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# Indian Empire (and the Case of Kashmir)

SUVIR KAUL

This essay asks what the history of modern empire and of state formation within it can teach us about the formation and functioning of the state in decolonised, independent nations like India. It also considers the converse of this question – can an analysis of the centrality of a particular kind of state formation to the making of empire help us understand some of the deeply undemocratic imperatives and neocolonial ambitions of the postcolonial nation state today? It argues that crucial modes of governance, particularly the relation between the militarised state and its subject populations that characterised colonial empires, extend to the present moment. In addition, it examines the situation of Jammu and Kashmir to show how the government of independent India has renewed both colonial legislation and colonial attitudes to deal with challenges to its authority, particularly from populations at its peripheries who wish to choose their own form of national political formation.

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Srinagar, Jammu and Kashmir, 15 August 2010: Writing an essay on the persistence of colonial modes of thought and forms of governance in post-colonial India while living in a city under constant curfew, where 57 demonstrators have been killed and many more injured in police firing in the last two months, brings to the crisis many of the certainties that usually inform post-colonial analyses of an independent nation like India.<sup>1</sup> There is first the startling realisation that the key terms of anti-colonialism articulated by Indian nationalists (and 20th century movements for decolonisation generally) provide the intellectual and political framework of activists for the Kashmiri cause – India is the colonial power; the Indian army and paramilitary an occupation force; members of the elected state government are collaborators and stooges of the central government; and senior bureaucrats, who are members of all-India civil services, are administrators whose job it is to deny any avenues for Kashmiri self-determination.

Further, Kashmiri nationalists make it clear that their movement is not simply concerned with economic betterment. In response to both the prime minister's and the chief minister's promises of more jobs in the government and in the private sector, they argue that their goal is political self-determination and that they do not mobilise, and sacrifice lives, for bread alone. Their movement is for *azadi* (freedom), a word once so dear to Indian anti-colonialism, except that it is now the Indian state that thwarts freedom. Kashmiri newspapers sympathetic to the desire for *azadi* are happy to reprint the work of Indian (and Pakistani) revolutionary poets – where once Sahir Ludhianvi and Faiz Ahmed Faiz spoke out against imperialists, their poems now provide sustenance for the Kashmiri movement as it struggles against Indian domination.

Conversely, the response of the Indian state – the central and state governments and the army and paramilitary forces whose highly intrusive presence warps civilian life in the Kashmir Valley – has been to treat the sustained protests as a law and order problem and to respond with military might. Even when the prime minister and the home minister have spoken of Kashmir's "unique" status within the Indian union and of the need for an equally unique resolution, their promises lack purpose and conviction, and in any case are treated by Kashmiris as only the latest attempts to mollify widespread political protests and thus enable a fraudulent, uneasy peace, as has happened repeatedly in recent years. "Mainstream" politicians, that is, elected officials who believe in Jammu and Kashmir's accession to India, lack credibility and are absent from public life. The only political figures who matter today are members of the separatist Hurriyat alliance, and Syed Ali Shah Geelani is the most conspicuous among them.

Further, ideologues of Kashmiri independence (or even those who favour achieving the autonomy guaranteed by Article 370 of the Indian Constitution) have developed dense historical accounts of the long Kashmiri struggle against colonisers that goes back to the 16th century (first the Mughal conquest, then Afghan rule, then Sikh, then Dogra, and now Indian). In sum, many of the political and ideological features of classic 20th century anti-colonial movements are in place in the Kashmiri struggle for self-determination.

This reversal of India's post-colonial credentials is why otherwise progressive Indian intellectuals and politicians have found it so difficult to respond to the challenge posed by Kashmir (and have been so slow to condemn the near-daily killings of unarmed, stone-throwing protestors by the Central Reserve Police Force, or CRPF, and the state police). We have long assumed the ethical gravitas of being inheritors of a proud anti-colonial nationalism, and even though we have developed critiques of the state and of the functioning of democracy in India, we assume that the state, warts and all, is fundamentally post-colonial in its self-conception and functioning. That is, we are convinced that the actions of politicians, bureaucrats, and police and military officers vis-à-vis particular communities, no matter how polarised, are comprehensible within an analysis of the problems of a fledgling democracy. Thus we document the travails of significant sectors of our democracy very well – our newspapers and magazines are not only full of exposés of corruption and official malfeasance, but also of substantive debates on the misappropriation of natural resources, tax revenues and the developmental capacities of the state.

However, in other areas of governance, the self-righteous and aggressive nationalism bred by our anti-colonial history has blunted our critiques of state functioning. Precisely because we struggled against and dethroned an empire, we believe that independence inaugurated a fundamentally different form of sovereign, constitutional rule that safeguards the state from assuming any of the attributes of the colonial state. No longer do viceroys rule subjects; now elected officials rule in the name, and with the electoral consent, of citizens. In key areas, however, the Indian state has confirmed and enhanced the doctrines and methods it inherited from British colonial law and policy. Prime among these is the dogma that once the departing British had defined the external boundaries of the nation (however opportunistically and inexactly), the populations within them were not to be allowed the right to self-determination. These boundaries were to be defended at all costs, not only against external enemies, but also against secessionist movements or movements seeking different forms of autonomy. That is, rather than the state functioning as the prime agency that encourages citizens to evolve more progressive and equitable power-sharing arrangements across the nation, it acts primarily to preserve the boundaries of the union in the form inherited from the British empire. This was true even when there were reasons to believe that this cartographic inheritance had been crafted without considering the needs and particular histories of local populations, and even if the policing involved the suspension of fundamental principles of democratic functioning. Thus one of the cardinal features of state

formation in the independent nation has been the development of a massive security apparatus ostensibly to guard international borders, but in effect to act internally against restive populations contained, by the force of historical circumstance, within those borders. Indeed, one might argue that this security apparatus, developed under the cover of an aggressive, celebratory nationalism, is an important element of the post-colonial state's claims to legitimacy.

This essay will ask what the history of modern empire and of state formation within it can teach us about the formation and functioning of the state in decolonised, independent nations like India. It will also consider the converse of this question – can an analysis of the centrality of a particular kind of state formation to the making of empire help us understand some of the deeply undemocratic imperatives and neocolonial ambitions of the post-colonial nation state today? It will argue that crucial modes of governance, particularly the relation between the militarised state and its subject populations that characterised colonial empires, extend to the present moment. European imperial nations established colonies via battle and conquest, as the British (East India Company) did after 1757 in India, and held and expanded their territorial holdings by building large armies using revenues and taxes raised from the subjects they ruled over. This territorial and military legacy was inherited, in a “transfer of power”, by the government of a newly independent India, which renewed both colonial legislation and colonial attitudes to deal with challenges to its authority, particularly from populations at its peripheries who wished to choose their own form of national (or even sub-national) political formation. Further, as India achieves global economic heft, the policing functions of the state, far from being whittled down, are being rapidly enhanced to deal not only with problems at the borders, but also with any form of resistance mounted by mobilised citizens within, whether these be communities protesting large-scale industrialisation that displaces them and alienates them from their livelihood, or people who wish to call attention to the age-old socio-economic structures that are responsible for their historical dispossession.

### India's Neocolonial Ambitions

I will begin not with matters at home, so to speak, but with an explanation of the appropriateness of a phrase I used earlier, India's “neocolonial ambitions”. I take my cue from an essay by C Raja Mohan, the “strategic affairs editor” of *Indian Express* and a former holder of the Henry A Kissinger Chair in Foreign Policy and International Relations at the John W Kluge Center, US Library of Congress. Mohan outlines a remarkable vision of military cooperation between the US and India. He argues that “the Obama administration needs to elevate the bilateral military engagement with India to a strategic level”, because “a rising India” will be “a more credible and sustainable partner” than western Europe or Japan in “coping with new international security challenges”. If both the US and India “can shake off the remaining historical baggage that has kept them at arm's length for most of the past 60 years, we may see something remotely like the return of the Raj” (Mohan 2010).

The “Return of the Raj”? But before we examine the many assumptions about history and colonialism that make the revival of that political condition imaginable, leave alone desirable, we might briefly summarise the historical developments that encourage an Indian security strategist to reach for that quite astonishing phrase. Mohan’s ideas about such “bilateralism” are no longer singular. The unprecedented growth of the Indian economy in the last decade and the rise to global prominence of Indian multinational enterprises has encouraged political theorists and policy planners to imagine a world in which India emerges as a regional power, with the military capacity (particularly a blue water or expeditionary navy) to enforce its foreign policy agendas and economic interests, as well as play a more visible role in international “peace keeping”. This model of regional authority has been developed in tandem with, and in imagined opposition to, the even more prominent rise of China as an economic power.<sup>2</sup>

There is of course another crucial longer-term geopolitical development that explains Mohan’s invitation to India to function as a regional satrap of us global power. After the formal dissolution of the Soviet Union in 1991, regional alliances built by the us and the USSR, including those represented by the “non-aligned” nations, began to redefine themselves. Nations that shifted their affiliations included some of the constituent republics of the Soviet Union, nations in Europe that had belonged to the Council for Mutual Economic Assistance (Comecon) and the Warsaw Pact, and nations in Africa and Asia that had communist governments or were recipients of aid from the Soviet Union and who often followed its lead at the United Nations (UN). This decade also saw important milestones in the formal decolonisation of the globe, particularly the 1994 general election in South Africa that demolished the last bastion of racist white European empire in Africa. In this new world, empires of the most visible sort (those based on direct territorial control, the subordination of majority populations, and the extraction of surplus to enrich colonisers or the colonising nation) seemed a thing of the past. For a brief moment, it also seemed as if empire as an ideal of governance, or as a desirable model of economic organisation, no longer had currency or legitimacy.

However, the intermeshed world that modern European imperialists had created between the 17th and 20th centuries, based on hierarchical economic, political and cultural relations between colonisers and those colonised, did not alter quickly or considerably. Once-colonised nations now controlled their political futures (though their colonial masters were prone to influence developments, or even intervene), but they certainly were not welcome to entirely rewrite trading arrangements bequeathed to them by their erstwhile rulers. Indeed in most cases the nationalist elites, who had led the struggle for political independence, saw no reason at all to abrogate ways of doing business that would continue to enrich them. This was the case even in India – its economy, for three decades after independence, was centrally planned and most of its key sectors closed off to foreign capital. Given protected and captive markets, indigenous capital grew in volume and this growth, coupled with the successful development of technically skilled engineers and managers, allowed

Indians the confidence to find their place within an international techno-managerial and commercial ruling class. In the last two decades, Indians participating in the global networks of capital have also consolidated their power at home. The process of economic liberalisation initiated in 1991 – and the creation of a massive and deeply uneven consumer economy – required the formal repudiation of the institutional mechanisms of nationalist or socialist modes of economic organisation.

In effect, in this process of “globalisation”, the economic agendas and protocols dictated by once-colonising capitalist nations became the state doctrines of once-colonised nations. Multilateral agencies such as the World Bank, the International Monetary Fund (IMF), the General Agreement on Tariffs and Trade (GATT) and the World Trade Organisation (WTO) played a crucial role. They legislated and enforced particular mechanisms of economic and commercial development, while denying the legitimacy of public sector or state-managed enterprises, and state-subsidised programmes for poverty alleviation or the redistribution of wealth. Globalisation has of course taken some surprising turns. Few could have predicted the rise of multinational capitalists and corporations from countries such as Russia, China and India, or the spectacular recent growth rates of the Indian and Chinese economies, particularly at a time the most powerful economies in the west are struggling. Economists now believe that China will be the largest national economy and that Russia, Brazil and India will play roles in the global economy larger than that played by the European Union (EU) well before 2050. In 2010, after two years of recession in the west, the world was changing rapidly, with new centres of economic power in view and realignments of economic relations across the globe.

### Unipolar World

However, all these developments are taking place in the context of a unipolar world, with a single “superpower”, the us, continuing to intervene diplomatically and militarily in situations deemed a challenge to its authority.<sup>3</sup> We now have what seems to be a confusing scenario – the us maintains its ability to fight two overseas wars and keep its ring of military bases across the globe functioning, while at the same time struggling to revive its domestic economy. As several commentators have noted, these developments suggest that at this moment in its history, the us is inevitably slipping into the decline that defined its precursor empire, the UK, where the contradiction between its blighted post-second world war economy and its military capacity contributed to the success of the anti-colonial movements that brought about the end of empire.

But the model of “informal” empire represented by the us is different. us power across the globe has been based not so much on territorial acquisition overseas as on economic and diplomatic power backed by the ability, and the will, to intervene militarily. For more than a century now, from the Spanish-American War of 1898 to Iraq and Afghanistan today, the us has fought wars across the globe and has carved out spheres of influence that it polices from its bases and embassies overseas. By one estimate, in 2001 the us had bases in more than 60 countries and overseas territories.<sup>4</sup> As the editors of the *Monthly Review* put it,

us global political, economic, and financial power ... require the periodic exercise of military power. The other advanced capitalist countries tied into this system have also become reliant on the United States as the main enforcer of the rules of the game. The positioning of us military bases should therefore be judged not as a purely military phenomenon, but as a mapping out of the us-dominated imperial sphere and of its spearheads within the periphery (2002).

Even as 20th century decolonisation movements across the globe spelled the end of modern European empires, and to that extent the decline of empire as an ideology of international political and economic organisation, the us informal empire continues to thrive and has become the (much debated, to be sure) exemplar of international power and authority.

So, to return to Mohan's essay, it is scarcely surprising that the "imagination of empire", as it were, still holds security analysts in its thrall. And not just security analysts, for as is well known by now, a number of historians and economists have gained public notice by advocating an aggressive role for the us and its surrogates across the globe. Military intervention, policing and the management of economies and populations are all seen to be part of the renewed mandate for empire. Niall Ferguson was some years ago the poster boy for such neoconservatism, particularly in his insistence that the us, as a leader of a coalition or on its own, ought to occupy and manage countries that are not quite amenable – for any number of reasons – to Washington's view of the world (see, for example, Ferguson 2003).<sup>5</sup> This and similar attempts to get the us to formalise its informal empire were remarkably short-lived – though Barack Obama's administration has not undone George Bush's adventure in Iraq and has enhanced its troop levels in Afghanistan, neoconservative imperialists do not have direct influence on it. However, us foreign policy remains committed to the unilateral determination, and the protection, of us interests, particularly its access to commodities and markets, and there is no sign of a scaling-back of us bases or of its military presence overseas.<sup>6</sup>

In this scenario, Mohan's priorities are clear – India should have a special bilateral relation with the us, which will entail, in part, functioning under its aegis as a regional power. But why would Mohan reach towards Raj revivalism (he calls it a "creative renewal" of the "Raj legacy") to vividly illustrate his sense that India, and its army and navy, should be put at the service of the us, and to be sure, of parallel Indian interests? Is this just an idiosyncratic and attention-grabbing formulation or is there more at stake here? For Mohan, the British Raj in India demonstrated what he identifies as the "'India Centre' that organised peace and stability in much of the Eastern Hemisphere during the 19th and 20th centuries".<sup>7</sup> To claim British imperial history as the precedent for an Indian future, Mohan resorts to a rhetorical sleight of hand. For him, it is always a national entity called India, not an imperial state, British India, that acts to police colonial territories. Where others might see a fundamental political and foreign policy break between British India and an independent Republic of India, Mohan offers seamless continuity. He even claims to redress the unfortunate legacy of an anti-imperialist post-colonial politics,

It is not just the west that is ignorant of the security legacy of the British Raj; India's own post-colonial political class deliberately

induced a collective national amnesia about the country's rich pre-independence military traditions. Its foreign policy establishment still pretends that India's engagement with the world began on 15 August 1947 (2010).

Administrators of the British empire used troops from India, paid for by Indian taxpayers without any mechanism to ascertain their approval (we are talking about empire here) to police, as well as gain and hold, colonial territories ranging from Egypt and Iraq to Malaya and South Africa, as well as to fight in Europe and elsewhere in both first and second world wars.<sup>8</sup> Rather than pose a problem for Mohan, this fundamentally undemocratic exercise in imperial warmongering provides an argument for the future. He confidently asserts that were Obama to upgrade the us' strategic alliance with India, he will find in "Manmohan Singh a partner who is ready to work with the United States in constituting a post-colonial Raj that can bear the burdens of ordering the Eastern Hemisphere in the 21st century" (2010). In his argument, a "post-colonial Raj" not only entails the extension of Indian power overseas, but also the willing addition of Indian military resources to the us arsenal (even a "post-colonial Raj" needs a *raja*, or king, after all). The post-colonial future thus reiterates the colonial past, except that a sovereign India now acts in strategic accordance with the foreign policy and commercial imperatives of the global military power, the us.

### The Legacies of Empire

The historical legacy of empire, as well as its perpetuation in the present moment in an imperial formation like that maintained by the us across the globe, continues to structure international relations in spite of the rise of other national or collective centres of economic power (such as the EU). In any case, the mode of "development" that has allowed the economic growth of China or Brazil or India in the last two decades is largely an extension of the capitalist forms of resource exploitation put into place by imperial European nations between the 18th and the late 20th centuries (China of course was never colonised, but crucial sectors of its economy were "internationalised" by the sea-borne power of Britain, as, for instance, in the first and second Opium wars). Today, transnational corporations originating in any of these nations, or indeed anywhere in the world, operate in similar ways, and are backed by national governments in their search for resources, labour and markets. As human populations and needs grow and consumer economies deplete resources worldwide, the future seems increasingly competitive and fraught, particularly given that there is no international effort to bring into being cooperative or more equitable forms of development. The earth's ecology cannot support the extension of the standard of living of the former colonial powers to people everywhere, and it is clear that technological solutions today cannot enable anything like a reasonable standard of living across the globe. Yes, there are now "middle class" populations in most nations that share in a global consumer culture, but this level of consumption simply cannot be made available to all the world's population. In this scenario, the future suggests greater class polarisation within nations and greater antagonism between nations as they compete internationally for resources and markets.

The compact between trading corporations and states was a product, and indeed an enabler, of modern European empire. After the territorial gains made by Spanish conquistadors in the Americas and the establishing of commercial silver mining there, European colonialism and capitalism were both enabled by chartered companies (the Dutch Vereenigde Oost-Indische Compagnie, the English East India Company, and the Royal African Company). These early national companies with transnational interests and power were legally authorised to act militarily in the name of the state. They were also the precursors of modern transnational corporations – many of the most powerful contemporary transnational corporations began their international operations and grew to their enormous scope as extensions of European and us colonial power. Colonial control offered resources, labour and markets that these companies exploited; profits were repatriated to Europe.<sup>9</sup>

Decolonisation complicated matters for these corporations, but their global power overrode their dubious, occasionally criminal, legacy, and in some key cases when democratic regimes made attempts to nationalise their operations, they were destabilised by a combination of corporate and ex-colonial state power.<sup>10</sup> In any case, over time transnational corporations and decolonised nations have established relations that are simultaneously symbiotic (the former need the legal cover and access to land made available by the latter, the latter need technology and skills as well as tax revenues) and contentious (as in the past, questions of sovereignty are often at stake). The terms of this coexistence are becoming more complex as even small corporations internationalise their supply chains and their markets; and now nations like India too are readying to back “their” transnational corporations both in terms of strategic foreign policies and, if it comes to that, militarily. The nation, far from receding as an actor in an world of transnational capital flows and increasing globalisation, now plays an even more active role in generating domestic and foreign policies to suit corporate trading and industrial interests.

### Products of Empire

The nation state as a political formation and as an actor on the world stage is a comparatively recent phenomenon, and it is worth remembering that the bulk of nation states across the globe are products of empire. (This is true even of many imperial nations. For instance, the UK came into being in the 17th and 18th centuries via the forced and unequal assimilation of Ireland and Scotland, a process Daniel Hechter [1999] has described as “internal colonialism”.) In the Americas, Africa and Asia, there were interlinked forms of political and economic collectivity before European colonisation, but the boundaries of nations as they exist today are more often than not the creation of imperial governance, or of corresponding processes of decolonisation. Given this provenance of the nation state, it is extraordinary how much power it exerts, both materially and ideologically, to define, limit and mobilise populations. However, it is perhaps even more extraordinary how much effort nation states expend to police elements of their population who do not identify – or are not allowed to identify – with the nation, and who, for a variety of reasons, are not empowered as full citizens. Ironically, this is the case even within

post-colonial democratic nations, where the electoral system that grants each adult a vote does not compensate for other historical forms of marginalisation suffered by large sections, occasionally even a majority, of their citizens.

To that extent, independent India’s security establishment has been built not only to counter Pakistan (with which it has fought three wars) and China (one war), or – and this is a recent possibility – to extend its power across oceans, but also to coerce its own population into maintaining the borders drawn precipitously, inexactly and often unfairly by the departing British colonial administration. For instance, in October 1947, when the Indian army and air force flew into Srinagar to repel tribal irregulars from western Kashmir and Pakistan (and thus incorporating sections of the princely state of Jammu and Kashmir into India), the Indian state extended its frontiers, but also put into place systems that denied large sections of the Kashmiri population the right to determine their own political identity, a problem that continues to fester.<sup>11</sup> In “border” campaigns in the north-east, the Indian state continues to deploy the army and paramilitaries against tribal populations who wish for sovereign and independent homelands in Nagaland, Mizoram and Manipur. In the last three decades, state boundaries have been redrawn in that region to accommodate local demands, but any attempts to carve out independent or even autonomous homelands have been put down, often brutally, by the army and paramilitary forces (for an overview, see Hazarika 1994). In each case, political processes and civil governance have been routinely marginalised to allow military “solutions”.<sup>12</sup> Most recently, rather than imagine viable political options, the union home ministry has initiated combat operations against the Naxalite movement operating in central India. Within the government, the primary debate seems to be whether these operations should be conducted by central paramilitary and state police forces or if the army and the air force should also be inducted into the combat.

As this account suggests, India is no stranger to the use of the army and the paramilitary against its own populations. If the UK and the US, the two dominant imperial powers of the last two centuries, offer any precedents, they are that empire building is a process that requires the suppression (the forced amalgamation) of populations within as much as elsewhere.<sup>13</sup> The bloody history of the expansion of the US across the north American continent, which entailed the destruction of Native American and Spanish-Mexican communities as well as the systematic abuse of African slave labour, are too well known to require retelling here. England established its colonies in Ireland in the late 16th century (see Canny 1988, 2001), and held them for the next 250 years (parts of Northern Ireland are still part of the UK). The 1706 Act of Union united Scotland and England into an Anglocentric kingdom, but the highlands of Scotland still needed brutal “pacification” via the anti-Jacobite campaigns of 1715 and 1745.<sup>14</sup> One of the consequences of the systematic dispossession of the Irish and the destruction of the Scottish clan system was that disproportionate numbers of Irish and Scottish peasants emigrated to the UK’s trans-Atlantic colonies and provided the manpower for its armies abroad. In many ways then, the UK’s colonialism, like that of the US, began at home.

The political mentality and methods of the modern imperial state are a product of these twin processes – the state hones its capacity for military violence at home even as it projects it across its borders. Further, these nation states offer their marginalised subjects (particularly those who have resisted their territorial and political authority) a simple bargain – accept the suzerainty of the state and centralised control of economic development (including those made available by access to opportunities in captive markets abroad) or be constantly at the receiving end of state surveillance and military action. (This is one of the purposes of raising larger and more numerous paramilitary forces, where the local and regional identities of recruits are subordinated and transformed into a highly disciplined form of nation-centricism. Equally important, recruits from one state or region are used to police populations in others; cultural, linguistic, and occasionally, religious differences between paramilitaries and locals enable more militaristic and uncaring forms of intervention.) The logic and history of the colonial state inform the structures of post-colonial governance to a point where they stunt any possibility of political thought and action that respects modes of collective being other than those defined by a coercive form of national belonging. But this cannot be understood simply as a problem of inheritance. Post-colonial governance takes the forms that it does because the state's developed capacity for violence is crucial to organise the exploitation of economic resources at home as well as abroad. Colonial forms of territorial control and trade reshaped the globe to make resources and products available in ways that disproportionately enriched imperialists and enhanced socio-economic distortions amongst colonised peoples; post-colonial governance refines these methods, only now in the name of national development.<sup>15</sup>

The point here is that the advocacy of India's potential global power, or at least regional military authority (the "India centre" theorised by colonial administrator Olaf Caroe), is an advocacy of the power, and the right, of the putatively post-colonial state to insist upon quintessentially colonial territorial, political and economic arrangements. The mentality and methods of empire live on and political processes that might subject them to local self-determination are delegitimised ideologically and denied militarily. There is a great irony here, for most 20th century anti-imperialism movements recognised that decolonisation demanded not only political independence for colonised nations but also a fundamental rethinking of local sociocultural and political practices that had been historically distorted by imperialism. In practice, however, an independent nation state like India acts on lessons in governance taught by the empire of which it was once a part – the writ of the centralising state is forcefully extended over all populations within its (often poorly defined) borders, even if those populations had never participated in creating, or have never acknowledged the legitimacy of, those borders. An India with global power aspirations, indeed an India that plans to translate its economic power and large population into the capacity to police its neighbours across the Indian Ocean and the Arabian Sea, is a nation that is not predisposed to allow equitable arrangements within its borders. This is true even of peaceful mass movements to resist centralised, hierarchical decision-making, whether these involve people displaced by big dams that bring no value to their communities, or

by mining or other industrial corporations that dispossess peasants and tribals of their traditional livelihoods without offering corresponding benefits.<sup>16</sup> Peaceful protest movements, as well as the constitutional process that recognises their moral legitimacy and political authority, are collateral damage to the onslaught of the twinned powers of the state and multinational capital.

### The Unfinished Business of Kashmir

The terms and claims of this analysis so far have been sweeping and this essay more a polemical overview of historical developments and state formation rather than a particular instance of the methods of governance of the colonial/independent state. In what remains of this essay I will call attention to Kashmir, in particular the muscular forging of its recent history by India (and to a lesser extent by Pakistan). Kashmiris have at best been reluctant participants in crucial episodes of supposedly democratic politics and governance after 1947, and in important ways their opinions have been disregarded in the same way as they were during the autocratic rule of the Dogra maharajas, who ruled as vassals of the British Raj. Kashmiri history in the 20th century features largely poor peasants, pastoralists and forest dwellers ruled by feudal landlords (Muslims, Hindus and Sikhs) with little interest in alleviating the poverty or illiteracy of their subjects. Dogra rule favoured Hindu and Sikh administrators and confirmed the gap between them and the mass of Muslim (and Hindu) peasants (Rai 2004). Only after Sheikh Abdullah's National Conference (NC) came to power was rural landholding restructured in favour of the tiller. School and college education was made free, and in its "Naya Kashmir" manifesto, the state government articulated (if not always enacted) its progressive social vision.

In 1947, the Maharaja's forced and precipitous accession (which, apart from anything else, denied the principle of the merger of majority populations in contiguous territories that supposedly governed the demarcation of borders in the Partition process) led to the de facto partitioning of the erstwhile princely state into Indian (Jammu, Kashmir and Ladakh) and Pakistani (Kashmir, Gilgit and Baltistan) sectors. It also created a political situation where relations between India and this new Indian state were mired in suspicion. For Indian (and Pakistani) administrators, Kashmir remained unfinished business. For India, this meant that any Kashmiri politician who spoke in the name of self-determination or acted to confirm the autonomy granted by Article 370 of the Constitution was deeply suspect. Thus the Indian state would countenance no political arrangements other than those premised on the heavily militarised Line of Control functioning effectively as a border between India and Pakistan. That this border, as other lines on the map drawn in 1947 to demarcate India from East Pakistan and India from Burma and China, disrupted traditional communities and trade routes in Ladakh, Kashmir and in Jammu was of no consequence. The post-colonial state was determined to enforce the boundaries it inherited from its colonial predecessor.

For a precarious new Indian government, battered by the enormous challenges of Partition violence and the need to resettle massive numbers of displaced people, among other more routine problems of governance, one of the bases of its legitimacy became its ability to police its borders as well as any population that did

not see those borders as sacrosanct, but as contingent, as the products of political chicanery and compromise. Over time – and Pakistan played its own parochial role here – the borders of Jammu and Kashmir provided a powerful rationale for the development of a massive (and for a nation that contains the largest number of the world's poor, unconscionable) security apparatus. Since independence, the army, air force, Border Security Force (BSF) and CRPF have seen a vast (and largely unquestioned) expansion, and more specialised units such as the Assam Rifles and the Rashtriya Rifles (raised in 1990) are dedicated to fighting secessionist insurgencies in Assam and its adjoining areas and in Jammu and Kashmir, respectively. The ill-equipped army's ignominious retreat in the face of Chinese troops in 1962 and wars against Pakistan in 1965 and 1971 meant that military and paramilitary budgets became disproportionately large well before India began to aspire to regional power status. This was the case even in the years when India claimed Gandhian pacifism and non-alignment as crucial pillars of its foreign policy.

### Farcical Elections

Between 1948 and 1989, Kashmiris rode a political roller-coaster. Elected governments, led largely by Sheikh Abdullah's NC, came to power, but neither they nor the Indian government made any attempt to find an equitable solution to the structural problem of a polity brought into being by a disputed accession and enforced borders. India's fig-leaf lay in its stated position, argued before the UN, that it would conduct a plebiscite, but only once Pakistan had withdrawn from what India called Pakistan Occupied Kashmir so that all the people of the Dogra maharaja's kingdom could participate. (The irony here is immediately obvious – a post-colonial state arguing that the only democratic political action it could contemplate was one based on respecting the territorial contours of a feudal regime authorised by the British empire.) In 1953, on the first occasion that Sheikh Abdullah, the elected prime minister, sought to explore the possibility of a Kashmir less tied to India's political and economic control, he was arrested (he was to spend almost 20 years in jail). At each point the Indian bogey was that any moves towards autonomy were covert moves towards an alliance or amalgamation with Pakistan, and that inchoate threat was enough for the Indian central government to intervene undemocratically. There were of course several political parties that were pro-Pakistan and stood for union with it, but none of them were allowed any significant presence in the state assembly or the Indian Parliament. On the obverse, there was no shortage of Kashmiri politicians and people of influence who decided, opportunistically or out of conviction, that their future lay with India.

An electoral system did emerge, fitfully in many areas (there were elections to the state assembly in which administrative officials decided on the single candidate, who was then duly elected), more robustly in others, but elections were always supervised to try and make certain that no anti-India politicians were elected.<sup>17</sup>

In 1977, for the first time, free elections were held, and a Sheikh Abdullah-led NC won a majority (47 out of 72 seats, with the Janata Party and the Congress winning 13 and 11, respectively, largely from the Jammu region). The 1983 elections were also considered

to be largely fair and a Farooq Abdullah-led NC retained power. But the return of Indira Gandhi as prime minister meant the renewal of unabashed central intervention in Jammu and Kashmir and she dismissed this government a year later, installing one that she preferred. But worse lay ahead. Even though Farooq Abdullah and Prime Minister Rajiv Gandhi had signed an electoral pact between the NC and the Congress, they were so fearful of the Muslim United Front (MUF), a new political alliance that included pro-Pakistan parties, that the election of 1987 was massively rigged.

Sumit Ganguly provides a succinct comment on these elections and their consequences.

In this election, voters were intimidated, ballot boxes tampered with, and candidates threatened. Whereas previous generations of Kashmiris, whose political consciousness was low, had long tolerated all manner of electoral irregularities, the generation that had emerged in Kashmir during the long years of Sheikh Abdullah's incarceration did not have the same regard for the Abdullah family, nor was it willing to tolerate such widespread electoral fraud. Indeed, it is rather telling that several key insurgent leaders, Shabir Shah, Yasin Malik, and Javed Mir, were polling agents for the Muslim United Front in the 1987 elections. ... The extensive electoral malfeasances that they witnessed in 1987 convinced this younger generation of Kashmiris that the national government in New Delhi had scant regard for their political rights and reckless disregard for democratic procedures. With no other institutional recourse open for expressing their disenchantment with the flawed political process, they resorted to violence (1996).

It is also worth noting that Syed Salahuddin (then known as Mohammed Yusuf Shah), the present Pakistan-based head of the Hizb-ul-Mujahiddin, was a MUF candidate in this election. He was arrested from the hall where votes were being counted and jailed for the next nine months for protesting against the rigging. On his release, he crossed into Pakistan, and into the leadership of a militant group financed and trained by Pakistanis.

This brief account of election history in Jammu and Kashmir is of course not meant to be an adequate explanation for the events of 1989 and after, when pitched battles began between militants (both Kashmiris and non-Kashmiri recruits from the Afghan war against the Soviets) and the Indian army, paramilitary and police forces. My attempt here is simply to underline that elections, which are the guarantors of democracy and thus of the legitimacy of state power, were routinely suborned by the Indian central government (and its Kashmiri collaborators, to be sure) in pursuit of a malleable state administration. All this was done in the name of national security, of safeguarding the mainland's territorial interests by foreclosing the possibility of Kashmir becoming either effectively autonomous and independent or a Pakistani state. In effect, the state's location has caused its people to be held hostage to the Indian government's sense that, post-Partition, no more territory was to be ceded to Pakistan or indeed to be allowed to define itself differently from the nationalist conception underlying the Indian union. There is also the question of demography – as the only Muslim-majority state in India (with a sizeable Hindu, Buddhist and Sikh population), an Indian Jammu and Kashmir is supposedly a shining instance of the secular values enshrined in the Constitution.

Since India's independence, prolonged mass agitation or changing demographics have led to the demarcation of new states (Gujarat, Nagaland, Haryana, Himachal Pradesh, Uttarakhand, Chhattisgarh, Jharkhand, and now perhaps Telangana)



but no argument for independence or functional autonomy was (or is) allowed to stand. Indeed, the forms of autonomy prescribed for Jammu and Kashmir by Article 370 have slowly been whittled down, resulting in the even greater alienation of Kashmiris and the revival of mass mobilisations demanding not just functional autonomy but *azadi*. Further, for more than two decades now, Kashmir has suffered the consequences of an oppressive military and paramilitary presence.<sup>18</sup> To take two instances of the way in which democratic processes and ordinary codes of policing are suspended, we might consider that the state police is quick to invoke the Public Security Act, which allows them to incarcerate citizens for up to a year in jails outside the state. Similarly, the Indian army has operated since 1990 under the Armed Forces (Special Powers) Act (AFSPA), which has allowed the military great latitude and virtual impunity in its dealings with the local population.<sup>19</sup>

Even though the army announced that the armed militancy of the 1990s had dwindled down to sporadic skirmishes, recent attempts to withdraw or amend this very repressive, even unconstitutional, Act are met with immediate opposition. In a deliberately provocative statement, one senior general insisted that the AFSPA was the army's "holy book" and must not be lifted even if some army officers and soldiers misused its provisions (NDTV; see also "Demand for..." 2010). In practice, this Act places army actions outside civilian legal review. Not surprisingly, it has its origins in British colonial law, which regulated subjects, not citizens. In August 1942, in the face of the Quit India Movement, Lord Linlithgow, then Viceroy, enacted the Armed Forces (Special Powers) Ordinance to allow the police and army exceptional powers against civilians. This is the ordinance that became the basis for independent India's enactment of the AFSPA, 1958, to provide legal cover for inhumane army operations in Assam and Manipur.<sup>20</sup> In sum, a colonial ordinance designed to legalise what were considered, even by colonial standards, extraordinary military methods to quell a nationalist anti-colonial movement was revived and strengthened by independent India to legalise extraordinary military methods to repress political movements among sections of the population at its peripheries.<sup>21</sup>

### Kashmir in the Nationalist-Ideological Imagination

But the "problem" of Kashmir for independent India should not be understood simply as a failure of democratic governance or of the punitive deployment of colonial policing and military methods. I have mentioned some of the ideological (that is, nationalist) reasons that make different constituencies and political parties in India insist that Kashmir is an inalienable part of the nation. For the Bharatiya Janata Party (BJP), the primary proponents of hardline nationalism, no territory must be ceded to secessionists, centre-state relations (no matter how iniquitous) must not be rethought, and no limits should be imposed on the power of the army or paramilitaries for fear of damaging their morale (any amendment of the AFSPA, for example, will be seen as a tacit admission of its misuse by the army). The Congress, perhaps only because it leads the central government, is less publicly committed to such an unyielding response, but it also treats Kashmir as a problem in governance rather than as the occasion for any sustained rethinking about the political forms of

autonomy in the state or indeed federalism in India. Communist parliamentarians have called for a reassessment of India's security regime in Kashmir but they too have not encouraged any full-blown debate about centre-state relations, especially if the centrepiece of this debate is to be a border state like Kashmir.

In each case, one of the unstated assumptions that guides Indian political thinking on Jammu, Ladakh and Kashmir is that this region represents a palimpsestic history, where the confluence of Buddhism, Hinduism and Islam has created a cultural texture that is particularly "Indian". This certainly is a laudable religio-cultural ideal, but not when it is asserted to repress the socio-economic history of a state since at least the mid-19th century – a period that features the struggle of the impoverished majority for their economic, human and political rights. And, if anything, the last two decades have meant that many Kashmiris, if not the largest mass of them, have looked anywhere but to their south for cultural, religious and political orientation. If idealised notions of a syncretic past supposedly anchor the Indian political imagination, visions of the future make it clear to Indian planners that Kashmir is crucial for their access to central Asian nations as well as to their geo-strategic links with Afghanistan and Iran (and to their "containment" of Pakistan to the north and west and China to the east and north). It is the case that the borders (or rather, the lines of control) between India, Pakistan and China in that region are unsettled and provide repeated occasions for posturing, sabre-rattling and skirmishing. These borders are among the most heavily militarised in the world, which means that civilians in the state bear the full weight of this military presence, even when it is ostensibly directed across international borders.

We should also remember that there are also very powerful material reasons for India to possess Kashmir (or for Pakistan to hold its sections of the erstwhile state of Jammu and Kashmir). I will not elaborate on these here as many of these details are under-researched or hidden in official secrecy, but will call attention to some salient issues. There are hydrocarbon deposits – oil and gas – though there has not been much exploration or drilling in the last two decades because of violence in the state (Narayan and Jayaswal 2010; Suri 2009). Ladakh is likely to contain rare minerals of a variety of sorts, though it is not yet clear whether these are extensive enough to reward mining ("Uranium Deposits ..." 2007). However, as India expands its investments in nuclear power and weaponry, the importance of exploitable uranium and thorium deposits cannot be underestimated. Perhaps most important at this moment is the question of water resources. Ever since Partition, India and Pakistan have quarrelled over the use of the waters of the five rivers that flow into Punjab. The 1960 Indus Water Treaty, signed under the aegis of the World Bank, achieved a tenuous accord – which seems to have worked so far – as regards water sharing (for an overview from the Indian point of view, see Sridhar 2005). In recent years, Indian hydroelectric projects (and the development of catchment areas and water-control mechanisms) have polarised matters again, and Pakistani leaders, aware that the origins of rivers in the Indian region of Kashmir gives India great strategic leverage, have protested vociferously (Mirani 2009). As Mirani points out, India is clear about the "geostrategic and foreign policy implications" of its hydroelectrical projects in

Kashmir. Mirani also points to a further wrinkle – India has refused to allow the Jammu and Kashmir government to build and operate dams like the Kishenganga and Baglihar projects, which have been commissioned and built by the National Hydro Power Corporation, thus ensuring central control over the production and distribution of electricity, to the detriment of both the state executive and its consumers of electricity.<sup>22</sup>

In all these ways, Kashmir represents a fundamental political challenge to the democratic functioning of the post-colonial nation state (but certainly not a unique challenge, as the histories of Naga and Manipuri self-assertion illustrate). So far, the state's response to this challenge has been twofold – to make central funds available in an effort to demonstrate to Kashmiris the benefits of affiliation with India and to maintain a massive repressive apparatus whose violent actions warn of the futility of independent thought and action.<sup>23</sup> The former has not worked, certainly not entirely or convincingly, and the latter has been disastrous.

I will not suggest possible solutions – an entire army of politicians, administrators and experts continue to work on what seems to be an intractable polarisation between the state and the people, Indian nationalism and Kashmiri self-determination. But I will remind us, as concerned citizens, that we have a proud history of progressive ideas, those that fed the politics of decolonisation, to draw upon, ideas that insisted that the evolution of our independent, egalitarian democracy was an ongoing process, open-ended in its possibilities, and constantly aware of the need to develop and respect modes of self-determination, including those at odds with conventional political wisdom. Such openness – an openness to a genuinely post-colonial future – will be of great consequence not only to India but also the world community in which it plays an increasingly consequential role. If we are to continue to desire and bring into being democratic and egalitarian forms of human development across the globe, we should realise that that effort too begins at home.

## NOTES

- 1 This number keeps mounting. On 20 September 2010, newspapers reported 108 people killed in the last 100 days. They seem to have stopped counting the numbers shot and maimed.
- 2 China's ambitions are clear from its state-sponsored investments in commodity-rich nations in Africa, its development of the deep-water port of Gwadar in south-west Pakistan, and its enhanced trading relations with Latin American nations. China has also invested enormous resources in its nuclear submarines, new aircraft carriers and bases that are able to shelter and service them, with the result that believers in realpolitik insist that it is only a matter of time before China challenges the domination of the US in sea-lanes and territories ranging from Africa to Australia. See, for instance, Thomas Harding's (2008) report on the Sanya base on Hainan Island. India's help in developing the Iranian port of Chabahar, which allows easy access to the Indian Ocean, is seen as an attempt to outflank the Chinese and Pakistani development of Gwadar, and to allow the unhindered movement of goods and natural resources from Iran, Afghanistan and the Central Asian Republics.
- 3 Ironically, one of the symptoms of the weakened US economy is the high percentage of its public debt held by central banks in China and Japan (and several other countries), who have made massive investments in US Treasury Securities. Such investments reflect confidence in the ability of the US to repay its debts over time but they are also made for other pragmatic reasons (China, for instance, needs US consumers for the burgeoning export-driven sectors of its economy).
- 4 Estimate by the editors of the *Monthly Review*. For a map showing these locations, see <http://www.monthlyreview.org/docs/0302map1.pdf> (*Monthly Review* 2002).
- 5 Ferguson expounds on empire at length in his *Empire and Colossus*. See Chibber (2005) for a precise rebuttal of Ferguson's historical claims and historiographical methods. Ferguson's celebrity, based equally upon his egregious claims for the great benefits the British empire enabled for their colonised populations and for his insistence that the US should be equally unembarrassed about claiming the "civilisational" burdens of empire, has proved productive for political thinkers across the globe, if only because they have been forced to rebut his historical arguments and his vision of the imperial future. For an Indian instance, see Chari (2008).
- 6 In an article in the Calcutta *Telegraph*, Ashok Mitra (2010) calls attention to the US refusal to

withdraw from its base in Okinawa, in spite of the election pledge of Japanese Prime Minister Yukio Hatoyama of the Democratic Party, who resigned in protest. In a comment on the US denial of Japan's sovereignty, Mitra writes,

Getting rid of the American base in Okinawa has turned out to be a different story. ... neither [Japan's] economic prowess nor its formal political sovereignty has been of any avail. ... The US response to the notice served on them by the new Japanese administration to quit Okinawa... [was]: no, the United States will not oblige; Okinawa may be Japanese territory, Japan may be a fully independent and an economically powerful nation, the Americans could not care less; never mind the electoral verdict of the Japanese people, Okinawa will remain an American naval base, maybe for eternity, just like the one at Guantanamo in communist Cuba.

- 7 Mohan derives his sense of "the 'India Centre' concept in the British imperial defence" from Brobst (2005). Brobst's book elaborates ideas about geopolitical security centred on the geographical landmass of India, as well as the sea lanes it might control, that were developed most fully by Olaf Caroe, who was foreign secretary in the colonial Government of India during second world war and then its last governor of the North-West Frontier Province. Caroe's thinking, forged by the priorities of the UK's empire, looked beyond its end to a time when, as "a counterpoise to Soviet and increasingly Chinese power consolidated in the Asian heartland, India would remain pivotal in the maintenance of a global balance between land and sea power" (xiv). Brobst argues that there is today afoot a "New Great Game" for control of [Central Asia's] oil and gas", in which the "United States has assumed many of the attributes of Britain's former role in Asia, but the subcontinent remains the central strategic space" (147).
- 8 While historians of empire have recorded the adroit use of Indian soldiers by the East India Company and then by the British imperial administration to gain territories and extend their control within India, it is only recently that scholarly analysis has detailed the extensive deployment of Indian soldiers outside of the boundaries of British India and examined the consequences of such deployment for politics in India and in the UK. As this scholarship makes clear, these forces were not simply a perk of empire, but crucial to its extension and maintenance, particularly during first and second world war. David Omissi points out that by the end of first world war, more than 9,00,000 Indian troops were serving overseas

and that they "fought and died in France and Flanders, in Mesopotamia and Palestine, at Gallipoli and Salonika, and in Egypt, the Sudan, and East Africa" (Omissi 2007: 74). Daniel Marston points out that between "1939 and 1945, the [Indian] army expanded from 2,00,000 to more than 2.5 million men and officers", who destroyed the Imperial Japanese Army in Burma, fought against the Italians and Germans in North and East Africa and Italy, and took and held important oilfields in Iraq and Iran (Marston 2007: 102).

- 9 A highly readable, humane account of the brutal imperial adventures of even a tiny European principality – in this case the Belgium of King Leopold – is available in Hochschild (1999).
- 10 A signal instance is the 1953 CIA-backed coup d'état that deposed Mohammad Mosaddegh, the democratically elected prime minister of Iran, when he moved to nationalise the British-controlled Anglo-Iranian Oil Company (the precursor of British Petroleum, now branded BP).
- 11 For analysts of post-colonial history, two other military campaigns that moved to incorporate territories within the "landmass" of India, so to speak, are less controversial – the "police action" that annexed another princely state, Hyderabad, to India in September 1948, and the liberation of Goa from Portuguese colonialism in December 1961. Goans had in any case struggled for years against the dictatorial regime of António Salazar, and in Hyderabad, the Nizam's equally autocratic regime had alienated the majority of those he ruled, with sections of the peasantry, particularly in Telangana, already in revolt against landowners owing fealty to him. Once incorporated into India, there have been no secessionist movements in either territory, as opposed to the sustained attempts made by large sections of Kashmiris to determine their political future outside the status granted to them by the Indian Constitution.
- 12 Punjab saw equivalent moments, as for instance in 1984 when during Operation Blue Star (the attack on the Golden Temple in Amritsar to wrest it from Jarnail Singh Bhindranwale and his followers), all civilian administration, including police authority, was suspended. Even when the army was not deployed, the movement for an independent Khalistan was destroyed primarily by police and paramilitary power rather than via a political process.
- 13 China provides a contemporary comparison – the military has been used to suppress Tibetan and Uighur movements for self-determination. This mode of forced "assimilation" complements China's global ambitions. As the history of modern

- imperial nations suggests, any nation that aspires to superpower status cannot countenance democratic self-assertion among minority populations within its borders.
- 14 Ireland wrested its independence from the British empire in 1923 after a long and occasionally bloody struggle, with six counties in Northern Ireland still under British rule. More recently, there has been a tenuous devolution of power in Northern Ireland too, which has allowed for peace after many years of conflict between Irish Catholics and the pro-British Protestants. The Scots have moved towards a redefinition of their place in the UK and since 1998, have their own parliament in Edinburgh. More surprisingly (given that they were conquered and colonised by Edward I in the late 13th century), the Welsh have also moved to recover their separate political identity. Since 1999, a Welsh assembly with substantial budgetary and legislative powers meets in Cardiff. In these ways, the UK has moved towards a more "post-colonial" conception of the power relations between centre and provinces than seems possible in India.
- 15 *Bloomberg Businessweek* has recently reported on a pledge made by the Indian Home Secretary to enable \$80 billion in investments in heavy industry by defeating, within three years, the Maoist rebels who now defend the largely tribal and forested territories where minerals are to be mined and industries located (see Pradhan and Kumar 2010).
- 16 For an account of the new "commodity frontier", see Padel and Das (2010).
- 17 B K Nehru, once Governor of Jammu and Kashmir has this to say in his autobiography, "From 1953 to 1975, Chief Ministers of that State had been nominees of Delhi. Their appointment to that post was legitimised by the holding of farcical and totally rigged elections in which the Congress Party led by Delhi's nominee was elected by huge majorities" (Nehru 1997: 614-15). Sanjay Kak (2010), a noted documentary film-maker and Kashmir-watcher, writes, "In the first election of 1952, under the dominating presence of Sheikh Abdullah, his National Conference was a political party that had willingly stepped in as a lynchpin of India's strategy to 'retain' Kashmir, and the party won every single seat in that first election. 'Won' is too facile a description of what happened, because only two out of the 75 seats were actually contested. The rest had a walk-over. (The opposition, such as it was, was simply not allowed to file their nominations.) This happened with the active concurrence of the Government in New Delhi, because in these early days of India's freedom, with the world looking over his shoulder, Prime Minister Jawaharlal Nehru desperately needed to demonstrate the legitimacy of India's control over Kashmir. Sheikh Abdullah, at that time a personal friend of Nehru, took over as the Prime Minister of Jammu and Kashmir. ... When the next election came by in 1957, Nehru may have had some second thoughts about what he had started off. He is said to have written to Bakshi Ghulam Mohammed suggesting that he generously lose a few seats, so that the image of the world's largest democracy was not tarnished. But such cosmetic niceties cut little ice with the National Conference. It was unstoppable, and won 68 seats. Half of these were uncontested. In 1962 the National Conference repeated this strategy, and won 70 seats. Again half were uncontested. A twisted template had been set, and democracy had become an early victim. Kak also reminds us that in the 1967 assembly elections, held after G M Sadiq had merged the National Conference with the Congress in 1965, the Congress won 61 seats, of which fully 53 were uncontested. In the first four elections, "voter turnout ... was consistently low, never more than 25% of the electorate."
- 18 This is not only a question of aggressive, even murderous, forms of policing, but also of an expansion of bases into large swathes of farmland and orchards that are now denied to their owners. Access routes to adjoining working areas

- are occasionally blocked by undefined security considerations, and the free movement of villagers impeded (see Navlakha 2007).
- 19 That Indian security officials have been liaising, and learning from, their counterparts in the Israeli Defence Force (IDF) is no longer news; however, it is still startling to hear an ex-official of the IDF Advocate General's Corps describe his surprise at the belligerent rules of engagement (vis-à-vis civilians suspected of links with militants) laid out for him by generals of the Indian army (Nayar 2010).
- 20 Since 1972, an amendment gives the central government the right to declare an area "disturbed", even over the objections of the state government concerned, and thus to apply the Act. For a very useful history and assessment of the AFSPA, see "Armed Forces ..." (2010).
- 21 For a disturbing reminder of the implications of the recent advocacy of the AFSPA by serving armed forces personnel, see Noorani 2010.
- 22 Mirani (2009) writes, "NHPC, sometimes referred to as the East India Company of Kashmir for the imperial manner in which it exploits resources in the region, is strongly disliked as most of its income comes from its Kashmir-based power projects, while Kashmir itself reels in darkness."
- 23 A great deal of central government funding goes into the maintenance of the security infrastructure at the borders, as well as the massive logistical apparatus required to service that infrastructure. For an argument that suggests that Jammu and Kashmir is able to utilise only 30% of these central grants on social spending because 70% is tied up in salaries, security expenditure, power and interest payments, see Talib (2010).

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