Prime Minister Modi Speaks to the Heads of the Leading Parties in the Jammu and Kashmir Territories

In Delhi, on June 24 this year, the Indian Prime Minister Narendra Modi met the heads of the main political parties in the Jammu and Kashmir territories - a meeting which might at first glance appear to be of purely domestic significance, and therefore a strange choice of subject for a journal specializing in international relations. But, in this case, appearances are deceptive. Both in terms of the big picture, and as far as specifics are concerned.

As for the big picture, the borders which many countries have lived with since they were established in the 17th century (in the Peace of Westphalia) and which have traditionally been divided into internal and external borders, are now looking increasingly porous. Diplomats may call on other countries to “stop interfering” in domestic issues until they are blue in the face, but nevertheless such intervention has always been a fact of political life, and in recent years has become increasing common. And it is made much easier by new global communications technologies.

In terms of “specifics”, it should be emphasized that the author is talking about a very important aspect of internal politics in a country with a population of 1.3 billion, the fifth largest economy in the world and already numbered among the select group of major geopolitical powers.

The second “specific”, just as important, concerns, as always, the Kashmir Question - an issue which has very serious foreign policy implications, and which, in terms of its significance and the potential threat it poses in the current stage of the new Great Game, is as important as the Taiwan and Korean “Questions”.
In fact, it is hard to say with certainty whether the “Kashmir Question” was simply a (very clearly defined) background issue in the Delhi meeting, or whether it played a central role. To an onlooker the talks looked very much like a serious “family” dispute between the benevolent paterfamilias and a group of relatives.

The key members of that “group of relatives” were the (former) chief ministers of the (former) state of Jammu and Kashmir, Farook Abdullah and his son Omar, the last in a dynasty of statesmen who have played key roles in Kashmir’s destiny over the last century. In the 1950s Sheikh Mohammad Abdullah (Omar’s grandfather) was successful in reaching a compromise in negotiations with the Indian Prime Minister Jawaharlal Nehru on the inclusion in the Indian state of those parts (approximately 60%) of the former principality of Kashmir which were under Indian army control at the end of the 1947-48 war with Pakistan.

In 1957 this compromise was enshrined in Article 370, a new clause in India’s constitution (enacted eight years previously), recognizing the de facto autonomy (except in matters of defense and foreign policy) of the new Indian state of Jammu and Kashmir. Significantly, this new administrative entity differed from the rest of the country in that it had a predominantly (about 70%) Moslem population. This last circumstance was the reason why the new state was given a special status when it acceded to the Republic of India.

The Kashmir Question has important implications for foreign policy, as the 40% of the former principality that is not controlled by India is split between the Islamic Republic of Pakistan (two thirds) and the People’s Republic of China (one third). None of these three countries - especially not India and Pakistan - accept the others’ right to control part of Kashmiri territory.

That explains why, for a length of some 750 km, the dividing line between the latter two countries is referred to as a Line of Actual Control (LoAC), and does not constitute an internationally recognized boundary. Over the last ten years the regions on either side of the LoAC have regularly been the scene of armed confrontations, some small, and some much larger in scale. And it is important to bear in mind that both India and Pakistan are de facto nuclear powers. As are the USA and China, the “big brothers” standing behind the two countries.

In Autumn 2019 the relations between India and Pakistan, never good, deteriorated to what can only be described as a crisis. The reason was a new law cancelling the special status of the state of Jammu and Kashmir, passed by India on August 5 that year. The law downgraded the two self-governing administrative entities to “union territories”.

The day before the (highly unpopular) law repealing Article 370 of the Constitution was passed, additional security forces were posted to the Vale of Kashmir and the local inhabitant’s civil liberties were dramatically curtailed. That same day, the 82-year old Farook Abdullah and his son were detained, and only released 8 months later.

Ever since then, the situation in the territories of Jammu and Kashmir has been a matter of international concern, not only for human rights campaigners, but also, to a lesser or greater extent (and frequently as a result of pressure) for India’s allies.

It should be noted that the increase in tensions in the region has coincided with (and may actually be one of the factors behind) a deterioration in India’s relations with Pakistan, and with the latter’s ally, China. And, since spring 2020, relations between India and China have been of particular concern. However, a year on there are signs of an improvement (largely, it seems, thanks to Moscow’s involvement). One important milestone in this positive trend was the signing of a ceasefire agreement along the LoAC on February 24 this year.

However it looks as if the same Article 370 of the Constitution may present an obstacle to further progress - at the beginning of April Pakistan insisted on the Article’s reinstatement as a key condition of any agreement between the two countries. A month after that, Shah Mahmood Qureshi, the Pakistani Foreign Minister not only reiterated that demand, he also repeated his country’s position on the issue: “Nothing about Jammu and Kashmir can be India’s internal matter.”

India’s government is therefore in a difficult position, which is made worse by significant internal political opposition to the step taken by the country’s Parliament’s decision two years ago. It should be noted that there has always been a lot of unrest in Jammu and Kashmir, but now the situation is being complicated by India’s internal political conflicts, among many other factors.

The central government has been accused of failing to take effective (or, indeed any) measures to prevent the catastrophic escalation of the coronavirus pandemic in the country. That situation has resulted in calls for a redistribution of powers from the central government to regional governments. The results of the recent elections to the West Bengal Legislative Assembly and the conduct of the local government, headed by the popular Mamata
Banerjee, in its relations with Delhi, have posed a direct challenge to both the central government and to the country’s constitutionally enshrined federal system.

And India still has to find a solution to another of its most challenging problems - the protests by farmers against the reforms to the agricultural sector initiated by the central government. The first anniversary of the beginning of the protests was marked with a march organized by local farmers, which turned into a confrontation with police. Not everyone agrees on the importance of ceding power to local governments or on the “farmers’ rights and agricultural reform” issue.

That is a brief summary of the issues forming a background to the meeting between Narendra Modi and representatives of the main political parties in Jammu and Kashmir. The goal of the talks seems to have been to conduct a general review of the current situation in that key region and to decide on measures to prevent it from escalating.

It is unlikely that the meeting’s agenda was fixed in advance - instead it may be assumed that each participant set out their own position. These positions have long been a matter of public knowledge, and are, broadly speaking, mutually incompatible. For example, the day before the meeting Farook Abdullah stated that he was insisting on the reinstatement of Article 370.

As far as that demand is concerned, the present author’s personal opinion - as stated immediately after the decision on August 5, 2019 - is that the repeal of that article is counterproductive for India. The repeal did not bring any actual benefits other than creating an appearance of unity and simplifying administration in the country.

And, as you know, “simplicity” very often turns out to be quite different from what we expect. That certainly holds true for the present case. Both domestically and in foreign relations, things have been very different since the repeal of Article 370. According to the Indian Express the talks may have been motivated by foreign policy considerations.

This view suggests that, in relation to the future of relations between India, Pakistan and China, a certain cautious optimism may be justified.

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