



RESEARCH PAPER

Indian Hyper-Nationalism: Impacts on Jammu and Kashmir

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ABSTRACT

A major feature that has come to characterise modern India is its hyper-nationalism, which has had a significant effect on Jammu and Kashmir. The purpose of this study is to draw attention to the BJP's extreme nationalism in relation to Jammu and Kashmir. Following its confidence-boosting victories in the 2009 and 2014 elections, the Bharti Janta Party formed a government in the centre and revoked Article 370 of the Indian Constitution, ending the Kashmir Valley's autonomous status. This was followed by an indefinite curfew in the valley. This study examined the constitutional measures that the Indian government has implemented to integrate Kashmir into the Indian Union. The ideology of hyper-nationalism has had a significant influence on a number of Kashmir-related issues. This study used both historical and descriptive research methods, supporting its conclusions with primary and secondary data.

KEYWORDS Article 370, BJP, Hyper Nationalism, Kashmir

Introduction

Nationalist movements have become more prevalent worldwide since the turn of the 19th century. The Treaty of Westphalia in 1648 established a new system known as the sovereign state. Following World War I, sovereign states supported a new wave of ideas known as the nation state, which was motivated by nationalist feelings. Another facet of nationalism was introduced with the end of World War I: extreme nationalism, which was exhibited by Hitler and Mussolini's Germany and Italy. The tenet of hypernationalism is "my nation will advance at the expense of other nations." Since the BJP came to power in the state of Gujarat in 2001 and has been ruling the country since 2014, its rise has been linked to a hyper-national agenda. First supporting the Ayodhya controversy in 1992, the BJP then sponsored the Gujrat riots in 2002. After the BJP won the 2014 elections, they revoked Article 370 of the Indian Constitution, ending the Kashmir Valley's autonomy (Yaseen, Muzaffar& Aslam, 2022).

The journey from sovereign state to modern nation state dates back to the American and French revolutions in the late nineteenth century. The decolonization of the world in the last half of the 18th century and the start of the 19th century increased the number of nation-states on the world map. American and French states assured the right to rule the state and the fundamental rights of the public under a written constitution (Feinsteina, 2010).

Literature Review

Nationalism shapes itself into religious, conservative, liberal, communist, fascist, cultural, political, protectionist, separatist, and integrationist modes as per the needs of the given community. The term nationalism reflects psychological, cultural, political,

and sociological phenomena in different times. The term lacks a uniform understanding for readers; however, Ernest Gellner defines it as a political idea, which helps to define the term more clearly. Nationalism as a political phenomenon does not necessarily mean the successionist movement in a state, number of times this may reflect the struggle of a group for their demands within the state as the cost of independence is too high to stay within the state (Moore, 2004).

There are three phases of nationalism in world history, starting in the 18th century with the fall of church and empire rule and the creation of the national church in the mediaeval period. The second phase started with the Vienna Congress of 1815–1914. The closing days of the second phase were marked by World War I; it was a high time for nationalist sentiments. The third phase began in 1914, and by the end of World War II, almost 140 nations had gained independence from their colonial masters or alien rulers. The fourth phase started with the end of World War II, when European states got their liberation from the feudal setup and Afro-Asian countries were against their colonial masters. Precisely, nationalism emerged as a challenge to the imperialist powers, which not only shakes the colonial setup of imperial powers but also divides society into further sections and introduces extremist trends into body politics (Khan, 1973).

Nationalism is a psychological concept, unlike the nation, and nationalism may exist even under the foreign rule or an alien rule. It's a social feeling under which people cooperate with others in a given society. Historically this feeling highlighted when a certain community undergoes political and economic deprivations or exploitations either by foreign or local rule.

The term nation is used for those nationalities who became politically free and governing all by themselves. Common destiny is the deriving factor of nation which is achieved through long shared history and inspiring common future. Birth of the nation is inspired by the common political, social or economic factors which motivates the people to live together (Khan, 1973).

Nation is somewhat different than ethnic groups as for nation some political goals and objectives are required whereas ethnic group if develops political aspiration only then become nation. David Miller has mentioned five attributes requires for nation these are common belief and commitment with it, shared history, residing in a particular territory, distinct culture, and active as a community for its goals (Moore, 2004).

People identified themselves as a nation if they are politically or economically alienated by authorities. Hence, they found commonalities like territory, religion, political views or race to be called as nation, this particular feeling of cooperation. Furthermore, nationalist struggle emerged, either against the state, for the state or by the state. Many a times nationalist struggles are culture base, as it attracts masses and give strength to the movement (Khan, 2005). A humble beginning of nation state takes the shape of hyper nationalism under German dictator Hitler and in Italy by Mussolini.

In case of India hyper nationalism is initiated by the state to establish the hegemony of majority group over minorities. Indicators of hyper nationalism in India are indicated through its policies like abolishment of article 370 and 35(A) which grant special status to Kashmir valley, Citizenship Amendment Bill (CAB), National Registration of Citizens (NCR).

History of the Rise of Nationalism in the State of Kashmir

Gulab Singh bought Kashmir from British and Jammu from Ranjit Singh, collectively titled Jammu and Kashmir one of the largest princely states out of six hundred states in India (Wolpert, 2010). The plan of 3rd June was to divide subcontinent into two states India and Pakistan furthermore this plan laid down future of princely states of subcontinent. Jammu and Kashmir is one of the 25 union state of Indian union. Princely state who needs to decide its future, Maharaja Hari Singh initially did not want to join either and want to continue their independent status. Tribal forces from Dir, Waziristan and Khyber agency advances towards occupied Kashmir in October 1947 to liberate it from Hari Singh, he sends Sheikh Abdullah to prime minister Nehru for help but India government refuse any assistance before signing instrument of accession. Hence, Maharaja signed the treaty of accession on 26th September 1947. Sheikh Abdullah a Ali Gurah graduate who stood against Dogra Raj was appointed as emergency administrator by Hari Singh on Nehru's request (Masood & Muzaffar, 2019).

Primarily Kashmir valley is an ideological check for both states, Indian wants to prove that it's a secular state by in-cooperating Muslim majority valley in its territory. Whereas Pakistan wants to establish its ideology that Islam is the base of creation of Pakistan.

India had accepted the report of UN commission for India and Pakistan for plebiscite in principle passed on 5 January 1949. Government of India instead of holding plebiscite under UN resolution introduce electoral process in the area (Racine, 2005) (Bajpai, 1994).

Ghandhi on his visit to Kashmir in 1947 and Nehru while addressing Indian parliament in 1950 reflect their commitment to hold referendum in Jammu and Kashmir to acquire the real will of people, however it was early year of occupation (Hilali, p. 2021).

Sheikh Abdullah formed the Muslim Conference in 1932 which was renamed as All India J&K National Conference in 1939. Sheikh was the face of political struggle against the Dogra Raj in the J&K. National Conference of Sheikh's secular ideology matched with all India National Congress secular ideology so Sheikh support affiliation of J&K with India over Pakistan. He was appointed as Chief Minister (CM) of J&K by Hari Singh in 1947. As a CM Sheikh met Nehru and Sardar Patel and agreed on Delhi agreement, agreement laid down the political future of Kashmir. State of Kashmir was given special status under article 370 of Indian constitution came into force in 1951. Hari Singh step down from his position and his son Yuvraj Karan Singh takes the charge of J&K, he admitted the application of Indian constitution (which was under initial stages) in J&K in 1949 which allowed state to practice internal sovereignty however external sovereignty (defense, communication and foreign policy) handled by Indian Union. State had its own constitution and flag as well. Yuvraj Singh announced the first constitution assembly of J&K and elections in September 1951. J&K and Delhi representative agreed on constitutional arrangement under Delhi declaration in 1952 approved by respective legislative assemblies in 1952. Kashmir got its first elected assembly in 1953 and government of India insists that it's a public represented body, no need of plebiscite in the presence of public elected body. In the year 1954 the constitution assembly of J&K approved its annexation to India. Indian President also issued 1954 order which carries article 370 and 35-A for J&K. First constitution came into force in 1957 and afterward elections were followed in the same year (Gupta, 2019).

However, the leader of the assembly Farooq Abdullah also presents his demand of plebiscite in front of Indian government hence jailed for almost a decade. In the year 1957 Kashmir assembly come up with its own constitution and once again declare

Jammu and Kashmir as an integral part of India (Wolpert, 2010, pp. 26-27). Government of India justify elections result a support of people of Kashmir to stay with them.

Two eras of Indira Gandhi (1966-77, 1980-84) proved a dark period in Kashmir history she sent troops in the valley who were armed with sophisticated conventional weapons. Roads were blocked at different points and all adequate hotels in Srinagar were captured by army for residence (Wolpert, 2010, pp. 26-27). Over the years National Conference of Abdullah performed well in elections of 1977 and later 1982 and won comfortable majority. There was a pre-election alliance between Congress and National Conference which lasted for almost a year. In 1987 Farooq Abdulla government was dismissed by Indira Gandhi on petty allegations. Governor of Kashmir was a Hindu named Jagmonhan successfully earned the loyalties of Abdullah supporters in the legislative Assembly of Kashmir henceforth reduced the powers of CM (Abdullah) later dismissed the provincial assembly and imposed emergency (Wolpert, 2010, pp. 26-27). Two years of emergency came to an end only after change in government in India later in the year 1987 Rajiv Gandhi made an alliance with Farooq Abdullah to gain support for congress in the area. Government of Jammu and Kashmir played in the hands of government back in Delhi. Local people in Jammu and Kashmir understand new Delhi control over their local matters and develop resentment against them. The results of Elections in Jammu and Kashmir are taken as managed one and this election engineering took place in the area only. Era of 1980 is also marked with the rise of communal sentiments Reshape the secular face of India mainly because politician attract public through communal difference. Moreover, election engineering in 1987 election raised the doubts of local educated youth represented by Yasin Malik and Shabir Shah who performed as poling agents in election (Ganguly, 2005).

Election alliance was taken as a coward step of Farooq Abdullah by the local youth. Abdul Ghani lone was young Muslim leader unable to win as police arrested his voter from polling stations in the 1987 elections. In the year 1989 home minister of Kashmiris daughter was kidnapped by JKLF (Jammu and Kashmir Liberation Front) and demands release off all of their prisoner (Wolpert, 2010, pp. 65-69). Rigging of 1989 elections change the political perspective of young generation who lost their faith in electoral process, they realize election results maneuverings can never enable them to install their real representative who act according to their wishes.

Article 370 and 35(A) of Indian Constitution

The first constitutional assembly of Kashmir passed an article 370 which award special status to Kashmir as an autonomous region in an Indian Union and this status cannot be reversed, furthermore, they can make their own constitution. External sovereign matters like foreign relations, finance, communication and defense will be looked after by the Indian government and all other internal sovereign matters will be dealt by the government of Jammu and Kashmir (Sameer P. Lalwani, 2020). In the year 1952 a document of citizenship named as an Article 35(A) was signed between PM Nehru of India and PM Jammu and Kashmir Sheikh Abdullah. This article was securing the population percentage of local people by disallowing property purchase in Kashmir other than local people. This article also makes it clear that if any Kashmiri women married outside the valley her property rights will be ceased. Act aimed to protect the demographic of the areas. However similar law is also applicable in state of Himachal Pradesh, Uttarakhand and Punjab (North) (Hilali, 2021). Indian constituent assembly was titled as legislative assembly as it finished its task of constitution making in 1952. Indian supreme court in its decision given in 2018 declared that article 370 in an integral part of constitution as constituent assembly dissolved in 1952. (Fitri Adi Setyorini, 2020). Article

35(A) was ratified by the president of India in 1954 and later it became part of Jammu and Kashmir in the 1956 constitution.

- Legislative assembly of Indian Occupied Kashmir (IOK) has right to make laws on all matters except those surrendered in favor of Indian government, moreover had its own flag. This makes Indian union orders invalid over J&K.
- Under article of permanent resident laws, approved in May 14th, 1954 local people enjoy special property rights under article 35(A) and 370. Non-permanent resident and women married outside IOK were debarred property rights (Bhardwaj, October 2019). Double citizenship laws were adopted in J&K and, If local women marries non Kashmiri person she will lost their J&K citizenship. Indian citizen from other states requires passport or special permission to enter into J&K (Farooq, 2020)

State of J&K added into Indian Union under special circumstances hence required special arrangements. As per practice J&K constitution regarding article 370 cannot be amended and center cannot amend article 370 without the prior approval of J&K constituent assembly which was ceased in 1957. The only way to deal with article 370 is to amend the Indian constitution. However, government of Indian issue various presidential orders to delimit the spirit of article 370 (Bhat, 2019).

Article 370 was further modified under the presidential order 1950 with title of constitution order, it elaborates the Indian union jurisdiction over J&K. this order explains the Subjects come under union parliament legislation (mainly already mentioned in the instrument of accession with some addition.

Delhi Agreement 1952

was another understanding over article 370 it states that

- under Delhi agreement the sovereignty area of union was as given in instrument of accession whereas all other matters come under the jurisdiction of the state. Unlike the other states of Indian union residuary powers rest within J&K.
- Govt. of India agreed that J&K was allowed to had its own flag besides union flag.
- Supreme Court of India was taken as board of judicial advisor by the state of J&K and court has an appellate jurisdiction for time being.
- Regarding citizenship matter it was agreed that those locals who bear domicile of J&K are also taken as citizen of India however, J&K assembly has right to legislate laws related with the special rights and privileges of state subjects. (Tariq Ahmad Rather, 2020).
- Other matters discussed in Delhi agreement deals with the residuary power that can be transferred to Indian Union parliament after state assembly approval.
- Uniform citizenship in J&K like other states of Indian union

The presidential order of 1950 and 1954 empower Union parliament to make laws that comes under union list and president to apply union constitution provisions to J&K in concurrence of state government. The drafter of agreement deliberately adds words

of concurrence and consultation to empower union over J&K. Furthermore, article 352 in Indian constitution empower president of India to announce emergency under special circumstances like war or external interference

Major changes were brought into J&K status when J&K constitution was amended in 1965 which replace the title of Sardar-i-Riyasat and prime minister with governor and chief minister. Previously Sarad-i- Riyasat was elected by the total majority of elected members of J&K legislative assembly and was permanent resident of state and, 25 years of age. Title of maharaja was ended in 1952 and new title sardar Riyasat was introduced. New qualification of governor that he is citizen of India and fulfill the criteria laid down for the governor of the Indian union. Now anyone can become governor of state.

Kashmir Accord 1975

Kashmir Accord of 1975 further reduced the powers of J&K assembly and strength the hands of the Indian Union, it re-ensure authority of Indian Union and mention that Kashmir shall continue to be governed under article 370. Under the accord Indian parliament has given the power to legislate and deal with matters with effects the unity of the Union like secessions from the Indian Union, disrupting union sovereignty by any means or insult to Indian flag, anthem and constitution. Any provision of Indian constitution will be applied to J&K after adaption and modification but that practice also reversed and constitutional provision applied as its approved under presidential order article 370.

Forty-two presidential orders have been passed related to Article 370 since 1950, 1952, 1954, 1965, 1975 till 1986 which changes the nature of original article except one. Originally article 370 cannot be amended without constituent assembly of J&K approval which ceased in 1952. Second option in amendment was Indian constitution which can be presented for judicial review. Emergency cannot to imposed in internal disorder and financial grounds it can only applicable under external aggression and war. (Hoskote, 2017). Changes incorporated in the article 370 not only limited the power of J&K assembly but on the other hand it extended the powers of Indian parliament over the state. Presidential orders deal with all India services, judicial regulation under Indian constitution, imposition of emergency and central bureau of investigation practically put J&K state under union control. Indian union opted double standard while dealing with J&K state as for the Indian Punjab constitutional amendment were made whereas for state of J&K merely presidential orders were passed and imposed (Rather, 2020).

Kashmir Under the Rule Of Bharti Janta Party

BJP showed its commitment since it formed its government in center in 2014 to end the special status of J&K and bring it in under Indian Union like other states. Returning into power in 2018 BJP introduce presidential order ending the article 370 a basic agreement between J&K and Indian Union. Narendra Modi the prime minister of India showed his commitment to absorb J&K into Indian Union which integrates state of India as a country. Narinder Modi promotes nationalist policies and intended to create one nation agenda (Masood, Sultana& Muzaffar, 2020; Hilali, 2021).

BJP was in alliance with people's democratic party of J&K government but it withdrew its support in 2018 resulted in resignation of CM Mehbooba Mufti. In June 2018 governor rule was imposed by governor of J&K. In November governor suspended the state legislative assembly under charges of horse trading in the elections. In the

month of December on the report of governor of J&K president of India imposed president rule in J&K for six months in July 2019 it was extended for further six months. In August president of India issued constitution order and suspend article 370 and absorb J&K under the Indian Union (Gupta, 2019).

In the year 2018 BJP government brings in number of changes through presidential orders in the constitution to further change the nature of article 370. The president of India replaces the phrase of constituent assembly of state into state legislative assembly in article 370. At that time Jammu and Kashmir state legislative assembly was suspended hence governor was authorize for all decisions. In 2019 elections BJP once again returns to power in the center and this time they fulfill their long commitment and abrogate article 370 hence, ending special status of Jammu and Kashmir. In the August 2019 presidential order and reorganization Bill was floored on Rajya Sabha got approved with 67% votes from upper house and Lok Sabha approved the bill with 86% of votes. Bill got the support by BJP and its allies parties (Aam Aadmi Part, Biju Janata Dal, Bahujan Samaj Party) (Fitri Adi Setyorini, 2020). BJP top leadership welcome this action of government which in-fact was the strong demand of BJP right wing faction. However, Indian national congress, Left Front, Peoples Democratic Party, National Conference oppose the decision. Amit Shah and others with same views welcome this decision and stated Nehru historic wrong is made right by BJP. On account of abrogation Kashmiri political and civic leadership started protesting, however, Indian government increase number of soldiers in the area as well as political leadership was either house arrested or put behind bars. Curfew was imposed in the area for no definite time period. Communication means were cut down and Jammu and Kashmir practically became no go area (Hilali, 2021). Kashmir valley is already a high military zoom with the abolishment of article 370(A) BJP government deploy 50000 more troops in the area to manage the reaction of people after Indian Union action (Muhammad Sabil Farooq, 2022).

Reaction of Kashmiri Leadership and International Community on Abrogation of Article 370

Earlier, Mehbooba Mufti the daughter of late Mufti Mohammad Sayeed replied on the comment about the possibility of abrogation of article 370 by Indian government she said it's the foundation of India and Jammu and Kashmir relation how it can be dissolved in case it will it raise the revolt against the government back in Delhi. Instrument Of Accession based on Article 370 abrogating means violating the core agreement (Hoskote, 2017) (Rather, 2020).

Government of Indian before abrogation of article 370 arrest former chief ministers of J&K including Omar Abdullah, Farooq Abdullah and Mehbooba Mufti under the provision of public safety act. These Kashmiri leaders were once face of Indian secular democracy. After the dismissal of article Farooq Abdullah issued a statement to NDTV news channel that he had never seen such India (Rather, 2020).

International community response on issue was mix. In the United States of America congress passed two resolution one talks about human rights violations and other on communication blockade and detention of local people at massive level from November to December 2019. In the year 2020 US foreign affair committee issued a letter showing concern over situation in Kashmir.

European union foreign minister Federica Mogherini in his meeting with Indian external affair minister Jaishankar stressed on India and Pakistan to hold dialogue on the

issue and seek joint solution of the problem, furthermore ask govt of India to restore human liberties by ending restriction in the valley. Twenty-seven EU, MEPs most from the right wing visited Kashmir valley over the invitation of government of India and showed their satisfaction about security situation of valley however, there views do not count as they already support government decision of abrogation. Another visit of 15 foreign envoys of fact-finding mission held in January 2020 including US ambassador to India Mr. Kenneth visited the valley. In 2020 resolution was moved in EU assembly condemns Modi government actions under citizenship amendment act in J&K. EU gives time to Indian government to take action to normalize situation, later a 25 foreign diplomats and MEPs from EU visited Kashmir in February 2020 and report back positively, that government of India takes positive measures to normalize the situation.

UN high commissioner Michelle Bachelet for human rights reported in September 2020 about growing concern over security and restriction on media in Kashmir valley. Report was not significant because it generally talks about human rights condition in India and Pakistan. Australia and Germany showed their faith in Indian democracy and wished that this issue was addressed in an appropriate manner under democratic government of Narendra Modi (Sodhi, 2021).

Human Rights Situation in J&K Before And after Imposition of Article 370

Human rights violation has been recorded over the years in occupied Kashmir. To control people of Kashmir the Indian government specially passed various act like Armed Forces Special Power Act (AFSPA) of 1990 and Public Safety Act (PSA) only for this area under which civilians are trailed. To carry out special acts almost 700000 military and paramilitary forces are deployed in the valley like Indian Police, Central Police Force, Border Security Forces(BSF) and men from Indian army. Protracted conflict in Kashmir started from 1989 coupled with sporadic violent incidence which hits the infrastructure of valley. In the era 1990s government of India announced shoot at sight orders as a counterinsurgency, resultantly hundreds of locals in J&K lost their lives. There were faction of politician like Jagmoham(1990)who supported gunshot over dialogue hence there was support of such violent act within the system (Wolpert, 2010, pp. 26-27). After 1989 human rights violations were quite high as given below

Table 1
Human Rights Violations in Kashmir 1989

Killing	Injured	Pellet injuries	Disabled	Disappeared
115000	11000	1800	5000	10,000

Source (Hilali, 2021)

Indiscriminate killing of young people filled their hearts with hatred for Indian authorities. One such example of youth icon Burhan Wani a freedom fighter who joined the league of fighter after killing of his innocent brother. Burhan Wani assassination in 2016 light up a new wave of independence in the occupied area (Hilali, 2021).

In 2008 again violence erupts in Kashmir when congress led provincial government allocated 99 acers of land in Kashmir to build Amarnath shrine in Amarnath. This protest only comes to an end once the government take back its decision. In the election of 2009 congress formed its government in center and Manmohan Singh take Abdullah in his cabinet as minister of renewable energy and his son Omer Abdullah as cm of Srinagar to portray a harmonious relation between center and valley. (Wolpert, 2010, p. 92).

In the continuation of snubbing voices raised from Kashmir valley government of India suspended internet facilities 54 times from 1 January to 4 August 2019 also with suspended land line connection of communication. Government of India observed criminal procedure act under section 144 in valley since August moreover, routine life of citizens suspended in the valley. Supreme Court of India in January 2020 asked the government to publish all the orders which were observed under criminal code sections afterwards only few restrictions were lifted specially freedom of movement. However, gathering of four and more people was restricted. India is the member of UDHR (universal declaration of human rights) and had to adhere its obligation to provide rights and liberties in the areas under its jurisdiction.

From general public to political leadership Indian government ensure no voice against its action can be voiced so the three main stream political leaders Mehbooba Mufti, Umer Abdullah, and Farooq Abdullah were detained without giving justification of detention. Along with this nearly 4000 people from all walks of life including students, artist, journalist lawyers, businessmen, activist was illegally detained. This action was violation of UDHR and international covenant on civil and political rights article 9. In 2018 Supreme Court of India rejects the option of abrogation of this article from the Indian constitution

Juvenile committee of high court in Jammu and Kashmir received a petition which reflects that 144 minor were arrested since August 5, 2019. Field studies claim the number was bigger than mentioned in the petition, boys age range from 14 to 15 years were also tortured which was the violation of convention on the right of child 1990 article 37, India ratified the convention on December 1992. Judiciary in Jammu and Kashmir showed delay in hearing cases, as cases were not filed by the police department hence people were not able to file a case in judiciary. Cases filed under habeas corpus act was 412 by 5 August 2019 (Khan, 2021).

Asian watch reported in 2020 reflects that torture, rape, illegal detention are regular weapons in the hands of army to control civilians. Amnesty International in its 2020 report highlights mass grave yard issue in occupied Kashmir but Indian government was not interested in its investigation. (Wolpert, 2010, pp. 26-27).

An analysis of locals' opinions regarding the repeal of Article 370

People in Jammu and Kashmir, particularly the youth, have suffered mentally from the prolonged strife in Kashmir for the past 70 years. The article's abrogation further erodes their faith in the Indian Union. In an article by Bilal Ahmad (2019), reflects the results of survey conducted from the students of various universities in Jammu and Kashmir reflects results that youth had no faith in their Kashmiri politicians, 53.3 percent of them believe that its politician who were responsible for Kashmir present situation. Survey shows that 37% of youth rejects the idea that Indian supreme court can do anything with parliament decision of abrogation. Majority responded reported that the cause of Kashmir conflict in their view was torture which was faced by their relatives. Security of life of the people in Kashmir was another threat in the hearts of the local people. Response of 387 students in a survey reflects that Kashmiri people health (physical and mental) effected due to the prolong armed conflict in the area. Youth believes that abrogation of article 370 intensify the conflict resulted in further instability in the area (Bhat, 2019).

Conclusion

The Indian government has been gradually diminishing Jammu and Kashmir's unique status since the 1950-1986 and the abrogation of Article 370 was the last nail in the coffin. In 2019, the special status of Kashmir was dissolved. The Indian Union Government, based in Delhi, has always had the upper hand in local leadership. Election-related manipulation and the establishment of a government in Kashmir backed by the Delhi community caused many in Jammu and Kashmir to lose faith in the democratic process. The legitimacy of Indian Union authority in Kashmir is also called into doubt by the state of human rights and the state of law and order there.

- The India Union Constitution states that India is a secular and democratic state. However, modern democracies focus on granting citizens greater freedoms and rights, not on traditional democracy. The Indian government has taken immediate action to put an end to the violations of human rights in Kashmir.
- Since 1948, the Indian government has maintained considerable military and paramilitary presence in Kashmir to maintain control over the situation. Apart from the Indian government's claims, Kashmir had not been experiencing any good news. The local population may become less fearful if there are less armed personnel around.
- The Indian government has to start including the authentic Kashmiri representative's voice in the region's decision-making process. A citizenship act in accordance with the Indian Union's initial commitment and the reinstatement of Kashmir's special autonomy status might both improve the region's circumstances.
- Keeping the Kashmiri people out of the resolution process will not help to allow a resolution of the dispute, as they are the main party involved.
- It is imperative that the international community pay attention to this ongoing dispute and find a solution. If this problem is not resolved, there will be a lot of conflict and violence in this area.

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