[**Kashmir politics**](https://www.dawn.com/news/1680741/kashmir-politics)

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KASHMIR faces a grave existential crisis at the moment. The abrogation of Article 370 of the constitution of India, designed supposedly as a guarantee of Kashmir’s autonomy, had been reduced to a shell ever since its prime minister. Sheikh Mohammed Abdullah was dismissed in 1953 from office and put in jail for 11 years. Kashmir’s pledged autonomy was destroyed. A mere joint secretary in the union home ministry could govern Kashmir.

More than 60 years later, on Aug 5, 2019, Narendra Modi’s BJP government carried through a constitutional tsunami. Article 370 of the Indian constitution was abrogated by an executive order of the president. Secondly, Kashmir’s autonomous status was changed to that of a “union territory” to be ruled directly from New Delhi along with Jammu. Its identity was gone. Kashmir’s constitution was framed from 1951-1956 by a constituent assembly elected by its people. India’s parliament had no right, power or jurisdiction to repeal it and replace it with a central act.

India’s home minister, Amit Shah, has repeatedly promised to reverse matters but after a fresh poll. Thereby hangs a tale. A delimitation commission was also appointed to revise the boundaries of constituencies which elect the legislative assembly. It will reduce Kashmir’s Muslim majority to enable Jammu to nominate a Hindu chief minister. No wonder Kashmir is in turmoil today.

The abolition of Article 370 of the constitution of India was the Sangh Parivar’s objective ever since 1951, when the RSS floated a political front, the Bharatiya Jan Sangh. Enacted as a pact between the prime minister of India Jawaharlal Nehru and the prime minister of Kashmir Sheikh Mohammed Abdullah in 1949, Article 370 was designed to give Kashmir a guarantee of autonomy. Similar provisions were enacted decades later when New Delhi reached settlements with rebels in Nagaland, Mizoram and other states in the northeast of India. The point is that scrapping those provisions is a breach of faith.

What we see in Kashmir is the outcome of the steps taken decades ago.

In 1952, Nehru forced Sheikh Abdullah to yield more powers to New Delhi. Sheikh Sahib relented but the episode left considerable rancour on both sides. Sheikh Abdullah suspected rightly that the Delhi accord of 1952 was a step towards the rejection of the plebiscite that Nehru had solemnly and repeatedly promised to the people of Kashmir, to Pakistan and, indeed, as Nehru wrote to the prime minister of Pakistan Liaquat Ali Khan in November 1947 — “to the world”.

As Milton wrote: “Ease would recant vows made in pain, as violent and void.” In a memorandum for Sheikh Sahib which Nehru wrote on Aug 25, 1952, at Sonmarg in Kashmir, the Indian leader formally asked Sheikh Sahib to abandon all thought of plebiscite and autonomy for Kashmir. Sheikh Sahib was alarmed. He took counsel with some of his colleagues including Ghulam Mohammed Bakshi, Syed Mir Qasim and G.M. Sadiq. Unknown to Sheikh Abdullah, they were already in New Delhi’s pocket.

Sheikh Sahib set up a committee comprising those men as well as loyalists such as Mirza Afzal Beg. He fully confided in Nehru about this committee. Bakshi and G.M. Sadiq professed to support plebiscite — dishonestly.

On Aug 8, 1953, on Pandit Nehru’s written instructions, Sheikh Sahib, Afzal Beg and others were arrested and jailed for 11 years under a false charge of conspiring with Pakistan. In November 1963, Nehru admitted to parliament that Article 370 had been “eroded” as if it was an element of nature which time and the ravages of climate could erode.

Nehru died in 1964. His successor was, if anything, even less liberal than he had been. What we are witnessing in Kashmir at the moment is the logical outcome of the steps taken in those days.

Modi’s tool is a delimitation commission headed by a retired judge of the Bombay High Court. The existence of the commission cannot be challenged. But its report and proposals can be overturned by the supreme court or the high courts. In 1962, the US supreme court carried through a political revolution by ordering that long under-represented urban and suburban areas be given their proper weight in the state legislatures. It is not a ‘political question’ exempt from judicial review.

Two years later, the chief justice, Earl Warren, carried the process further and delivered the famous quotes on the weightage to rural areas: “Legislators represent people, not trees, or acres. Legislators are elected by voters, not farms or cities or economic interests. …To the extent that a citizen’s right to vote is debased, he is that much less a citizen. The fact that an individual lives here or there is not a legitimate reason for overweighting or diluting the efficacy of his vote.”

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