

Indian occupation - A Solution for Kashmir

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What would justice for those suffering under Indian occupation in Kashmir look like?

Contents

- [Kashmir and Uri](#)
- [What Now?](#)
- [1. Democracy in Pakistan](#)
- [2. Internationalize Kashmir](#)
- [3. Grant Self-Determination](#)

Narendra Modi and his Bharatiya Janata Party (BJP) are now halfway through their five-year term. The BJP belongs to a vast family of organizations and associations known as the Sangh Parivar, all controlled by the cadre-based Rashtriya Swayamsevak Sangh (RSS). Its goal to establish Hindu dominance across India enjoys stronger backing than ever now that the BJP controls the government without coalition support.

For years, the Left has debated whether the RSS's declared project of securing a Hindu state amounts to fascism. No matter what we call it, everyone agrees that it wants to found an authoritarian and belligerent nationalist order.

This would transform India: Hindus would enjoy differential rights, and religious minorities, namely, Muslims and Christians, would face permanent marginalization. To accomplish this, RSS would have to institutionalize this stratification: legal and extra-legal mechanisms to monitor, subordinate, contain, defuse, and even eliminate actual or potential resistance, no matter its direction or source.

Already, the BJP and the RSS have made some domestic headway. This distinguishes it from most mainstream Indian parties, like the Indian National Congress (INC) and the horde of regional political formations. Of course, that hasn't stopped most of them from allying with the BJP.

In fact, at the economic level, the Modi government has simply advanced the neoliberal policy started by previous governments, whether led by the INC (1991-96, 2004-2014), by a coalition of non-INC and non-BJP parties (1996-98), or by BJP-led coalition governments (1998-2004).

Similarly, the BJP not only agrees with the INC's strategy of building deeper ties with Israel, but, motivated by its anti-Islamic fervor, seeks to further extend this relationship. The Modi administration has also worked to consolidate its relationship with the United States against China. This August, it signed the Logistics Exchange Memorandum Agreement, which approved much closer military interactions between the two countries.

While domestic developments certainly deserve attention, over the last three months, the public has understandably been more focused on the unrest in the Kashmir Valley.

On September 18, an Indian army camp at Uri — not far from the Line of Control (LOC) [1] in Jammu and Kashmir (J&K) that separates the Indian and Pakistani sides — was attacked, resulting in

eighteen deaths. A massive outcry and media-fueled calls for military revenge followed. The RSS will now control India's relationship with Pakistan, which may prove disastrous.

Kashmir and Uri

The story starts in the Kashmir Valley, where over six hundred thousand armed personnel— police, paramilitary, and army regulars — are stationed, making it the most concentrated militarized zone, in relation to population, anywhere in the world.

BJP has called for the formal repeal of Article 370 of the Constitution [2], which promises considerable autonomy to J&K province not satisfied by the fact that in practice and by dubious legal rulings this autonomy has already been greatly eroded. It has always viewed Muslims in general — and Kashmiri Muslims in particular — as a suspect population that needs to prove its loyalty to Hindu India. Their brutality here shouldn't surprise anyone.

On July 8, Burhan Wani [3] — a young man known to be a commander of the Hizbul Mujahidin, a Kashmiri separatist group — was placed under house arrest, then tortured and murdered. Massive demonstrations erupted and have continued ever since. The government repression that followed has left more than eighty civilians dead and many times more injured.

These protests have cross-class and cross-generational support. The Kashmiri people feel so alienated from New Delhi that the demands for *azaadi* (independence) have become more popular than ever.

The Modi administration has justified its hard-line response by claiming that Pakistani forces are provoking Kashmiri youth [4]. Blaming Pakistan allows the BJP government to win support by appealing to aggrieved nationalism. It has pressured its coalition partner in the J&K state government — the People's Democratic Party (PDP) — to toe the line. And it has: Mehbooba Mufti, the party's head, has expressed only the mildest criticisms of the state-sponsored repression.

The media has echoed these government claims. But the depth of public anger in the Kashmir Valley has led many Indians to question the government: such large and sustained protests cannot be easily dismissed as the work of an outside hand.

Ultimately, however, the assault on Uri [5] — timed to raise international concern about India's human rights abuses in Kashmir at the United Nations General Assembly meeting — has backfired and played into the RSS's hands.

The pushover media has for the most part gone completely overboard, calling the attack an outrageous act of terrorism and an assault on Indian nationhood. They demand that Pakistan incur appropriate military and diplomatic responses. (Of course, this same media has not portrayed the recent spate of Indian armed forces killing unarmed civilians as acts of terrorism.)

The outrage expressed by the government and the media has created a public mood that benefits the Modi government considerably. First, it has shifted attention away from Kashmir. The military can simply wait the protesters out: exhaustion will eventually set in, and calm will return, even if it leaves a more embittered public behind.

Further, the RSS's desire to present itself as the true defenders of Indian nationalism against an external enemy — Pakistan — and an internal foe — the Muslim — will become more appealing. The party sees the nationalist plank as a potentially winning card in the next general elections. It will

also help in the 2017 assembly elections in Uttar Pradesh (population-wise, a state that would be the fifth biggest country in the world) as well as in Punjab, Goa, Uttarakhand, and Manipur.

But on the other hand, the government's extremely aggressive rhetoric might put it in a bind. A military response would be incredibly dangerous. And New Delhi's stated policy aim — to declare Pakistan the epicenter of terrorism [6], exported and otherwise — is not only morally hypocritical and politically dishonest, but also has no chance of being endorsed.

Of course, no liberal intellectuals will recognize that Indian allies like Israel and the United States have a far worse record of state-sponsored, state-directed, and state-executed terrorism outside their borders. Nor do they object when the RSS says that the Pakistani establishment is paying the price for nurturing Islamist groups when they turn against it and carry out domestic terror attacks. India doesn't have a better record: Hindu communal-terrorist attacks have been a regular event for the last twenty-five years [7]. RSS-controlled authorities at various governmental levels have silently acquiesced to or actively participated in this violence.

Modi's own ascent testifies to this. Setting aside committed Islamophobes, a far larger section of the population is essentially indifferent to the fact that he oversaw one of the worst pogroms — in February 2002 in Gujarat — in Indian history.

What Now?

So how can the Modi government respond to Uri militarily, given the real possibility that an incursion by the Indian armed forces will create a warlike situation that could bring nuclear weapons into play?

During the 1999 Kargil War [8], both sides made nuclear preparations and the tensions only ceased once the United States stepped in. This time, international intervention may be less likely or prove less effective.

This is not to say that the media and politicians fail to recognize this nuclear danger. They do. But the virtues of India's nuclear program are so widely embraced that no one has pointed out the obvious.

When India — under a BJP-led coalition government — held nuclear tests in 1998, it initiated the nuclearization of South Asia. Pakistan carried out its own tests the same year and declared nuclear parity. At the time, the BJP claimed that India had to counter China's nuclear arsenal.

But the tests were driven by status, not threats. Consider the long gap between when China first acquired nuclear weapons (1964) and India's test. Also look at how substantially Indo-China relations had warmed after the end of the Cold War — an improvement those very tests partially undid.

In contrast, Pakistan's tests were threat-driven, and the threat was India. The possibility of an India-China nuclear exchange has always been extremely remote, but the possibility of an India-Pakistan nuclear exchange is far closer.

At the same time, their nuclear arms race has dramatically restricted military options and therefore made it more likely for actions to spiral out of control.

What can we hope for now? At best, New Delhi will push for a variety of diplomatic postures aimed

at isolating Pakistan and confine itself to limited military actions in and around the LOC.

As of now, it has pulled out of the November SAARC meeting [9] in Islamabad triggering its cancellation. It is considering revoking Pakistan's "most favored nation" status which will only somewhat reduce bilateral trade between the two countries (India enjoys a surplus) but which amounts to less than 1 percent of India's total trade.

Modi has called for a review of the International Indus Waters Treaty [10] that has stood for fifty-six years. But no abrogation is being called for — only that that India should not leave its maximum allotted share of the waters un-utilized although India would have to build, over the next decade and more, the necessary storage facilities to accomplish this.

New Delhi also has to decide whether to give a long-term visa or provide asylum to the separatist Brahamdagh Bugti, the head of the Balochistan Republican Party [11], currently in self-exile in Geneva. Such actions will not materially affect Pakistan but the domestic payoff for the Modi government is that the BJP's image as a more determined and aggressive defender of India's national interest is being strengthened.

But the truth is that official, and to a significant extent public, attitudes are being hardened on both sides of the border. This does not bode well for the future where a subsequent turn of events or a miscalculated decision could push both countries into a war footing, with every possibility that political tensions and military actions will ratchet up.

Neither end of this spectrum looks good. And neither this regime nor any moderate political party will come up with a better solution.

Presenting better alternatives seems futile. Yet justice demands that more principled, humane, and democratic proposals be spread — even if only to preserve the idea of a better order. They might also spur thinking within a mainstream left that — fearing it will be designated anti-nationalist — refuses to challenge the policies that have victimized the Kashmiri people and denied them their right to self determination.

1. Democracy in Pakistan

India should recognize that Pakistan is a divided polity. Tension between the military and the civilian regime and between the military and the intelligence services filters down to the general public.

Significant sections of Pakistani society want an enduring liberal democratic government, free from military interference or oversight. They understand that politically subordinating the military will require peace with India and the demilitarization of the Kashmir dispute.

But that does not mean abandoning the Kashmiris' legitimate struggle [12]. If India and Pakistan came to terms, the search for a just resolution would have a greater chance at success.

The Indian establishment can either reach out to these sections of Pakistan or it can carry out actions that fan nationalist flames on both sides. The second choice will benefit those who do not want the democratic project to succeed in Pakistan.

2. Internationalize Kashmir

India should accept that Kashmir is disputed territory. This issue is separate from Pakistani claims on the territory and the history of Kashmir's accession to India. At stake are the aspirations of growing numbers of Kashmiris who want change.

For a start, it could accept either a UN peacekeeping force on the LOC or, alternatively, increase the UN Military Observer Group for India and Pakistan (UNMOGIP) presence while enhancing its capacities to monitor the ceasefire line.

Pakistan has posed no objections to UNMOGIP, but India has tried to dismiss it ever since the 1972 Shimla Accord. New Delhi has repeatedly declared that monitoring the LOC is an internal matter. Modi has gone a step farther and denied UNMOGIP rent-free offices.

Yet the benefits of an international monitoring system are obvious. Any assault and any illegal incursions would produce international pressure against the culprits and their backers.

3. Grant Self-Determination

A long-term resolution will only come once self-determination — which Kashmir Valley residents desperately want — is granted. Scrapping the draconian Armed Forces Special Powers Act (AFSPA), which provides impunity to official personnel for crimes committed in the course of duty, constitutes a necessary first step. The progressive demilitarization of the region and the restoration of all powers and rights assigned by Article 370 of the Constitution must come next.

These, however, will not substitute for allowing the people to exercise their right to self-determination up to and including secession it. The people of Jammu and Ladakh would, in all probability, choose to stay. The Kashmir Valley residents would have to weigh the merits of splitting off or retaining the economic benefits of remaining in a more democratic Indian Union.

The late Fred Halliday [13] once said that transformation doesn't emerge from a managerialist understanding of politics as the "art of the possible." Rather, he proposed a political spectrum that rejected the pursuit of the probably impossible to strive for the improbably possible. Indians should do the same: reject the BJP's plans to institute an authoritarian state and strive to make peace with all its residents and neighbors.

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P.S.

* Jacobin. 10.2.16:

<https://www.jacobinmag.com/2016/10/kashmir-india-modi-pakistan-bjp-uri/>

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Footnotes

- [1] http://news.bbc.co.uk/2/shared/spl/hi/south_asia/03/kashmir_future/html/default.stm
- [2] <http://www.oxfordscholarship.com/view/10.1093/acprof:oso/9780198074083.001.0001/acprof-9780198074083>
- [3] <http://www.bbc.com/news/world-asia-india-36762043>
- [4] <http://www.economist.com/news/asia/21705823-fierce-repression-protests-only-stoking-kashmiris-resentment-vale-tears>
- [5] <http://edition.cnn.com/2016/09/18/asia/india-kashmir-attack/>
- [6] <https://www.thestar.com/news/world/2016/09/24/indian-pm-modi-says-pakistan-a-safe-haven-for-terrorists.html>
- [7] ESSF (article 40773), [India: Combating Communalism](#).
- [8] http://news.bbc.co.uk/hi/english/static/in_depth/south_asia/2002/india_pakistan/timeline/1999.stm
- [9] <http://indianexpress.com/article/india/india-news-india/saarc-summit-pakistan-postponed-fresh-dates-islamabad-india-modi-3058513/>
- [10] <http://economictimes.indiatimes.com/news/politics-and-nation/india-pakistan-reach-out-to-world-bank-on-indus-water-treaty/articleshow/54571528.cms>
- [11] <http://www.ibtimes.co.in/baloch-republican-party-supporters-raise-indian-flag-protest-against-pak-germany-691505>
- [12] ESSF (article 40774), [India's occupation and suppression of self-determination: Kashmir's Struggle for Freedom](#).
- [13] <https://www.thenation.com/article/journeys-fred-halliday/>