

# South Asia Analysis Group

Published on *South Asia Analysis Group* (<http://www.southasiaanalysis.org>)

[Home](#) > Kashmir As "Disputed Territory" Bogey Fades into History- 2019

---

## Kashmir As "Disputed Territory" Bogey Fades into History- 2019

Submitted by asiaadmin2 on Tue, 09/03/2019 - 10:02

**Paper No. 6487**

**Dated 3-Sep-2019**

By Dr Subhash Kapila

Kashmir as 'Disputed Territory' bogey nauseatingly maintained by Pakistan ever since 1947 and permissively perpetuated by past Indian Governments due to political timidity faded into history on August 05 2019 when PM Narendra Modi BJP Government steered through Indian Parliament by overwhelming majority for abrogation of Article 370 and bifurcation of State into two Union Territories.

In 2019, it must be understood that in terms of Indian perspectives, 'Kashmir as Disputed Territory' is neither a territorial dispute as Pakistan claims nor a legacy issue of the now redundant theory of 'Two Nation Theory' based on Hindu-Muslim divide. In Indian perspectives Kashmir as a territorial dispute gets limited to the vacation of illegal control of Pakistan Occupied Kashmir.

Kashmir today in Indian perspectives and India's strategic calculus is an out and out "National Security Challenge" and abrogation of Article 370 and bifurcation of Kashmir State into two Union Territories under direct control of New Delhi is seemingly impelled by National Security challenges posed by Pakistan Army & ISI in Kashmir Valley in terms of terrorist strike, suicide bombings, infiltration of Al Qaeda and ISIS elements and radicalisation of Kashmir Valley youth by impregnating their vulnerable minds with Islamic Jihadi mindsets to challenge Pakistan's perspective of a 'Hindu India'.

Comparatively, I would like to assert significantly that more than Pakistan's polity, it is the Pakistan Army which has a fixative obsession on maintaining the myth of "Kashmir as Disputed Territory" to justify the strategic rationale of an over-sized Pakistan Army and an over-sized nuclear weapons arsenal, totally unrelated to absence of any military threats from India. The wars with India in 1947, 1965, 1971 and 1999 were initiated and the making of Pakistan Army.

Pakistan Army's grip on Pakistan's political governance, repeated impositions of Pakistan Army military rule on Pakistan for extended years was facilitated by Pakistan Army Generals persistently raising an unfounded bogey of Kashmir-Centric "India Threat" and that India is intent on fragmenting Pakistan via Kashmir.

Also needs to be reiterated is the fact that Pakistan Army could get away with this "Kashmir Disputed Territory Bogey" by trading Pakistan Army as a 'Rentier Army' during Cold War era with the United States and the West. China has now replaced as the latest Major Power, not only to take a rental out on Pakistan but virtually reducing Pakistan to Chinese colonial rule grip courtesy an obliging collusive Pakistan Army.

India has in August 2019 swept the rug from under Pakistan Army's feet and robbed Pakistan Army conclusively of the long maintained strategic rationale of reducing Pakistan to a "Garrison State" with all its pronounced insecurities. Pakistan Army cleverly by its "Judicial Coup", a term first introduced in geopolitical discourse in my 2017 Paper, is now relying in 2019 on PM Imran Khan, as its 'Selected Prime Minister' to mouth hysterical profanities against India and Indian PM Narendra Modi for the perfect integration of Kashmir State into the Indian Union.

PM Imran Khan totally oblivious to Major Power revulsion for Nuclear War has begun a fusillade of 'War Threats' over Kashmir and warning implicitly and directly that the next round of a conventional war over Kashmir would also embrace 'Nuclear War' Dimensions. Such is the level of Pakistan Army frustration over India pushing the 'Kashmir Disputed Territory' into the fading pages of history.

It needs to be recalled that PM Imran Khan is repeating the rhetoric used by the United States in Cold War era that 'Kashmir is a Nuclear Flashpoint'. That was a rhetorical strategic pressure point used against India in those years to pressurise India to yield to Pakistan on Kashmir as wished by its Pakistan Army rentier. Then India's geopolitical realities were different and India was politically timid.

Surely, in 2019, the United States has revised its perspectives on India and Kashmir attuned to contemporary geopolitical realities and also United States imperatives to maintain and sustain a vibrant US-India Strategic Partnership. The historic decision for the Constitutionally perfect integration of Jammu, Kashmir and Ladakh with the Indian Union and abrogation of Article 35A taken under leadership of indomitable Indian PM Narendra Modi and steered through both Houses of Indian Parliament by his intrepid lieutenant Home Minister Amit Shah with overwhelming voting in its favour, signals two significant messages for Pakistan and Major Powers of the world.

'Kashmir as Disputed Territory', was a bogey maintained by Pakistan ever since 1947 when its invasion of Kashmir was thwarted, is no longer a valid assumption. India in August 2019 has consigned the myth of 'Disputed Territory' to the dustbin of history. Kashmir will no longer figure in any future dialogues with Pakistan, if any.

India in 2019 has signalled that the whole of Kashmir Princely State which acceded to India in October 1947, including the one third sliver of

the State in illegal occupation of Pakistan Army is an 'Integral Part of India'. It is also a signal to China that its much-vaunted China Pakistan Economic Corridor is running through Indian Territory under illegal occupation of Pakistan Army, including the Shaksagam Valley ceded to China by Pakistan illegally. This has its own complex implications.

India's position post-August 05 2019, in declaratory terms, of full and effective integration without any Special Provisions of all the three Regions of Kashmir, Jammu and Ladakh with Indian Union stands acknowledged by leading Major Powers and their assertions to the effect that 'Reorganisation of Jammu, Kashmir and Ladakh', including abrogation of Article 370 tat Kashmir integration and abrogation of Article 370, is an "Internal Issue of India" affords no political space to Pakistan to go hysterically berserk over India's recent steps on Kashmir.

Imperatives also exist to record with emphasis the fact that Article 370 was never a part of the Instrument of Accession signed by Maharaja Hari Singh on October 27 1947. Article 370 was a later 'Temporary and Provisional' insertion in 1950. So Pakistan's insidious linkages being drawn in mischievous global propaganda that Article 370 was a part of Instrument of Accession is factually incorrect and deliberate falsehood.

Pakistan therefore has no 'Locus Standii' on India's decisions on Kashmir and no political space exists in 2019 for Pakistan to falsely project to the world that India is in violation of UN Resolutions. Pakistan is well aware that it is Pakistan which failed to honour the first preliminary steps of UN Resolutions of UN requirement that Pakistan Army forces must withdraw completely from the Kashmir Territory under illegal occupation at the time of Ceasefire in 1948 before other provisions could be put into effect. Pakistan never honoured to date the opening stipulations of UN Resolutions on Kashmir rendering those Resolutions ineffective and redundant.

Pakistan claims over Kashmir State which acceded to India on October 27 1947 have been based on nebulous grounds that Kashmir State was Muslim majority state contiguous to Pakistan. This by itself is fallacious as it is only the Kashmir Valley, about ninety kilometres long and about fifty kilometres wide, is the only Muslim majority Region of Kashmir. Ladakh which in area is the largest in geographical size is a Buddhist-majority Region. Jammu Region which is again three to four times larger than Kashmir Valley is Hindu-majority Region.

Pakistan is well aware that in 2019, except for fringe elements of Hurriyet Separatists, 'Soft Separatists' within Kashmir Valley polity and some radicalised Islamic Jihadi-affiliated Pakistani paid youngsters, there is no support for Pakistan amongst ordinary folks of Kashmir Valley groaning under rampant corruption of political dynasties who took refuge under Article 370 to avoid corruption probes by central investigative agencies.

Pakistan is well aware in 2019 that the Jammu Region and the Ladakh Region are vehemently opposed to Pakistan's claims over Kashmir and also opposed to Kashmir Valley Muslim-Centric Imperialism' (as I term it )for wanton discrimination against Jammu and Ladakh Regions. Jammu and Ladakh Regions were denied fair share of Central Government development funds and also job opportunities.

More notably, in terms of political progress in Kashmir State, due to past flawed delimitation of electoral constituencies, Kashmir Valley political dynasties under cover of Article 370 ensured that the State of Kashmir always had a Muslim Chief Minister. This was also achieved by them under garb of Article 35A denying voting rights of thousands of Hindu and Sikh refugees who had migrated from areas now under illegal occupation of Pakistan to Jammu. Also denied was voting rights to Scheduled Tribes and Scheduled Castes so that Kashmir Valley Muslim electoral dominance of State of Kashmir could be perpetuated.

The above electoral distortions would now be corrected with integration of State and with grant of citizenship and voting rights to deprived communities of the State, the political distortions would be remedied.

In 2019, a large majority of Pakistani people, including Punjab which is Heartland of Pakistan are least interested in Pakistan's claims over Kashmir. This was evident on August 30, 2019 when on 'Kashmir Day', intended by Pakistan PM Imran Khan to express Pakistani solidarity with Kashmir Valley, there was negligible response from the Pakistani people.

The next point that needs to be addressed is as to what prompted India in August 2019 to resort to effective and perfect integration of Jammu, Kashmir and Ladakh with the rest of India and end the "Separateness' and Separatism' tendencies that were persistently fostered under the garb of Article 370 for the last seven decades by even the so-called mainstream politicians of Kashmir Valley.

The timing of this historic step by Indian PM Narendra Modi in August 2019 can be attributed to a mix of external factors and more significantly domestic political realities.

Externally, the global geopolitical situation was in India's favour unlike the Cold War era when India was being isolated because of its Non-Alignment policies. In 2019 India stood tall in global geopolitical calculus and its political and economic power in existence and its potential Major Power attributes facilitated its recognition as an Emerged Power. Even China as Pakistan's most devoted strategic partner grudgingly acknowledges that India cannot be ignored and that at some stage its pro-Pakistan blind support strategies will end up as counter-productive.

Externally, US President Trump's assertions on July 22 2019 at White House meeting with Pakistan PM Imran Khan that he is willing to mediate on Kashmir caused concerns in India that the US President may unpredictably trade-off Kashmir in Pakistan's favour for Pakistan Army facilitating US Forces exit from Afghanistan. The resultant situation coupled with Pakistan PM's Declaration in Washington that 30,000-40,000 Jihadi terrorists were present in Pakistan which implicitly suggested that United States should not forget that these terrorists would be used in Kashmir Valley and in the Indian Heartland.

So in terms of external factors the Kashmir steps by Indian Government can be read as pre-emptive steps by the BJP Government in terms of India's National Security imperatives to forestall an overwhelming terrorism threat to India from Pakistan materialising.

Moving to domestic factors that determined PM Modi's decision to abrogate Article 370 and bifurcate the State of Kashmir into two Union Territories under direct rule of New Delhi, the political factors that led to this historic step are outlined in the next few paragraphs.

This historic step long overdue honoured the spirit of the Special Parliament Resolution 1994, unanimously passed under the leadership of a Non-Congress Dynasty PM Narasimha Rao which expressly stated that 'Kashmir was Non-Negotiable' being an integral part of India.

This historic step was also mandated by the people of India who in General Election 2019 voted back PM Narendra Modi with unprecedented majority validating the BJP Election Manifesto which asserted that on voting into power, the BJP Government would abrogate Article 370 perpetuating the 'Separateness' of the State but actually got translated into "Separateness of Kashmir Valley"—the only Muslim majority segment of the Jammu & Kashmir State.

In August 2019 the strategic reality is that Jammu, Kashmir and Ladakh are full-fledged integral Union Territories of the Indian Republic. Neither Pakistan which finds it internationally isolated nor some in India's Opposition parties vociferously articulating otherwise can undo this strategic reality.

.Kashmir is in 2019 a non-issue for majority of Pakistanis as evident from lack of response to hold massive protests on 'Kashmir Day'. It failed to evoke popular support and Pakistan public resentment on being inconvenienced by police blockades was visually evident in TV coverage of the 'Kashmir Solidarity Day' demonstrations in Islamabad and Rawalpindi.

So where do things move from here on Kashmir for India and Pakistan as political pundits in both countries agonisingly ponder over possible scenarios that may unfold in wake of India's abrogation of Article 370, integration of Kashmir State into a realistic union with India and bifurcation of the State into two Union Territories?

India would not undo the complete and perfect integration of Jammu, Kashmir and Ladakh with India in political, economic and social terms with India's National Security as the prime determinant. India can neither be compelled by Major Powers or the United Nations to unravel the steps initiated.

Surely and expectedly, some backlash may follow in Kashmir Valley in terms of violent turbulence when restrictions are lifted. These will be confined to those in Kashmir Valley thriving on the 'cottage industry' of being Pakistan Army's ISI Cat's-paws in Kashmir Valley.

But it needs to be emphasised that these will be limited to Kashmir Valley with little or no wide participation in Pakistan sponsored violence.

India's security forces are more than prepared to meet this eventuality. Alarm bells on this score both by Pakistan and India's Pakistan-apologists are manifestations of delusionary mindsets.

Pakistan will cry itself hoarse in whipping war hysteria over India's recent Kashmir initiatives. Pakistan Army also knows that it cannot afford an all-out conventional war with India, leave alone a Nuclear War. Pakistan Army can only as an alternative intensify its proxy war in Kashmir Valley and LOC artillery duels and firefights.. Here again India is well prepared for both contingencies.

Pakistan would be committing a suicidal "Hara-kiri" and ensuring extinction of the Pakistani State should the military adventurism of Pakistan Army cross the zero-tolerance strategy of India on terrorist attacks against India by even non-State Pakistani outfits affiliated to Pakistan Army.

Concluding, it needs to be strongly emphasised that it devolves primarily on Pakistan and Pakistan Army's 'Iron Brother" China to prevail over Pakistan not to go down the suicidal route of national extinction by Pakistan Army military adventurism---conventional, nuclear or hybrid warfare.

History and geopolitics are not in Pakistan's favour on Kashmir and Pakistani prudence of sane minds in Pakistan should prevail to persuade the Pakistan Army that the days of its mythical "Strategic Equivalence" with India too has faded into history.

**Tags:**

[Kashmir](#) [1]

**Category:**

[Papers](#) [2]

**Countries:**

[Pakistan](#) [3]

[Kashmir](#) [4]

[India](#) [5]

**Topics:**

[Strategic Affairs & Security](#) [6]

[Political](#) [7]

Copyright ©2012. All Rights are Reserved.

```
(adsbygoogle = window.adsbygoogle || []).push({ google_ad_client: "ca-pub-2275491169696384", enable_page_level_ads: true });
```

---

**Source URL:** <http://www.southasiaanalysis.org/node/2511>

**Links**

[1] <http://www.southasiaanalysis.org/taxonomy/term/200>

[2] <http://www.southasiaanalysis.org/papers>

[3] <http://www.southasiaanalysis.org/pakistan>

[4] <http://www.southasiaanalysis.org/kashmir>

[5] <http://www.southasiaanalysis.org/india>

[6] <http://www.southasiaanalysis.org/strategic-affairs-and-security>

[7] <http://www.southasiaanalysis.org/political>