

J & K: A “Special” State?



Catching Up: Kashmir's 'Necessary' Integration Into India

By Juhi Tanniru, 8/22/2019

On August 5th, the Indian Government implemented an unforeseen Presidential action that removed the disputed land of Kashmir's special status and formed two union territories in Northern India.

After the Partition, Pakistan and India wished for Jammu and Kashmir to become a part of their respective countries. At the time, this disputed region was under the rule of Prince Maharaja Hari Singh. Singh desired the area to become an independent kingdom and thus remained neutral. However, after his nation was attacked by Pakistani tribal forces he turned to India for military assistance and ultimately ceded Kashmir to India for protection.

With a landslide majority, the Rajya Sabha (Upper House of the Indian Parliament) created and passed a Jammu and Kashmir Reorganization Bill on the evening of August 5th 2019. It divided the vast state of Jammu and Kashmir (consisting of the Ladakh region and the Kashmir Valley), into two new federal territories. The first territory is Jammu and Kashmir, which will now have a state legislature. The second territory is the remote, high altitude land of Ladakh, who will now be governed directly under the central New Delhi government. The bill continued into the Lok Sabha (Lower House of the Indian Parliament) and was approved and officially ratified. The act nullified Article 370, which administered Kashmir autonomy in all areas with exceptions to defense, communications, and foreign policy. It also revoked Article 35A, which stated that only permanent residents of Kashmir had the constitutional right to own property in the valley.

The removal of particularly Article 35A has ended the long-standing discrimination against women who were barred from buying land in Kashmir if they married a person from outside the region. Furthermore, by repealing Article 370, the federal administration has now given the citizens of Jammu and Kashmir equal access to the rights provided by the government to residents of other Indian states, such as: protection from Teen Talaq, the ability to vote in State Assemblies along with Parliament elections, the freedom to buy property, and the opportunity to receive government jobs. It's reported that before the abrogation of these Articles, Pakistan refugees living in Jammu and Kashmir did not get Indian citizenship. Now after the revocation of Article 370, more than 21,000 refugee families will be entitled to citizenship and equal rights.

Prime Minister Modi and other Indian officials have justified the integration of Jammu and Kashmir into India through various social and economic reasons. In a recent TV interview, Modi stated, "Article 35A, 370 have been standing in the way of development. No one goes there to invest. We can build IIMs, but professors are not ready to go there as their children don't get admission in schools. They can't find homes. This ends up harming the interests of J&K." (Business Today) Former Finance Minister Arun Jaitley reinforced this idea when he

explained how investors aren't willing to pitch in money to build private educational institutions or hospitals since they are not allowed to buy land. He also mentioned how people aren't able to get admissions into colleges in the area which hinders the educational development of the state. Jammu and Kashmir's Principal Secretary of Industry and Commerce Navin Kumar Choudhary emulated these concerns when he spoke about how the government would try to stir investment in tourism, horticulture, and the use of Kashmir's popular alpine scenery and fertile soil for film production after Jammu and Kashmir and Ladakh have become Union Territories. With the prospect of these future developments, the Indian government hopes to reduce the region's 15% average monthly unemployment rate- the highest in the nation- and encourage cultural diversity and prosperity in the land where around 42,000 people, including civilians, army, police, and militants have died in violence over the past 30 years.

Recently, however, India has come under fire for the restrictions it placed on the people of Jammu and Kashmir after the approval of the Reorganization Bill- especially for the communications blockades in areas of Jammu and most of Kashmir. Pakistan's Prime Minister Imran Khan expressed his opposition regarding the removal of Jammu and Kashmir's special status and the internet restrictions through Chinese Ambassador, Zhang Jun, in front of the United Nations Security Council on August 16th. The United Nations Security Council meeting ended with no outcome and an overwhelming majority of the UN body emphasized that the Kashmir issue is a bilateral matter between Delhi and Islamabad. Following the assembly of the 15 nations, India's Ambassador, Syed Akbaruddin voiced another reason the Indian government decided to make Jammu and Kashmir and Ladakh into federal territories. He mentioned "of particular concern is that one state is using terminology of jihad against and promoting violence in India, including by their leaders" and how "[India is] saddened that terrorism is being fueled" throughout a significant part of Kashmir. These tensions and issues are further illustrated in the restrictions India has placed on telephone lines and on the internet in the territory. Author Ravi Agrawal explains how the main grounds for the shutdown is to make it harder for people to organize violent protests or for militants to coordinate attacks.

There also remains a prominent hostility towards the Indian army that has been stationed in Jammu and Kashmir, as they are viewed as an occupying force. However, the Indian government states that the main cause of the communications blockade and the mass number of army officials in the area is to control violence, protect Kashmiri residents, and discourage terrorist-influenced attacks in the region, particularly at a time like this where it would be easy to provoke fierce resistance. Additionally, Director General Munir Khan, a senior Jammu and Kashmir officer, detailed that the restrictions imposed in Jammu have been completely lifted, but some places in Kashmir will continue to have limitations for the time being. Recent developments and reports by the Press Trust of India have announced that landline and low-speed mobile phone services resumed in some areas in the Kashmir Valley on August 17th and, as outlined by the Home Ministry, restrictions have been relaxed in nine Kashmir districts. Although the Indian Government is currently being labeled as authoritative and oppressive, they see the action of nullifying Article 370 and 35A as beneficial in the long run for the state of Jammu and Kashmir

and Ladakh and the Indian subcontinent as a whole. They view it as essential in the process for reviving the prosperity of the region and initiating their “One Nation, One People” dream.

Desperate Times call for Desperate Measures

By Shriya Shah, 8/23/2019

Desperate times call for desperate measures: this idiom summarizes the Pakistani perspective on Jammu and Kashmir (J&K). India’s decision to revoke Article 370, thus ending the autonomy of Kashmir, has made it clear that the 1947 Partition remains unfinished. It has brought back into the spotlight the fragile relationship between India and Pakistan, sparking controversy on an international scale. The Pakistani perspective is one which is comprised of nationalistic rhetoric and one which prioritizes the voices of the J&K people. The government of Pakistan aims to find a mutually acceptable solution, one which both rights the historic wrongs committed by India in their eyes, and satisfies the U.N. resolution enacted to deal with the situation. It reflects the notion of “power to the people” by supporting a J&K that accurately represents the religious demographics of the area—one which would ultimately choose to accede to Pakistan. For Pakistan, Kashmir represents secular nationalism within India and underscores the Islamic majority of that region. The Pakistani government sees J&K as an unlawful part of India, one which rightfully belongs to them. Prior to 1947, J&K was a Muslim-majority state indirectly under British rule; during Partition, this status gave the region’s Hindu leader, Maharajah Hari Singh, the power to decide whether J&K would become independent, accede to India, or accede to Pakistan. Though the overwhelmingly Muslim population wanted to join Pakistan, the government pressured Singh into acceding J&K to India, a predominantly Hindu country (Kashmir Library, n.d.).

Article 370, a provision in the Indian Constitution granting special privileges to J&K, appeared to be a good compromise and a beacon of national sovereignty. Originally intended to be temporary, it instead became one that symbolizes freedom. Article 370 became an integral part of Kashmiri Muslims’ identities within India and provided them with tangible benefits, including preference in attaining local jobs. However, in August of 2019, the Indian government announced that it would be revoked.

The revocation of Article 370 is, in the words of former J&K Chief Minister Mehbooba Mufti, “taking away what is rightfully and legally [theirs]” in “the darkest day in Indian democracy.” Prime Minister Imran Khan of Pakistan has already militarized and downgraded economic relations with India in response. According to statements issued by the Pakistani government, Khan has “directed that all diplomatic channels be activated to expose [the] brutal Indian racist regime, design and human rights violations” (Butt, 2019). Pakistan’s major political parties are calling it a choice between “dishonour and war,” and they are willing to choose the latter. In a recent tweet, Khan even compared Indian Prime Minister Narendra Modi’s government to that of the Nazi regime, stating that “what Modi is doing in Kashmir [is] like Hitler’s final solution” (Agencia, 2019). Khan’s decision to take this authoritative stance further complicates the fragile relations between the two nations. While Pakistan is advocating for the protection of

their citizens, their militarization in this nested conflict will inevitably further escalate the current circumstances.

This unfinished aspect of Partition is transforming from an internal conflict to an international one, where the personal pride of nations is being prioritized over the actual people involved. It is imperative to recognize that justice for the people can no longer take place if the people themselves are not in fact prioritized. As nations, both Pakistan and India have a responsibility to work towards a mutually agreeable solution and to minimize the threat of war. Whether that responsibility will be fulfilled will certainly unravel in the days to come.

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