

## Kashmir Overview<sup>1</sup>



### History

The former princely state of Kashmir has been partitioned between India and Pakistan since 1947, to the satisfaction neither of the two countries nor the Kashmiris themselves. Failure to agree on the status of the territory by diplomatic means has brought India and Pakistan to war on a number of occasions, and ignited an insurgency that shows no signs of abating.

When India and Pakistan gained independence from British rule in 1947, the various princely rulers were able to choose which state to join. Since most people living in the territory were Muslim, the country of Pakistan was formed with the expectation that Kashmir would join it. In fact, the 'k' in its name referred to Kashmir, so that the territories forming the new country, Punjab 'P', Afghania 'a', Kashmir 'k', Sindh 's', and Baluchistan 'tan', would collectively spell out 'Pakistan'.

The Maharaja of Kashmir, Hari Singh, was the Hindu head of a majority Muslim state sandwiched between the two countries, and could not decide. He signed an interim "standstill" agreement to maintain transport and other services with Pakistan. In October 1947 tribesmen from Pakistan invaded Kashmir, spurred by reports of attacks on Muslims and frustrated by Hari Singh's delaying tactics. The Maharaja asked for Indian military assistance.

India's governor-general, Lord Mountbatten, believed peace would best be served by Kashmir's joining India on a temporary basis, pending a vote on its ultimate status. Hari Singh signed the

<sup>1</sup> Largely taken from BBC News [Kashmir Territories](#), with some abridging and reorganizing, and supplemental information on [the economy](#), [the conflict](#), and [the bus](#), along with the [sub-continent maps](#).

Instrument of Accession that month, ceding control over foreign and defence policy to India. Indian troops took two-thirds of the territory, and Pakistan seized the northern remainder. China occupied eastern parts of the state in the 1950s.

### **The Dispute**

Whether the Instrument of Accession or the entry of Indian troops came first remains a major source of dispute between India and Pakistan. India insists that Hari Singh signed first, thereby legitimising the presence of their troops. Pakistan is adamant that the Maharaja could not have signed before the troops arrived, and that he and India had therefore ignored the "standstill" agreement with Pakistan.

The Line of Control (LoC) divides Kashmir on an almost two-to-one basis: Indian-administered Kashmir of about 10 m. people, known by India as Jammu and Kashmir (J&K) state; and Pakistani-administered Kashmir of about 4.5 m. people, known as "Azad" (Free) Kashmir. China also controls a small portion of Kashmir.

Though the government of J&K has often been led by a pro-Indian party, this Indian section is diverse in religion and culture. It consists of the heavily-populated and overwhelmingly Muslim Kashmir Valley, the mainly Hindu Jammu district, and Ladakh, which has a roughly even number of Buddhists and Shia Muslims.

The Hindus of Jammu and the Ladakhis back India in the dispute, although there is a campaign by a small group in Ladakh to be upgraded into a separate union territory in order to reflect its predominantly Buddhist identity. India gave the two districts of Ladakh some additional autonomy within J&K in 1995, though that was rescinded in 2019.

The Partition in 1947 gave the British colonial Indian sub-continent's Muslims a state of their own: Pakistan. Pakistan runs Azad as a self-governing state, in which the Muslim Conference has played a prominent role for decades. A common faith underpins Pakistan's claims to Kashmir, where many areas are Muslim-dominated. The population of the Indian-administered state of Jammu and Kashmir is over 60% Muslim, making it the only state within India where Muslims are in the majority.

Pakistan wanted a referendum to decide the status of Kashmir, while India argues that, having voting in successive Indian state and national elections, Kashmiris have confirmed their accession to India. Pakistan cites numerous UN Resolutions in favour of a UN-run referendum, but India argues the Simla Agreement of 1972 that ended the Indo-Pakistani War of 1971 binds the two countries to solve the problem on a state-to state basis.

## Conflicts & Concessions

The two countries fought wars over Kashmir in 1947-48 and 1965. They formalised the original ceasefire line as the Line of Control (LoC) in the 1972 Simla Agreement. Hostilities continued with separatist militancy and cross-border firing between the Indian and Pakistani armies through the 1980s and 1990s. The death toll ran into tens of thousands with a population traumatised by fighting and fear.

The heated rivalry between the two countries, also influenced by their shared border with China, led to their nuclear weapons development. In 1998, India and Pakistan both declared themselves to be nuclear powers demonstrated by a string of nuclear tests. China, also with claims in Kashmir, possesses nuclear weapons.

India and Pakistan came close to war again in early 2002 when there was a huge deployment of troops on both sides of the border as India reacted to an armed attack on the national parliament in Delhi the previous December.

A thaw in relations after this near conflict saw some road and rail communications into Pakistan reopened, but ended abruptly with the 2008 terror attacks in Mumbai in which gunmen from Pakistan killed 165 people. India blamed Pakistani and Kashmiri Islamists for the attacks.

In the summer of 2010, pro-Pakistan and pro-independence public protests erupted in Indian-administered J&K, and clashes with Indian security forces left more than 100 people dead.

Between bouts of increased tensions and conflict, there have been attempts to normalize relations.

- A bus service started running between the two parts of Kashmir in 1999. Though service is occasionally disrupted by conflict, the bus continues to make weekly runs.
- In 2003, the two countries agreed to a ceasefire across the LoC that divides Indian and Pakistani-administered Kashmir
- In 2006, Pakistan said it stopped all funding for militant operations in Kashmir, ignoring protests by some of the more influential groups
- In October 2008, an old trade road reopened after 60 years across the LoC.
- In February 2010 India announced an amnesty for fighters from Indian-administered Kashmir, saying they could return from Pakistani territory
- Early in 2012, Pakistan cut by half the administrative funds it issues to groups that still maintain offices in Pakistani-administered Kashmir and offered a cash rehabilitation package to former fighters to abandon militancy

In January 2014, terrorist attacks killed seven Indian soldiers during a four-day attack on an India air base. Despite the attack, India did not retaliate against Pakistan. Despite these attacks, Narendra Modi was the first Prime Minister of India to invite a Pakistani president to attend his May 2014 inauguration. Though relations looked hopeful, that soon changed.

In July 2016, a 22-year-old militant leader was killed in a battle with security forces. His death led to massive protests. In September 2016, in what India claimed was retaliation for a terrorist incursion killing 19 soldiers, India crossed the LoC to launch 'surgical strikes' against jihadists. In this instance, Pakistan denied India actually crossed the line and took no action.

In 2018, more than 500 people were killed, including civilians, security forces and militants, amounting to the highest toll in a decade. For the next election, PM Modi ran on a Hindu nationalist platform. In addition to world events (other populist movements and a global recession, among them), it is not surprising that relations have become more strained.

In February 2019, terrorists attacked Indian-administered Kashmir, killing more than 40 police officers in a suicide bombing. India claimed the Pakistani government has allowed terrorists to operate freely in its section of Kashmir. India retaliated with air strikes on Pakistani sites, with one plane going down and an India pilot captured.

In what analysts speculate was driven by election politics, India claimed to have bombed sites and caused casualties with these attacks. The media uncovered that while India did bomb some open terrain, it did not actually level the sites or cause the casualties it claimed. A day later, Pakistan said it shot down two Indian Air Force jets in its airspace, and captured a fighter pilot. The newly-installed President of Pakistan returned the captured pilot to India as a gesture of peace, hoping to diffuse the situation and restore order between the two countries. However, Pakistan did close its airspace to Indian traffic, recently reopening in July 2019. Reports indicated this led to a \$1 billion loss for India.

### **Article 370**

Indian-administered Kashmir has held a special position within the country historically, thanks to Article 370 - a clause in the constitution, which gave it significant autonomy, including its own constitution, a separate flag, and independence over all matters except foreign affairs, defence, and communications. In August 2019, India revoked that seven-decade-long privileged status, as the governing party, the Bharatiya Janata Party (BJP), had promised in its 2019 election campaign. Two former chief ministers of Jammu and Kashmir were placed under house arrest. India's parliament passed a bill splitting Indian-administered Kashmir into two territories governed directly by Delhi: (1) Jammu and Kashmir (J&K), and (2) the remote, mountainous Ladakh.

China, which shares a disputed border with India in Ladakh, has objected to the reorganisation and accused India of undermining its territorial sovereignty. Pakistan fiercely condemned the development, branding it "illegal" and vowing to "exercise all possible options" against it. It downgraded diplomatic ties with India and suspended all trade. Pakistan's Prime Minister vowed to challenge India's actions at the UN Security Council (UNSC) and take the matter to the International Criminal Court (ICC). India responded by saying it "regretted" Pakistan's statement and reiterating that Article 370 was a domestic matter that did not interfere with the boundaries of the territory.

Within Kashmir, opinions about the territory's rightful allegiance are diverse and strongly held. Many do not want it to be governed by India, preferring either independence (which neither India nor Pakistan will consider) or union with Pakistan instead. Religion is one factor: J&K is more than 60% Muslim, making it the only state within India where Muslims are in the majority. J&K is a particularly desirable place to live due to its weather and beautiful scenery. During the colonial era, the British moved their capital here during the summer months to escape the heat of Delhi. Rescinding Article 370 means Indians from outside the territories can now acquire property and settle there permanently, which was not previously the case. Critics of the BJP accuse Hindu nationalists of strategizing to move more Hindus into the territory to make the Muslim population a minority.

### **Economy**

Kashmir's economy is predominantly agrarian. More than 70% of the population is engaged in agriculture, but they are not producing enough even to cater to the local demand, making them heavily dependent on food products being brought in from other states. Indian-administered Kashmir produces 60% of apples in India, and the hope is that peace could bring stability and development of the infrastructure to produce far more. In addition, horticulture and handicrafts (like cashmere wool products) are amongst the prime movers of the economy. Together the sectors generate almost \$1bn annually, but are in need of a drastic overhaul and value addition in order to fulfill their potential.

The territory has the potential for considerable income as a tourist destination, set in the valley of the Himalaya Mountains. Even with bouts of conflict, skiers, snowboards, hikers, and more travel to Kashmir to advantage of the natural beauty and outdoor activities. The important tourism sector in Indian-administered Kashmir was hard hit by the post-1989 insurgency, but has recently bounced back and in 2011 a record 1.1m tourists visited, mainly from India itself. Not surprisingly, years of conflict and destruction have dented economic growth and stifled the tourism sector, some sectors have managed to sustain themselves, albeit at a bare minimum level.

### **In sum**

Pakistan says Kashmir should have become part of Pakistan in 1947, because Muslims are in the majority in the region. Pakistan also argues that Kashmiris should be allowed to vote in a UN Referendum on the issue. India, however, does not want international debate on the issue, arguing that the Simla Agreement of 1972 provided for resolution only through bilateral talks. India says that the Instrument of Accession signed in October 1947 by the Maharaja, Hari Singh, sealed the deal for Kashmir to become a part of India. Both India and Pakistan reject the option of Kashmir becoming an independent state. Though some Kashmiri separatists groups have formed and push for independence, most people want citizenship in India, Pakistan, or China.

The two governments have huge international backing to continue the peace process and make their negotiations succeed. An end to the violence and uncertainty in Kashmir would also be widely welcomed in India and Pakistan - and not only by those weary of the fighting or those who see it as a hindrance to the economic development of the South Asia region. However, a diplomatic solution has escaped both sides for more than 60 years, and there are no signs of any new proposals yet. Furthermore, both governments face powerful hard line groups within their own countries who will be carefully monitoring any talks to make sure concessions they deem to be unacceptable are not offered to the other side.

While there has been evidence of more cooperation between India and Pakistan, the nationalist government of India seems set on antagonizing Pakistan with its attacks and move to directly control the territory. Meanwhile, Pakistan seems to prevail as the calmer head in the more recent, repeated confrontations, frequently ignoring, minimizing, and attempting to reduce the impact of India's manoeuvres and policies.