

The Kashmir Imbroglia & the Internal Security of India

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Analysis on Kashmir imbroglia & the Internal Security of India:

India emerged as an independent nation in 1947 after the British left the country by dividing it. The long duration of colonisation had perpetuated uneven economic growth, poverty, illiteracy, gender disparity and lack of political mobilisation. In subsequent period all these posed serious challenges to the internal security in the form of communalism, fundamentalism, insurgency, and ethnic conflict etc. The issue of Kashmir which emerged at the time of integration of the country contributed a lot in aggravating all these concerns.

A glance into the historical background of Jammu and Kashmir reveals the peculiarity of its demographic composition making it so different from the other provinces of India. Its geostrategic position has subjected it to successive invasions. The state initially known as Kashmir was part of the Mauryan Empire. It was subsequently occupied by the Kushan dynasty which propagated Buddhism here. The province then went into the hands of the Hindu rulers until it was taken over by the Islamic Sultanate. For a brief period, it was ruled by the Afghans as the Mughals became weak. Later on, the Sikh regime under the leadership of Ranjit Singh controlled it till his defeat by the British. The colonial power gave away the territory to the local Dogra rulers in lieu of their help to defeat the Sikhs. Thus, the Treaty of Amritsar signed in 1846 between Raja Gulab Singh and the British rulers became the basis of formation of the state of Jammu and Kashmir.ⁱ The controversial character of the settlement enabled the ruler to become absolute and made it one of the causes of grievances of Muslims against the Hindus. The changing multicultural dynamics of the state comprising the Hindus, the Muslims and the Buddhists paved the way for identity crisis of the minority of the day.

The colonisation of India was part of the game plan needed to cope with the challenges of industrialisation in Europe. The British followed the policy of divide and rule to protect their financial interest. It took advantage of the apprehensive mindset of the Muslim minority and helped in the formation of the Muslim League for the community. Later on, the rise of Hindu chauvinism and the alienation of Jinnah within the Congress widened the gap between the communities. Around the Second World War with the changes in the international situation, such polarisation gave a boost to the British plan of dividing India on the eve of its departure from India. The die was cast with the introduction of the Mountbatten Plan initiated to diffuse communal tension. It partitioned the provinces of Bengal and Punjab and asked the princely states including Jammu and Kashmir to be either with India or Pakistan on the basis of demographic composition and geographical contiguity. The Department of States implementing the integration process initially was not keen to have Kashmir because of the above factors.ⁱⁱ

Kashmir was then led by a Hindu ruler Raja Hari Singh with a majority of Muslim population. It wanted to remain independent in contravention of the principle laid down by the Mountbatten Plan. The ground condition of the state was highly volatile. From the late 30s of the twentieth century, it witnessed mobilisation of people under the aegis of Sheikh Abdullah of National Conference to liberate particularly the Muslims from the oppressive autocratic and feudal regime of Hari Singh chosen by the British in 1925 to rule the state. Thus, religious identity became very prominent in Kashmir in the pre-independent period. Islam provided not only individual strength and security but also became an important symbol of regional and community identity in the hands of an emerging class of leaders.ⁱⁱⁱ Sheikh Abdullah apparently changed the name of his outfit from All Jammu and Kashmir into National Conference because of Nehru but in reality, it was to expand its base.^{iv} It was revealed when he began independent Kashmir movement after independence. He led the Quit Kashmir movement against Hari Singh. It met with a great setback as he was imprisoned from 1946 to 1947. During the eventful days, the integration process took a crucial shape under the leadership of Vallabhbhai Patel who was left with no option but to take Hari Singh into confidence. In the long run, it provided a ground for discontentment among the Muslims for not getting due opportunities to save the future of the state.

The aggression by the Posthuman tribe apparently supported by the Pakistani authority pressurised Maharaja Hari Singh for the merger into the Indian Union. The king fled to Delhi to seek the help of the Government of India. The signing of the Instrument of Accession and Standstill Agreement as done with other princely states completed partially the process of integration. It became a legitimate integration as it was supported by Sheikh Abdullah, the leader of the National Conference Party, the most prominent regional outfit. He had then developed a strained relation with Jinnah in Pakistan and wanted to install a democratic regime in Kashmir. During the process of the merger, the Constitution of India guaranteed Privy Purse to the princes to make it expedient and hassle-free. Parallel to it, Article 370 was incorporated exclusively for Kashmir. It was initiated by Nehru much against the wishes of Ambedkar and Patel. It has many controversial provisions for the state such as the separate constitution, different flag, dual citizenship, exclusive property right for its people and six years of tenure for the legislative assembly. These provisions though temporary, provide a special status to the state. At the time of integration it was decided that as per the Instrument of Accession, the provisions of the Indian Constitution would be applied to the state only with due consultation with the state machinery. Such an exception allowed the Muslims holding political dispensation to gain majoritarianism.^v All these protective measures encouraged Sheikh Abdullah to visualise the dream of independent Kashmir soon after becoming the Prime Minister of the state. It had led to his imprisonment and alienation of the Muslims of the state. It was only the Indira –Sheikh Accord (1974) which tried to subdue the impact of Article 370 by converting the post of Prime Minister of Kashmir into Chief Minister to bring parity with other states.

The first phase of politics of Kashmir began in this background. After the due approval for a merger, the Indian Army went into Kashmir to vacate the occupied areas termed as Azad Kashmir. Ironically the then Prime Minister Nehru who was handling the Department of External Affairs became idealistic enough to refer the matter to the UN to bring peace. India then approached the Security Council under Article 35 which deals with pacific settlement through negotiation.^{vi} The UN asked Pakistan to vacate the occupied area, India to keep minimal force and to conduct a plebiscite in the region. All these instructions were non-binding in nature. The plebiscite provision was not there in the original merger framework citing which the Indira-Abdullah Accord of 1974 put the matter in cold storage. Given the international situation after the Second World War, the issue of Kashmir far from being resolved became political and international. The truce between the countries defined the Line of Control (LOC). It allowed Pakistan to have complete control over the occupied areas. The situation became more complicated when China acquired Aksai Chin after its war with India in 1961 and Pakistan ceded part of its occupied territory called the Trans Karakoram Tract to it in 1965 as a friendly gesture. It made the issue of Kashmir a multilateral one enhancing the security threat. Anyhow the Simla Agreement signed between India and Pakistan in 1972 insisted upon making the Kashmir problem exclusively a bilateral one. Further, the operation Meghdoot was carried out in 1984 by the Indian Army to occupy the Siachen Glacier and block the upcoming nexus between China and Pakistan.

The second phase of Kashmir politics began as the external dimension of the problem started posing threat to the internal security of India. The religious link between the countries vitiated the political scenario of Kashmir. The release of Sheikh Abdullah in 1974 marked a new beginning with a lot of apprehensions. Finally, Abdullah became part of the national mainstream after signing the Indira –Abdullah Accord of 1974. His death in 1982 created a political vacuum. The intention of the Congress to become a key player in the state politics became quite clear after the finalization of the Rajiv-Farooq Accord. The alleged rigging of state election (1987), the breakdown of the state machinery, dismissal of the newly elected Congress-NC coalition government and finally imposition of President's Rule dejected the people paving the way for institutionalised injustice and politics of secession.^{vii} Pakistan left no stone unturned to take advantage of the situation. It encouraged cross-border terrorism by giving training to the unemployed Kashmiri youth and the Mujahideen who had then just returned from Afghanistan after the withdrawal of USSR. All these led to the formation of the secessionist groups such as the Jammu Kashmir Liberation Front (JKLF) and the Hizbul-Mujahedeen with a fresh demand for Azad Kashmir. The imposition of the Armed Force Special Power Act (AFSPA) in 1990 to counterinsurgency created a fear psychosis among the masses and caused further alienation. The ineffective use of special grant under Article 370, rampant corruption and decline in tourism due to terrorist activities had affected the economy of the state. The decline in the economy led to the further impoverishment of the Muslims. It widened the gap between the Hindus and the Muslims leading to ethnic cleansing or the mass eviction of the Hindu Pundits from the Kashmir valley. Polarisation of Jammu and Kashmir on the basis of religion became more evident. The policies of the central government focussing on Kashmir widened the gap between the two communities. The tension between the communities became apparent when the government decided to transfer 99 acres of land from the Kashmir valley to the Amarnath temple.

The problem of insurgency compelled the Indian army to intervene in the state around 2004 putting an end to the turbulent phase of state politics. It led to normalcy and smooth conduct of the electoral process. But the new spell of fundamentalism in India since 2010 unleashing debate over Article 370 and Uniform Civil Code has created new challenges. The resentment over hanging of Afzal Guru, tension in the campus of NIT Srinagar, increasing incidence of attack on Indian military posts by the terrorist outfits operating from within the territory of Pakistan, growing separatist tendencies of the Hurriyat leaders, open support by Pakistan to people like Hafiz Sayeed and Masood Azhar in their anti-India activities, rise of stone pelting against the Indian forces in the valley and raising of Pakistani and ISIS flags by the Kashmiri youth have made the situation far more serious. The demographic division of the state on religious line is reflected clearly in the last election. As a result, the current political dispensation led by a coalition of the PDP and the BJP is far from effective in tackling the challenges. The problem of Jammu and Kashmir is not confined to the Hindus and Muslims only. The Buddhist association which has been demanding Ladakh as a separate nation since 1949 has become very prominent in the fluid condition. It is demanding freedom from Kashmir. The establishment of the Hill Development in Leh and Kashmir reflect the desire of the government to accommodate their sentiment.

Given the geostrategic location and unique demographic composition of the state, the authorities both in the centre and the state should put more emphasis on streamlining law and order and securing the border. The focus should be on spreading education and revival of the economy of the state before touching the sensitive issues. Political parties should refrain from theorising the self-determination status. The confidence of people needs to be revived through sparing use of force. Last but not the least; effort should be made to minimize inter-regional disparities within the state to safeguard the security of the country.

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