The Populism Issue
KASHMIR AND INDIA’S CLIMB UP THE LADDER OF CHAOS

Anubhav Gupta

In early August 2019 India shocked the world by eliminating the special, semiautonomous status of the state of Jammu and Kashmir. It did so through a presidential order amending Article 367 of the Indian Constitution, which then allowed the government to abrogate parts of Article 370 that codified the state’s special status.

The government also passed the Jammu and Kashmir Reorganization Act, which divided the state in two by lopping off its Buddhist-majority eastern wing of Ladakh and demoted both Ladakh and the condensed Jammu and Kashmir to union territories, which are governed directly by New Delhi. In one fell swoop, the government nullified the arrangement under which the princely state of Jammu and Kashmir had agreed to join the Indian Union and through which its people were to enjoy greater political autonomy than other Indian states.

Given that Jammu and Kashmir is a disputed territory, India’s actions had both international and domestic ramifications, yet it did not consult the relevant internal or external stakeholders. India unilaterally changed the status quo of a disputed territory without consulting or even notifying a priori the two other parties: China and Pakistan. The state of Jammu and Kashmir borders both Pakistan-controlled Kashmir as well as Aksai Chin, the region claimed by China, and its de facto borders with both have been unchanged since 1972 and 1962 respectively, in the aftermath of two major wars.

India has maintained that its actions only impact how it governs the parts of Kashmir that it already controls and do not alter the borders in any way. While this is true in principle, by the admission of India’s own Home Minister, the Kashmir decision was made so that Jammu and Kashmir could “truly become [an] integral part of India.”

Naturally, Pakistan and China were unmoved by India’s defense. Pakistan reacted furiously, condemning India, downgrading its diplomatic ties with New Delhi, and cutting off the few remaining valves of trade between the countries. For its part, the Kashmir decision was made so that Jammu and Kashmir could “truly become [an] integral part of India.”

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A NEW CHAPTER

Russia and China, never content with the prevailing order, are the chief revisionists. But even powers that have benefited from the system and support its continuation have exploited the chaos of the current moment by attempting what they could not get away with previously. One such power is India, which made a provocative gambit this past summer in the contested state of Jammu and Kashmir.

Despite howls of protest from Pakistan, India’s decision to climb the ladder of chaos seems to have paid off—for now. What the longer term ramifications of its actions will be are harder to predict but should concern any Indian policymakers that are eager to take a victory lap. More than anything, this episode highlights the precariousness of the current moment, as well as India’s emergence as a global power.

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China immediately criticized India as “undermining China’s territorial sovereignty” and called its actions “unacceptable.” Generally speaking, however, its tone has been relatively restrained.

The Indian government’s internal management made matters worse. It did not consult the parliament, opposition parties, or the political leaders of Jammu and Kashmir before announcing its decision. And the government instituted a security clampdown in the state, sending thousands of additional troops into the already militarized region, shutting down internet and phone networks, and arresting scores of political leaders and civilians without due process.

India has defended these measures as “temporary,” “precautionary,” and necessary to save lives. Yet, according to the UN High Commissioner for Human Rights, months after the decision was rendered, “an undeclared curfew” remained in place in “large parts of the Kashmir Valley, preventing the free movement of people, as well as hampering their ability to exercise their right to peaceful assembly and restricting their rights to health, education and freedom of religion and belief.”

Over two days in August, India erased Kashmir’s ability to fly its own flag as well as determine who could qualify as a resident and own land in the state, and assigned New Delhi greater say in the state’s governance. The decision marked a watershed moment in the 72-year-long standoff between India and Pakistan over control of the Kashmir region, as well as for the Kashmiri peoples’ long struggle for political autonomy.

**MODI TAKES INITIATIVE**

While Pakistan and the world were caught unawares by India’s announcements, observant watchers of Indian politics were not surprised. The Bharatiya Janata Party (BJP) mentioned the abrogation of Article 370 in its two previous election manifestos. Hindu nationalists have chafed at the state’s special autonomy for years and they had used issues such as terrorism, and the targeting of Kashmiri pandits and their exodus out of the Valley to justify a virulent anti-Pakistan and, as critics insist, an anti-Muslim agenda.

Prime Minister Narendra Modi and the BJP’s resounding victory in elections in spring 2019 gave the party a political mandate unseen in India in decades. Having secured an even greater majority than in 2014, the BJP had a clear political opening to implement its vision. The late stages of the campaign, fought on national security following terrorist attacks in Kashmir, had emboldened the BJP.

Modi expertly navigated the crisis, exploiting it to present himself as a defender of the country who would not back down when faced with Pakistan’s aggression. After appearing vulnerable in early 2019, when the campaign centered on economics, Modi rode the crisis to victory on a jingoistic wave.

The historic victory left no doubt that Modi was at the apex of Indian politics. The opposition is bereft, with no party leading it, and the Congress Party again faces a leadership dilemma after Rahul Gandhi’s resignation. The media had eaten up Modi’s nationalist narrative during the February 2019 crisis with Pakistan, revealing it would likely fall into line and support a move on Jammu and Kashmir as well. The BJP saw a window of opportunity to deliver on a longstanding dream of its Hindu nationalist base. Within weeks of forming the new government, the Kashmir play was set in motion.

For the Modi government, getting rid of Article 370 was long overdue. C. Raja Mohan, one of India’s premier strategic thinkers, explains that for India this was “about the unfinished task of extending effective territorial sovereignty over lands it has claimed.” While it no longer seemed in the realm of possibility that India would ever relinquish control of the state, the BJP wanted to slam that hypothetical door shut. The government has declared that the move will stabilize Jammu and Kashmir and finally allow it to prosper because terrorism would disappear, investment would pour in, and New Delhi would ensure good governance and economic development.

Defenders of the decision presented India as benevolently trying to solve an intractable problem that has existed for over 70 years.

In this framing, India is the salutary actor, with Pakistan, terrorists, and local elites playing the role of spoiler. The government’s diagnosis, in which everyone but it is to blame for the problems vexing Jammu and Kashmir, reveals a level of denial that is unlikely to facilitate progress.

Modi is absolutely right to point out that the status quo in Kashmir was problematic and unsustainable. And there certainly will be benefits from its decision.
For instance, Buddhist majority Ladakh, which will now be administered separately from Jammu and Kashmir, could benefit tremendously because its interests will no longer be overshadowed by those of Jammu and the Valley when it comes to governance and economic development. Nevertheless, if the Indian government believes that prosperity and stability will now magically blossom in the rest of Jammu and Kashmir, it may be sorely disappointed.

Pakistan's support of militancy has certainly been a prominent roadblock to progress in Jammu and Kashmir. However, India's lack of political legitimacy among a significant number of Muslims in the Kashmir Valley is its central challenge. As long as Kashmiris abhor Indian rule, New Delhi has a problem. Pakistan's support of terrorism and anti-India sentiment has certainly fueled this political alienation in the Valley, its hopes of stability and therefore prosperity will be closer to political fairy tales than reality.

A Tinderbox Looking for a Match

The events of early August 2019 opened an uncertain new chapter in Indian-administered Kashmir, with reverberations far beyond its contested borders. India's actions have unleashed two sets of related dangers for the region: the potential of a reignited insurgency in Jammu and Kashmir, and a greater probability of future confrontation between nuclear rivals India and Pakistan.

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And India's actions have redesigned the political landscape of the state since the start of the insurgency in the 1990s—documented by scores of human rights reports and by the government's own investigations—has led many Kashmiris to view India as a repressive regime.

Unfortunately, New Delhi's actions since August 5th, 2019 fall into that same pattern. Until the Indian government can improve its own political standing and reduce political alienation in the Valley, its hopes of stability and therefore prosperity will be closer to political fairy tales than reality.

Pakistan would certainly take advantage of such instability. Having been surprised by India's actions, Islamabad needs to save face with the Pakistani public, for whom Kashmir has long been intrinsically tied to national identity.

It has already made a diplomatic stink about India's actions, "raising this issue at every forum," as Prime Minister Imran Khan vowed immediately after India's announcement. Khan lobby Pakistan's partners as well as multilateral bodies such as the United Nations and the Organization of Islamic Cooperation to pressure India to change course. Khan turned his visit to New York in September 2019 for the UN General Assembly meetings into a public relations campaign to castigate India's crackdown in Kashmir and lobby the international community to intervene by warning that there would be a "bloodbath" in Kashmir if they did not act.

Such a development would be exceedingly dangerous, because India-Pakistan ties have been deeply fraught
since the events of early August 2019 and are now characterized by an unprecedented level of rancor and distrust.

The UN General Assembly meetings, generally known for long speeches full of diplomatic platitudes, featured incendiary accusations between India and Pakistan. In speeches at the UN and at the Asia Society, Khan malignled India, going as far as to say that “India has been captured, as Germany had been captured by Nazis, by a fascist, racist Hindu supremacist ideology and leadership.” At an event at the Asia Society earlier that same week in September, 2019, India’s Foreign Minister had dismissed Pakistan as “Terroristan.”

Pratap Bhanu Mehta, one of India’s leading public intellectuals, explains that this language represents a significant shift:

India and Pakistan are now not just accusing each other of specific actions that are evil. They are impugning the core character of each other. Pakistan’s charge against India is now not that India is a state that illegally occupies and oppresses Kashmir; it is that the nature of the Indian regime has changed to a majoritarian racial ideology. For India, Pakistan is not a state that uses terror; the core of the state is terror incarnate. These mutual accusations have been implicit in India-Pakistan relations. But now they are explicit positions, an attemp to capture each other's core identity.

While tension between India and Pakistan is no new thing, this level of bluster between two nuclear rivals who have fought four wars in the past—three of them over Kashmir—is cause for deep concern. We are seeing a major corrosion of trust that will take a lot of time and effort to fix. New Delhi was already refusing to engage Pakistan until the country abandons its support of terrorism. Khan’s pointed and hyperbolic attacks on the current Indian government have likely shut the door for any dialogue in the near term. This is a tinderbox ready to explode.

Even before the events of early August 2019, recent India-Pakistan crises had seen the risks of escalation get alarmingly high. Under Narendra Modi, India has diverged from the path of restraint tread by previous Indian leaders. India’s last two prime ministers, Atal Bihari Vajpayee and Manmohan Singh, made the politically difficult decision to diffuse confrontation and seek dialogue in moments of crises.

Modi rejected that path, arguing that it only emboldens Pakistan’s bad behavior. He has instead chosen to respond militarily to terrorist attacks emanating from Pakistan. After dual attacks in 2016, Modi first paused peace talks with Pakistan and then ordered “surgical strikes” in Pakistan-administered Kashmir. By publically announcing the retaliatory operation—a first—Modi took one step further toward confrontation than India had before.

After the Pulwama terrorist attack in February 2019, Modi pushed back even harder. This time he authorized an air strike on Pakistani territory beyond Pakistan-Administered Kashmir, raising risks of a broader confrontation. In a policy brief published by the Harvard Kennedy School’s Belfer Center, authors Vipin Narang and Christopher Clary underlined at the time that the “crisis represents the first ever use of airpower by a nuclear-armed state against the territory of another nuclear-armed state.”

Even though these decisions were risky, they benefitted Modi politically, making it likely that he would eschew restraint in future crises as well.

Complicating matters further, India’s more assertive conventional retaliation strategy is matched with a growing desire in India for a more aggressive nuclear doctrine. Despite having conventional superiority, India has been frustrated by its inability to deter asymmetric Pakistani attacks because of Pakistan’s threats to use nuclear weapons in a conventional conflict. To quote from Narang and Clary’s essay once more: “Pakistan’s threats of nuclear first use have given India incentives to develop disarming capabilities that might neutralize Pakistan’s nuclear capabilities in a future conflict.” Though India is far from achieving such capability, “even the mere pursuit of such options creates both an arms race on the Indian subcontinent as well as dangerous incentives to strike first in a crisis.” So the direction in which India’s nuclear doctrine is tilting introduces new dangers and uncertainties into any future crisis on the subcontinent. Both the likelihood of crisis and the likelihood and severity of escalation have increased in the past year.

For years, the international community looked to India to be the responsible player in this dangerous nuclear rivalry with Pakistan. With that no longer a guarantee, and with nationalism reaching a fever pitch in both nations’ capitals and media, the subcontinent is in a precarious place.
**The World Shrugs**

Barin Islamabed’s remonstrations, the international community’s response to India’s Kashmir policy has been alarmingly circumspect given the treacherous stakes. Only three countries—China, Turkey, and Malaysia—have gone out of their way to criticize India’s actions, with most others expressing concern about the style (not the substance) of India’s actions. The muted reaction is a change from previous crises in the region, when the international community has been proactive and vigilant.

To marshal international censure upon India, Pakistan has (i) criticized India for destabilizing the region and called on the world to intervene to prevent conflict; (ii) highlighted the human rights dimensions of India’s actions; and (iii) lambasted India for undermining UN resolutions and its past treaties with Pakistan.

The first two criticisms have resonated some, but the United Nations has shown zero appetite to intervene or to pressure India to backtrack on the issue of special autonomy. Instead, most international institutions have expressed concern about the treatment of Kashmiri citizens and cautioned India and Pakistan to resolve their differences through dialogue. India has been happy to ride out such timid criticism.

Pakistan’s attempts to internationalize the issue have failed in part because it lacks any credibility on matters of peace and security. Pakistan’s history of sponsoring terrorism, be it in Afghanistan, Kashmir, or domestically, is now an internationally recognized, if not seriously acknowledged, fact. Many have accepted India’s position that Pakistan is the primary spoiler of peace on the subcontinent, and that India has the right to defend itself against cross-border terrorism.

For this reason, when Khan warned of nuclear war and future bloodshed in a melodramatic New York Times op-ed, it raised eyebrows globally—but for the wrong reasons. Many wondered if the leader of a nuclear-armed state was issuing threats via one of the world’s most influential newspapers. It was a telling moment. Even if countries viewed India’s recent actions as problematic, this was overshadowed by the fact that they view Pakistan, at best, as the country that cried wolf, and, at worst, as the party training the wolves in the first place.

**On the human rights front**, the case against India is credible but the messenger is not, as Pakistan only has hypocrisy to lean on. Human rights organizations deem Pakistan-administered Kashmir to be as bad if not worse than India-administered Kashmir. Pakistan also has a poor human rights record domestically, where several ethnic as well as religious minorities face discrimination and repression. And Pakistan’s record as a defender of Muslims worldwide is equally pathetic, given its silence about human rights violations against Muslims by many of its closest partners, whether it is the Gulf States or China.

Over the past decade, India has developed stronger ties with the Middle East, and the Gulf countries in particular. As India’s economy has blossomed, the potential economic dividends it offers the Gulf have started to outweigh Pakistan’s historic and cultural ties.

**China’s acquiescence** cements that, at least on the international front, India’s gambit has succeeded, for now.

Pakistan has also sought to enlist the United States as a mediator. America has played this role in the past, pro-actively intervening behind the scenes on many occasions to stabilize the region. After the attack on India’s parliament in December 2001, hundreds of thousands of Indian and Pakistan troops amassed at the de facto border in a tense standoff till June 2002. Then, as in 1999 during the Kargil War and in 2008 after the Mumbai attacks, the United States engaged in aggressive back channel diplomacy to lower tensions and deescalate the crisis.

Today, these countries are hesitant to alienate New Delhi by criticizing it on issues that are not central to their own interests. This is why, while Saudi Arabia has expressed concern about Kashmir, when Crown Prince Mohammed Bin Salman met with Modi at the end of October 2019, remarkably, he did not directly raise the Kashmir issue. And some, like the UAE, have gone as far as to echo India’s talking points, with at least one of its diplomats referring to India’s Jammu and Kashmir decision as an “internal matter.”

Anubhav Gupta
Kashmir and India’s Climb Up the Ladder of Chaos

Rising in the Midst of Chaos

The late Yale political scientist Robert A. Dahl noted that most conceptions of power in international politics involve the ability to cause another party to do something they otherwise would not do. If the inverse also applies—being able to do something that others do not want you to do—then the Kashmir episode shows that India has crossed a major threshold. India’s decision to upturn the status quo in Kashmir and the international community’s ho-hum response are a sign of India’s ascendance in the current global chaos.

The international liberal world order is fragmenting in a variety of ways. First, the global institutions that helped underpin much of the international order have become increasingly ineffective and irrelevant. Second, the liberal values—democracy, human rights, the rule of law, and so on—that established much of the prevailing order’s norms are under threat or losing cache across the globe. Third, the United States, which used its power to lend force to these institutions and norms in the past, has abdicated its leadership role. Finally, a natural shift is taking place as countries like China are gaining power and challenging the institutions, norms, and guardians of the previous order.

These shifts are all evident in the current Kashmir scenario. It was India that originally took the Kashmir question to the United Nations. The fact that it now casually rejects any UN role in Kashmir is a factor both of the ineptness of the body as well as the deliberate sidestepping of it even by countries such as India that support the current order.

Secondly, India’s blatant disregard for the human rights of its citizens in Kashmir and the world’s bland reaction are emblematic of how much liberal values have receded from the global agenda. India knows that the defenders of democracy and human rights have little support from world governments, and aside from the international press, there are few watchdogs it needs to worry about.

T
he United States under President Trump deserves much of the blame. The current administration has given little priority to human rights and democratic values. While policymakers in New Delhi have to answer to a concerned State Department, they knew President Trump would not censure them publically, as previous U.S. presidents had.

Instead, in September 2019—with India’s security clampdown in Kashmir in full effect—Trump made the astonishing decision to attend a rally for Modi in Houston, Texas. Trump appearing hand-in-hand with Modi was seen in India as a tacit endorsement of New Delhi’s actions, or at least an acknowledgement that the White House was not at all bothered by the controversy. Indians also viewed it as the world’s greatest power showering respect on India.

India’s emergence as a major power has helped prevent a diplomatic uproar over Kashmir. Today it stands...
as one of the major poles of an increasingly multipolar world, one that does not get dictated to by other powers. India has long wanted to be a great power and, as the Council on Foreign Relations’ Alyssa Ayres has written, in recent years, India’s public and its leaders increasingly believe that their “time has come.” Narendra Modi has embodied this ambition. Brimming with confidence after his resounding reelection, Modi and the BJP made their play, gambling that the world would be too distracted to intervene and would not hazard alienating New Delhi. They were correct. In 2019, the world has been engulfed in a never-ending series of crises. Already flummoxed by North Korea’s emergence as a nuclear power, the Sino-American trade war, and the civil wars and geopolitical competition in the Middle East, the world was greeted with a number of new crises in the second half of 2019. Attacks on oil tankers in the Persian Gulf raised concerns about the safety of global energy supplies in the midst of U.S.-Iran tensions. Japan and Korea, key poles in America’s alliance system in the Asia-Pacific, began a trade war as historical grievances simmered to the surface. And the Trump Administration shocked its partners and allies by announcing an abrupt withdrawal from Syria.

The back-to-back eruption of these crises, which would have been difficult to imagine even three years ago, expose a world undergoing serious disruption. With the international community busy putting out these other fires, India seized the initiative. New Delhi’s task of defending its actions has been made easy by the messy global picture. “Great powers are quarreling again and they are unlikely to agree on the Kashmir question,” writes C. Raja Mohan. “India’s task is to simply prevent such an agreement.”

India has done this shrewdly by navigating the transition currently underway in global politics. It has done so by strengthening ties with most of the world’s major and middle powers and doing so without getting entangled in alliances and obligations that would undermine other relationships. This is evident in how India has bolstered ties with the Gulf nations after years of taking those countries for granted because they were friendly with Pakistan. Similarly, India has invested a lot of time and political capital in strengthening strategic ties with both Japan and the United States, while maintaining its strong relationship with Russia.

As India stepped up bilateral, trilateral, and quadrilateral dialogues with Asia-Pacific democracies, some America-based analysts had mistakenly hoped that India was ready to take a harder line toward China. Yet, India’s engagement with China over the past year and the recent Xi-Modi summit in Mamallapuram suggest that India is interested in normalizing ties with Beijing, not in confronting it. After seeing relations sour early in his first term, Modi has invested a lot of time and energy to personally engage Xi to make India’s intentions clear. This engagement has clearly informed China’s restrained criticism of India for its Kashmir move, revealing a small but vital shift in Asian geopolitics.

India has chosen to retain its strategic autonomy amid growing Sino-American tensions and the ongoing transition in the world order, which is characterized by China’s rise and the United States’ relative decline. In 2016, Modi seemed ready to lean closer to the United States and partner with it more closely in the Indian Ocean and Asia-Pacific to balance China. But the emergence of Donald Trump seems to have altered its calculation. Under the Trump Administration, Indian policymakers have watched the United States become an unreliable partner to its friends and allies, a retreating power, and a disrupter of the status quo. They have concluded that confronting China with this United States is too risky.

This balancing act is harder said than done. India’s attempts at pleasing all sides are likely to run into complications, and it will have to make difficult choices at times. But in the short term, it has allowed India to navigate the current moment and achieve its objectives in Kashmir without alienating its many friends and partners.

NEW INDIA EMERGING

In the second half of 2019, we have seen a new Indian emerge on the world stage. It is both a more confident nation that is willing to do whatever it takes to get its way, as well as a more respected one that others are more willing to defer to, even when its behavior stretches international norms. This should bring satisfaction and pride to Indians who have long sought this kind of global recognition and power. It also further boosts Modi’s political standing domestically.

However, this evolution may not be without drawbacks. For much of its independent history, India persevered as a poor developing nation with little hard power, yet it commanded outsized respect and influence on the world.
One of the primary reasons India punched above its weight was its status as a vibrant democracy. Shared values around freedom and human rights were an important anchor in its relationship with Western nations like the United States. Unlike emerging China, India has enjoyed a great deal of soft power because of these very values.

Brand India has definitely taken a beating because of its new Kashmir policy. If this trend continues, what happens to India's soft power and its ties with the West? If another cycle of insurgency and state repression takes hold in the state, will India continue to be seen as a beacon of democracy and human rights?

It may not ultimately matter. If India continues to enhance its strategic and economic heft, countries will likely overlook its domestic travails. And if the current liberal order disintegrates further, there will be even less scrutiny on India's domestic dynamics. However, few can confidently predict where the world is headed. India and China both face tremendous economic challenges in their quest for sustainable long-term growth and in turn great power status.

Under the Trump Administration, Indian policymakers have watched the United States become an unreliable partner to its friends and allies, a retreating power, and a disrupter of the status quo. India has ready partners in the West today and an international order that is in harmony with its core interests and values. On the other hand, China remains a competitor with which India has fought a war and has a longstanding border dispute. If another order emerges, there is no guarantee that it will be more advantageous to India. So India's hedging today may not be without consequences.

For now, India is climbing the ladder of chaos, unsure where exactly it might lead. It might be wise, however, to keep in mind how Littlefinger follows up his maxim: "Many who try to climb it fail and never get to try again. The fall breaks them." India would do well to climb with caution.