Article 370 Scrapped Off

Why in news?

The Indian government scrapped off the Article 370 of Indian Constitution recently.
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What did happen?

- The Government of India **ended the Jammu & Kashmir's special status** in the Indian Union.
- It was done by **scrapping off Article 370** of our Constitution.
- This extended all provisions of the Constitution to the State in one go and allowed all citizens to buy property and vote in the State.
- It divided the region into two Union Territories are — **Jammu and Kashmir** with legislature and **Ladakh** without legislature.
- The government has adopted a highly militarist approach to separatism.

How was Article 370 scrapped off?

- In the present scenario, J&K has been represented by an unelected Governor appointed by the Centre.
- The Parliament has ventured to ratify the conversion of a State into 2 Union Territories without any recommendation from the State.
- In sum, the process to change the constitutional status of a sensitive border State has been achieved without any legislative input or representative contribution from its people.
- It will not only strain the social fabric in Jammu and Kashmir but also affects the principles of federalism, parliamentary democracy and diversity.

What will be the impacts?

- The **founding fathers recognised** that Article 370 was a transitional or temporary provision.
- There was a clear subtext in it that says its revocation would only happen once the **consent of the people** of the State was obtained.
- The move will be **legally challenged** on grounds of procedural infirmities and, that it undermines the basic feature of the compact between Delhi and

Srinagar that was agreed upon in 1947.

- The challenge would centre around the question whether such step could be achieved in the absence of a representative government.
- The **real test will be on the streets** of Srinagar, Jammu and Delhi once the security cordon is lifted from the State.
- The unwillingness to enter into consultation with the mainstream political leaders was inappropriate.

What was the government's rationale?

- The move is clearly embedded in the larger geopolitics of the region.
- The mutual trust and friendship among U.S. and Pakistan is growing.
- There is repeated 'offer' by the U.S. President to meditate in Kashmir may have precipitated the decision.
- Regional alliances were also marginalising Indian interests in the heartland of the region. e.g Belt Road Initiative.
- These suggested that Kashmir could become even more vulnerable to external elements than it was in the past.
- So the government believed that a settlement in Jammu and Kashmir and its 'pacification' was vital for India's national security.

What could be done in the interim?

- The new doctrine will have to persuade the Jammu and Kashmir people that greater integration with India will,
    1. Provide them with more opportunities,
    2. Provide more freedom and space, and
    3. Strengthen their rights much more than the alternatives proposed by other mainstream parties or separatists.
- If this plan to bring harmony between New Delhi and Srinagar works, it will have performed an extraordinary national service.

Source: The Hindu

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