

Stripping Kashmir Of Its Autonomy: Domestic And Regional Implications

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Prime Minister Modi's government in India has revoked the state of Jammu and Kashmir's special status from the temporary provisions of the Indian Constitution. This status had long guaranteed more autonomy than other states for the only Muslim majority state in the Indian Union. This perilous step was promised by the ruling Bharatiya Janata Party (BJP) before the 2019 Indian elections had begun, much earlier than the 2019 July meeting between Pakistan PM Imran Khan and his American counterpart after which President Trump, to everybody's surprise, claimed he had been asked by the Indian PM to arbitrate between India and Pakistan on the issue of Kashmir. The Indian government is also now planning to reorganize the state by dividing it between Jammu, Kashmir and Ladakh, a move which is poised to have both serious domestic consequences for Pakistan and India, as well as the wider region.

A Short History of the Dispute

Kashmir has been embroiled in a long-standing dispute inherited from the traumatic partition of India and the establishment of Pakistan in 1947 during which the Maharaja of Muslim-majority Kashmir decided to join India instead of Pakistan. This resulted in the first war between the two countries, in 1948, which ended in a ceasefire brokered by the United Nations (UN) at its meeting of the Commission for India and Pakistan in January 1949. At the same meeting a resolution was adopted which called for a free and impartial plebiscite to decide the fate of Kashmir. Pakistan eventually received one-third of the more lightly populated area of Kashmir, whilst India received the other more populous and strategically important

two-thirds including Vale of Kashmir, Jammu and Ladakh. However, the plebiscite never took place.

The fact this plebiscite was never held was capitalized on by India and the popular leader Prime Minister of Kashmir Sheikh Abdullah, when they struck a deal in 1952. The deal afforded Kashmir more local freedom than any other state in India with the exceptions of communications, foreign affairs, finance, and defense. However, when Sheikh Abdullah started to express ideas of full independence a year later, India arrested him and clamped down on Kashmir. Abdullah was replaced by Bakshi Ghulam Muhammed, an appointee of New Delhi, who proceeded to establish an oppressive and corrupt regime. Under Bakshi's tenure, Kashmir's 'constituent assembly,' which had been formed earlier in a questionable election, approved Kashmir's eventual accession to India in 1954. Two years later, the Kashmiri Constitution, which declared Kashmir an integral part of the Indian Union, was drawn up and ratified by another popular but rigged vote. The Indian parliament then formalized the accession and declared it irrevocable in 1957.

In response to Kashmiri revolt against Bakshi's rule in 1963, Indian PM Nehru dispatched Lal Bahadur Shastri to the state. He then dismissed Bakshi, decided to ease New Delhi's control over Kashmir, restored freedom of speech in the state, and released Sheikh Abdullah from prison. At the same time Pakistan's Foreign Minister Z.A Bhutto wanted UN involvement to settle the dispute and help talks begin. And so began the fluctuation between periods

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of calm (when New Delhi left Kashmir alone and allowed a sense of self-rule among Kashmiris) and open revolt (when New Delhi imposed its will on the state and dismantled people's rights and sense of freedom) in the state of Kashmir. When Nehru died in 1964, there was much hope that his successor, Lal Bahadur Shastri, would follow Nehru's Kashmir policy of reduced flexibility and increased repression. Concurrently, Sheikh Abdullah was put back in prison and Pakistan decided to take advantage of grievances and frustrations which had built up in Kashmir by waging a second war. However, the two-staged war plan which attempted to reunite Kashmir with Pakistan failed miserably in 1965 due to bad planning, poor intelligence communication and misinformation.¹

After war in east Pakistan resulted in another defeat for Pakistan, the 1972 Simla agreement was signed between Indian PM Indira Gandhi and Pakistan PM Z.A. Bhutto. As a result, the boundary between Pakistan-controlled 'Azad Kashmir' and Indian-controlled Jammu and Kashmir became accepted as the 'Line of Control' (LoC), and the two sides agreed to normalize relations through confidence-building measures and the withdrawal of troops. Pakistan considered these agreements evidence of India's future readiness to hold talks on Kashmir. Whereas India interpreted it as Pakistan's acceptance of treating Kashmir as a strictly 'bilateral' problem, ruling out any need for third-party involvement including the UN. Despite relative peace for the next decade and a half, Kashmir exploded again in the mid-1980s when New Delhi once again interfered with Kashmiri politics by deposing Chief Minister Farooq Abdullah (Sheikh Abdullah's son) in 1984 and ramping up control. Simultaneously emboldened by successes, supplies and fighters in the Afghan jihad and a partnership forged with the US in the early 1980s, Pakistan was ready to commit to renewed action in Kashmir. It tried to

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apply pressure by both covert and overt war on India to bring about Kashmiri self-determination and internationalize the conflict. Meanwhile, India tried to maintain the status quo and continued treating the issue as strictly bilateral, as it has continued to do until recent events.

Implications on Domestic Politics

Today, Pakistan is in an unenviable position in the face of India's Kashmir decision. In its immediate reaction to news of the revocation of Kashmir's special status, Pakistan's Tehreek-e-Insaf (PTI) government chose to apply economic sanctions and downgrade relations with India. It later decided to express the issue more vocally in international forums, as well as take it to the United Nations Security Council (UNSC) with the help of the Chinese. Pakistan's PM Imran Khan has ruled out open war from the beginning, yet none of these actions are likely to reverse Indian policy on Kashmir. Both President Trump and the US State Department have already said that Pakistan and India should solve their problems through direct bilateral dialogue, and Russia has repeated the same line, much to Pakistan's disappointment.

Pakistani PM Imran Khan had promised an ambitious agenda of development and stability, offering to construct a new national image and narrative around Pakistan globally. But with its decision on Kashmir, India has set a trap which could sabotage Khan's plan whilst it is still in the making, forcing him to choose between his promised national development agenda and defending the 'sacred' cause in Kashmir by whatever means necessary. Engaging in any kind of covert or even limited overt war over Kashmir may ironically empower radical outfits in Pakistan. This would result in draining much-needed finance at a time when the Pakistan economy is in dire straits and would help those who wish to associate Pakistan with radicalism and militancy. At the same time, after an apparent bluff from the Indian Defense Minister that India could change its 'no first use' policy with regard to nuclear weapons, and Pakistani suspicion that the BJP government may also have eyes on Azad Kashmir, defense spending by Pakistan seems bound to increase.

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difficult work in progress, rife with deep, simmering communal violence between Sikhs, Hindus, Muslims and others. The Hindu majority has had a long, uneasy relationship with the minorities, with differing ideals of India and questions as to where ethnic and religious minorities should rank in society, having surfaced strongly over time. Supported by the radical Hindu nationalist Rashtriya Swayamsevak Sangh (RSS) as its parent organization, the BJP is now trying to establish Hindu cultural unity at home. No doubt recent shifts in Indian thinking and the search for 'one-India' with a homogenized Hindu culture have also been facilitated by a global rise of far-right support, populism and growing distaste of cultural pluralism.

Implications at Regional and International Level

The renewed Kashmir dispute has already shown the limits of Pakistan's close relations with Saudi Arabia (KSA) and United Arab Emirates (UAE), whilst relations between the two Gulf kingdoms and India have become more multi-faceted in the last two decades. India provides much-needed skilled labor to the Gulf while also being asked to provide security. Saudi religious activity has been allowed in India and domestic security cooperation between KSA, UAE and India is increasing. The excellent relations entertained between India and Israel also complement this picture and subsequently, KSA and UAE have showed very weak reactions to India's move on Kashmir, revealing the limits they are prepared to go to for Pakistan. The former Pakistan President Parvez Musharraf reportedly said that 'they could not decide if Iran was enemy or friend.' In the case of Kashmir, Iran too enjoys the best of relations with India and chooses to be rather neutral on Kashmir.

US administrations have preferred to avoid the Kashmir dispute, frequently having referred to UN resolutions and the proposed plebiscite until 1972. Following the Simla agreement, US officials started to argue that Kashmir should be solved bilaterally and in a memorandum he sent to President Nixon about the Simla agreement, National Security Advisor Henry Kissinger said "the main Pakistani concession in this document seems to be Bhutto's apparent willingness to settle the Kashmir issue bilaterally rather than with third-party involvement, as has been the traditional Pakistani position."²

When the conflict flared up again bringing Pakistan and India to the verge of war, President Bush made a quiet intervention by dispatching his Deputy National Security Advisor, Robert Gates, and Richard Haass from the National Security Council (NSC) to India and Pakistan. Gates and Haas convinced Pakistan to halt the infiltration of fighters into Kashmir and persuaded India

to agree to confidence-building measures.³ However, the United States still did not want to mediate between the two countries to solve the Kashmir dispute. It was also a factor that US administrations started to lean more towards India, seeing its potential to become a global power.

In contrast, China has truly remained Pakistan's all-weather friend. In the 1971 war for instance, Pakistan's army lost two divisions of Chinese equipment without even fighting but China said nothing.⁴ It was no surprise at all that China helped bring the Indian action on Kashmir to the UNSC agenda as it appears a risk-free move that would earn China easy points in Pakistan. China also warned India against any further action in Kashmir, in a loosely veiled caution about Chinese territory in remote corners of Kashmir. The irony here is that India is now replicating, in Jammu and Kashmir, the same model China currently applies to Uyghur Muslims in Xinjiang; inviting investors into the state, providing better connection between the state and the political center, changing the demographics of the region gradually, 'rehabilitating' the people, and 're-educating' them as 'good Indian citizens' compatible with Hindu culture. The 'demonstration effect' of the Chinese or Israeli way of handling such disputed or occupied areas with complete immunity must have swayed Indian authorities to do the same.

Further Implications

Based on what has happened so far, the following should be expected in terms of domestic and regional consequences of the Kashmir decision by Modi's government:

- 1) An increasingly thorny Afghan peace process, where we are already seeing an upsurge in violence in Afghanistan, which may escalate further, whilst Pakistan will have less incentive to assist American negotiations with the Taliban.
- 2) Increased Indian activity (short of sending Indian troops into Afghanistan) in order to fire up Pakistani perceptions of being surrounded and Indian preparations to move in to control Afghanistan as soon as the US departs. Further Indian activity in Afghanistan is something India will also use to appease President Trump. India will want to make sure that the Taliban and any other pro-Pakistan factions in Afghanistan are unable to gain power anytime soon, which will also undermine current negotiations.
- 3) Both India and Pakistan may still engage in covert wars, with India fueling sectarian attacks in places such as Karachi, as well as separatist attacks in Balochistan in Pakistan. This could trigger a spiral of violence in the region, which will make it even harder for the US to eventually disengage from Afghanistan.

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- 4) Even closer Indian-Israeli relations and increased Indian use of surveillance technology in Kashmir, mirroring Chinese and Israeli practices in Xinjiang and Palestine respectively.
- 5) Continued border clashes between India and Pakistan, even with the possibility of a limited war such as in February 2019.
- 6) India may also become a target of transnational violent groups, despite previously being spared from international terrorism to some extent.
- 7) Increased suspicion of factions in Afghanistan when negotiating with the Taliban for the resolution of the civil war and a stronger hand for Pakistan in such negotiations.

This is by far PM Imran Khan's toughest test yet. The earlier President Ayub Khan tried to rescue Kashmir in the 1965 war with India, but ended up being forced to retire while trying. Nawaz Sharif, Benazir Bhutto, and other civilian politicians (such as Asif Ali Zardari) were either prevented from going near the matter, or deposed if they dared. President Musharraf's own attempt in 2007-08 was undermined by a loss of power at home and the terrorist attacks in Mumbai. It is now Imran Khan's turn and with political opposition at home seeming to be with the government today, the PTI government may be able to deceptively divert attention away from domestic troubles and bring Pakistani people together. However, the opposition may soon turn their gaze to the government and blame it for a lack of success when they see that Kashmir is no nearer being restored. This may then push the government to silence dissent even more at home and muzzle the opposition, which would only help Indian efforts to portray Pakistan as a 'lost soul among nations', 'an ersatz country'⁵, fixated only on India.

As mentioned before, Pakistan should not be drawn into this trap of covertly supporting any insurgency in Kashmir. This is something Pakistan supposedly tried many times but to no avail and there is no reason why it should or would work now. Historically the only mid-to long-term consequence for Pakistan was more radicalism at home. Therefore, Pakistan should continue its efforts to keep Kashmir and violations of people's rights by the BJP government in India in the international spotlight. Pakistan must also draw attention to any increase in communal violence in India, which is one of the most sensitive issues there, and let the world question the fate of Indian democracy under Modi's government. If Imran Khan's government does not continue with its development agenda, it will inadvertently help the Indian effort to tarnish Pakistan with terrorism and undermine its own efforts to avoid any terror-financing related sanctions. Instead, it should allow India's domestic discussions about the grim fate of 'the world's largest democracy' to continue to simmer, possibly to the point of boiling over.

Endnotes

- 1- Owen Sirrs, Pakistan's Inter-Services Intelligence Directorate: Covert Action and International Operations. pp. 51-53
- 2- Foreign Relations of the United States. 'Memorandum from the President's Assistant for National Security Affairs (Kissinger) to President Nixon', Washington, July 5, 1972. <https://history.state.gov/historicaldocuments/frus1969-76veo7/d274>
- 3- Strobe Talbott, Engaging India: Diplomacy, Democracy and the Bomb. p.20
- 4- Foreign Relations of The United States, 1969–1976, Volume E–7, Documents On South Asia, 1969–1972, 'Memorandum of Conversation, Peking, June 22, 1972, 3:58-6:35 p.m.', <https://history.state.gov/historicaldocuments/frus1969-76veo7/d268>
- 5- Expressed by the former Indian External Affairs Minister and founding member of the BJP, Jaswant Singh. Talbott, p.85.

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