

PM Narendra Modi and HM Amit Shah Achieve the Impossible

Posted on August 06, 2019

The current session of Parliament has been the most productive where historical legislations have been passed. The Triple Talaq law, strengthening of India's anti-terror laws and the decision on Article 370 are all unprecedented. The popular belief that the promise BJP made on Article 370 is an unachievable slogan has been proved wrong. So strong is the public mood in support of the new Kashmir policy of the Government that several opposition parties had succumbed to the public opinion. For the Rajya Sabha to approve this decision by a two-third majority goes beyond anyone's imagination. I analyse the impact of this decision, history of failed attempts on resolving the J&K issue.

History of the failed attempts

The Instrument of Accession was signed in October, 1947. Refugees from West Pakistan had migrated to India in millions. Pandit Nehru's Government did not allow them to settle in Jammu and Kashmir. Kashmir, for the last 72 years, has been the unfinished agenda of Pakistan. Panditji wrongly assessed the situation. He volunteered a plebiscite and allowed UN to discuss the issue. He took a decision trusting Sheikh Mohd. Abdullah to head the State. He then lost trust in Sheikh Sahab in 1953 and jailed him. The Sheikh had converted the State into a personal kingdom. At that time there was no Congress Party in the State of Jammu and Kashmir. The Congressmen were National Conference members. A Congress Government in the name of National Conference was installed. It was headed by Bakshi Ghulam Mohd. The National Conference leadership formed a separate group called the Plebiscite Front. But how would the Congress disguised as National Conference, win elections? The 1957, 1962 and 1967 elections were unquestionably rigged. One officer, Abdul Khaliq, the Collector of both Srinagar and Doda, was the Returning Officer and he prevented the nomination of any opponent in the valley. In these three elections, most Congressmen were elected unanimously. The people of the Kashmir valley lost faith in the Central Government.

This experiment of special status and handover of the State to Sheikh Sahab and then put Congress Governments in power was a historic blunder. The history of the past seven decades shows that the journey of this separate Status has been towards separatism and not integration. It created a separatist psyche. Pakistan was more than enthusiastic in trying to exploit the situation.

Mrs. Indira Gandhi then experimented releasing Sheikh Sahab and his forming a Government once again with Congress supporting the Government from outside. This was in 1975. Within months of taking over, Sheikh Sahab's tone had changed and Mrs. Gandhi was clear that she had been let down.

After Sheikh Sahab's demise, the leadership should have gone in the hands of senior National Conference leaders such as Mirza Afzal Beg but Sheikh Sahab wanted to convert Kashmir into his family fiefdom. Farooq Abdullah became the Chief Minister as Sheikh Sahab's successor. Instead of strengthening the mainstream party, in early 1984, the Congress destabilised the Government. Overnight Chief Minister was changed through manipulation and jointly with a rebel group of the National Conference led by Sheikh Sahab's son-in-law Gul Mohd. Shah was made the Chief Minister. The new Chief Minister obviously could not control the situation. His subsequent statements clearly establish his sympathies with the separatists. In 1987, Shri Rajiv Gandhi again reversed the policies and jointly contested the election with Farooq Abdullah's National Conference. This election was also rigged. Some candidates, whose defeat was manipulated, subsequently turned separatists and even terrorists.

By 1989-90, the situation had gone out of control and the sentiment of separatism alongwith terrorism picked up. Kashmiri pundits, who are essential part of Kashmiriat, suffered the kind of atrocities which only the Nazis had inflicted in the past. The ethnic cleansing took place and the Kashmiri pundits had to move out of the valley.

With separatism and terrorism picking up, Central Governments headed by various political parties made three new kinds of efforts. They tried a dialogue with the separatists which turned into a futile exercise. The dialogue with Pakistan was attempted by Governments to resolve the Kashmir problem as a bilateral issue. Governments were talking to the creator of the problem in order to find a solution to the problem. After the dialogue experiment failed, many Governments at the Centre in larger national interest, decided to align with the so called mainstream parties of Jammu and Kashmir. The two national parties at some stage undertook the experiment of trusting the two regional parties – the PDP and the National Conference, installing them in power so that they can, with the help of the regional parties, communicate with the people. On each occasion, this experiment did not work. The regional parties spoke one language in New Delhi and another in Srinagar. The worst attempt to appease separatists thought was the 1954 decision on surreptitiously slipping Article 35A into the Constitution. It discriminated between two categories of Indian citizens and resulted in distancing Kashmir from the rest of the country. Meanwhile the Jamaat started a huge campaign to convert the liberal valley from Sufism to Wahhabism.

The historic blunders of special status under Article 370 and Article 35A had cost the country both politically and financially. Today, when history is being re-written, it has given a verdict that Dr. Syama Prasad Mookerjee's vision on Kashmir was the correct one and Panditji's dream solution has proved to be a failure.

Prime Minister Modi's Kashmir policy

In the last seven decades, different attempts to resolve the issue proved a disaster, Prime Minister Modi decided to follow an alternative approach. A few hundred separatist leaders and armed terrorists were holding State and country to ransom. The nation lost thousands of citizens and security personnel. Instead of spending on development, we were spending on security. The present decision makes it clear that just as the rule of law prevails in other parts of the country, it will equally prevail in the Kashmir valley. Security steps have been strengthened. Armed terrorists have been liquidated in large numbers. Their number has been reduced substantially. Security provided to separatists was withdrawn, the Income-tax Department and the NIA discovered the unlawful resources that these separatists and terrorists were getting. Between these two categories, only a few hundred people in the last ten months have suffered. But the remaining population of the Kashmir valley, after decades, has seen an era of peace. They were now the victims of terrorism since none other than Kashmiri Muslim lived in the valley. Many of them, out of fear, also shifted to the other states.

Enforcing law and order strictly and not sparing anyone who breached the law and make life safe for lakhs of Kashmiris and put pressure through all measures on the handful of separatists and terrorists. The last ten months have not seen any protest. Not even in Srinagar. The next logical step obviously is to re-examine the laws which created a separatist psyche. Total integration of the State with the country had to be done.

The argument given by the PDP and the National Conference leadership that if Article 370 or Article 35A are diluted, this will lead to Kashmir breaking away from India because it is the only conditional

link between the country and Kashmir. The argument is clearly flawed. The Instrument of Accession was signed in October, 1947. There were no Article 370 or Article 35A even mentioned once by anyone. Article 370 came into the Constitution in 1950. In the Constitution Assembly, the debate lasted less than ten minutes. Leaders of the Government abstained from the debate and N. Gopalaswamy Ayyangar tabled the provision with a solemn promise that this is a temporary arrangement. Only one other member spoke on the subject. This minority community member did not oppose Article 370. He demanded that it also be made applicable to the region from which he came. Today there is only one nation where every citizen is equal. Initially, Panditji did not allow even the Supreme Court and Election Commission's jurisdiction to extend to Jammu and Kashmir. Little did he realise that he was creating a sub nation. It is only after Sheikh Sahab was removed and imprisoned that these got jurisdiction over the State of Jammu and Kashmir. The decision to reverse the situation needed clarity, vision and determination. It also needed political courage. The Prime Minister has created history through his absolute clarity and determination.

The negative impact of Article 370 and Article 35A on citizens of Kashmir

Any citizen of India could go and settle in Kashmir, make investments and create jobs for development. Today, there are no industries, hardly any private sector hospital, no credible educational institution set up by the private sector. India's most beautiful State has not had investments from even the hotel chains. Consequently, there are no new jobs for the local people, no revenue for the State. This gave rise to frustration in all regions of the State. These constitutional provisions are not cast in stone. They had to be removed/ diluted through the due process of law. Article 35A was not even approved by the Parliament or State Assembly. It defied Article 368 which lays down the procedure for amending the Constitution. It was brought in through back door by an executive notification. It permits discrimination and makes it non-justiciable.

The role of the two regional parties

The leaders of the two regional parties speak in two voices. Their statements in New Delhi at times are re-assuring. But in Srinagar they speak a different language. Their stand is influenced by the separatist environment. It is a hard reality that both of them have lost support on the ground. Several national parties have allowed themselves to be misguided. An issue of national integration has been translated into an issue of secularism. The two have nothing in common.

The level of popular support to this move have compelled several opposition parties to support the move. They have sensed the ground reality and do not want to face the wrath of the people. Regrettably, the Congress Party legacy, which first created the problem and then added to it, fails to see reason. Just as Rahul Gandhi's support to the 'tukde-tudke' gang at the JNU was at variance with the sentiment of even the Congress workers, the same applies to this stand of the Government. Overwhelming majority of Congressmen support this Bill. Their private and public comments are in this direction but the National Party, as a 'headless chicken', is further consolidating its alienation from the people of India. The New India has changed. Only the Congress does not realise this. The Congress leadership is determined to succeed in its race to the bottom.