

The revocation of Article 370 - Kashmir on the Edge of the Abyss - “Kashmiri people, isolated from and by the world”

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In an unsettled world, amid violent wars and imperial occupations, with all norms ruthlessly cast aside, did Kashmir really have a chance to be free? As unrest spreads, India, the vaunted “world’s largest democracy,” has imposed a total communications blackout. Kashmir is cut off from the world. With even the most conciliatory and collaborationist political leaders now under house arrest, one can only fear the worst for the rest of the region’s population.

For almost half a century, Kashmir has been ruled from Delhi with the utmost brutality. In 2009, the discovery of some 2,700 unmarked graves in three of the region’s twenty-two districts alone [1] confirmed what had long been suspected: a decades-long history of disappearances and extrajudicial killings. Torture and rape of both women and men has been reported, but since the Indian Army is effectively above the law, its soldiers have impunity in perpetrating these atrocities and nobody can be charged with war crimes.

By way of contrast, in India’s far north-eastern state of Manipur, the local women constantly subjected to rape by Indian Army personnel reacted in 2004 with one of the most striking and memorable of public demonstrations —a group of twelve women and girls, aged from eight to eighty, stripped bare and paraded outside the local Indian Army headquarters carrying placards with the tauntingly sarcastic slogan “Come and Rape Us.” They were protesting the mutilation and execution, following her suspected gang rape, of thirty-two-year-old activist Thangjam Manorama by paramilitaries of the 17th Assam Rifles [2]. Their Kashmiri peers, subjected to similar abuses and worse, have been too fearful to do the same.

Many women in Kashmir are scared to tell their own families of their ordeals at the hands of the Indian military, for fear of patriarchal reprisals at home in the name of “honor.” Angana Chatterji, then a professor of social and cultural anthropology at the California Institute of Integral Studies (and now a program co-chair at UC Berkeley) [3], has described one appalling episode, uncovered by her fieldwork from 2006 to 2011 researching human rights abuses in Kashmir:

“Many have been forced to witness the rape of women and girl family members. A mother who was reportedly commanded to watch her daughter’s rape by army personnel pleaded for her child’s release. They refused. She then pleaded that she could not watch and asked to be sent out of the room or else killed. The soldier put a gun to her forehead, stating that he would grant her wish, and shot her dead before they proceeded to rape her daughter.”

Since the 1980s, India has pursued a colonial-style military occupation, replete with bribery, threats, state terrorism, disappearances, and so on. Clearly, the responsibility for this rests with the Indian government, but Delhi was assisted by the unutterable stupidity of the Pakistani generals and their

Inter-Service Intelligence (ISI) agency during the late 1980s and early 1990s. They mistook what was essentially a US cold war triumph against the Soviets in Afghanistan that used the Pakistanis and jihadists as pawns but left them genuinely believing that it was their victory. The jihadi groups responsible, then known as the mujahideen, had been treated by Reagan and Thatcher—not to mention liberal media outlets in the West—as “freedom-fighters.” This type of praise went to the heads of their ISI patrons. A similar exercise in Kashmir, Pakistan’s generals assumed, might lead to another win.

Pakistan was thus responsible for infiltrating jihadist fighters after their “success” in Afghanistan. In Kashmir, the result was a disaster. It helped destroy the social and cultural fabric of what had, until then, largely been a pacific Muslim culture strongly influenced by various forms of Sufi mysticism, and turned many Kashmiris against both governments. Thousands sought refuge elsewhere in India, while hundreds of school students and their families crossed over to Pakistani-controlled Kashmir. Many of these subsequently sought military training. The armed insurgency of the 1990s was crushed by India’s superior force of arms.

Eventually, after the September 11, 2001 attacks exposed the folly of using jihadi proxies, Pakistan was forced by the US to dismantle the extremist networks it had unleashed in Kashmir. Local remnants remained, however, and served the purpose of isolating the province from potential support elsewhere in the country. A good patriot turned a blind eye to what India’s government (whatever its complexion) and the army were up to in Kashmir.

The political discontent did not disappear. On June 11, 2010, the paramilitaries known as the Central Reserve Police Force (CRPF) fired tear-gas canisters at youthful demonstrators who were protesting against earlier killings by Indian-backed security forces. One of the canisters struck a seventeen-year-old boy named Tufail Ahmed Mattoo in the head, blowing out his brains. A photograph of the boy dead in the street was published in Kashmiri papers, though not elsewhere in India where the event was virtually ignored. A political rebellion erupted, with tens of thousands defying a curfew and marching behind Mattoo’s cortège, pledging revenge. In the weeks that followed, over a hundred more students and unemployed youth were killed [4]. The hatred felt by many against the New Delhi government united Kashmiris of otherwise differing opinions.

Atrocity fatigue, however, sets in very quickly when the state responsible is considered a staunch ally. Like Israel, Saudi Arabia, Colombia, and Congo, India is now firmly established in this category. Prime Ministers Benjamin Netanyahu and Narendra Modi, for example, are now passionate bedfellows, and Israeli “advisers” have been seen again in recent years in Kashmir [5]—renewing the close intelligence and security cooperation that dates from the early 2000s [6]. The revocation of Article 370 [7], which protected Kashmir’s demography by restricting residency to Kashmiris alone and, under a sub-section known as Article 35A, forbade the sale of property to non-Kashmiris, and the planned division of Kashmir into three separate Bantustan statelets, bear hallmarks of the Israeli occupation in Palestine.



Mark Ralston/AFP/Getty Images

Muslim Americans protesting India’s annexation of the disputed region of Kashmir, Los Angeles,

August 10, 2019

The dynamics of unconditional US support are also similar. From Kashmir's point of view, Clinton, Bush, Obama, and Trump have all been on the same track—underplaying and overlooking state terrorism in the region because Foggy Bottom sees India as a strategic ally, offering potential economic rewards, proximity to China, and partnership in the “war on terror.” Modi, once disallowed a visa to the US as a punishment for the massacre of Muslims that took place in 2002 under his watch as chief minister in Gujarat, is today feted as a statesman not afraid to take tough decisions: an Indian mixture of Trump and Netanyahu.

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The Kashmir conflict that led to two wars between India and Pakistan and untold repression in the province itself needs to be seen in historical perspective. The partition of India in 1947 took place on the basis that in the northern and eastern territories of British India, large provinces with mixed populations—Punjab and Bengal—would be divided along religious lines. The result was a bloodbath of communal violence that saw the deaths of over a million people and vast streams of refugees. Elsewhere, the 1947 agreement insisted that the colonial creation of “princely states” governed without any pretense of democracy by British civil servants with maharajas as nominal rulers. The partition plan set out that in provinces where the ruler was Muslim but a bulk of the population comprised Hindus, the ruler would accede to India.

In Hyderabad, where the Nizam (the local monarch) delayed accession, the Indian Army marched in and settled the issue by force. In Kashmir, where the Maharaja Hari Singh was a Hindu but 80 percent of the population was Muslim, it was assumed that the ruler would sign the accession papers and the state would become part of Pakistan. But Singh dilly-dallied.

Pakistan's army was then headed by the British General Douglas Gracey, who vetoed any use of force. Pakistan's government despatched irregulars led by serving Muslim army officers and consisting largely of Pashtun tribesmen lacking in military discipline, to put it at its mildest. The two-day delay that caused looting and the raping of locals was fatal. A better-organized force could have taken Srinagar airport without resistance, and that might have been that. Instead, in October 1947, the Nehru government in Delhi, with the backing of its British commander-in-chief and the support of the peacenik Mahatma Gandhi, airlifted in Indian troops, pressured the maharaja to accede to India, and occupied the bulk of the province—“the snowy bosom of the Himalayas,” in Nehru's words.

A war with Pakistan ensued. It was India that referred the issue to the United Nations, which demanded an immediate ceasefire, followed rapidly by a referendum on the region's future status. In January 1949, a ceasefire line was agreed, with two-thirds of Kashmir remaining under Indian control. Throughout the 1950s, leading Congress Party politicians, including Nehru and Krishna Menon, pledged in public that they were committed to holding the plebiscite. This never happened because they felt politically insecure, were wracked by guilt, and could never be sure which way the people would turn—to India or to Pakistan. Democracy does have its problems.

Realizing the grotesqueness of the situation they had created, the politicians in Delhi inscribed into the Constitution Article 370, which, with its subsequent sub-sections, guaranteed Kashmir a rare degree of autonomy. This special status barred any non-Kashmiris from acquiring residency and property rights in the region. And, most important, the Indian government committed itself to holding a plebiscite—that is, a vote on according self-determination to Kashmiris to settle the maharaja's fateful decision. This was the carrot offered to Sheikh Abdullah, the popular, pro-Congress Kashmiri leader who formed an interim government and accepted the temporary accession

to India.

Abdullah, the son of a shawl trader, was already a legendary figure when India was divided. During the colonial period, he had fought for the social and political rights of his people, often quoting a subversive couplet from the poet Iqbal: "In the bitter chill of winter shivers his naked body / Whose skill wraps the rich in royal shawls." Nehru understood at a very early stage that without the support of Sheikh Abdullah, who was a Muslim, nothing was possible in Kashmir. Yet conflict between them was inevitable.

Abdullah continued to demand the referendum, but Nehru stubbornly refused. They fell out, Abdullah was in and out of prison, and Kashmir was effectively governed from Delhi. Article 370, however, was never challenged—except, on the one side, by Pakistan that saw in the clause a permanent basis for Indian occupation, and on the other, by the far-right Hindu nationalist organization Rashtriya Swayamsevak Sangh (RSS) that gained global notoriety through its decision—which it defends to this day—to assassinate Gandhi in 1948.

In 1951, RSS cadres created the forerunner to the modern Bharatiya Janata Party (BJP), which, following the RSS's example, always campaigned to "normalize" Kashmir. Today, India's prime minister is himself a product of the RSS-BJP pipeline, trained from childhood as a paramilitary volunteer. Until now, though, successive BJP and, for that matter, Congress governments had left Article 370 intact, even as they intensified the repression in Kashmir and wrote the Indian Army a series of blank checks. Modi, whose party recently won re-election against a weak and divided opposition, has decided to go the whole way, hailing the revocation of Article 370 in an August 6 tweet [8]:

"I salute my sisters and brothers of Jammu, Kashmir and Ladakh [the new designation of three territories in the disputed region] for their courage and resilience. For years, vested interest groups who believed in emotional blackmail never cared for people's empowerment. J&K is now free from their shackles. A new dawn, better tomorrow awaits!"

That delusionary statement was revealing in its dishonesty: he left out the word Hindu before "sisters and brothers."

What will happen now? The Congress and the parties to its left will bleat on about Article 370 and refuse to accept that it has been their own policies and silences that paved the way for Modi to push through his party's demands. Fear and opportunism have silenced liberal India—not least the Muslim Bollywood stars who bend over backward to demonstrate their loyalty to this government, as they did to its Congress predecessors, not realizing that there are no "good Muslims" in the Modi lexicon. The same applies to most columnists in the Indian media and TV show hosts, as the writer Pankaj Mishra has complained [9]:

"A few Indian commentators have deplored, consistently and eloquently, India's record of rigged elections and atrocity in the valley, even if they speak mainly in terms of defusing rather than heeding Kashmiri aspirations. But many more have tended to become nervous at the mention of disaffection in the Kashmir Valley. "I am not taking up that thorny question here," Amartya Sen writes in a footnote devoted to Kashmir in The Argumentative Indian. In the more resonant context of a book titled Identity and Violence, Sen yet again relegates the subject to a footnote."

Modi has said that what he is doing is the only rational "Kashmir solution." For him, it is the final political solution, and if the Muslims of Kashmir object, they will simply be crushed. Non-Kashmiri entrepreneurs are licking their chops in anticipation as they plan opening up the last frontier with all legal obstacles removed. And disgusting tweets from Brahmins (upper-caste Hindus) are celebrating

the idea of settling there and “marrying Kashmiri girls,” and worse. In Pakistan, the government of Imran Khan has decided to withdraw its own ambassador and expel his Indian counterpart. Token measures and rude words are equally ineffective, but is the alternative another non-nuclear war? I doubt it very much. Neither the US nor China, both countries’ closest allies, would countenance such a move, and the IMF would immediately cancel its punitive loan to Pakistan.

The Palestinians have already suffered a terrible and historic defeat, but they have some support among citizens abroad, the BDS movement included. Modi and Netanyahu both stress that “normalization” largely means economic advance and imagine, as US presidential son-in-law and adviser Jared Kushner’s “plan” for Palestine indicates, that a people’s political and national aspirations can simply be bought off with bribes. The whole history of anticolonial movements demonstrates otherwise, as do the more recent attempts at recolonization in the Arab world.

This past weekend, a Kashmiri lawyer working in London sent me a text: “I have not been able to connect to my family for six days now. The worst thing is that we are invisible to the world and not just in the West... look at the shameful conduct of the Arab governments and the open support given Modi by the UAE.” Despite India’s total information blackout, some images out of Kashmir are now appearing on YouTube. A mother weeping in a hospital ward as she fears for her son who has been shot and badly wounded. A shopkeeper describing how soldiers burst into his premises and opened fire for no reason at all. Images of deserted streets. I fear that the Kashmiri people, isolated from and by the world, are smelling the night air on the edge of the abyss.

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P.S.

• New York Review of Books, August 13, 2019, 7:00 am:
<https://www.nybooks.com/daily/2019/08/13/kashmir-on-the-edge-of-the-abyss/>

Footnotes

[1] <https://foreignpolicy.com/2011/09/22/what-lies-beneath-2/>

[2] <https://www.hrw.org/reports/2008/india0908/3.htm>

[3] http://webcache.googleusercontent.com/search?q=cache:myXp4vhI9KYJ:www.academia.edu/19748038/The_Militarized_Zone+&cd=2&hl=en&ct=clnk&gl=us&client=safari

[4] <https://granta.com/kashmirs-forever-war/>

[5] <https://indianexpress.com/article/india/india-others/Israel-to-train-punjab-cops-in-antiterror-operations/>

[6] <http://www.dailystar.com.lb/News/Lebanon-News/2001/Sep-11/33261-an-israeli-indian-intelligence-sharing-affair-unfolds-in-kashmir.ashx>

[7] <https://fortune.com/2019/08/08/what-is-article-370-kashmir-india/>

[8] <https://twitter.com/narendramodi/status/1158747764756365315>

[9] https://books.google.com/books?id=2s_V4_pNhgMC&pg=PA4&lpg=PA4&dq=pankaj+mishra+even+if+they+speaks+mainly+in+terms+of+defusing+rather+than+heeding+Kashmiri+aspirations&source=bl&ots=3agZkoXNH0&sig=ACfU3U3zxa-bnoIKoKam3iInc8vrQ1dS_A&hl=en&sa=X&ved=2ahUKEwiwpdqi8vXjAhVPmeAKHcAPBtIQ6AEwAHoECAkQAQ#v=onepage&q=pankaj%20mishra%20even%20if%20they%20speak%20mainly%20in%20terms%20of%20defusing%20rather%20than%20heeding%20Kashmiri%20aspirations&f=false