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Communalism, Statehood, Militancy, and the Multiple Layers of J&K Polls



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Jammu and Kashmir National Conference (JKNC) president Farooq Abdullah and vice-president Omar Abdullah at an election rally during the ongoing Lok Sabha elections, in Srinagar, Monday, April 15, 2019. Photo: PTI/S. Irfan

*Jammu and Kashmir has nearly as many phases of elections as it has Members of Parliament: the six constituencies in the northern State go to the polls spread over five phases from April 11 to May 6. This logistical complexity, though for reasons of security, is also reflective of the State's complexities and the several strands of communal, political, and administrative issues that run as deep undercurrents. In this article, [Anuradha Bhasin Jamwal](#), Executive Editor, *Kashmir Times*, gives a detailed account of the specific issues that are likely to influence voter behaviour in J&K's regions, Jammu, Kashmir, and Ladakh, and points out the political factors that are crucial to J&K's politics. Though the Bharatiya Janata Party raised a shrill national rhetoric on scrapping the Constitution's special status to J&K, it has chosen to remain silent on this within the State as it can serve as a rallying call for people from all religions in the State to find common cause.*

Despite sending a mere six Members of Parliament (MPs), the northern State of Jammu and Kashmir (J&K) has never elicited so much significance as it does for the 2019 Lok Sabha election. Its six members are: three from Kashmir region, two from Jammu and one from Ladakh. Election campaigns this year remain as drab as they were in the past but is still generating much interest.

Despite the low key—at best moderate—campaigning in most parts of J&K, this general election has assumed importance both within and outside the State for different reasons. The national interest is generated by the expected tough contest between Bharatiya Janata Party (BJP) and its allies on one side and Congress and the *mahagathbandhan* (grand alliance) on the other. Within J&K the election held in five phases has gained significance for J&K's regional diversities.

In the Jammu region, the polls, by and large, appear to be inspired by one major consideration—voting back or voting out Modi-led BJP at the Centre, depending on the sub-regional and religious identity of the voter. In Kashmir, the sudden enthusiasm has sprung from BJP's threats to revoke J&K's special status as well as its strong-armed, muscular military policy. In Ladakh, the elections are a crucial contest between two sub-regions, Leh and Kargil.

J&K's complex social composition, comprising multi-ethnic, linguistic and religious identity groups, has both impacted its socio-political landscape

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differently from Indian mainland and guided the course of its politics and electoral outcome. While the national level political scene usually casts its shadow on polls in Jammu region, the strikingly divergent mood in the Valley demonstrates not just the diverse nature of politics within the State but also its contradictory tone.

The most evident example of this was seen in the December 2014 Assembly polls when, similar to the nation-wide Modi wave, the BJP bagged 25 out of 37 seats in Jammu region and the People's Democratic Party (PDP) emerged the single largest party with 28 seats, all won in the Kashmir valley. Ideologically, the two parties are as different as chalk and cheese. Roughly six months before that, during the 2014 parliamentary polls, Jammu's two seats went to the BJP, while the PDP made a clean sweep with three seats in Kashmir.

Kashmir

In the Valley, the reason for the moderate reception given to this general election lies primarily in the developments after the February 14 Pulwama attack and the decisions taken by the Governor, as head of the State under President's rule, that seek to undermine the special status of the State through extension of central laws which is the prerogative of the State legislature¹.

Since 1996, successive governments in New Delhi have laboured to project elections in Kashmir as some sort of a referendum in favour of India or as a sign of normalcy. Separatist politics, thus, aims to counter this narrative with boycott calls which appeared to have lost much relevance till 2014 even though the separatist ideology always had a popular appeal. Conscious voters have drawn the distinction between political aspirations and development needs, explaining that their participation in elections, particularly in the last three decades, is not a

substitute for separatist politics. Breaking all records, the 2014 parliamentary and Assembly polls registered turnouts of 43 per cent and 65 per cent, respectively. However, it didn't take long for that to change.



Senior Congress leader Ghulam Nabi Azad along with Anantnag parliamentary candidate & state party chief Ghulam Ahmad Mir during an election rally, in Anantnag district of south Kashmir, Tuesday, April 16, 2019. Photo: PTI

In 2017, Srinagar Budgam parliamentary by-poll witnessed a meagre turn-out of seven per cent and in Anantnag constituency polls were deemed impossible.

Two months before the Pulwama attack, Kashmir witnessed a farce in the name of panchayat and municipal polls which registered an overall 41.3 per cent and 4.3 per cent polling, respectively. Much of this polling was concentrated in the border areas of Kupwara and Uri, which have not been impacted much by militancy since 1990. The poll boycott effect was stronger in south Kashmir where three districts, Kulgam, Shopian, and Pulwama, are impacted immensely by insurgency. The recent panchayat elections in Kashmir were said to be ghost elections with unknown candidates in fray, whose identity was kept secret from the electorate

till the last day. Of the 2,135 *halqas* (local bodies) in the Valley, no candidate stood in 708. Another 699 candidates won unopposed. As many as 1,407 *halqas* saw no contest at all.² In a majority of booths, not a single vote was polled.

On April 11, 2019, when polling to the Baramulla-Kupwara constituency witnessed a voter turn-out of 34.6 per cent, it was a marked improvement over the electoral trends in the last two years. However, it was not entirely unexpected.

From 2014 to now, Kashmir appears to be coming a full cycle. In 2014 parliamentary and assembly polls, Kashmir witnessed an impressive voter turn-out. The 2016 killing of Burhan Wani, the Hizb-ul-Mujahideen commander and poster boy of new wave of militancy, resulted in public unrest, consequent cycle of human rights violations, including large scale use of pellets, spurt in cordon-and-search operations, and random arrests, leading to increasing public disillusionment with Indian democracy. The legitimacy given to the sham panchayat elections that allowed the BJP to wave its saffron flag for the first time coupled with developments after the Pulwama attack have deepened that sense of alienation. Hardened Hindutva politics being pursued by the Centre, the ultra-muscular policy, the obsession of the ruling BJP with revoking J&K's special status, a continuum of human rights abuses, ban on Jamaat-e-Islami, arrests under Public Safety Act, harassment of leaders, businessmen, journalists by the National Investigating Agency in the name of probing terror funding, the attacks on Kashmiris after Pulwama attack and the blurring of lines between terrorism, separatist politics, and even regional pro-India parties is pushing people to the wall.

The cumulative impact of all these developments has created the perception of the BJP government as a far more dangerous entity than any of its predecessors. Interestingly, the very reasons that had inspired voter indifference post 2014 appear to be at play in bringing people out to vote this time. The 2019 parliamentary polls are also witnessing some enthusiasm as compared to the

recent panchayat elections because of participation of regional parties—the National Conference (NC) and the PDP—who boycotted local bodies elections.

The unique nature of Kashmir's politics and its precarious condition, however, is witnessing an election fever that does not evince freely on the ground. Public rallies are being held only in pockets and political parties are primarily targeting party workers and committed cadres. The political meetings in South

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Kashmir are far more closed door, held in secure zones like government Dak Bungalows. Interestingly, all parties, barring the BJP, are contesting on the same political agenda—protecting J&K's special status. Though Sajjad Gani Lone's Peoples Conference (PC), seen as a major ally of the BJP, is far more muted on this agenda, it has not shied away from accusing NC and PDP of helping to erode the special status. At a rally, PC launched a scathing attack against NC for "ditching" Pakistan's founder Muhammed Ali Jinnah and Afzal Guru's execution.³

The nature of campaigning, polling percentage and variegated pattern of polling within a single constituency will determine the fate of the three electoral constituencies. For instance, in North Kashmir that went to polls on April 11, unimpressive polling in Pattan (NC bastion), brisk polling in Kupwara (partially benefitting PC), and poll-boycott in parts of Langate (stronghold of Engineer Rashid) could also be determinants in this three-cornered contest.

Anantnag constituency in South Kashmir and Srinagar-Budgam in central Kashmir so far appear to be direct contests between PDP and NC. Heavy-weights Mehbooba Mufti and Farooq Abdullah are contesting from Anantnag and Srinagar, respectively. However, it may not be a cake-walk for either of them. The other candidates in fray might make the electoral battle more interesting than it seems. Congress is likely to make its presence felt in the South and PC in Srinagar. In Srinagar, Peoples Conference has fielded Irfan Ansari, a former PDP member

and an influential Shia leader whose entry might cast an ominous shadow on Abdullah's fortunes. Past trends in recent years reveal a higher polling percentage in Shia dominated areas.

Senior Congress leader Ghulam Ahmed Mir who is in the fray from Anantnag has sufficient clout in Dooru area of South Kashmir and, depending on the polling percentage, he could be a game-changer. Polling in Anantnag has been spread over four phases spanning several weeks—too long a time in Kashmir politics, long enough to change the direction of the winds. Low polling does not only hamper the prospects of Mehbooba Mufti but abysmally low polling could give the BJP an advantage, the indications of which at present are remote. So far, moderate to brisk polling is expected in many pockets of Kokernag, Shangas, Pahalgam and Devsar where PDP has a strong presence. But polling in hotbeds of militancy—Shopian, Pulwama, Kulgam, Tral and Anantnag—may remain pretty dismal.

Jammu

In recent years, Jammu's political discourse has shaped as a counter to Kashmir narrative. Though there is a history of how Hindu right wing groups at the national level as well as successive governments in New Delhi have engineered this counter narrative or facilitated it since 1950s, after the 2008 Amarnath land row, this narrative has become more pronounced, sharpening not just the regional divides but also the communal divisions that lie on these fault-lines. Also, it is now more deeply embedded in the psyche of the people.

This divisive discourse, however, has had only a partial impact on the electoral outcome in Jammu region, 2014 being an exception. Today's communal and divisive politics in the Jammu region finds its genesis in the Kashmir conflict, the unsettled status of the State and its handling by New Delhi, coupled with the right-wing's use of the J&K discourse as one of the planks on which it steadily strengthened itself across the country.

The impact of communal politics and the BJP's mesmerisation of the electorate has been more pronounced after the start of insurgency in 1990 and the

corresponding rise of Hindutva after the demolition of the Babri mosque in 1992. Electorally, it initially remained limited though the vote share of the BJP continued to swell in both the Assembly and parliamentary polls since 1996. However, election results did not follow any particular pattern. In 1996, the BJP had eight assembly seats. In 2002, it fell to one and rose to 11 in 2008 after the Amarnath shrine land row, and finally it had an impressive 25-seat tally in 2014.

Two possible explanations of the dip in BJP's fortunes in 2002 were the anti-incumbency factor against Vajpayee government and the rise of the Panthers Party as a formidable regional force, capturing much of BJP's space, or rather the existing vacuum, with four seats as against one that it had been winning in elections prior to that. In the parliament elections of the corresponding period, the BJP was victorious thrice before 2014. In 1996, BJP's Chaman Lal Gupta won the election from Udhampur. In 1998 and 1999 again, he won the elections from the same constituency while his party colleague won from Jammu-Poonch in both these years. Ever since 1967, when J&K first went to parliamentary polls⁴, both these seats remained with the Congress, barring in 1977, when an independent candidate won from Jammu-Poonch.

Ever since BJP's rise at the Centre in 2014 and its brush with power as alliance partner in J&K, communal divisions have sharpened immensely in Jammu region,

Anti-incumbency, growing disenchantment and disillusionment over the BJP's politics will influence voting despite a hardening of communalisation of Jammu.

which is a Hindu majority province but has a complex demographic profile.⁵ Any electoral benefit of such divisive politics is more likely to be reaped by BJP but it is unlikely for

history of 2014 to be repeated in either of the two constituencies of the region which will witness a direct contest between the BJP and the Congress.

Anti-incumbency factor, growing disenchantment and disillusionment over the BJP's politics and its miserable performance with respect to development and economy at the national level as well as the party's lacklustre performance at the

local level and the very formation of BJP-PDP alliance in 2014 will influence the voting against BJP despite a hardening of communalisation of Jammu. What also goes to the disadvantage of BJP is the tactical decisions of the NC to back its alliance partner Congress, and the PDP not to field any candidate for consolidation of the secular vote.⁶

Though BJP has primarily been using the national security card in Jammu to widen its appeal, the public response is lukewarm and mixed, including in the border areas where war-frenzied discourse in some pockets alternates with a resounding anger against worsening border situation during BJP rule.

On April 11, the far higher polling percentage in Muslim majority Rajouri and Poonch compared with the Hindu majority districts of Jammu could further queer the pitch for the BJP in Jammu-Poonch constituency. While BJP is fielding its sitting MP Jugal Kishore, Congress has fielded two-time legislator (2002, 2008) Raman Bhalla. While Bhalla's clean image and his record of development works in his Assembly constituency (Gandhinagar) works to his advantage, he is handicapped by the poor organisational structure of the Congress, compared with the BJP's robust booth-level campaign.



Congress leader Karan Singh address a public rally in support of party candidate Vikramaditya on the last day of the election campaign, in Kathua district, Tuesday, April 16, 2019. Photo: PTI

The contest in Udhampur-Doda constituency is even more interesting. Though seen to be a direct contest between the Union Minister, Jitendra Singh, of the BJP and Dogra royal scion, Vikramaditya Singh of the Congress, the entry of Lal Singh and Panthers Party's Harsh Dev Singh are likely to impact the outcome. The Chenab Valley—comprising the three districts of Doda, Ramban, and Kishtwar—is overwhelmingly Muslim majority but Hindus comprise 40 per cent of the population. The non-participation of the NC and the PDP, as well as the Dogra royalty factor, which still continues to mesmerise a section of Hindus, particularly the upper caste Rajputs, will benefit the Congress. Interestingly, the Dogra dynasty's appeal is marked also by a generational change and the young generation within the upper caste are less likely to be in awe of the grandeur of royalty. While Harshdev has a clout in certain pockets of Udhampur district, the emergence of ex-BJP leader Lal Singh (ironically, one-time Congress leader) as a more rabid exponent of Hindutva in the wake of 2018 Kathua rape and murder of a minor girl^z will give him an edge in Hiranagar-Kathua belt. Both Lal Singh, who won parliamentary elections from this constituency on a Congress ticket in 2004, and Harsh will wean away a chunk of BJP votes helping the Congress.

There are apprehensions that faced by prospects of probable defeat, the BJP may now try to cash in on the killing of an RSS worker, Chanderkant Sharma, in Kishtwar on April 9 by suspected militants. The Chenab Valley was a hotbed of militancy in the 1990s and beginning of the millennium. Fresh signs of militancy re-emerging and spreading from neighbouring Valley have begun to be revealed of late. In November 2018, a BJP leader and his brother were shot dead by suspected militants. After Chanderkant's murder, Kishtwar was under curfew and day-curfew was finally lifted after a week. In days to come, deeper polarisation in Kishtwar, the impact of which would be felt in rest of the Chenab Valley, is likely if the BJP is able to play that card effectively.

Ladakh

Elections in Ladakh, comprising Buddhist majority Leh district and Muslim majority Kargil district, in recent decades have pivoted less around political parties and more around regional and religious fault lines, ever since demand for Union Territory status was picked up as a major electoral issue in Leh, forcing Kargil's majority to oppose the demand. This communally polarising narrative coincides with the increasing footprints of saffron groups that made inroads into Ladakh in early 1990s.

The BJP's presence in the region is rather recent: it was for the first time that BJP's Thupstan Chhewang won the election in 2014 by a slender margin of 36 votes. Last year, Thupstan resigned from the BJP after being disillusioned by its inability to fulfill the assured demand of UT status. The State government headed by a Governor tried to do some damage control by granting Ladakh divisional status. However, the BJP's appeal pretty much wore off and attempts by right-wing Ladakh Buddhist Association to pit a united candidate from Leh have not been fruitful.

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It is too early to analyse the electoral politics of Ladakh, which goes to polls in the last phase of elections on May 6. Congress has finalised the name of Buddhist leader Rigzin Spalbar, whose chances could be queered only if there is a consensus candidate from Kargil. Though the BJP is fielding Tsering Namgyal from Leh, it stands little chance of winning an election unless there is a multiplicity of candidates, especially from Kargil. That possibility has now been put to rest after various social and political groups from Kargil agreed to the consensus candidature of journalist and social activist Sajjad Hussain Kargili as an independent candidate.

Sajjad, who has no political affiliation, is being backed by National Conference and Shah Faesal's Jammu Kashmir Peoples Movement. The PDP which officially

announced not to field a candidate from Ladakh may also be indirectly supporting Sajjad. The challenge to the latter would primarily come from Congress candidate Spalbar, who could either give Sajjad a tough contest or at best help to keep BJP out of the picture. It is difficult to say whether the Congress decision to field Spalbar, instead of its earlier choice of fielding Asghar Karbalai, who is from Kargil, stemmed from a tacit understanding with National Conference on 'consensus candidate' from Kargil but it tilts the balance of favour more towards Sajjad Kargili. Latest inputs from Kargil, however, suggest that Asghar Karbalai would be contesting as an independent candidate.

Conclusion

Whatever be the outcome of the six seats of Jammu and Kashmir, they are likely to be coloured heavily by communally and regionally divisive politics of the State but, perhaps, in far more muted tones than in 2014. Today's election mood is less a continuity of the 2014 trend and more an outcome of two disasters. One, PDP-BJP alliance, failures of its government, and the ideological pulls and pressures of the two partners against each other. Second, increasingly manipulative politics of the BJP-led Centre and its amplified impact on Kashmir's conflict as well as J&K's communally divisive politics, which is partly a reaction to Kashmir's politics and partly an influence of the Indian national level discourse.

At the same time, these elections necessitate an assessment against the backdrop of J&K's special status, the differential nature of Union-State relations with respect to the State and its unique history of parliamentary polls. This time more so. The BJP's demand for revocation of special status is an emotive issue in Kashmir but not entirely a non-issue in Jammu and Ladakh. By and large, even the Hindu and Buddhist majority of the two regions are conscious of the disadvantage of losing that status. It is perhaps for this reason that while BJP is excessively using scrapping of Article 370 and Article 35A⁸ across India, these emotive issues are not the pivot of its state-level campaign. In Kashmir, ironically, the poll campaigning

material of the BJP contestants have assumed shades of green, often without a speck of saffron⁹—an indirect endorsement of J&K's differentness.

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4. In accordance with the special status of the state enjoyed under Article 370 of Indian constitution, the election related provisions of the Indian constitution were not applicable to Jammu and Kashmir. The parliament did not enjoy the right to make laws related to elections to either House of the parliament or to the state legislature. The Election Commission of India did not have a jurisdiction in the state till 1959 and the state was regulated by its own People's Representation

Act. Till the provision of direct elections was introduced in 1966, the members of Lok Sabha were indirectly elected by the state legislature. **Chowdhary, R., et al. 2007.** "Elections in Jammu & Kashmir: A commentary", *Kashmir Times*.

5. Overall, Jammu province has a total of 53.5 lakh population of which 66 percent are Hindus and 30 percent are Muslims. Hindus are a majority in 4 (Jammu, Udhampur, Samba and Kathua) out of the 10 districts of the province. The 5 districts of Rajouri, Poonch, Doda, Kishtwar and Ramban have a Muslim-majority population and Reasi district almost has an equal number of Hindus and Muslims, though Muslims are slightly more at 49 percent. (J&K Census, 2011)

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8. Article 370 is the constitutional link between Jammu & Kashmir and rest of India as well as accords special status to the state and 35A defines who a resident of the State is.

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