



Behind The Noise: The True Story Of Kashmir

The State Was So Far Being Run By A Political Elite That Today Carries Little Credibility

by Ashok Malik@

One and a half month ago, Indian Prime Minister Narendra Modi's government took two major decisions related to Jammu and Kashmir. It removed the applicability of Article 370 of the Constitution of India, which gave the region substantial administrative autonomy. It also bifurcated it into two union (largely federally-run) territories – Jammu-Kashmir and Ladakh. These decisions were both rooted in the past as well as a bet on the future; politics, after all, is as much the foreword to history as its epilogue.

The story begins in the 1840s, a period of fervid map making across the world. In 1845, for instance, the United States annexed the Republic of Texas, much to the anguish of Mexicans who claimed that “disputed territory”. A year later, as the Sikh Empire collapsed in the north-western frontier of the Indian subcontinent, a commander of the Sikh army, Gulab Singh, did a deal with the rising power, the British. In return he got himself a kingdom – Jammu and Kashmir. The kingdom was a jigsaw puzzle. It had several sub-regions: mountainous, largely Muslim Kashmir; Hindu Jammu, which shared greater affinity to the foothills of Punjab; Buddhist-dominated Ladakh, ethnically and religiously different; the so-called “Northern Areas”, comprising Gilgit, Baltistan and vicinal territories, an adjunct to Ladakh but with a still different ethnicity and a collective memory more Central Asian than South Asian.

In August 1947, India and Pakistan became free nations following the Partition of British India. About 550 princely states, thus far quasi-independent, were offered the choice to join either nation. Among them was Jammu and Kashmir. In October 1947, this menagerie of ethnicities formally joined India. Gulab Singh's descendant and the reigning king signed the Instrument of Accession, but was not quite master of his kingdom. Pakistani troops had already occupied parts of Kashmir that they retain to this day. Gilgit-Baltistan, meanwhile, was a British imperial frontier in the Great Game with the Soviet Union and soon-to-be communist China. A British officer facilitated Pakistani takeover.



People of Ladakh dance as they celebrate change of status of their region to a Union Territory in Leh, India, Thursday, Oct. 31, 2019. (AP Photo/Sheikh Saaliq)



Chief Justice of Jammu and Kashmir High Court, Geeta Mittal administers the oath to Girish Chandra Murmu - the first Lieutenant Governor of the Union Territory of J & K on Oct 31, 2019. (Photo: IANS)

The Accession was quickly followed by war between India and Pakistan. India made the legal case; Pakistan the religious one, since Jammu and Kashmir had an overall Muslim majority. When hostilities ceased, the 222,000 square km of the former kingdom was split down the middle. Today, India governs 101,000 square km. Just over 120,000 square km is controlled by Pakistan and China. Some of the Chinese-held territory was ceded to Beijing by Islamabad in 1963.

Administered by India, the Kashmir valley (or simply “the Valley”) covers 15,000 square km. While it has more people than either Jammu or Ladakh – the other sub-regions under India's jurisdiction – it is only 15 per cent of the territory with India, and just seven per cent of the former princely state. Yet, it is has near-monopolised global attention. This is largely due to a local disaffection that has, over the years, evolved into a security challenge – insurgency, terrorism linked with networks in Pakistan, and a ballooning Islamism. The unrest of 2016, for instance, was partly the product of ISIS-inspired Internet radicalism. If Jammu and Kashmir had been a

“normal” state of the Union of India, it is reasonable to reckon it would have been broken into smaller, more manageable components long ago. As early as the 1950s, a States Reorganisation Commission re-drew India's internal map. Many mega-provinces and former princely states were disbanded using sub-regional, religious-sectarian, ethnic and linguistic parameters.

GILGIT-BALTISTAN

In the case of Jammu and Kashmir, India desisted, waiting for a final resolution. This could have meant reincorporating the entire former kingdom into India (unlikely); or acknowledgment of the tentative frontier between Indian and Pakistani administered sub-parts of Kashmir into a formal international border (often discussed). Pakistan was less fastidious. As early as 1949, it in effect separated the Northern Areas from the part of Kashmir it occupied. Now renamed Gilgit-Baltistan, this sub-region was subjected to virtual federal rule, ethnic and religious cleansing, and demographic change. Today, the China-Pakistan Economic Corridor runs through it. In 2018, Islamabad issued a decree making legislative and administrative amendments to hasten recogni-

tion of Gilgit-Baltistan as a full-fledged province of Pakistan.

The testy relationship between the Kashmir valley and the Indian state has been mediated by a clientelist political elite that today carries little credibility, whether at home or the rest of India. The insulation provided by Article 370 meant many Indian constitutional provisions and laws did not apply to the state. As a result Jammu and Kashmir and the rest of India travelled on different tracks – politically, but also in economic transformation and social modernisation. In turn, this led to resentment in Ladakh and Jammu. They felt the status quo was gamed to benefit the Valley, and the disproportionate attention to Kashmir was crowding out other sub-regions. Union territory status for Jammu-Kashmir and for Ladakh gives New Delhi much greater say in governance, and in security and internal policing. In Kashmir, this is critical given growing threats of Islamist terror, and the potential knock-on effect of the Taliban's return in Afghanistan. Ladakh is crucial because of its proximity to Gilgit-Baltistan and Chinese Central Asia. To paraphrase Churchill, India fights by itself alone, but not for itself alone.

Nevertheless the new paradigm in Kashmir is not just the product of a security mindset. That is a key factor, but not the only one. There is also an attempt to trigger a more regular process of politics and political mobilisation in the Valley. This has previously not been fostered and in fact been hindered by the traditional political leadership. That leadership benefited by presenting itself as a shifty and shifting bridge between secessionists

and the Indian state. The removal of Article 370 makes virtually all laws of the Union of India applicable in Jammu-Kashmir. Facilities provided in the rest of the country to disadvantaged communities and groups – from women to religious minorities to historically underprivileged castes – will now become available. The removal of Article 35A, for instance, will make it possible for a permanent resident to marry an outsider and yet pass on inherited property to their children. So far, this was a right denied to women permanent residents who married non-natives.

Partition-era Punjabi (largely Sikh) refugees from areas now in Pakistan settled in Jammu in 1947, as they did in other states of India. In Jammu and Kashmir this community, now over 100,000 strong, was not granted permanent resident status and had no domicile rights. Its members voted in national but not provincial elections. They could not buy property or access higher education carve-outs. In contrast Muslim refugees from Xinjiang and Tibet, who arrived in the 1950s after the annexation of their homelands by communist China, were completely integrated into Kashmiri society.

Such discrepancies can be addressed within the new architecture. Already the government in New Delhi is proposing to route developmental funding and welfare benefits through panchayat (village-government) representatives, to check embezzlement by intermediary structures. There is some hope that a new cadre of political leaders could emerge from among panchayat representatives. This may be a fool's errand – or gradually all of it could lead to new avenues of politics and new anchor issues around which lobbies and interest groups are formed. To what degree this will dilute that hard separatist voice in Kashmir is anyone's guess. Even in the best case, it will likely be a long haul. In India the experiment has widespread support, however, if only because everything else has failed.

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Local Communities Want To Decide What Is Best For Them

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Earlier this year, our government conducted a review of Ontario's eight regional governments and Simcoe County, including Peel Region. Municipalities in the review have experienced significant changes since regional governments were first established over 50 years ago. We wanted to ensure that the current system was respecting taxpayers' dollars and working efficiently for Ontarians.

We consulted broadly and received more than 8,500 submissions. Two special advisors, Michael Fenn and Ken Seiling, attended nine in-person sessions and listened to almost 100 individuals and organizations present their ideas on how to improve local governments. I want to thank them for their hard work.

Steve Clark, our Minister of Municipal Affairs and Housing, made it very clear that our government had no predetermined outcomes for this review. We knew from the start that it was important to hear what people had to say.

What we learned through the review is that local communities want to decide what is best for them when it comes to governance, decision-making and the delivery of services. We have shown over and over that we are a government that listens. That's why we consulted in the first place, and why we are listening to the feedback we received. We will not be im-

posing changes on regional governments but instead will work collaboratively with our municipal partners.

We're going to keep working in partnership with municipalities so they are efficient, effective and can meet residents' needs. Building on our previous investments, Minister Clark recently announced we're providing up to \$143 million in new funding to municipalities to help them lower costs and improve services for local residents. Funding will be available to all 444 municipalities so they can find smarter, more efficient ways to operate and focus spending on the vital programs and services Ontarians rely on.

And we're not stopping there. We're going to consult with municipalities on whether to change the start of the municipal fiscal year so it's aligned with the provincial and federal government's. Also, in response to a long-standing request from municipalities we will be giving Elections Ontario the responsibility to manage one voters list. With Elections Ontario managing the list, it will provide municipalities with a more accurate list, leading to fewer corrections for voters at polling stations and fewer delays for people lined up to vote on election day.

We are working hard to build a foundation for long-term prosperity for people here in Peel and all across the province.

By listening and working together, we will help people and businesses across Ontario thrive.