Given the violent political context of Indian-administered Kashmir, the measures by the state often bypass the standards of human rights and dignity. In the rest of the Indian states, the internet shutdowns have been attributed to be an immediate consequence of communal tensions and attempts to contain them. About 18 shutdowns were ordered nationwide in only the initial 4 months of 2021. There are a few indicators that the rising usage of shutdowns will decrease despite significant public outcries and lobbying initiatives. A sharp increase in blackouts in India cannot be viewed separately from either the wider democratic deterioration that the BJP has caused in the nation, or in particular from the party's divisive Hindutva agenda (Ruijgrok, 2022).

## **Brief History of Censorship in Indian-administered Kashmir**

The press in Indian-administered Kashmir has historically faced varying degrees of censorship. In the Valley's recent political history, the autocratic Dogra rulers had imposed a blanket ban on all news media creating an information vacuum that was filled by newspapers smuggled into Indian-administered Kashmir from Lahore, then part of British India and a literary hub (Ahmad, 2018). The newspapers coming into Indian-administered Kashmir as such presented a polarized narrative that corresponded to the ethnic, political, and religious loyalties of the paper's owners. For instance, papers owned by Hindus were favourable to the Dogra rulers and overlooked the harsh lived realities of the Indian-administered Kashmiris, the majority of whom continue to be Muslims and whose plight was highlighted by Muslim paper owners (Chandel, 2021). It was towards the end of the Dogra rule that the last monarch Hari Singh finally conceded and allowed the first newspaper to be published out of the Valley, owned by an Indian-administered Kashmiri Pandit Prem Nath Bazaz. The Indian-administered Kashmiri Pandit community, which had access to and monopolized education and government jobs in the region, continued to also dominate the media for decades to come.

After the withdrawal of the British from South Asia and the emergence of India and Pakistan, the press in Indian-administered Kashmir witnessed a transition. As more newspapers began to be published from the Valley, the marginalized Muslims gave themselves a voice through these publications. Yet, there were levers of control over the media, from the use of patronage to the weaponization of the law against journalists. One of the first major instances of the use of the law against journalists came in 1986, when Ghulam Nabi Shaida, editor of the Urdu daily *Wadi Ki Aawaz*, was booked under the Public Safety Act for reproducing a controversial article against the Prophet Mohammad, published in the West Bengal press (Gura, 2021). The law was passed three years before his arrest, intended for use against timber smugglers. Four years later, the outbreak of the current ongoing insurgency led to both proliferation of media houses as well as the diversification of curbs against them.

Prominent journalist Yusuf Jameel notes successive governments in Indian-administered Kashmir have imposed indirect censorship by creating "circumstances in which it would become difficult and impossible for us to work" (Naqash, 2016). Jameel elaborated that the curbs came in the form of denial of journalists' access to the ground and government officials. Another journalist (based on an interview) said another aspect of the censorship was the government's ability to entice media houses into accepting favours – such as government accommodations on nominal rent, advertisement revenue, and miscellaneous subsidies and perks – as having thinned the line between self-censorship out of fear of losing those favours and direct censorship from the government. There have, however, still been instances of direct government censorship throughout the decades since 1990.

As violent political upheavals continue and approach described an increase in volume and scope, there is an increasing need for a more in-depth understanding of how the news media participates in conflicts and manages them on a global scale. These wars are highly asymmetric in terms of material and defence power as well as intangible assets or "soft power". Gaining territory is not as important as winning the "hearts and minds" of the people. Because a state is almost always militarily superior, non-state groups are more reliant on information warfare, which entails influencing attitudes and perceptions. The governments view independent media as a security threat and feel threatened by credible information. When this occurs, the media frequently mirrors the current power structure, providing the government with significant advantages over grassroots organizations and civil society. The news media are essential for the long-term prevention of violence because they are important self-regulatory components of a democratic society and trustworthy sources of information.

## **Censorship in the Present Day**

A free press is vital to democratic governance. By informing the public, engaging in critical reporting, and guaranteeing accountability and transparency in governmental operations, journalists operate as agents of political change. However, the vital role of the media may be undermined when government censorship or commercial or corporate forces work against journalistic independence. State censorship is the use of repressive or outlawed actions by government organisations to prevent the dissemination of particular information to the general public. Governments have the power to restrict press freedoms through laws and regulations, or, in cases when material has already become public, they can use the legal system or criminal law to prosecute or otherwise penalise journalists or media organisations. Governments may impose restrictions on news coverage, choose what information the public receives, and so influence political discourse by setting up mass media infrastructure or providing financial support to media companies (Yesil, 2014).

Under the guise of "security," "integration," and "national interest," the propaganda apparatus in India that stifles opposition to the government and hegemonized perceptions for a national and international audience operates unchecked, strengthening support for militarized alternatives to political issues and feeding the growing "transnational military-industrial-corporate-state-media" complex to conceal the human toll the conflict has exacted on the local population (Boga, 2018). According to states, content on the Internet is regulated because open communication technology has some components that might be harmful or unlawful. Its potential use in terrorism and criminal behaviour is a source of worry. Those who are against the notion contend that politics is the primary motivation behind using Internet infrastructure to impose filters. The goal of censorship is to prevent international communication and the spread of ideas (Bailey and Craig, 2011).

The government's measures to censor the press as such can be broadly categorized into two categories: reactionary and proactive. Reactive or reactionary measures mean measures taken directly in response to an immediate factor/event, like state oversight of media content, jamming of telecommunication networks, choking media houses of finances by denial of advertisement revenue, et al. The proactive measures include the use of legislative and executive power over the media with a long-term vision – to create perceptions and behaviours to legitimize state control. The authors use the paradigm developed by Kalatil and Boas, (2003) to distinguish between reactive and proactive frameworks as forms of censorship. Reactive measures are rather straightforward, but their execution is difficult due to the information management functions that various legal or political authorities, cultural and educational institutions, and vigilante forces perform. Reactive measures seek to regulate media content and hence limit information flow. Although they are a development of the more traditional reactive regimes of control over audio-visual mass media, proactive measures are actions taken by the state to actively state promote the use of tools and services to create media content to marginalize the expression of objectionable or threatening content (as determined by the government). The main objective of the two measures is to construct the public sphere through practices of control and monitoring is to eventually confirm state dominance in the context of expanding knowledge-based economic developments tied to improvements in global communication systems. One such example is the Media Policy 2020 which aims to replace "negative" coverage of the government and saturate the papers with uniformly positive and identical content. The sections below describe these measures and their impact on the overall coverage of Indian-administered Kashmir in the media.

## **Reactive Measures**

Reactive measures can be classified as reactionary measures taken by the local governments in response to events and incidents, during which a mass mobilization has occurred or where the government believes there is potential for mass mobilization, which has a direct bearing on the press in the immediate short term. The most common of such reactive measures is the suspension of internet and mobile telephony and the imposition of curfews and restrictions to prevent any law and order situation arising out of any incident such as an encounter, attack or killing of militants. In relatively fewer instances, the government has also resorted to more direct attacks on journalism by raiding printing presses (often multiple newspapers are printed at a single printing press) and confiscating printed copies of newspapers and banning selected newspapers. These reactionary measures aimed at short-term curbing of the freedom of the press were witnessed during the 2008, 2010, and 2016 mass uprisings in the Indian-administered Kashmir Valley. These measures are taken to block the immediate flow of information within the state as well as across the borders to prevent information about possible human rights violations to flow across the borders.

## **Communication Blockades**

The impact of reactionary measures on the press is most evident from the 2019 government crackdown in Indian-administered Kashmir. In August 2019, as the Indian government feared a mass mobilization in response to its unilateral abrogation of Jammu and Indian administered Kashmir's residual autonomy, the suspension of all forms of communication initially and the continued restrictions on the internet — what was later called the world's longest shutdown of the internet in a democracy — clubbed with the authorities refusal of granting curfew passes to local journalists, thereby physically preventing journalists from gathering news from the grounded, led to an information vacuum. Journalists, including female reporters, from the city- of Srinagar, also reported manhandling of their equipment and assaults during attempts to cover certain incidents. Due to the information vacuum, only a few such incidents could come to the fore from outside the city limits. The restrictions were the harshest that journalists had witnessed since the eruption of the insurgency in the late 1980s.

The authorities in Indian-administered Kashmir resorted to a hybrid form of restriction on communications, allowing functionality to a select list of numbers but barring the majority of journalists despite requests made to the chief of police by the Indian-administered Kashmir Press Club. After being criticized for crippling journalists, the government's Directorate of Information and Public Relations (DIPR) set up an internet facility for journalists in a posh and fortified private hotel in Srinagar; there were, however, just eight internet connections for more than four hundred local journalists and several more flying in from New Delhi. There was also a single mobile phone for all the journalists to make calls after registering their numbers and the number they were calling in a registry maintained by the DIPR. Subsequently, the facility was shifted to the premises of the DIPR, nominally enhancing the number of internet connections. Even at these facilities, journalists had to struggle with slow internet bandwidth. The DIPR called it the "Media Facilitation Centre" but journalists viewed it as a "media concentration camp" and "internet's shrine" as described by a journalist— indicative of the widening trust deficit between the press and the government (Naqash, 2020b). The government was also cautious in creating filters between local and non-local, New Delhi-based journalists who flew into the valley. The latter were provided with unfettered access to government officials and areas on the ground.

The denial of the internet over prolonged periods coupled with restrictions on the movement led to a situation where journalists were not only unable to converse with sources over encrypted messaging applications but also found physical meetings difficult. Its overall impact was the slowing down of the flow of information.

Another drawback, one that directly impacted the information flow, was the inability of the journalists to reach out to the government itself for information on spontaneous events. In several instances it led to the absence of government versions on sensitive issues- a point of contention between the government and the press but with the former unwilling to acknowledge the onus. The only source of official information appeared in the form of daily press briefings where there was little scope for questioning the government officials — in effect making these events official monologues. The attempt was to weave a narrative of normalcy even as journalists encountered restrictions on the ground. For instance, on the day of Eid on August 11, 2019, the unprecedented restrictions on the ground were glossed over with the press briefing focusing on the number of locals stepping out of their homes to pray and complemented with visuals simultaneously released on the internet and circulated by the Indian national media.

The tacit approval and support of the corporate-run national media led to a sanitized narrative dominating the silence of the natives. Pamela Philipose writes in *Himal Magazine*: “In contrast to this chokehold on independently generated journalism in the Valley, was the free flow of information, generated by the corporatized media, which supported, celebrated, and eulogized the Modi government’s actions. This cynical complementarity of a shutdown of media content in J & K, and the exuberant proliferation of media content outside it, is nothing less than establishing the dominant, nationalist narrative at gunpoint” (Philipose, 2016).

Amid the total communication blackout, some Urdu television channels popular in Indian-administered Kashmir had added another ticker to their display to accommodate messages from Indian-administered Kashmiris outside the valley to their family members at home. An urgent petition filed by senior journalist and Indian administered Kashmir Times editor, Anuradha Bhasin on August 16, 2019, in the Supreme Court, challenging the ban on phone lines and the internet was not heard till January — ironically, months after the phone lines were restored. Beginning January 26, 2020, the administration restored slow-speed 2G internet to Indian-administered Kashmir, albeit blacklisting nearly all websites, including news and social media networks. Simultaneously, the J&K administration also criminalized the use of VPNs, which many at that time were using to bypass restrictions and threatened punishment under the draconian Unlawful Activities Prevention Act (Naqash, 2020a).

In J&K, the bulk of internet outages is declared as a preventative measure at times that might serve as catalysts for mass protest. Before public holidays, well-known militant trials, executions, or funerals (or the anniversaries thereof), which all point to potential opportunities for protest, the internet is regularly shut down. For the same reason, the government restricts internet use before, during, and following "encounters" between armed militants and security officers. To sum it together, internet shutdowns in the valley have served multiple purposes in favour of the ruling dispensation as noted below:

1. **Failure of locals to access information:** In absence of the internet, coupled with shutdowns and restrictions on the movement of locals, the local population is unable to keep up with the updates of happenings locally and hence an information vacuum is created leading to rumours about the happenings.
2. **Failure of journalists to access sources:** Along with an information vacuum, the journalists also face the challenge of accessing their sources which limits their ability to access multiple sources and verify the details. During most such shutdowns, the only accessible sources remain the official sources that would most often only present a narrative that resonates with the state.
3. **Controlled narrative construction:** Unlike the internet shutdowns in other parts of India, the internet shutdown in Indian-administered Kashmir is differential in nature. In 2019, the local journalists, those working with local media as well as national media, were

restricted in terms of access to the internet and mobility whereas the journalists from the mainland whose reporting aligned more with the sadist narrative were given access to the internet in a government-established facility. This way, the narrative that the erstwhile state had accepted the change to its autonomous status gathered strength. The Indian government asserts that the shutdowns are necessary to maintain calm, but several commentators contend that they stifle protests and cover up violations of human rights by security personnel.

Compared to the shutdowns in India, Indian-administered Kashmir has witnessed prolonged internet shutdowns with a greater frequency. The short and staggered internet shutdowns only manage to create a temporary information vacuum however this does not undermine the repressive character of such shutdowns. The internet blackouts imposed during the anti-CAA demonstrations provide a crystal-clear illustration of how they might be used to support crackdowns on dissent. There are many others. For instance, internet blackouts were implemented earlier this year amid a crackdown on nonviolent farmer demonstrations in both Haryana and Punjab. Internet shutdowns, which are more frequent in BJP-ruled areas, are typically a response to communal tensions and have become a normal and accepted response to societal discontent as a result of overuse. The data available through different research studies underlines the political aspects of internet shutdowns, despite the Indian government's claim that they are a response to a law-and-order issue brought on by online fake news and disinformation.

### **Withdrawal of advertisements**

Indian-administered Kashmir is a landlocked Valley with a limited private sector and a relatively small advertising market. As such most newspapers are dependent on advertisement revenues from the government, a fact that the government is well aware of and has used to chastise and strong-arm the press into submission. One of the earliest instances of using the denial of advertisements as a form of punishment came in the aftermath of the 2010 protests in Indian administered Kashmir when major newspapers — which included Greater Indian administered Kashmir, Rising Indian administered Kashmir, and Indian administered Kashmir Times — were barred from receiving central government ads through the Directorate of Advertising and Visual Publicity (DAVP). After the 2016 protests, the Union Government again sought to institutionalize the method as the Ministry of Home Affairs, which has no jurisdiction over the functioning of the press or disbursing of advertisements, wrote to the state government to withhold advertisements to newspapers that were publishing “highly radicalized content glamorizing terrorists and anti-national elements” (Javaid, 2017).

The Hindustan Times further reproduced the content of the letter, that was sent to the state government and the Jammu and Indian administered Kashmir police: “...publishing of anti-national articles in the newspapers of the state should be strictly dealt with. Such newspapers should also not be given any patronage by way of advertisements by the state government. This may be circulated to all concerned for strict compliance.” The following year, several leading dailies of Indian-administered Kashmir were barred from receiving state government advertisements, a punishment that more or less continued till August 5, 2019, following which a new dynamic emerged. Now, newspapers were being punished for not carrying press notes or carrying any news item showing the government in poor light, direct interference with papers’ editorial discretion and reporting freedoms (Naqash, 2020c). Because there are so few firms and private businesses in the valley, newspapers in Kashmir are more vulnerable because they rely nearly solely on government ads to make money. “We rely on government marketing for support since there is no private sector. In a way, the government is our customer,” according to prominent journalist and Kashmir Images editor-in-chief Bashir Manzar (Aggarwal, 2018).

On the other hand, separatists have also sought to police the contents of newspapers at times, though its scale — after the militancy ebbed in the 2000s — is not comparable to the state actions. In August 2016, amid the uprising, the late Syed Ali Geelani chastised the press for not reproducing a poster in which the separatist Hurriyat demanded the resignation of unionist politicians as civilian killings by government forces during protests continued unabated. “Everyone agreed to publish it as a poster advertisement but none of them, except Indian, administered Kashmir Reader and Tameel Irshad an Urdu newspaper], dared to publish it,” Geelani had then said. He also sought to interfere with newspaper editorial, calling it a “moral obligation” and responsibility of the press to highlight separatist demands.

"Professional assignments aside, we have some more obligations as part of an oppressed nation, which is struggling for its basic rights. Everybody needs to own this movement and share their bit of responsibility honestly."

### **Proactive Measures**

Apart from the reactive measures the state adopted to create an atmosphere of censorship in response to events in the valley, the state adopted measures that would lead to a long-term impact on the free flow of information through media. Such measures include drafting a media policy for media houses in Jammu and India administered by Kashmir that outlines how the media should report making the coverage favourable to the state. The constant discrediting of media and media persons

### **Media Policy**

The state's overall vision to stymie the press is laid down in the media policy it imposed upon Jammu and Indian-administered Kashmir on May 15, 2020. The policy was rolled out during the Lieutenant Governor's rule, sans any elected representation — symbolic of New Delhi's growing appetite to choke the press. The policy lays down mechanisms to regulate not only the flow of advertisement to news organizations but the press itself; it also officiates the interference of security agencies with the press and seeks greater control over defining who can practice journalism and who can't. A cursory reading of the 53-page document reveals its fundamental aim to neuter the media space of critical coverage and fill the vacuum with positive stories about governance to “foster a genuinely positive image of the Government”. Its impact is already visible in a process that began much before the policy's official rollout: the sanitization of newspapers of all news reportage after the abrogation of J&K's semi-autonomy in August 2019. In a short period, Indian-administered Kashmir newspapers have also surrendered before the LG administration and ceded their print space for government PR — over and above advertisement space that the government buys (Naqash, 2020b). The document also highlights the state's contempt for both journalists as well as the public, deeming the former as incapable of creating news on “development” themes and the latter as not only unable to process it but considered unrequired to do so. “Ensuring that a message has a reasonable level of value for the recipient is paramount to gaining public attention and interest. While government operating procedures hold little value to the public, how those procedures affect the daily lives of people are very important to them. Therefore, information will be structured with the public impact as its basis. People should know about the execution of development projects, welfare measures, schemes, and new initiatives taken by the government for their welfare and how their lives are going to get impacted by the same,” one of the “guiding principles” of the policy states.

The policy was called Orwellian by the global press freedoms watchdog Reporters Without Borders (RSF). “Through this totally Orwellian regulation, the Jammu and Indian administered Kashmir administration becomes plaintiff against the free press, judge and executioner all in one,” the RSF



said, adding that it “will have the immediate effect of inducing a profound self-censorship that in practice amounts to prior censorship”. A most devastating fallout is the removal of all news archives from Indian-administered Kashmir’s newspapers (Hassan, 2021); in part also attributable to the lack of institution-building spirit among newspapers in the region. At the time of the policy’s rollout, India had fallen two places on the RAF’s 2020 World Press Freedom Index compared to the previous assessment and ranked 142 out of 180 nations — attributed “in part” to “the crackdown on press freedom in Indian administered Kashmir since last summer.” India’s rank on the index remains unchanged.

### **KPC Takeover**

A new dimension to the state’s proactive measures was the dramatic closure of the Indian-administered Kashmir Press Club. On January 15, a dozen journalists — described as “disgruntled” by the larger journalist community in Indian-administered Kashmir — arrived at the press club in Srinagar and announced a “takeover” flouting all norms of the club, the last standing institution after the abrogation of J&Ks semi-autonomy which still held views largely independent of the government (Naqash, 2022). The group imposed themselves as the new, unelected management body and was widely condemned by Indian administered Kashmir based journalists as well as top journalist bodies in India who called it an “armed takeover” carried out as “police entered the premises without any due warrant or paperwork, and have, therefore, been brazenly complicit in this coup” (Ashiq, 2022). Even though the extent of the role of the state in the takeover is debatable, it has served the purpose of creating frictions in the journalist community, closure of the press club, and therewith denial of safe spaces for Indian-administered Kashmir journalists (Bukhtiyar, 2022).

### **Arrests, raids, and detentions**

Kathju (2022) noted that summons, detentions, and arrests of journalists have become the new normal in Indian-administered Kashmir. The background checks for journalists have become rigorous involving different investigating agencies, primarily the police’s intelligence gathering division the CID. The background check, explains Kathju, involves scrutinizing their body of work and gathering personal details of individual journalists. Upon completion of such a check, the reports are sent to higher authorities, and accordingly, a call is taken on further action. In the first four months of 2022, the government arrested at least three journalists under the Public Safety Act. These include Sajad Gul in January, Fahad Shah in February, and Asif Sultan in April. In all three cases, the government has charged all three under the Unlawful Activities Prevention Act. All three were granted bail by courts which led to their detention under the Public Safety Act (PSA) which empowers the state to detain the individuals for two years without any trial and at least three months before the detention can be challenged in the High Court, the only competent authority in PSA matters. The list of journalists booked by UAPA and PSA includes Masrat Zahra, Gowhar Geelani, Naseer Ganai, Haroon Lone, Kamran Yousuf, Qazi Shibli, and Suhail Dar.

Furthermore, the government has also barred international travel for journalists by denying renewal of or impounding their passports and putting those with valid passports on Lookout Circulars. In one of the earliest instances, journalist Gowhar Geelani was barred from travelling outside India in 2019. In 2021, Zahid Rafiq was barred from boarding an international flight to the United States where he was en route to teach at Cornell University. The list of journalists raided or summoned for questioning is even longer, a non-exhaustive list of which was compiled by Tantray (2022) for The Caravan. The list includes Naseer Ganai, Vikar Syed, Kamran Yousuf, Azhar Qadri, Mir Hilal, Basharat Masood, Peerzada Ashiq and many more. The homes of Qadri, Mir, and two others, Shah Abbas and Showkat Motta, have been raided and their digital equipment — including phones and computers of family members — was confiscated.

## Conclusion

Indian administered Kashmir's media institutions have faced a constant struggle to stay relevant and maintain integrity while navigating state pressures. In April 2021, the Inspector General of Police India, Kashmir Vijay Kumar banned the live coverage of gunfights. The move would directly impact the transparency of such encounters from where reports of excesses are common. Kumar's diktat, however, was not condemned by the press community in Indian-administered Kashmir which lacks unity at this crucial juncture. The closure of the Indian-administered Kashmir Press Club after an attempted takeover by journalists close to the establishment. In a recent report on the state of media in Indian-administered Kashmir, the Press Council of India took note of the severe suppression of the press in the region. Worryingly, the committee quoted the Jammu and Indian administered Kashmir Lieutenant Governor Manoj Sinha has said that "many journalists were of 'anti-national' persuasion". The report further noted that the Governor, who reports directly to the Government of India, "conceded that when he was first appointed, he used to encourage open press conferences, but now had gone back to a 'selective engagement' with preferred journalists." The report also denied the complaints of intimidation of the press by select journalists and newspapers. Delegations meetings with the committee were arranged by the Directorate of Information and Public Relations of the Jammu and Indian administered Kashmir administration. These journalists were part of a larger group – styling itself as the Jammu and Indian administered Kashmir Press Corps – seen favourable to the government and later condemned the PCI report as "false" and "malicious".

Surveillance has been majorly strengthened in the last decade with at least five Indian-administered Kashmir journalists also featuring on the list of those spied upon using the Pegasus software. Also, as Kathju reported the Jammu and Indian-administered Kashmir police have also set up a social media cell wherein the public posts of journalists and others are minutely scrutinized by government sleuths as another parameter to categorize them as nationalist or anti-nationalist. The FCC report also quotes Indian administered Kashmir's police chief Vijay Kumar "had no hesitation in conceding that there exists a program to profile journalists working in the J&K region, "Our aim is to profile 80 per cent of Indian administered Kashmir, and we will do it for journalists too," he said.

As reported by NewsLaundry (11 April, 2022), the Jammu and Indian-administered Kashmir police have used social media posts as a tool to arrest journalists to give themselves the scope to deny that such arrests are indeed attacks on press freedoms. Apart from summons and raids, journalists have also raised concerns about being called by the Army and police officials in response to stories that are critical of the government in general or the forces in particular.

The media is facing the challenge of numerous types of censorship - direct or indirect, proactive and reactive – impeding their work but the most damaging is the act of self-censorship. Already, newspapers in Indian-administered Kashmir have failed to build themselves as institutions, engaging staff on an ad hoc basis without defined terms of employment in the form of contracts, flouting minimum wage norms, and wiping out their digital archives at regular intervals to name a few shortcomings.

All these factors act to prevent the knowledge and information from reaching the public that is considered offensive, harmful, and threatening by the state to its power and legitimacy – in its own words "national integrity and sovereignty of the state".

In more direct forms, censorship is visible in intimidation of journalists and media houses, withdrawal of advertisements, arrests, and other restrictions imposed on the media. The study further classifies such measures as reactive and proactive measures. Proactive measures take the

form of long-term structural and contextual changes like media which are slow to take shape but result in long-term damage to freedom of speech. While these may not appear to be of immediate consequence to the media as a whole, the proactive measures create an atmosphere of intimidation and fear where the nature of the coverage is gradually altered. One example of such measures is the perception of surveillance created over journalists. Giving journalists a sense of being watched by the state may not seem like an immediate threat to beginners who assume that surveillance is for senior journalists and that they would skip the radar but in the long run, the notion of being under surveillance works to create an atmosphere of constant fear and intimidation which in turn leads to some degree of self-censorship among the journalists. The frequent summoning of journalists in Indian-administered Kashmir creates a perception among one and all that they could be summoned next for their journalistic work, under the pretext of their social media posts. Moreover, the government has also frequently caused disinformation and rumour campaigns to throw journalists into disarray during crucial times such as in the aftermath of the abrogation of Jammu and Indian administered Kashmir's semi-autonomy.

The reactive measures taken in response to any major incident related to state security too have altered the nature of coverage in news media. The change in the content and terminologies used in local print media in the last decade is a subject that requires immediate analysis to trace the changes corresponding to changes in the politics of the state. Given the resource-stretched media organizations in Indian-administered Kashmir, they can control what their journalists write, and they in turn risk losing jobs in case of non-compliance. The stringent regulation is the present trend in media policy, which is challenging to account for in terms of conventional ideas. The lines separating state and private activity are becoming increasingly hazy, and self-censorship is occurring to lessen the ongoing danger of additional restrictions. The survival of these governance systems depends on institutions that uphold procedural fairness and public confidence.

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