



# Kashmir's no to BJP

The unmistakable message of the electoral verdict was rejection of Modi's post-2019 actions.

THE resounding message from occupied Jammu and Kashmir's recent legislative elections is rejection of India's Aug 2019 action that robbed the state of even the nominal autonomy it previously had. The verdict handed a decisive victory to the National Conference (NC) and was a setback for Prime Minister Narendra Modi's aim of securing endorsement for his post-2019 policy.

On Aug 5, 2019, his government had abrogated Article 370 of the Indian constitution which gave the state special status. The state's bifurcation and absorption into the Indian union was in violation of UN Security Council resolutions and denounced across the occupied territory. This opened another bleak chapter in the disputed state's tortured history, which involved intensified repression, incarceration of Kashmiri leaders, grave violation of human rights and crackdown on the media.

Many in the Indian media read the outcome of the J&K election as a blow to the BJP and repudiation of its post-2019 actions. Harish Khare wrote in *The Wire*, "This is a strategic setback, whichever way the Modi agitators may want to slice it." Another writer called it "an electoral and moral defeat" for BJP. The *New York Times* acknowledged that "Modi's heavy overreaching to assert BJP ascendancy was foiled." NC leader Farooq Abdullah said, "The results were a 'verdict' against Modi's government ... [they] prove the steps taken on Aug 5 are not acceptable to the people." Mirwaiz Umar Farooq, leader of the All Parties Hurriyat Conference (APHC) declared "By the vote people have rejected the unilateral changes imposed in August 2019, which led to their systematic disenfranchisement."

Before assessing the electoral outcome, it is important to consider the backdrop in which the elections took place — after a decade. They occurred in the coercive presence of half a million Indian troops deployed across J&K, with additional forces inducted for the election that patrolled the streets and set up new checkpoints. APHC leaders continued to languish in jail or house detention. Curb remained on the media with foreign journalists prevented from travelling to the region.

A series of steps were taken by the BJP government after August 2019, including gerrymander-

ing, aimed at manipulating and shaping the environment for the election. The electoral map was redrawn by carrying out new constituencies to disempower the Muslim population. Jammu's representation was increased to 43 seats leaving Kashmir with 42, despite the fact that the Valley's population far exceeds Jammu's. Demographic changes involved issuing domicile certificates to non-Kashmiri outsiders who became eligible to vote after abrogation of Articles 370 and 35A of the constitution. Temporary residents were also given voting rights. These measures were roundly denounced in J&K including by pro-India Kashmiri politicians and only deepened the resentment and alienation of the Kashmiri people. Little surprise then that issues of statehood, abrogation of Article 370 and New Delhi's other measures that disenfranchised Kashmiris, dominated the election campaign.

The final blow came weeks before the election when the BJP government substantially increased the powers of the lieutenant governor, nominated by New Delhi, to sharply limit the authority of the elected government. The LG, an instrument of direct rule by New Delhi since 2018, was given sweeping administrative and security powers and authority to nominate five members to the 90-member legislative assembly. This was condemned across Kashmir with political leaders describing it as an effort to reduce J&K to a municipality while NC leader Omar Abdullah said the chief minister's office had been downgraded to "a powerless rubber stamp". The Congress party called it the "murder of democracy".

The election result was a reaction to those moves and above all to the state's truncation and disempowerment. Significantly, there were no boycott calls. This reflected the public's eagerness to use the ballot box to vent their protest against New Delhi as an act of resistance, especially as the election was seen as a referendum on the BJP government's policies. The National Conference that won 42 seats out of 90 secured an absolute majority with its ally Congress, which won six seats. The Congress party's ambiguous stance on Article 370 exacted a political price and eroded its support. All regional parties campaigned on promises to

reverse the post-2019 changes.

The much speculated 'wave' in favour of independent candidates — a record number contested the election — failed to materialize with only two seats won by them in the Kashmir Valley. The People's Democratic Party was decimated, winning only three seats with voters punishing it for its opportunistic alliances with the BJP in the past. The BJP failed to win a single seat from the 19 it contested in the Valley but secured 28, all from Jammu's Hindu-majority districts. This underlined a more pronounced Hindu-Muslim divide in the region.

The National Conference was able to tap into popular anger with New Delhi by its unambiguous stand on statehood and autonomy. In its election manifesto the party pledged to fight for the restoration of Article 370, repeal all post-2019 laws that eroded Kashmir's autonomy and work for India-Pakistan dialogue. Omar Abdullah, who will be the next chief minister, said after the election that his first order of business would be for the cabinet to adopt a resolution calling for restoration of statehood. He promised to keep "the conversation about Article 370 alive" but acknowledged that its restoration would be impossible under a BJP government. Nevertheless, his party's victory was clear indication of Kashmiri rejection of New Delhi's decision as indeed the BJP's narrative of bringing 'development' to J&K.

Omar Abdullah will head a coalition government with Congress that will have very limited powers but face daunting challenges including a likely tussle with the LG. What is apparent is that BJP's hopes that the election would end the debate over J&K's status and enable Modi to 'legitimise' his 2019 action have been dashed. In any case, an election under Indian occupation cannot serve as a substitute for a genuine exercise in self-determination by the Kashmiri people. Nor does the election alter in any way J&K's disputed nature, enshrined in UNSC resolutions. What the election does show is that whenever given a chance to voice their opinion the people of Kashmir always say they want to track with New Delhi. ■

The writer is a former ambassador to the US, UK and EU.