

MAPPING THE NARRATIVES OF DISCRIMINATION ON QUOTA BASED SYSTEM FOR KASHMIRI REFUGEES OF 1989



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Abstract: *This study examines the lived experiences and narratives of post-1989 Kashmiri refugees in Azad Jammu and Kashmir (AJK) in relation to the state's quota-based integration policies. Drawing on ethnographic fieldwork and in-depth interviews with 32 refugee families, the research maps the contradictions between state-led affirmative action and the everyday discrimination faced by refugees. While quota policies were introduced to facilitate socio-economic inclusion through reserved educational and employment opportunities, their uneven implementation has fostered new forms of marginalization—both within refugee communities and between refugees and local populations. The paper demonstrates how refugees are both integrated and marginalized, both acknowledged and at the same time politically uprooted, as a result of the theoretical approaches on refugee studies and the critical state theory. These results lead to the redesign of the policy of quotas where they do not belong to the bureaucratic realm of counting but equity-based solutions driven by recognition, dignity, and participatory change.*

Keywords: Kashmiri refugees, Quota system, Discrimination, Azad Jammu and Kashmir (AJK), Ethnographic study

Introduction

The displacement-integration politics is one among the most militated terrain in South Asia particularly under the scenario of territorial conflict and disputed statehood. One can hardly notice as much as it can be seen in the instance of the post-1989 Kashmiri refugees who have immigrated into Azad Jammu and Kashmir (AJK) in the wake of the intensification of the armed resistance and state repression in the Indian-controlled Jammu and Kashmir. Whereas these groups took to the Line of Control (LoC) to escape violence, they have not arrived in AJK without difficulty. Even though post-1989 refugees are geographically close and their cultural heritage aligns well, the issues of

marginalization persist at the social, political and institutional levels decades after their resettlement.

To cope with this inflow, the Government of AJK introduced the quota system that is geared toward facilitating inclusion of refugees in education and employment in the state sector. These affirmative action systems were developed to manage structural weaknesses and promote the socio-economic mobility. But recent data indicate that these quotas have not served their desired redistributive, or integrative purpose. Instead, they have caused local communities to feel resentments, led to stratification amongst refugees, and opened stark differences between policy expectations

and actualities on the ground.

This study draws on ethnographic fieldwork among post-1989 refugee families in Muzaffarabad to examine how refugees themselves interpret and experience the quota system. Through personal narratives, the paper interrogates the disjuncture between bureaucratic recognition and lived exclusion. Theoretically, it is grounded in critical refugee studies, which highlight the limitations of legalistic inclusion and the persistence of “othering” within host societies (Malkki, 1995; Appadurai, 2006; Fassin, 2011).

While much scholarship has addressed the geopolitical dimensions of the Kashmir conflict, there remains a striking paucity of research on the everyday lives and administrative encounters of displaced Kashmiris within AJK. Existing studies tend to focus on macro-political processes or human rights violations across the LoC, sidelining the micro-politics of refugee identity, institutional discrimination, and policy contradictions in the Pakistani-administered side.

This paper addresses the following core question:

How do post-1989 Kashmiri refugees in AJK experience and interpret discrimination under the state’s quota-based integration policies?

Sub-questions include:

- What forms of intra-community and societal discrimination do refugees face?
- How does the quota system reinforce or challenge refugee identity and belonging?
- What do these narratives reveal about the limitations of affirmative action in contested regions?

The remainder of the paper is organized as follows. Section 2 reviews relevant literature on refugee identity and quota politics, and Section 3 outlines the theoretical framework rooted in ethnographic and critical state studies. Section 4 describes the methodological design and data collection process. Section 5 presents the key

findings, followed by Section 6 which situates these findings in wider academic debates. Section 7 concludes with policy implications and future research directions.

Literature Review

The intersection of refugee identity, institutional integration, and state-administered quota systems has received growing scholarly attention in the fields of migration studies, political sociology, and development policy. However, much of this literature is oriented around the Global North or large-scale refugee movements, leaving critical gaps in localized, context-specific cases such as the post-1989 Kashmiri refugees in Azad Jammu and Kashmir (AJK). This review synthesizes key themes in three interrelated domains: (1) refugee identity and the politics of categorization, (2) quota systems and affirmative action in postcolonial states, and (3) discrimination within and beyond refugee communities.

Classic and contemporary refugee studies challenge the assumption that refugees are passive victims of displacement. Instead, scholars have emphasized how displacement produces complex and often contradictory identity formations. Malkki (1995), in her foundational ethnography, argues that refugees are rendered “speechless emissaries” by humanitarian regimes that strip them of political subjectivity. This “depoliticization” is echoed in the South Asian context, where refugees are often instrumentalized by host states for geopolitical narratives, yet denied full civic inclusion (Robinson, 2013).

In AJK, refugee identity is complicated by overlapping territorial claims, linguistic continuities, and political ambiguities. As Ali (2012) notes, many refugees contest the label “refugee,” instead identifying as internally displaced persons (IDPs) or as integral to the broader Kashmiri polity. The literature alerts on how displaced populations tend to be in conflict with state-driven categories of people e.g. muhajireen, panah gazeen or refugees (Fassin, 2011). This incongruency brings about gaps in the law and also emotionally, hindering assimilation.

Quota-based affirmative action trying to right historical wrongs has been around in postcolonial states such as India and Pakistan for a long time. The efficiency of quotas as the means of enhancing representation on the basis of caste, gender, and regional differences has been examined by scholars, including Deshpande (2013) and Kabeer (2016). Although quota systems are meant to provide distributive justice, they are usually characterized by shortcomings in their implementation and political rejection.

Quota was performed to assimilate marginalized communities indulged as women, underdeveloped districts and refugees into the state system such as education and government jobs in the case of AJK. Nonetheless, as Rana (2007) and Rahman (2005) point out, implementation has been half baked, and gains are usually enjoyed by the people that have political links or socio-economic power. The problem of disparity between policy design and result is what scholars worry about in institutional discrimination research (Appadurai, 2006).

Further, quotas can potentially widen social gaps even when this is not part of the intentions of quota practitioners as they create an impression that some groups are recognized as beneficiaries but not among equal citizens. Fraser (2003) distinguishes between *redistribution* and *recognition*, arguing that affirmative action must balance material justice with symbolic inclusion to be truly effective.

Studies of social stratification within displaced populations reveal that identity is not monolithic. Class, education, caste, and regional origin all shape differential access to state benefits. Within refugee communities, those with higher social capital often navigate the quota system more successfully, creating internal hierarchies (Turton, 2003; Crisp, 2000).

Simultaneously, refugees may encounter societal discrimination from host populations who perceive them as economic or political competitors. In AJK, as in other contexts, resentment over reserved quotas can exacerbate tensions between locals and displaced groups.

These dynamics echo what Mamdani (2001) describes as the "citizen-refugee divide," where refugees are institutionally included but socially alienated.

While some scholars have examined Afghan and Bengali refugees in Pakistan (Siddiqui, 2003), far less attention has been given to the unique experience of Kashmiri refugees, particularly those from the post-1989 migration. This study addresses that gap by focusing on how discrimination manifests both horizontally (within refugee groups) and vertically (between refugees and institutions/society).

Despite a rich literature on refugee categorization, affirmative action, and social discrimination, there is a lack of empirical work that explores how these dynamics intersect in the case of post-1989 Kashmiri refugees. This paper contributes by mapping how a well-intentioned policy tool—the quota system—produces unintended exclusions, when filtered through social hierarchies and administrative ambiguities.

Theoretical Framework

This study draws on interdisciplinary theoretical perspectives to understand the paradoxical experiences of post-1989 Kashmiri refugees in Azad Jammu and Kashmir (AJK). Specifically, it engages with critical refugee studies, ethnographies of the state, and theories of recognition and redistribution to frame how institutional inclusion through quotas can coexist with social and symbolic exclusion. These frameworks illuminate the contradictions embedded in statecraft and aid design in contested geopolitical spaces.

Bureaucratic Categorization and the "Depoliticization" of Refugees

Liisa Malkki's (1995) work remains seminal in understanding how displaced populations are depoliticized through state and humanitarian categorizations. In her study of Hutu refugees in Tanzania, Malkki argues that the refugee label often strips individuals of their historical and political agency, reducing them to humanitarian subjects. To AJK, such a lens can be used to unravel the lived experiences whereby (as it is

anchored around the term muhajireen or refugee) albeit providing administrative inclusion, the label itself dehistoricizes the political origins of movement, and demobilization of claim-making power. Internally displaced persons (IDPs), including refugees, reject this definition and say that (as) refugees they will have a political identity with the Kashmir issue that has not been resolved.

The Fear of Small Numbers and the Politics of Quotas

The notion of fear of small numbers (Arjun Appadurai, 2006) provides some insight into the way states deal with minorities and other threats to the national imaginary that are not so large. Appadurai argues that granting of special entitlements such as quotas to minorities, including the refugees, can be viewed as intruding into the purity of entitlement frameworks called by the majority. With AJK, the allotted quota of the refugees (6 percent of the migrants after 1989) has posed tension to the native communities who see refugees as their rivals as opposed to their fellow countrymen. This fear is enhanced by the legal status of the refugees as they are neither included in full-fledged provision of the constitution of the country of Pakistan, nor they are completely out of it.

Recognition, Redistribution, and the Limits of Affirmative Action

The difference between redistribution (economic justice) and the recognition (cultural-symbolic justice) called by Nancy Fraser (2003) play an important role in understanding affirmative action. Even though quotas equalize access to education and employment, to a certain extent they also do not ensure the reduction in symbolic harms in case refugees are stigmatized or misrecognized in the society. Even in a quotas situation there are refugees that remain considered to be outsiders or dependants in AJK. The theory of Fraser points out that justice has to include material inclusion and identity, history and dignity.

Humanitarian Reason and the Moral State

To advance the innovation of what he calls

humanitarian reason, Didier Fassin (2011) comes up with an idea that modern states rely on moral discourse that is used to support the policies of inclusion and exclusion. As the state machine of AJK entitles quotas in the name of compassion and historical solidarity, such policy can be at the same time the means of control and subordination. The application of refugees is selective and mainly as beneficiaries rather than as partakers of political decision processes. Such paternalistic morality restricts them in their autonomy and supports a master-slave relationship between the state and the subject.

This study critically questions how quota systems that are state implemented in the name of justice can create inequality by using bureaucratic methods of classification, moralistic language and symbolic degradation by combining these theoretical frameworks. Such reflections inform not only reading of the accounts of refugees but also interpretation of state policy failures to succeed in the governance of refugees.

Methodology

The study will be qualitative, ethnographic in nature and it will be aimed at examining the lived experiences of the post-1989 Kashmir refugee into Azad Jammu and Kashmir (AJK) and understanding how they make sense of and interact with quota-based integration policies of the state. The ethnography approach is one that is more appropriate in interpreting how the issue of structural inequalities is experienced and fought at the macro level (Hammersley & Atkinson, 2007). The goal was not only to document policy outcomes but to access the meanings that individuals attach to their legal categorization, community status, and institutional encounters.

An interpretivist framework guided the study, prioritizing depth over breadth and emphasizing the emic (insider) perspectives of displaced individuals. The central methodological orientation was ethnographic, involving prolonged engagement, iterative interviewing, and participant observation in selected refugee camps and urban settlements in Muzaffarabad.

The study focused on the narratives and social

realities of refugees who migrated across the Line of Control (LoC) between 1989 and the mid-1990s. These individuals and families represent a politically salient but administratively marginalized group within the AJK context.

A combination of **purposive** and **snowball sampling** was used to identify respondents. The sample consisted of 32 individuals from 15 refugee households across different socio-economic strata. Participants were selected based on two criteria: (1) they or their immediate families arrived in AJK after 1989 due to the Kashmir conflict, and (2) they had experience with, or direct knowledge of, the quota system in either educational institutions or public employment processes.

Given the sensitivity of the topic and the lack of formal registries or refugee census databases, snowball sampling proved effective in reaching “hidden” or socially cautious respondents, especially those with experiences of discrimination.

Data were collected over a two-month period through:

- **In-depth semi-structured interviews** (n=32): Conducted in Urdu and later translated into English, covering themes such as identity, quota access, discrimination, and community dynamics. Interviews lasted between 45–90 minutes.
- **Informal conversations:** Enabled rapport-building and contextual insights.
- **Participant observation:** Conducted in refugee camps, local markets, and administrative offices. This helped triangulate interview data with observed behaviors and social interactions.

Field notes were recorded contemporaneously, with permission, and supplemented by document analysis (e.g., official policy notices, NGO reports).

A **thematic analysis** approach (Braun & Clarke, 2006) was used to interpret the interview

transcripts and field notes. Transcripts were coded inductively to identify recurring patterns, which were then organized into broader analytic themes. NVivo software was used to assist with data organization and coding.

Themes were not treated as fixed categories but as emergent constructs that evolved through reflexive engagement with both the data and the theoretical frameworks outlined earlier. Special attention was paid to contradictions, silences, and emotional tones in the narratives—hallmarks of lived complexity in displaced communities.

Informed verbal consent was obtained from all participants. Anonymity and confidentiality were strictly maintained through the use of pseudonyms and the removal of identifiable details. The research was conducted in accordance with the ethical guidelines for fieldwork in politically sensitive and conflict-affected settings (Mackenzie, McDowell, & Pittaway, 2007).

The researcher maintained a reflexive field journal to account for positionality and potential biases. As a Pakistani academic, the researcher acknowledged the dual role of insider-outsider—familiar with the linguistic and cultural context but external to the refugee experience.

This methodology was designed not only to collect empirical data but to produce thick, contextualized understanding of how state-led inclusionary mechanisms—such as quotas—are negotiated, resisted, and reinterpreted by those most affected.

Findings and Thematic Analysis

Thematic analysis of 32 ethnographic interviews revealed four interlinked patterns that shape the experiences of post-1989 Kashmiri refugees in AJK: (1) contested identity and the refusal of “refugee” status, (2) internal hierarchies and meritocracy failures, (3) symbolic exclusion despite legal inclusion, and (4) structural unevenness in quota implementation. Each theme illustrates how the quota system, while legally inclusionary, generates new boundaries of discrimination and alienation.

Contested Identity: "We Are Not Refugees"

Many participants rejected the label "refugee," instead asserting a political and emotional identity as displaced Kashmiris committed to the freedom movement. This resistance to bureaucratic classification aligns with Malkki's (1995) critique of depoliticizing refugee discourse. For many, the term "muhajir" or "panah gazeen" was seen as diminishing their historical and political claim to Kashmir.

"We did not come here to get some jobs or to receive 1,500 rupees per month. We came because we are part of the Kashmir cause. We sacrificed our homes and loved ones. Now, people don't even recognize us as Kashmiris—only as refugees." (Interview, University student, Muzaffarabad, Nov 2016)

This self-articulation as *internally displaced* rather than *refugees* complicates how identity is experienced within host institutions and local society. It also reflects a refusal to submit to narratives of humanitarian dependency (Fassin, 2011).

Merit, Money, and Internal Marginalization

A prominent theme was intra-community discrimination, particularly how economic capital and political connections affect access to quota benefits. While refugees arrived with similar socio-economic status, over time internal differentiation emerged, undermining the very premise of egalitarian quotas.

"We were all equal when we arrived. But now, those with money or connections use illegal means to get jobs. A system called merit does not exist for us anymore." (Interview, unemployed graduate, Oct 2016)

This internal stratification mirrors Fraser's (2003) critique of redistribution without recognition. While quotas exist on paper, their benefits are captured by upwardly mobile elites within the refugee community, leaving poorer refugees disenfranchised.

Symbolic Exclusion: "Begging for Dignity"

Despite legal provisions and quotas, many respondents described being treated as outsiders by the local population. Their narratives

reflected a painful awareness of symbolic exclusion—echoing Appadurai's (2006) concept of "fear of small numbers," wherein minority entitlement is viewed as a threat to majority norms.

"People treat us like beggars. If they had given us dignity instead of 50 rupees a day, our lives would have been better." (Interview, journalist and refugee, Aug 2017)

Even where quota policies were implemented, they failed to repair the deeper rift in community belonging. Several interviewees reported feeling tolerated but not accepted—seen as temporary intruders rather than long-term citizens. This exclusion was especially pronounced in local job markets and community associations.

Implementation Contradictions: "Quota Exists, But Not for Us"

While most participants were aware of the 6% quota allocated for post-1989 refugees in education and public employment, they highlighted severe inconsistencies in implementation. In the education sector, quota access was relatively transparent, while public employment processes were described as politicized, opaque, and nepotistic.

"We know the quota exists. But in most government departments, there is zero implementation. Only at higher levels, where Public Service Commission is involved, do we see fairness." (Interview, graduate applicant, Nov 2016)

This disparity reflects how quota-based inclusion is tiered and mediated by institutional accountability. At the lower bureaucratic levels—non-gazetted posts, for instance—political interference and favoritism distort allocation processes. This inconsistency breeds cynicism, as even legally guaranteed entitlements become subject to patronage politics.

Together, these themes reveal that while the quota system offers symbolic recognition, its practical failure—amplified by socio-economic stratification, community bias, and administrative gaps—undermines its legitimacy among those it was designed to support.

Discussion

The empirical results in this project demonstrate a profound conflict between inclusionary processes of the state and the daily realities of exclusion among, post-1989, the Kashmiri refugees in Azad Jammu and Kashmir (AJK). Although the introduction of the quota system can be viewed as an institutional approach to affirmative action, it demonstrates the structural and sociopolitical inconsistency of these policies: such practices are unevenly applied and present the ideas that could not be represented by symbolic means. This discourse expounds these contradictions according to the theoretical framework of the study and places them in regional and global comparisons.

Bureaucratic Inclusion, Symbolic Exclusion

The official integration of the post 1989 refugees in the state in terms of quota allocation in educational sector and employment in the government seems to show that recognition by the AJK state to the refugees. Nevertheless, as it was proposed in the works of Malkki (1995), such bureaucratic typification tends to extract refugees out of the political contexts and transform them into straightforward targets of the policy with no right to an agency or the historical right to exist. In this research, the refugees contradict the identity of being refugees and claim to be displaced Kashmiris with an incomplete sense of nation belonging.

Although recognized legally, refugees have been symbolically de-glorified, as they remain ostracized in the social media, seen as foreigners by other local communities, and with no positive identity in the place of residence or with no sense of dignity of their belonging to the place. This corresponds with the critical argument about recognition failures by Fraser (2003): further redistribution devoid of an inclusive assimilation also entrenches the margin, even by means of a progressive policy.

Quotas as Sites of Friction

Appadurai's (2006) concept of the "fear of small numbers" is especially pertinent in understanding how quotas become flashpoints of societal friction. The refugee quota, though

numerically modest (6% for post-1989 migrants), has generated disproportionate resentment among host communities. This repeats broader trends of reservation in India which regard affirmative action as favouring undeserving others that bar the rights of the predominant population (Deshpande, 2013).

These perceptions in AJK are an activity to reproduce the system of discriminatory hierarchies that relegates refugees to a grey area: right to law and non-right to society. Even among refugees, quotas have emerged as a debatable territory which not only increases the division of classes but also distrust.

Internal Stratification and the Myth of Refugee Uniformity

The results of such a study also dispute the idea of refugee communities being homogenous or all being marginalized in a similar way. Internal divisions of classes that have formed since settlement have created access inequality in quota benefits. Policymakers who are better educated, have access to politics or well off, have more chances of taking out opportunities using policy tools, like the case with bribes or informal excellent networks.

This is a reflection of trends in the world among displaced populations. This is, as an example, in the case of the Afghan refugees in Pakistan, Harrell-Bond (2002) found that the Jewish middle-class individuals in Pakistan found it easier to access more resettlement chances and legal assistance in comparison with the poor class of refugees. In like manner, a study of Tamil IDPs in Sri Lanka after the war (Venugopal, 2018) demonstrates that the patterns of post-displacement life were transformed, this time due to class and caste stratification. In both scenarios, state policy has the tendency of replicating internal inequalities instead of alleviating them just as in the case of AJK.

Policy Contradictions and Governance Gaps

One of the aspects of this contradiction as highlighted in this research project is the relationship between intent and implementation of policy. Though quotas are on paper, the

unequal ways of following the quotas especially at the non-gazetted employment level reveal the weaknesses of the system of governance. These results are consistent with Fassin (2011) claim regarding the practice of carelessness and compassion; the global machinery that occupies itself in the sphere of humanity and creates a moral discourse that involves care and compensation, yet present in actuality, rules are run through bureaucratic stagnancy, political influence, and institutional obscurity.

Moreover, refugees remain largely absent from the formulation of the very policies that affect their lives. This exclusion from participatory governance structures perpetuates a top-down model that treats refugees as recipients rather than stakeholders.

Implications for Theory and Practice

This study contributes to both academic theory and refugee policy debates by demonstrating how a seemingly progressive mechanism like quota-based affirmative action can become a site of new exclusions when:

- It fails to engage with symbolic recognition and community integration (Fraser, 2003),
- It is implemented unevenly across bureaucratic levels, leading to disillusionment (Appadurai, 2006),
- It is captured by elite subgroups within marginalized populations (Turton, 2003), and
- It operates without reflexivity about identity, agency, and historical context (Malkki, 1995; Fassin, 2011).

Policymakers must therefore move beyond administrative fixes and engage with the socio-symbolic dimensions of displacement. Integration should not be confined to job quotas or monthly allowances; it must include legal clarity, community inclusion, and participatory policy design.

Conclusion and Policy Recommendations

This study has examined the experiences of post-1989 Kashmiri refugees in Azad Jammu and Kashmir (AJK) through the lens of the state-

administered quota system, drawing on ethnographic interviews and critical theory. The findings demonstrate that while quota policies offer a legal framework for inclusion, they often fall short in practice—reproducing symbolic exclusion, internal inequality, and institutional distrust.

The quota was at first imagined as a method of socio-economic integration and distributive fairness. The situation, however, at the ground expresses the aspect Nancy Fraser (2003) terms as redistribution and recognition disjuncture. The refugees who were interviewed in this research inform it that they are legally privileged and at the same time socially marginal. They also state that they are bureaucratically represented yet politically unseen. Such paradoxes reveal a technique inherent in the humanitarian mechanism: when incorrect or inadequately adjusted to its context, such mechanisms can actually worsen the marginalization they attempt to rectify.

In addition, the paper sheds light into the role of internal stratification in the context of refugee communities, which, encouraged by possession of resources and political connections, challenges the egalitarian rationale of affirmative action based on quotas. These results validate the patterns of refugee regimes all over the world where the displaced people tend to be polarized by class, accessibility and lack of representation.

Policy Recommendations

Following are some multi-pronged recommendations to address the challenges of Kashmiri refugees:

- A third-party or independent state audit mechanism should be instituted to monitor the allocation of quota positions in education and employment.
- Quota data should be publicly available, disaggregated by region, gender, and refugee cohort, to ensure transparency and equity.
- A reclassification of post-1989 refugees as *Internally Displaced Persons (IDPs)*—as they themselves claim—can

enable alignment with international legal frameworks and affirm political identity.

- Dual recognition (legal and symbolic) should be institutionalized through updated refugee legislation in AJK.
- Institutionalize the voices of refugees in governance through local Refugee Consultative Councils (RCCs).
- These councils should have advisory powers in policy formulation, educational planning, and rehabilitation schemes.
- Introduce sub-quotas or equity-enhancing provisions within the main quota system to ensure access for refugees from poorer or less connected backgrounds.
- Offer capacity-building programs for disadvantaged refugee youth to increase their competitiveness in merit-based systems.
- Launch public campaigns to combat stigma and promote social cohesion between refugees and local AJK communities.
- Include refugee histories, struggles, and contributions in AJK's educational curricula to cultivate shared civic identity.
- The absence of organizations like UNHCR in AJK refugee integration should be addressed through diplomatic engagement and policy innovation.
- International best practices from similar post-conflict contexts (e.g., Bosnia, Colombia) can inform localized reforms.
- Replace the fragmented, ad hoc approach with a unified, time-bound refugee integration policy tied to development goals, employment generation, and education access.

Because AJK is still a developing country in the larger scheme of unresolved Kashmir conflict,

refugee marginalization is not just a matter of service provision, it is a question of justice, dignity, and national imagination. Although the importance of quotas cannot be underestimated, they cannot replace the structural transformation. They have to bear with them, identity recognition, participatory governance, and transparent implementation.

This study contributes to the literature by demonstrating how even well-intentioned inclusionary policies can fail without attention to the lived realities, symbolic landscapes, and institutional politics that frame refugee lives. Future research may expand this work through comparative case studies or longitudinal tracking of policy impacts across generations.

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