



Political self-determination for Kashmir

Posted on June 24, 2025 by Sushovan Dhar

The recent Indo-Pakistani armed conflict, accompanied by bellicose rhetoric and jingoism between the nuclear-armed neighbours, has heightened tensions in the South Asian region. Ultimately, US President Donald Trump reportedly brokered a ceasefire. Among the most affected by this conflict are the people of Kashmir, who find themselves ensnared in this geopolitical rivalry, living in a security state with little hope for the future.

The Kashmir dispute

Kashmir is a long-standing occupied territory, with both countries asserting absolute rights over it, yet neither fully controls the entire region. It serves as a significant flashpoint in South Asia, having led India and Pakistan to engage in warfare on two

occasions. The demand for autonomy and independence has endured since India's independence and the subsequent partition. Moreover, Kashmir has experienced an armed insurgency over the past forty years and remains one of the most militarised zones in the world.

The Kashmir Valley, along with the Jammu and Ladakh regions of the former princely state, is predominantly under Indian control, while Pakistan governs a portion of the valley and the Gilgit-Baltistan area. Additionally, India is involved in territorial disputes with China over Aksai Chin, which was previously part of the British Indian Empire. Following the partition of India, the princely state had the choice to join either India or Pakistan or to remain independent. However, the Maharaja of Kashmir ultimately chose to accede to the Indian Union in 1948, under particular circumstances. Initially, he favoured independence but agreed to join India with the stipulation that the state would retain autonomy in all matters except defence, currency, and foreign affairs.

In 1948, the Kashmir conflict between newly independent nations led to UN intervention and a resolution calling for a plebiscite to determine the territory's final status. However, India refused to conduct the plebiscite. The 1972 Shimla Accord between India and Pakistan significantly undermined the case for Kashmir's independence, as both parties committed to upholding the 1948 ceasefire line and resolving differences peacefully through negotiation. Even though the agreement left the 'final settlement' of the Kashmir question unresolved, it is still a benchmark for all bilateral discussions on the issue.

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Autonomy of Kashmir

Sheikh Abdullah, a prominent leader of Kashmir's anti-monarchical movement,

advocated for the region's integration into a secular and democratic India, contingent upon the respect for its autonomy. His efforts culminated in the inclusion of Kashmir's special status in the Indian Constitution through Article 370 in 1952. The central government granted the Jammu and Kashmir constitutional assembly the authority to determine additional subjects. Article 35A safeguarded Kashmir's right to define its permanent residents and imposed restrictions on land ownership for outsiders within the state.

Between 1955 and 1977, the Congress government in India diluted Article 370 through more than 25 presidential orders. Since 1948, the government has suppressed dissent, which resulted in greater popular support for Kashmiri discontent by 1986. The government's continued suppression of dissent further eliminated democratic space. Consequently, Kashmiri youth turned to militant insurgency, crossing into Pakistan for arms and training. There emerged a division among major militant organisations, with some advocating independence for Kashmir and others supporting accession to Pakistan. In the late 1980s, these groups targeted pro-India Kashmiri politicians and Hindu families, contributing to a gradual exodus of Hindus from the valley. Following the 1989 general elections, the Jammu and Kashmir Liberation Front and other militant groups escalated their attacks, prompting a significant crackdown by the state.

There are nearly 650,000 armed soldiers in the valley, making it one of the most militarised areas in the world in terms of population. In addition, the Armed Forces Special Powers Act (AFSPA) has been in force for the last two decades without a break. More than anything else, it has facilitated violations of human rights on account of several of its draconian provisions. Although it was originally intended to be in effect for a limited period, the Armed Forces Special Powers Act (AFSPA) has now become a permanent feature.

Abrogation of Article 370

On 5 August 2019, the Indian government announced the abrogation of Article 370 and the repeal of Article 35A, effectively revoking Jammu and Kashmir's autonomy under the Indian constitution. Furthermore, the government dissolved the statehood of Jammu and Kashmir, dividing it into two union territories that would be administered directly by the central government. This decision, which alters the status of a contested region in South Asia, and the unilateral manner in which it was executed, reflect the rise of assertive Hindu nationalism in India. It also signifies a significant departure from India's previous carrot-and-stick approach towards Kashmir.

The primary motivation behind the BJP government's overt political and military occupation, supported by the Sangh Parivar, arose from a deep-seated animosity towards Muslims, particularly as Jammu and Kashmir was the only Muslim-majority state in India. The Sangh Parivar aimed to humiliate the Kashmiris, and the abrogation of Article 370 serves as a stark manifestation of this intent. Moreover, the Indian government has deployed an additional 35,000 troops on top of the already significant force of over 650,000 armed personnel. It has also imposed house arrests on leaders of mainstream Kashmiri parties, enacted curfews, and enforced a sweeping communications blackout across the entire valley. These constitutional violations of the rights of Kashmiris are critical steps in furthering the agenda of establishing a Hindu Rashtra.

Since assuming power in 2014, the BJP government, under Modi's leadership, has actively propagated Islamophobia within the country and intensified hostility towards Pakistan. This has effectively dismantled previous efforts to ease tensions along the border. Through its actions in Kashmir, India has also conveyed geopolitical messages to Pakistan, the United States, and the broader international community. It asserts that there is no longer a "regional dispute" requiring bilateral resolution with Pakistan and that it should not feature in any UN or international discussions, all while neglecting humanitarian concerns. Successive central

governments, in collaboration with the administrations of Jammu and Kashmir, have systematically eroded the provisions of autonomy. This, combined with the extensive militarisation of the region, has rendered the autonomy that Kashmir once enjoyed largely symbolic, although it was significant.

The situation is not only humiliating for the people of the valley, who have fought for either outright independence or greater autonomy within the Indian union, but it has also resulted in Kashmiris being effectively reduced to a status of second-class citizenship. The BJP, despite its ideological stance, would not have been able to revoke Article 370 had previous Congress governments not diminished its significance, rendering it almost redundant. The BJP has overtly exploited the covert actions of earlier regimes to its advantage. The abrogation of Article 370 has nullified the accession and serves as an official recognition that India operates as an occupying force in Jammu and Kashmir.

The Indian government asserts that the revocation of Kashmir's special status is intended to integrate Kashmiris into the Indian mainstream and provide them with the same rights as other Indians. However, the government's actions, as well as the surreptitious manner in which this decision was reached, contradict this assertion. There was no consultation with the people of Kashmir, and the government employed the guise of a terrorist threat to impose a stringent lockdown on the region. The government also employed subterfuge and disinformation tactics against the rest of India. The government rationalised this lockdown by using rumours about imminent terrorist attacks and the recovery of weapons along the border with Pakistan. The home minister's abrupt announcement of the government's decision to revoke Kashmir's autonomy left no opportunity for discussion in the Indian Parliament.

According to the Indian Constitution, any constitutional modification must receive the approval of two-thirds of the members in both houses of Parliament. Despite

possessing the necessary numbers, the BJP opted not to pursue this route, instead leveraging its retrospective majority to implement its majoritarian agenda. Furthermore, the Constitution includes a clause that prohibits amending Article 370 without the consent of the Kashmir Constituent Assembly. Following the assembly's dissolution in 1956, the government argued that the legislative assembly of Kashmir could fulfil this role. However, the collapse of the coalition government in November 2018 led to the suspension of the legislative assembly, necessitating approval from the centrally appointed governor of Kashmir. Replacing the functions of a legally elected legislative body with a centrally appointed figure is, at most, a legal ploy. The ease and quickness with which the government amended a fundamental constitutional promise raises questions about India's position as a constitutional democracy, eroding the constitutional protections provided to its citizens.

Read more about the Jammu massacre of 1947 : [Jammu Muslim Massacre - History Of An Overlooked Genocide](#) by Sankha Subhra Biswas

Solidarity with Kashmir

The Modi government has managed to generate a sense of euphoria across the country in celebration of its unconstitutional and, above all, unprincipled actions. This situation illustrates the deep-rooted influence of muscular Hindu nationalism within the very fabric of the nation's society. Furthermore, it highlights a failure on the part of the Congress party and other opposition groups, including the mainstream Left. These opposition parties have not succeeded in establishing any substantial resistance against the anti-secular and anti-democratic measures propagated by the Sangh Parivar, which are presented as initiatives to foster a strong India. This way of thinking has become substantially hegemonic, necessitating a long-term fight by a new intransigent Left.

The democratic, progressive, and secular citizens of India must recognise the

dangers posed by the Hindutva project and actively oppose it. They should stand united with the people of Kashmir. Justice and respect for the Kashmiri people necessitate the immediate demilitarisation of the valley, along with their right to express legitimate grievances and to protest democratically in whatever manner they choose. We must resolutely challenge this exclusivist, culturally racist, and militaristic nationalism. Ultimately, we must reaffirm the right to full political self-determination for the oppressed people of Kashmir.

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