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Intellectual Discourse
Vol. 27, No. 2, 2019

Contents

Editorial Note

Ishtiaq Hossain 329

Research Articles

Higher Education in Turkey: Responding to
Sustainable Development Agenda
Cihat Atar and Shukran Abdul Rahman 335

Quality Assurance in Higher Education in the Maldives:
Past, Present, and Future
*Mariyam Shahuneeza Naseer and
Dawood Abdulmalek Yahya Al-Hidabi* 353

Who Sets The Agenda? Locating the Formation
of Public Opinion during the Rantau By-Election
Shafizan Mohamed and Syed Arabi Idid 373

The Socio-Political Context behind
the Malayan Insurgency, 1948-1960
Dina Murad 397

Islam and Sport: From Human Experiences to Revelation
*Baidruel Hairiel Abd Rahim, Nurazzura Mohamad Diah,
Haizuran Mohd Jani, and Abdul Sham Ahmad* 413

Factors Driving the Intention to Adopt a Tobacco-free Policy
among Employees in a Public Higher Education Institution
*Kamaruzzaman Abdul Manan, Che Mahzan Ahmad,
Aini Maznina A. Manaf, and Ahmad Shalihin Mohd Samin* 431

Violations of Basic Rights of Prisoners In Conventional
and Islamic Law: Theory and Practice
*Mohammed Farid Ali al-Fijawi, Maulana Akbar
Shah @ U Tun Aung, and Muneer Kuttiyani Muhammad* 455

Charismatic Political Leadership and Tun Dr Mahathir Mohamad's Malaysia: Power, Control, Stability and Defence <i>Suleyman Temiz, and Arshad Islam</i>	475
Johann Wolfgang von Goethe: A life With Islām. <i>Francesca Bocca-Aldaqre</i>	507
Major Trends in the Historiography of Muslim Reformism in Pre-Independent Malaysia <i>Hafiz Zakariya</i>	531
A Critical Analysis of Islamic Council of Europe: From a Juristical and Islamic Legal Maxim Perspective <i>Ali Ahmed Zahir</i>	555
Kashmir between India Pakistan: The Unfinished Agenda <i>Abdul Rashid Moten</i>	577
Smart Contract in Blockchain: An Exploration of Legal Framework in Malaysia <i>Nor Razinah Binti Mohd. Zaina, Engku Rabiah Adawiah Engku Alib, Adewale Abideenc, and Hamizah Abdul Rahmand</i>	595
South-South Cooperation: A Case Study of Contemporary Sudanese-Malaysian Relations <i>Garoot Suleiman Eissa, Elfatih Abdullahi Abdelsalam, and Mohamad Fuzi Bin Omar</i>	619
Diplomatic Ties Between Malaysia and the Holy See: A Symbol of Mutual Respect, Inter-Religious Coexistence and International Cooperation <i>Roy Anthony Rogers</i>	643
Review Article	
The Arab Uprisings and Worldwide Responses: A Review of the Literature <i>Mohd Irwan Syazli Saidin</i>	665

Book Review

Identity: Contemporary Identity Politics and the Struggle for

Recognition. By Francis Fukuyama. London, UK:
Profile Books, 2019, pp. 218, ISBN: 978-1-78125-981-8.
Syaza Farhana Binti Mohammad Shukri 679

What Happened. By Hillary Rodham Clinton.
New York: Simon and Schuster, Inc., 2017.
ISBN-10: 1501175564; ISBN-13: 978-1501175565.
Mahmood Hossain 682

Kashmir between India Pakistan: The Unfinished Agenda

Abdul Rashid Moten*

Abstract: India and Pakistan has fought four wars over Kashmir and has held rounds of talks without resolving the 72-year-old issue. The Indian government's revocation of the special status of Kashmir sets the stage for new clashes in the disputed region. Using documentary sources, surveys, and other writings, this study analyses the genesis of the conflict in Kashmir, bringing in historical facets together with discursive elements of the contemporary political crisis in Kashmir. The study found that the Kashmir dispute has multiple causes the major one being the religious difference, a conflict between India, a predominately Hindu state, and the Islamic Republic of Pakistan. In the early phase, the conflict was between religion and secularism, embodied in Pakistan and India, respectively both needing Muslim majority Kashmir to prove their basic political ideology right. Currently, the conflict has assumed purely the religious colour: India aiming at integrating Kashmir into the Hindu polity and Pakistan claiming Kashmir for its having a Muslim majority. Thus, the unfinished agenda of partition continues.

Keywords: India, Pakistan, Kashmir, Article 370, Religion

Abstrak: India dan Pakistan telah berperang sebanyak empat kali ke atas Kashmir dan telah mengadakan perbincangan tanpa menyelesaikan masalah 72 tahun itu. Pembatalan kerajaan India mengenai status khas Kashmir menetapkan pentas untuk pertempuran baru di rantau yang dipertikaikan itu. Menggunakan sumber dokumentari, kaji selidik, dan tulisan lain2, kajian ini menganalisis punca konflik di Kashmir, membawa aspek sejarah bersama unsur-unsur diskursif krisis politik kontemporari di Kashmir. Kajian itu mendapati bahawa pertikaian Kashmir mempunyai banyak sebab utama yang

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menjadi perbezaan agama, konflik antara India, negara Hindu, dan Republik Islam, Pakistan. Pada fasa awal, konflik antara agama dan sekularisme, yang terkandung di Pakistan dan India, masing-masing memerlukan majoriti Muslim Kashmir untuk membuktikan ideologi politik mereka yang betul. Pada masa ini, konflik itu telah dianggap sebagai warna keagamaan: India bertujuan mengintegrasikan Kashmir ke negara Hindu dan Pakistan mendakwa Kashmir mempunyai majoriti Islam. Oleh itu, agenda pembahagian masih belum selesai dan masih berterusan.

Kata Kunci: India, Pakistan, Kashmir, Perkara 370, Agama

Introduction

Kashmir, “a land of immense beauty,” is considered to be the most dangerous place on Earth (Carter, 2003:2). Since the partition of India and Pakistan in 1947, Kashmir has been at the root of constant tension between India, and its neighbour Pakistan. The two countries engage in strengthening their military power manifested in the arms race in the region, develop strategic partnerships with other global powers, and accuse each other of supporting the insurgency in territories under their control.

The two nuclear-armed neighbours have fought three wars and a limited conflict over Kashmir with no solution to the problem. They have been engaged in sporadic and fruitless dialogues that constitute little more than a “cold peace” (International Crisis Group, 2006). The on-going tension between the two rivals could lead to a nuclear conflagration with catastrophic consequences for humanity. “The prospect of two nuclear powers facing off across such a comparatively small space is frightening indeed” (Carter, 2003:2). For decades, an uneasy stalemate has prevailed, broken by occasional military incursions, terrorist attacks and police crackdowns. But on August 5, 2019, the administration of Prime Minister Narendra Damodardas Modi decided to permanently incorporate the territory it controls into the rest of India. The move has sparked fierce rhetoric from Pakistan’s Prime Minister, Imran Khan, with the Pakistan Army Chief, General Qamar Javed Bajwa, vowing to “go to any extent to fulfil our obligations,” to stand by Kashmiris (Dawn, August 06, 2019).

Being the most protracted and militarised regional dispute, the Kashmir issue has received much scholarly attention. Many scholars like, Korbel and Mohan, blame British colonialism for the birth of the conflict (Mohan, 1992). Ahmed (2002) argues that the partition of British India has replaced trust and understanding with fear and insecurity between the two neighbours (Ahmed, 2002). Choudhry and Akhtar (2010) focus on terrorism as the major impediment to peace between the two countries. Vaish (2011:55)'s focus is on the negative legacy of colonialism as well as different religious commitments. Krepon (2013:01) analyses the conflict in terms of poverty combined with a power imbalance between distinct ethnic and religious groups.

There are others who argue that the conflict is due to the competing visions of nationalism and state-building. For India, under the Indian National Congress, Kashmir was symbolic of secular nationalism and state- building. This was desired by Jawaharlal Nehru, the first prime minister of India, known for his strong emotional attachment to the Kashmir valley (Snedden, 2015). Pakistan, however, looks at the Kashmiri accession as integral to its Islamic identity (Ganguly & Bajpai, 1994). The literature on Kashmir does not consider the economic dimension as a significant source of the conflict (Tremblay, 1996-97). Studies lay much emphasis on the ethno-religious aspects of parties to the conflict. Religion, as an object of study, has long been neglected in the Westphalian system of international relations that emerged at the end of the war in Europe. In recent decades, however, the global resurgence of religion, especially after the 9/11 terrorist attacks, changed people's views on religion and international issues. Contrary to the belief espoused since the age of the Enlightenment, religion did not fade in importance (Aldridge, 2000). Rather, religion has returned from the so-called "Westphalia Exile" to the "central stage of international religions". Religion has become a resource that all parties on the international stage compete for. There is the growing saliency and persuasiveness of religion "in ways that have significant implications for international politics" (Thomas, 2005:72). Religion influences many aspects of domestic and foreign policies. Religion is a source of political mobilisation or the organisation of political activities (Fox and Sandler, 2003).

This study analyses the ways religious elements of the foreign policies of India and Pakistan affect Kashmir. The conflict surrounding

Jammu and Kashmir has multiple reasons, the issue of religion is a major one. The vitality of the religious dimension in understanding the domestic and foreign policies on Kashmir stems from the fact that India and Pakistan were created according to ethno-religious differences and conflicts. Hindus and Muslims created their own organizations, Indian National Congress and All-India Muslim League and fought for independence from British rule. Congress desired a united nation, under a single government, the Muslim League worked for the division of India and a separate Muslim state. The Kashmir conflict, as such, is based upon religious differences. The two neighbours clash about Kashmir because of their adherence to religion. Without undermining the influence of other factors, the Kashmir dispute is a conflict between Hindus and Muslims: Pakistan is a Muslim state, India a predominately Hindu state. Pakistan is an Islamic republic which, following the “two-nation theory”, and was established as the homeland of the Muslims. India, on the other hand, rejects two-nation theory nevertheless Hindu religion predominates. India needs Kashmir as a Muslim majority province to prove that the country with majority Hindus can accommodate Muslims. It is the “testing ground” for the struggle between secular and religious politics (Behera, 2002). Pakistan claims Kashmir on the basis of the applicability of the Two-Nation-Theory.

The Kashmir Issue

Kashmir, with a total area of some 85,800 square miles (222,200 square km), was one single entity before the partition of British India into Pakistan and India in 1947. Kashmir is wedged between Pakistan, India, China, and Afghanistan. Its geographical area encompasses the Indian-administered state of Jammu and Kashmir (the Kashmir Valley, Jammu and Ladakh), the Pakistani-administered Azad Kashmir, Gilgit and Baltistan, and the regions of Aksai Chin and Trans-Karakoram Tract (Hilali, 2001). According to the Census of India 2011, Indian Administered Jammu & Kashmir had a population of 12,548,926, which in 2017 was estimated to be 14,280,373. Pakistan administered Jammu & Kashmir recorded a population of 4,045,366 as per the 2017 Census (EFSAS, 2017, p. 2). Kashmir is estimated to contain a Muslim majority population of about 71%, a Hindu population of 26% and the remaining 3% of Buddhists and Sikhs.

Kashmir though a Muslim majority region had a Hindu ruler,

Maharaja Hari Singh. With a clear Muslim majority in 1947, Kashmir should have been acceded to Pakistan. Maharaja Hari Singh, who was toying with the idea of declaring its independence, eventually signed the Treaty of Accession to India on 26 October 1947 (Jha, 2014). The following day, the British Governor-General, Lord Mountbatten, recognised it (Indurthy and Haque, 2010). Sheikh Muhammad Abdullah, a popular mass leader known as the lion of Kashmir, is reported to have favoured the accession to India. He was reportedly attracted by the secular ideals advocated by Mahatma Gandhi and Jawaharlal Nehru. Gandhi publicly praised Abdullah saying: “You see Sheikh Abdullah with me ... [who] although a pukka Muslim, has won the hearts of both [Hindus and Sikhs] by making them forget that there is any difference between the three (communities).” (Mahatma Gandhi, 1984, p. 123).

Pakistan did not cease to lay claim over Kashmir and used all means, including war, to achieve the goal. India and Pakistan exert their competing claims over Kashmir through the violent divisions of the territory of Kashmir enacted through a series of four border wars between the two rival states since 1947.

After the first Kashmir war of 1947–1948, India referred the case to the United Nations Security Council (UNSC) on January 1st, 1948. The UN Security Council Resolution (UNSCR) 38 of January 17, 1948, called for direct talks between India and Pakistan. (UNSCR, 1948, p. 1) On January 20, 1948, the UNSC constituted the United Nations Commission on India and Pakistan (UNCIP) to proceed to the spot to “investigate the facts pursuant to Article 34 of the UN Charter” and two, “to exercise, without interrupting the work of the Security Council, any mediatory influence likely to smooth away difficulties” (UNSCR, 1948, p. 2). Subsequently, the Security Council adopted Resolution 47 of April 21st, 1948, desiring an “early restoration of peace and order in Jammu and Kashmir” and urging India and Pakistan to “do their utmost to bring about a cessation of all fighting”, [and] noted with satisfaction that the warring parties “desire that the question of the accession of Jammu and Kashmir to India or Pakistan should be decided through the democratic method of a free and impartial plebiscite” (UNSCR, 1948, p. 4). The UNSCR 47 recommended measures for “a free and impartial plebiscite to decide whether the State of Jammu and Kashmir is to accede to India or Pakistan” (UNSCR, 1948, p. 4). A few months later, the UNCIP passed a resolution on August 13th, 1948.

The resolution had three parts that dealt with a “ceasefire”, terms of the truce, and procedure for determining the status of J&K in accordance with the “will of the people” (Official Records, 1948). On July 27 1949, the UNCIP supervised the signing of the *Agreement between Military Representatives of India and Pakistan Regarding the Establishment of a Cease-Fire Line in the State of Jammu and Kashmir*. This line, known as the Cease-fire Line, was re-designated as the «Line of Control» following the Simla Agreement signed by India and Pakistan on the 3rd of July 1972. It separates Kashmir into Azad Jammu and Kashmir and the northern territories of Gilgit and Baltistan administered by Pakistan, and the Valley, Jammu and Ladakh administered by India.

The UN-Security Council recommended holding a plebiscite or referendum to ascertain the wishes and allegiance of the people of Kashmir. The plebiscite was never held and Jammu and Kashmir continued to remain divided shattering peace and normalcy in the region (Indurthy, 2005). Pakistan views the LoC as a provisional border that severs Muslim communities across Kashmir and Pakistan and identifies the portions of Kashmir under Indian rule as “occupied” Kashmir. This reminds India and the world at large about the long-forgotten promise of a free and fair plebiscite for Kashmiris (Junaid, 2016). For India, the LoC represents a brutal reminder of Pakistan’s transgressions into Kashmiri territory in 1947, when Pakistan seized portions of Kashmiri territory forcefully, triggering the first India-Pakistan war and the world’s most drawn-out border conflict. India considers Kashmir’s accession to be absolute and final.

The Instrument of Accession and Article 370 of the Constitution of India

The Instrument of Accession (IoA) was signed on October 26, 1947, declaring that the state accedes to India. This Instrument entitled India’s Parliament to enact laws in respect of J&K only on the matters of defence, external affairs and communications. Apart from defence, communications and external affairs, the IoA mentions ancillary subjects that include elections to the dominion legislature and offences against laws with respect to any of the said matters.

Using the IoA, Article 370 was incorporated in the Constitution of India which established Kashmir’s “special status” and is interpreted by many Kashmiris as a critical legal mechanism to ensure the region’s

exclusive place in India. The article limits the jurisdiction of the Indian Parliament in the state such that laws passed by the Parliament in all areas except defense, communication, finance and foreign affairs are not applied to the state unless passed by its own government. Article 370 gives the people of the state the right to form their own constituent assembly, draft their own constitution, and choose their own flag. It also established a category of “permanent residents,” or state subjects, and prohibits any non-resident from purchasing land in the state. Only subjects with proof of permanent residency status can own land in the state. Article 35A, which was added to the constitution in 1954, gave the state of Jammu & Kashmir the right to define permanent residents of the region. The permanent residents alone have the right to own property in Kashmir. It forbids non-permanent residents from settling in the state, buying land, holding government jobs or winning educational scholarships in the region.

The Indian government did accept Kashmir’s “special status” and claimed Jammu and Kashmir as “Indian administered” rather than Indian occupied. On its part, Pakistan continued its rhetorical emphasis on the solution of Kashmir dispute according to the UN resolutions. The Pakistani leadership showed very strong commitment towards the Kashmiri cause and stressed the need to resolve the Kashmir dispute as per UN resolutions. President Ghulam Ishaque Khan, addressing the Joint session of Parliament on the 2nd of December 1989, stated:

Pakistan shall not waver in its support for the exercise by the people of Jammu and Kashmir of their right of self-determination through a free and impartial plebiscite (Ahmed, 1993, p.148).

In December 1990, Pakistan’s delegate at the UN told the special session of General Assembly:

Jammu and Kashmir is a disputed territory and we have always maintained that this problem needs to be resolved in accordance with the relevant UN resolutions and in the spirit of the Simla Agreement (Ahmed, 1993, p. 150).

Pakistan’s government continued to internationalize the Kashmir dispute. Pakistani leaders used Muslim solidarity view basing its foreign policy substantially on its Muslim identity. The international responses were positive. Pakistan has sought the support of all Muslim nations.

As a result, many Arab countries of the Middle East have supported Pakistan against India and their hope of seeing the “salvation” of the Kashmiri Muslims. The OIC, in particular, appreciated Pakistan. The communiqué of the OIC summit in 2008, stated:

57. The Conference appreciated Pakistan’s commitment to the on-going Composite Dialogue with India and the flexibility shown by Pakistan in moving forward towards the resolution of Jammu and Kashmir dispute through sincerity, flexibility, and courage. It called upon India to positively reciprocate to arrive at a just and final settlement of the Jammu and Kashmir dispute being the core issue of their conflict. The Conference commended Pakistan for its continuing efforts to create and sustain an enabling environment for the Composite Dialogue with India (OIC, 2008, p. 12).

Although India was the first to go to the United Nations and agreed to settle the Kashmir issue through plebiscite as recommended by the UN Security Council. Gradually, India moved away from the earlier stand and argued against the internationalization of the conflict and rejected any involvement by international organizations. The Simla Agreement of 1972 signed after 1971 Indo-Pakistani War, which led to the break-up of Pakistan and the emergence of Bangladesh as an independent entity, required Pakistan and India to resort to bilateral negotiations to settle all issues including Kashmir. Clause 1(ii) of the Simla Agreement mentions that “[t]he two countries are resolved to settle their differences by peaceful means through bilateral negotiations or by any other peaceful means mutually agreed upon between them.... (Dixit, 1995, p. 321). Clause 4(ii) says, “In Jammu and Kashmir, the Line of Control resulting from the ceasefire of December 17, 1971 shall be respected by both sides without prejudice to the recognized position of either side. Neither side shall seek to alter it unilaterally, irrespective of mutual differences and legal interpretations” (Dixit, 1995, p. 321).

Using the Simla agreement, India refused to consider any third-party mediation and prevented interference by other states on the Kashmir issue. The Indian leaders, beginning with Indira Gandhi, took a hard line against Pakistan. Indira Gandhi centralized the federal system of India and took power away from local governments. The policy was followed by the subsequent Prime Ministers of India. The transition from secular nationalism and pluralism, espoused by Nehru, to centralization of the

Indian state led to a substantial decline in the autonomy of Kashmir to control religious and ethnic divisions peacefully. Between 1988 and 2000, the war in Jammu and Kashmir led to the loss of 26,266 lives (Annual Report, 2003-2004, p. 29). Between 2001 and November 27, 2004, a total of 11,780 people have been killed. In the 1980s, the Indian government dismissed two state governments headed by Farooq Abdullah in 1984 and Ghulam Muhammad in 1986. Later, the Congress party at the Centre allied with the National Conference in Jammu and Kashmir and fought the 1987 elections, which were considered to be an “electoral fraud” (Santhanam, 2003, p. 22).

Over time, Article 370 has been modified through a series of presidential orders and Supreme Court judgments. Duschinski and Ghosh have called this process “occupational constitutionalism” which is:

a form of foreign dominance and control produced through the annexation of part of Kashmir’s territory and its legal sovereignty to India in the aftermath of independence and reproduced through a series of legal mechanisms and processes across time that institute a state of emergency and permanent crisis in Kashmir (Duschinski & Ghosh, 2017).

In the 1980s, Indian public opinion was supportive of centralisation. Eventually, India witnessed, since 1989, an increase in Hindu nationalism replacing “Nehruvian secularism” (Embreen 2003). These developments led to the rise of the Hindu nationalist Bharatiya Janata Party (BJP).

BJP and Hindu Nationalism

Though the Indian politicians often championed the cause of secularism but manipulated religion when it proved politically expedient. Congress leaders were playing “fast and loose” with the Indian state’s commitment to secularism (Chadda, 2000). The Bharatiya Janata Party (BJP) accused the Congress Party of engaging in “pseudo-secularism” which was not in the interest of India. The need is to construct an “organic” secularism built on the “natural” tolerance of Hinduism.

The important characteristic of Hindu nationalism is its religious nature. It is a kind of religious ethno-nationalism aimed at consolidating and reinforcing the Hindu rashtra (Hindu polity). This movement is

also called Hindutva or Hindu nationalist ideology desiring to establish the hegemony of Hindus and the Hindu way of life (Kondo, 2001). Hindutva, to Chetan Bhutt, is an extreme form of “conservatism” or “ethnic absolutism” (Bhatt and Mukta, 2000). Hindutva, or Hindu nationalist ideology, suggests:

showing less tolerance to minorities, such as Muslims and Christians who are not loyal to the Indian state or assimilated into Hindu society. Hindutva ideology has been actively involved in communal conflicts in India (James & Ozdamar, 2005, p. 461).

Using Hindu nationalism as a base, the BJP, in 2014, defeated the incumbent Congress Party, and gained a single-party parliamentary majority. Led by Prime Minister Narendra Modi, who earlier served as the Chief Minister of the state of Gujarat, the BJP secured 282 out of 543 seats in the Lok Sabha, the lower house of parliament. The Congress secured a mere 44 seats, its worst electoral showing since independence. The BJP campaigned on such themes as corruption, caste, and traditional Hindu nationalist themes. He also relied on the support of the Rashtriya Swayamsevak Sangh (RSS), the right-wing, Hindu nationalist, volunteer organisation that champions Hindutva (Jaffrelot, 2015). In several campaign speeches, Modi and his followers made disparaging remarks about Muslims in India linking the Muslim dominated beef trade to terrorism. “In the eastern state of Bihar, a BJP candidate said in a campaign speech that those who did not vote for Modi should seek exile in Muslim-majority Pakistan—Modi later made him a junior minister” (Dawn, April 20, 2014). Thus, the BJP placed a “high value on the general will of the Hindu community, and implied that existing institutions, including those of the state, were not expressions of that will and therefore lacked legitimacy” (Jaffrelot, 1996, p. 235). At the national level, however, the BJP blended its Hindutva agenda with promises of economic development, anti-corruption, and good governance. Hindu religiosity has gained ascendancy in the public eye as expressed through temple construction and renovation, and the renewal and the invention of ritual. There has emerged, according to Nanda, a “state-temple-corporate complex” that has rendered Hindu nationalism banal: “The banal, everyday Hindu religiosity is simultaneously breeding a banal, everyday kind of Hindu nationalism” (Nanda, 2009, p.140).

Since the 2014 election, politics in India has undergone a great change characterised by a surging Hindu nationalism and the marginalisation of secularism. Even the Congress Party is seen as downplaying secularism and embracing pro-Hindu sentiments by indulging in “soft Hindutva,” to differentiate it from the BJP type of religiosity. During the 2017 and 2018 state election campaigns in Gujarat and Madhya Pradesh respectively, the Congress President Rahul visited dozens of temples and presented himself as a *Shiv bhakt* (disciple of the Hindu God Shiva) (Jaffrelot, 2019, p. 56). This “soft-Hindutva” strategy did not help stop Congress’s decline. The BJP, building on its historic 2014 performance, continued to attract mass appeal and increased its vote bank. The resurgence of BJP resulted in a more vigorous Hindu nationalism which is evident in the general election of 2019.

The 2019 General Elections in India

The 2019 Indian general election for the parliament (17th Lok Sabha) was held from 11 April to 19 May 2019. The election was fought largely by two alliances, the United Progressive Alliance (UPA) headed by the Indian National Congress and the BJP led National Democratic Alliance (NDA). Following the BJP’s decisive 2014 electoral victory, many analysts believed that BJP under Modi would win the election. Opinion polls revealed that Modi remains popular after four years in office. The Indian National Congress and some regional parties have struggled to counter the popularity enjoyed by BJP. The BJP campaign under Narendra Modi focused on promising strong personal leadership and a clean governance. Economic development did not receive much mention because Modi’s term was marred by declining commodity prices for farmers and insufficient job creation. BJP’s campaign was focused exclusively on appealing to Hindus, eulogising Hindu nationalism and demonizing the Muslims living in India. Such appeals may have helped consolidate a Hindu vote for the party.

The BJP Manifesto began with the promise of “Zero Tolerance” against terrorism and extremism. The government will strengthen the Armed Forces, modernize the Central Armed Police Forces and undertake effective steps to prevent illegal immigration in the North-eastern states. The manifesto promised that “Hindus, Jains, Buddhists, and Sikhs escaping persecution from India’s neighbouring countries will be given citizenship in India.”

On Kashmir, it states: “In the last five years, we have made all necessary efforts to ensure peace in Jammu and Kashmir through decisive actions and a firm policy... We reiterate our position since the time of the Jan Sangh to the abrogation of Article 370. We are committed to annulling Article 35A of the Constitution of India as the provision is discriminatory against non-permanent residents and women of Jammu and Kashmir. We believe that Article 35A is an obstacle in the development of the state” (Bharatiya Janata Party, 2019, p. 12). It “poses a psychological barrier for the full integration of the people of Jammu & Kashmir with the national mainstream.” Apparently, Kashmiris were not happy with such a provision and hence most of them refrained from voting. Only 29.39% of the Kashmiris turned out to vote. The Congress Manifesto 2019 on Kashmir reads: “We also acknowledge the unique history of the State and the unique circumstances under which the State acceded to India that led to the inclusion of Article 370 in the Constitution of India. Nothing will be done or allowed to change the Constitutional position” (Indian National Congress, 2019, p. 41).

The election witnessed the highest ever voter turnout of about 67.1 percent of about 900 million eligible voters across 542 parliamentary constituencies. The highest turnout of 71.2 % was in Madhya Pradesh and the “biggest dip in terms of turnout was in Jammu and Kashmir with 29.39% polling which is 20.33 % lower than 49.72% recorded in 2014” (Jain, 2019). The election results were announced on May 23rd, 2019. BJP won 303 seats and the BJP-led National Democratic Alliance won 353 seats in India’s 543-seat Parliament. The Indian National Congress won only 52 seats and the Congress-led United Progressive Alliance won 91. The rest of the seats went to other smaller parties and their alliances.

The Revocation of Article 370

On winning an outright majority in the Lok Sabha, the BJP government decided to fulfil the promise it made with regards to Kashmir. The BJP has frequently expressed its intention to get rid of Article 370. It has always claimed Kashmir to be an integral part of the Hindu nation, and categorically rejected the Pakistani claim to the territory. Consequently, on August 5th, 2019, the Government revoked Article 370 of the Indian Constitution which is described by the Constitution as a purely “temporary provision.” The revocation resolution bill

was debated and passed first by the upper house of parliament (Rajya Sabha) by a majority of 67% members and the following day it was passed by Lok Sabha by a majority of 91.73 percent. The revocation of Article 370 extends to a key provision added under it, i.e. Article 35A. This gives special privileges to permanent residents, including state government jobs and the exclusive right to own property in Jammu and Kashmir. This provision aimed at protecting the demographic character of this Muslim-majority region.

On August 6, 2019, the government brought forward plans to reorganize the administrative borders in the region. The Home Minister Amit Shah introduced a Reorganisation Bill in the Parliament to “form a new Union territory to be known as the Union territory of Ladakh comprising the following territories of the existing State of Jammu and Kashmir, namely: Kargil and Leh districts” and to form “a new Union territory to be known as the Union territory of Jammu and Kashmir comprising the territories of the existing State of Jammu and Kashmir....” It is specified that “the Governor of the existing State of Jammu and Kashmir shall be the Lieutenant Governor for the Union territory of Jammu and Kashmir, and Union territory of Ladakh for such period as may be determined by the President” (Ministry of Law and Justice, 2019: 2). Thus, Jammu and Kashmir will have a state legislature while Ladakh will be ruled directly from New Delhi. The Lok Sabha passed the bill for the reorganisation of the region by about 86% of the members of parliament. The passage of the bill makes it possible for people from other parts of India to enjoy the right to own property in Jammu and Kashmir and settle there permanently. It is feared that this may lead to a demographic transformation of the region from majority-Muslim to majority-Hindu.

The Indian government correctly assessed that the revocation decision may lead some Kashmiris to revolt. Hence, prior to the announcement, the government deployed thousands of new troops to the union territory to prevent unrest. Tourists and pilgrims were ordered to evacuate. All internet access and phone lines were shut down to mute anticipated adverse reactions of Kashmiris. Finally, around five hundred mainstream political leaders, including three former chief ministers, were put under house arrest. These measures indicate the realistic threat perception of the government. Noticeably, nearly half of the 3,700 people interviewed in Kashmir, in 2010, desired independence

(Lawson, 2010). Some fear that violence is now inevitable. The Indian government is sure of its ability to keep violence under control.

From the government's point of view, the revocation decision was in effect the legalisation of the policies taken by the earlier government. Kashmir's autonomy had already been largely stripped away by a series of integrative measures imposed on the state by federal governments between the mid-1950s and the mid-1960s. What remained of Article 370 was largely symbolic - a state flag, a state constitution, and a state penal code. Article 35A continued to apply but its provisions were not unique to Jammu and Kashmir as a number of Indian states have very similar protections for native residents. In any case, the revocation of Article 370 is meant to bring development to the region. It is India's internal matter and should be of limited concern to its neighbours. The supporters of BJP would like the government to adopt a tough and security-oriented foreign policy vis-a-vis Pakistan over Kashmir (Chadda, 2000). This should not be a problem since India, having the fourth largest military in the world, maintains the best of security relations with the United States and Israel which is India's second-largest arms supplier, estimated at ten billion dollars across the past decade. (Ningthoujam 2014).

Pakistan, on its part, has embarked on a desperate and vigorous diplomatic offensive against New Delhi. It has drawn the attention of the UN Secretary-General and written to the Security Council alleging Indian violations of the earlier UN resolutions on Kashmir. The UN Secretary General has called for restraint. Pakistan has expelled India's high commissioner (the equivalent of an ambassador) from Islamabad and stopped the newly-appointed Pakistani envoy to move to Delhi. It has suspended all trade between the two countries and cancelled train and the Samjhauta Express bus linking Lahore to New Delhi. The Western governments and some countries in the Muslim world urged the two parties to resolve the dispute peacefully. Muslim countries have refrained from condemning India. The responses of the members of the Organisation of Islamic Cooperation (OIC) have been un-substantive. In the end, Pakistan refrained from any more vigorous action as the international environment was not receptive to harsher steps by Pakistan.

Conclusion

In analysing the Kashmir conflict, specific emphasis needs to be given to ethno-religious aspects of Indian culture. Evidently, the emergence of Pakistan and India was based on the religious identifications of the two main ethnic groups of the subcontinent: Hindu and Muslim. Kashmir was a Muslim majority area ruled by a Hindu who acceded to the Hindu majority India. Pakistan, an Islamic republic, laid the claim on Kashmir. The conflict between the two neighbours ensured which remains unsettled. Religious dynamics, therefore, shaped governmental and political structures and affected the foreign and domestic policies of the two states. The Congress claimed the Muslim majority Kashmir to strengthen its brand of secularism. The BJP government aimed at establishing a Hindu Rashtra and wants Kashmiris to be fully integrated to India. With the passage of the revocation bill, the BJP government has closed all doors to a peaceful settlement of the dispute either through bilateral dialogue with Pakistan or third-party mediation. The Indian government stated categorically that the revocation of the special status of Kashmir is an internal affair and hence no need to negotiate with Pakistan except the “return” of “Pakistan-occupied Kashmir” to India” (Akram, 2019). With Pakistan suitably deterred, India’s security planners think that the insurgency levels in Kashmir can be managed.

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In This Issue

Editorial Note

Research Articles

Cihat Atar and Shukran Abdul Rahman

Higher Education in Turkey: Responding to Sustainable Development Agenda

Mariyam Shahuneeza Naseer and Dawood Abdulmalek Yahya Al-Hidabi

Quality Assurance in Higher Education in the Maldives: Past, Present, and Future

Shafizan Mohamed and Syed Arabi Idid

Who Sets The Agenda? Locating the Formation of Public Opinion during the Rantau By-Election

Dina Murad

The Socio-Political Context behind the Malayan Insurgency, 1948-1960

Baidruel Hairiel Abd Rahim, Nurazzura Mohamad Diah, Haizuran Mohd Jani, and Abdul Sham Ahmad

Islam and Sport: From Human Experiences to Revelation

Kamaruzzaman Abdul Manan, Che Mahzan Ahmad, Aini Maznina A. Manaf, and Ahmad Shalihin Mohd Samin

Factors Driving the Intention to Adopt a Tobacco-free Policy among Employees in a Public Higher Education Institution

Mohammed Farid Ali al-Fijawi, Maulana Akbar Shah @ U Tun Aung, and Muneer Kuttiyani Muhammad

Violations of Basic Rights of Prisoners In Conventional and Islamic Law: Theory and Practice

Suleyman Temiz, and Arshad Islam

Charismatic Political Leadership and Tun Dr Mahathir Mohamad's Malaysia: Power, Control, Stability and Defence

Francesca Bocca-Aldaqrè

Johann Wolfgang von Goethe: A life With Islām.

Hafiz Zakariya

Major Trends in the Historiography of Muslim Reformism in Pre-Independent Malaysia

Ali Ahmed Zahir

A Critical Analysis of Islamic Council of Europe: From a Juristical and Islamic Legal Maxim Perspective

Abdul Rashid Moten

Kashmir between India Pakistan: The Unfinished Agenda

Nor Razinah Binti Mohd. Zaina, Engku Rabiah Adawiah Engku Alib, Adewale Abideenc, and Hamizah Abdul Rahmand

Smart Contract in Blockchain: An Exploration of Legal Framework in Malaysia

Garoot Suleiman Eissa, Elfatih Abdullahi Abdelsalam, and Mohamad Fuzi Bin Omar

South-South Cooperation: A Case Study of Contemporary Sudanese-Malaysian Relations

Roy Anthony Rogers

Diplomatic Ties Between Malaysia and the Holy See: A Symbol of Mutual Respect, Inter-Religious Coexistence and International Cooperation

Review Article

Book Review

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