

TIF - Reading the Local Elections in Kashmir

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Voters sanitising their hands at a polling booth in Ganderbal district on December 10: the first election in Jammu and Kashmir after revocation of the erstwhile state's special status | Nissar Ahmad/The Hindu

The J&K polls have not gone according to plan. Politics has been re-energised, the BJP had a mixed outcome in Jammu & the voters of Kashmir have shown their anger. But will the DDC model now be extended to all of India in order to undermine state governments?

The results of the recently concluded District Development Council (DDC) polls in the union territory of Jammu and Kashmir (J&K) lend themselves to some easy but simplistic and superficial interpretations. It is back to electoral politics of development as usual, as it was before the region lost its constitutional status in August 2019, assert some analysts. Others emphasise the return of democracy, because Kashmiri parties participated in these polls and the electorate voted in good numbers. Another narrative views the results through the prism of hostility between the Kashmir and the Jammu divisions — the Bharatiya Janata Party (BJP) held full sway over the Jammu region while other parties were limited to the Kashmir region. Yet another assertion boasts of a return of complete normalcy to Kashmir, a belief which led the territory's administration to conduct a tightly controlled tour of the region for selected foreign journalists (who went on to claim the opposite in their reportage).

These conclusions are not untrue. But devoid of context and nuance, they mislead and misinterpret the real story emerging from the strife-torn region.

Take, for instance, the case of the three seats won by the BJP in the Kashmir division: one each in Bandipur, Pulwama and Srinagar districts. In Tulail in Bandipur district and Khanmoh-II in Srinagar, there were no candidates of the People's Alliance for Gupkar Declaration (PAGD), the coalition of parties that came together against the BJP on a single-point agenda of restoring J&K's pre-2019 status.¹ (The candidates' nomination papers had been rejected.) The Kakapora-II seat in Pulwama had an official PAGD candidate, from the People's Democratic Party, and a rival candidate who was a proxy of National Conference (which is also part of the PAGD). The BJP candidate won by 14 votes, even as the combined votes for the two PAGD candidates was 174 more than of the winner.

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Two of the three BJP winners are from old political families. Aajaz Ahmad Khan, who won from Tulail, is a sitting Block Development Council chairperson and was associated with the PDP until a few months ago, before he and his ex-MLA father Fakeer Khan joined the BJP. Similarly, the winner from Kakapora, Minha Lateef, is the daughter of Lateef Bhat, a former Congressman who switched to the BJP in 2017. Moreover, the BJP's claim of having made inroads in the Kashmir region are belied by its vote share in the region, which was just 3.3% despite having contested 102 of the 138 seats.

BJP's mixed performance in Jammu

The BJP's performance in the Jammu division was mixed, paling in comparison with its spectacular performance during the 2014 assembly elections. In the latest elections, the party won 72 out of the 140 seats in the division, 56 of those in Jammu, Udhampur, Kathua, Samba, and Doda districts (Jammu division has a total of 10 districts). In Doda, former minister Shakti Raj Parihar of the BJP contested from Gunda and Marmat, and lost both, even after allegations the constituencies were carved to give him a demographic advantage. In Rajouri, the home district of BJP's state president Ravinder Raina, the party got only three seats and even lost his home constituency of Nowshera to the PDP. In Poonch district, the party could not even open its account, while it was restricted to three seats each in Ramban and Kishtwar. Along with the BJP, the Apni Party – popularly called the 'King's party' – which had experienced politicians in its ranks, was flush with funds and supported by the state apparatus, also failed to make its mark in Kashmir.

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Even though a sharp regional divide defines the voting patterns, with Jammu clearly not sharing Kashmir's deep sense of autonomy, there is common ground between the two regions as well. They are on the same page in their demands for a return to statehood, restoration of the legislative assembly, and protection of land rights and jobs for locals as was the case under the old constitutional order. Those domicile laws were passed between 1927 and 1932 by the Dogra rulers who had created the princely state of Jammu and Kashmir, an emotional fact that resonates with the Jammuites. Journalists say that once you scratch the surface, there is growing concern in Jammu, about the fear of loss of land and jobs to outsiders. Notwithstanding the different manifestations and the varying degrees of aspirations, the Jammu and the Kashmir regions are neither polar opposites on every

issue nor do they view issues purely through religious prisms.

The PAGD won 26 seats in the Jammu division. The NC won 25 of them, including two in districts which are BJP strongholds, bolstering its claim of being the only party to have a strong presence all over the union territory. The Congress' victories have had a more even spread than the BJP, but its overall electoral performance fell short of the mark. It won nine seats in the Kashmir division and 17 in Jammu division but drew a blank in the four districts of Jammu, Kathua, Udhampur and Samba.

Against the odds

These results were achieved by the PAGD in a climate of fear and intimidation where the state apparatus, central agencies, and the security forces colluded to provide the BJP and Apni Party an unfair advantage. The central agencies were pulled out to target the leadership of the anti-BJP parties. From trying to link opposition politicians to the Roshni land scam – which backfired on the BJP and led to a quick backtracking – to flimsy corruption cases conjured up by central agencies against the top NC and PDP political leadership, there was a blatant misuse of state power to intimidate and cripple the PAGD.

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PAGD leaders claim that their candidates were detained in Srinagar hotels in the name of 'security' and not allowed to campaign in their constituencies. The top PAGD leaders, including former chief ministers Farooq Abdullah, Omar Abdullah, and Mehbooba Mufti, could not campaign for their candidates or reach out to the electorate. There were no joint rallies of these leaders either, which would have helped the official candidates who themselves were often hurt by rebels or proxy candidates from other parties of the alliance. Local journalists believe that a level-playing field under an unbiased administration would have seen PAGD win 80% of the seats in the Kashmir division.

In an environment where political activity had been crushed since August 2019, the PAGD leadership has been surprised by the more-than-expected participation of the Kashmiri people in the election process. Many leaders had feared the lull in politics could push Kashmiris towards desperation, extremism, and violence. The high-handed security regime directed by the central government had instilled an enforced silence in Kashmir, which was projected as a willing acceptance by the people of the decision to strip the erstwhile state of its status.

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Kashmiris feel betrayed by mainstream Kashmiri politicians and parties, but this election became one dominated by an ideological battle rather than local issues. The people, who were in a state of deep shock, saw this as an opportunity to express their anger about the events of August 2019. They came out on their own to stop the BJP, which has been very aggressive in its politics in Kashmir, and to send a message about their position on the abrogation of Article 370, the statehood of J&K, and the centre's repressive policies in the Kashmir valley. The electoral process broke the silence and the message delivered by the voters is clear: all is not well in Kashmir.

Re-energised Kashmiri politics

The loss for the central government is even bigger than the loss for BJP or Apni Party. The DDC elections were planned to create a Catch-22 situation for the Kashmiri parties about participating in these polls. The BJP had expected a boycott by these parties whereby either BJP candidates or some fresh pro-establishment faces would be elected to the DDCs. These individuals would have no connection to the existing Kashmiri parties or their leadership and would be beholden to the new system.

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The other objective was to move the discourse away from the decisions of August 2019, by depoliticising these polls on the pretext of local development. A hyper-aggressive and bullying BJP, however, forced the arch-rivals of Kashmiri politics to come together on the same platform. The agenda of development did not figure at all in the elections, which became part of a democratic battle by Kashmiris to undo the steps taken by the central government in August 2019.

Having failed to attain both its objectives, the BJP has instead ended up creating a fresh political space for the Kashmiri parties. These parties recognise that the DDCs are neither a substitute for the state legislature nor a replacement for political power. But the newly elected DDC members nevertheless have immense political value, because of the dual imprimatur of being popularly elected and of official authority. Their interventions in the DDC meetings may be limited by the council's charter. They only have a curtailed three-year term instead of a full five years. But as political workers of an established party structure, the elected members' presence outside the DDC will be forceful and tricky for the administration to handle. These elections have thus re-energised politics and strengthened the established Kashmir parties by creating a new second rung of leadership.

A new democratic model

The PAGD leadership is careful in not reading too much into these results, a sensible move as it has its task cut out for the future. The BJP and the Apni Party, with active state support, are using money, muscle, and threats to encourage horse-trading and defections from the PAGD, in order to gain control of the DDCs. The alliance will need to start working in the Jammu division to counter BJP propaganda and to create the right narrative in the rest of India. Officials say that the delimitation for state assembly constituencies will be completed in the first quarter of 2021, an exercise expected to favour the BJP. Assembly polls are likely post delimitation, according to J&K lieutenant governor Manoj Sinha, and the PAGD parties will have to be prepared to fight them.

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Many analysts have suggested that the DDC results have dampened the BJP's enthusiasm for early assembly elections as the party might not end up in a position to form a government. But pressure from the people of

Jammu and an attempt to burnish the Modi government's international image might push the centre into calling assembly elections sometime next year, without restoring statehood.

The new J&K legislative assembly, however, will not be as powerful after the creation of the directly elected DDCs. The direct elections to DDCs were not mandated by a constitutional amendment but enforced by an executive fiat. Five subjects – welfare, health, education, finance and public works – will come under the DDC, marginalising the role of the legislative assembly and the second tier of government in developmental issues. The DDCs have no legislative power but they will undermine the primacy of the legislative assembly as the representative of the people, on political issues as well. If that assembly is of a union territory like Puducherry, the power of the elected legislators and the chief minister would be further eroded.

The direct elections to the DDCs were enforced by an executive fiat that amended the J&K Panchayati Raj Act, 1989. Having achieved this shift in institutional balance without any constitutional amendments, firming up the new model too will not require any major changes in the future. It will be a hybrid which differs from the constitutionally mandated system across the country, where representatives are directly elected to only three tiers of governance: parliament, legislative assemblies, and local governments like panchayats and urban bodies. In the garb of decentralisation, this model weakens the country's established federal structure and further centralises power at the highest level. Power and patronage can now be directly dispensed to the districts from the centre, ostensibly for development.

Kashmirisation of India

After the decisions of August 2019, Pratap Bhanu Mehta wrote that the “BJP thinks it is going to Indianise Kashmir. Instead, we will see, potentially, the Kashmirisation of India.” Prime Minister Narendra Modi has hailed the DDC elections for fulfilling “Mahatma Gandhi's dream of ‘Gram Swaraj’ [...] We have worked day and night to strengthen grassroots democracy and democratic institutions.” If that be so, will the rest of India also have the DDC model that undermines state governments— destroying any chance of the emergence of potential rivals to Modi or of empowering entities who espouse sub-national and regional aspirations that threaten the ‘One India, One Leader’ paradigm of the BJP?

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With its actions over the past six years that constantly encroach on the authority of states and its refusal to share power with them, the BJP government has already taken steps towards weakening the country's federal structure. A model where India has 720 DDCs that take direct orders from the centre for development but are devoid of all politics is not hard to imagine. That was the ‘Basic Democracies’ plan instituted by Pakistani military dictator Ayub Khan in 1960, consisting of directly elected rural and urban councils that would be concerned with local governance and would assist in programs of grassroots development. It was again repeated as ‘local democracy’ by another Pakistani dictator, Pervez Musharraf.

If India were to ape the ‘democratic’ model espoused by Pakistani military dictators, then the message is even clearer: all is not well, not only in Kashmir but also in the rest of India.

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Footnotes:

1. The PAGD comprises National Conference (NC), People's Democratic Party (PDP), Peoples Conference, Communist Party of India (Marxist), Jammu and Kashmir People's Movement, and Awami National Conference.