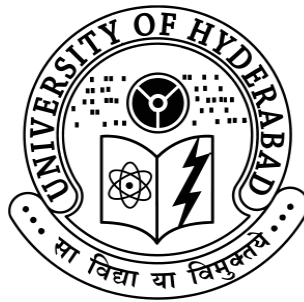


POWER SHARING AND COALITION POLITICS IN TROUBLED STATES: A CASE OF JAMMU AND KASHMIR (2002-2018)

**A thesis submitted to the University of Hyderabad in the partial fulfillment
of the requirements for the award of the degree of**

**DOCTOR OF PHILOSOPHY
IN
POLITICAL SCIENCE
BY
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DECLARATION

I, **Yawer Gulzar** (14SPPH02), hereby declare that the work embodied in this thesis titled **“Power Sharing and Coalition Politics in Troubled States: A Case of Jammu and Kashmir (2002-2018)”** is carried out under the supervision of **Prof. K K Kailash**, Professor, Department of Political Science, School of Social Sciences, University of Hyderabad for the award of Doctor of Philosophy in Political Science. The thesis is an original work of mine to the best of my knowledge and no part of this thesis has been submitted in part or in full to this university or any other university or institution for the award of any other degree or diploma. I also declare that this is a bonafide research work that is free from plagiarism. I hereby agree that my thesis can be uploaded in Shodhganga/INFLIBNET.

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This is to certify that **Mr. Yawer Gulzar** (Reg. No. 14SPPH02) has carried out the research work embodied in the present thesis under the supervision of **Prof. K K Kailash** for a full period prescribed under the Ph.D ordinance of University of Hyderabad. We recommend the thesis titled “**Power Sharing and Coalition Politics in Troubled States: A Case of Jammu and Kashmir (2002-2018)**” for the degree of Doctor of Philosophy in this university. This work is original and has not been submitted in part or full for any other degree or diploma of any other university.

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This thesis is free from plagiarism and has not been submitted previously in part or in full to this or any other University or Institution for the award of any degree or diploma.

Parts of the thesis have been:

A. Published in the following publications:

1. Yawer Gulzar, ‘*Assembly Elections in Jammu and Kashmir: Explaining the Electoral Success of Peoples Democratic Party (PDP)*’ in Think India Journal, Vol. No. 22, Issue No. 14, December 2019, ISSN: 0971-1260, PP. 15667-73.

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PS 701	Research Methodology-I	4	Pass
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***This thesis is dedicated to my parents
Late Gulzar Ahmad Lone and
Shameema Begum;***

***To my grandmother
Sarah Begum***

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Yawer Gulzar

Acronyms

AAC	Awami Action Committee
ADDC	Additional District Development Commissioner
AFSPA	Armed Forces Special Powers Act
AIIMS	All India Institute of Medical Sciences
AIP	Awami Ittehad Party
ANC	Awami National Conference
APHC	All Parties Hurriyat Conference
AC	Accountability Commission
BJP	Bharatiya Janata Party
BJS	Bharatiya Jana Sangh
BSP	Bahujan Samaj Party
CCC	Coalition Coordination Committee
CBM	Confidence Building Measures
CM	Chief Minister
CMP	Common Minimum Program
CPM	Communist Party of India Marxist
CSDS	Centre for the Study of Developing Societies
DFP	Democratic Freedom Party
DM	Democratic Movement
DNC	Democratic National Conference
DPF	Democratic People's Forum
DPN	Democratic Party Nationalist
IIM	Indian Institute of Management
IIT	Indian Institute of Technology
IJAK	Indian Jammu and Kashmir

IKMT	Imam Khumani Memorial Trust
IND	Independent
INC	Indian National Congress
IRA	Irish Republican Army
IS	Islamia School
J&K	Jammu and Kashmir
JIJK	Jamaat-e-Islami, Jammu and Kashmir
JKAL	Jammu and Kashmir Awami League
JKDFP	Jammu and Kashmir Democratic Freedom Party
JKPCC	Jammu and Kashmir Pradesh Congress Committee
JKP	Jammu and Kashmir Police
JKPDP	Jammu and Kashmir Peoples Democratic Party
JKLF	Jammu & Kashmir Liberation Front
JKNC	Jammu and Kashmir National Conference
JKNPP	Jammu and Kashmir National Panthers Party
JNP	Janata Party
LAHDC	Ladakh Autonomous Hill Development Councils
LMCC	Ladakh Muslim Coordination Committee
LOC	Line of Control
LUTF	Ladakh Union Territory Front
MC	Muslim Conference
MLA	Member of Legislative Assembly
MOS	Minister of State
MUF	Muslim United Front
NHRC	National Human Rights Commission
NC	National Conference
NDA	National Democratic Alliance
PAK	Pakistan Administered Kashmir
PC	Peoples Conference

PDP	Peoples Democratic Party
PDF	Peoples Democratic Front (Secular)
PDF	Progressive Democratic Front
PF	Plebiscite Front
PJAK	Pakistan Jammu and Kashmir
PLO	Palestinian Liberation Organization
PM	Prime Minister
POTA	Prevention of Terrorism Act
PSA	Public Safety Act
PQ	Parti Quebecois
RSS	Rashtriya Swayamsevak Sangh
RTC	Round Table Conference
SAC	State Accountability Commission
SASB	Shri Amarnath Ji Shrine Board
SASS	Shri Amarnath Sangharsh Samiti
SDLP	Social Democratic and Labour Party
SKEWPY	Sher-i-Kashmir Employment and Welfare Programme for youth
SPM	Single Party Majority Government
SOG	Special Operation Group
STF	Special Task Force
TADA	Terrorist and Disruptive Activities
UN	United Nations
UPA	United Progressive Alliance

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Chapter 1

Introduction

1.1 Introduction

Politics in deeply divided societies are complicated but the state of Jammu and Kashmir (J&K) appears to be in a league of its own.¹ In this study, a deeply divided society is understood to be one in which there is a long-running political dispute arising out of ethnic divisions, including religion and language. The political dispute can have both parliamentary and extra-parliamentary dimensions and there are times when both dimensions are at play simultaneously. A list of states with troubled and deep social divisions include Afghanistan, Belgium, Bosnia, Iraq, Kosovo, Lebanon, Nigeria, Northern Ireland, South Africa, and Sri Lanka. This study examines how power-sharing arrangements in the state of J&K helped restore normalcy to a certain extent by creating space for compromises and rapprochement among the conflicting actors.

The common characteristics of deeply divided societies have long been debated among scholars. According to Nordlinger, “a conflict is intense (or society is deeply divided) when a large number of conflict group members attach overwhelming importance to the issues at stake or manifest strongly held antagonistic beliefs and emotions towards the opposing segment or both.”² He also identifies repression and

¹ The term ‘Kashmir’ is often used as shorthand for the territory that comprises the former princely state of Jammu and Kashmir (J&K). More correctly, it refers to the Kashmir Valley and its immediate surrounds. Similarly, the term ‘Kashmiri’ is often used to describe a state subject or resident of J&K. More correctly, it refers to a resident of the Kashmir Valley.

² Eric A Nordlinger, *Conflict Regulation in Divided Societies* (Cambridge, MA: Center for International Affairs, Harvard University, 1972), 9.

violence as possible consequences of the state of affairs in such societies.³ However, not all such societies are violent or unstable; some have successfully established new political systems based on power-sharing among different groups or regions of the state. Power-sharing essentially entails the management of the conflict through grand coalition governments, in which all the groups are represented. Thus through the power-sharing governments, the conflict could be managed and relative peace and stability can come.

The vast and long-standing conflict in the state has made its mark in the political and societal sphere of the South Asian region. The state of J&K has remained a deeply divided society on lines of region, religion, culture, and ethnicity. The essence of the study will be to view the applications of power-sharing and accommodation arrangements in their ability to explain the case of coalition politics in J&K. This thesis seeks to explore and explain how and why coalitions and power-sharing helped bring J&K to the path of normalcy. In order to understand this, the thesis attempts to understand the social and geographical reality of groups, individuals, and political parties involved.

J&K has had a long history of having what has come to be termed as mainstream political parties like the National Conference (NC) and the state branch of the Indian National Congress (INC) playing a central role in the politics of J&K. Yet by the end of the 20th century, the political formulations had been crystallized into the mainstream and secessionist houses. A political vacuum had been created. It is at this critical juncture that the emergence of regional political parties and the rise of nationalist parties came to the fore.⁴ Which in turn led to the competitive multi-

³ Adrian argued that there are social and political divisions in all societies. However, deeply divided societies are a special category of cases, in which a fault line that runs through the society causes political polarization and establishes a force field. This divide makes establishing and sustaining democratic rule a huge challenge. See Adrian Guelke, *Politics in Deeply Divided Societies*, (Cambridge: Polity Press, 2012).

⁴ India's northernmost state, home to the strife-torn Kashmir valley and a perennial bone of contention between India and Pakistan. There may a case to be made for the idea that Jammu and Kashmir is India's most pampered state. Cross-border terrorism and violence have exacted a heavy human cost in the state. The Kashmir polity lacks coherent direction and is deeply troubled, as

party system in the state. And the argument is that since then, the state had witnessed three power-sharing governments and they were able to accommodate leaders of various parties and regions and managed to bring stability and relative peace in the state.

The J&K's tryst with coalition politics came after the historic 2002 assembly election. Since then coalitions became the order of the day in the political system of J&K and appear so in the near future, given the improbability of either the NC or the Peoples Democratic Party (PDP) or the state branches of national parties like Congress and Bharatiya Janata Party (BJP) achieving a majority on its own. The last three state assembly elections from 2002 (2002, 2008, and 2014) have resulted in hung assemblies with no single party getting more than 28 seats in a house of 87. Three consecutive hung assemblies since then resulted in the emergence of a vibrant coalition of different political parties. With the decline of the NC or dominant one-party system and with the emergence of various new political parties like PDP, the coalitions have gradually assumed a lot of significance in the state politics. The NCs 1996 government was the last single-party government before a series of power-sharing coalitions that followed at the state level (see Table 1.1).

Table 1.1
Power-Sharing Governments in J&K since 2002

State Assembly Election	Government	Power Sharing Coalition	Chief Minister	Period
2002	PDP-Congress	Yes	Mufti M Sayeed and Gh Nabi Azad	2002-2008
2008	NC-Congress	Yes	Omar Abdullah	2009-2014
2014	PDP-BJP	Yes	Mufti M. Sayeed /Mehbooba Mufti	March 2015-2018

Source: Compiled from various newspapers.

militancy and instability have grown over the period and separatist movement continued. Troubled state is one where violence or threat of violence keeps it divided along several lines.

At the national level, the rise of coalition government/politics is one of the major features of contemporary Indian democracy. Which is understood in what we said about the transition of the party system to a multi-party system from a dominant system. Strong one-party-dominant governments in the assembly have given way to unstable coalitions.⁵ One of the most important developments in the post-independence history of the country is the emergence of regional parties as major centers of power in India's politics, economy, and society.

Conceptually coalition denotes a process of coming together in response to a well-defined agenda, in the preparation of which the coalition partners are as anybody else regardless of their numerical strength in the coalition.⁶ In other words, the coalition is not merely the coming together of political parties with the motive to capture power; it is also reflective of fragmentation of social interests at the grassroots that remain unrepresented.⁷ Coalition governments tend to be less stable (shorter duration, more incidents of threats to their continued existence) than single-party majority governments. However, they are more consensual in style and accommodative in the policy.

The party system in the state has been changing from the unopposed elections in the 1950s to the multi-corner dead heat contest in the 2014 assembly election. From a single party rule in J&K, after it merged with the Union of India in 1947 - excluding few years in between, to cut-throat competition in all the 87 assembly constituencies, the political spectrum of the state has witnessed extreme changes. However, NC apart from President's rule has mostly governed the state but since the creation of PDP, the state has seen a power-sharing government in 2002, 2008, and 2014. The Congress shared power on two occasions - with PDP in 2002 and NC in 2008 while BJP shared power with PDP in 2014. Therefore, Kashmir politics since

⁵ Susanne Hoeber Rudolph and Lloyd Rudolph, "South Asia Faces the Future: New Dimensions in Indian Democracy," *Journal of Democracy* 13, no. 1 (January 2002): 52-66.

⁶ Bidyut Chakrabarty, *Coalition Politics in India* (New Delhi, Oxford University Press, 2014).

⁷ Ibid, 2.

2002 have been pulled in various different directions, as it has become clear that no single party is likely to win an absolute majority in the near future, and must instead put together a power-sharing coalition that can represent and accommodate all the regions of the state.⁸ I argue that coalition politics has become an instrument for accommodation and power-sharing in the state between different parties and regions. This, in turn, has led to stability and a relative degree of peace compared to the immediate past.

After 1947, society in Kashmir has experienced a kind of social revolution with massive political repercussions. First, they tried to transfer power from the dominance of the NC into the hands of the separatist front (MUF) but failed. Then again in 2002, they successfully transferred power from NC dominance to another newly formed regional political party, i.e., PDP. The age of NC and INC supremacy has come to an end. During the 2002 and 2008 elections, the NC remains a major party, but it must now function within a multi-party system that includes not only the regionally powerful PDP but also a growing branch of national parties like BJP, apart from Congress. The 2002 assembly election decisively ended the dominance of one party. Since then, all the governments, three in all, have been coalition governments. This study is about these coalitions that were formed during this period.

Alongside the issue of the power-sharing, the study also examines how the polity-wide parties (INC and BJP) and the state-bases parties (NC and PDP) have different approaches and ideas when they come together. The study while looking at the governance in J&K will try to find out how the key players perceive coalition politics. In addition, to find out how have the main actors sought to ensure the stability of the governments sharing power and how they have maintained unity while remaining ideologically antagonist to each other. There is a need to understand whether the change happens because of new actors or because of the context that has changed over a period. It is also important to understand the separatist parties

⁸ The term “Kashmir” can cause confusion. Officially, the valley with its Kashmiri speaking people is but one province of the state of Jammu and Kashmir.

and how far they stand away from the mainstream parties and where they both converge to understand power-sharing and coalition politics. In short, one of the most lasting cliches on J&K is that it is a political problem that can only be resolved politically, and this study looks at it through a power-sharing model.

1.2 Research Question

How has coalition politics brought about accommodation and power-sharing in the troubled state of J&K since the 2002 assembly election to the 2014 assembly election?

1.3 Objectives

The objective of the study is to understand the role of coalition politics in power-sharing and accommodation. It is an attempt to study the structure and functioning of coalition alliances (PDP-Congress, NC-Congress, and PDP-BJP), and examine the strategy which was adopted for power-sharing and accommodating political parties (mainstream as well as separatist) and the three distinct regions of the state. Also, trying to understand how coalition politics dealt with the regional crises in the state (Jammu, Kashmir, and Ladakh). An attempt is also made to understand how the political parties during power-sharing governments use the assembly as a forum to present their distinctive policies to the state. How coalition parties managed the tension between needing unity in government and the preservation of ideological and policy distinctiveness to the electorate?

1.4 Methodology

The work is a case study about J&K politics between 2002 to 2018. A case study is understood as the thorough study of a particular case or situation where the motive

of that study is at least in part to shed light on larger cases.⁹ The object of the case study method is to realize the behavior patterns of the given unit as an integrated totality. In other words, we can say that the case study is based on a comprehensive investigation of a particular unit and may be descriptive or explanatory. Conventionally the “case study” has been related to the qualitative methods of exploration. As John Gerring, argued that “the notion of a case study is sometimes employed as a board rubric covering a host of nonquantitative approaches – ethnographic, clinical, anecdotal, participant-observation, process-tracing, historical, textual, field research, and so forth. To study a single case intensively need not limit an investigator to qualitative techniques.”¹⁰ Therefore, the motive of this work is to study and explore the essence of power-sharing by means of coalition governments or politics in the state of J&K since 2002.

The thesis progressed by collecting data in order to evaluate how political parties and separatist parties respond to the subject of power-sharing in the state with reference to the last three coalition governments. The study used a qualitative research method, which produces “textual or narrative” descriptions of the particular phenomena under study. A qualitative approach is one which “involves studies that do not attempt to quantify their results through statistical summary or analysis. Qualitative studies typically involve interviews and observations without formal measurement. A case study, which is an in-depth examination of one person,

⁹ Case Study might mean: (a) that its method is qualitative, small-N, (b) that the research is holistic, thick (a more or less comprehensive examination of a phenomenon), (c) that it utilizes a particular type of evidence (e.g., ethnographic, clinical, nonexperimental, non-survey-based, participant-observation, process-tracing, historical, textual, or field research), (d) that its method of evidence gathering is naturalistic (a “real-life context”), (e) that the topic is diffuse (case and context are difficult to distinguish), (f) that it employs triangulation (“multiple sources of evidence”), (g) that the research investigates the properties of a single observation, or (h) that the research investigates the properties of a single phenomenon, instance, or example. See for example, John Gerring, *Case Study Research: Principles and Practices* (Cambridge: Cambridge University Press, 2007), 17.

¹⁰ Gerring, *Case Study Research*, 10.

is a form of qualitative research.”¹¹ The two main qualitative research tools that will be used in carrying the research forward is document analysis and interviews.

Document analysis is a form of qualitative research in which documents, pamphlets, common minimum programs, the agenda of alliance, government agreements, official reports are understood and interpreted in order to give voice and meaning to the particular subject. Document analysis is then to be complemented by open-ended and semi-structured interviews with political leaders of mainstream as well as separatist parties, and academicians that are part of the research method. In this regard, Creswell argues that in “qualitative interviews, the researcher conducts face to face interviews with participants, telephonic interviews, or engage in focus group interviews with six to eight interviewees in each group. These interviews involve unstructured and generally open-ended questions that are few in number and intended to elicit views and opinions from the participants.”¹² During these interviews, a number of questions were asked to them regarding the role of coalition politics or government in power-sharing and accommodation within the state.

The following personal interviews were held with the mainstream political leaders - Ashok Koul (BJP State General Secretary), Professor Varendra Singh (BJP State Spokesperson), Mohd. Yousuf Tarigami (Communist Party of India Marxist (CPIM) General Secretary J&K), Hakim Mohd Yasin (Chairman of Peoples Democratic Front (Secular) (PDF), Devendra Singh Rana (J&K NC Provincial President), Engineer Sheikh Abdul Rashid (Chairman Awami Ittihad Party (AIP) and an Independent MLA), Ghulam Ahmed Mir (J&K Pradesh Congress Committee (JKPCC) President, Omar Abdullah (J&K NC Vice President), Ali Mohd Sagar (General Secretary J&K NC).

¹¹ Geoffrey Marczyk, David DeMatteo and David Festinger, *Essentials of Research Design and Methodology* (New Jersey: John Wiley & Sons, 2005), 17.

¹² John W. Creswell, *Research Design: Qualitative, Quantitative, and Mixed Methods Approaches* (Los Angeles: Sage Publications, 2014), 190.

The interviews that were held with separatist leaders are - Sayeed Ali Shah Geelani (Chairman of Hurriyat (G), Mohd Yasin Malik (Chairman of Jammu and Kashmir Liberation Front) (JKLF), Professor Abdul Gani Bhat (Chairman of Muslim Conference (MC) and member of All Parties Hurriyat Conference (APHC), Advocate Abdul Majid Banday (Political Advisor of Mirwaiz Omar Farooq of APHC). One interview with the academician Professor Gull Mohammad Wani of Kashmir University. Apart from these interviews, a number of informal talks were held with several senior politicians and academicians like (J&K NC President Farooq Abdullah and Professor Bhim Singh Chairman J&K National Panthers Party (JKNPP). The purpose of these interviews was to elicit the views and opinions about the power-sharing in J&K through coalition governments.

1.4.1 Research Sources

The study is based on primary and secondary sources. My primary sources are government documents, coalition agreements, government reports, pamphlets, manifestos, and party political documents. The two main primary documents are the 'common minimum program' of the Congress and PDP coalition government 2002 and the 'Alliance of Agenda' document between the BJP and PDP coalition government 2014. The secondary sources are relevant books, articles, and papers published in various journals, magazines, periodicals, political blogs, newspapers, and websites.

1.5 Significance of the Study

The study adds to the growing Asian scholarship on the study of power-sharing and coalition politics. The study presents a different framework to understand the troubled state of J&K. The troubled states in the European and Middle Eastern states received considerable attention to resolve their conflict by applying power-sharing models while the troubled state of J&K has largely been untouched with such models. The study adds to the limited literature available on the power-

sharing, accommodation, and coalition politics in the state. It also adds to our understanding of the governing process in the troubled state and how it affects the understanding of the dynamics between national, regional, and separatist political parties.

1.6 Chapterization

The thesis is organized into six chapters and proceeds in the following way. The “*Introduction*” which lays the foundation discussing the objectives of the study, research question, methodology, sources, significance, and chapterization of the study.

The second chapter “*Theoretical Analysis: Politics of Power-Sharing, Accommodation, and Coalition Politics*” explores the theoretical dimensions of power-sharing with emphasis on the state of J&K. The chapter would present an analytical framework and the Kashmir setting with the support of Lijphart’s Consociational model and Robert D Putnam’s Logic of two-Level Games. The chapter would also look at the two cases of troubled independent states – Northern Ireland and Lebanon and then presents the case of Quebec, which represents the region within the country especially with respect to separatism or civil conflict. This is the region or troubled region asking for separatism within the independent nation. Based on the above three cases, it advances the idea that power-sharing has become a common prescription for unstable and troubled democracies around the world.

The third chapter “*Electoral Politics and Party System in Jammu and Kashmir*” focuses on the changing nature of electoral politics in the state of J&K. While discussing the different phases of the party system in the state, the chapter would also connect with the electoral politics in the state. The purpose of this chapter is to analyze how the party system in J&K changed from one-party dominance to the multi-party system.

The fourth chapter “*Power-Sharing and Coalition Politics: National and Regional Political Parties*” deals with the three coalition governments in the state from 2002 to 2014 and their power-sharing essence. It highlights the benefits of power-sharing to political parties. Chapter fifth “*Power-Sharing and Coalition Politics: Separatist Political Parties*” focuses on the role of power-sharing and coalition politics in separatist politics. The chapter attempts to understand the performance of power-sharing governments by looking at the process of dialogue and change in the tactics of separatism and militancy. It also spells out that the mere expansion of democratic electoral space, accommodation may not be sufficient to deal with the separatist sentiment and the alienation in Kashmir.

The “*Conclusion*” presents a summary of the main findings of the study and suggests supplementary questions for further investigation regarding power-sharing and coalition politics in the state of J&K.

Chapter 2

Theoretical Framework: Politics of Power-Sharing, Accommodation, and Coalition Politics

2.1 Introduction

In this chapter, I will outline the scholarly works to understand the politics of power-sharing, accommodation, and coalition. The purpose of this chapter is to construct an analytical framework to help us understand power-sharing in the troubled states. This chapter has five sections. The first section briefly introduces the three models of power-sharing, namely the consociational, incentivist, and tri-polar models. The second section has two parts; the first part discusses and examines the power-sharing and accommodation concepts, followed by a discussion of the relevant academic debates on power-sharing. It only attempts to highlight the main concepts and elements and is not a comprehensive review of power-sharing literature. The second part highlights the different elements of the consociational democracy or power-sharing model.

The third section examines the critics of the consociationalism or power-sharing model. The fourth section examines three cases of power-sharing, namely Lebanon, Northern Ireland, Quebec. The last section puts forward an analytical framework for understanding power-sharing and accommodation in coalition governments.

2.2 Models of Power-Sharing

Power-sharing literature comprises three schools of thought based on three theories: the first introduced by Arend Lijphart, the second by Donald Horowitz, and the third by Caroline Hartzell and Matthew Hoddie. The three power-sharing

models are the consociation, incentivist, and tri-polar models. The basic characteristics of the three power-sharing models are outlined in Table 2.1.

Table 2.1
The Models of Power-Sharing

The Consociationalism Model	The Incentivist Model	The Tri-polar Model
Grand/Elite Coalition -Coalition Cabinets -Rotation of top political offices	Electoral Innovations -Vote pooling methods -Proliferation of parties -Heterogeneous constituencies -Presidentialism -Rules for the formation of national parties	Territorial Power-Sharing <i>Creation of States</i> -Creation of ethnically homogenous and heterogeneous states
Group Autonomy -Federalism -Creation of ethnically homogenous states	Territorial Innovations -Federalism -Proliferation of states - Creation of ethnically homogenous and heterogeneous states	Fiscal Power-Sharing <i>Revenue Allocation</i> -Fiscal centralization -Equality of states in revenue allocation
Proportionality -Proportional representation of all groups in the executive/parliament /bureaucracy -Overrepresentation of the minorities in the legislature		Political Power-Sharing <i>Office Distribution</i> -Representation of groups in cabinet/bureaucracy/ parliament -Rotation of top political/bureaucratic offices

-proportional revenue sharing		
Mutual Veto -Rigid Constitution -Bicameral legislature		

Source: Compiled from the works of Lijphart, Horowitz, and Hartzell-Hoddie.

2.2.1 Consociationalism

Lijphart's framework is the leading power-sharing approach among practitioners and scholars. The consociational model views "communal groups as the building blocks of a political order based on elite consensus and group autonomy."¹ Lijphart claimed that the concept of power-sharing among elites was the ideal approach for stabilizing democracy in plural societies. He describes his theory of power-sharing as a concrete solution for pluralistic societies marked by strongly political, linguistic, ideological, cultural, or ethnic cleavages. He argued that these distinctions can not be removed, and must be accommodated accordingly.

Accommodation is facilitated by the consociation model, which espouses the inclusion rather than exclusion of the various religions and sects. The exclusion would inevitably contribute to tyranny by the majority rule in deeply divided societies. Thus, excluding minorities from the decision-making process may cause them to resort to violent protests or mass rebellion to express their grievances and

¹ Matthijs Bogaards, "Democracy and Power-Sharing in Multinational States: Thematic Introduction," *International Journal on Multicultural Societies* 8, no. 2 (2006): 119-126.

demands, which might destabilize the state.² On the background of differing opinions in the 1960s and 1970s, the significance of power-sharing and compromise confronted the common assumption of difficulty in achieving political stability and democracy in democratic societies. This assumption was mainly due to the idea that plural societies with social, political, and economic differences would be unstable and would break down eventually. Nevertheless, this claim was challenged by the power-sharing theory, which can facilitate democratic stability in multi-ethnic plural societies. This model, with detailed analysis, will be presented in the next section.

2.2.2 Centripetalism or Incentivist

The second model is the incentivist model.³ Horowitz has argued that Lijphart's grand coalitions may not be likely since the creation of multi-ethnic coalition results in flanking (intra-ethnic competition).

*"The willingness of leaders to form interethnic coalitions can produce a negative reaction among members of their own groups, which in turn can lead to the formation of new ethnically exclusive parties on the flank. If so, what begins as a grand coalition may end as a coalition of the middle, opposed by extremists on the flanks who are able to thwart interethnic compromise by making inroads into the support of those who join such coalitions. In short, the grand coalition may not be durable."*⁴

² Arend Lijphart, *Patterns of Democracy: Government Forms and Performance in Thirty six Countries* (New Haven, CT and London: Yale University Press, 2012), 31-32.

³ Which is also known as centripetalism. Sisk introduces the classification of main approaches to power-sharing into two categories as consociational and integrative. He uses the term "consociational" in reference to Lijphart's formulation, and employs the term "integrative" while referring to Horowitz's suggestions. However, both Horowitz and Reilly, two chief proponents of the latter approach, call it centripetalism in their works.

⁴ Donald L. Horowitz, "Conciliatory Institutions and Constitutional Processes in Post-Conflict States," *William and Mary Law Review* 49, no. 4 (2008): 1213- 1248.

Horowitz's model supports the strategy of political establishments to present incentives to the elite and mass moderation over the formation of such coalitions. Horowitz's argued in 1985 that consociationalism did not highlight the incentives for intergroup accommodation and elite cooperation. He put forward that a model must incentivize cooperation among moderates. Horowitz and his followers claimed that political institutions must encourage political leaders to cross ethnic boundaries.⁵ They claimed that the strengthening of consociationalism is required to incentivize them because, in a competitive political situation, even in the event of an agreement by the elite, their followers and political opponents centrifugal forces might interfere with the arrangement.⁶ According to Horowitz, "centripetalists do not propose to substitute a consensual regime for majority rule, but attempt instead to create incentives, principally electoral incentives, for moderates to compromise on conflicting group claims, to form interethnic coalitions, and to establish a regime of interethnic majority rule."⁷

The requirement of intergroup collaboration for electoral success is a characteristic of this model, which necessitates garnering support from other parties to be elected.⁸ The basic concept is that all members and parties need to soften their positions by seeking common ground between different groups and their party to gain support from the other groups and prove that they can compromise. According to Horowitz, the commitments of one group to another make this method superior

⁵ John McGarry and Brendon O'Leary, "Consociational Theory, Northern Ireland's Conflict, and its Agreement. Part 2: What Critics of Consociation Can Learn from Northern Ireland," *Government and Opposition* 41, no. 2 (Spring 2006): 249-277.

⁶ Donald L. Horowitz, *A Democratic South Africa? Constitutional Engineering in a Divided Society* (Berkeley: University of California Press, 1991), 139-141.

⁷ Donald L. Horowitz, "Ethnic Power-sharing: Three Big Problems," *Journal of Democracy* 25, no. 2 (April 2014): 5-20.

⁸ Timothy D. Sisk, *Power-sharing and International Mediation in Ethnic Conflict* (New York: Carnegie Cooperation, 1999), 41.

to the consociationalism method.⁹ Horowitz stated that the incentive could come from electoral and federal system changes. He suggested that elite cooperation opportunities can be encouraged through the refinement of the federal system, mainly through the formation of states.¹⁰

Horowitz believed that both the federal and electoral system could create elite cooperation opportunities. He observed that all the elements of the electoral system, including the electoral rules (namely, first-past-the-post or proportional representation), district delimitation, vote composition, and several members per electorate, can potentially affect political appeals and elite alignments in democratic societies. The use of alternative voting, requiring electorates to vote well for their second preferences, is an example of an electoral rule. The second preference is usually given to the group or party, offering the most concessions after voting for their group. Horowitz named vote pooling as the main characteristic of the electoral system, assisting in compromise, accommodation, and consociationalism.¹¹

This model did not reject the majority rule; however, it attempted the establishment of a liberal dominant majority with the ability to compromise and accommodate

⁹ Horowitz, "Conciliatory Institutions and Constitutional Processes on Post-Conflict States," 1213-1248.

¹⁰ Many observers agree that the creation of states is an important means of enhancing the federal system, there is a disagreement on the form and scope of state creation exercises. On the form of state creation, Horowitz proposes the creation of ethnically homogenous states if groups are territorially concentrated.

¹¹ Vote pooling refers to an exchange of the votes of their respective supporters by leaders who have been conditioned by the electoral system to be marginally dependent on votes by other groups for electoral victory. To secure pooled votes, politicians must behave moderately on issues that generate inter-group disagreement. Horowitz identified three elements (multi-party system, creation of ethnically heterogeneous constituency and the provision of electoral incentives) that are needed to induce inter-group vote pooling. He also highlighted three ways through which electoral incentives can be created (first, enactment of distribution requirements for electoral victory- beyond the majority or plurality requirement, second, preferential voting and third, reserved political offices for specific groups). See for example Donald L. Horowitz, "Constitutional Design: Proposals versus Processes," in *The Architecture of Democracy: Constitutional Design, Conflict Management, and Democracy*, ed. Andrew Reynolds, (Oxford: Oxford University Press, 2002), 23; Donald L. Horowitz, *A Democratic South Africa? Constitutional Engineering in a Divided Society* (Berkeley: University of California Press, 1991), 167; Donald Horowitz, *Ethnic Groups in Conflict* (Berkeley: University of California Press, 1985).

other groups. Horowitz claimed that the significance of intergroup collaboration across group boundaries, political parties would grow along lines different from the group differences and concerns by which society was divided during the conflict and that hence this model will lead to stable governments.

2.2.3 Tri-Polar Model

The power-sharing and centripetalism models consider different power-sharing areas, focusing primarily on executive power-sharing. However, taking into account the multidimensional existence of various community interests, specific power-sharing frameworks can have similar importance to the political sphere.¹² For example, groups with a history of economic down gradation may exhibit more interest in influencing government revenue than in holding government offices. Hartzell and Matthew attempted the multidimensional extension of power-sharing in their post-civil war settlements study.

The tri-polar model assimilates the necessary characteristics of the consociational and centripetal models and highlights the need for expanding the influence of power-sharing on various governance settings where groups may covet power-sharing. This model classifies power-sharing agreements into three primary types, namely geographical, political, and economic dimensions.¹³ Territorial power is allocated mainly through territorial autonomy. The territorial power-sharing dimension is prepared for arrangements that define the state territorial structure and specifies the process of decentralization of powers.¹⁴ The economic dimension

¹² See for example, Nkwachukwu Oriji, "Power Sharing: The Element of Continuity in Nigerian Politics," (Ph.D thesis, Central European University, 2008); Caroline A. Hartzell and Matthew Hoddie, "Institutionalizing Peace: Power-Sharing and Post-Civil War Conflict Management," *American Journal of Political Science* 47, no. 2 (April 2003): 318-332.

¹³ They developed a four-dimension model, but I amended it to three because the military dimension is subsumed under the political dimension and is mostly relevant in post-civil war societies.

¹⁴ By creating forms of decentralized government that are territorially based (e.g., regional autonomy and federalism), autonomy effectively divides political influence among levels of government. This type of institution provides groups at the subnational level with some degree of power and autonomy vis-a-vis the central government. It is an institution that provides a means through which

of power-sharing mainly focuses on the control of economic resources in the postwar state. The fiscal aspect of power-sharing constitutes the national revenue-sharing policies and principles.¹⁵ The political aspect of power-sharing involves practices and principles for administering bureaucratic and political offices.

By comparing the advantages and disadvantages of consociational and integrative power-sharing, Sisk (1996) concludes that the choice between them is dependent on the different dynamics of a given conflict. A higher degree of trust among the different parties involved can result in integrative power-sharing, but the required trust level is often non-existent. In comparison, consociational power-sharing practices provide better security to the parties involved in a conflict, but it may open up scope for future conflict.¹⁶ I argue that the three models should not be always considered as alternatives to each other. The integrative model requires a high level of trust among the parties involved in a conflict; hence, it cannot be considered as a substitute when there is no trust between the conflicting parties. To conclude, the conflicting parties would instead prefer their leaders to represent them than be represented by moderate representatives of the majority. Therefore, the consociational approach may be considered for political settlements in deeply divided or troubled societies.

2.3 Understanding Power-sharing and Accommodation

The works by Lijphart emphasized the fourfold typologies of democracy. These topologies are based on two major factors: first, their competitive elite behavior, and second, their homogeneous or fragmented political cultures. Exclusion based on

compromise can be reached among adversarial groups by allowing each collectivity a regional base from which it may protect its own interests.

¹⁵ Caroline A Hartzell and Matthew Hoddie, *Crafting Peace: Power-Sharing Institutions and the Negotiated Settlement of Civil Wars* (Pennsylvania: The Pennsylvania State University Press, 2007), 35.

¹⁶ Timothy D Sisk, *Power Sharing and International Mediation in Ethnic Conflicts* (Washington, DC: United States Institute of Peace Press, 1996), 116-117.

religious, linguistic, ideological, cultural, or ethnic grounds in severely divided societies and states is one of the major failures of liberal majoritarian democracies. However, several ways and models in literature deal with this empirical situation on the ground; the power-sharing and accommodation model is one of them. Lijphart also recognized *partition*, which works when people are divided into two or more distinct regions, and *assimilation*, which works if a single group forms a clear majority, as other solutions to plural societies.¹⁷

In the past three decades, there has been substantial debate on power-sharing in the governance, policy, and academic field. It has become prevalent as a mechanism to ensure the commitment of adversaries to peace and reconciliation in times of severe vulnerability and distrust. Believing that most conflicts in divided societies can be improved with basic tools of democratic political manufacturing and engineering, rather than by means of authoritarian control.¹⁸ This ideology was developed because the quest for self-determination and ethnic cleavages in the 1990s resulted in one of the most severe sources of violent conflict in the world, requiring practical management.¹⁹

Lijphart developed his consociational democracy model only after he observed that there was a gap in the logic of the empirical democratic theory. He found that they ignored the deviant cases of fragmented but stable democracies like Belgium, the Netherlands, and Switzerland, which should have displayed great immobility and instability but did not.²⁰ He decided that a new theoretical approach was needed for such deviant cases - consociational democracy. This model was developed in his

¹⁷ The other alternative models are Centripetalism, Tri-polar-Model, and Complex Power-Sharing.

¹⁸ Arend Lijphart, *Democracy in Plural Societies: A Comparative Exploration* (New Haven: Yale University Press, 1977); Arend Lijphart, *Power-sharing in South Africa* (Berkeley: Institute of International Studies, 1985); Arend Lijphart, "The Wave of Power-Sharing Democracy," in *The Architecture of Democracy: Constitutional Design, Conflict Management and Democracy*, ed. Andrew Reynolds (New York: Oxford University Press, 2002).

¹⁹ Lijphart "The wave of power-sharing democracy," 37-54.

²⁰ Arend Lijphart, "Consociational Democracy," *World Politics* 21, no. 2 (January 1969): 211.

masterpiece, *“The Politics of Accommodation: Pluralism and Democracy in the Netherlands* (1968) and further elaborated in later works (1969, 1977, 1985, 1991, 1995, 1996).” He borrowed the term consociational from David Apter’s 1961 study of Uganda. Lijphart acknowledged that the term could be traced to Johannes Althusius’ writings in the early seventeenth century, used in its Latin form consociatio.²¹ The model is based on concepts similar to those ideas presented by Arthur Lewis. However, the general concept was first introduced by Lewis (1965) in his study of Western African politics, i.e., *Politics in West Africa*. Although there exist several previous studies, Lijphart is regarded as the principal theoretician of consociationalism. Since long, Lijphart’s studies have advocated a specific power-sharing form and have generated a fierce debate among power-sharing theoreticians. Starting with power-sharing in South Africa, Lijphart has used power-sharing as a synonym or substitute for consociational democracy.²²

Lijphart argued in these studies that pluralistic societies following power-sharing practices and rules could accomplish and maintain a stable democratic government. He argues, “...consociational democracy is not only the most optimal form of democracy for deeply divided societies but also, for the most deeply divided countries, the only feasible solution.”²³ That is why Stein Rokkan referred him on several occasions as “Mr. Consociation.”²⁴ He further defined consociational democracy as “a government by elite cartel designed to turn democracy with the fragmented culture into a stable democracy.”²⁵ He also argues, “power-sharing

²¹ Arend Lijphart, *Thinking About Democracy: Power-sharing and Majority Rule in Theory and Practice* (London and New York: Routledge, 2008), 3. Note – “Consociatio” means associating or association in Latin.

²² Matthijs Bogaards, “The Uneasy Relationship between Empirical and Normative Types in Consociational Theory,” *Journal of Theoretical Politics* 12, no. 4 (2000): 415.

²³ Lijphart, “The Wave of Power-Sharing Democracy.”

²⁴ Arend Lijphart, “Power-sharing and Group Autonomy in the 1990s and the 21st Century”, *Constitutional Design* 2000.

²⁵ Lijphart, “Consociational Democracy,” 216.

means the participation of the representative of all significant groups in political decision-making, especially at the executive level.”²⁶ Lijphart’s theory is regarded as one of the most influential theories in comparative political science. Although consociations can be both authoritarian and democratic,²⁷ an authentic consociational democracy respects four organizational principles. The first and most vital element of consociational democracy is a grand coalition government of the political leaders of all noteworthy divisions of the plural society.²⁸

Fundamentally, it was established in contrast to the majoritarian form of governance,²⁹ as it seeks to integrate all sections of society into a shared governance system; and to reduce potential conflict and antagonism between the various cultural and ethnic groups. The two types of democracy are on two sides of a power distribution continuum.³⁰ It is a top-down model because it assumes unity among the elite. Majority rule may be harmful in plural societies because minorities who

²⁶ Lijphart “The wave of power-sharing democracy,” 39.

²⁷ Brendan O’Leary, “Consociation: Refining the Theory and a Defense,” *International Journal of Diversity in Organizations, Communities and Nations* 3, no. 1 (2004): 693–755; Brendan O’Leary, “Debating Consociation: Normative and Explanatory Arguments,” in *From Power-Sharing to Democracy: Post-Conflict Institutions in Ethnically Divided Societies*, ed. Sid Noel (Toronto: McGill-Queens University Press, 2005), 3–43.

²⁸ The other three elements are Cultural Autonomy, Proportionality and, Minority Veto. See for example, Lijphart, *Democracy in Plural Societies*, 25.

²⁹ The Nine elements of majoritarian democracy are: (1) concentration of executive power in one-party and bare majority cabinets, (2) executive dominance in executive-legislative relations, (3) Unicameralism or, as in Britain, bicameralism, with a very weak second chamber, (4) two-party system, (5) one-dimensional party system i.e., a party system in which the parties’ programs differ from each other mainly along the one issue dimension of socioeconomic policy, (6) plurality system of elections, (7) unitary and centralized government in which there are no clearly designated geographical and functional areas from which the parliamentary majority and cabinet are bared, (8) unwritten constitutional and parliamentary sovereignty: the majority’s power to legislate is not restricted by any requirement of qualified majorities of judicial review, and (10) exclusively representative democracy: the power of the parliamentary majority is not restricted either by any element of direct democracy such as the referendum. See for example, Arend Lijphart, “Non-Majoritarian Democracy: A Comparison of Federal and Consociational Theories,” *Publius: The Journal of Federalism* 15, no. 2 (Spring 1985): 3–15.

³⁰ Adrian Vatter, “Lijphart Expanded: Three Dimensions of Democracy in Advanced OECD Countries?,” *European Political Science Review* 1, no. 1 (March 2009): 125–154.

are consistently denied a part in decision-making and political power may feel victimized and marginalized by the majority government.³¹ Besides, these circumstances can easily lead to conflict breaking out in deeply divided societies. This exclusion would inevitably result in majority tyranny by majority rule. Lijphart argues that such inevitable differences cannot be expunged, and must, therefore, be accommodated through the process of the power-sharing model.³²

In reality, it is a kind of governance/government involving guaranteed community representation and is often recommended in deeply divided societies for conflict management. There are both empirical and prescriptive/normative elements to the consociation model. Empirically, it explains the democratic stability in such “divided” and “culturally fragmented” societies of Europe as Austria, Belgium, Switzerland, and the Netherlands. According to Lijphart, these countries had democratic stability because of the deliberate efforts made by the political elite to “counteract the immobilizing and un-stabilizing effects of cultural fragmentation.”³³ The prescriptive factor in this model lies in the argument that the design found in European countries will lead to stability in any other plural societies worldwide.

Accommodation refers to the capacity of countries to contain conflict within the apparatuses and processes embedded in existing institutional arrangements. Accommodation exemplifies the concepts of adaptation, adjustment, and reconciliation of differences. In other words, it contains the notion of two or more political parties or groups coming to a mutually acceptable arrangement wherein the members make some concessions for which they know they will obtain

³¹ See Tobias P. Postmaa, “Power Sharing in Post Civil War Lebanon: An Evaluation,” (Masters Thesis, Leiden University, 2014).

³² Elements of non-majoritarian democracy: (1) executive power-sharing, (2) balanced executive-legislative relations, (3) strong bicameralism, (4) multi-party system, (5) multi-dimensional party system, (6) proportional representation, (7) federalism and decentralization, and (8) written constitution and minority veto. See for example, Lijphart, “Non-Majoritarian Democracy: A Comparison of Federal and Consociational Theories,” 3-15.

³³ Arend Lijphart, *The Politics of Accommodation: Pluralism and Democracy in the Netherlands* (Berkeley: University of California Press, 1968), 212.

something they desire. It is a process of giving and taking. Power-sharing means an arrangement that provides guarantees for incumbents, rebel factions, and secessionists who agree to compete electorally. In other words, the concept of power-sharing is based on the central theme of two or more cultural, ethnic, or antagonistic groups ruling together, forming policies, and making decisions by consensus.

Lijphart has built upon this model several times since its original design but retains vital assumptions. He writes that “the essential characteristics of consociational democracy is not so much any particular institutional arrangement as the deliberate joint effort by the elites to stabilize the system.”³⁴ The two significant characteristics of this model, according to Lijphart, is the sharing of executive power and group autonomy. Lijphart here agrees with Horowitz that executive power-sharing and group autonomy are the two vital elements for a successful democracy. Power-sharing entails making all executive-level political decisions through the participation of all representatives of all significant groups. In contrast, group autonomy entails the authorization of all these groups to run their internal affairs, particularly in the areas of education and culture.³⁵

Lijphart considered that, in this model, the state decision-making body should include the major political leaders in society. However, O’Leary raised concerns regarding the feasibility of including all representatives of all significant groups. Accordingly, he offered three substitute types of consociational democracy: complete, concurrent, and weak consociational executive.³⁶

³⁴ Lijphart, “Consociational Democracy,” 213.

³⁵ See Arend Lijphart, “Constitutional Design for Divided Societies,” *Journal of Democracy* 15, no.2 (April 2004): 96-109.

³⁶ Brendan O’Leary, “Debating Consociation: Normative and Explanatory Arguments,” in *From Power-Sharing to Democracy: Post-Conflict Institutions in Ethnically Divided Societies*, ed. Sid Noel (Toronto: McGill-Queens University Press, 2005), 3-43; Michael Kerr, *Imposing Power-Sharing: Conflict and Coexistence in Northern Ireland and Lebanon* (Dublin and Portland, OR: Irish Academic Press, 2006), 27-28.

The complete consociational executive agrees with Lijphart's suggestion that all major groups, including inter-group parties, in the state should be represented by the leaders at the decision body level. In comparison, the concurrent consociational executive requires the representation of parties having the majority in each major segment. According to the weak executive, representation is required of at least one segment by a party having a partial majority in the segment. This is applicable in relatively smaller parties within one significant segment such that none of these parties have higher than 50 percent of votes.³⁷ In other words, all significant segments should be represented in the government for a meaningful cross-community executive power-sharing such that these representations receive plurality levels of support within its segment.³⁸

2.4 Characteristics of Consociational Democracy

At the outset, this model can be understood by viewing it in terms of either a *democratic political system or conflict management*. Based on the democratic political system, there are four basic elements of Lijphart's consociational model (Table 2.2).³⁹ He revised this original framework in his later work and classified the elements into the "primary" and "secondary" categories. The primary elements are executive power-sharing and group autonomy, whereas the secondary elements are proportionality and mutual veto.⁴⁰ Grand coalition and autonomy are vital, whereas proportionality and minority veto are less significant.

³⁷ O'Leary, *Debating Consociation*, 12-13.

³⁸ *Ibid*, 13.

³⁹ Lijphart in his work, *Democracy in Plural Societies* 1977, claims that there are four main institutional characteristics of consociational democracies: the grand coalition principle; mutual veto rights for the segments; the proportionality principle in public employment and resource allocation; and the segmental autonomy principle.

⁴⁰ Lijphart, *Democracy in Plural Societies*, 25-44.

Table 2.2
Elements of Consociational Model

S. No.	Elements	Category
1.	Grand Coalition	Primary Elements
2.	Group Autonomy	
3.	Proportionality	Secondary Elements
4.	Minority Veto	

Source: Arend Lijphart, 2008.

2.4.1 Grand Coalition: Executive power-sharing is a “grand coalition” government typically in the parliamentary executive, in which all major group leaders are ensured cabinet representation. Lijphart strongly advocated a parliamentary executive over a presidential or semi-presidential one.⁴¹ A grand coalition government comprises representatives from the major religious and linguistic groups. It can take several forms, among which the ideal form is one that includes a coalition of ethnic, linguistic, or religious parties, e.g., the Austrian, Malaysian, and South African power-sharing systems.⁴² The benefit of such inclusion is the direct connection of minority representation in government and legislature and the resultant inclusion of minorities in crucial political decisions.⁴³

2.4.2 Cultural Autonomy: In power-sharing democracies, the following three main forms of cultural autonomy for religious, ethnic, and linguistic groups exist:

⁴¹ Joel Selway and Kharis Templeman, “The Myth of Consociationalism? Conflict Reduction in Divided Societies,” *Comparative Political Studies* 45, no. 12 (2012): 1542-1571.

⁴² Arend Lijphart, “The Puzzle of Indian Democracy: A Consociational Interpretation,” *The American Political Science Review* 90, no. 2 (June 1996): 259.

⁴³ Florian Bieber and Soren Keil, “Power-Sharing Revisited: Lessons Learned in the Balkans?,” *Review of Central and East-European Law* 34, (2009): 337-360.

(1) federal provisions involving state and linguistic boundaries, providing linguistic autonomy to a larger extent (e.g., Belgium, Switzerland, and Czechoslovakia). (2) public funds are fully supporting the rights of linguistic and religious minorities to administer and establish their autonomous schools (e.g., the Netherlands and Belgium), and (3) separate “personal laws” concerning marriage, divorce, adoption of children, custody, and inheritance for religious minorities (e.g., Lebanon and Cyprus).⁴⁴ Lijphart stated that “...group autonomy means that these groups have the authority to run their internal affairs, especially in the areas of education and culture.”⁴⁵

Cultural group autonomy transfers the decision-making authority of issues of central concern to a society’s respective distinct groups such as language, cultural affairs, and education. Autonomy, also known as self-government, signifies that a group can avail a certain degree of independence, especially in culturally important matters. Thus, the grand coalition controls all significant national matters involving distinct segments. This ensures that minority groups are provided the right to protect their interests. As Eisenberg argues, “Segmental autonomy or limited forms of self-government provides each minority with the security it needs to ensure that its distinctive interests are protected and minimizes the degree to which it must coordinate, compromise and negotiate with other minorities.”⁴⁶

2.4.3 Proportionality: The institutionalization of proportionality in both the civil and official constituents of the state is required in this model.⁴⁷ According to the proportionality principle, the power-sharing democracies are proportionally

⁴⁴ Lijphart, *Thinking About Democracy*, 46.

⁴⁵ Hans Joachim Heintze, “On the Legal Understanding of Autonomy” in *Autonomy: Applications and Implication*, ed. M Suksi (Cambridge: Kluwer Law International, 1998), 7.

⁴⁶ Avigail Eisenberg, *Pluralism, Consociationalism, Group Differentiated Citizenship and the Problem of Social Cohesion* (Victoria: University of Victoria, 2002), 8.

⁴⁷ Lijphart, *The Politics of Accommodation*.

represented by the normal electoral system. Lijphart reasoned that majoritarian methods, including a plurality (first-past-the-post), tend to over-represent large parties and majorities and large parties while discriminating against smaller ones. The resultant tendency is to create manufactured majorities (as termed by Rae), which are artificial parliamentary majorities for parties that are unable to garner winning popular vote majorities.⁴⁸ Proportionality allocates reasonable public resources such as public funds, government seats, and civil service positions according to the vote share under a list proportional representation electoral system. In simple terms, it refers to the proportional representation of each ethnic and cultural group in the parliament and important public institutions. Proportionality impartially assigns civil service appointments and financial resources. In plural societies, the majority rule involves risks as the minorities who are denied participation in the decision-making process with no access to political positions might feel discriminated and excluded. Other distributional rules, such as equality, are used when substantial differences exist in the proportion of the population between the groups and sects. This is according to the law that each group has its political party supported by a stable electorate of the sub-group concerned.⁴⁹

2.4.4 Minority Veto: In power-sharing democracies, the minority veto comprises an informal agreement by which the minorities can successfully maintain their independence by preventing any attempt to reduce or remove it. The main exception to this is countries such as Cyprus, Belgium, and former Czechoslovakia, where one or more minorities are faced with a strong majority, and the minority veto is officially preserved in the constitution.⁵⁰ The mutual veto grants each distinct group how they can reject prejudicial political decisions, protecting their active

⁴⁸ Lijphart, *Thinking About Democracy*, 48.

⁴⁹ Markusse Jan, "Power-sharing and 'consociational democracy' in South Tyrol," *Geo Journal* 43, no. 01 (September 1997): 77-89.

⁵⁰ Lijphart, *Thinking About Democracy*, 49. Note: On January 1, 1993, Czechoslovakia separated peacefully into two new countries, the Czech Republic and Slovakia.

interests; it is thus the ultimate weapon for minorities to prevent legislation from threatening their dynamic interests. According to Lemarchand, “this works best when it is not used too often and only with regard to issues of fundamental importance.”⁵¹

In other words, these groups might have to sacrifice their vital interests, such as cultural and religious problems, because of their weakened position as minority groups in a grand coalition, which would be unacceptable as it will endanger the fundamental concept of consociational democracy. Therefore, veto power must be granted to each segment to safeguard its significant interests.⁵² According to Lijphart, although consensus politics should confirm majority rule, minorities should be permitted to reject certain formal propositions for safeguarding their vital interests.⁵³

The complete implementation of these four elements might safeguard people's equality to prevent future conflicts resulting from disparities. Democracies attempt resolving conflicts of interest via means of deciding the competition between people based on governmental rules mediated by various institutions. Equality and participation are essential for decision-making in consociationalism. However, power-sharing in this context focuses primarily on accommodating various societal segments. The dominant liberal democracy has numerous limitations too because no democratic governance system is flawless. Consociational democracy attempts to overcome these problems through power-sharing and accommodation. However, Lijphart argued that one or two of these political strategies in a political process are enough for the functioning of a power-sharing or consociational system. Therefore, cooperative representation is focused upon, which allows the power-sharing model

⁵¹ Rene Lemarchand, “Consociationalism and Power-sharing in Africa: Rwanda, Burundi, and the Democratic Republic of the Congo,” *African Affairs* 106, no. 422 (January 2007): 1-20.

⁵² Lijphart, *Democracy in Plural Societies*, 36-37.

⁵³ Lijphart, “Consociational Democracy,” 207-225.

a better chance at improving engagement and bringing about a positive change in Jammu and Kashmir (J&K).

The second way of understanding this model is through *conflict management*. This model has evolved from being a way to address conflict resolution post the late 1970s; this model has developed from being a description of conflict resolution in Western Europe.⁵⁴ “Power-sharing serves as the mechanism that offers this protection by guaranteeing all groups a share of state power.”⁵⁵ The main aim of power-sharing and accommodation as a conflict resolution device is to impart and emphasize the significance of incorporation. It is also “...to bring about a major restructuring of power relations through more inclusive participation in policymaking, accompanied by corresponding spheres of autonomy for the groups concerned. Incorporation than exclusion is seen as a key to conflict resolution.”⁵⁶

This theory argues that power-sharing institutions have several crucial implications: they may facilitate accommodation and cooperation among leadership, improve their suitability for states facing struggles in terms of good governance and stable democracy. Consociationalism includes the inclusion and active participation of all large segments of society in the political process and is used as a form of power-sharing in diverse places such as Belgium, Burundi, Malaysia, Northern Ireland, South Tyrol, and Switzerland. It affects the prescription of international policy for conflict zones such as Iraq, Bosnia and Herzegovina, and Afghanistan. Moreover, it has been suggested in fragmented communities such as Cyprus, Kenya, Lebanon, and South Africa for dispute settlements.⁵⁷ Lijphart believed that certain favorable

⁵⁴ Steven Ian Wilkinson, “India, Consociational Theory, and Ethnic Violence,” *Asian Survey* 40, no. 5 (September-October 2000): 767-791.

⁵⁵ Hartzell and Hoddie, “Institutionalizing Peace,” 318-332.

⁵⁶ Lemarchand, “Consociationalism and Power-sharing in Africa,” 1-20.

⁵⁷ Allison McCulloch, “Consociationalism settlements in deeply divided societies: the liberal-corporate distinction,” *Democratization* 21, no. 3 (2014): 501-518.

conditions would assist and facilitate the success of this model as a conflict resolution or stability device (see Table 2.3).⁵⁸

Table 2.3
Favorable Conditions for Power-Sharing

No.	Favorable Conditions
1.	Balance of Power
2.	Multiparty Systems
3.	Smaller Countries/States
4.	Cross-cutting Cleavages
5.	The tradition of Elite Competition
6.	Segmental Isolation and Federalism
7.	Overarching Loyalties

Source: Lijphart, 1977.

A power balance among the divisions of multiple societies facilitates power-sharing better than a society with two major segments. This according to Lijphart, “if one segment has a clear majority its leaders may attempt to dominate rather than cooperative with the rival minority. And in a society with two segments of approximately equal size, the leaders of both segments may hope to win a majority and to achieve their aims by dominating instead of cooperation.”⁵⁹ A multiparty system is the other favorable condition for power-sharing. According to Lijphart, “in plural societies with free elections, the salient social cleavage tends to be translated into party system cleavages; the political parties are likely to be the organized political manifestation of the segments.”⁶⁰ Political party segments enable each representation of a segment to be accountable for that segment’s representation.

⁵⁸ Lijphart, *Democracy in Plural Societies*, 54.

⁵⁹ Ibid, 55.

⁶⁰ Ibid, 61.

Besides, “they provide a good method of selecting the segmental leaders who will participate in a grand coalition.”⁶¹ Thus, too many groups may lead to difficulty in negotiations.

Third, this model performs better in smaller countries than in larger ones. The observation strengthens this argument that many smaller states have established themselves as power-sharing democracies compared to the larger states. This may be because “small size has both direct and indirect effects on the probability that consociational democracy will be established and will be successful; it directly enhances a spirit of cooperativeness and accommodation.”⁶² One probable reason for this is that the leaders of different segments in smaller states benefit from interacting and meeting often. Second, it reduces the burdens involved in decision making. In addition, it is easier to govern and administer a smaller state, thereby increasing the chances of power-sharing governments.

Fourth, cross-cutting cleavages are another vital favorable factor of this model. However, its presence does not primarily indicate the political stability of plural societies; however, “the crosscutting of equal or unequal intensities are a factor of subsidiary importance, and they may or may not be favorable to consociationalism.”⁶³ Lipset has argued, “the chances for stable democracy are enhanced to the extent that groups and individuals have several crosscutting, politically relevant affiliations.”⁶⁴ It is essential to examine the relationships

⁶¹ Ibid, 61-62.

⁶² Ibid, 65.

⁶³ See Lijphart, *Democracy in Plural Societies*, 81; Matthijis Bogaards, “The Favorable factors for Consociational Democracy: A Review,” *European Journal of Political Research* 33, no. 4 (1998): 484. “The genetic factors, including a tradition of elite accommodation, intensive communication between elites and the absence of a majority group, however, are equally helpful in maintaining consociational democracy”.

⁶⁴ See Seymour Martin Lipset, *Political Man: The Social Bases of Politics* (Garden City, 1960).

between particular cleavages to understand the realization and failures of power-sharing or consociational democracy.

Fifth, the tradition of elite accommodation is another advantage of this model. Plural societies can enjoy democratic stability and peace if political leaders and parties make cooperative rather than oppositional decisions. Lijphart stated that “an alternative or additional factor predisposing political leaders to be moderate and cooperative is the prior existence of a tradition of elite accommodation.”⁶⁵

The sixth advantage of this model is segmental isolation and federalism, which refer to the separation of antagonistic societies based on territories. The clear distinction of the different societal boundaries may result in stable plural societies. Thus, the separation of societies “will avert latent aggressions from evolving into conflict, and segmental autonomy can have a stable basis by means of federalism and regionalization.”⁶⁶ Overarching loyalties contributes to the least favorable condition. “The conflict potential of cleavages also depends on the degree to which their inherent intensities are moderated by overarching loyalties.”⁶⁷ Lijphart demonstrates that elite collaboration can make up for the nonexistence of cross-cutting cleavages. He says, “Overarching cooperation at the elite level can be a substitute for cross-cutting affiliations at mass level, cross-cutting cleavages below the elite level may be conducive to stable democracy, but the Dutch case suggests that is not an essential prerequisite.”⁶⁸ Overarching loyalties can result in the cohesion of the segment or the whole society.⁶⁹ In short, overarching loyalties must be stronger than particularistic loyalties.

⁶⁵ Lijphart, *Democracy in Plural Societies*, 100.

⁶⁶ Ibid, 88.

⁶⁷ Ibid, 81.

⁶⁸ Lijphart, *The Politics of Accommodation*, 200.

⁶⁹ Several cohesive forces that can be identified in bringing about cohesion in a society. For example, “Nationalism is potentially such a cohesive force. Not only strength is important, but also the question of whether it truly unites the society or instead acts as an additional cleavage by providing

The abovementioned factors may facilitate, but not ensure, the efficient working of the power-sharing democracy. The efforts at consociationalism are not always successful. For example, the application of consociational designs failed to produce the desired results in “Cyprus and Nigeria, and Uruguay abandoned its Swiss-style consociational system.”⁷⁰ The role of elites is considered crucial to the success of this model, although success may not be guaranteed.⁷¹ While considered favorable to this approach, Lijphart explicitly states that these conditions are neither sufficient nor necessary. Even when all factors are favorable, the success of this approach is by no means guaranteed, and even when all conditions are unfavorable, the success remains possible. Therefore this model, whether understood as a political system or conflict management, must consider the crucial role of the societal elites for its success.

The power-sharing theory has produced two other models depending on whether the policy intends to share or divide power among power opponents. The first model is “*autonomy*.” Although autonomy is a vital value in consociational arrangements, it often resolves the claims of states for territorial integrity and those of rebel forces for secession in a realistic and convincing manner. It essentially facilitates the division of the state power by permitting one or more groups to claim a distinct identity to directly control their significant concerned affairs and allow the rest to exercise those powers that are crucial for the common interest of all groups within the state. As Ghai argues that “Autonomy is a device to allow an ethnic group or other groups claiming a distinct identity to exercise direct control over important

a loyalty to nation that is not conterminous with the state” see Lijphart, *Democracy in Plural Societies*, 82.

⁷⁰ Lijphart, *Thinking About Democracy*, 32.

⁷¹ Lijphart (2008) identifies four requirements for successful consociational democracies: (1) That the elites have the ability to accommodate the divergent interests and demands of the subcultures. (2) This requires that they have the ability to transcend cleavages and to join in a common effort with the elites of rival subcultures. (3) This in turn depends on their commitment to the maintenance of the system and to the improvement of its cohesion and stability. (4) Finally, all of the above requirements are based on the assumption that the elites understand the perils of political fragmentation.

affairs of concern to them while allowing the larger entity to exercise those powers which are the common interests of both sections.”⁷² Second, “*conciliation*” seeks to build a new system of multi-ethnic coalitions or political parties. Supporters of this approach believe that public policies and electoral systems will foster ethnic accommodation by the promotion of non-ethnic federalism and cross-cutting interests.⁷³ However, consociationalism is, therefore, most prominent for combining the separation of power with the proportional share in power.

Consociationalism and centripetalism have several similarities, as both primarily focus on avoiding exclusion. Both the models accept the presence of group boundaries and make an effort to manage their effects, and both encourage broad, inclusive governing coalitions, even though they differ regarding the time and process of formation of these governing coalitions. These parallels may be attributed to the fact that any power-sharing model must deal with the inclusion and exclusion of different groups in the political process.⁷⁴

The differences between centripetalism and consociationalism, such as the electoral rules and electoral systems and the mutual veto or alternative vote, can be understood because the two models rest on fundamentally diverse notions of social identities. It can be further explained based on the difference in coalition formation. In the consociational model, the parties formed coalitions after elections, whereas coalitions are made before elections in the centripetal model.

Informal coalitions, including members of various groups formed before elections, indicated that the centripetal model is based on the concept of structuralism in

⁷² Yash Ghai, *Autonomy and Ethnicity: Negotiating Competing Claims in Multi-Ethnic States* (Cambridge: Cambridge University Press, 2000).

⁷³ Donald L Horowitz, “Electoral Systems: A Primer for Decision Makers,” *Journal of Democracy* 14, no. 4 (October 2003): 118-119.

⁷⁴ See Timothy D. Sisk, *Power-sharing and International Mediation in Ethnic Conflict* (New York: Carnegie Cooperation, 1999), 41; Horowitz, “Conciliatory Institutions and Constitutional Processes on Post-Conflict States,” 1213-1248.

which identities are considered as fluid and can be reconstructed.⁷⁵ The voting for different parties is made possible by the partial reconstruction of group identity. A centripetalist definition of “coalition” could be “a large political party consisting of members from multiple (ethnic/social/religious/territorial) groups with the goal of forming a majority in government.” Empirical examples of the centripetalist model are difficult to come across. Horowitz cites the 1978 Sri Lankan constitution, which used rare electoral rules requiring votes from different groups to be elected as an example of this model.⁷⁶

The essentials of the consociational model are the post-election formation of coalitions and guaranteed government participation. It shows the roots of this model lie in the primordial idea where social identities are permanent and hard to change, hence people will not vote for any other group. A definition of “coalition,” according to them, could be “multiple political parties often formed along ethnic/social/religious/territorial group boundaries) that work together in order to form a majority in government.” Lijphart founded the political system of the Netherlands on this model because their society was mainly segmented based on religious aspects, and the political representation of each group was ensured.⁷⁷

However, too often, consociationalism is associated with proportional representation. However, it is more than that institution. It consists of at least two dimensions - institutions and elite behavior. Importantly, Lijphart has also claimed that the system of consociational democracy can be used as a model for political, institutional arrangements that can improve a peaceful coexistence of territorially intermixed distinct ethnic groups in circumstances of a democratic regime.⁷⁸

⁷⁵ Pippa Norris, *Driving Democracy: Do Power-sharing Institutions Work?* (Cambridge: Cambridge University Press, 2008), 28.

⁷⁶ Timothy D. Sisk *Power-sharing and International Mediation in Ethnic Conflict* (New York: Carnegie Cooperation, 1999), 43.

⁷⁷ Lijphart, *The Politics of Accommodation*.

⁷⁸ See Jan, “Power-sharing and ‘consociational democracy’ in South Tyrol,” 77-89.

McGarry and O'Leary believe that "consociational theory is one of the most influential theories in comparative political science. Its key contention is that divided territories, be they regions or states, with historically antagonistic ethnically, religiously, or linguistically divided peoples, are effectively, prudently, and sometimes optimally governed according to consociational principles."⁷⁹

Based on a recent case study of Columbia, Mazzuca and Robinson argue that the emergence of power-sharing institutions results in pacific interaction between opposition and government.⁸⁰ Several empirical studies, such as those by (Powell 2002; McDonald, Mendes and Budge 2004; and Garry 2009) have concluded that power-sharing institutions encourage moderate policy outputs than institutions that concentrate power in the hands of the majoritarian government or single party.⁸¹ Similarly, Kaplan has claimed that institutions of power-sharing have effectively made elites perceive internal friction and violence as "costly alternatives" to power-sharing.⁸² The greater the overall figure of power-sharing dimensions stated in the rules governing the state, the more probable that peaceful relations among former opponents will materialize (Hartzell and Hoddie 2003), and the less requirement of an international community will be needed (Walter 1999).⁸³ In short, we can argue that if all parties share an open belief in power-sharing, stability and

⁷⁹ John McGarry and Brendan O'Leary, *The Northern Ireland Conflict: Consociational Engagements* (Oxford: OUP, 2004), 1.

⁸⁰ Sebastian L Mazzuca and James A Robinson, "Political Conflict and Power-sharing in the Origins of Modern Columbia," *Hispanic American Historical Review* 89, no. 2 (May 2009): 285-321.

⁸¹ Benjamin Reilly, *Democracy in Divided Societies: Electoral Engineering for Conflict Management* (Cambridge: Cambridge University Press, 2001); Michael D. McDonald, Silvia M. Mendes and Ian Budge, "What are Elections For? Conferring the Median Mandate," *British Journal of Political Science* 34, no. 1 (January 2004): 1-26; John Garry, "Consociationalism and Its Critics: Evidence from the Historical Northern Ireland Assembly Election 2007," *Electoral Studies* 28, no. 3 (September 2009): 458-466.

⁸² Seth D. Kaplan, "Fixing Fragile States," *Policy Review* 152, (2008): 63-77.

⁸³ See Hartzell and Hoddie, "Institutionalizing Peace," 318-332; Barbara F. Walter, "Designing Transitions from Civil War: Demobilization, Democratization and Commitments to Peace," *International Security* 24, no. 1 (Summer 1999): 127-155.

peace will come and hold. Walter 1999 believes that the use of third parties is the right way to encourage actors in the conflict to sign and abide by agreements. Furthermore, by decentralization (Spears 2000) and depoliticizing ethnicity (Jardtad 2006) power-sharing is expected to encourage and facilitate the long term development of “a common national identity.”

Although it advocates that all distinct ethnic groups should be equally represented, it may result in the solid fragmentation of the state that can further lead to a political deadlock. The federal state of Belgium was unable to form a government for approximately 300 days, creating a record for the time any country has required to form a coalition government. To elaborate, power-sharing encompasses:

“Constitutional norms calling for the inclusion of minority parties and major ethnic and religious groups in the legislature, government, and administrative positions of the country, as well as to the laws or constitutional arrangements providing for territorial or functional decentralization or electoral systems.”⁸⁴

Norris stated that power-sharing institutions facilitate moderate behavior and cooperation among the contesting segments in societies that are severely divided. These institutions ultimately help in developing a stable political democracy that reduces segmental tensions, violent uprisings, and intergroup conflict and violence.⁸⁵ The proportional electoral system enables and facilitates both small and big party participation, representing all the crucial segments within the legislature. Moreover, different party leaders within the legislature can bargain and collaborate with other parties of different sects to gain office in the cabinet, reject or pass legislation.⁸⁶ Lijphart argued that power-sharing governments facilitate group cooperation and avoid outright ethnic rebellion in plural societies that are

⁸⁴ Donald Rothchild, “Settlement Terms and Postagreement Stability,” in *Ending Civil Wars: The Implementation of Peace Agreements*, ed. Stephen John Stedman, Donald Rothchild, and Elizabeth M. Cousens (Boulder: Lynn Rienner Publishers, 2002), 121.

⁸⁵ Norris, *Driving Democracy*, 210.

⁸⁶ Ibid, 24-25.

segmented into religious, nationalistic, linguistic, and cultural communities. Power-sharing governments can be considered as a realistic primary settlement that accomplishes the widest consensus among all sections.⁸⁷ Also, power-sharing settlements among parties efficiently establish democracy and good governance.

Hence, social scientists have recommended consociationalism as the most appropriate political system to maintain political stability in divided and conflict societies. Consociationalism is mostly celebrated for its inclusiveness.⁸⁸ By acknowledging that one group ruling to the disadvantage of another often fuels conflict, consociationalism enables all distinct groups to share among them decision-making authority. This power-sharing, moreover, highly visible and encouraging the general public to moderate its opinions of other groups because their leaders are seen to be doing the same. In other words, we can say consociational democracy “...results in the division of a plural society into more homogenous and self-contained elements.”⁸⁹ According to Lijphart, the consociationalism approach is “not to weaken or abolish segmental cleavages but to recognize them openly and turn them into constructive elements of stable democracy.”⁹⁰ Ideally, consociationalism works as a catalyst for peaceful cooperation among competing and contending parties after a deal is signed.⁹¹

Thus, the power-sharing model is a government by the elite cartel that offers elites an assured position to influence the political decision-making processes. Because power-sharing institutions are premised upon the cooperation between political elites, a power-sharing democracy is naturally a regime of guarantees. This

⁸⁷ Ibid, 25.

⁸⁸ Ted Robert Gurr, *Minorities at Risk: A Global View of Ethnopolitical Conflict* (Washington: U.S. Institute of Peace Press, 1993).

⁸⁹ Lijphart, *Democracy in Plural Societies*, 89.

⁹⁰ Ibid, 42.

⁹¹ Arend Lijphart, *Electoral Systems and Party Systems: A Study of Twenty-Seven Democracies, 1945-1990*. (Oxford: Oxford University Press, 1994), 12.

approach fails only when political elites cease to compromise and cooperate. However, despite the promising result of power-sharing projects all over the world, several such experiments have also wielded inconclusive and negative results throughout the years. The work of Lijphart and others has faced critiques on both empirical and logical grounds, the most imperative of which is discussed in the next section.

2.5 Critics of Consociationalism or Power-Sharing

Several academicians had criticized the power-sharing or consociationalism model for four decades when it became the focus of academic discourse. Critics contended that “consociational agreements are very hard to reach.”⁹² Lijphart suggests that only consociationalism can stabilize democracy in plural societies. He also presented the conditions favorable to the working of consociationalism, including the most crucial - “the absence of an ethnic majority and the absence of significant socioeconomic differences between groups.”⁹³ This model, although emerging as a popular practice of conflict management, lacks consensus.

Critics have disapproved the power-sharing theory for not being enough democratic and requiring cumbersome decision-making through government by the grand coalition, as opposed to majoritarian model, certainly results in a complete absence of an opposition, or in a relatively weak and small opposition in the legislature (Lijphart 1977, 1985; Van Schendelen, 1984; Andeweg 2000) power-sharing arrangements do not permit opposition, a requirement for a healthy democracy (Jung and Shapiro 1995). Lijphart believes that a strong opposition is more appropriate for a homogeneous society and not a society having unfavorable

⁹² Donald L. Horowitz, “Explaining the Northern Ireland Agreement: The Sources of an Unlikely Constitutional Consensus,” *British Journal of Political Science* 32, no. 2 (April 2002): 193–220.

⁹³ Arend Lijphart, “The Power-Sharing approach,” in *Conflict and Peacemaking in Multiethnic Societies*, ed. Joseph Montville (Lexington, MA: Lexington Books, 1990), 491–509.

situations such as deep segmental cleavages.⁹⁴ Andeweg (2000) supported Lijphart's power-sharing model and argued that power-sharing has the capability to outperform competitive majoritarian democracy. His arguments were based on Dahl's (1971) inclusiveness principle since the basic objective of Lijphart's power-sharing, or consociational model is inclusion and not the exclusion of all segments of a plural society. However, certain critics pointed out that it neglected the distinctiveness of self-determination disputes (McGarry and O'Leary).⁹⁵

However, Andeweg (2000) assumes that the cleavages across the linguistic, religious or ethnic divide as firmly entrenched and the primary basis of identity; it ignores those other identities that the individual, part of these groups may subscribe. Thereby, it negates the possibility of shifting membership. Jarstad (2009) claimed that it could not be a solution to all issues in a deeply divided ethnic, religious democracy. When it fails to resolve the underlying conflict, the status-quo escalates, leading to deadlock, inefficient governments, and institutionalization of ethnic identities leading to further polarization in already divisive polities. This creates an enormous constraint on democracy.

The power-sharing model by Horowitz (1985) institutionalizes religious, ethnic, or cultural differences, further deepening the cleavages in society. Horowitz (2008) and Norris (2008) believed that proportional representation supports extreme segmental parties better than moderate parties and creates more intergroup tensions, political instability, and conflict. Nordlinger (1972) observed that partial autonomy to certain segments led to a demand for more autonomy because the segmental autonomy creates space for secessionism. When ethnic identities are ingrained, it often leads to extreme polarization, affecting the federal system adversely (Cornell 2002) and leading the autonomy toward secession. Horowitz (2008) and Norris (2008) stated that mutual veto or grand coalition could slow

⁹⁴ Lijphart, *Democracy in Plural Societies*, 1977.

⁹⁵ Self-determination disputes are central to a range of conflicts including those in Kashmir, Kosovo, Cyprus, Bosnia-Herzegovina, Kurdistan, Transdnistria, the Basque country and Nagorno-karabakh.

down decision-making. Horowitz (2008) and Lijphart (1977) further believed these negative effects to lead to instability and stagnation. The efforts to extend this empirical model to a normative model have been highly debated. According to many academicians, European societies such as Switzerland cannot be considered as accurate examples of this model because their experiences may be different from other plural societies (Barry 1975; Steiner 1981). Barry (1975) further argued that the popular initiative and the institution of referendum contradicts the very doctrines of consociational decision-making. Therefore, this model may be inappropriate for third world countries as the mobilization of groups or sub-groups around politically antagonistic and monolithic organizations may lead to intergroup conflicts in these countries (Horowitz 1985).

Furthermore, Schendelen (1985); Boogaards (1998) criticizes the favorable factors as being inconsistent and empty over time (Schendelen 1984) consociationalism as a power-sharing mechanism will further the interests of a small constituency of elites, which seek to represent the concerned groups, part of the conflict. (Boogaards 1998) lack of theoretical coherence led to changes in favorable factors. In support of this (Barry 1975) it cannot be said to be a theory but maybe a model that brings different power-sharing mechanisms together like package stability, elite accommodation, and segmental autonomy. (Steiner 1981) noted that Lijphart failed to make a precise definition of the concept. These factors, according to (Lijphart 1977) may be necessary and unnecessary, present and absent but do not have any predicting value. McGarry and O'Leary (2006); Kerr (2006) contend that this model downplaying the significance of exogenous forces as its focus is on internal factors. Power-sharing advocates such as McGarry and O'Leary projected three conditions required to establish a democratic power-sharing government to address this problem: "elites require sufficient motivation to engage in power-sharing and to take the tough decisions conducive to interethnic political accommodation; elites must be free to negotiate and to lead their electorate where they might not want to

go; there must be a multiple balance of power among the subcultures, and those subcultures must be stable within society.”⁹⁶

The application of this model to intergroup conflicts such as the Northern Ireland dispute revealed that the model had more disadvantages. McGarry and O’Leary (2006) observed that the experience of Northern Ireland indicates that consociationalism has certain disadvantages, such as the model focuses on “internalist or endogenous,” which caused the model to neglect the role played by external players in promoting consociational settlements. Kerr (2006) proposes the following external condition “the existence of positive external regulating pressures, from state and non-state actors, which provide the internal elites with sufficient incentives and motives for their acceptance of, and support for, consociation.” Laitin (1987) overuses the model and recommends even where the necessary conditions are not at all present.⁹⁷ Lijphart (1977) responded to these criticisms and added that these conditions “are helpful but neither indispensable nor sufficient in and of themselves to account for the success of consociational democracy.”⁹⁸

Horowitz (2001) and Paul (1977) believed that consociationalism is often a top-down arrangement of power-sharing, which is negotiated by the concerned conflicting elites and actors external to the conflict. Hence, the settlements involve resolution and settlement based on negotiations, especially by moderate groups.

⁹⁶ See John McGarry and Brendan O’Leary, *Explaining Northern Ireland* (Oxford: Blackwood, 1995).

⁹⁷ David Laitin said, “If conditions are favorable, Lijphart’s theory leads him to propose a consociational (power-sharing) system; if conditions are unfavorable, he proposes the same. The status of the conditions is questionable if the score of the favorable versus unfavorable conditions does not alter the recommendations”. For further details see David Laitin, “South Africa: Violence, Myth and Democratic Reform,” *World Politics* 39, no. 2 (January 1987): 265; Ian Lustick, “Stability in Deeply Divided Societies: Consociationalism Versus Control,” *World Politics* 31, no. 3 (April 1979): 325-344; Rinus Van Schendelen, “The Views of Arend Lijphart and Collected Criticisms,” *Acta Politica* 19, (1984): 34.

⁹⁸ These conditions include: (1) multiple balance of power, (2) multiparty system, (3) small population, (4) degree of pluralism, (5) cross-cutting cleavages, (6) segmental isolation and federalism, (7) tradition of elite accommodation, (8) representative party system, and (9) overarching loyalties.

Rothchild and Roeder (2005) believe that power-sharing institutions empower the ethnic elites from groups engaged in conflict and create incentives for them to participate in the institutions. Nevertheless, on the other side, elites from radical groups might seriously hamper for the moderate groups to an agreement, escalating the conflict. Thereby, power-sharing institutions create opportunities to settle a conflict, but also intensify the ethnic conflicts as elites involved with different groups pursue their self-interest.

Sisk (1999) that it is hard or impossible to implement in plural societies criticized centripetalism. During the very first stage of the process, to interact and compromise between antagonistic groups proves hard to implement in practice. It is always difficult for the voters to vote for other parties than their own. (Horowitz 2008) partly agrees and said, “warfare may be hard to end except on at least some consociational terms.” Sisk (1999) stated that there is no assurance of the participation of minorities in the government. In short, this model is unable to implement a method to put this theory into practice.

In the end, supporters claim that power-sharing institutions enhance cooperation and moderate behavior among the numerous factions in segmented societies. Ultimately, a stable political system that reduces conflict, intergroup violence, intense revolt, and conflict risk is provided.⁹⁹

The power-sharing model works on a two-stage “top-down” process. First, power-sharing institutions may reduce conflict between the leadership of various groups. This model aimed to increase the number of those stakeholders that can benefit from fair play. Within the power-sharing legislature, parties have the incentive to bargain and collaborate with the different party and sect members to gain a position in the decision-making body or have the capability to pass or reject particular legislation. Similarly, quantitative research on the majoritarian rule in segmented societies demonstrates that “the likelihood of armed confrontation increases as the

⁹⁹ Norris, *Driving Democracy*, 210.

center of power becomes more ethnically segmented and as greater proportions of a state's population are excluded from power because of their ethnic background."¹⁰⁰ Thus, the risk of a violent revolt against the system increases when certain social factions are barred from state power or have a diminished representation in the government and its services.

The conventional consociational theory evolved in several European countries such as Austria, Belgium, the Netherlands, and Switzerland from a concern toward class and religious divide.¹⁰¹ Nonetheless, it ignored the cases of conflicts over self-determination, meaning those concerning ethnonational groups based on disputed homelands.¹⁰² However, it is significant to note that insufficient critics have presented any thoughtful severe alternatives to the consociational or power-sharing model. The technicalities of power-sharing institutions risk further dividing or polarizing the society by emphasizing diverse interests rather than shared requirements, rendering the government unsuccessful or reproducing conflict because of its inclusiveness. However, more essential than the technicalities of power-sharing in bringing out the differences between the failure and success of an agreement is the sociopolitical context. In the end, considering all these critiques, the power-sharing model may not be the long-standing ideal resolution to the conflict. However, in deeply fragmented and conflict societies, one should see this as a means of coping with the prevailing challenging circumstances.

¹⁰⁰ Andreas Wimmer, Lars-Erik and Brain Min, "Ethnic Politics and Armed Conflict: A Configurational Analysis of a New Global Data Set," *American Sociological Review* 74, no. 2 (April 2009): 316-337.

¹⁰¹ See Lijphart, *Democracy in Plural Societies*.

¹⁰² John McGarry and Brendan O'Leary, "Consociational Theory, Northern Ireland's Conflict, and its Agreement. Part 1: What Consociationalists Can Learn from Northern Ireland," *Government and Opposition* 41, no. 1, (Winter 2006): 43-63.

2.6 Power-sharing and Accommodation: Cases

The consociational theory is often recommended for states with extreme subcultural diversity such as Northern Ireland and Lebanon. This proves the close association of power-sharing with these two countries who are role models for setting up power-sharing systems of democracy elsewhere. Lijphart demonstrates in his analysis that the power-sharing model is appropriate for heterogeneous states with societies divided along several lines.

2.6.1 Case of Northern Ireland

In a religious conflict of the seventeenth century, Northern Ireland was viewed as mired.¹⁰³ The theory of consociation is associated with Northern Ireland as Lijphart introduced it in the *British Journal of Political Science* applied in Northern Ireland.¹⁰⁴

Problem: In Northern Ireland, there was tension between the loyalists or unionists and the nationalists or republicans. The former was the Protestant majority who wanted Northern Ireland should to continue its legal stand within the United Kingdom. The latter comprised the Catholic minority who historically desired to integrate Northern Ireland and the rest of Ireland to establish a united Ireland. During the twentieth century, the nationalists formed approximately one-third of the total population;¹⁰⁵ however, in 2001, according to the Great Britain Office for

¹⁰³ Robin Wilson, "Autonomy and power-sharing in Northern Ireland: A model for global export?," *Dynamics of Asymmetric Conflict* 4, no. 3 (October 2011): 242.

¹⁰⁴ Arend Lijphart, "Review Article: The Northern Ireland Problem; Cases, Theories, and Solutions," *British Journal of Political Science* 5, no. 1 (January 1975): 83–106.

¹⁰⁵ John Darby, "Conflict in Northern Ireland: A Background Essay," in *Facets of the Conflict in Northern Ireland*, ed. Seamus Dunn (New York: St. Martin's Press, 1995), 19.

National Statistics, they represent 44 percent of the population, whereas Protestants formed 53 percent of the population.¹⁰⁶

After the partition of the six counties of the North that in 1921 had a majority of Protestants from the rest of Ireland by the British Government, tensions between the two communities became severe. Numerous causes such as economic and political prejudice against the Catholics, the initiation of the Civil Rights Movement by the Catholics, the demographic balance between the two religious communities, and the rise of a vicious movement against the British rule led to the difficulties that started in the 1960s and ultimately led to some of the most violent events in the history of Ireland.¹⁰⁷

The Northern Ireland conflict was minor compared with other civil wars. Moreover, the British Army and the militarized police force, the Irish Republican Army, and other smaller pro-united Ireland and pro-United Kingdom militant groups had a three-cornered conflict of low intensity.¹⁰⁸ The Irish Republican Army (IRA) fought a war against British rule in Ireland. However, as the local Catholics were often its soft targets, there was a religious angle to the conflict. The pro-United Kingdom militant groups (secretly funded by the British state) were often sensitive to the brutality of Catholic nationalists.

The conflict rotates around Northern Ireland's political status. The Catholic nationalists in Northern Ireland are a minority; however, they are a majority on the island of Ireland and have a strong cultural and ethnic connection with the Republic of Ireland. The Protestant-unionists in Northern Ireland form the majority; however, they are a minority on Ireland's island. Protestant-unionists claimed Northern Ireland's sovereignty and expressed the superiority of their cultural

¹⁰⁶ Roger Mac Ginty, Orla T. Muldoon and Neil Ferguson, "No War, No Peace: Northern Ireland after the Agreement," *Political Psychology* 28, no. 1 (February 2007): 5.

¹⁰⁷ See for example, Ayesha Zuhair, "The Power-sharing Experience in Northern Ireland and Sri-Lanka", *International Public Policy Review* 4, no. 1 (September 2008): 51; Darby, "Conflict in Northern Ireland: A Background Essay," 18-23.

¹⁰⁸ Ginty, Muldoon and Ferguson, "No War, No Peace," 4.

identity and institutions. The first Prime Minister of Northern Ireland, James Craig, spoke of running a “Catholic parliament for a Protestant People.” Catholic nationalists in Northern Ireland felt unwelcome and observed both alleged and actual discrimination against them in public services, education, and political representation. In the late 1960s, Catholics from Northern Ireland started calling for fair rights. The demonstrations would sometimes turn violent, and militant groups emerged from both cultures. British soldiers were sent in later to restore law and order. However, the conflict began between Ireland's pro-united IRA and the British Army, with Protestant-union rebels also targeting the IRA and its support group. Therefore, Northern Ireland's parliament was dissolved in 1972 due to the worsening security situation, and consequently, the country was governed from London.

Solution: Northern Ireland was able to draw up a constitutional and political power-sharing arrangement with success. Although its complete implementation took around a decade, the Northern Ireland Agreement provided a framework for a more prosperous and inclusive society.

Northern Ireland is a consociational democracy because of the following characteristics: (a) its permanent grand coalition in relation to the power-sharing assembly and executive, (b) the extensive use of proportional representation evidence, (c) the substantial degree of autonomy particularly in the areas of culture and education enjoyed by the two main ethnonational groups, and (d) the introduction of the mutual consent principle.¹⁰⁹ After the October 1972 Green Paper, the British government has followed the notion of power-sharing in Northern Ireland. In 1977, Lijphart claimed that, even though a grand coalition is alien to British political culture, the British government after 1968 was fundamentally a consociational one of executive power-sharing.¹¹⁰

¹⁰⁹ Zuhair, “The Power-sharing Experience in Northern Ireland and Sri-Lanka,” 53.

¹¹⁰ Lijphart, *Democracy in Plural Societies*, 136.

The institutional structure of the consociational arrangement of Northern Ireland is entrenched in the equal power-sharing between nationalists and unionists, with an executive based on the numerical strength of the parties established in the Northern Ireland assembly.¹¹¹ The 1998 Northern Ireland Act set up a single-chamber assembly and executive that had full legislative powers and administrative capacity for economic development, education, health, agriculture, finance, social service, and the environment.

However, Westminster remains in charge of policy areas including taxation, defense, monarchy, and immigration. Although consociationalism was initially tried to resolve conflict with the unfortunate Sunningdale Agreement in 1973, it was the Good Friday Agreement in 1998, often considered a victory of the consociation theory, that first introduced the consociation structures.

It is mandatory to have the largest party's first minister, and the second-largest party's deputy minister must be included in decision-making with a requirement that both must be from different parties.¹¹² Cross-community support in the assembly is required for significant legislation, effectively vetoing major decisions by nationalists and unionists. Ministerial or cabinet vacancies are calculated using the d'Hondt system depending on the number of seats a party has in the assembly. Pre-election coalitions are unnecessary as the engagement and preparation of executives are mandatory.¹¹³

In 1986, the British government finally signed the Anglo–Irish agreement with the Government of the Irish Republic after increasing incidents of violence by the Catholic-nationalist-backed electoral rise of the IRA and Sinn Féin. The British

¹¹¹ Henry Jarrett, "Consociationalism and Identity in Ethnically Divided Societies: Northern Ireland and Malaysia," *Studies in Ethnicity and Nationalism* 16, no. 3 (January 2017): 406.

¹¹² John McGarry and Brendan O'Leary, "Argument: Power Shared after the Deaths of Thousands," in *Consociational Theory: McGarry and O'Leary and the Northern Ireland Conflict*, ed. Rupert Taylor (Abingdon: Routledge, 2009), 61–62.

¹¹³ Kerr, *Conflict and Coexistence in Northern Ireland and Lebanon*, 88.

government accepted the validity of the political interests and aspirations of Catholic nationalists in this agreement. The Anglo–Irish treaty also acknowledged the Irish Government as a partner in resolving and handling the dispute.¹¹⁴

Violence and conflict continued but was contained. In the early 1990s, confidential discussions were initiated between the Social Democratic and Labor Party (SDLP) and the Sinn Fein to discuss and derive the ways and means by which the conflict could be ended. Sinn Fein, and later the IRA, started secretly communicating with the British and Irish Governments, thus, commemorating the beginning of the Northern Ireland peace process. In August 1994, the IRA was convinced to call a truce by accepting that Sinn Fein would be invited to all party dialogues on the future of Northern Ireland, in partnership with the SDLP and the Irish Government. However, the IRA broke off its truce in 1996. The British Prime Minister, Tony Blair, reactivated the peace process in 1997 and brought about a further truce with the IRA. Sinn Fein was invited to negotiations with almost all of Northern Ireland's main political parties except the unionist Democratic Unionist Party.

In April 1998, the lengthy negotiations chaired by US Senator Mitchell led to the completion of the agreement. This agreement allowed the formation of a power-sharing assembly in Northern Ireland that involved four key political parties, a north-south ministerial council so that substantive common issues could be discussed by the Republic of Ireland and Northern Ireland. A May 1998 referendum endorsed the agreement and elected a power-sharing assembly. Familiar but unable to maintain the devolution of power became common. Many unionists in the accord lost confidence due to the refusal of the IRA to disarm. Persistent nationalist and unionist mistrust was the most crucial factor in the dissolution of the devolved assembly.¹¹⁵ In short, a constitutional and political power-sharing arrangement was

¹¹⁴ Ginty, Muldoon and Ferguson, “No War, No Peace,” 6.

¹¹⁵ Ibid, 7.

conclusively established in Northern Ireland and laid the groundwork for a more prosperous and inclusive society.

2.6.2 Case of Lebanon

Lebanon's arrangement of power-sharing, dating back to 1861 had been a bag of mixed successes where the peace and conflict altered, and foreign protectorates usually ensured stability. The basic structure of the power-sharing arrangement is retained across the four different power-sharing regimes that came to power in the backdrop of violent crises and two civil wars. The country is divided across religions and sects, which form the bases for the power-sharing arrangement.¹¹⁶

The Lebanese parliament has 128 seats, divided equally between Christians and Muslims, who are elected from multi-member constituencies, known as qadaa. The 18 religious sects are recognized in the parliament, which are represented in the legislative body in the following 11 categories: Shia, Sunni, Druze, Alawite, Maronite, Greek Catholic, Greek Orthodox, Armenian Catholic, Armenian Orthodox, Evangelical and Christian Minorities.¹¹⁷ Maronite and Greek Orthodox Christians, Sunni and Shia Muslims, and advocates to the ancient Druze faith are the most powerful of these political forces. There are seven main political parties and several other minority groups in Lebanon, which are divided into two main political alliances or blocs. The pro-Syria umbrella group, i.e., Iran-backed March 8 alliance, comprises the Christian Free Patriotic Movement party and Hezbollah, which is a militant group. In comparison, the Western-backed March 14 alliance is controlled

¹¹⁶ United Nations High Commissioner for Refugees, *2011 Report on International Religious Freedom – Lebanon*, (United States Department of State, 2012), accessed September 20, 2017, <https://www.refworld.org/cgi-bin/texis/vtx/rwmain?page=search&docid=502105aac&skip=0&query=International%20Religious%20Freedom%20&coi=LBN>

¹¹⁷ Sally Nelson, "Is Lebanon's Confessional system Sustainable?," *Journal of Politics & International Studies* 9, (Summer 2013): 349.

by the Sunni Muslim Majority Future Movement party and two large Christian parties, Kateab, and Lebanese Forces.

I. Ottoman Rule and Power-sharing

The power-sharing was devised within the Ottoman Empire as well as a settlement of the tax revolt. The settlement on the religious lines concluded within the Empire was supported by European powers. The first noted independent political entity dates to the early 17th century were the formation of Mount Lebanon Imarah (principality) within the Ottoman Empire, which is now Lebanon. In 1861, the Emirate of Lebanon (Mount) was converted to an autonomous province called Mutassarrifiya, within the Ottoman Empire. As Maronite Christians constituted the major single religious denomination in this province, it was characterized by a strong Christian majority over the Muslim population.¹¹⁸ According to the Ottoman regulation, the iqta system was considered for running the Emirate of Mount Lebanon; under this system, tax farming was authorized for local ethnic and tribal leaders controlled by the Ottoman governor.

The Ottoman system in Mount Lebanon divided their subjects into groups known as millets based on their religion. This system formed a two-level hierarchy between lower communities consisting of Christians and Jews, and an upper community comprised of Muslims.¹¹⁹ The different religious millets both in the Ottoman Empire and Mount Lebanon enjoyed religious freedom and experienced significant independence on religious law and educational matters.¹²⁰ Religious communal identities were galvanized in a tax revolt in 1820, where the Maronite peasants

¹¹⁸ Arthur Jr. Goldschmidt and Lawrence Davidson, *A Concise History of the Middle East* (Westview Press, 2010), 254.

¹¹⁹ Goldschmidt and Davidson, *A Concise History of the Middle East*, 139-140.

¹²⁰ William L. Cleveland and Martin Bunton, *A History of the Modern Middle East* (Westview Press, 2013), 44-45.

rebelled against landowners using identity to question the relations that underlay the social order.

Solution: The first-ever power-sharing arrangement was formulated at the backdrop of communal tensions and violence. The Ottoman Empire adopted the Regulation Organique (Organic Law), supported by a coalition of European powers on 9 June 1861. It turned Mount Lebanon into a fully autonomous Ottoman region under an Ottoman European consortium protectorate, with political structures and institutions based on power-sharing among its many sects.

II. The French Mandate and Power-Sharing

Ottomans ruled Mount Lebanon Mutassarrifiya until the end of the First World War. In 1916, a secret agreement called the Sykes-Picot agreement approved the division of the Arab provinces (Greater Syria) into a British and French zone as their areas of influence. The Ottomans' defeat brought about this division of the occupied enemy territory based on the Sykes-Picot agreement under the 1918 Anglo-French settlement. In 1920, the French General Henri Gouraud established the French mandate of Greater Lebanon (Grand Liban), Lubnaan al-Kabiir, that encompassed the area of modern Lebanon.¹²¹ The expansion of Lebanon increased the nation's religious heterogeneity, and the Maronite population (Mount Lebanon Province) drastically fell from 80 percent to 51 percent in the new state.

Solution: However, Greater Lebanon's recently added Muslim population outrightly rejected the French mandate that attempted to allot a separate political entity to the Maronite Christians in which they were the largest religious denomination. The Maronite population decreased in Muslim dominated areas to approximately 30 percent, and the Maronites were dependent on the French to help them continue their political supremacy in the new state of Greater Lebanon.¹²² The Muslim

¹²¹ Goldschmidt and Davidson, *A Concise History of the Middle East*, 254.

¹²² Kerr, *Conflict and Coexistence in Northern Ireland and Lebanon*), 114.

population demanded an independent Arab state.¹²³ In 1926, France granted the constitution that sought to rename Greater Lebanon as the Lebanese Republic, which created the prime minister and president office and established a chamber of deputies elected based on religious representation.¹²⁴ Moreover, the constitution provided for several significant principles such as the official recognition of 17 religious groups (Muslim, Christian, and Jewish), formal recognition of the protection of private religious education, freedom of religious belief, and the fair distribution of administrative and government posts among the several religious sects.

During the 1930s, Lebanon was faced with the political challenge of resolving the issues between the Muslim and Christian communities as both had distinct ambitions for the country. The main aim was to persuade both the communities to reconcile and work together towards the creation of a Lebanese nation. The cooperation among both communities was to be established based on the ground of a common opposition against the external occupying power and the realization that only by working together could an independent Lebanon be achieved. It was assumed that a new independent Lebanon could hold together the different religious sects in the country and convert them into a single Lebanese nation.¹²⁵ In 1936, the Franco–Lebanese agreement gave the scope of impartial representation of all religious sects in the country. The nation shortly afterward elected a Sunni Muslim as prime minister and a Maronite as president. France facilitated the consolidation of the new Lebanese state, in which the Maronites were refrained from having complete control over the state institutions, and the opposition of the Sunnis and other communities was moderate, resulting in the independence of Lebanon.

¹²³ David Hirst, *Beware Of Small States: Lebanon the Battleground of the Middle East* (London: Faber and Faber, 2010), 11.

¹²⁴ Cleveland and Bunton, *A History of the Modern Middle East*, 209-210.

¹²⁵ Ibid, 210-211.

III. The National Pact of 1943 and the First Lebanese Republic

Lebanese independence from France came to reality during the Second World War. The realization required the mitigation of regional identity and sectarianism, through the efforts of President al-Khuri and Prime Minister al-Sulh. The agreement called the National Pact of 1943, or al-Mithaq al-Watani¹²⁶ called for a complete sovereign, independent and neutral country. The neutrality required the Christians and Muslims to avoid seeking support from the West and the formation of a larger Islamic Arabic state.

Solution: In 1943, the Lebanese National Covenant established corporate consociationalism as the rightful power-sharing arrangement between different religious factions within the state.¹²⁷ This new system of grand coalition was developed to overcome the religious divide. The grand coalition comprised a Sunni prime minister, a Maronite president, a Greek Orthodox deputy speaker and deputy prime minister, and a Shia speaker in the chamber of deputies.¹²⁸ The cabinet proportionally represented the groups and sects. A 55-seat parliament, comprising 30 seats for Christians and 25 seats for Muslims, was formed (census of 1932), in which the Christians had a majority over the Muslim population.¹²⁹ The allocation of key positions such as the head of the armed forces, the national university, and the central bank was done according to sectarian affiliation. The National Pact agreement was more of a practical accommodation to cope with sectarianism and the achievement of liberation from France than it was a resolution to the broader problem.¹³⁰

¹²⁶ Ibid, 213.

¹²⁷ Imad Salamey, "Failing Consociationalism in Lebanon and Integrative Options", *International Journal of Peace Studies* 14, no. 2 (Autumn/Winter 2009), 83.

¹²⁸ Lijphart, *Democracy in Plural Societies*, 148.

¹²⁹ Fawwaz Traboulsi, *A History of Modern Lebanon* (London: Pluto Press, 2012), 107.

¹³⁰ Michael Craig Hudson, *The Precarious Republic: Political Modernization in Lebanon* (New York: Random House, 1968), 44. Note: After Lebanon's independence, many Muslims immigrated from

During 1967, Lebanon became involved in the Arab-Israeli conflict unwillingly. The repercussions in the form of Palestinian refugees which fled the conflict as well as the Palestinian Liberation Organization (PLO) rebels found shelter in Lebanon and continued their guerilla raids. Muslim population primarily supported the PLO, as they supported the Palestine cause.¹³¹ The involvement of external parties in the Lebanese society had severe consequences, resulting in the collapse of the already vulnerable system and led to the outbreak of a civil war. The major cause for this was the dissatisfaction with the power-sharing formula that benefited the Christian population. The traditional elites such as Maronites, who were powerful, fought to retain their privileges; in comparison, the socially and economically deprived groups, particularly Shia, fought for access to public resources and obtained more power.

The power-sharing distributions and power mandates in various ethnically and religiously divided societies such as Lebanon, Iraq, Sudan, and North Ireland have been fixed by unwritten national accords, customs, or pacts, making amendments difficult and often risk-laden.¹³² In Iraq and Lebanon, consociational democracy has yielded a form of corporate consociationalism, which predetermines power positions among ethnic and sectarian national groups, such as predetermining the presidency to a Kurd in Iraq and a Maronite in Lebanon. The National Pact of 1943

neighboring states like former Palestine and Syria during and after the first Arab-Israeli war of 1848, that lead to a mass exodus of Palestine Arabs. Later, high birth rate among Muslim population and the emigration of Christians, led to change in Lebanon's demographic landscape in favour of the Muslim population. The tensions among various groups grew, as Muslims, particularly the Shia community, felt underrepresented with the change in the population. The Sunni and Maronite population decreased with 5 per cent and the Shia population increased with an estimated 9 percent. Thereby, the governing coalitions became unrepresentative as per the changed demographics. The growing dissatisfaction among Muslims combined with rising accusations of corruption (under the presidency of Camille Chamoun) led to insurgencies and conflict of 1958. The resentment also aggravated as Lebanon's growth over these years mostly helped the urban areas with Christian majorities such as Beirut, while ignoring rural areas mostly populated by Shia community.

¹³¹ Ian J. Bickerton and Carla L. Klausner, *A History of the Arab-Israeli Conflict* (New Jersey: Prentice Hall, 2010), 208-209.

¹³² Salamey, "Failing Consociationalism in Lebanon and Integrative Options," 85.

was mainly an informal agreement between both parties to cancel these aspirations and instead adopt a foreign policy that was neutral on both sides. The state founders aimed to create a Lebanon where Christians and Muslims would get a sufficiently fair representation.

IV. The Taif Agreement of 1989 and thereafter

Problem: In August 1975, conflict resumed between Muslim and Christian militia. However, alliances developed shortly between soldiers of the Lebanese Armed Forces collapsed along confessional lines. However, in 1982, the war intensified after Israel aggressively invaded Lebanon to destroy the PLO. In 1989, all the conflicting parties assembled in Taif, Saudi Arabia, to reach an agreement to end the war. The Taif agreement in October 1990 ended the 15-year drawn-out war that saw violence leading to the deaths and displacements of Muslims and Christians alike.¹³³ The war also expelled the PLO from Lebanon and encouraged the formation of the radical Shia militant group and later Hezbollah, a political party. The Lebanese political system witnessed various phases of power-sharing arrangements that were managed with its extremely diverse character; this served as the source for the power-sharing system after the civil war.

Solution: Although the basic structure of power-sharing in Lebanese institutions remained the same, reforms altered the powers of the Council of Ministers and the presidency and the parliamentary structure and composition. The Taif accord conserved the comprehensive framework of the older power-sharing system but reallocated the domestic political power between the key confessions such as Sunni, Maronite, and Shia. A Maronite remained the president, serving a six-year term. However, the powers of the president were curbed and the confessionally-mixed Council of Ministers was assigned most of the executive powers. This indicates that the Sunni prime minister had significant power and so did the legislative power,

¹³³ Traboulsi, *A History of Modern Lebanon*, 244-245.

particularly the Shia House speaker. The Council of Ministers also curtailed the veto and voting rights of the president. Also, the president did not have the power to dissolve the chamber of deputies and could not dismiss or appoint the prime minister; the president also could not control the Lebanese Army.¹³⁴ The two-thirds majority rule was introduced to pass legislation rule within the Council of Ministers. The Taif agreement sought to replace the rule of the individuals with the rule of the institutions, and it replaced the old 6:5 distribution of seats in parliament with an equal distribution between Muslims and Christians. It also increased the total number of seats in parliament from 99 to 108, and finally to 128. The prime minister, usually a Sunni Muslim, enjoyed increased power after the Taif agreement; now, the prime minister gained the power to form the government.

Taif introduced several reforms including a new electoral law, administrative decentralization, the establishment of a social and economic development council, reform with a view toward the identification of education and teaching, strengthening of national integration, regulation of media, and to reaffirm the objective of liberating Lebanon from Israel occupation. As the French existence had affected the realities of power-sharing during the French mandate, similarly the Syrian presence affected the authenticity of power-sharing after 1989. However, despite the Syrian bias toward Lebanon's Muslim population, Christian forces did not respond aggressively to what amounted to enforced renegotiation of the power-sharing arrangement.

The next sub-section presents the case of Quebec, which represents the region within the country, especially with respect to separatism or civil conflict. This is the region or troubled region asking for separatism within the independent nation.

¹³⁴ Kerr, *Conflict and Coexistence in Northern Ireland and Lebanon*, 162.

2.6.3 Case of Quebec

Quebec's growing nationalism has a long historical background. The Roman Catholic Church defined the character of French Canadian nationalism in Quebec from the mid-nineteenth to the mid-twentieth century.¹³⁵ The British invasion in 1760 put an end to French rule over Canada. However, because of their linguistic and cultural association with France, the French Canadians felt that they were a conquered people who had since 1760 been living under an imposed government.¹³⁶ Therefore, being an occupied people and a minority, the "French Canadians have always been chiefly concerned with group rights. Their public philosophy might be called Rousseauian – the expression of a 'general will' to survive."¹³⁷ Soon after the British conquest of Canada, efforts were made to integrate Quebec - an island of French culture and language within the structure of the surrounding Anglo-Saxon civilization.

It has experienced the most influential separatist movement in the West. Meanwhile, there was a strong reappearance of francophone separatist nationalism in the late 1980s and was marked particularly by the separatist Parti Quebecois (PQ) victory in the 1994 provincial elections.¹³⁸ Quebec politics have revolved around independence¹³⁹ and has been dominated by nationalism. A question that has progressively defined political action and discussion since the creation of the PQ in 1968 is how much decentralization would maintain relations between Quebec and

¹³⁵ Hudson Meadwell, "The Politics of Nationalism in Quebec," *World Politics* 45, no. 2 (January 1993): 302-241.

¹³⁶ Mehrunnisa Ali, "The Problem of Quebec," *Pakistan Horizon* 24, no. 3 (Third Quarter 1971): 20-31.

¹³⁷ Ramsay Cook, "The Canadian Dilemma," *International Journal* 20, no. 1 (Winter 1964-65): 1-19.

¹³⁸ Sudha Pai, "Quebec Separatism: October Referendum and Beyond," *Economic and Political Weekly* 31, no. 41/42 (October 12-19, 1996): 2796.

¹³⁹ Rachel Laforest, "The Politics of State/Civil Society Relations in Quebec," in *Quebec and Canada in the New Century: New Dynamics, New Opportunities*, ed. Michael Murphy (London: McGill-Queens University Press, 2007), 177-200.

Canada? Both the PQ and provincial liberals are nationalists that differ primarily on the amount of decentralization required.¹⁴⁰ The nature of the Canadian federation is still under debate and has been the fundamental concept of every constitutional and political crisis in Quebec and Canada since 1867.

The first referendum on the independence of Quebec was defeated in 1980, with the majority of Quebecois casting their votes against the separation from Canada. Two years later, Quebec–Canada relations were deeply affected after Quebec refused to sign Canada’s repatriated constitution.¹⁴¹ The debate on the Meech Lake Accord led to a novel phase of crisis between 1987 and 1990.¹⁴² During the October 1995 referendum by the ruling PQ, there was a record turnout of over 90 percent, and around 48.5 percent voted for separation, while 49.7 percent voted against leaving Canada to form a separate country.¹⁴³ A bone of contention among Canadians is that the English Canadian Protestant, forming a majority, intuitively believes that the only fair and just way to run a society is according to the well-known Australian principle of “one bloody man, one bloody vote.” Contrary to this, the French Canadian Roman Catholics, forming a minority, believe that groups must form a genuinely fair and just society on the principle of representation.¹⁴⁴ The regional economic disparity is also one of the reasons for discontent in Quebec.

¹⁴⁰ Meadwell, “The Politics of Nationalism in Quebec,” 302-241.

¹⁴¹ The Constitution Act of 1982 was not signed by Quebec, although it was legally binding within the province. This set the stage for the Quebec round to “bring Quebec back in.” For further details see, Meadwell, “The Politics of Nationalism in Quebec,” 1993.

¹⁴² In 1987, the Progressive Conservative government of Prime Minister Brian Mulroney attempted to win Quebec’s consent to the revised Canadian Constitution — following the Quebec government’s rejection of it in 1981. The result was the Meech Lake Accord, an agreement between the federal and provincial governments to amend the Constitution by strengthening provincial powers and declaring Quebec a “distinct society.” Political support for the Accord later unraveled, and it was never put into effect.

¹⁴³ More than 87,000 spoiled ballots i.e. 2 percent of the votes cast may have made the difference because they accounted for many more votes than the spread between the yes and no votes.

¹⁴⁴ Cook, “The Canadian Dilemma,” 4. French Canadians regard Canadian Confederation a contract between the two races based on the principle of equal partnership.

The French Canadians ruled by the British whose culture and language were unknown to them, became more alert and conscious to maintain their distinctive ethnicity against any effort at absorption. French Canadians love their language and regard it as the custodian of their faith and culture. While the relations between English Canadians and French Canadians remained friendly and the Confederation of 1869 was negotiated and favored by both the groups, however serious differences occurred over a period, and French Canadians still feel themselves to be an occupied nation.¹⁴⁵

The British parliament passed the Quebec Act 1774, ensuring the French Canadians rights to their civil laws, religion, language, share in administration and the separation of Quebec and Ontario were the constitutional recognition of their distinct existence. This act is considered as the foundation of French Canadian liberties in present times. Power-sharing between the government of Quebec and the central government is enshrined in the 1897 Constitutional law. Therefore, Quebec was the only bilingual province permitting equal language rights to the English-speaking minority.¹⁴⁶ The political institutions of Quebec have not fundamentally changed since 1867 when it became a member of the Canadian federation.¹⁴⁷ Therefore, the National Assembly of Quebec can pass laws in areas that are marked as provincial jurisdiction by section 92 of the British North America

¹⁴⁵ The Crown, the Flag and other symbols of the British Empire have been divisive rather than unifying factors. However, culturally and linguistically, French Canadians form a homogeneous group in Quebec. For further details, see for example, Dale C Thomson, "Crises in Canada," *The World Today*, (October 1964): 423; Ali, "The Problem of Quebec," 20-31.

¹⁴⁶ Ali, "The Problem of Quebec," 20-31.

¹⁴⁷ In 1982, Quebec did not sign Canada's repatriated Constitution, although it did sign an accord in 1987 to enter into Canada's constitutional agreement in 1992. However, neither of these was ratified and later was overwhelmingly rejected in a national referendum. Therefore, the evolution of Quebec's institutions has thus not been marked by any legal discontinuity.

Act.¹⁴⁸ The legal and judicial system of Canada (excluding Quebec) is based on common law, whereas Quebec uses the French civil code.¹⁴⁹

Therefore, twentieth-century Canada has been described as a “semi-consociational democracy” based on its federalism and an informal but effective veto for the largely French-speaking province of Quebec.¹⁵⁰ Even though several institutions represent the accommodation school of thought (such as minority veto and proportional representation), one such institution is “multinational, incongruent, or ethno-federalism.” Ethno-federalism “is a form of federalism that draws the boundaries of one or more of its provinces around a minority group, giving a minority group a majority status in at least one province – Quebec in Canada.”¹⁵¹

Quebec is one of the four provinces that instigated the Federal Pact of 1867. The Quebec government exercises key responsibilities with relative autonomy, for example, in the field of education, health, economy, immigration, transportation, and culture. These powers are rarely limited by the spending power of the central government that over time required unconstitutional competence, claiming it was acting for the national interest.¹⁵² However, over a period, the pressure for full sovereignty has abated in recent years.¹⁵³

¹⁴⁸ See The Canadian Encyclopedia, Quebec. <https://thecanadianencyclopedia.ca/en/article/quebec>

¹⁴⁹ Common law, the system of law that evolved from the decisions of the English royal courts of justice since the Norman Conquest (1066). Today the common law, considered more broadly to include statutes as well as decisions, applies in most English-speaking countries, including all Canadian provinces except Quebec. Civil Code is a fundamental legislative enactment, which contains a compendious statement of a country's private law. It is typically found in legal systems whose traditions are traceable to Roman law. In Canada, only Quebec has a Civil Code.

¹⁵⁰ Lijphart, *Democracy in Plural Societies*, 119-129; Robert Presthus, *Elite Accommodation in Canadian Politics* (Cambridge: Cambridge University Press, 1973).

¹⁵¹ Nicholas Charron, “Government Quality and Vertical Power-Sharing in Fractionalized States,” *Publius: The Journal of Federalism* 39, no. 4 (June 2009): 585-605.

¹⁵² Alain G Gagnon, *Contemporary Canadian Federalism: Foundations, Traditions, Institutions* (Toronto: University of Toronto Press, 2009).

¹⁵³ BBC News, “Canada Country Profile,” February 1, 2019.

In light of the above cases, one can conclude that power-sharing is a standard prescription for unstable and troubled democracies around the world. Power-sharing is centrally concerned with and assumed as the inclusion of political adversaries in a combined executive coalition government. In Lebanon's case, the different sects, communities, and political movements of society are associated with a fragile balance of power.¹⁵⁴ This country is stable due to the representative proportionality between the interest groups, significant movements, and traditional elites. All three cases suggest that power-sharing institutions facilitate cooperation and accommodation between the different political parties and elite political leadership, indicating that they are the most suitable for those states with conflicted and divided societies that are in desperate need of good governance and stable democracy.

Power-sharing can take several institutional forms in practice. For example, Lebanon instituted power-sharing between prime minister (Sunni Muslim), president (Maronite Christian), and speaker (Shi'a Muslim). Similarly, the ministerial portfolio allocation in Belgium is based on the clear identification of the major religious or linguistic groups. The presidency in Bosnia and Herzegovina constitutes a board or committee having three members that represent each nation, with a rotating chair. In comparison, the cabinet in South Africa includes different ethnic parties in a coalition.¹⁵⁵ However, it may be argued that with the given factors of weakness and disunity in the French Canadian separatist groups, the majority of them opposing the concept of separation of Quebec as a sovereign state.¹⁵⁶ The Federal governments' continued response to their demands, the tradition of

¹⁵⁴ Political assassinations, civil wars and institutional instability have been linked to the fragile power-sharing structure of Lebanese consociationalism.

¹⁵⁵ Pippa Norris, "Stable Democracy and Good Governance in Divided Societies: Do Power-Sharing Institutions Work?," Paper for presentation at the International Studies Association 46th Annual Convention, Panel SC04 *Political Institutions and Ethnic Politics*, 1. 45-3.30 on Saturday 5th march 2005, Honolulu; Norris, *Driving Democracy: Do Power-sharing Institutions Work*.

¹⁵⁶ This is evident from a French Canadian survey held in 1963, which revealed that only 13 percent wanted to split with Canada. See Ali, "The Problem of Quebec," 26.

democratic and open dialogue processes, and gradual decentralization, the Quebec crises, though severe, would not lead to a breakdown of Canadian unity. In the next section, the theoretical dimensions of power-sharing, accommodation, and coalition politics with an emphasis on the state J&K will be presented with the help of Lijphart's collection of works.

2.7 Analytical Framework and Kashmir Setting

We know that India does not fit neatly into coalition political theories that have been designed in mostly unitary states with less ethnic heterogeneity and using proportional representation or mixed electoral systems based on the European experience of parliamentary democracy.¹⁵⁷ Indian society is not characterized by a single political axis of the left-right, but by multiple cross-cutting axes such as secular communal, centralist–regional autonomist, and a range of caste-based axes, varying wisdom of the state. Hence, political models based on the experience of western democratic countries cannot be implemented in Kashmir, as the state of J&K is a highly-divided heterogeneous society even without considering the historical background of the conflict.

The sociopolitical feature of consociational democracy is a plural society having multiple recognizable social segments that are divided based on economic, social, and political organizations; it also involves stable democratic and electoral support for segmental parties.¹⁵⁸ In J&K, the society is divided by religion, race, language, culture, and region (see Table 2.4). It has three ethnically separable geographical regions, namely a Muslim majority Kashmir, a Dogra Hindu majority Jammu, and a Tibetan Buddhist majority Ladakh.¹⁵⁹ The region here in a vital identity marker

¹⁵⁷ E. Sridharan, "Electoral Coalitions in 2004 General Elections: Theory and Evidence," *Economic and Political Weekly* 39, no. 51 (December 2004): 5418-5425.

¹⁵⁸ Arend Lijphart, "Consociational Theory: Problems and Prospects: A reply," *Comparative Politics* 13 no. 3 (April 1981): 355-360.

¹⁵⁹ Ashutosh Varshney, "India, Pakistan, and Kashmir: Antinomies of Nationalism," *Asian Survey* 31, no. 11 (November 1991): 1003-1004.

and cuts across the religious community. Subregional differences in J&K complicates democracy because they tend to produce and vote on regional parties. In other sub-regions, the ethnic party with an electoral and seat majority will dominate minority groups, apparently forever. In such divided societies with regional dependent parties, the rule of the ordinary majority generally leads to regional hegemony.

Table 2.4
Jammu and Kashmir: Demographics

Description	Population	Muslim	Hindu	Sikh	Buddhist & Others
Kashmir (53.9)	5,476,970	97.16	1.84	0.88	0.11
Jammu (43.7)	4,430,191	30.69	65.23	3.57	0.51
Ladakh (2.3)	126,539	47.40	6.22	-	45.87
J&K	10,143,700	66.97	29.63	2.03	1.36

Source: Jammu and Kashmir Official Portal.

Therefore, the state is divided into multiple lines and the object is how all regions, groups, and societies can be accommodated. Since the lone period, the system of coalition governments or politics appeared in the state. It has not been planned or institutionalized, yet with informal rules, the work is underway. Coalitions learned when they are in the game with each other and helped to meet demands from different regions and parties. The mechanism of the coalition government helps to accommodate all the regions, religions, and groups. Accommodation is the key to coalition governments. Therefore, there is a need for power-sharing in the state to get representation and accommodate all the three regions and their sub-regions (see Table 2.5).

However, the power-sharing theory usually tries to solve the problem by establishing a coalition of agreed guarantees, group participation in government,

and regionally balanced governments. The motive of the power-sharing is to replace the adversary democracy of government and opposition with a regionally balanced coalition government. The goal here is an interregional power-sharing government that can represent all three regions of the state, like in the last three coalition governments since the 2002 assembly election. Power-sharing aims at mandatory post-electoral governing coalitions of all ethnic and regional antagonists. The focus will also remain on the forming of shifting of alliances by the parties contend for power, but the larger goal itself is the sharing of power.

Table 2.5
Jammu and Kashmir: Regions and Sub-regions

Regions	Sub-Regions		
Jammu	Hindu Belt	Pir Panchal	Chenab Valley
Kashmir	Central	North	South
Ladakh	Leh	Kargil	-

Source: Compiled from several reports and newspapers.

Note: In the Kashmir region, the sub-region Central Kashmir is comprised of Srinagar, Badgam, and Ganderbal districts. The North Kashmir is comprised of Baramulla, Bandipora and Kupwara districts. The South Kashmir is comprised of four districts - Anantnag, Kulgam, Shopian, and Kulgam. In the Jammu region, the Hindu Belt is comprised of Jammu, Udhampur, Samba and Kathua districts. The Chenab Valley is comprised of Doda, Kishtwar, Ramban, and Reasi and Pri-Panjal included the districts of Rajouri and Poonch. The Ladakh region is comprised of two districts – Leh and Kargil.

These divisions largely coincide in the form of the region and religion-based blocs. In this work, these blocs will be used to define and describe the major sociopolitical and cultural features which make up Kashmir's group identities. J&K has been severely divided into three different natural regions, namely Jammu, Kashmir, and Ladakh with no commonality in history, geography, ethnicity, culture, and economy since the beginning of the accession with the Indian union. The snowbound outer Himalayan ranges separate these three regions from each other. However, the state is segmented into two main divisions for administrative purposes: Kashmir, which

has ten districts (excluding two districts of Ladakh region), and Jammu, which also has ten districts.¹⁶⁰ The state mainly comprises of three regions, but it also includes regions within regions that can be differentiated based on culture, geography, and history (see Table 2.5). The cultural diversities across the geographical and cultural landscapes of the J&K state have resulted in the political plurality that exists in the state.¹⁶¹

The political history of this state has been characterized by the coexistence of and the conflict of three major regional and religious segments: Muslim-Kashmir, Hindu-Jammu, and Buddhist-Ladakh.¹⁶² Therefore, Kashmir has three different geographical regions (Jammu, Kashmir, and Ladakh) and three major linguistic communities (Kashmiri, Dogri, and Ladhaki) with a single government for all the regions. Although Islam is the majority religion of Kashmir province, there has also been a prominent presence of Kashmiri Pundits, 4 percent Hindus, and 2 percent Sikhs. Kashmir is a linguistically-divided society too, with a sizable population of varied mother tongues such as Gogri; Pahari; Dard languages such as Kohistani, Shina, and Balti; and Purkhi who live territorially separate from other groups.¹⁶³

Kashmir thus presents a special case in the Hindu majority Indian Nation. While Muslims dominate as a religion, they do not represent a homogenous group, as evidenced by Hindu–Muslim, Kashmiri Pandit–Muslim, and Sunni–Shia differences and tensions. Kashmir is a special case where different minorities coexist and are, thus, fundamentally different from Western states in terms of the challenge

¹⁶⁰ Recently Ladakh has been given a separate division with two districts – Leh and Kargil.

¹⁶¹ Aijaz Ashraf Wani, “Ethnic Identities and the Dynamics of Regional and Sub-Regional Assertions in Jammu and Kashmir,” *Asian Ethnicity* 14, no. 3 (February 2013): 309-341.

¹⁶² Like Bosnia and Herzegovina’s political history has also been characterized by the coexistence and the conflict of three major ethnic and religious segments like Catholic-Croatian, Muslim-Bosniac, and Orthodox-Serbian.

¹⁶³ Wani, “Ethnic Identities and the Dynamics of Regional,” 322.

faced concerning the decision of assimilation of smaller and minority groups into the majority culture.¹⁶⁴

During the Dogra period, the population was further divided based on religion, region, and political and socioeconomic deprivation. After the accession with the Indian union, the identities continued to form in the state, and this is still considered to be significant in the current politics of the state. The Jammu region is geographically heterogeneous with each sub-region having a long independent history. Simultaneously, a sense of separatism is also present, reinforced by cultural multiplicities due to the regional division into a multitude of religious, linguistic, and cultural groups.¹⁶⁵

Although it is a Hindu majority region, it has a substantial population of Muslims (about one-third of the total population) spread all over the province. Of the ten districts, only four (Jammu, Kathua, Samba, and Udhampur) are predominantly Hindu. Except for the Hindu belt, the rest of the region has a mixed population. The three districts of Poonch, Rajouri, and Doda have a predominantly Muslim population.¹⁶⁶ Although the Hindus of the Jammu region are a majority, they perceive themselves as a minority not only due to the Muslim character of the state but also the Kashmir-centric power and political contexts of the state. Jammu region comprises multiple religious and social groups and can be considered as a cultural mosaic (Dogras, Punjabis, Gujjars, Pothearis, Kishtwaris, Siraji, and Baderwahi). Here, neither Muslims nor Hindus form a homogenous category and are differentiated on the cultural and lingual basis. However, four categories of Muslims, namely the Dogra Muslims, Gujjars, Kashmiris, and Paharis, are present

¹⁶⁴ Wadi D. Haddad, *Lebanon: The Politics of Revolving Doors* (New York: Praeger, 1985), 6.

¹⁶⁵ Wani, "Ethnic Identities and the Dynamics of Regional," 323.

¹⁶⁶ Rekha Chowdhary, "BJP's Unprecedented Victory in Jammu," *Economic and Political Weekly* 19, (May 2015): 71.

here.¹⁶⁷ The Paharis represent the Rajput Muslims staying in the hilly areas of the Poonch and Rajouri belt. The Gujjars are the gypsies of J&K and constitute the third largest community in J&K, characterized by their Rajasthani ancestry but Muslim religion. During summer, they move out of the Jammu region with their herds and flock and spread out in many directions, but strong detachments can be found in Reasi and Poonch districts.¹⁶⁸ Kashmiris living in the Doda belt of the region mainly speak with close religious-cultural affinity with the Muslim population residing in the valley. The Dogra Muslims reside in the Dogra belt of the Jammu region and are culturally closer to the Dogra Hindus compared to the Muslims of the valley or Jammu. The Hindus residing in the region are similarly categorized into various groups with different cultural affinities, such as Dogras, Punjabis, Paharis, and Siraji Kishtwaris.

In Ladakh, Buddhists are the regional majority but a state minority. Although Muslims form the state majority, they are a regional minority. Although the Buddhists of Ladakh region form the majority in the region, they perceive themselves as a minority. This minority sentiment is viewed in the context of the Muslim character of the state. The minority sentiment is also strongly viewed in the Kashmir centric political and power context of the state. Ladakh was disappointed and rendered feeling insecure after the power was transferred from the Maharaja to an administration dominated by Kashmiris. Although Shia Muslims dominated the Kargil district, the Ladakh region in general and Leh district in particular, had a Buddhist majority that faced discrimination and alienation by the power structure dominated by Kashmiris as they could not identify with the Kashmir valley.¹⁶⁹ As Kashmiris did not achieve independence from the Indian Union, Jammu and

¹⁶⁷ Rekha Chowdhary, *Identity Politics in Jammu and Kashmir* (New Delhi: Vitasta Publishing, 2010), 6-7.

¹⁶⁸ Jyoti Bhushan Das Gupta, *Jammu and Kashmir* (The Hague/Netherlands: Martinus Nijhoff, 1968), 14.

¹⁶⁹ Navnita Chadha Behera, *Demystifying Kashmir* (Washington D.C: Brookings Institute Press, 2006), 111.

Ladakh region did not attain internal political independence or a complete merger with the Indian union. However, federalism is considered a desirable tool to give autonomy to different groups, communities, and regions.¹⁷⁰ The Ladakh region has been given the cultural autonomy through Ladakh Autonomous Hill Development Councils (LAHDC), by the power-sharing governments in order to reduce the scope of subjects that must be resolved at the state governmental level.

The implementation of power-sharing arrangements in building up the relationship between coalition politics and power-sharing is an ideally divided society; many consider it to be the most divided Indian state. I draw insights from two distinctive strands of literature, namely the theory of 'logic of two-level games' and the 'consociationalism' or 'power-sharing' model. The main theory of this study will be the power-sharing, and the supportive theory will be the logic of two-level games. Most studies on coalitions focus only on the cooperative dimension of the political parties.¹⁷¹ However, the mere coming together of different parties alone does not give us the complete picture because every political player has an agenda in power-sharing that they want to pursue, or the same may affect the game.

Robert D Putnam, in the theory of 'logic of two-level games,' mainly talks about the relationship between diplomacy and domestic politics.¹⁷² In this, he argues that domestic politics determine international relations and international relations determines the domestic politics of every country. The logic of a two-level game framework is a suitable framework to explain how the politics of one political party affects the politics of other political parties in a coalition game. I would be using this theoretical approach (international relations) in my study on "power-sharing and coalition politics in J&K," here, I would be modifying and analyzing the relationship

¹⁷⁰ Selway and Templeman, "The Myth of Consociationalism," 1546.

¹⁷¹ K. K. Kailash, "Institutionalizing a Coalitional System and Games within Coalitions in India," *Studies in Indian Politics* 2, no. 2 (December 2014): 185-202.

¹⁷² Robert D. Putnam, "Diplomacy and Domestic Politics: The Logic of Two-Level Games," *International Organization* 42, no. 3 (Summer 1988): 427-460.

between the political parties. My concern here is not about the routine differences between parties but to draw attention to how one political party plays a dual role in the system. Political parties like Congress and BJP have to keep in mind the larger interest of the nation India while playing its politics at the regional level/state level. In the same way, regional political parties like the NC and PDP have to maintain the interests of both, that is at the constituency level/regional level and the state level.

Lijpharts' power-sharing or accommodation models are broadly defined in terms of the key elements discussed earlier in this chapter. Although he considers power-sharing and consociationalism as synonymous, a little distinction is required for this study. Consociationalism is a technique for constitutional engineering. Simultaneously, power-sharing involves impromptu concessions that allow other groups and parties to have a role to play in the transition to democracy. My concern here is not about constitutional engineering but to draw attention to the concept of power-sharing, aimed at co-opting different stakeholders. The state of J&K after the emergence of coalition politics is moved toward a new era of politics, i.e., accommodative politics, and now the power has been shared between different groups, parties, or even with separatists that join mainstream politics. J&K's status as a constituent unit within federal India with special status restricts the degree to which the evolved state political system can be assumed to conform to the power-sharing deal. However, what I would like to propose here is that the politics and government in J&K, especially since 2002, may be thought of in terms of bearing significant power-sharing features. As Brass said, "political accommodation in democratic societies is an art, not a system."¹⁷³

Lijphart identified institutions that might be capable of managing conflict in divided societies; however, they did not consider the value of using these devices for stabilizing peace within states. His focus was on how these institutions could be utilized for the maintenance and security of democratic governments. Rather than

¹⁷³ Paul R. Brass, *Ethnicity and Nationalism: Theory of Comparison* (New Delhi: Sage, 1991), 334.

focusing on the ways by which power-sharing institutions might secure democracy within troubled societies, we explore how the power-sharing model stabilizes and maintains peace in the state through coalition politics.

At the outset, the Kashmir society is a pluralistic, democratic, and vibrant state that is characterized because of its distinctiveness. The state of J&K is one of the deeply divided a severely cleaved society divided along religious, regional, caste, and dialectal boundaries. The state is also divided on the basis of electoral politics, namely mainstream, and separatist politics. This character of the J&K society makes coalitions extremely relevant to the state. Thus, the coalition reflects the breakup of social interests at the grassroots level, in addition to forming a group of different political parties to capture power.¹⁷⁴

J&K can be easily treated as a microcosm of the situation in India and hence can be applied to the power-sharing theory/accommodation theory. The electoral politics of the state was dominated by the National Conference (NC) and by the state branch of India National Congress (INC) and did not want to share power with other groups or parties. The factor contributing to the strengthening of democracy is accommodation power-sharing arrangements that are socially progressing and politically consolidating. Now both the national parties, i.e., Congress and BJP, want to share power with the regional forces or separatists who join mainstream politics and trying to accommodate the small parties or independent candidates within mainstream politics.

This framework highlights both the choices that parties make during power-sharing and the larger interests that affect their choices in the coalition game. Here I'm addressing the interests of both national as well as regional parties, which lead them to power-sharing agreements and the factors that affect their choices while playing two-level games. In other words, we can say how the politics and interests of

¹⁷⁴ Bidyut Chakrabarty, *Indian Politics and Society since Independence: Events Processes and Ideology* (New York: Routledge, 2008), 153.

national parties affect the politics and interests of regional parties during a coalitional game and vice-versa. The second issue the study addresses is that no coalition formation ever begins on a clean slate; the past bears a mark on the present status of parties.¹⁷⁵ Therefore, it might be useful to observe the background of the party system in the state, that is how the party system has changed over the years from a one-party dominated system to a competitive multiparty system. The decline of the one-party system has made the power-sharing system possible and stronger because a multiparty system and comprehensive coalition cabinets that often include more than one party have replaced the dominant-party system and frequent one-party cabinets. Of course, coalition governments tend to be less stable (shorter duration, more incidents of threats to their continued existence) than single-party majority governments. However, they are more consensual in style and more accommodative when it comes to policy matters.

The application of this model will make no attempts at rejection, but to identify the scope of the power-sharing model on this particular case. The aim is not to test the model; instead, use it to understand the case of my study. The unique design of Kashmir politics will utilize the logic of two-level games to complement the basic framework of power-sharing. A significant relationship exists between Lijphart's power-sharing and coalition politics, more specifically concerning the representation and accommodation of different parties and regions in the decision-making. Kashmir can be described as a consociational democracy considering the sharing of political power and accommodation of smaller parties within the government by means of a coalition government. As Andeweg said, coalition politics is at the heart of consociational democracy.¹⁷⁶ According to the power-sharing concept, all vital decisions necessitate a consensus and agreement between the leaders of different political parties and groups.

¹⁷⁵ Kailash, "Institutionalizing a Coalitional System and Games within Coalitions in India," 185-202.

¹⁷⁶ Rudy B. Andeweg, "Coalition Politics in the Netherlands: From Accommodation to Politicization," *Acta Politica* 43, (2008): 254-277.

Alternatives to the dominant or one-party majority rule and the power concentration in the legislature must be envisioned to accommodate distinct groups and parties in diverse societies. Power-sharing and coalition politics attempt to establish institutions for the benefit of the people. Coalition politics ensures group representation through democratic processes characterized by power-sharing governments, accommodation, and representation. On the other hand, consociationalism or power-sharing organizes plural societies through the democratic processes of the grand coalition and proportional representation. As Lijphart states, “the primary characteristic of consociational democracy is that the political leaders of all segments of the plural society cooperate in a grand coalition to govern the country.”¹⁷⁷ Thus, the accountability to achieve a grand coalition on behalf of the different parties within the country also lies with coalition politics and political elites. Therefore, the basic principle of Lijphart’s consociational theory provides the link between power-sharing and coalition governments.

The process of power-sharing in Kashmir corresponds to a few of the consociational elements of power-sharing. The political power-sharing dimension is associated with the rotation of different posts and offices. Here, power-sharing is implemented through coalition governments and office distribution. Hence, Kashmir can be considered as a case of consociationalism, at least in the period from 2002 to 2018. The primary vehicle for the power-sharing is the coalition government with grand cabinets. The combination of coalition governments’ inclusive nature has generated grand cabinets with ministers and representation belonging to all the three distinct regions apart from different political parties. The coalition government complements the principle of fiscal equality among the different regions in the state, which has representation from all the three distinct regions. Lijphart advocated the provision of non-territorial autonomy, where national funding is provided to different religious groups to teach primary education.¹⁷⁸ The federal character

¹⁷⁷ Lijphart, *Democracy in Plural Societies*, 25.

¹⁷⁸ Lijphart, “Constitutional Design for Divided Societies,” 96-109.

principle ensures in a modified way that each division in the state of J&K is considered in the selection and recruitment into government services, ensuring that top administrative and political posts are shared among people from all regions. I will adopt Lijphart's sharing perspective to explain the continuity of power-sharing arrangements in the J&K state. I argue that the coalition governments among different political parties, reinforce the power-sharing arrangements in Kashmir. The analytical premise guides my argument that the emergence of coalition politics has led to power-sharing in the state, which in turn has led to stability and harmony. There is a convergence of interests of the political parties in favor of power-sharing. The political elites prepare these agreements. Elites can be defined as individuals holding positions of respect in groups and organizations or who have held such positions in the past and "who participate in or directly influence national political decision-making."¹⁷⁹

However, a kind of voluntary power-sharing coalition of different parties and groups, especially of moderates, the purpose of accommodation and power-sharing would have been as or more successful in creating and stabilizing a peace process. This informal power-sharing practices, in Kashmir, whereby representatives of different political parties are included in the executive as part of necessary political practice, but not in reaction to any legal requirement. In making power-sharing coalition governments, it is possible to go beyond an oversized coalition in terms of cabinet executive inclusivity by representation to multiple significant political forces.

Ever since the decline of the NC in the state became apparent, two features of Kashmir politics have attracted the attention of scholars of Indian politics. One is the coalition-based structure of party politics, and the other is the emergence of regional parties and the rise of nationalist parties. The present-day Kashmir politics can mainly be characterized as the experimental laboratory of coalition politics. The

¹⁷⁹ Michael Burton and John Higley, "The Study of Elite Transformations," *International Review of Sociology* 11, no. 2 (2001): 181-199.

collapse of single-party dominance and the rapid growth of regional parties in the state has invigorated the pace of the coalitions. Coalition politics is a means of power-sharing.¹⁸⁰ Power-sharing has become a growing reality, and it is gaining acceptability at all levels. For the last more than seventeen years, we have been witnessing the emergence of regional political parties.

The 2002 assembly elections paved the way for a fundamental change in the political equations for power-sharing between the Jammu region and the Kashmir valley. Unlike past assembly elections, this one gave no single party a majority alone to form a government. Furthermore, no one political party could speak for the three regions of the state. However, the split in the ethnic Kashmiri vote between the NC and the PDP had worked to Jammu's advantage as it indicated the trend of coalition politics in the state, which according to Navnita Chadha Behera, is characteristically better attuned to the democratic practices of power-sharing.¹⁸¹

That the pattern of coalition politics will dominate the Kashmir situation has been widely accepted by the observers on the Indian political process. In this context, one cannot ignore the forces like social structure, historical context, and the religious-cultural environment of J&K. Coalition politics has emerged in the state out of several factors, contextual and functional. From the late 1960s, as the Congress party declined at the national level and regional parties grew in several states, coalition governments became common.¹⁸²

However, the first real coalition government was the National Democratic Alliance (NDA), consisting of 24 parties that were formed at the center in 1999, and it was the first non-Congress government to complete its full tenure. This experiment was distinctive in the sense that BJP had to share power with ideologically diverse

¹⁸⁰ Anurag Deep, "Coalition Government and Uni-Federal Nature of the Power-sharing: (Whether Federalism is Promoted?)," *Journal of the Indian Law Institute* 54, no. 1 (2012): 84.

¹⁸¹ Behera, *Demystifying Kashmir*, 123.

¹⁸² Krishna K. Tummala, "Coalition Politics in India: 2004–2009," *Asian Journal of Political Science* 17, no. 3 (December 2009): 323–348.

parties and groups.¹⁸³ Coalition politics now characterizes the J&K polity, and no party can claim to enjoy a full majority. However, the coalition experiment in the state first emerged in 1986 in the wake of the Farooq–Rajiv alliance through which both parties settled to work for common candidates in all the 76 constituencies.

The 2002 Assembly election saw for the first time a challenge to the NC and Congress parties. The year 2002 can be regarded as a real turning point in the history of J&K polity, as this was when the hegemony of NC was challenged. The coalition government formed in the aftermath of the 2002 Assembly elections was the real test of whether J&K can change its pattern of one-party dominance into consensual, power-sharing, or accommodation politics. Coalition politics is at the heart of the consociational democracy.¹⁸⁴

The study of coalitions in modern Indian politics has developed over two broad phases. The first examined its emergence in the states during the 1960s and 1970s. Several scholars analyzed these experiments from a comparative theoretical perspective. However, most offered particular historical analyses. In contrast, the second phase increasingly engaged the comparative tradition to explain the advent character and ramifications of national multiparty governments since the late 1980s.¹⁸⁵

The year 1989 marks a watershed in the arena of party competition in India. The parliamentary elections held that year not only marked the decline of the Congress party at the national level, and it also brought in the era what came to be termed as coalition politics. Since then, coalition politics has become routine in electoral completion in many states. However, many states did not have much experience of coalition politics in the past. J&K was one such state. The first informal coalition government that came to power in the state was a coalition of NC and Congress (in

¹⁸³ Rajan Gandhi, “Art of Coalition,” *Daily Excelsior*, April 21, 2018.

¹⁸⁴ Andeweg, “Coalition Politics in the Netherlands, 254-277.

¹⁸⁵ Sanjay Ruparelia, *Divided We Govern: Coalition Politics in Modern India* (Oxford: Oxford University Press, 2015), 15.

1983/87), but the NC party did come back to power on its strength in 1996. J&K had an almost unbroken spell of one-party dominance until it gave way to what is now called the era of coalition politics. So politics in J&K till 2002 was more or less characterized by the dominance of the NC. In the early 2000s, the People's Democratic Party (PDP) and Congress forged an alliance that signaled J&K's entry into an era of coalition politics. The emergence of PDP led to the development of coalition politics ushered in new political equations and marked the collapse of the NC - Congress dominance in the state.

2.8 Conclusion

The case of J&K state will examine power-sharing using Lijpharts' power-sharing model. The results of Kashmirs' power-sharing arrangements are profoundly affected by the divided society it frames. The outcomes of the coalition government agreements and their subsequent dialogue and peace process have been unsuccessful in resolving the more significant conflict in Kashmir. However, they have been helping to manage conflict since 2002. Important to note that the evident role of membership has been functional in electing chief minister and deputy chief minister on a rotational basis, ensuring equal representation of the two major parties with support from different distinct regions. Coalition governments and grand cabinets have been used as a means to resolve past injustices. The Peoples Conference and BJP's informal alliance exhibits a clear indication of accommodative traits, as opposed to the merger in the sense that it does not proclaim one combined identity.

However, political parties, both national and regional through coalition governments since 2002, helps in power-sharing and accommodation will be discussed in detail in chapters fourth and fifth. I will provide a detailed overview of the evolution of power-sharing through coalition politics of three coalition governments. I will also attempt to look at how the coalition government provided the means for power-sharing to three distinct regions or different political parties

and groups. Simultaneously, the experience of power-sharing and accommodation through these three coalition governments is too limited to reach any firm conclusions at this point.

Chapter 3

Electoral Politics and Party System in Jammu and Kashmir

3.1 Introduction

This chapter reviews the changing nature of electoral politics in the state of Jammu and Kashmir (J&K). Politics in the state underwent several shifts, including the decline of the National Conference (NC) and the Congress and the rise of new regional parties. While discussing the experience of the different phases of the party system in the state, the chapter would also throw some light on the electoral politics in the state. Before describing the party system in J&K, the chapter briefly mentions about the changes that occurred at the national level.

During the first few years of independence, a significant political development in India has been the rise of regional or state-level political parties.¹ During the last more than three decades, these newly created regional parties have left an impact on state politics, the national parties, and national politics. With great support from their voters, they have even managed to win elections and form state governments. Though many of the regional politics first succeeded in the late 1960s against Congress, the real impact of regional politics was noticeable only after 1989. The year 1989 marks a watershed in the arena of party competition in India. The parliamentary elections held that year showed the fall of the Congress as the national-level party. It also brought in an era that can be termed as coalition politics. Coalition politics has become a routine in electoral competition in many states

¹ Sudha Pai, "Regional Parties and the Emerging Pattern of Politics in India," *The Indian Journal of Political Science* 51, no. 3 (July-Sept. 1990): 393.

though they did not have much of its experience. J&K was one such state. Until 2002, politics in J&K was dominated by the NC and the Congress.

Political parties and the type of the party system in the state make a lot of difference when it comes to shaping the federal polity and the center-state relations. There was a sudden change in the party system in India. As the Congress lost its share of votes and that the opposition parties had great coordination between them, the coalition government came into existence. Congress vote share declined by 8.6 percent in 1989 as compared to the 1984 election. The vote share for Congress's main national opponents, the Bharatiya Janata Party (BJP) and Janata Dal (JD), increased by 4.0 percent and 5.5 percent respectively.

The decline in Congress's vote to just below 40 percent was critical in making its single-party majority (SPM) government vulnerable. There are many reasons behind India's shift to coalition government which include a relatively poor electoral performance of Congress, strong coordination in opposition, and Congress's inability to fulfill the demands of newly formed social groups, particularly in north India. These groups included the backward castes and peasantry along with subordinate groups like the Scheduled Castes that had usually been part of the Congress coalition. Ziegfeld contends that the relationship between the coalition government and regional parties is best described as a feedback loop in which coalition government initially backed the emergence of regional parties in the 1990s, to boost the prospects of the coalition government in the 2000s.² Moreover, as the national parties could not win the election with a thumping majority, regional parties grew to be important partners in coalitions.³

² Adam Ziegfeld, "Coalition Government and Party System Change: Explaining the Rise of Regional Political Parties in India," *Comparative Politics* 45, no. 1 (October 2012): 76.

³ Andrew Wyatt, "The Fragmentation of Political Parties and the Quality of Indian Democracy," Prepared for the ECPR Workshop: "Democracy in the Third World - What Should be Done?" Mannheim, 26-31 March, 1999.

Therefore, regional parties have occupied an important place in Indian politics, however, that place has widened since the 1990s. The first eight general elections produced SPM except for two brief periods totaling less than two years when minority governments did not hold power; otherwise, SPM governments ruled India from Independence through 1989.⁴ The 1989 election was the first that could not produce an SPM government, and the JD and many regional parties formed a coalition government.

Sridharan argues that there has been a steady bi-polarization of the Indian party system in the assembly elections across many states, though with some difference. He has classified the states based on four different party system setups that are a system wherein only two parties exist, a system where there are two coalitions, a system with one-party and a coalition of two or more parties being its opponents, and a system wherein three or more significant parties contest the elections autonomously. He also mentions that so far India was a centralized association, the Congress-ruled in the center and the states. However, as the association became a little relaxed, various parties surfaced in the states.⁵

The national party system that came into being post-1989 period has now been shattered. There have also been the persistent bipolarities even in the states along with the emergence of pre and post-election coalitions that appear to be smooth, however, are thwarted; in both the national-level and state-level politics. One can identify the three interrelated trends in the history of independent India – first, the citizens of India slowly turning their back towards Congress, initially in the states and later nationally; second, the emergence and strengthening of local parties that are mostly limited to a single state; and third, the rise of the BJP as a promising political party both nationally and regionally.⁶ Lawrence Saez has assessed that the

⁴ Ziegfeld, “Coalition Government and Party System Change, 73.

⁵ E. Sridharan, “Coalition and Party Strategies in India’s Parliamentary Federation,” *Publius* 33, no. 4 (Autumn, 2003): 138.

⁶ *Ibid*, 141.

increasing dominance of state-level parties in the states, has caused the Congress to lose its vote bank, and has given way to a gradual change in the party structure. He has further mentioned that the existence of regional parties averted the expansion of national parties in that particular state in the 1990s.⁷ National-level political parties, for their further expansion in the states, have tried to control their expected share of votes and seats while forming electoral and government coalitions, since 1989.⁸

Since 1998, the national-level coalitions have come from three forms of party alignments at the states that are, one, bi-partism exemplified by the rivalry between the Indian National Congress (INC) and the BJP; two, bi-partism exhibited in the competition between two regional parties; three, the bi-polarization caused due to two coalitions. Modifications in the national-level party structure and the coalitions formed at the state level depend on the growing intricacy of state-level party structures.⁹ J&K's shift to coalition government is a result of a relatively poor electoral performance by the NC and the emergence and rise of regional and national parties respectively.

3.2 Party System in Jammu and Kashmir

It should be understood at the outset that the success of democracy depends on vibrant competition between various political parties. These political parties contesting for power develop a party system.¹⁰ The creation of parties is a

⁷ Eswaran Sridharan, "Principles, Power and Coalition Politics in India: Lessons from Theory, Comparison and Recent History," in *Principles, Power and Politics*, ed. D. D. Khanna and Gert W. Kueck (Delhi: Macmillan, 1999), 270-290.

⁸ Sridharan, "Coalition and Party Strategies in India's Parliamentary Federation," 150.

⁹ Bertrand Lefebvre and Cyril Robin "Pre-electoral Coalitions, Party System and Electoral Geography: A Decade of General Elections in India (1999-2009)," *South Asia Multidisciplinary Academic Journal* 3, (2009): 5.

¹⁰ Steven B. Wolinetz, "Party Systems and Party System Types," in *Handbook of Party Politics*, ed. Richard S Katz and William Crotty (London: Sage Publications, 2006), 51.

continuous process. The political party is an entity that belongs to the new and changing political systems.¹¹ Parties play an important role in political practices and determine how the system would operate. They have to perform some routine functions in a diverse political system at different levels of political, societal, and financial development. The political party is expected to understand the opinion of society and communicate it to the government.¹²

Although it is very challenging to understand the party system in the troubled state such as J&K, wherein an anti-system party with the potential to get a majority does not contest elections. Still, a pattern can be noticed in state party politics. Gull Mohammad Wani believed that the state has its own pattern of the party system:

*'Party system in J&K was by and large patterned on the Indian party system. As we saw national politics for a long time, there was a dominance of INC. To what Rajni Kothari, Morris Jones, and others, in fact, characterized as dominant-party system or one-party dominance. Likewise in states, some of the parties because of their long stay in both pre-1947 or pre-partition politics or anti-colonial, anti-feudal movements and after 1947 because of power politics, regional parties got shaped along with INC in terms of there dominance over state politics. In fact the social base of their organizational coherence and ideology which was both anti-colonial and anti-feudal and pro-people. In this background, the National Conference remained a dominant party in the state. Congress for a long time was considered as a political untouchable. It is only with the rise of BJP as a party which is obviously considered as the vanguard of Hindu nationalism, that Congress is getting mainstreamed in state politics as a party in itself.'*¹³

¹¹ Joseph La Palombara and Myron Weiner, "The Origin and Development of Political Parties", in *Political Parties and Political Development*, ed. Joseph La Palombara and Myron Weiner (Princeton: Princeton University, 1972).

¹² Ibid, 3.

¹³ Interview with Professor Gull Mohammad Wani of Kashmir University, Srinagar, May 17, 2018.

The party system in J&K reflects the influence of the actions of state elites and their efforts to shape party politics from the above. The power politics here began with a hegemonic party system wherein a single party dominates in the elections. However, since the 2002 assembly election, there has been a distinct change over both the nature of government formation and composition. Since then, the results of the election in the state of J&K reflect the multi-ethnic, religious, and lingual character.¹⁴

J&K has a strong regional party presence, where the national parties like Congress or the BJP are either being challenged by state parties and creating a compelling political situation for them to coalesce with them, at times as a junior partner, or they do not have a strong presence.¹⁵ In the last two decades, the party system in J&K has been significantly transformed, as the fall of NC party's dominance gave rise to a multi-party system comprising three larger parties – People's Democratic Party (PDP), BJP, and INC and a group of smaller parties like CPIM, Panthers Party, People's Democratic Front (Secular), Peoples Conference (PC), and so on. One of the most important development has been the failure of NC as an essential nodal reference point of theoretical reflection and in the J&K state politics. It is the fact that NC has demonstrated that it is capable of recovering successfully and has witnessed the results of several assembly elections. However, it has ultimately been dismayed from the center on which the entire politics and hegemonies are focused.

Since the 2002 assembly election, the J&K state has seen a noticeable increase in political mobilization based on the social divisions on the grounds of identities, such as region, religion, caste, and so on. Fundamental to parliament government is the process of government formation. Since then, this process resulted in different coalition governments. However, because of hung assemblies, power-sharing has become a part of the game that can be labeled as 'coalition culture.' The performance

¹⁴ Luv Puri, "Jammu and Kashmir: Vote for Pluralism," *Economic and Political Weekly* 39, no. 22 (May 2004): 2200-2201.

¹⁵ Ajay K Mehra, ed., *Party System in India: Emerging Trajectories* (New Delhi: Lancer, 2013), 29.

of state-level parties is important for the quality of representation as well as control or governance.¹⁶ The advent of a multi-party system comprising new regional parties has played a key role in confronting the dominance of the NC and the centralization of power by Congress. In general, since the 2000s, J&K has seen a shift towards a multi-party system, that cannot be defined with a mention of the NC. Therefore, the J&K party system is the final product of a process that comprises many steps.

3.3 Three Phases of Party System in J&K

The party system in the J&K state is divided into three different phases/stages. The first stage that started in 1951 and went on until 1962 assembly elections, was characterized by the hegemony of the only party with practically no opposition. The second stage began in 1967 assembly elections and continued till 1996 assembly elections, was characterized by competition between various political parties and emergence of opposition. The third stage of party politics started in 2002 when the hegemony of a single party was challenged for the first time. Following are the three phases of the party system in J&K:

First, One-party National Conference hegemony or dominant system 1951-1962

Second, Two-party Congress-NC system 1967-1996, and

Third, Multi-party competitive system 2002-2014.

3.3.1 First Phase: One-Party National Conference Hegemony or Dominant System 1951-1962

This phase of the party system in J&K is caused due to two decades of escalation against the autocratic Hindu regime that existed before accession India, which has been substantially fortified by politically mobilizing all sections of society. In 1947, a charismatic leader, Sheikh Mohammad Abdullah led the states, then the biggest

¹⁶ Louise Tillin, "Regional resilience and national party system change: India's 2014 general elections in context," *Contemporary South Asia* 23, no. 2 (2015): 182.

and the most systematized political party called J&K NC.¹⁷ Party politics during that time should be followed in the context of the special constitutional status enjoyed by the state. This phase of the party system exhibited the phenomenon of uncontested returns and the tendency for a massive majority in favor of one party.¹⁸ The one-party dominant system phase is distinguished by the fact that when we speak of this phase it is always about NC. The first phase is also distinguished by an almost complete absence of competition in the party system.

Table 3.1
Assembly Elections: Contested and Uncontested Seats

Year	Total Seats	Contested Seats	Contested seat Percentage	Uncontested Seats	Uncontested Seat Percentage
1951	75	02	02.66	73	97.33
1957	75	32	42.66	43	57.33
1962	75	41	54.66	34	45.33

Source: Department of Information and Public Relations, J&K Government.

Same as all other states' legislative assembly elections, a single member, first-past-the-post electoral system was implemented even in J&K. The first three state assembly elections (1951, 1957, and 1962) were generally uncontested, and the majority of the seats were won by the NC (see table 3.1). The NC victory in the first three elections to the state assembly in the state serves as an apt illustration of one-party dominance. The NC maintained its position as a party, capturing most of the electoral space during this phase. During this period, the NC enjoyed unshared governmental power, and its legislative majorities were massive. It obtained around

¹⁷ Sumantra Bose, *Contested Lands: Israel-Palestine, Kashmir, Bosnia, Cyprus, and Sri Lanka* (Cambridge, Massachusetts, London, England: Harvard University Press, 2007), 166.

¹⁸ One party dominant system is not the one-party system, because it consists of more than one party but the main party will be in power uninterruptedly for a long period. Therefore, unlike the one-party system, the one-party dominant system is one that officially permits the existence of other parties.

94.66 percent of the seats in the first, second, and third legislative assembly elections based on the only plurality of votes as can be seen in table 3.2.¹⁹

As Baba argues, it was more a single-party state, at least in the Kashmir region, wherein an only political party participates or is permitted to participate in the elections.²⁰ Due to the hegemonic position of NC, this era can be termed as the time of single-party dominance (see table 3.2). However, no other party has been able so far to represent and reconcile the sharp ethno-regional diversity of the state. The J&K party system during that time can be referred to as a one-party dominance system. Rajni Kothari and Morris Jones conceptualized the earlier time of the Indian party system as the ‘Congress system’ and ‘one-party dominant system.’²¹ NC dominated free competition among political parties. However, competing parties played a rather dissimilar role in a competitive party system.²² This means the system was competitive as far as different political parties had the chance to participate freely. This phase can be conceptualized as a ‘National Conference system’ and ‘single-party dominant system’ respectively. Due to the overbearing, total dominance of the NC, it had an almost free run until 1967.

In the first legislative cum constituent assembly election of 1951, the NC won all the seats based on the uncontested elections. All the 43 seats allocated to the Kashmir region won by the NC candidates, unopposed. There was a presence of Praja

¹⁹ According to Sartori, the party becomes a predominant party if it wins absolute majorities in three consecutive elections clearly surpassing the absolute majority threshold, the electorate appears stabilized, and the interval is wide. The predominant party system is a type, not a class, criterion here is not a number of parties but a specific distribution of power among them. Thus, this system can either arise from a highly fragmented format, for example, the case of the Indian Congress party or from a two-party format (as in the limiting case of the American Solid South). Examples: Norway, Sweden, and Ireland. See for example, Giovanni Sartori, *Parties and Party Systems: A Framework for Analysis* (London: Cambridge University, 1976), 192-202.

²⁰ Noor Ahmad Baba, “Democracy and Governance in Kashmir,” in *The Parchment of Kashmir: History, Society, and Polity*, ed. Nyla Ali Khan (United States: Palgrave Macmillan, 2012), 107.

²¹ See W.H. Morris Jones, *Politics Mainly Indian* (Bombay: Orient Longman, 1978); Rajni Kothari, “The Congress System in India,” *Asian Survey IV*, no.12 (December 1964): 1164-1165.

²² Kothari, “The Congress System in India,” 1162.

Parishad, a Jammu based party, as an opposition, but the party boycotted the election as the nomination papers of its 13 candidates were rejected. It alleged the government's illegal practices and official interference. As Sumantra Bose writes, the Praja Parishad would have won a few seats in the legislative cum constituent assembly had a free election been conducted in Jammu.²³ The political system in J&K was in no way similar to systems where only one political party is allowed to contest the elections and establish a government. The system was a democratic one with free participation and open competition for power. About the election process in the state, Balbir Singh mentioned:

“In a fair election, there is no doubt that the Praja Parishad Party would have won a few seats from the Jammu region. Though this small victory would not have made any substantial difference to the political fortunes of the ruling National Conference party, it would certainly have strengthened the people's belief in the party as an instrument of democracy.”²⁴

Table 3.2
Assembly Elections: Ruling Party Seats

Year of Assembly Elections	The Ruling Party	Percentage of Seats
1951	NC	100.00
1957	NC	90.66
1962	NC	93.33

Source: Department of Information and Public Relations, J&K Government.

Sheikh Mohammad Abdullah, who was leading the party ever since its inception was terminated as prime minister and detained in 1953 under Public Security Act, and

²³ Sumantra Bose, *Kashmir: Roots of Conflict, Paths to Peace* (Cambridge: Harvard University Press, 2003), 57.

²⁴ Balbir Singh, *State Politics in India: Explorations in Political Processes in Jammu and Kashmir* (Delhi, Macmillan, 1982), 64.

the party was then led by Bakshi Ghulam Mohammad. From 1947 until his dismissal from office in 1953, Sheikh Abdullah controlled the J&K politics. The following NC governments exercised the same prerogatives of office to prevent the rise of any strong opposition.²⁵ The Praja Parishad challenged the dominant NC in the 1957 assembly elections but it could win only five seats. This time NC captured 68 seats that are 90.66 percent of the total number of seats in the contested in the state. In the Jammu region, the election was conducted for 20 out of 30 seats, in which the NC won 14 seats, and the Praja Parishad won 5 seats. Apart from these, there were two more members of the opposition, one candidate from Harijan Mandal – a party of ‘low caste’ Hindus – secured one seat and one Independent. The dominant NC captured the rest of the seats.

Table 3.3
Party Position:
1951, 1957 and 1962 Assembly Elections in J&K

Year of Assembly Elections	Seats Won by Political Parties					
	INC	NC	PP	Others	IND	Total Seats
1951		75	-	-	-	75
1957		68	05	01	01	75
1962		70	03		02	75

Source: Department of Information and Public Relations, J&K Government.

In 1957, as a split developed within the NC, G M Sadiq who led thirteen dissenting MLAs along with fifteen legislators formed a separate party called Democratic National Conference (DNC). However, in late 1960 the party leaders on the intervention of New Delhi – returned to the fold of NC. The hegemony of the happily reunited NC went on in the 1962 assembly election, wherein it won 70 out of 75 seats

²⁵ Sumit Ganguly, *The Crises in Kashmir: Portents of war, hopes of peace* (Cambridge: Woodrow Wilson Center Press and Cambridge University Press, 1997), 38.

of the state (see table 3.3). There were just three Praja Parishad members and two Independents in the opposition. Out of the total 43 constituencies in the Valley, 32 were elected unopposed. Out of these 32 seats, no other candidates filed nomination papers for 20 seats, in eight electoral districts the non-official candidates who had filed candidature, withdrew it prior to the voting day, and for the rest four seats, the papers of the non-official candidates were invalid.²⁶ The NC won 27 out of 30 seats in the Jammu region and won 41 of 43 seats in the Kashmir region, including two unopposed seats. The 1962 assembly election process was seen by the Indian media can be had from the following comment made by The Hindustan Times:

“In an unusually large number of constituencies - thirty-two out of forty-three (two) – there will be no work for the Election Commission... Something of the same kind happened in the last general elections; thirty-five National Conference candidates won without a contest. This would argue for distaste among Kashmiris for political contention, which is unique under democracy... How then did Bakshi Ghulam Mohammad achieve this happy state of affairs in Kashmir? Is it that the policies of his government are so universally accepted that we might as well replace in his domain the process of election by the process of acclamation?... Meanwhile, public confidence in the free and fair nature of elections in Jammu and Kashmir will be badly shaken unless there is a thoroughgoing investigation into the charges of malpractices.”²⁷

One of the critical limitations during this phase of the party system was a restricted nature of competition and an absence of politics of dissent and opposition. Apart from Praja Parishad, there was no effective opposition party in the state. Although opposition parties existed as small players in the state legislature and state politics, their activity was restricted to the politics of agitation. Though this was generally the

²⁶ Bose, *Kashmir: Roots of Conflict*, 77.

²⁷ See for instance, *The Hindustan Times*, February 12, 1962, cited in Singh, *State Politics in India*, 65-66.

scene for the whole J&K, it was much more so for the Kashmir Valley.²⁸ The national-level parties such as the INC and the Communist Party of India (CPI) do not operate in the state for quite some time; both Congress and CPI choose to operate through NC. It was a kind of negative role played by the INC in the politics of J&K, as described by the political analysts in Kashmir, like Gull Mohammad Wani.²⁹ Consequently, J&K has experienced the period when Congress, though not formally in power, they have nevertheless sought to influence politics in the name of defending the country's national integrity and secular constitutional order. Rekha Chowdhary writes that during the Bakshi's tenure, the NC had almost become a branch of the Congress.³⁰ In this substantive, since the first three elections from 1951 to 1962 fall under the first phase of the party system. The one-party dominance of the NC meant that the elections in this phase were not seriously competitive, as marked by uncontested and a low level of electoral participation.

3.3.2 Second Phase: Two-Party Congress-NC System 1967-1987

The second phase is marked by the nascent emergence of competition in the system and the seeds of the decline of the overbearing strength of the NC. This time of the party system exhibited the phenomenon of uncertainties and suspicions. The 1967 J&K assembly elections were a watershed in the state politics, which followed major structural changes in the political system, which led to a shift from a dominant one-party system to the competitive polity. The election indicated the beginning of a fall of the NC as the regional and state-level party. The overwhelming dominance of NC

²⁸ Rekha Chowdhary, Avineet Prashar and Paawan Vivek, *Elections in Jammu and Kashmir* (Jammu: Kashmir Times Publications, 2007), 8.

²⁹ During the 1950s, 60s, or 70s, the congress had the dubious distinction of being a political outsider, political untouchable and a party which in the public opinion was responsible for eroding the special autonomy of the J&K state and also creating a political culture of instability, imposing centrally sponsored governments, and also subverting the center-state political constitutional arrangement.

³⁰ Rekha Chowdhary and V Nagendra Rao, "Jammu and Kashmir: Political Alienation, Regional Divergence and Communal Polarisation," *Journal of Indian School of Political Economy* XV, nos. 1&2 (January-June 2003): 191.

eroded and lost the majority in the assembly. In 1967, the NC won only eight seats with about 20.44 percent of the vote and lost power in the state to Congress. However, the trend towards the uncontested seats continued during the starting of this phase. Near about 22 seats (33.29 percent) of the legislative assembly were returned unopposed during the 1967 election. Consequently, it is also characterized by the fundamental emergence of opposition to NC.

Congress candidates who were sponsored by the G M Sadiq-Mir Qasim group of the NC were elected unopposed in 22 of the Valley's 42 constituencies.³¹ Out of 22 uncontested seats, 21 seats were located in the Kashmir region, which means only fifty percent (21 out of 42) of the constituencies in the region went to poll.

Table 3.4
Party Position:
1967, 1972, 1977, 1983, 1987, 1996 Assembly Elections in J&K

Year of Assembly Elections	Seats Won by Political Parties							
	NC	INC	BJS	JNP	BJP	JMI	MUF	IND & Others
1967	08	61	03					03
1972	-*	58	03			05		09
1977	47	11		13		01		04
1983	46	25						04/01
1987	40	26			02		04	04
1996	57	07			08			02/13**

Source: Department of Information and Public Relations, J&K Government and Election Commission of India. *In 1972, the NC did not contest the elections as it was dissolved in a real sense and turned into a Congress unit. ** Out of 13 seats, 5 were bagged by Janata Dal, 4 by BSP, and 1 each by Panthers Party, CPM, JKAL, and Congress (T).

Till the mid-sixties, the NC remained the only effective and dominant political party of J&K, mainly in the Kashmir valley. The only opposition party that operated in the state was Praja Parishad, which was located in the Jammu region. It continued to

³¹ Bose, *Kashmir: Roots of Conflict*, 785.

operate till 1962 assembly elections and later was merged into the Bharatiya Jana Sangh (BJS). In retrospect, the 1967 election can be considered as a time of transition from one-party dominance to a dominant two-party system.³² A new chapter was initiated in state politics when a new opposition came into the picture during the 1967 assembly elections in the form of NC. There emerged in the J&K party system an opposition in the real sense of the term. The setback suffered by the NC in that election, demonstrated the vulnerability of the dominant NC to accept the reality of the two-party system, with the entrance of Congress in the state politics. Earlier Congress party did not operate in the state.

The nature of competition changed slightly during the 1967 elections. In 1965, the NC under the leadership of G M Sadiq was dissolved and merged with the INC. These undertakings mocked the principles and processes of democracy. However, Bakshi Ghulam Mohammad did not appreciate this decision and revived the NC. About twenty members of the legislative assembly supported him. Since then, for the first time, the J&K assembly had a presence of significant opposition. Consequently, Bakshi along with his group was reincorporated into the united NC.

The outcome of the 1967 assembly election increased the number of parties gaining seats with, however, leading to an alternation in power. As Mair suggests a transition in the party systems is to be understood mainly as a transition from one kind of party system into another,³³ then J&K represents the case of a state whose party system

³² The hallmark of a two-party system is the existence of two rivals who contest against each other and are so strongly supported that one or the other generally emerges as the victor in elections and form a government. However, one of the two parties may win few victories but its chief competitor always is in running and eventually succeeds to defeat its opponent. Sartori believes that two partyism must be assessed in terms of seats and not of electoral returns. However, in the Indian context, Yadav and Palshikar believe that one has to include the bipolar competition under this category, resulting from long-standing coalitions. He further talks about two plus competition, which involves a multi- with two main actors and one secondary actor. See for example, Yogendra Yadav and Suhas Palshikar, "Party System and Electoral Politics in the Indian States, 1952-2002: From Hegemony to Convergence," in *India's Political Parties*, ed. Peter Ronald deSouza and E. Sridharan (New Delhi: Sage Publications Pvt. Ltd, 2006), 83-84.

³³ See Peter Mair, *Party System Change: Approaches and Interpretations* (Oxford: Clarendon Press, 1997), 51-52.

has experienced many and fairly extensive changes throughout electoral politics. The INC dominated the elections, bagging more than 80 percent seats of the assembly. The NC contested the 1967 election and could win as many as eight seats as shown in table 3.4.

In the 1972 assembly election, when the Congress contested election under the leadership of Mir Qasim, its seat strength was somewhat lessened to 77 percent; however, that was mainly because of the significant number victories of independent candidates as they won 9 seats or 12 percent of total seats. In the absence of any serious opposition, when elections were held in 1972, Mir Qasim won with a comfortable majority.³⁴ This was the time when Plebiscite Front (PF), changing its strategy, declared that it would contest elections to legislative assembly due in 1972; however, it was not allowed to contest. PF an organization formed in August 1955 by Sheikh's followers after his dismissal, supported self-government through a plebiscite under the United Nations, backing the restoration of civil rights and unrestricted polls, and retreat of the military of both the nations from Kashmir, however, New Delhi did not allow the group's public gatherings and detained its front-runners.³⁵

However, Jamaati-Islami, a pro-Pakistani conservative religious group was encouraged to contest the election. It contested the elections for the first time. Jamaat had five representatives in the assembly, seemingly after a deal with the Mir Qasim that it would help resist the PF's pro-independence politics.³⁶ The opposition became visible to some extent and elections start becoming more competitive. Of the two opposition parties Jamaat-i-Islami, with its pro-Pakistani leanings, bagged as many as 5 seats and BJS could register its victory on three seats. Mirwaiz Maulvi

³⁴ Victoria Schofield, *Kashmir in Conflict: India, Pakistan and the Unending War* (London: I.B. Taurus, 2000), 121.

³⁵ Jyoti Bhushan Dasgupta, *Jammu and Kashmir* (The Hague, Netherlands: Martinus Nijhoff, 1968), 227.

³⁶ Bose, *Kashmir: Roots of Conflict*, 87.

Farooq, who had founded his own Awami Action Committee (AAC) in 1964, alleged rigging and manipulation. The dominance of a single party was to continue despite some competition and the rise of opposition. However, the hegemonic rule of the ruling party was over during the early second phase of the party system. One of the most surprising but unobserved features of the 1972 elections was the electoral performance of the independent candidates as they won 9 seats (see table 3.4).

After the elections, Mir Qasim and New Delhi began to ease several restrictions on his opponents. In 1972, the ban on the PF was lifted, which once more gave Sheikh Mohammad Abdullah a political platform.³⁷ In 1975, Sheikh Abdullah left his self-determination manifesto and revitalized the NC. The Congress government led by Mir Qasim had to resign in 1975 to make space for Sheikh, who was brought back to power by the center under Delhi accord between him and Mrs. Gandhi. The Congress, which had a strong majority in the assembly, had committed itself to give unconditional support to the government led by Sheikh Mohammad Abdullah later withdrew the support. Although, his return and the revival of the PF as the NC helped the cultivation of the impression of competitive politics in the state.

In the 1977 election, the competition was, in fact, three-cornered between NC, Congress, and the newly formed Janata Party (JNP). In 1977, Congress pulled out its support given to Sheikh, and the elections were held again in the summer of 1977. The 1977 election brought back the newly revived NC that captured a clear majority winning 47 of the total 76 assembly seats, which were the largest numbers in terms of both seats and votes. The NC was able to maintain its dominance-capturing majority of seats (61 percent) in the assembly. 24 seats were shared between Congress and JNP, though the JNP vanished out very soon, the competitive element remains continued. The Jamaat was able to win one seat as compared to five it had won in 1972. The party system during the late 1970s was a two-party system, with two strong parties like Congress and NC along with other smaller parties in the competition. Though these smaller parties were not strong enough to rise as an

³⁷ Schofield, *Kashmir in Conflict*, 122.

alternative to the two-party system, they ensured to keep the electoral space aggressive. The NC continued to win assembly elections after the return of Sheikh Mohammad Abdullah. This clear majority was though no indication of the return to the dominant system model. Many weaknesses that had crept into the NC party and it had lost its famed machine-like characteristics, albeit an important player in the system.

This assembly election, by all standards, remains one of the most competitive elections. As Balbir Singh states:

“It may be observed that the elections of the summer of 1977 were perhaps the only elections which were free and fair. These elections were conducted under the supervision of the Governor. Since the popular ministry had gone out of office, none of the contending parties, therefore, had the advantage of official patronage. Though Sheikh Abdullah was suddenly taken ill on the eve of the elections, his illness became an explosive election slogan for the National Conference party. The personal charisma of the Sheikh was enough to carry the party to a landslide victory.”³⁸

However, by this time, the party competition within the Kashmir and Jammu regions had become distinct. Though the NC still dominated the Kashmir region elections, the competition in the Jammu region had been amplified. The authoritative control of NC in the Kashmir region was evident as it won 39 of 42 seats from the region in the 1977 election. The Congress was wiped out in the Kashmir region, where the other three seats went to the JP (2 seats), an anti-Congress coalition at the Centre and JMI (1 seat). In the Jammu region, the seats were divided among multiple parties the JP won 11 seats, Congress 10 seats, NC 7 seats, and Independent candidates won 4 seats in the 1977 election. The June 1983 assembly election was aggressively contested with Indira Gandhi's Congress, which had come back to power in Delhi in 1980 after the JP coalition elected in 1977

³⁸ Singh, *State Politics in India*, 85-86.

general elections collapsed as a result of a split between the member parties.³⁹ Though the NC could emerge again as a dominant party by winning as many as 46 seats out of 76 seats, yet Congress emerged as a strong opposition capturing as many as 25 seats. The election was a two-way contest between Congress (I) and the NC.

By the early 1980s, party politics started developing an electoral divide on a regional basis, with the Congress drawing its support from the Jammu region and the NC from the Kashmir. This, in turn, increased the intensity of competition and unwittingly encouraged political mobilization on a regional and communal basis consequently leading to a highly polarized atmosphere.

The regional polarization of party politics was demonstrated in the 1983 elections. The Congress won as many as 23 seats out of 37 from Jammu region. The NC again triumphed, winning 38 of 42 seats (90 percent of seats) from the Kashmir region. However, NC won only 8 seats from the Jammu region and Congress bagged only 2 seats in the Kashmir region.

In 1982, the leadership vacuum in the state was caused due to the demise of Sheikh Abdullah was blatantly manipulated by chief administrative agencies, who shamelessly controlled the political developments in the state, particularly the polls.⁴⁰ While in 1984, the Congress party succeeded in overthrowing the Farooq Abdullah led NC government even when it had received a massive mandate in 1983. The Congress party dismissed the NC, after a poor spell in government. Farooq Abdullah was a political neophyte and he was not yet powerful enough to control the government and the organization.⁴¹ On the other hand, institutional structures in the state were weak and this made the newly introduced democracy in J&K

³⁹ Bose, *Kashmir: Roots of Conflict*, 90.

⁴⁰ Bashir Ahmed Dabla, "Sociological Dimensions and Implications of the Kashmir Problem," in *The Parchment of Kashmir: History, Society, and Polity*, ed. Nyla Ali Khan (United States: Palgrave Macmillan, 2012), 187.

⁴¹ Ganguly, *The Crises in Kashmir*, 80.

vulnerable.⁴² Congress supported the minority government of the NC defectors led by G. M Shah (Awami National Conference Party, ANC) that replaced the previous government. In the meanwhile, the G M Shah's government too was similarly terminated on 7 March 1986 as New Delhi decided to go in for an alliance with the NC.⁴³ G. M Shah's government was detested since the beginning and his time in power, which lasted until March 1986, brought institutional paralysis and political vacuum. Unfortunately, the NC could not sustain its anti-Congress stance for a long time. Farooq Abdullah was put back as the interim head of the Kashmir government in the latter half of 1986 as a part of the deal for the fresh elections due in March 1987.⁴⁴ As Talveen Singh mentions, suddenly, the impression of Farooq Abdullah was converted from hero to traitor in the mind of Kashmiris.⁴⁵ This affected the credibility, unity, and sense of identity of NC, the most significant and popular political party in the state.⁴⁶

The two-party competition transformed for some time when these two opposing parties formed an alliance. The nature of competition changed during this time as the two parties (Congress and NC), rather than competing against each other; they were fighting together on the same side. In 1987 assembly election, the Congress and the BJP arrived at a seat-sharing arrangement in the state that prevented the division of opposition votes.

The Jamaat that had been encouraged to enter the electoral politics to marginalize the influence of PF in 1972 was sufficiently marginalized after Sheikh Abdullah came

⁴² Sten Widmalm, *Kashmir in Comparative Perspective: Democracy and Violent Separatism in India* (London: Routledge Curzon), 61.

⁴³ Chowdhary, Avineet and Paawan, *Elections in Jammu and Kashmir*, 9-10.

⁴⁴ Bose, *Contested Lands*, 177.

⁴⁵ Talveen Singh, *Kashmir: A Tragedy of Errors* (New Delhi, 1995), 98.

⁴⁶ J. N. Dixit, *India-Pakistan in War and Peace* (London: Routledge, 2002), 79. MUF leaders denounced the Rajiv-Farooq accord, the crowds responded enthusiastically. See Inderjit Badhwar, "Jammu and Kashmir Assembly Poll: Rajiv-Farooq accord being tested by electoral fire," *India Today*, March 31, 1987.

into power. However, in the wake of changes that took place in the post-1983 period, the Jamaat launched a front of religious-political organizations.⁴⁷ An improvised coalition called the Muslim United Front (MUF), which brought together contrasting political groups with the only agenda of opposing New Delhi's egregious treatment of Kashmir for decades, came out to contest the 1987 election in opposition to the NC-Congress alliance.⁴⁸ The MUF, from the very beginning, brought the question of religion the main agenda of the election-related politics of the state.⁴⁹

The 1987 assembly election was very keenly contested between the NC-Congress alliance on the one hand and the MUF, on the other.

“As expected, the contest between the Muslim United Front and the National Conference was very keen. As against the 45.1 percent vote share of the National Conference (in the Kashmir region)... the Muslim United Front could poll 31.8 percent votes. Another 6.4 percent votes were secured by the Abdul Gani Lone's People's Conference that contested independently. However, in terms of electoral victories, the position was quite different. The National Conference-Congress Alliance swept the poll. It could capture as many as 38 out of 42 Assembly seats in the Valley – 32 for the National Conference and six for the Congress. The MUF could bag only four seats. The People's Conference could not win any seat.”⁵⁰

⁴⁷ The principle components of the Muslim United Front (MUF), were the Jammat-i-Islami, the Ummat-e-Islam, Anjumane Ittehad-ul-Musalmeen, the Islamic Study Circle, the Muslim Education Trust, the Muslim Welfare Society, Islamic Jammat-i-Tulba, Majlis Tahafazul ul-Islam, Mahaz-i-Azadi, Jamiat-ul-Hadis, Shia Rabita Committee, and Idara Tahqiqat Islami. See P. S. Verma, *Jammu and Kashmir at the Political Crossroads* (New Delhi: Vikas, 1994), 76.

⁴⁸ Bose, *Contested Lands*, 177-178.

⁴⁹ During the 1978 elections, the MUF emphasized on regional loyalty and cultural pride, helping it to entice many Kashmiri young people who felt isolated from other regional organizations. The MUF was an unwieldy coalition of non-mainstream, antiestablishment groups, and it continued to be a unstructured organization defended by various and stubborn political ideologies.

⁵⁰ Chowdhary and Rao, “Jammu and Kashmir: Political Alienation,” 194.

Their efforts and hopes were proved futile when they got just four seats and the bureaucracy and police at the command of the NC-Congress alliance that won 62 of the 76 seats at stake, blatantly rigged the election. According to a widely held estimate, the MUF was denied at least about five seats because of rigging.⁵¹ The controversy and debate that arose later had much to do with the performance of MUF in the election. As MUF could not win seats in proportion to the votes, it had obtained. The Indian news magazine recorded what happened in Kashmir in spring 1987:

“Its eyewitness report speaks of a pattern of ‘rigging and strong-arm tactics all over the Valley,’ of ‘massive booth capturing [forcible takeover of polling stations] by gangs,’ of ‘entire ballot-boxes pre-stamped in favor of NC,’ of numerous citizens ‘simply not being allowed to vote,’ and of government nominated supervisors ‘stopping the counting as soon as they saw opposition candidates taking a lead.’ Meanwhile, the bureaucrats and clerks administering the process ‘worked blatantly in favor of the NC-Congress alliance,’ and ‘the police refused to listen to any complaint.’ In an anticlimactic outcome, MUF won just four of seventy-six seats in the IJK assembly (although even according to the official count it won 32 percent of the vote). The NC-Congress alliance took an overwhelming majority - sixty-two seats - and formed the government.”⁵²

Therefore, Yadav and Palshikar argued that the election lacked popular legitimacy and was perceived as a show of strength by the Indian state.⁵³ The elections in J&K have suffered from allegations of fraud and unfairness. This fraud and unfair character of the election processes have been an important factor shaping the party system in the state. Disagreeing to the electoral verdict, the MUF and other opposition leaders pulled out of the politics and joined the stream of the

⁵¹ Mohammad Ishaq Khan, “Evolution of My Identity Vis-à-vis Islam and Kashmir,” in *The Parchment of Kashmir: History, Society, and Polity*, ed. Nyla Ali Khan (United States: Palgrave Macmillan, 2012), 29.

⁵² India Today, April 15, 1987, 40-43, cited in Bose, *Kashmir: Roots of Conflict*, 49.

⁵³ Yadav and Palshikar, “From Hegemony to Convergence,” 22.

secessionists and separatists. By the time, they developed a sense of disenchantment with the election-centered politics and the whole nature of the democratic structure. The stage was, thereafter, set for the militancy and insurgency. As Chowdhary writes:

“It was in this environment of mass discontent that the impact of militancy started being felt. By August 1989, the spate of killings and kidnappings had increased. The ruling political elite, especially the National Conference leaders, was targeted by the militants. So intense was the pressure built by the militants that the political process had to be suspended in early 1990. Not only Farooq Abdullah’s government resigned from power but the Legislative Assembly was also suspended. Finding it difficult to operate in his environment, political parties also suspended their activities in the Valley. For the next six years, no political activity could take place there.”⁵⁴

Allegedly fixed election of 1987 became a turning point in the state politics as they triggered hidden mutinous feelings in young residents of Kashmir, who raised weapons against the NC-Congress coalition provoking pro Azaadi opinions.⁵⁵ Since 1989, the Kashmiris have been living terrified of the gun of the militants or the Indian security forces.⁵⁶ The period of paralysis, violence, and uncertainties was the direct consequence of the NC setback in the 1967 elections, which brought the Congress government into the office and left the end to the NC hegemony in the state. In January 1990, the state legislative assembly of J&K was adjourned and the Governor’s rule, followed by President’s rule was brought into force in the state. After six long years, the situation underwent some change as the sense of tiredness overcame people in the Valley and the yearning for normalcy and harmony became greater. In the year 1996, the Indian government attempted to stabilize and

⁵⁴ Chowdhary and Rao, “Jammu and Kashmir: Political Alienation,” 195.

⁵⁵ Tanya Mohan, “Elections in Kashmir: Challenges and opportunities,” *Strategic Analysis* 26, no. 3 (July-September 2002): 447.

⁵⁶ Schofield, *Kashmir in Conflict*, 182.

normalize the situation in the state. With regard to the post-1989 period, Devendra Singh Rana of NC argues that:

*'Primarily if you look at 1996, that was the most difficult time. That was the time when nobody was ready from the mainstream parties to come and be a part of the democratic process. Because then, Farooq Abdullah was requested and cajoled by all the political parties of the country and despite not much support from within the party took a very historic decision to contest the elections and lead J&K out of the morass.'*⁵⁷

Finally, the assembly elections were held between September 7 and 30, 1996, showed comprehensive participation with a large number of participants willing to fight elections. The NC under the leadership of Farooq Abdullah won a pivotal victory in the state.

After the 1996 elections, the ruling NC came back to the dominant position which the united NC enjoyed in the state from 1951 to 1962. The NC emerged as a dominant party in the legislative assembly, securing as many as 57 seats in the house of 87. By winning 40 out of 46 seats of the Kashmir region during the 1996 assembly elections, the NC could continue its authoritative role in the region.⁵⁸ The rest of the seats in the Kashmir region were shared among Congress (02), Janata Dal (01), CPM (01), Jammu and Kashmir Awami League (JKAL) (01), and Independent candidate (01).

By then, the electoral space in the Jammu region had become more fragmented with seats dispersed among NC (14), BJP (08), Congress (04), BSP (04), Janata Dal (04), Panthers Party (01), Congress (T) (01), and Independent candidate 1 seat. A plural and fragmented response were visible in the Jammu region. The performance of NC in the region was remarkable as compared to the previous two assembly elections.

⁵⁷ Personal Interview with JKNC Provincial President Devendra Singh Rana, Jammu, January 14, 2017.

⁵⁸ In the Kashmir region, the National Conference had fielded candidates in 44 constituencies only.

Besides the Jammu region, the NC emerged as a dominant party in the Ladakh capturing three of the four seats. For the first time NC won in all three regions, the Congress party's seats, however, were reduced from 26 to seven. The performance of BJP in Jammu region was also unprecedented.

3.3.3 Third Phase: Multi-Party Competitive System 2002-2014

The first assembly election in J&K was held in September-October 1951 and the last in September-October 1996. Despite its contested legitimacy, the last state assembly election was an important turning point in Kashmir. The elections boosted the confidence of the people by restoring "the democratic process to a considerable extent."⁵⁹ Elections were only a device for empowering the Kashmiris to make their own political choices. Electoral politics remained contested and existed alongside the politics of separatism during this phase of the party system.⁶⁰ Unlike the past assembly elections, which were seen to be coerced and unfair, the 2002 elections were free from the intervention of the security forces. In the end, the elections unlike in the past did not carry the burden of being manipulated and were largely praised for being fair even though not entirely fair. There were also no significant allegations of rigging.

Though the national party system in India has gone through a significant transformation since the 1989 general elections, the changes in the party system at the state level vary from state to state. States have developed diverse political characteristics including the local leadership patterns, social configurations peculiar to each state, and the political history of the states or regions.⁶¹ As Chhibber argued that though there existed a common electoral law, there were no analogous party

⁵⁹ Amitabh Mattoo, "The J&K Elections and After," *The Hindu*, February 3, 2009.

⁶⁰ Rekha Chowdhary and V Nagendra Rao, "Jammu and Kashmir: Electoral Politics in a Separatist Context," *Economic and Political Weekly* 39, no. 51 (December 2004): 5449.

⁶¹ Yogendra Yadav and Suhas Palshikar, "Ten Thesis on State Politics in India," *Seminar* 591, (November 2008): 14-22.

systems in the states. For example, there is a strong two-party competition in some states, while others exhibit a multi-party system.⁶² The total number of functioning parties in the state assembly determines its party system. States have developed as a valuable arena of political choice that varies from state to state.⁶³ The predominant party system in J&K, which existed since 1951, gave way to open multi-party competition in the state.⁶⁴ In response to NC dominance (along with Congress since 1967 assembly election), anti-NC forces slowly emerged and started growing, strengthening non-NC-Congress space at the regional and state level. The state has moved a long way from the old NC-Congress scenario and entered a multi-party system.

However, the immediate causes of the J&K states shift to coalition government are connected to the decline of the NC; the longer-term causes are more complex. As the fall of Congress as a national party continued in the state, BJP emerged as a competitor and a choice as the national party, particularly in the Jammu region. New regional forces started challenging the NC-Congress dominance successfully at the sub-regional level from 2002. This has resulted in many non-NC coalition governments. The inability of an NC-Congress to win a clear majority helped new regional and national forces to become important partners in power-sharing governments.

Regional parties have always occupied an important place in J&K politics, but that politics has grown much larger since 2002, with the emergence of new regional parties. However, the change in party system to real competitive multi-party system

⁶² Pradeep Chhibber and Irfan Nooruddin, "Do Party System Count? The Number of Parties and Government Performance in the Indian States," *Comparative Political Studies* 37, no. 2 (March 2004): 153-154.

⁶³ Yadav and Palshikar, "Ten Thesis on State Politics in India," 14-22.

⁶⁴ Moderate or limited pluralism is a type of multi-party system which encompasses three, four, or five relevant parties. This system is demarcated, at one boundary, by the two-party systems and at the other, by polarized or extreme pluralism. The coalition government is the major distinguishing characteristic of limited pluralism. The structure of limited pluralism remains bipolar, which means instead of only two parties we usually find bipolar arrangements of alternative coalitions.

improved the chances of the minor parties and independents from gaining representation in the state assembly during this phase of the party system. This move from one-party majority to power-sharing or coalition government encouraged political leaders to form or join regional parties that can prove vital to forming a government both at the state and the national level.⁶⁵ Several initiatives by the New Delhi government to initiate a dialogue made a little headway. During the 2002 state assembly elections, the New Delhi tried to persuade the Hurriyat Conference to contest elections. However, the HC was under terrific pressure from the United Jihad council to announce a boycott.⁶⁶

Table 3.5
Party Position:
2002, 2008 and 2014 Assembly Elections in J&K

Seats Won by Political Parties			
Parties	2002	2008	2014
JKNC	28	28	15
INC	20	17	12
BJP	01	11	25
PDP	16	21	28
CPM	02	01	01
JKPP	04	03	-
JKPC	-	-	02
IND	13	04	04
Others	03	02	-
Total Seats	87	87	87

Source: Election Commission of India.

⁶⁵ Ziegfeld, "Coalition Government and Party System Change," 69.

⁶⁶ Navnita Chadha Behera, *Demystifying Kashmir* (Washington, D. C: Brookings Institution Press, 2006), 53.

Since the 2002 election, the J&K party system has moved rapidly to what has now been characterized as a competitive multi-party system. The rising of fragmentation in the party system and the inability of one party to control a majority in the state legislature led to a major change in the formula for government formation. Adeney and Swenden have said that the disintegration of the one-party system from one-party dominance helped to strengthen the consociational traits of India's federal system.”⁶⁷ In the same way, a shift from single-party dominance to a multi-party system played a significant role in bringing power-sharing traits in the state. Whereas single-party majority governments had been in power during the 1951-1996 period, J&K had its first experience with the real coalition or power-sharing government in 2002. Contrasting all the assembly elections that happened in the state before 2002, the 2002 assembly elections brought a new government by properly carrying out the electoral process.⁶⁸ They heralded the relative decline of the NC and the rise of new regional parties. The fall of one-party dominance and the rise of the PDP or other smaller parties led to vigorously contested elections and have had a positive effect on the competition. Yogendra Yadav argues that these developments represent the political empowerment of traditionally marginalized social groups to reflect positively on the vibrancy of political entrepreneurship.⁶⁹

From 1951 to 1996, when J&K had a one-party or two-party system wherein a party with the majority of seats formed a government. However, the 2002 assembly election pronounced a move to moderate pluralism caused due to the increased fragmentation, the difference of the ideologies between different parties, and the establishment of coalition governments. The electoral scenario during this phase

⁶⁷ Katharine Adeney and Wilfried Swenden, “Power-Sharing in the World’s Largest Democracy: Informal Consociationalism in India (and Its Decline?),” *Swiss Political Science Review* (July 2019): 1-26.

⁶⁸ Baba, “Democracy and Governance in Kashmir,” 113.

⁶⁹ Yogendra Yadav, “Electoral Politics in the Time of Change: India’s Third Electoral System, 1989-99,” *Economic and Political Weekly* 34, no. 34-35 (August 1999): 2393-2399.

visibly manifests that the electoral space had become very aggressive, thereby growing highly volatile.

Earlier the NC dominant system was a point of attraction for many observers, but many today it seems convinced that the rise of coalition politics in itself augurs well for democracy. Thus, the 2000s mark the beginning of the era of coalition politics in J&K. Initially, in 2002, the PDP and Congress collaborated to form a government, then the NC and Congress parties got together and formed a government and in 2014, the PDP and BJP formed a very vibrant coalition government. Though the three coalition governments, to some extent, gave a synthetic shape of multi-polarity to political competition in the state, however, it is more complicated than what it appears to be. Yet, almost every party has tried to achieve power in the state on its own. However, the post-electoral coalitions or power-sharing arrangements have remained operational despite all tensions and differences between the parties. All the governments formed since 2002 have been power-sharing governments, making NC-Congress dominance the thing of the past. Since then, political parties have found it challenging to expand their base simultaneously and, at the same time share power with their opponents and/or likeminded parties. The key competitors in the 2002 assembly elections were the ruling party NC, India's ruling party BJP and the Congress. Besides, the PDP – a new state-based party, led by former Union Home Minister, Mufti Mohammad Sayeed, participated in the election with other different small parties.

In 2002, a new trend began in the party system when the supremacy of the one-party majority in the assembly was contested for the first time. It was during 2002 assembly elections that coalitional politics came to substitute for the phenomenon of dominance by a single party in the state.⁷⁰ Then, the most important change was the advent of the new Kashmir based party PDP that fragmented the electoral space in the state. The political void developed due to the decline of NC and many other

⁷⁰ Chowdhary and Rao, "Jammu and Kashmir: Electoral Politics in a Separatist Context," 5450.

causes gave rise to new regional forces. The election was sharply contested for a total of 87 seats. It was necessary to secure at least 44 seats to gain an absolute majority in the assembly, a number the NC and the Congress would have easily achieved during the previous elections.

Giving a tough opposition to the NC, the PDP won 16 seats with 24.52 percent votes in its favor. Though PDP secured the second-highest percentage of votes in the Kashmir region, it had not much influence in other regions of the state. Although the NC came out as the single largest party, forming a government with the number of seats it obtained (28 seats, see table 3.5) was troublesome for it. In the Kashmir region, the majority of seats were captured by PDP while the NC strength secured just 18 seats. The other smaller political parties also could achieve a few numbers. 5 seats were captured by the Congress, 2 seats by CPM, 1 seat by JKAL, and independent candidates bagged four seats. Jammu region's electoral space was fragmented as in the past, here, Congress won 5 seats, NC 9 seats, Panthers Party 4 seats, and one seat each by BJP, BSP, and DM, and Independents captured 5 seats. As compared to the past elections, the 2002 assembly election registered a much lower voter turnout (43.70 percent). There are two reasons for the lower voter out, first, before the election, the militant organizations and separatist leaders had given the call for a boycott of elections, second, militants used the violence during the election to intimidate the voters.⁷¹

In 2008 assembly elections, the earlier trend continued as no party could obtain a majority in the assembly. The NC was not able to restore the dominance it had before the 2002 assembly election. The NC emerged as the largest party in the 2008 assembly election, however, as it did not obtain the number necessary to prove a majority, it had not returned to its dominant position it enjoyed before 2002 (see table 3.5). The elections saw a high voter turnout of more than 60 percent, which many saw as an expression of Kashmiris' desire for better governance, despite

⁷¹ Chowdhary, Avineet and Paawan, *Elections in Jammu and Kashmir*, 58-62.

boycott calls by the separatists who assumed that the election would strengthen New Delhi's hold in the valley.

Like the 2002 and 2008 assembly election, the 2014 assembly election was also characterized by fierce competition. Earlier, for instance, from the very beginning, PDP was seen as a party limited to Kashmir while BJP was considered to be a party limited to Jammu. However, now both these parties have aspired to change their images to all-state parties. The entry of the former separatist organization, the People's Conference (PC) made this election unique. Although this party has been its presence in the past elections as well, it was a mere proxy. During the 2014 assembly election, the PC directly contested the election and managed to win two seats as shown in table 3.5.

In the 2014 assembly election, the BJP became the second-largest party in the state legislature with 25 seats. It was a significant achievement for the BJP as it did not have a solid base in the state and was considered as a weaker player in state politics until the 2014 assembly election. Although it did not come even close to the clear majority, it did change the political equations in J&K. The NC was trounced, plunged to its then lowest tally of 15 seats.

During this phase, both regional and national parties decided to contest the elections on their own, assuming that they would play a more important post-election role in government formation. These included Congress, BJP, NC, PDP, CPM, PDF, PP, JKDPN, JKAL, and PC. It is evident that during this period, political parties focused more on the post-election arrangements than the pre-election preparations. The national parties such as the Congress and the BJP, representing mainly the Jammu region, have continued to be an important factor in the government similar to a kingmaker with support from New Delhi. In terms of pattern, since 2002, anti-incumbency is the norm in J&K, particularly about regional parties as compared with national parties. In short, the strong multi-party competition and fragmented electoral space are, therefore, the hallmark of the third era of the party system.

3.4 Conclusion

The shift from a dominant single-party majority government to a coalition government brought about the power-sharing governments in J&K since the 2002 assembly elections. Therefore, the party system has changed from the dominant and hegemonic one-party system to a multi-party system with more than three parties competing for power and power being alternated between two combinations of parties. This shift can occur within the context of highly competitive party systems, changes from one party hegemonic rule to power-sharing governments often occur along with the demise of dominant party systems, as in J&K. The observation of J&K state of affairs suggests that the decline of dominant parties like NC can trigger party system fragmentation if the end of one-party dominance involves a swift shift to coalition governments. In short, the motive of this chapter was to analyze how the party system changes from single-party control to multi-party systems.

Chapter 4

Power Sharing and Coalition Politics: National and Regional Political Parties

4.1 Introduction

The layout of this chapter is as follows. The first section briefly talks about power-sharing and coalition politics. The second section highlights the benefits of power-sharing to political parties. The third section looks at the power-sharing and the 2002 assembly election and Peoples Democratic Party (PDP)-Congress coalition. The fourth section looks at the 2008 assembly election and National Conference (NC)-Congress coalition. The fifth section focusses on the 2014 assembly election and PDP-Bharatiya Janata Party (BJP) coalition. The sixth section deals with the travails of power-sharing. The final section puts forward the summary of the chapter.

Power-sharing in government refers to ensure that no group, region, and no people, suffer the policies that are seriously detrimental to their interests. It refers to an inclusive government in which decision-making power is shared between the parties in a given political situation. In other words, we can say that it has also been promoted as a way to prevent conflict and to build more successful democracies.¹ Power-sharing governments promote peace and ease tensions. As Norris argues that, "power-sharing as one of the most promising avenues towards lasting peace-settlements and sustainable democracy."²

¹ See Arend Lijphart, *Democracy in Plural Societies: A Comparative Exploration* (New Haven, CT: Yale University Press, 1977).

² Pippa Norris, *Driving Democracy: Do Power-Sharing Institutions Work?* (New York: Cambridge University Press, 2008), 223.

At the outset, the state of J&K's status as a different constituent unit within a federal union of India has evolved as an evident case of power-sharing.³ The process of Indian federalization has had several vicissitudes in J&K since independence. It had a perfect start when a Muslim majority state, which had all communication outlets and long borders with Pakistan, chose to accede to India. The process suffered a dramatic adverse in 1953, continued to deteriorate, and reached its nadir in 1965.⁴ In many cases, federalism and democracy can satisfy the urge for self-determination better than independence and secession.⁵ The electoral process in the J&K highlights the character of the state as a microcosm of the diverse nation with the widest possible diversity that is the base of Indian unity.⁶ However, I would like to suggest here that it is likely to think of government and politics in J&K, especially since 2002, in terms of bearing significant power-sharing features. Let us begin with what Lijphart regards, as the most notable feature of consociationalism is government by a power-sharing coalition. Since the 2002 assembly election, when PDP-Congress administration of Mufti Mohammad Sayeed and Ghulam Nabi Azad came to power with the support of a handful of independents, all the governments of J&K have been coalition governments. So far, the national parties in J&K have failed to provide a well-balanced party system as in other states of the Indian union. Only governments that are transparent, accountable and representative of not just majority sentiments but also a cross-section of opinions can take the real essence of

³ The state of Jammu and Kashmir is an amalgam of peoples of diverse ethno linguistic and religious background. Indian administered Kashmir consists of three core areas namely, the Kashmir Valley (or Vale), Jammu and Ladakh. The Kashmir Valley is overwhelmingly Muslim, Jammu is mainly Hindu, and Ladakh is mainly Buddhist.

⁴ Balraj Puri, "Problems and Prospects of Federalization: The Case of Jammu and Kashmir," *Economic and Political Weekly* 16, no. 20 (May 1981): 895-987.

⁵ Balraj Puri, "Sovereignty, Territorial Integrity and Right of Self-Determination," *Economic and Political Weekly*, 36, no. 04 (January 27, 2001): 1-4.

⁶ Luv Puri, "Jammu and Kashmir: Vote for Pluralism," *Economic and Political Weekly* 39, no. 22 (May 2004): 2200-2201.

democracy. They reflect the contemporary principles of co-existence and accommodation.⁷ However, in a state like J&K with its very complex dynamics of diversity, this necessity can be satisfied by organizations of governance that are essentially federal in principal and nature as well as encourage regional functional autonomy at the grassroots level to satisfy the regional, linguistic, religious and ethnic aspirations of its masses besides accommodating diverse shades of political views. The representation of diverse people is also fulfilled through the model of power-sharing governments, depending on the basis of such coalitions – sheer convenience or political ideology. As in a democracy, the opinions of masses must be voiced, and there certainly is no empirical evidence to show the prominence of majoritarian governments nor prove the failure of power-sharing coalition governments.

Coalition politics in J&K is more prevalent than any other state in the country. However, it has not been explored and discussed properly in the study of J&K politics. There is no such scholarly work on the same as the whole focus of J&K politics rotates around the conflict between India and its neighbor Pakistan. The state has a brief history of a coalition government and often much stable as single majority governments. Before the PDP's debut in the assembly elections in 2002, the NC and Congress have dominated the state's politics. Ever since, the state has not had a single-party government.⁸ As mentioned by the Tsebelis, political parties belonging to the left or the right political spectrum will be competent to form the government with strong agenda-setting institutions in case there is no single-party

⁷ Anuradha Bhasin Jamwal, "Single Party Versus Coalitions is a Flawed Debate," *Kashmir Times*, January 13, 2019.

⁸ Earlier also there was an alliance between the Congress and the National Conference, but it was Congress who kept on putting pressure upon the National Conference to enter into alliance with it. Ever since the death of Sheik Abdullah, his son Farooq Abdullah was pressurized by the central leadership to align with the Congress. One of the main factors that contributed to such a decision of the party was its ouster from power in 1984 because of political maneuvering by the Congress party in the center.

majority to govern the country.⁹ In contemporary J&K, no political party has been able to represent and reconcile its internal diversity. Even the NC has failed to expand its regional base in the Kashmir region. Much research has explored the reasons behind NC's electoral decline, focusing mainly on its inability to accommodate the demands of rising separatists, especially in the Kashmir region. Therefore, the model of power-sharing can be a useful device to accommodate the diversity of the state. In short, we can claim that coalition formation is modeled as a cooperative game.¹⁰ Coalitions can act as a means for power-sharing among the distinct parties to govern the state through cooperation with each other.

After the onset of the power-sharing era in the state, the Jammu region got tangible visibility in the politics of power; however, regional discrimination has always been the central issue in the politics of Kashmir. Mainstream political parties in Kashmir contend that there is a regional disparity only in one place (referring to the Kashmir region). "Kashmir centric" power politics, "regional discrimination," and "regional imbalances" were the key idioms used by Jammu based political parties and organizations to mobilize political support.¹¹ They are always nursing a complaint against what its people remark to be "Kashmiri raj" in which they had been discriminated against. Just like Kashmiris opposed the "Dogra raj" before independence.

There is a contrary view about the regional discrimination in all the three regions of the state, for example, Engineer Rashid, while commenting on the issue said, 'Jammu has taken everything. I do not mean the whole Jammu province; I mean only two and a half kilometers of Jammu city. There are disparity and discrimination

⁹ George Tsebelis and Eunyong Ha, "Coalition Theory: A Veto Player's Approach," *European Political Science Review* 6, no.3 (August 2014): 331-357.

¹⁰ See Itai Sened, "A Model of Coalition Formation: Theory and Evidence," *The Journal of Politics* 58, no. 2 (May 1996): 350-372.

¹¹ Rekha Chowdhary, "Identity Politics and Regional Polarization in J&K," *Economic and Political Weekly* 45, no. 19 (May 2010): 15-20.

with the people of Chenab valley and Pir Panchal along with Valley, which has always been on the boil and ignored very often.¹² Rana also argued that there are allegations and counter-allegations with regard to regional disparities.¹³ That is the reason most of the political parties in Jammu proposed a certain kind of power-sharing between the three regions on an equal basis, where all three major regions have representation in the government.¹⁴

Power-sharing governments aim at providing equal developmental opportunities to all the regions of the state.¹⁵ Balraj Puri once said that I assured Indira Gandhi that Sheikh's commitment to regional autonomy would only satisfy the masses of the Jammu region. As there was a strong demand for regional autonomy in Jammu during the late 1950s and 60s. He argued that this could provide a lasting solution of good relations between Jammu and Kashmir regions, and to the Kashmir issue. Even a group of around one hundred citizens of the Jammu region said, "We demand regional autonomy for Jammu within the framework of the state to promote friendly relations between its principal regions and make its politics healthier and more secular."¹⁶ On the other hand, the Plebiscite front has urged the merger of the Muslim dominated area of Jammu with the Kashmir region, to keep it away from an autonomous Jammu. However, since the emergence of power-sharing governments, the demand for regional autonomy was decreased as all the three regions of the state got their due share and representation in the government. Power-sharing helps in bringing all the three regions of the state together through the means of coalition politics.

¹² Interview with Chairman Awami Ittihad Party (AIP) and an Independent MLA Engineer Sheikh Abdul Rashid, Jammu, January 16, 2017.

¹³ Interview with JKNC Provincial President Devendra Singh Rana, Jammu, January 14, 2017.

¹⁴ Interview with BJP State Spokesperson Professor Varendra Singh, Jammu, January 5, 2017.

¹⁵ Personal Interview with the BJP State General Secretary Ashok Koul, Jammu, January 5, 2017.

¹⁶ See Balraj Puri, "Region versus Religion," *Economic and Political Weekly* 2, no. 33-35 (August 1967).

In power-sharing small parties and groups mostly decide to stick with the system or electoral game than withdrawing support or resorting to ethnic or armed violence. Sridharan argued that the factor contributing to the strengthening of democracy is power-sharing arrangements, which is socially progressing and politically consolidating.¹⁷ Therefore, the power-sharing system not only accommodates but also responds to specific minority demands and questions. Thus in multi-ethnic societies, with power-sharing governments, the role of the regional political parties can be significant in providing the neglected groups and regions more voice in the state politics as well as creating more consensual outcomes.¹⁸ Regional political parties are conventionally considered to have originated from the social cleavages based on regions. Thus, the role of such parties becomes critical where the distinct interests and concerns of certain regions and sub-regions of a state are not addressed sufficiently by the existing political parties.¹⁹

4.2 Power Sharing and its Benefits

At the outset, the process of coalition formation in real-world party systems is constrained by party norms, beliefs, and ideology.²⁰ However, the advent of power-sharing led to the rise of small and regional parties because power-sharing prominently increased the benefits associated with establishing and joining a regional or small party. The number of parties coming together can influence the party system by determining the payoffs associated with membership in small and large parties. As Ziegfeld argued that regional parties mostly sat on the sidelines of

¹⁷ See E. Sridharan, *Coalition Politics and Democratic Consolidation in Asia* (New Delhi: Oxford University Press, 2012).

¹⁸ See Lijphart, *Democracy in Plural Societies*, 1977.

¹⁹ See Dawn Brancati, "The Origins and Strengths of Regional Parties," *British Journal of Political Science* 38, no. 1 (January 2008): 135-159.

²⁰ Charles Lees, "The Grand Coalition and the Party System," *German Politics* 19 no. 3-4 (November 2010): 322.

national politics during the era of a single-party majority government, but since the beginning of the coalition era, they have been critical to the formation of national governments.²¹ Participation in state-level government has enhanced the payoffs to leaders of small parties and independent leaders by offering them ministerial berths and increased funds from the state and central government.

First, the most obvious benefit associated with power-sharing is cabinet representation. Ministers in the cabinet offer policymaking influence, the opportunity for prestige, illegal gains, and resources that can possibly help a political party or independents expand its network of clients and supporters.

Second, power-sharing provides different parties and independent leaders with the possibility of extra financial resources from the government. This acts as a means for small parties and independents to join the government through which they can demand more funds for their respective constituencies. Prior to the power-sharing era, politicized governmental transfers benefited only the single largest party in the state. Since the power-sharing era began, state governments formed by different parties under the power-sharing agreement have benefited several parties in the agreement. As Rodden and Wilkinson argued that, "the states in which the pivotal coalition-forming parties' partners are based receive disproportionate allocations. The same is true of the states that have relatively large numbers of legislators belonging to parties that are supporting the coalition from the outside."²²

Third, since the beginning of a power-sharing era, state governments headed by the combination of national, regional, and small parties along with few independents, enhances the representation of different groups, religions, sects, regions, and sub-regions. However, Strom believed that government creation could be fruitfully

²¹ Adam Ziegfeld, "Coalition Government and Party System Change: Explaining the Rise of Regional Political Parties in India," *Comparative Politics* 45, no. 1 (October 2012): 76.

²² Jonathan Rodden and Steven Wilkinson, "The Shifting Political Economy of Redistribution in the Indian Federation," Paper presented at the annual meeting of the *International Society for New Institutional Economics*, Tucson, AZ, (September 30 – October 3, 2004): 27.

understood as a moderately high stakes game played by a few numbers of well-informed and qualified party leaders.²³ Earlier several groups and sub-regions did not get the due representation in the government because of single-party majority governments.

Finally, one of the key advantages of a power-sharing government is that it has to share a majority, and this leads to broader political participation, as the two or more parties have to negotiate on their conflicting ideologies to create policies and guidelines that result in legislation.²⁴

4.3 Power-Sharing: The 2002 Assembly Election and the People's Democratic Party (PDP) – Congress Coalition

The 2002 assembly election reflected a major shift in party politics. The main point of this shift was the emergence of PDP, an alternative region-based party of Kashmir that challenged the dominant role of the NC and made the electoral space more competitive.²⁵ NC's loss of the hegemonic space in the Valley also led to its loss of dominance in the politics of the state. J&K's tryst with power-sharing coalitions came after the 2002 assembly elections.²⁶ It was a highly fragmented verdict in the 2002 assembly elections, besides the three major parties like the NC, Congress, and PDP; there was the presence of several other parties like the BJP, the Panthers Party (JKNPP) and the CPM. The free and fair elections in the state helped in building

²³ See Kaare Strom, "Deferred Gratification and Minority Governments in Scandinavia," *Legislative Studies Quarterly* 11, no. 4 (November 1986): 583-605.

²⁴ Philip Lynch and Paul Fairclough, *UK Government and Politics* (United Kingdom: Hachette, 2010), 76.

²⁵ Rekha Chowdhary, *Jammu and Kashmir 1990 and Beyond: Competitive Politics in the Shadow of Separatism* (New Delhi: Sage Publications, 2019), 174-175.

²⁶ These elections were different from those previously held in the state was that nearly all political parties, independent candidates, non-governmental groups, human rights activists, media and most importantly, the international community, appreciated the credibility of the elections and the results that followed it.

confidence in the electoral processes and institutions to a great extent.²⁷ Therefore, the election left a mark in the antiquity of electoral politics of the state, for establishing, the significance of popular participation (making and unmaking of government by the ballot rather than through central interference) had already asserted the existence of such democratic spaces.²⁸ This election has facilitated a more federal relationship, instead of one in which the union government exercises direct rule or rule by proxy.²⁹ Thus, after the long militant violence of 14 years, the urge for normalcy in the region has led to the change in the attitude and approach towards the process of political governance. By the end of the Assembly elections in 2002, the political and electoral processes of the governance had already found certain legitimate significant space in the politics of J&K. People began to connect themselves with the politics of governance without having any contradiction towards the secessionist sentiment.

The J&K electorate, in the 2002 Assembly elections, elected an assembly with no single-party majority. Thus, the prospect of a formal power-sharing coalition came into the picture for the first time when no single party was able to claim the majority (44 seats) to form the government (see Table 4.1). The Congress and PDP began negotiations towards a power-sharing coalition government. The PDP and the Congress won a combined 36 seats, and thus, Sonia Gandhi of the Congress and

²⁷ Till now, the formation of state government and its sustenance in power was extremely dependent on the support of the central government rather than the mandate of the people. See, for example, Rekha Chowdhary, "Electoral Politics in the Context of Separatism and Political Divergence: An Analysis of 2009 Parliamentary Elections in Jammu and Kashmir," *South Asian Multidisciplinary Academic Journal* 3, (2009).

²⁸ Rekha Chowdhary and V Nagendra Rao, "Jammu and Kashmir: Electoral Politics in a Separatist Context," *Economic and Political Weekly* 39, no. 51 (December 2004): 5449-5455.

²⁹ Rafiq Dossani and Srinidhi Vijaykumar, "Indian Federalism and the Conduct of Foreign Policy in Border States: State Participation and Central Accommodation Since 1990," in *Shaping India's Foreign Policy: People, Politics, and Place*, ed. Amitabh Mattoo and Happymon Jacob (New Delhi: Har-Anand Publications, 2010), 186.

Mufti Mohammad Sayeed of the PDP agreed to form a formal power-sharing coalition government for the very first time.³⁰

Table 4.1
J&K Assembly Elections 2002:
Total Seats 87: Turnout 43.70 Percent

Party	Seats Won	Percentage of Seats
NC	28	32.18
INC	20	22.98
PDP	16	18.39
JKNPP	04	4.59
CPM	02	2.29
BJP	01	1.14
BSP	01	1.14
DM	01	1.14
JKAL	01	1.14
IND	13	14.94
Total	87	-

Source: Election Commission of India.

It was seen as a development that has elevated hopes for progress and development in settling the conflict. The competitive nature of the regional politics in the state eventually led to certain major changes in the fundamental structure of power politics within the state. The significant aspect of the post-2002 scenario of power-sharing politics is that it represents all the regions and thus, leads to the new patterns both of electoral verdict as well as of power-sharing. These arrangements reflected more democratization of the power politics in the state. Thus, the PDP has its strong base in Kashmir, and the Congress in Jammu created a perfect regional political balance. Almost in all the three power-sharing governments since 2002, there had been a broader base for such a government where one party of the alliance

³⁰ K. Alan Kronstadt, "Elections in Kashmir," *Congress Research Service Report for Congress*, (December 5, 2002): 1.

partners had its strong support base in Jammu, and other partners had a solid base in the valley of Kashmir. Every election since 2002 assembly election has thrown a fragmented verdict that has its effects on the regional balance of power. In other words, we can say that since the fragmented verdict in the Kashmir region between two or more parties, there started the development of coalition governance, with an alliance of a Valley-based regional party with a national party based in Jammu region.

The Democratic People's Forum (DPF), which was newly formed, included two Communist Parties of India (Marxist) and seven independent legislators who chose to support any non-NC alternative.³¹ The power-sharing coalition was fundamentally between these two, and the other parties were supporting them and became part of the power-sharing agreement. Together, the four parties (PDP, Congress, PDF, and JKNPP) account for 46 seats, two more than the required number to stake a claim to form the power-sharing government in the 87-member assembly.³²

The fragmentation of the vote led to the speculation about the viability of a coalition arrangement in a state habituated to governing parties having strong majorities. The NC party led by chief minister Farooq Abdullah though winning 28 of the 87 (of a total 87) seats it contested and thus remaining the largest party but was clearly the loser. BJP was another loser in this election. From eight seats in 1996, its tally was reduced to one in 2002. Its share of votes was also reduced from around 12 percent in 1996 to 8.57 percent in 2002 (see Table 4.2). Although it could secure only one seat, however, due to the fragmentation of votes between BJP and Jammu State Morcha the former had to face massive loss, and its share of votes in the Jammu region was reduced from 21 percent in 1996 to 12 percent in 2002. The benefit of this positively went to Congress and JKNPP.

³¹ K. K. Kailash, "Federal Calculations in State Level Coalition Governments," *India Review* 10, no. 3 (August 2011): 246-282.

³² See Anita Joshua, "Mufti to be CM for First 3 Years," *The Hindu*, October 27, 2002.

Table 4.2
J&K Assembly Elections 2002:
Comparative Share of Votes Polled by Parties

Party	State Votes (%)	Kashmir Votes (%)	Jammu Votes (%)	Ladakh Votes (%)
INC	21.38	14.44	29.79	5.63
NC	28.23	35.68	23.95	44.55
BJP	8.57	1.60	12.31	6.83
PDP	9.04	24.25	1.77	0.00
CPM	0.53	1.64	0.00	0.00
JKNPP	4.68	0.43	5.65	0.00
BSP	4.50	0.11	6.83	0.00
IND	26.2	13.2	31.8	49.4

Source: Election Commission of India.

While commenting on NC's decision to forsake its claim to the government and the Chief Minister's post, the Congress party spokesperson S. Jaipal Reddy remarked, "Our basic intention was to respect the people's mandate. The people had mandated against the misrule and injustice of the NC government, and it was our foremost duty to ensure that the NC did not come back to power."³³ At the state level, it had captured less than half of the 57 seats won in the 1996 landslide, and there were not enough potential outside backers in Assembly to put it over the top as there had been in 1983 election when the NC was in a similar predicament following a split in the ruling party.³⁴ Its vote share was also reduced from 35 percent in 1996 assembly election to 28.23 percent in this election.

³³ Purnima S. Tripathi, "Congress (I)'s Experiment," *Frontline* 19, no. 23 (November 09-22, 2002).

³⁴ The incumbent National Conference returned with the largest number of seats and percentage of votes among the competing parties in the new assembly. Apart from the fact that the politics of Kashmir had become intensely competitive and rooted in local concerns, it had, for the first time, space for genuine opposition.

Congress though maintained its vote share of 21 percent as compared to 20 in 1996, and it was one of the key gainers in terms of seats. It got the benefit of the fragmentation of votes and improved its figures from 7 in 1996 to 20 in this election. Despite winning around 28 seats with the presence in all the regions and thus, emerging as the largest party of the state, the NC decided to play the role of the opposition, which shows the sense of democratization. Observers termed the outcome as an anti-NC mandate of the people who undoubtedly wanted a change in the state.³⁵ The NC became more and more dependent on New Delhi for its survival and growth and ignored the ground-level support of the masses. Thus, it detached from people's concerns. Since there was no competition to its dominant position in Kashmir, the NC distanced itself from the people to a large extent over the period and thus, lost its place of dominance.³⁶ Banday argues that it is the failure of local leadership of a particular party that people get alienated, and then naturally new forces arise.³⁷ Apart from the new region based party PDP, the proxies of the People's Conference (PC), which is one of the essential parties of the Hurriyat Conference led by Sajjad Gani Lone and Bilal Gani Lone, had also given a tough competition to the NC, especially in the Kupwara district. Although this group could win only one seat, its participation in electoral politics had far-reaching effects on the politics of Kashmir. The candidates of PC organized even some of the largest electoral rallies during this election.

At the regional level, there was a strong competition between the NC, Congress, and newly emerged PDP in Kashmir (see Table 4.3). The fragmentation of electoral space in this region was the uniqueness of this election. While the NC got the 18 seats with 35.68 percent votes, PDP was able to win around 16 seats with 24.25 percent of

³⁵ S. H. Imam, "Jammu and Kashmir Assembly Elections 2002: Ending National Conference's Reign," *J&K Insights*, October 30, 2002.

³⁶ Rekha Chowdhary, "Democratic Processes in the Context of Separatism and Political Divergence: An Analysis of 2014 Assembly Elections in Jammu and Kashmir," *Studies in Indian politics* 3, no. 2 (2015): 164-178.

³⁷ Interview with Political Advisor of Mirwaiz Omar Farooq of All Party Hurriyat Conference (APHC), Advocate Abdul Majid Banday, Srinagar, May 16, 2018.

votes. The party that had just emerged a couple of years ago, the performance of PDP was relatively impressive. The Congress party with 14.44 percent vote share-secured five seats.

Table 4.3
Assembly Election 2002:
Performance of Political Parties in Kashmir Region

Political Party	Total Numbers of Seats	Percentage of Seats	Percentage of Votes
NC	18	39.13	35.68
INC	05	10.86	14.44
PDP	16	34.87	24.25
JKNPP	00	-	0.3
CPM	02	4.24	1.64
BJP	00	-	1.60
BSP	00	-	0.11
JKAL	01	2.17	-
DM	00	-	-
IND	4	8.69	13.2

Source: Election Commission of India.

In the Jammu region, the level of competition was much strong, the electoral space was already fragmented, and the same trend continued in this election (see Table 4.4). The Congress party captured 15 seats with 29.79 percent vote share and emerged as the leading party in this region. The Congress party was the prime gainer in the region as it was able to increase its tally from 4 in the 1996 assembly election to 15 in this election. The NC was able to win 9 seats with 23.95 percent votes followed by JKNPP, which got 4 seats and 5.65 percent votes. The BJP and NC were the biggest losers, BJP's tally was reduced from 8 seats in 1996 to one seat, and NC's tally was reduced from 14 in 1996 to 9 seats in this election.

Table 4.4
Assembly Election 2002:
Performance of Political Parties in Jammu Region

Political Party	Total Numbers of Seats	Percentage of Seats	Percentage of Votes
NC	09	24.32	23.95
INC	15	40.54	29.79
PDP	-	-	1.77
JKNPP	04	10.81	5.65
CPM	-	-	-
BJP	01	2.70	12.31
BSP	01	2.70	6.83
JKAL	-	-	-
DM	01	2.70	-
IND	05	13.51	31.8

Source: Election Commission of India.

Table 4.5
Assembly Election 2002:
Performance of Political Parties in Ladakh Region

Name of Political Party	Total Number of Seats	Percentage of Seats	Percentage of Votes
INC	-	-	05.62
NC	01	25	44.55
IND	03	75	49.40

Source: Election Commission of India.

In the Ladakh region, particularly in Leh district, there was a completely different electoral situation (see Table 4.5). In pursuance of the demand for Union Territory status for Ladakh, all mainstream political parties (like the Congress, NC, and BJP) had dissolved their local units prior to the election and merged themselves into a freshly floated Ladakh Union Territory Front (LUTF), which secured both the seats without any contest. The Muslim and Buddhist organizations located in Leh as well

as Ladakh Muslim Coordination Committee (LMCC) extended their support to LUTF. The politics in the Kargil district of the Ladakh region is greatly influenced by the two semi-political organizations - the Imam Khumani Memorial Trust (IKMT) and Islamia School (IS). Congress and NC generally associate themselves with one of the organizations and field their candidates accordingly. During this election, one NC candidate affiliated with Islamia School and one independent candidate won the election.

Before the 2002 election, the regional secessionist movement once took the form of violence in the Valley after the 1987 assembly elections. The political system at both the center as well as the state failed to cope with the rising tensions.³⁸ The continuing violence in the Kashmir valley since 1989 has completely polarized Kashmiri Pandits from Muslims, which in turn has led to the marginalization of other groups and communities living in Kashmir.³⁹ By 1996, the war in J&K had become almost exclusively a proxy war, designed to disrupt the working of a democratically elected government in the state and fought allegedly on behalf of the Kashmiri Muslim people but by the people from outside Indian Kashmir.⁴⁰ The electoral competition was encouraged, but local politics was carefully manipulated and controlled; the rule of law is greeted, but state accountability is enormously weak; usually, non-violent mass mobilization is encountered with heavy-handed armed forces.⁴¹ As a result, the state's reduction of violence and militancy has not led to deeper political stability.

³⁸ Pramod Kumar, "Coalition Politics: Withering of National – Regional Ideological Positions?," in *India's 2009 Elections: Coalition Politics, Party Competition, and Congress Continuity*, ed. Paul Wallace and Ramashray Roy (New Delhi: Sage Publications, 2011), 47.

³⁹ Surinder Oberoi, "Fear and Loathing in Kashmir," *The Washington Quarterly* 24, no. 2 (Spring 2001): 196.

⁴⁰ Prem Shankar Jha, "In Defense of the Westphalian State: From Kosovo to Kashmir," *Mediterranean Quarterly* 11, no. 3 (Summer 2000): 84.

⁴¹ Many Kashmiris have come to view the central government as profoundly hypocritical and unwilling to allow any change in the status quo despite democratic rhetoric. See, Paul Staniland, "Kashmir since 2003: Counterinsurgency and the paradox of Normalcy," *Asian Survey* 53, no. 5 (September/October 2013): 931-957.

However, the context of state politics changed significantly with the emergence of PDP in the state. PDP was able to bridge the major gap between power politics and popular aspirations of the people by adopting a significant political discourse that addressed the major and popular concerns of the masses in a conflicting situation in the region. It picked up issues straight from the secessionist camp and merged them with mainstream politics. It even suggested a dialogue with separatists and militants as a way towards solving the issue. It was successful in reducing the pressure upon the masses from the extreme deployment of the armed forces in the region as well as protecting the people from human rights violations in the state. As Rekha Chowdhary writes, the people-oriented approach of the PDP led to the downfall of the political hegemony of the NC in the state.⁴² In short, PDP introduced its "pro-people" agenda of the "healing touch" policy to the people by using tactics of borrowing issues comprehensively from the separatist camp. It was one of the main political parties to bring the issues related to Kashmir conflict to the center of the mainstream political discourse and to demand dialogue with Pakistan, separatists, and militants as the basis of its resolution.

The 2002 PDP-Congress alliance government of chief minister Mufti Mohammad Sayeed and Ghulam Nabi Azad of PDP and Congress was the first formal power-sharing government and almost serve the full term of five and half years (full term is 6 years in J&K). Starting with nearly 4 different parties (PDP, Congress, PDF, and JKNPP), this power-sharing government ended up with the same number of parties.

In the post-2002 assembly election period, the state politics have remained unpredictably strained since the power of the NC party gradually declined as a result of strong opposition from the new regional party PDP and the rise of Hindu nationalists in the Jammu region. With the emergence of PDP in the state, the previous political equations of social and political support base have changed. The NC since then used the plank of 'autonomy' as its main ideological stance to reclaim

⁴² See Chowdhary, "Electoral Politics in the Context of Separatism and Political Divergence," 2009.

its political constituency in Kashmir.⁴³ A resolution passed by the state legislature and sent to the central government demanding that the state and union government take effective and positive steps for implementing the autonomy report was dealt with disrespect and dismissed even without minimum debate and discussion. Balraj Puri writes that:

*"Those who are campaigning for autonomy and independence must devote some thought to strengthening and evolving more institutions that ensure freedom to the people and safeguard against worse local tyranny. This freedom need not wait till what is called the final solution to the Kashmir problem. After all the Congress Party, during its struggle for independence, also fought for reforms in the system and participated in municipal and assembly elections which helped it to build up democratic institutions in independent India."*⁴⁴

The way in which government power and patronage is shared between the partners of a power-sharing coalition has important significances both for the cohesiveness of the government and the policy direction, which it adopts. The Congress in J&K becomes coalitionable, that is, attractive as a coalition partner either when it is a second or lesser party.⁴⁵ There was a fear about the election to the state assembly on the pretext that the gun would affect voting, and the victorious militants would dictate terms. The high voter turnout in the 2002 assembly elections was mainly

⁴³ In its first central working committee meeting held in 1994, after a gap of around five years, the party held the central government responsible for destroying the original constitutional arrangement of the state and for alienating people of the state. Soon after coming in power in 1996, it constituted the State Autonomy Committee (SAC) to examine and recommend the measures for the restoration of autonomy and finally autonomy resolution was passed by the state legislative assembly, demanding that the central and state government effective and positive steps for implementing report. For further clarification see for example, 'The Jammu and Kashmir Legislative Assembly: Assembly Debates on Autonomy Report', 9th Session, April 8th, 10th, June 20th, 21st, 22nd, 24th, and 26th 2000; Rekha Chowdhary, "Autonomy Demand: Kashmir at Crossroads," *Economic and Political Weekly* 35, no. 30 (July 2000): 2599-2603.

⁴⁴ Balraj Puri, "Independence, Autonomy and Freedom in Kashmir?," *Economic and Political Weekly* 43, no. 12-13 (March 2008): 20-21.

⁴⁵ E. Sridharan, "Coalition Strategies and BJP's Expansion, 1989-2004," *Comparative Politics* 43 no. 2 (July 2005): 217.

because of the forced pressure from the Indian troops. Political encouragement did not have any role to play in it. Swami argued that the Indian Army asked the rural people to cast their votes in 2002, but in the conflicting context of jihadi groups in the region, threatening them with the consequences of death if they decided to vote. However, from the careful observations of the voting patterns, no demonstrable correlation has been found between stimulating activities and voter turnouts.⁴⁶ Consequently, the goal of anti-insurgency operations in Kashmir was to persuade the insurgents to give up the gun and bullet for the ballot once more⁴⁷ the power-sharing government almost succeeded in this mission. The then President, Dr. A P J Abdul Kalam, described the J&K assembly election as the victory of democracy.⁴⁸

4.3.1 The Common Minimum Program (CMP)

Over a period of time, different coalition or power-sharing mechanisms like Common Minimum Programs (CMP), Steering Committee, Coordination Committees, Group of Ministers, and Empowered Group of Ministers, have developed which help in the stability of a power-sharing government throughout the world.⁴⁹ The basic management tool of the coalition partners is the CMP, prepared in consultation with all the partners. The coalition partners agreed to adopt a program called 'A Common Approach to Major Policy Matters and a Minimum Program.' The CMP that was adopted before provided direction to the government policy and fulfill the goals of different parties.

⁴⁶ Praveen Krishna Swami, "Ethnic – Religious Crises and Electoral Democracy: Jammu and Kashmir Elections, 2002 and 2009," in *India's 2009 Elections: Coalition Politics, Party Competition, and Congress Continuity*, ed. Paul Wallace and Ramashray Roy (New Delhi: Sage Publications India Pvt Ltd, 2011), 350-351.

⁴⁷ Jha, "In Defense of the Westphalian State," 67.

⁴⁸ See "Elections a Victory of Democracy: Kalam," *The Daily Excelsior*, October 15, 2002.

⁴⁹ See *Rising Kashmir*, "PDP-BJP Coalition not Workable," December 31, 2014.

The agreement for power-sharing was brought out after two weeks of negotiations where multiple political players were involved at various stages. Almost all the coalition partners agreed with the CMP. This power-sharing coalition government was center-driven.⁵⁰ A Coalition Coordination Committee (CCC) was also set up to deal with differences among the power-sharing partners. The J&K Pradesh Congress Committee president, Ghulam Nabi Azad, was not invited to the initial round of talks.⁵¹ The CMP of the PDP-Congress power-sharing coalition that was drowned and put before the public on 27 October 2002 proposed an agenda of governance based on 'reconciliation' and 'initiation' of dialogue without any conditions.'

The three-year term given to Mufti was unacceptable to the state Congress unit, they had argued, that there was no guarantee at all that he would not bring the government down after three years.⁵² The Congress (I) MLA from the border constituency of Uri, Taj Mohiuddin, had described the decision of Sonia Gandhi as a betrayal.⁵³ The other main demand for half of the term of the state legislature could

⁵⁰ It was believed that some of the MLA's of the PDP were thinking of crossing over to the Congress and had been putting pressure on the leadership to agree to the Congress suggestions. PDP's senior leader Muzaffar Hussain Beig said, "I do not think that a leader of the Mufti Sahib's experience and wisdom will allow such a situation to arise which may compel some people to party ways." See, for example, *The Hindu*, "Fear over defection made PDP relent," October 23, 2002; Kailash, "Federal Calculations in State Level Coalition Governments," 246-282.

⁵¹ About the absence of state Congress head, Ghulam Nabi Azad, the Congress said he had been involving in preparing the Common Minimum Program (CMP). See, for example, Anita Joshua, "Congress-PDP talks on CMP," *The Hindu*, October 26, 2002.

⁵² See, for example, Praveen Swami, "Mufti's Turn," *Frontline* 19, no. 23 (November 09-22, 2002). While commenting on three-year term to Mufti, Tarigami of CPI (M) argued that the mandate of the people was for a power sharing cabinet which can represent the whole state, adding that anyone belonging to the state can head it. He further argued that that this rotating Chief Ministership is not a good thing but if the obstacles are removed through this only then it is fine.

⁵³ Outraged Congress MLA's responded with unprecedented public protests, and even threatened to boycott the swearing-in. A group of 14 MLA's held a series of meetings through October 27 to consider their course of action. This Congress group, mostly from Kashmir region, argued that the decision to accept Sayeed's claims to represent the Valley amounted to political suicide. Key MLA's from Jammu region like Yogesh Sawhney also made known their view that the decision would cost the party dear in the Kashmir region.

also not be welcomed by the Congress state unit, but Sonia Gandhi considered it preeminent to override the state unit of the party.⁵⁴

Sonia Gandhi, being the party president, played a significantly decisive role. She overlooked all the major objections and also looked forward to accommodating the PDP with the argument that the party was made "in the larger interests of the people of the valley."⁵⁵ Being the sensitive state, the Congress party wanted to display that the party was willing to sacrifice the chief ministership post to accommodate the PDP in the larger national interest.⁵⁶ Congress leader Vora believes that "With this move, we have shown that we are the only truly national alternative to the National Democratic Alliance (NDA) government. We have proved that we believe in carrying all sections of people along."⁵⁷ Congress general secretary, Oscar Fernandes said:

*"We could have formed the government on our own. We had the numbers. But we wanted to carry everyone along. We wanted to have the PDP with us because there was some indirect understanding between us on the anti-NC plank. We had deliberately not contested in ten constituencies in the Kashmir Valley in order to facilitate the victory of PDP candidates."*⁵⁸

⁵⁴ Senior Congress leader Arjun Singh argued that a Congress (I) led power-sharing government would end in disaster. A fractious alliance, with only tenuous support from maverick figures like Panther's Party leader Bhim Singh, would be too busy fighting internal fires to get on with governance.

⁵⁵ See, for example, Kailash, "Federal Calculations in State Level Coalition Governments," 267-268; Swami, "Mufti's Turn," 2002.

⁵⁶ The Congress (I)'s decision to accommodate the new region based party on power-sharing model has evoked a general sigh of relief on the state and an unmistakable feeling of euphoria. Since then there was a hope in the air that things will change for better in this trouble torn region.

⁵⁷ The Congress Party's eight years in opposition finally convinced the party to change tack in the run-up to the 2004 general election. Its willingness to enter varying political alliances deferring to the PDP in J&K, indicating political learning. See Tripathi, "Congress (I)'s Experiment," 2002; Sanjay Ruparelia, "Managing the United Progressive Alliance: The Challenges Ahead," *Economic and Political Weekly* 40, no. 24 (June 11-17, 2005): 2407-2412.

⁵⁸ See Tripathi, "Congress (I)'s Experiment," 2002.

The PDP took the first turn at chief ministership, and upon assuming office, Sayeed reiterated his governments' promise and commitment to hold dialogue with all stakeholders, including separatists.⁵⁹ The common minimum program of this power-sharing coalition includes certain controversial policies such as freeing the jailed political prisoners, which have been praised by some people whereas criticized by others.⁶⁰ The CMP was comprised of around 30 points and carried matters from the manifestos of all parties. The goal of CMP was to:

*"Ensuring the safety of lives and properties, restoring dignity and honor of all persons in the state will be the foremost concern of the government. The coalition government will take all possible measures within its power, to protect all the people in the state of Jammu and Kashmir from violence and militancy, whether originating from within or outside the state and to encourage those young men from the state who have returned to militancy to return to their families and the mainstream, with the belief that they will receive security and justice according to law. At the same time, the state government will fully cooperate with the government of India in combating cross border militancy from Pakistan."*⁶¹

Thus keeping in view the concerns of PDP, the CMP talked of healing the physical, psychological as well as emotional trauma and injuries inflicted by the long and painful fourteen years of militancy, and demanding the Government of India to initiate and hold, seriously and sincerely, wide-ranging dialogue and consultations, without conditions, to develop a broad-based consensus on the issue of restoration

⁵⁹ Mufti Mohammad Sayeed, as the CM of J&K on a rotational basis of three years to begin. This much awaited decision was announced by the Congress president, Sonia Gandhi, at her residence in the presence of Mr. Sayeed and the leaders of their principle allies, M. Y. Tarigami, of the PDF and Bhim Singh of the JKPP. See, for example, Singh, *The State, Democracy and Anti-Terror laws in India*, 254.

⁶⁰ See Kronstadt, "Elections in Kashmir," 1.

⁶¹ SATP, "Common Minimum Programme of the Congress-I, People's Democratic Party Coalition Government in Jammu and Kashmir," October 27, 2002. Accessed 20 September 2016. https://www.satp.org/satporgtp/countries/india/states/jandk/documents/papers/kashmir_CMP.htm

of peace along with honor in the region.⁶² Several of the CMP policies are greatly controversial in their "softened" approach to separatists and militancy in the state.⁶³ Thus talks about reviewing all cases of detainees and prisoners being held without trial for a long period. Although the Public Safety Act (PSA) and Armed Forces Special Powers Act (AFSPA) were named, a commitment was made for reviewing all draconian laws that "deprive people of their basic right to life and liberty" without due legal process and also promised an investigation to "all cases of custodial killings and violation of human rights." For example, they consider not implementing POTA in the state as there are several other laws to deal with the militancy.

Significantly, the CMP also listed a pledge to cooperate with the central government in combating cross border terrorism, urging the latter to pledge and hold 'wide-ranging consultations' for restoring peace. The peace process continued between the two nations despite the legitimacy crises in Pakistan and a government change in India. Congress-led United Progressive Alliance (UPA-I) government, elected into office in May 2004, continued the process of composite dialogue immediately. At the end of April 2005 summit, which turned out to be successful, Prime Minister Manmohan Singh and Musharraf issued a statement that held the peace process as irreversible.⁶⁴ On the eve of his visit to Kashmir valley, Manmohan Singh had announced the deduction of armed forces from the state, which was ordinarily acclaimed.

Reflecting the concerns of the Congress and JKNPP, the CMP reaffirms that the Kashmir Pandits' return to their motherland is a crucial component of Kashmiriyat, and therefore, all necessary measures will be taken to ensure their safe rehabilitation and employment. It guarantees adequate financial help to the migrants hailing from

⁶² Ibid.

⁶³ Kronstadt, "Elections in Kashmir," 4.

⁶⁴ Cyrus Samii, "Seizing the Moment in Kashmir," *SAIS Review of International Affairs* 26, no. 1 (Winter-Spring 2006): 74.

various disturbed and conflicted regions of Jammu and Ladakh for their relief and rehabilitation. It also aims at providing compensation to those people from the border who have suffered due to security operations near the international border and LOC. This coalition government also emphasized the equitable share of resources available for development to all the three regions of the state and, for that purpose, a formation of a state finance commission with statutory status. It also emphasized on including Dogri in the Eighth Schedule of the Indian Constitution, called for autonomous powers to Autonomous Hill Council for Leh, and try to create similar Autonomous Hill Council for Kargil district.⁶⁵

4.3.2 What They Stood For

Power-sharing has two dimensions – coming together to form a government and then working together. It is important to find out the relative policy positions of all parties for the effective creation of any power-sharing coalition so that like-minded parties can be brought together.⁶⁶ In its manifesto, the PDP announced that this election was not just about electoral politics, but beyond that, we need to win the hearts and minds of the J&K people. The party followed the same pattern in government also. Thus, PDP put itself up as a bulwark of middle game politics by avoiding the two extremes of being pro-Pakistani or anti/pro-Indian. As John Gray, mentioned while talking about the middle path between the left and the right, that the position we are occupying is not a median house among the extremes of the opponent. Our place between two disgraced philosophies is not weakened, but a new common ground stand.⁶⁷

⁶⁵ CMP, “Common Minimum Programme of the Congress-I, People’s Democratic Party Coalition Government in Jammu and Kashmir,” October 27, 2002.

⁶⁶ Krishna K. Tummala, “Coalition Politics in India: 2002-2009,” *Asian Journal of Political Science* 17, no. 3 (2000), 325.

⁶⁷ Cited in Stephen Driver and Luke Martell, “Left, Right and the Third Way,” *Policy & Politics* 28, no. 2 (2000): 153.

During the first half under the chief ministership of Mufti Sayeed, the emphasis of government persisted on implementing its 'healing touch' policy. By the time Mufti took over the reins of power, the common Kashmiri felt harassment because of security cordons, security checks, and the movement and presence of security camps. Mufti aimed to reign in Ikhwan, where the activities of the armed forces had largely affected the life of common Kashmiri and were much concerned about the people. According to former Inspector General of Police (IGP) Javid Makhdoomi, "Soon after Mufti Sahib assumed the office barricades in entire Kashmir were removed. He felt bad about check-posts erected on roads by the forces. He got barricades removed in consultation with the army and ensured that no checkpoints are set up without the consent of Jammu and Kashmir police."⁶⁸ Lt General Syed Atta Hasnain, who served as Commander of Uri Brigade during Mufti's first tenure as CM, said, "He (Mufti) wanted no civilians should be harassed during the anti-militancy operations. We carried out many anti-militancy operations during those days, but at the same time we were ordered to ensure that no innocent faces inconvenience."⁶⁹

This power-sharing government was able to introduce several innovations in the structures of governance and administration. Like the institution of Additional District Development Commissioner (ADDC) with the purpose of better monitoring the development mission at the ground level. One of the significant acts of the power-sharing government was to constitute the Accountability Commission (AC) by the Jammu and Kashmir State Accountability Commission Act, 2002. Its main role was to 'inquire into the grievances as well as allegations against the public functionaries and also for the matters connected therewith.' During the second half of this government under the chief ministership of Ghulam Nabi Azad (the first-ever CM from Jammu region), the emphasis of the government was changed from the

⁶⁸ Shabir IBN Yusuf, "Mufti's 'healing touch' Policy changed JK's Security Scenario," *Greater Kashmir*, January 8, 2016.

⁶⁹ Ibid.

'healing touch' to 'development' policy. Using the slogan of '*Khushaal Kashmir*,' his focus was on the construction of roads and bridges, infrastructural development, and several projects, including tourism development authorities in all the three regions of the state.⁷⁰ Both PDP and Congress supported each other during their term to implement various policies and programs under the slogan '*Healing Touch*' and '*Khushaal Kashmir*.'

During the election campaign, PDP combined both positive and negative politics. The PDP talked positively about ballot rather than gun and bullet, dialogue, healing touch, development, employment, education, infrastructure development, economic improvement, and uniform development of all three regions. Negatively, the PDP attacking the NC's on the issues of alienation, bad governance, and the excesses committed by the security forces and agencies, particularly, by Special Operation Group (SOG). With both positive and negative politics, PDP was able to win 16 seats that in turn led to a fractured mandate and the first power-sharing government in the state.

In its election manifesto, the PDP had included issues such as scrapping of the Prevention of Terrorism Act (POTA) and withdrawal of the SOG.⁷¹ SOG was floated in early 1995 with a specific reason to deal with the unusual situation. Initially, it was introduced in Srinagar district only but later was extended to other militancy-infected districts.⁷² It consists of Non-Kashmir, non-Muslim recruits, the Ikhwan's, and was formed to make the impression that the counterinsurgency effort had local support.⁷³ This power-sharing government ordered the assimilation of the SOG with

⁷⁰ Chowdhary, *Jammu and Kashmir 1990 and Beyond*, 208.

⁷¹ Ujjwal Kumar Singh, *The State, Democracy and Anti-Terror laws in India* (New Delhi: Sage Publications Pvt. Ltd, 2007), 254.

⁷² Masood Hussain, "Mufti Disbands SOG, Merge Forces with Police," *The Economic Times*, February 25, 2003.

⁷³ In Jammu and Kashmir, the surrendered militants who have joined different security forces particularly SOG, is known as Ikhwan. See for example, Rekha Saxena, "Federalism, Intergovernmental Mechanisms and Coalition Governments: Continuity and Change," in *Shaping India's Foreign Policy: People, Politics, and Place*, ed. Amitabh Mattoo and Happyman Jacob (New

Jammu and Kashmir Police (JKP), which faced allegations of 'human rights violations,' torture, human rights abuses, and humiliation of civilians and ordered that there would be no separate anti-operation or anti-insurgency wing of JKP. The disbanding of SOG was one of the main poll planks of PDP during elections.⁷⁴

Mufti has also been advocating for a rehabilitation policy for the surrendered militants, which would be exclusively funded by the union government. In fact, when POTO was promulgated, the NC government rejected it outrightly in October 2001. The non-implementation of the POTA became fundamental to the 'healing touch' approach of the new power-sharing government headed by Mufti Sayeed, which it advocated to keep paths of reconciliation and dialogue open. It is with reference to these demands that Mirwaiz Omar Farooq commented, "It is an anti-India voter that elected this party (PDP) to power. It used green flags and the pen and inkpot (the electoral symbol of erstwhile Muslim United Front). The party has the same agenda as that of Hurriyat."⁷⁵

The NC government was criticized for its various failures; the rise of militancy, increased unemployment, alienation, and damaged social harmony between Kashmiri Muslims and Pandits.⁷⁶ The PDP promised to promote social cohesion and harmony, employment and tourism, development of power resources, special welfare programs for women, and other basic minimum needs. Several common

Delhi: Har-Anand Publications, 2010), 191; Aditya Pandey, *South Asia: Polity, Literacy and Conflict Resolution* (New Delhi: ISHA Books, 2005), 218-219.

⁷⁴ See M. Saleem Pandit, "Mufti Government Disbands SOG," *Times of India*, February 25, 2003; Front Page, "Mufti Disbands SOG," *The Hindu*, March 12, 2003.

⁷⁵ See, for example, *Kashmir Times*, October 28, 2002.

⁷⁶ In January 2002, top state government official said that the eleven years of militancy in Jammu and Kashmir has taken more lives than all the casualties suffered during the three Indo-Pak wars together. During these years, nearly 10,000 innocent civilians were among the 28,000 who lost their lives and property worth millions of rupees was destroyed. For further details see, for example, *The Times of India*, "J&K Militancy Killed more People than Indo-Pak wars," January 4, 2002.

Kashmiris, meanwhile, are reported to have welcomed the new governments' approach.⁷⁷

The confidence-building measures (CBM's), such as attempts to engage in greater cross-LoC trade with Pakistan, were sometimes explored as an external method of stabilization.⁷⁸ The J&K government believed that after the India-Pakistan ceasefire came into force in November 2003, there was a substantial decrease in violence in the state. Not only militancy-related incidents were declined by 32 percent during the last one year, but also the borders were also quite.⁷⁹ This power-sharing government has been proactive in its response to Pakistan president Musharraf's four-point formula and has been stressing on the issues of self-rule, demilitarization, and mechanisms of joint control.

Previous elections, held in 1996, have been characterized by low turnout, widespread violence, and fraud charges, and systematic manipulation. Even though there was a sensible degree of competition, this election did not get legitimacy. Separatist violence in the state has led to the death of more than 60,000 people in Kashmir since the beginning of an uprising in 1989. Political observers have blamed the seriously flawed as well as the divisive Assembly election of 1987 for sparking the violence in the state.⁸⁰

BJP reaffirmed that 'Our Commitment to Kashmiri Pandits,' which puts the responsibility of Kashmir's ill on 'separatist and sectarian militancy in J&K.' The plan of action that the manifesto offered, explicitly a phased return of the refugees,

⁷⁷ M Saleem Pandit, "Mufti's Plan to Curb SOG Delights Kashmiris," *Times of India*, October 31, 2002.

⁷⁸ See, for example, ICJ, "Steps towards Peace: Putting Kashmiris First," *Asia Briefing*, No. 106, Brussels: ICG, June 2010; Staniland, "Kashmir since 2003." 931-957.

⁷⁹ For further details see "Violence Declines in Jammu and Kashmir," *The Hindu*, December 27, 2003.

⁸⁰ Kronstadt, "Elections in Kashmir," 1-2.

Pandits and Kashmiri Muslims to the Valley, and a home rehabilitation scheme.⁸¹ In addition to this, the development in J&K has been encouraging. In fact, the BJP's long opposed Article 370 giving the distinct state status, but it was under the NDA that fair state assembly elections were held in the state in October 2002.⁸²

4.3.3 Portfolios Allocation and Accommodation

Under the three years each rotational power-sharing agreement, Mufti Sayeed's first term was marked by a slew of political initiatives. Mufti's power-sharing government has accommodated different regions, groups, and communities through the inclusion of their leaders in the government. Mangat Ram Sharma, a senior leader of the Congress, was sworn-in as the Deputy Chief Minister of the state. JKNPP's Harsh Dev Singh was also included as a cabinet minister.⁸³ Two independents, from the region of Ladakh, Haji Nissar Ali (representing Kargil), and Nawang Rigzin (Leh), was sworn as ministers of state.⁸⁴ Power-sharing was clearly reflected in the Cabinet as it has representation from all the sub-regions of Kashmir province – central, north, and south Kashmir. From Jammu province, all the three sub-regions – Hindu belt, Chenab valley, and Pir-panjal were given representation in the cabinet. The Cabinet also saw the representation from both the districts of the

⁸¹ Subrata K. Mitra, "The NDA and the Politics of 'Minorities' in India," in *Coalition Politics and Hindu Nationalism*, ed. Katharine Adeney and Lawrence Saez (London and New York: Routledge, 2005), 83.

⁸² Katharine Adeney, "Hindu Nationalists and Federal Structures in an era of Regionalism," in *Coalition Politics and Hindu Nationalism*, ed. Katharine Adeney and Lawrence Saez (London and New York: Routledge, 2005), 108.

⁸³ Panthers Party had been a part of the ruling coalition ever since its formation in November 2002 and it had two ministers in the government till November 2005 when Ghulam Nabi Azad took over the reigns from Mufti Sayeed under power-sharing agreement. See for example, Epilogue Research Bureau, "2007: The Year in Review-No Progress On Peace Process," *Epilogue* 2, no. 1 (January 2008).

⁸⁴ Congress chief Sonia Gandhi attended the ceremony along with senior party leaders Manmohan Sing and Ambika Soni. National Conference president Omar Abdullah and some former ministers and legislators were also present. See for example, *rediff.com*, "Sayeed Sworn-in as J&K Chief Minister," November 2, 2002; *The Tribune*, "Mufti, 8 Others Take Oath," November 2, 2002.

region Ladakh. In short, all the major regions and religions were given due share in the power-sharing government.

Mufti made everyone, more or less, a minister whosoever supported the coalition. Initially, the nine-member ministry includes seven cabinet ministers and two ministers of state. These include three Congress members, three PDP members, one JKNPP member, and two Independents. After one month, the council of ministers was expanded in order to accommodate several parties and regions. In addition to a 38-member council of ministers, he had a dozen other legislators adjusted as presidents/chairpersons of boards and corporations with the status and protocol of ministers (see Table 6). Congress had more numbers than the PDP but still, Mufti Sayeed's regime was more stable than the Azad dispensation.⁸⁵

Table 4.6
Power Sharing and Portfolios in PDP-Congress Government

Name	Position /Rank	Department	Party	Region	Sub- Region	Religion
Mufti Mohammad Sayeed	CM	Home	PDP	Kashmir	South	Muslim
Ghulam Nabi Azad	CM	Home	INC	Jammu	Chenab Valley	Muslim
Mangat Ram Sharma	Deputy CM	Health	INC	Jammu	Hindu Belt	Hindu
Muzaffar Hussain Baig	Deputy CM	Law and Parliamentary Affairs, Finance	PDP	Kashmir	North	Muslim
Harsh Dev Singh	Cabinet	Education	JKNPP	Jammu	Hindu Belt	Hindu
Peerzada Mohd Syed	Cabinet	Rural Development	INC	Kashmir	South	Muslim
Ghulam Hassan Mir	Cabinet	Tourism	PDP	Kashmir	North	Muslim
Mulla Ram	Cabinet	NA	INC	Jammu	Hindu Belt	Hindu
Abdul Rehman Veeri	MoS	Home	PDP	Kashmir	South	Muslim

⁸⁵ See Zafar Choudhary, "Fall of Coalition: Good Riddance, Indeed," *Epilogue 2*, no 8 (August 2008).

Tariq Hamid Karrah	Cabinet	Finance, Planning and Development, Urban Development	PDP	Kashmir	Central	Muslim
Gurcharan Singh Charak	Cabinet	NA	INC	Jammu	Hindu Belt	Hindu
Jatinder Singh	Cabinet	NA	PDF/D M	Jammu	Hindu Belt	Hindu
Abdul Aziz Zargar	Cabinet	Agriculture	PDP	Kashmir	South	Muslim
Hakim Mohd Yaseen	Cabinet	Revenue	PDF	Kashmir	Central	Muslim
Qazi Mohd Afzal	Cabinet	Forest	PDP	Kashmir	Central	Muslim
Suman Lata Bhagat	Cabinet	Fisheries, Floriculture, and Administrative Reforms	INC	Jammu	Hindu Belt	Hindu
Mohd Shafi Bhat	Cabinet	Chairman, Agro-Industries Development Corporation	INC	Kashmir	Central	Muslim
Mohd Sharief	Cabinet	Chairman, Jammu Central Cooperative Bank	INC	Jammu	Chenab	Muslim
Asgar Ali Karbalaie	Cabinet	Chairman, Ladakh Autonomous Hill Development Council, Kargil	INC	Ladakh	Kargil	Muslim
Chering Dorjey	Cabinet	Chairman, Ladakh Autonomous Hill Development Council, Leh	INC	Ladakh	Leh	Buddhist
Haji Nissar Ali	MoS/Cabinet	Sports Minister	IND	Ladakh	Kargil	Muslim
Nawang Rigzin	MoS/Cabinet	Public Works	IND	Ladakh	Leh	Buddhist
Mohammad Sarfaraz Khan	MoS	Haj and Auqaf	PDP	Kashmir	Central	Muslim
Ghulam Hassan Khan	MoS	Social Welfare	PDP	Kashmir	South	Muslim
Ghulam Nabi Lone	MoS	Education	PDP	Kashmir	North	Muslim
Raman Bhalla	MoS	Consumer Affairs, Public	INC	Jammu	Hindu Belt	Hindu

		Distribution, and Transport				
Yogesh Sawhney	MoS	Youth Services, Sports and Technical Education	INC	Jammu	Hindu Belt	Hindu
Romesh Chander Sharma	MoS	Revenue and Relief	INC	Jammu	Pir Panjal	Hindu
Sardar Manjit Singh	MoS	Law, Parliamentary Affairs, Labor and Employment	PDF/B SP	Jammu	Hindu Belt	Hindu
Usman Abdul Majid	MoS	Planning and Development	PDF/J KAL	Kashmir	North	Muslim
Jitender Singh	MoS	Finance	PDF/D M	Jammu	Hindu Belt	Hindu
Ghulam Mohd Saroori	MoS	Chairman J&K Social Welfare Board	INC	Jammu	Chenab Valley	Muslim
Haji Abdul Rashid	MoS	Chairman, J&K Handicrafts Corporation	INC	Kashmir	North	Muslim
Girdhari Lal	MoS	Vice-Chairman, J&K Scheduled Caste Advisory Board	INC	Jammu	Hindu Belt	Hindu
Haji Buland Khan	MoS	Vice-Chairman, J&K Advisory Board for Development of Gujjars	INC	Jammu	Chenab Valley	Muslim
Shabir Ahmad Khan	MoS	Vice-Chairman, J&K Advisory Board for Development of Pahari Speaking People	INC	Jammu	Pir Panjal	Muslim
Haseeb Drabu	MoS	Economic Advisor to J&K Government and chairman of J&K Bank	INC	Kashmir	South	Muslim

Source: Compiled from various newspapers and reports. Note: In the Kashmir region, the sub-region Central Kashmir is comprised of Srinagar, Badgam, and Ganderbal districts. The North Kashmir is comprised of Baramulla, Bandipora and Kupwara districts. The South Kashmir is comprised of four districts - Anantnag, Kulgam, Shopian, and Kulgam. In the Jammu region, the Hindu Belt is comprised of Jammu, Udhampur, Samba and Kathua districts. The Chenab Valley is comprised of Doda, Kishtwar, Ramban, and Reasi and Pir-Panjal included the districts of Rajouri and Poonch. The Ladakh region is comprised of two districts – Leh and Kargil.

The term of Ghulam Nabi Azad saw a huge focus on infrastructure development.⁸⁶ He dropped most of the Congress legislators and Independents who were ministers in Mufti's government.⁸⁷ Initially, the strength of the council of ministers was reduced to 10 from 38. Later, among his first major policy decisions, he brought legislation on downscaling the ministry to 25 percent of the total strength of legislature. This obstructed the prospects of many to become a minister even as the cabinet expanded a year later. However, the representation was given to all the major regions and sub-regions in the state.

Besides Azad, four Congressmen, including Mangat Ram Sharma, who was the deputy chief minister in the Mufti's term, five PDP leaders, including Muzaffar Hussain Baig, two Independent members from Ladakh region, one member from the Peoples' Democratic Front (PDF), and other Independents took oath as cabinet ministers.⁸⁸ The three new faces were PDP leader Tariq Hamid Karrah representing Batmaloo constituency, which was not represented in the government led by Mufti, senior Congress leader Gurcharan Singh Charak and his party colleague Jatinder Singh from Kathua region. Senior PDP leader and also former Agriculture Minister Abdul Aziz Zargar, PDF leader and also former Revenue Minister Hakim Mohd Yaseen, state Congress chief and even former Rural Development Minister P. M Sayeed took oath as Cabinet ministers. Former Sports Minister from Kargil Haji Nissar and PDP leader and also former Public Health Engineering Minister QM Afzal also found births in the Cabinet.⁸⁹ Although the strength during the Azad's

⁸⁶ For the first time in the history of Kashmir, the chief minister does not belong to the Valley.

⁸⁷ Choudhary, "Fall of Coalition," 2008. Note – the Bhim Singh led Jammu and Kashmir Panthers Party (JKNPP), which has four MLAs, chose to keep out of the Azad led government after having been a constituent of the previous ministry, headed by Mufti Sayeed for three years. The party said it would support the new dispensation from outside.

⁸⁸ PTI, "Azad is J&K Chief Minister," *Business Standard*, November 03, 2005.

⁸⁹ Ibid.

term was reduced as compared to Muft's term but still all the major regions and sub-regions were accommodated in the council of ministers.

4.3.4 The Shrine Politics and the PDP-Congress Breakup

Through the summer of 2008, Amarnath land row engulfed the entire state, and massive and long agitations occurred in Kashmir as well as the Jammu region. During the 2004 summer, Mufti Mohammad Sayeed, the Chief Minister of the state shot down the decision of Governor S. K. Sinha to approve the extension of the pilgrimage from four to eight weeks.⁹⁰ In an attempt of protest, five Congress cabinet ministers hailing from the Jammu region submitted their resignations. It was just the beginning of the chain of battles that led to the eventual collapse of the PDP-Congress Coalition.⁹¹ Initially, a government order to transfer the forest and land areas to the Shri Amarnath Ji Shrine Board (SASB) was the focal point of the problem, and then the revocation of the same government order became the major issue of the conflict. The right-wing parties later called the revocation an assault on the Hindu religious sentiments and requested that the original government order be immediately restored. Overall, everything went smoothly until PDP was in the driving seat. There were, however, a number of friction between the two partners. In 2007, the PDP started raising sticky concerns, such as troop reduction, AFSPA withdrawal, and security forces vacation of civilian assets.⁹² The upsurge in both

⁹⁰ The history of the pilgrimage to the holy cave of Shri Amarnath Ji situated in the high mountains of Pahalgam of Anantnag district in south Kashmir region of J&K state was rooted in the hoary past. Bhrigu Rishi, the legend had it, was the first pilgrim to have Darshans of the ice Shiv Lingam at the holy cave. The cave thus came to be known as lord Shiva's abode and became a center of annual pilgrimage. Since then devotees thronged to the holy cave in the month of Sharavan (July-August) braving tough terrain and hostile weather conditions. This incredible shrine, where lord Shiva's image was formed naturally of an Ice Stalagmite in the form of a Lingam annually attracted devotees like a huge magnet. It waxed and waned in harmony with the cycle of the moon. See, for example, M.M. Khajooria, *Good Governance and Coalition Politics: PDP-Congress in Jammu and Kashmir* (New Delhi: Kalpaz Publications, 2016).

⁹¹ Swami, "Ethnic – Religious Crises and Electoral Democracy: Jammu and Kashmir Elections, 2002 and 2009," 337-338.

⁹² See Kailash, "Federal Calculations in State Level Coalition Governments," 268.

provinces was almost spontaneous. In Kashmir valley, the demonstrators carried Islamic and Pakistani flags, and the hardline Hurriyat leader SAS Geelani took the lead and emerged as the rallying character. He was soon joined by moderate Hurriyat leader, Mirwaiz Omar Farooq, represented a much bigger conglomeration of the separatist groups.⁹³

Soon the two regional mainstream parties – PDP and NC joined the protest rallies. The word was spread that it was part of the bigger plan to settle outsiders to change the demography of the state, especially reducing its Muslim majority to a minority. On the other hand, in the Jammu region, the movement was started by the BJP Parivar, under the banner of the Shri Amarnath Sangharsh Samiti (SASS), with religion-derived slogans like '*Har Har Mahadev*.' Soon after protests, civil society leaders and groups intervened and asked for the adoption of a peaceful way of protest. There was also an allegation of a blockade of supplies to the valley and export of fruit. Later, the fruit traders moved to the Srinagar-Muzaffarabad road supported by the mainstream as well as separatist leaders.⁹⁴ This land issue finally caused the death of around seventy innocent lives besides eminent Hurriyat leader Shiekh Abdul Aziz.

The PDP was threatening to pull out its ministers from the power-sharing government if the Land Diversion order was not withdrawn by the end of June 2008. However, the PDP contingent of Ministers resigned on 28 June 2008 after the information was leaked out that the order may be withdrawn before 30 June to rob them of the opportunity of martyrdom. Later PDP claims that what they could not secure while in power-sharing government they achieved by sacrificing their

⁹³ Balraj Puri, "Jammu and Kashmir: The Issue of Regional Autonomy," *Economic and Political Weekly* 43, no. 34 (August 23, 2008): 8-11.

⁹⁴ The union Home Minister, Shivraj Patil, who was in Srinagar, assured Kashmir that the blockade had been completely cleared and promised to pay compensation for the loss that the fruit exporters had suffered. The firing on people marching to Muzaffarabad on August 11 took seven lives, including that of Hurriyat leader Sheikh Abdul Aziz.

ministers.⁹⁵ The revocation order, thus, was viewed as pro-separatists and anti-Jammu, taken under tremendous pressure in order to pacify the people in the valley without taking into consideration the feelings of people of Jammu and the rest of India.

In short, we can say that along with the religious and regional identity politics; it was the result of the logic of two-level game theory that provides impetus to the Amarnath agitation. As both the major parties – PDP and Congress has their different interests concerning their politics. For PDP, it was an internal issue that forces them to break up with the Congress as they have to keep the interests of their constituency at the local level, which is at the regional level as well as local constituencies. On the other hand, it is broadly a national interest for Congress to break up with the regional party, as they have to keep in mind the larger interest of the nation India while playing the politics at the state level. In other words, national parties tend to judge what they say in J&K by how it will be received in other parts of the country. They are reluctant to take a too stronger position on certain issues because it might cause them damage in other states. Sagar argues that the national parties were more interested in or oriented toward fulfilling the national interests. On the other hand, the regional parties were trying to protect and fulfill the aspirations of people at the regional level.⁹⁶ Professor Abdul Gani Bhat believes that 'it broke because Kashmir is in trouble and when our Kashmiris see trouble in some other field has started happening they take advantage, they join. That is exactly what

⁹⁵ Earlier the chief executive officer of SASB forwarded a project report to the Jammu and Kashmir government in the forest department in October 2004 proposing, “the transfer of 3642 Kanals of land for seven halting places on twin routes to Shri Amaranth Ji Shrine via Baltal and Chandenwari for the purpose of the smooth conduct and management of the pilgrimage. SASB was formed by the government of J&K in 2002 with the purpose of managing the pilgrimage to Amarnath shrine in south Kashmir. During the peak of summer, the shrine attracts thousands of pilgrims from all over the India.

⁹⁶ Interview with Ali Mohd Sagar, General Secretary Jammu and Kashmir National Conference, Srinagar, May 11, 2018.

happened. They were probably not so much involved in the Amarnath Land row as in politics. They raised slogans; *We want freedom.*⁹⁷

It became the first incident in state political history when the two regions (Kashmir and Jammu) were placed in hostile circumstances. People were mobilized in both Kashmir and Jammu, in a way that strengthened regional chauvinism. Finally, the mobilization took on a social angle which resulted in friction between the two major communities. However, in the Lok Sabha, the PDP voted against the no-confidence motion with Congress despite having withdrawn from the coalition in the state.⁹⁸ Later, at the bottom, the PDP withdrew support for the UPA government led by Congress.

To what extent the first power-sharing government created satisfaction among the masses. The 2008 post-poll survey data of Centre for the Study of Developing Societies (CSDS) showed:

"That though there was a mixed response of people in Kashmir, the performance of this government was certainly more appreciated than that of the earlier Farooq Abdullah government. The data recorded that a larger percentage of people were satisfied by the work done by this government (51.3%, out of which 38% somewhat satisfied and 13.3% fully satisfied) as compared to the dissatisfied people (37.4%, out of which 24.6% fully dissatisfied and 12.8% somewhat dissatisfied). It is a different matter, however, that the level of skepticism in Kashmir still was higher since the level of satisfaction was higher in the Jammu region. On the whole, 59.4 percent expressed their satisfaction with this government as against 19.5 percent who were dissatisfied...when asked whether the development has improved or deteriorated during this government, again a large number of people within the state said that it had improved (37.7%) as

⁹⁷ Interview with the Chairman of Muslim Conference and member of APHC, Professor Abdul Gani Bhat, Srinagar, May 15, 2018.

⁹⁸ Kailash, "Federal Calculations in State Level Coalition Governments," 269.

*compared to the number of people who said that it deteriorated (14.3%). However, 35.1 percent stated that it remained the same."*⁹⁹

However, regardless of differences about certain issues, there was largely a positive response towards the first power-sharing coalition government of PDP-Congress. In short, we can say that the PDP-Congress power-sharing government worked as a notable facilitator of reconciliation between political aspirations of the J&K state, its developmental requirements, and the national interest. In fact, the measure of importance initiated by the PDP-Congress power-sharing government led to an exclusively new realization of peace as the only way forward in South Asia.

4.4 Power-Sharing: The 2008 Assembly Election and the National Conference (NC) - Congress Coalition

The December 2008 assembly elections took place soon after the Amarnath agitation, during which there was a massive separatist upsurge in Valley was an intensely competitive election.¹⁰⁰ The unprecedented communal and regional polarization that profoundly affected the state to a large extent throughout the summer agitations and protests was considered to have certain repercussions and consequences on this election. With very high stakes for the competing political parties, the campaigning had started nearly a year before the election. Political rallies were organized since the middle of 2007 in different parts of the Kashmir region not only by regional parties like PDP and NC but also by the national parties.¹⁰¹ The dynamic and high voter turnout in the elections defied popular doubt after the widespread Amarnath land issue protests and the vocal demand in the

⁹⁹ Chowdhary, *Jammu and Kashmir 1990 and Beyond*, 209-210.

¹⁰⁰ Former chief minister of Jammu and Kashmir Farooq Abdullah virtually thanked the militant organizations and Pakistan for the peaceful assembly elections, which saw an impressive voter turnout in the state. See, *rediff.com*, "We Owe to Militants, Pak for Peaceful Voting: Farooq," December 28, 2008.

¹⁰¹ Chowdhary, *Jammu and Kashmir 1990 and Beyond*, 184.

valley for independence. Not only did people vote in sufficiently large numbers, but there was also similarly all-round progress in the voter turnout since the first power-sharing government (see Table 5.1). In fact, there was no grievance about the force and the elections were seen to be free and fair. These elections were seen as a development of democratizing the mainstream electoral politics in Kashmir. However, at the same time, according to Chowdhary, it would be foolish to suggest that the massive participation in the elections has signaled the rejection of separatism.¹⁰²

Table 4.7
J&K Assembly Elections 2008:
Total Seats 87: Turnout 61.16 Percent

Party	Seats Won	Percentage of Seats
NC	28	32.18
INC	17	19.54
PDP	21	24.13
JKNPP	03	3.44
CPI (M)	01	1.14
BJP	11	12.64
PDF	01	1.14
JKDPN	01	1.14
IND	04	4.59
Total	87	-

Source: Election Commission of India.

Like the 2002 assembly election, the 2008 assembly election also produced a fragmented mandate. Since the NC has lost its place of hegemony and was trying to gear up for the strongly competitive power politics in the state. Although the way behind the majority mark, the NC returned with the largest number of seats and vote share (see Table 4.7 and 4.8). The popular disillusionment with the 1987

¹⁰² Rekha Chowdhary, "Separatist Sentiments and Deepening of Democracy" *Economic and Political Weekly* 44, no. 03 (January 17, 2009): 13-15.

assembly elections caused severe destruction to the legitimacy of the NC and erosion of its popular base.

It could retain 28 seats that it won in the last assembly elections. But in 2008, it had to bear few defeats in the Jammu region and won only 6 seats as compared to 9 in 2002 (see Table 4.10). The NC was followed by the PDP, which had improved its seat share from 16 in 2002 assembly election to 21 in this election. Its share of votes also increased from 9.04 to percent in 2002 to 15.39 percent in this election.¹⁰³ The Congress party was able to secure 17 seats only with a vote share of 17.71 percent. Compared to the last election, this party had lost both in terms of seats as well as in terms of votes (20 seats and 21.38 percent votes in 2002).

The biggest gainer in this election was the BJP, which increased its tally from one in 2002 to 11 in this election with a vote share of 12.45 (see Table 4.8), as the electoral polarization based on religious or communal lines was established in the Jammu region.¹⁰⁴ The entry of PDP into the Muslim dominated regions of Jammu and also its massive success in the two predominantly Muslim dominated constituencies was a clear sign of the apparent communal divisions taking stronger and roots in the valley. After retaining 28 seats it won in the previous election, an overwhelmed NC leader Farooq Abdullah said he was ready to shake hands with the Congress to give the troubled state its second but new power-sharing government.¹⁰⁵ Once bitten twice shy, the support of congress to NC resulted in visible displeasure and dismay of other competitors in the state. Congress decided to join NC-led power-sharing government, although the demand of the Congress state unit was actually created in New Delhi. Congress did not support PDP though they increased their vote and seat

¹⁰³ Although PDP grow to 21 seats in 2008 Assembly elections but surprisingly decided to sit in the opposition. See for example, *The Hindu-Business Line*, “Mufti Mohammad Sayeed – A Suave Politician,” January 07, 2016.

¹⁰⁴ BJP general secretary Arun Jaitley declared, “We will be the nationalist opposition in the assembly.” See for example, *India Today*, “Power Play Begins as J&K gets another Hung House,” December 28, 2008.

¹⁰⁵ *India Today*, “Power Play Begins as J&K gets another Hung House,” 2008.

share because they have to keep the larger interest in mind while playing politics at the state level. The earlier alliance between the NC and BJP during the parliamentary election was difficult for grassroots NC workers to justify the alliance to the common masses in Kashmir, but this power-sharing alliance with Congress was meaningful.¹⁰⁶

Table 4.8
J&K Assembly Elections 2008:
Share of Votes Polled by Parties

Party	State Vote Share (%)	Kashmir Vote Share (%)	Jammu Vote Share (%)	Ladakh Vote Share (%)
INC	17.71	10.48	22.97	27.31
NC	23.07	27.51	19.31	28.44
BJP	12.45	0.96	21.98	0.67
PDP	15.39	27.41	6.59	0.54
CPM	0.80	-	-	-
JKNPP	3.33	0.78	5.45	0.37
PDF	0.18	-	-	-
JKDPN	1.38	-	-	-
IND	16.34	13.2	-	-
Others	8.15	-	-	-

Source: Election Commission of India.

Although the separatist politics was at its peak in the state, the call to boycott was completely rejected, and masses participated overwhelmingly in the elections to the assembly. The issues, which were the exclusive realm of the separatist politics in the past, are now openly debated within mainstream politics. For example, NC during the 2008 assembly elections talked of repealing draconian laws such as Disturbed

¹⁰⁶ Rekha Chowdhary, "Jammu and Kashmir: BJP's Alliance with National Conference – Predicament at State Level," *Economic and Political Weekly* 34, no. 48 (November 1999): 3342-3343.

Areas Act, AFSPA, and setting up a Truth and Reconciliation Commission to probe human rights violations.

Thus its share of seats and votes after several elections were 47 seats out of 76 (46.2 percent votes) in 1977, 46 seats out of 76 (47.3 percent votes) in 1983, 40 seats out of 76 with another 26 for its alliance partner, Congress (32.99 percent votes for NC and 20.2 percent for Congress) in 1987, and 57 seats out of 87 (34.7 percent votes) in 1996. Unlike earlier elections, NC failed to attain a simple majority in 2002, 2008, and 2014 either at the level of Valley or at the level of the state. Polling 28.23 and 23.07 percent votes simultaneously, it could register victory only in 28 seats in a house of 87 in both elections.

The 2008 assembly election registered 61.16 percent against 43.70 percent voter turnout in the 2002 assembly election. In almost all of the regions and all of the Kashmir region's districts and constituencies, the percentage of the total voter turnout in the region was much higher than the total turnout of the 2002 assembly elections. Although the voter turnout remained unaffected by the Amarnath unrest, the election result was that PDP and BJP emerged as the gainers in terms of the percentage of seats and votes. Because the agitation honed the regional feelings of the separatist and the Kashmiri, the benefit of the PDP was ensured.¹⁰⁷

At the regional level, there was a strong competition between the PDP and NC in Kashmir (see Table 4.9). While the NC bagged 20 seats with a vote share of 27.51. The PDP was able to win 19 seats with a vote share of 27.41 percent. The rest 8 seats were divided among the Congress, CPM, and Independents. The PDP was able to increase its seat share and vote share to 19 and 27.41 as compared to 16 and 24.51 in the 2002 election. The NC was able to increase its seat share to 20 from 19 in the last election. But its share of votes was decreased from 35.67 percent in 2002 to 27.51 percent in this election. However, the Congress party had lost its electoral

¹⁰⁷ PDP's leader Mehbooba Mufti was vociferously campaigning against the economic blockade of Kashmir by Jammu's agitators and projecting itself as the redeemer of the Kashmiri sentiment. In this context of regional and communal polarization, the PDP's rise in popularity was clearly reflected during the assembly elections.

space in Kashmir both in terms of seat and vote share. Its total strength was reduced to 3 from 5 in 2002, and its vote share was reduced to 10.48 in 2008 from 14.53 in 2002.

Table 4.9
Assembly Election 2008:
Performance of Political Parties in Kashmir Region

Name of Political Party	Number of Seats	Percentage of Seats	Percentage of Votes
INC	03	6.52	10.48
NC	20	43.47	27.51
PDP	19	41.30	27.41
JKNPP	-	-	0.78
CPM	01	2.17	-
BJP	-	-	0.96
IND	04	8.69	13.2

Source: Election Commission of India.

Table 4.10
Assembly Election 2008:
Performance of Political Parties in Jammu Region

Name of Political Party	Number of Seats	Percentage of Seats	Percentage of Votes
INC	13	-	22.97
NC	06	-	19.31
PDP	02	-	6.59
JKNPP	03	-	5.45
BJP	11	-	21.98
IND	02	-	-

Source: Election Commission of India.

In the Jammu region, the level of competition was much healthy (see Table 4.10). While the major players here were the Congress, BJP, and NC, the PDP and JKNPP were also serious competitors in some parts of the region. Congress won 13 seats

with a 22.97 percent of vote share, and BJP was quite close to it and was able to increase its seats from one seat in 2002 to 11 seats in this election, with a vote share of 21.98. It was NC that had lost both in terms of seats as well as votes (from 9 seats to 6 and from 23.94 percent vote share to 19.31. The PDP was able to make an entry into the region by winning two Muslim dominated constituencies. Hence, it was successful in making inroads into NC and Congress strongholds in the Jammu region.

In the Ladakh region, the NC managed to win the Kargil district, two seats with a vote share of 28.44 percent (see Table 4.11). The Congress party was able to win one seat from Leh constituency with 27.31 percent votes. An independent candidate bagged the remaining one seat of Nubra.

Table 4.11
Assembly Election 2008:
Performance of Political Parties in Ladakh Region

Name of Political Party	Total Number of Seats	Percentage of Seats	Percentage of Votes
INC	01	25	27.31
NC	02	50	28.44
BJP	-	-	0.67
PDP	-	-	0.54
JKNPP	-	-	0.37

Source: Election Commission of India.

In the "National Conference System," the NC was the dominant party both at the state as well as regional level. Much of the politics of the state took place within the NC-Congress with its opponents reduced to side roles. However, since the emergence of power-sharing coalitions, NC becomes one of the many players in the game. The government of the NCs in 1996 was the last one-party government before a series of power-sharing coalitions that followed up at the state level. Since the emergence of power-sharing governments almost all parties (national as well as

regional) across the scope have been involved in government in some way or the other. For the second time in 2008, Jammu had a fair share of power in the state in the context of coalitional power-sharing. At the national level, Congress and BJP have become the two dominant coalition makers and the "nodes" around which coalitions have formed.¹⁰⁸ In a similar way, the two regional parties PDP and NC acts as a coalition maker in the J&K state.

Praveen Swami has observed that despite six weeks of violence, protests, and calls for a complete boycott, the October 2002 assembly election in J&K was conducted peacefully with a "record number of voters."¹⁰⁹ Hassan Zainagiri, a well-known political commentator said that the "people are quite jubilantly supporting the boycott schedule of the coordination committee" during the 2008 assembly elections.¹¹⁰ In fact, one of the eminent journalist cum scholars, Prem Shankar Jha prophesied, "the Government will be lucky if they get more than 10 percent of people to come out and vote."¹¹¹ However, results were very different as it turns out a highly participated election. Mirza Beg writes, "Hurriedly conducted elections in 2008 resulted in a totally different political scenario in the state. Mainstream organizations that have a history of treating accession of the state a closed chapter, thereby accepting Jammu and Kashmir an integral part of India, declared the state a disputed area and asked for a negotiable settlement in their election manifesto. Better late than never, thus have they joined the pro-resistance voice and endorsed its views."¹¹²

¹⁰⁸ See K.K. Kailash, "Coalitions: Permanent Instability or Reinforcing Democracy?."

¹⁰⁹ Paul Wallace, "Introduction: Political Stability and Governance Coherence," in *India's 2009 Elections: Coalition Politics, Party Competition, and Congress Continuity*, ed. Paul Wallace and Ramashray Roy (New Delhi: Sage Publications India Pvt Ltd, 2011), 18.

¹¹⁰ Hassan Zainagiri, "Engineering Elections," *Greater Kashmir* (Srinagar), October 31, 2008.

¹¹¹ *Alwamy News* (Online), "Voting Begins in Indian Kashmir," November 17, 2008.

¹¹² Mirza Ashraf Beg, "The History of Coalition: Kashmir Politics," *Greater Kashmir*, January 22, 2009.

Although, even as the militancy and violence have been contained, the disaffection and anger of Kashmiris are far from dissipated.¹¹³ In 2010 the Kashmir government legitimized a policy of 'bullet for a stone' through a national security system that portrays stone-pelting as a form of 'agitational terrorism' punishable by life in prison or death.¹¹⁴ The face of the fight, however, changed between 2008 and 2010 when stone-throwing young men and boys replaced the armed militants.¹¹⁵ As the state violence has not receded completely, discourses of humanitarianism have become a significant strategy of governance in J&K through multiple states, civil society, and military initiatives that promise to connect J&K's aspiring youths with the national mainstream.¹¹⁶

4.4.1 What They Stood For

The NC-Congress power-sharing coalition started on a good note of massive participation despite the Amarnath issue. With Farooq Abdullah deciding to leave the political space for his son Omar Abdullah, there was an ample enthusiasm about the impact of generational change.¹¹⁷ Youth mostly identified with Omar and

¹¹³ See Suvir Kaul, "An' You Will Fight, Till the Death of It: Past and Present in the Challenge of Kashmir," *Social Research: An International Quarterly* 78, no. 1 (Spring 2011): 173-202.

¹¹⁴ Bruce Hoffman and Haley Duschinski, "Contestations Over Law, Power and Representation in Kashmir Valley," *Intervention: International Journal of Postcolonial Studies* 16, no. 4 (July 2013): 520.

¹¹⁵ Many Indians see Kashmir through a prism of nationalism and justify the human rights violations by their security forces as collateral damage. With more than seven lakh Indian troops stationed here, Kashmir has the distinction of being the most densely militarized zone in the world. Kashmir is so significant in the Indian nationalist narrative because it demonstrates that a Muslim majority state can exist successfully within India, undermining the two nation's theory justifying partition.

¹¹⁶ See Mona Bham, "Morality and Martyrdom: Dams, Dharma, and the Cultural Politics of Work in Indian-Occupied Kashmir," *Biography* 37, no. 1 (Winter 2014): 191-224.

¹¹⁷ The negativity attached to Farooq Abdullah was not attached to Omar Abdullah. The CSDS post-poll survey of 2008 clearly reflected the relatively greater popularity of Omar in Kashmir as compared to Farooq. On a question as to who should lead the NC, in Kashmir 43.4 percent stated Omar and only 9.3 percent stated Farooq. 39.5 percent respondents, however, stated that it made no difference. In Jammu, the opinion was different as around 32.3 percent were in favour of Farooq, 9.8 percent favored Omar and 36.8 percent said that it made no difference.

believed that the NC, which has lost its dynamism since 1987, would be reinvigorated. The NC has always adopted an aggressively pro-autonomy position while distancing itself from those fighting for the secession of the state from India.¹¹⁸ It has a crucial role in the process and development of an assertion of the political identity of Kashmir.

It is believed that since the death of Sheikh, the incapacity to debate the issue of autonomy rationally and maturely has exposed certain weaknesses in Indian democracy and federalism.¹¹⁹ New Delhi has sensibly coordinated with both the PDP and the NC in intricate power-sharing coalitions and local seat-sharing deals after the historic 2002 assembly elections. Elections are the definitive predictor of normalcy for the political class and pundit coping with Kashmir; turnouts are eagerly seized on as evidence of approval, legitimacy, and sentiment for India. There has also been a lot of government programs to offer jobs and public works projects. This particular brand of winning hearts and minds takes part in a number of organizations, ranging from educational schemes to road construction and contracts to army-sponsored outings for kids.¹²⁰

As per the coalition arrangement, Congress as the power-sharing partner had not insisted on the rotation of chief ministership like in the first power-sharing government, and therefore Omar had been chosen as CM for the full term of six years. The government had to face the tough times for the first couple of years as the state was overtaken by separatist upsurge and popular protests after the Amarnath land row. It was only after 2010 that this power-sharing government could pay attention to the task of development and governance. Towards the end of the tenure, the government was once again paralyzed in 2014 after the unprecedented flood

¹¹⁸ Paranjay Guha Thakurta, "Indian General Elections 2002: National and Regional Parties, their Leaders and Strategies," *ISAS Insights*, no. 48, (February 2, 2009): 9.

¹¹⁹ Balraj Puri, "Kashmir: How Not to Debate Issue of Autonomy," *Economic and Political Weekly* 35, no. 34 (August 19, 2000): 2997-2998.

¹²⁰ Staniland, "Kashmir since 2003," 939.

situation, which inundated large parts of Kashmir valley.¹²¹ Both the coalition partners agreed to appoint interlocutors to have a comprehensive dialogue with all stakeholders, along with separatists. While commenting on the role of separatists Rana said:

*'You can't ignore them. It will be a folly to ignore them. They have an opinion, and that opinion is also espoused by many other people in Kashmir and other areas. You have to listen to them. You can't push them. You push them out, you get nothing. If we want the Kashmir issue to settle it is a political issue, we will have to take everybody on board and make all the stakeholders talk. They have to talk with each other, they have to talk to each other, they have to talk outside J&K. If a solution has to be found, they also have to be on board. If you don't take them on board, you are missing an essential component. If they are not relevant, then why their presence bothers everybody? They can be ignored at the cost of Kashmir's aspirations being ignored and that's not correct.'*¹²²

Amongst the claims made by this power-sharing government was about the strengthening administrative setup, particularly the Jammu and Kashmir Public Service Guarantee Act, 2011. From 13 departments around 80 basic services were brought under the ambit of this Act. These included matters related to issuance state subject certificates, ration cards, reserved category certificates, driving license, dependent certificates, electricity, and domestic water connection, NOC for house construction and birth and death certificates, etc. However, this act did not make much difference in the delivery of public services and notwithstanding this Act, the working of public offices continued as inefficient as it was earlier.

The government failed to satisfy the expectations of the youth. Overall, the record of the government on the employment front remained a little poor. Although it launched several schemes like the Sher-i-Kashmir Employment and Welfare

¹²¹ Chowdhary, *Jammu and Kashmir 1990 and Beyond*, 211.

¹²² Personal Interview with JKNC Provincial President Devendra Singh Rana, Jammu, January 14, 2017.

Program for youth (SKEWPY) to deal with the problem of unemployment of the educated youth, it failed to bring any major change in the ground situation. It also failed to fill in thousands of gazette and non-gazette posts that were available. Throughout the six years, Omar remained vocal about the withdrawal of AFSPA but could not get any result in this direction because of opposition to the defense minister.¹²³ On the issue of corruption despite the public pronouncement of both Congress and NC regarding their commitment to empowering the State Vigilance Commission and to revival State Accountability Commission (SAC), not much was done in that direction. On the contrary, the power-sharing government diluted the powers of the SAC. In fact, Rekha Chowdhary writes, “in common perception, the NC-Congress government was more corrupt than the preceding governments. So deep-rooted was this perception that even the coalition partners blamed each other for being corrupt.”¹²⁴ Besides other issues, what made the people angry with this government were the continuous incidents of human rights violations. In the 2014 parliamentary elections, the two coalition partners were defeated in all the six seats in the state. Soon after the elections, Omar sought to introduce some new populist measures like an increase in the retirement age of government employees, reversing the controversial recruitment policy, and removing the internet ban on mobile phones.

In short, we can say that it is because of the impact of the long-term conflict, that there are several problems faced by the state have oozed into the system. The problems related to employment, accountability, economic backwardness,

¹²³ The government made it clear that revocation of the controversial Armed Forces Special Powers Act (AFSPA) from J&K could be some time away, saying consensus will have to be evolved among all stakeholders on the crucial issue as positions were not unified at the movement at the center. See, *DNA*, “Revocation of AFSPA from J&K Will Take Some Time: Govt,” November 20, 2011.

¹²⁴ The CSDS survey found that around 51.9 percent respondents in Kashmir and 40.2 percent in Jammu states: they were dissatisfied with this government. It is with reference to this dissatisfaction when asked to compare the PDP-Congress power sharing government with the NC-Congress power sharing government that larger percentage of respondents (44.4% in Kashmir and 28% respondents in Jammu region) said that the former was better. As against this, 18.8 percent respondents in Kashmir and 16.7 percent in Jammu region felt that the NC-Congress government was better. See for example, Chowdhary, *Jammu and Kashmir 1990 and Beyond*, 212-215.

corruption, for example, have been so deep-rooted in the system that these have continued to affect the state regardless of the changes in a power-sharing government but succeeded in containing the conflict and violence in the state.

4.4.2 Portfolios Allocation and Accommodation

NC chief Omar Abdullah was appointed as eighth chief minister of J&K on January 5, 2009, by the NC-Congress coalition government for the full term of six years. At the age of thirty-eight, he was the youngest CM of the state.¹²⁵ Besides Omar, three members each of Congress and NC took an oath on the same day but the cabinet was extended later in order to accommodate more people from all the three regions and major religions of the state (see Table 4.12).¹²⁶

Table 4.12
Power Sharing and Portfolios in NC-Congress Government

Name	Position	Department	Party	Region	Sub-Region	Religion
Omar Abdullah	CM	Home, General Administration, Civil Aviation and Information	NC	Kashmir	Central	Muslim
Tara Chand	Deputy CM	Housing, urban development, and municipalities	INC	Jammu	Hindu Belt	Hindu
Peerzada Mohammad Sayeed	Cabinet	School Education and Public Enterprises	INC	Kashmir	South	Muslim
Taj Mohi-ud-Din	Cabinet	Public Health, Engineering, Irrigation, and Flood Control	INC	Kashmir	North	Muslim

¹²⁵ He resigned from the CMs post after the opposition PDP named him in the infamous sex scandal that had rocked Srinagar in 2006. While submitting his resignation to Governor N.N Vohra, Omar had said, "I cannot bear this kind humiliation. I am innocent until proven guilty." See, *The Hindu*, "Omar Abdullah Takes Oath as J&K Chief Minister," January 5, 2009.

¹²⁶ The rape and murder of two young women in Shopian seems to have further delayed the expansion of the state cabinet with the government busy trying to restore normalcy in the Valley after days of protests over the mishandling of the incident. Finally, the expansion happen in the month of June 2009. See, *The Indian Express*, "Shopian Row Hits Cabinet Expansion," June 14, 2009.

Sham Lal Sharma	Cabinet	Health	INC	Jammu	Hindu Belt	Hindu
Raman Bala	Cabinet	Revenue and Relief	INC	Jammu	Hindu Belt	Hindu
Mian Altaf Ahmad	Cabinet	Forest, Environment, and Ecology	NC	Kashmir	North	Muslim
Abdul Rahim Rather	Cabinet	Finance and Ladakh affairs	NC	Kashmir	Central	Muslim
Surjit Singh Slathia	Cabinet	Industries and Commerce	NC	Jammu	Hindu Belt	Hindu
Ghulam Hassan Mir	Cabinet	Agriculture	DPN	Kashmir	North	Muslim
Sakina Itoo	Cabinet	Social Welfare, ARI and Training, and Public Grievances	NC	Kashmir	South	Muslim
Abdul Gani Malik	Cabinet	Education, Labor, and Employment	NC	Jammu	Chenab Valley	Muslim
Aga Syed Ruhullah Mehdi	Cabinet	Animal Husbandry, Sheep Husbandry, Science and Technology and Information Technology	NC	Kashmir	Central	Muslim
Nawang Rigzin Jora	Cabinet	Tourism and Culture	INC	Ladakh	Leh	Buddhist
Qamar Ali Akhoon	Cabinet	Consumer Affairs and Public Distribution and Transport	INC	Ladakh	Kargil	Muslim
Ali Mohd Sagar	Cabinet	Rural Development and Panchayat, Law and Parliamentary Affairs	NC	Kashmir	Central	Muslim
Shabbir Ahmad Khan	Cabinet	Consumer Affairs, Public Distribution, and Power	INC	Jammu	Pir-Panjal	Muslim
Mohd Akbar Lone	Cabinet	Higher Education	NC	Kashmir	Central	Muslim
Chowdhary Mohd Ramzan	Cabinet	Consumer Affairs and Public Distribution	NC	Kashmir	North	Muslim
Ajay Kumar Sadhotra	Cabinet	Planning and Development	NC	Jammu	Hindu Belt	Hindu

Mir Saifullah	Cabinet	Law, Justice and Parliamentary Affairs	NC	Kashmir	North	Muslim
Nazir Ahmad Khan	Cabinet	NA	NC	Kashmir	North	Muslim
Manohar Lal Sharma	MoS	Cooperatives, Printing and Stationery, and Elections	INC	Jammu	Hindu Belt	Hindu
Nasir Aslam Wani	MoS	Housing and Urban Development, PHE, Tourism, and Revenue and Relief	NC	Kashmir	Central	Muslim
Javaid Ahmad Dar	MoS	R&B and Mechanical Engineering, Health and Medical Education, Floriculture, Horticulture, and Agriculture	NC	Kashmir	North	Muslim
Aijaz Ahmad Khan	MoS	State Haj, Auqaf and Fisheries, Rural Development, Social Welfare, Animal Husbandry, and Protocol	INC	Jammu	Chenab Valley	Muslim
Ghulam Mohd Saroori	MoS	R&B and Medical Engineering	INC	Jammu	Chenab Valley	Muslim
Feroz Ahmed Khan	MoS	Science and Technology	NC	Ladakh	Kargil	Muslim
Sajjad Ahmad Kichloo	MoS	Home	NC	Jammu	Chenab Valley	Muslim
Ghulam Ahmed Mir	MoS	Tourism	INC	Kashmir	South	Muslim
Abdul Majid Wani	MoS	R&B	INC	Jammu	Chenab Valley	Muslim
Vikar Rasool Wani	MoS	Power	INC	Kashmir	Chenab Valley	Muslim

Source: Compiled from various newspapers and reports. Note: In the Kashmir region, the sub-region Central Kashmir is comprised of Srinagar, Badgam, and Ganderbal districts. The North Kashmir is comprised of Baramulla, Bandipora and Kupwara districts. The South Kashmir is comprised of four districts - Anantnag, Kulgam, Shopian, and Kulgam. In the Jammu region, the Hindu Belt is comprised of Jammu, Udhampur, Samba and Kathua districts. The Chenab Valley is comprised of Doda, Kishtwar, Ramban, and Reasi and Pri-

Panjal included the districts of Rajouri and Poonch. The Ladakh region is comprised of two districts – Leh and Kargil.

The cabinet of this power-sharing government saw the representation from all the three sub-regions of the Kashmir province. The central Kashmir was represented by the council of ministers like Omar Abdullah, Abdul Rahim Rather, Aga Syed Ruhullah Mehdi, Ali Mohd Sagar, Mohd Akbar Lone, and Nasir Aslam Wani. The north Kashmir was represented by Taj Mohi-ud-Din, Mian Altaf Ahmad, Javaid Ahmad Dar, Chowdhary Mohd Ramzan, Mir Saifullah, and Nazir Ahmad Khan. From the south Kashmir, the representation was given through Peerzada Mohammad Sayeed, Sakina Itoo, and Ghulam Ahmed Mir. Ghulam Hassan Mir of Democratic Party Nationalist (DPN), representing the constituency of Gulmarg, has all along advocated the cause of downtrodden and poor. He was inducted in the council of ministers as minister for agriculture.

The Jammu region which has three sub-regions, was given clear representation in the power-sharing government. Tara Chand of Congress was given the position of Deputy Chief Minister.¹²⁷ From the Hindu belt, the following members were included in the council of ministers - Tara Chand, Sham Lal Sharma, Raman Bala, Manohar Lal Sharma, Surjit Singh Slathia, and Ajay Kumar Sadhotra. Chenab Valley was also given due share in the government - Abdul Gani Malik, Aijaz Ahmad Khan, Ghulam Mohd Saroori, Sajjad Ahmad Kichloo, Abdul Majid Wani, and Vikar Rasool Wani. Shabbir Ahmad Khan was also included in the council of ministers from the sub-region Pir-Panjal (see Table 4.12). Ladakh's senior Congress leader Nawang Rigzin Jora (Leh), has taken charge of the tourism and culture department. Qamar Ali Akhoun and Feroz Ahmed Khan of NC representing the district of Kargil was also inducted in the council of ministers. Therefore, both the districts and two major religions of the Ladakh region was given representation by the power-sharing government.

¹²⁷ See for example, M. Ramzan, "Who's Who 2009," Jammu and Kashmir Legislative Assembly Secretariat.

4.4.3 Shift in Electoral and Party Politics: Loss of Hegemony of NC

The NC is one of the oldest regional party in India, has remained fundamental to the politics of J&K ever since its inception in 1939. It has been the only dominant party of the state until the 2002 assembly elections (see Table 4.13). However, the 2002 assembly election reflected a significant shift in party politics in the state. From a very static power politics in the pre-2002 period, it presumed a highly dynamic character.

Table 4.13
Performance of NC:
State Assembly Elections 1977-2014

Year	Total Seats	No. of Seats Won by NC	Percentage of NC's Seats	No. of Seats in Kashmir Region	Seats Obtained by NC	Percentage of NC's Seats
1977	76	47	61.84	42	39	92.85
1983	76	46	60.52	42	38	90.47
1987	76	40	52.63	42	32	76.19
1996	87	57	65.51	46	40	86.95
Change in NC's Dominant and Hegemonic Position Since 2002						
2002	87	28	32.18	46	18	39.13
2008	87	28	32.18	46	20	43.47
2014	87	15	17.24	46	12	26.08

Source: Election Commission of India.

As one can see from table 4.13, the NC had been largely capturing more than 60 percent of the total seats until the 1996 assembly election. But since the 2002 assembly elections, its number was significantly reduced. As it lost its dominant place at the state level, its loss in the Kashmir region was much more severe. It had been independently controlling the electoral space of Kashmir region bagging as high as 92.85 percent seats in 1977 and managed its victory in 76.19 percent seats in 1987 when it contested the election in alliance with Congress (see Table 4.13). Form a hegemonic party at the regional level and a dominant party at the state level, the

position of the NC was changed to that of the largest party at both levels in 2002 and 2008, whereas in the 2014-assembly election it stood at the third place.

The competitive electoral politics prior to 2002 was defined by the dominance of the NC at the state level. Although some space for oppositional politics started growing in the post-1975 period, it was mostly located in the Jammu region. There was a widespread monopoly of the NC in the Kashmir's mainstream electoral politics. Though, despite the domination of NC during the 1977 assembly elections, there was a variety of political parties. Besides the Congress party which was vibrant in the Jammu region, there were other parties like the Janata party which too occupied a substantial space in that region. However, it neither affected the dominance of NC in the state power politics nor its hegemonic role in Kashmir. The NC continued to dominate the electoral politics of the state until the 1996 assembly election. By this time several other parties like BJP, BSP, Janata Dal, and JKNPP had occupied the electoral space in the Jammu region. About the decline of NC Rekha Chowdhary writes:

“There are various reasons for the decline of the NC many of which had roots in the long history of the party. For one thing, the party had become truncated as early as in 1953 when it lost Sheikh Abdullah to separatist politics. Engrossed in conflict politics, it lost its ideological roots, and even when it was revived in 1975, it did not have much to offer except its history of progressive past. Sheikh Abdullah had some vision about governance and when he came back to power politics, he sought to bring about changes particularly in the field of education and administration. His emphasis on decentralized planning and administration was quite forward-looking. However, his successor, Farooq Abdullah, lacked vision and was more casual in his approach towards governance. Under his leadership, the state not only lost social direction but also was entrapped in a corrupt bureaucratic and political regime... the popular response had started turning hostile against the NC right in 1986 when the party had entered into an alliance with the Congress party. It was the shift of the popular base from the NC to MUF that was clearly reflected during the 1987 Assembly election. The debacle

of the 1987 election had further turned people away from the NC towards the separatist politics.”¹²⁸

Hence, with the rise and growth of new regional as well as national political parties in state politics, NC finds it difficult to maintain the role of hegemony. As a CM, Omar has started his innings with many benefits. Age is on his side, he has a legacy to be pleased with and a collaboration with the ruling party at the center. The level of Infiltration and violence was stated to be at an all-time low. Notwithstanding the fact that Valley is yet to recover from the devastating flood that hit it on September 7, 2014, holding of elections has become a reality now. Except for NC, all parties have been enthusiastically advocating for polls on time. For them, it is the best time to use the failures of the coalition government to their benefit.¹²⁹

4.5 Power Sharing: The 2014 Assembly Election and the People’s Democratic Party (PDP) – Bharatiya Janata Party (BJP) Coalition

As the previous election, the 2014 election to the assembly was also participatory in nature, and people came out to cast their votes in large numbers. Intensely competitive in nature and keenly contested, this assembly election blew away a highly fractured mandate. Despite the presence of the four main political parties such as the NC, PDP, Congress, and BJP in many constituencies, no party has managed to cross the majority mark. The state's youngest party continued to gain

¹²⁸ Chowdhary, *Jammu and Kashmir 1990 and Beyond*, 183-84.

¹²⁹ Since the Election Commission had made its mind known about the elections a few weeks back, the coalition government jumped to do anything they had not done in past six years. For example, the NC government approved 400 more administrative units, putting a burden on the state exchequer and demolishing the concept of institutions such as Sub Divisional Magistrate, Tehsildar and Naib Tehsildar. In one such area in North Kashmir’s Rafiabab there are three tehsils within the radius of three Kilometers. They also blatantly up graded 800 health centers and equal number of educational institutions without the prior concurrence from Finance and Planning department. This was only done to reach out to their vote bank. For further details see, Syed Shujaat Bukhari and Tahmeena Bukhari, *Kashmir’s Thin Red Lines* (New Delhi: Partridge, 2019).

strength because, in 2014, it not only won all three Lok Sabha seats in the Kashmir region but also came out as the single largest political party in the state assembly elections.¹³⁰

Table 4.14
Comparative Share of Seats:
2002 to 2014 Assembly Elections

Parties	Number of Seats								
	J&K			Kashmir Region			Jammu Region		
	2002	2008	2014	2002	2008	2014	2002	2008	2014
NC	28	28	15	18	20	12	09	06	03
INC	20	17	12	05	03	04	15	13	05
PDP	16	21	28	16	19	25	-	02	03
BJP	01	11	25	-	-	-	01	11	25
CPM	02	01	01	02	01	01	-	-	-
JKNPP	04	03	00	-	-	00	04	03	-
PDF	-	01	01	-	01	01	-	-	-
PC	-	-	02	-	-	02	-	-	-

Source: Election Commission of India, New Delhi.

There was a hung assembly in J&K for the third consecutive time, where no single party was able to claim the majority (see Table 4.14). The PDP could secure the largest number of seats that is 28 and a vote share of 22.6 percent, trailed by the BJP, which got 25 seats (with a significant increase of 14 seats from the last elections) but failed in its ‘Mission 44’.

Both PDP and BJP witnessed an improvement in their voting share of 7 and 11 percent respectively. Among the others, 15 seats were won by the governing NC, Congress managed to win 12 seats, two seats by PC headed by Sajjad Gani Lone who entered the legislature, and five by the independents and others (see Table 4.15).

¹³⁰ *The Hindu-Business Line*, “Mufti Mohammad Sayeed,” 2016.

Table 4.15
J&K Assembly Elections 2014:
Total Seats 87: Turnout 65.52 Percent

Party	Seats Won	Percentage of Votes
NC	15	20.77
INC	12	18.1
PDP	28	22.67
JKNPP	00	-
CPM	01	0.50
BJP	25	23
PC	02	1.93
PDF	01	0.72
IND	03	-
Total	87	-

Source: Election Commission of India, New Delhi.

The vote bank of NC and Congress has squeezed to a bare minimum, parties should know that in democratic setup popularity, and acceptance of political party is directly proportional to its performance. Shujaat and Tahmeena argued that:

“The trend had been set after 2002 in Jammu and Kashmir gets reversed, Congress will no longer be in a position of being the ‘King Maker’ in state politics. Since 2002, the state has seen the coalition politics thriving and smaller parties and even individuals emerging as potential gainers. Congress with substantial numbers played the role of having the key to the formation of governments. It did pave the way for Mufti Mohammad Sayeed to become Chief Minister in 2002 despite his party PDP having only 16 members against Congress’s 20. And in 2008 it joined hands with NC to form the government. This time, however, Congress seems to be on the back foot as the rout the party faced at the national level and in the six parliamentary constituencies of J&K has given a severe jolt to its morale. Political pundits are not predicting immediate revival in its fortunes. If that would be the case then a new dynamic will be thrown up in the state.”¹³¹

¹³¹ Bukhari and Bukhari, *Kashmir’s Thin Red Lines*, 230-231.

The states three regions did vote very differently. The PDP was the front runner, with 25 seats, in the Kashmir region. Here the Congress and the NC have won 4 and 12 seats respectively. Amid Modi's numerous rallies, right-wing BJP could not win any seat in this area. In the Jammu region, thirty-seven seats were contested mainly between Congress and the BJP. Just five seats in this area were successful at the congress. All the victories of the BJP came from this area, and on only 3 seats, the PDP had won. Congress was able to win three out of four seats in the Ladakh region, with a 50.72 percent vote share. The BJP swept all seven reserved Scheduled Castes (SC) seats with a 55.6 percent voting share.¹³²

Table 4.16
J&K Assembly Elections 2014:
Share of Votes Polled by Parties

Party	State Votes (%)	Kashmir Seats	Kashmir Votes (%)	Jammu Seats	Jammu Votes (%)	Ladakh Seats	Ladakh Votes (%)
INC	18.01	04	29.10	05	20.83	03	50.72
NC	20.77	12	29.10	03	14.39	00	8.09
BJP	22.98	00	2.55	25	40.53	00	22.14
PDP	22.67	25	37.30	03	10.99	00	11.77
PC	1.93	02	4.23	00	2.39	00	-
CPM	0.50	01	-	00	-	00	-
PDF	0.72	01	-	00	-	00	-
IND	6.85		-		-	01	7.28*
Others	5.57		-		-		-

*Source: Election Commission of India, New Delhi. *7.28 percent vote share is for both Independents and Others.*

¹³² Out of 80 general constituencies, PDP was successful on 28 seats with a vote share of 24.5 percent. The BJP won 18 and 15 seats went to National Conference. See, for example, Vibha Attri and Himanshu Bhattacharya, "Assembly Elections 2014-2016," *Studies in Indian Politics* 5, no.1 (2017): 105-158.

The mandate has been fractured based on vote shares, party lines as well as regional lines. (see Table 4.16). BJP's ascendancy in J&K was no diverse from what it did in the rest of India in the 2014 general elections. Here also the communal polarization drove as a spinner in the game.¹³³ The BJP secured the largest share of votes while won the second largest number of seats and formed a power-sharing government with the PDP. Both the parties announced the deal after talks in the New Delhi.¹³⁴ The two parties PDP and BJP entered the power-sharing coalition government with parallel levels of support to each other throughout the years. At the beginning of the term, the ruling party of the power-sharing coalition government was the most popular combination with support from all regions of the state.¹³⁵ However, there is no doubt that this power-sharing alliance between them changed the structure of politics in the state. Since 2002, party politics in the J&K has become very competitive. The BJP, since 1989, has grown partly because of its own mobilization and ideological appeal and partly by leveraging coalitions.¹³⁶

The options of the PDP are slightly limited due to the electoral verdict. Even though Congress is the most natural ally of the PDP, the combined vote tally of both the parties cannot even secure a clear majority in the assembly.¹³⁷ An NC-PDP alliance can have adequate seats for the formation of the government, but it is nearly unthinkable that these two regional opponents would agree for a coalition to form

¹³³ The mandate in Valley was fractured. Political Commentators in Valley concluded that the vote in Valley was to stop BJP's entry into the power structure.

¹³⁴ *BBC News*, "Kashmir: India's BJP and PDP announce Coalition," February 24, 2015.

¹³⁵ It is the first time the Hindu nationalist BJP have been in government in India's only Muslim majority state. However, the BJP has never been a serious contender in the predominantly Muslim Kashmir Valley, given its hardline views on the states relationship with India.

¹³⁶ Adnan Farooqui and E. Sridharan, "The BJP and Coalition Politics," New Delhi: Center for the Advanced Study of India, University of Pennsylvania, November 3, 2014.

¹³⁷ Ronojoy Sen, "Divided Verdict in Jammu and Kashmir," *ISAS Insights*, no. 273 (January 9, 2015): 1. The BJP-PDP alliance, in terms of arithmetic, may not be as fragile as the numerically weak probability of PDP alliance with Congress plus some independents. However, in terms of ideological convictions, it is a ticking time bomb. See for example, Anuradha Bhasin Jamwal, "Multiple Perils of the BJP-PDP Alliance," *Economic and Political Weekly* 50, no. 11 (March 2015): 10-12.

the government. A BJP-NC alliance could possibly muster the numbers, with the support of few independents, but the government would have been an unstable one. Although BJP would prefer this coalition since it would have been the senior partner. Consequently, political parties and their leaders must have a rational clear view of the political future and its significance in order to be willing to join or defer power when it is offered.¹³⁸

As a result of months of negotiations, BJP, the governing Hindu nationalist party, joined the PDP, a Kashmir based regional political party, which is dominated by the Muslims, in order to create a power-sharing government primarily in the prolonged disputed regions of Kashmir, and thus, for the very first time in the history of the state politics, the Hindu party has ever held governance role in the state government.¹³⁹ Mufti Sayeed in his first conference said, “History has given us a big opportunity, and we want to make this alliance the turning point for Kashmir.”¹⁴⁰ Ram Madhav of BJP believes that “this was a historic alliance and will remain a historic alliance. In a democracy, you have to experiment and learn to live with parties that do not share your ideology. That is the beauty of democracy.”¹⁴¹ The informal alliance between the BJP and the PC in the state was the newest one based on the power-sharing concept. They may want to increase their presence in Assembly to increase the prospects of sharing power in a state coalition government. BJP state general secretary assumed that in Kashmir, the PC has also played a major role and we felt that this party should also get an opportunity to move ahead. That is why we chose this particular party for the coalition. We gave them a share in the

¹³⁸ Strom, “Deferred Gratification and Minority Governments in Scandinavia,” 589.

¹³⁹ To be a power player in the only Muslim majority state is surely a dream come true.

¹⁴⁰ Sameer Yasir and Gardiner Harris, “Hindu Party in India in Coalition for Kashmir,” *The New York Times*, March 1, 2015.

¹⁴¹ Prashant Jha and Kumar Uttam, “Why BJP pulled the plug on PDP: Rainbow Alliances are short lived, says Ram Madhav,” *Hindustan Times*, June 21, 2018.

ministry. We offered our ministerial posts to them. In other words, we accommodated them.¹⁴²

Mehbooba Mufti said that the party joined the power-sharing agreements as the basic declaration of the PDP was incorporated into the CMP of 2002 and the Agenda of Alliance (AoA) of 2015.¹⁴³ Its focus on ‘Healing Touch’ was evident in the CMP. Healing Touch policy was focused on addressing the problem of alienation of people, particularly in the Kashmir Valley. Now the governments’ topmost priority was to bring lasting peace to the region. On the other hand, the Hurriyat separatist leader, Syed Ali Shah Geelani, believed “that Mr. Sayeed wants to legitimize Indian rule. They want to convince the freedom-loving people, as well Pakistan, to accept the status quo, something to which Kashmiris would never agree.”¹⁴⁴

However, when BJP forged this alliance with PDP, it was believed that it would bridge the emotional gap between the Valley and Jammu region and between Kashmir and the rest of India. Madhav said:

“We are ideologically poles apart. Mufti Mohammad Sayeed used to describe us as the north and the south poles. Ideologies can be in black and white, but politics in a democracy has many shades, many colors. You have to manage this variety of colors. You can create a rainbow. By its very nature, rainbows are short-lived. Any alliance is difficult. Atal Bihari Vajpayee government fell in 1999 because J. Jayalalitha pulled out. We had no ideological differences with her. Alliances are formed with an objective, but it is always difficult to run alliances. The whole objective was to let us try to bridge the gap. We do not believe in political untouchability. We tried to give it a chance and to a great extent, it worked. We could succeed in bringing development to different regions in the state.”¹⁴⁵

¹⁴² Interview with BJP State General Secretary Ashok Koul, Jammu, January 5, 2017.

¹⁴³ See *Kashmir News Service* “PDP based on Principles: Party’s Agenda Incorporated in CMP of 2002, AoA of 2015,” April 08.

¹⁴⁴ Yasir and Harris, “Hindu Party in India in Coalition for Kashmir,” 2015.

¹⁴⁵ Jha and Uttam, “Why BJP pulled the plug on PDP,” 2018.

Madhav said, “Mehbooba Mufti has allowed security forces to operate, that is why in the last three years we have been able to neutralize close to 600 terrorists. The PDP started taking a political stance of late, probably for political reasons. The BJP cannot be supporting a party for a soft approach that means raising the issue of Pakistan repeatedly or talking about the muscular approach, getting Shujaat killed, getting army soldiers, police officers, and civilians killed. We felt that, probably because of the local political considerations, our partner has started taking a slightly different stance. That is when we felt it is not tenable.”¹⁴⁶

However, after the breakdown of the PDP-BJP government, “BJP wanted governor rule to ensure that the campaign against terrorism continues with further vigor. We had planned a four-pronged approach for Kashmir. One, neutralize the terrorist to the last man. Two, tackle the overground network of terrorists through legal means. Three, approach all stakeholders through dialogue. Four, work for the development of the state. There is no way that separatist or terrorist will succeed in the Kashmir valley.”¹⁴⁷ Internally, the BJP stays fully promised to core policy standards of abrogating Article 370 regarding the special status of J&K.¹⁴⁸ Chandhoke comments on the same say that all the members of BJP do not belong to the RSS family, but the latter attempts to influence the party agenda.¹⁴⁹

The PDP is emphasizing its healing touch and soft separatist approach achievements in the run-up to the elections. These include the fact that the PDP act as a party to bridge the gap between these two major regions in the state. Right from the very beginning of its political history, the PDP had to tackle the dual challenges of

¹⁴⁶ Ibid.

¹⁴⁷ Ibid.

¹⁴⁸ See Chris Ogden, “FPC Briefing: Carpe Diem - India’s 2014 General Elections and the BJP-led NDA,” *The Foreign Policy Centre*, March 2014.

¹⁴⁹ Neera Chandhoke, “India 2014: Return of the One - Party Dominant System,” *Istituto Affari Internazionali (IAI) Working Papers* 14 (June 8, 2014): 10.

competing efficiently with the deep-rooted NC that hugely dominated mainstream electoral politics as well as finding a legitimate and significant space in the separatist politics of the Valley and also intensely borrowing from them.

4.5.1 Power Sharing and the Agenda of Alliance (AoA)

The new dispensation of PDP and BJP power-sharing coalition came to power in early 2015, after an apparent hubbub about forging an alliance on government formation.¹⁵⁰ With North and South Pole in power,¹⁵¹ it is considered helpful for any coalition government at the state level if the government at the center is politically in sync with the state government. As Bukhari writes, “On the face of it the only thing that is common among the two is ‘P’ (Party), but with consensus on a common minimum program they seem to have created a space where they could move together in governing the state for next six years.”¹⁵² The power-sharing was along the regional and religious lines, as the BJP got that their mandate in the Hindu dominated Jammu region and PDP got their mandate in the Muslim dominated Kashmir region.

The power-sharing was based on a detailed and written agreement, named the “Agenda of Alliance” between the PDP and BJP. They agreed for a governance alliance based on a power-sharing agreement as well as an agenda, which is an attempt towards seeking peace, stability, and national reconciliation in the state of J&K. According to Mehbooba Mufti, “the PDP BJP Agenda of Alliance is the agenda of more than one billion people of the country to usher the state into an era of peace, stability, and prosperity.”¹⁵³ It was argued that it would be the guiding framework

¹⁵⁰ Ahsan Pardesi, “The Coalition that was not meant to be,” *Rising Kashmir*, April 15, 2017.

¹⁵¹ The alliance, which has been termed by Mufti Sayeed as meeting of “North Pole and South Pole.” Until today it is not clear which party was the North Pole and which one was the South Pole.

¹⁵² Bukhari and Bukhari, *Kashmir’s Thin Red Lines*, 243.

¹⁵³ Productivity development and inclusive prosperity is possible only in an environment of peace and stability, which necessitates that not only the people of J&K but also that of the whole country join

for the governance of the power-sharing agreement in the state for the next six years.¹⁵⁴ Despite being ideologically opposed to each other, but at that level, not much anxiety is being stated regarding the sharp political differences between the two partners. In fact, no dilemmas exist around Article 35A and Article 370 – the major source of the battle between the two. As union minister, Jitendra Singh said soon after declaring the alliance, “there were no differences. When you are in a coalition, you have to accommodate each others’ priorities and each others’ preferences. That is precisely what we do in a healthy coalition that augers well for J&K.”¹⁵⁵

Although both PDP and BJP have historically held a diverse view on the AFSPA but decided to review the AFSPA, under which the Indian army has carte blanche power¹⁵⁶ and to preserve Article 370 of Indias’ constitution that technically grants special autonomous status. In fact, in the late 1980s and early 1990s, the BJP sought to rise to prominence by forging electoral and political support based on the Hindutva ideology by taking up the issues of uniform civil code, Ram temple in Ayodhya and the special status for J&K.¹⁵⁷

The power-sharing agreements' ambition went much further. “The purpose of this alliance is to form a coalition government that will be empowered to catalyze reconciliation and confidence-building within and across the Line of Control (LoC) in J&K thereby ensuring peace in the state.”¹⁵⁸ With the broad idea to normalize the

this new enterprise of hope to pull the state out of the morass and resolutely address the challenges confronting it. See, *Deccan Herald*, “PDP-BJP Alliance is People’s Agenda,” April 06, 2016.

¹⁵⁴ See for example, *jkdpdp.org*. Agenda of the Alliance: PDP and BJP.

¹⁵⁵ *The Hindu-Business Line*, “BJP decides to form Government in J&K with PDP,” January 20, 2018.

¹⁵⁶ Sumantra Bose, “Viewpoint: Why the Kashmir Government Fall is a Tragedy,” *BBC News*, June 22, 2018.

¹⁵⁷ Suhas Palshikar and K C Suri, “India’s 2014 Lok Sabha Elections: Critical Shifts in the Long Term, Caution in the Short Term,” *Economic and Political Weekly* XLIX, no. 39 (September 27, 2014): 42.

¹⁵⁸ See *jkdpdp.org*, Agenda of the Alliance.

relationship with the neighboring country Pakistan.¹⁵⁹ Pledged to follow former NDA Prime Minister Atal Behari Vajpayee's policy on Kashmir aimed at reassuring Kashmiri Muslims and Pakistanis.¹⁶⁰ He was able to transcend the restrictions imposed on his government by RSS ideology and manage to govern according to the tenets of liberal ideology.¹⁶¹

However, it was expected that BJP would continue its strong rhetoric on Pakistan, but Modi was thinking little differently. As Prem Shankar Jha, an Indian Journalist has claimed that the violence or conflict in Kashmir can be drawn to middle-class frustrations. He argued that employment opportunities had not kept promptness with the growth of an educated middle class in Kashmir.¹⁶²

In order "to strengthens the institutions and widens the ambit of democracy through inclusive politics," the agenda of alliance stated, "the coalition government will facilitate and help initiate a sustained and meaningful dialogue with all internal stakeholders, irrespective of their predilections and ideological views" a reference to all groups and their leaders of pro-Pakistan and pro-independence in the state.¹⁶³ The agenda simply takes the party back to the years of the peace process initiated by Vajpayee. It also recognizes the need and importance of dialogue with Pakistan as well as with the separatists, especially, Hurriyat Conference.

Furthermore, this power-sharing agenda sworn to work towards "enhancing people to people contact on both sides of the LoC by encouraging civil society exchanges,

¹⁵⁹ Ibid.

¹⁶⁰ See Gauri Khandekar, "Modi's Moment? India's 2014 Elections," *Agora Asia-Europe* 16, (April 2014): 5.

¹⁶¹ Chandhoke, "India 2014: Return of the One," 10.

¹⁶² Sumit Ganguly, "Explaining the Kashmir Insurgency: Political Mobilization and Institutional Decay," *International Security* 21, no. 2 (Fall 1996): 91. For detailed analysis on frustrated middle class in Kashmir, See Prem Shankar Jha, "Frustrated Middle Class, Roots of Kashmir's Alienation," in *Secular Crown on Fire*, ed. Asghar Ali Engineer (New Delhi: Ajanta Publications, 1992), 34-37.

¹⁶³ See jkpdp.org, Agenda of the Alliance.

commerce, taking travel, trade, and business across the LoC to the next level and opening new routes across all three regions to enhancing connectivity.”¹⁶⁴ About the limitations of the Alliance Jamwal writes:

*“The genesis of this alliance is rooted in instructive historical baggage, the center’s grip over J&K and narratives of regional representation – all of which undermine democratic norms but are cautious of the limitations of this alliance and perils it portends. That is why a common minimum program (CPM) or an ‘Agenda for Future’ was drafted and finalized at the insistence of the PDP. The CPM serves the agendas to their respective constituencies.”*¹⁶⁵

However, the critics opine that on the paper of the AoA, the PDP-BJP coalition government clearly represented both a vision as well as a roadmap for peacefully resolving the larger problem of conflict in the state.¹⁶⁶ In retrospection, any prospect of carrying forward this vision and roadmap was ruined with the demise of Mufti Mohammad Sayeed in 2016. Critics believed that his daughter Mehbooba Mufti, who succeeded him as the Chief Minister, turned out to be a sheer disaster as the supreme leader of the state.

4.5.2 Portfolios Allocation and Accommodation

Mufti Mohammad Sayeed of the PDP was sworn-in as the Chief Minister of the state of the third power-sharing government on March 1, 2015. As a person, Mufti Sayeed became 9th chief minister of J&K and 12th chief minister in terms of tenure.¹⁶⁷ It was decided that he will lead the government for the full term of six years as the BJP has

¹⁶⁴ Ibid.

¹⁶⁵ Jamwal, “Multiple Perils of the BJP-PDP Alliance,” 10-12.

¹⁶⁶ Bose, “Why the Kashmir Government Fall is a Tragedy,” 2018.

¹⁶⁷ Mufti Mohammad Sayeed on 1st March 2015 was sworn-in as chief minister of PDP-BJP coalition government of J&K and brings to an end to 49 days of Governor’s rule imposed on the state since the resignation of Omar Abdullah as Chief Minister after being voted out of power.

conceded to the PDP's demand.¹⁶⁸ Mufti's power-sharing government has accommodated all the three regions and its sub-regions in his council of ministers. Senior BJP leader from Jammu Nirmal Singh was sworn-in as deputy chief minister.¹⁶⁹ Sajjad Gani Lone, the separatist turned politician entered the cabinet as the new cabinet minister from the BJP quota. Priya Sethi and Ashiya Naqqash were the two women legislators who took oath as ministers of the state.¹⁷⁰

Table 4.17
Power Sharing and Portfolios in PDP-BJP Government

Name	Position	Department	Party	Region	Sub-Region	Religion
Mufti Mohammad Sayeed	CM	GAD, Civil Aviation, Hospitality and Protocol and Information	PDP	Kashmir	South	Muslim
Nirmal Singh	Deputy CM	Power Development and Housing and Urban Development	BJP	Jammu	Hindu Belt	Hindu
Haseeb Drabu	Cabinet	Finance	PDP	Kashmir	South	Muslim
Syed Altaf Bukhari	Cabinet	Public Works (R&B), Floriculture and Parks	PDP	Kashmir	Central	Muslim
Nayeem Akthar	Cabinet	Education	PDP	Kashmir	North	Muslim
Javaid Mustafa Mir	Cabinet	Revenue	PDP	Kashmir	Central	Muslim
Ghulam Nabi Lone	Cabinet	Agriculture Production	PDP	Kashmir	Central	Muslim

¹⁶⁸ Pardip Singh Bali, "BJP-PDP Alliance: Mufti Will Be 'full-term' CM," *Greater Kashmir*, January 25, 2015.

¹⁶⁹ GK Today, "Mufti Mohammad Sayeed Sworn in as Chief Minister of Jammu and Kashmir," March 1, 2015.

¹⁷⁰ *Deccan Herald*, "PDP-BJP Govt. formed in Jammu and Kashmir," March 1, 2015. Priya Sethi who is nominated member from BJP is MoS Information, Education and Culture Departments while Pawan Kumar Gupta who got induction into council of ministers on BJP quota is MoS Finance and Information Technology.

Syed Basharat Ahmad Bukhari	Cabinet	Law, Justice and Parliamentary Affairs and Relief and Rehabilitation	PDP	Kashmir	North	Muslim
Abdul Haq Khan	Cabinet	Rural Development	PDP	Kashmir	North	Muslim
Bali Bhagat	Cabinet	Social Welfare, Forest, Ecology, and Environment	BJP	Jammu	Hindu Belt	Hindu
Lal Singh	Cabinet	Health and Medical Education and ARI & Training	BJP	Jammu	Hindu Belt	Hindu
Sukhnandan Kumar	Cabinet	Public Health Engineering	BJP	Jammu	Hindu Belt	Hindu
Sajad Gani Lone	Cabinet	Animal Husbandry and Science and Technology	PC	Kashmir	North	Muslim
Imran Raza Ansari	Cabinet/ MoS	Information Technology, Technical Education and Youth Services and sports	PDP	Kashmir	North	Muslim
Chander Parkash	MoS	Industries and Commerce	BJP	Jammu	Hindu Belt	Hindu
Chering Dorjay	MoS	Cooperatives	BJP	Ladakh	Leh	Hindu
Sunil Kumar Sharma	MoS	Revenue, Public Works, Rural Development and Panchayati Raj and Agriculture Production	BJP	Jammu	Chenab Valley	Hindu
Abdul Ghani Kohli	MoS	Transport	BJP	Jammu	Pir Panjal	Muslim
Pawan Kumar Gupta	MoS	Finance	IND	Jammu	Hindu Belt	Hindu
Abdul Majid Padder	MoS	Public health, Engineering and, I&FC	PDP	Kashmir	South	Muslim
Mohammad Ashraf Mir	MoS	Housing and Urban Development	PDP	Kashmir	Central	Muslim
Priya Sethi	MoS	Education, Culture, and Tourism	BJP	Jammu	Hindu Belt	Hindu

Ashiya Naqqash	MoS	Health & Medical Education, Housing & Urban Development, Power Development, and Social Welfare	PDP	Kashmir	Central	Muslim
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Source: Compiled from various newspapers and reports. Note: In the Kashmir region, the sub-region Central Kashmir is comprised of Srinagar, Badgam, and Ganderbal districts. The North Kashmir is comprised of Baramulla, Bandipora and Kupwara districts. The South Kashmir is comprised of four districts - Anantnag, Kulgam, Shopian, and Kulgam. In the Jammu region, the Hindu Belt is comprised of Jammu, Udhampur, Samba and Kathua districts. The Chenab Valley is comprised of Doda, Kishtwar, Ramban, and Reasi and Pir-Panjal included the districts of Rajouri and Poonch. The Ladakh region is comprised of two districts – Leh and Kargil.

Power-sharing and accommodation were clearly reflected in the Mufti-led government as it has given representation to all the three regions and its sub-regions of the state (see Table 4.17). Within the Kashmir province, the ministers who were inducted in the council from central Kashmir are - Syed Altaf Bukhari, Javaid Mustafa Mir, Ghulam Nabi Lone, Mohammad Ashraf Mir, and Ashiya Naqqash. From the north Kashmir - Nayeem Akthar, Syed Basharat Ahmad Bukhari, Abdul Haq Khan, and Sajad Gani Lone were inducted in the council of ministers. Mufti Sayeed along with Haseeb Drabu and Abdul Majid Padder was representing the south Kashmir.

From the Hindu belt of Jammu region, the ministers who were inducted in the council of ministers are Nirmal Singh, Bali Bhagat, Lal Singh, Sukhnandan Kumar, Chander Parkash, Pawan Kumar Gupta, and Priya Sethi. Sunil Kumar Sharma and Abdul Ghani Kohli were inducted from the Chenab Valley and Pir-Panjal respectively. Chering Dorje, a Buddhist leader from Ladakh was also included in the council of ministers. Therefore, all three regions and their sub-regions were accommodated by the Mufti-led power-sharing government.

After the death of Mufti Sayeed, PDP chief Mehbooba Mufti took oath on April 4, 2016, as the first woman chief minister of J&K, with her 22-member council of

ministers. Excluding a few changes, both the parties repeat the majority of ministers, who were the part of the former council led by chief minister Mufti Sayeed. Four new faces two each from PDP and BJP have been introduced in the council of ministers.¹⁷¹

Table 4.18
Power Sharing during Mehbooba Mufti's Cabinet

Name	Position	Department	Party	Region	Sub-Region	Religion
Mehbooba Mufti	CM	GAD, Civil Aviation, Hospitality and Protocol and Information	PDP	Kashmir	South	Muslim
Nirmal Singh	Deputy CM	Ministry of Power Development and Housing and Urban Development	BJP	Jammu	Hindu Belt	Hindu
Kavinder Gupta	Deputy CM	Industries and Commerce	BJP	Jammu	Hindu Belt	Hindu
Abdul Rehman Veeri	Cabinet	Minister for Public Works and Parliamentary Affairs	PDP	Kashmir	South	Muslim
Chowdhary Zulfkar Ali	Cabinet	Minister for Department of Food, Civil Supplies and Consumer Affairs	PDP	Jammu	Pir Panjal	Muslim
Ghulam Nabi Lone	Cabinet	Agriculture Production	PDP	Kashmir	Central	Muslim
Abdul Haq Khan	Cabinet	Rural Development & Panchayati Raj and Law & Justice	PDP	Kashmir	North	Muslim
Syed Basharat Ahmad Bukhari	Cabinet	Revenue, Disaster Management, Relief, Rehabilitation and Reconstruction	PDP	Kashmir	North	Muslim

¹⁷¹ BJP has dropped Choudhary Sukhandan as cabinet minister and Pawan Gupta among the ministers of state. Prakash Kumar has replaced Sukhandan while Gupta has been replaced with Ajay Nanda. PDP has dropped Syed Altaf Bukhari and Javed Mustafa. Its two ministers of state Mohammed Ashraf Mir and Abdul Majid Padder have been replaced with Zahoor Ahmad Mir and Andrabi.

Haseeb Drabu	Cabinet	Finance, Culture and Labor & Employment	PDP	Kashmir	South	Muslim
Nayeem Akhtar	Cabinet	Education/Public Works	PDP	Kashmir	North	Muslim
Imran Raza Ansari	Cabinet	Information Technology, Technical Education and Youth Services & Sports	PDP	Kashmir	North	Muslim
Syed Altaf Bukhari	Cabinet	Finance/Education	PDP	Kashmir	Central	Muslim
Chering Dorje	Cabinet	Minister for Cooperatives and Ladakh Affairs	BJP	Ladakh	Leh	Buddhist
Abdul Ghani Kohli	Cabinet	Animal, Sheep Husbandry and Fisheries	BJP	Jammu	Pir Panjal	Muslim
Sham Lal Choudhary	Cabinet	PHE, Irrigation and Flood Control	BJP	Jammu	Hindu Belt	Hindu
Chander Prakash	Cabinet	Industries and Commerce	BJP	Jammu	Hindu Belt	Hindu
Bali Baghat	Cabinet	Health and Medical Education	BJP	Jammu	Hindu Belt	Hindu
Lal Singh	Cabinet	Forest, Ecology, and Environment	BJP	Jammu	Hindu Belt	Hindu
Sajad Gani Lone	Cabinet	Social Welfare, ARI & Training, and Science & Technology	PC	Kashmir	North	Muslim
Mohammad Khalil Band	Cabinet	Agriculture Production	PDP	Kashmir	South	Muslim
Mohammad Ashraf Mir	Cabinet	Food, Civil Supplies, and Consumer Affairs	PDP	Kashmir	Central	Muslim
Sat Paul Sharma	Cabinet	Housing and Urban Development	BJP	Jammu	Hindu Belt	Hindu
Rajiv Jasrotia	Cabinet	Forest, Ecology, and Environment	BJP	Jammu	Hindu Belt	Hindu
Tassaduq Mufti	Cabinet	Tourism	PDP	Kashmir	South	Muslim
Javaid Mustafa Mir	Cabinet	Revenue	PDP	Kashmir	Central	Muslim
Devender Kumar Maniyal	Cabinet	Health and Medical Education	BJP	Jammu	Hindu Belt	Hindu
Sunil Kumar Sharma	Cabinet/ MoS	Power Development	BJP	Jammu	Chenab Valley	Hindu

Ashiya Naqqash	MoS	Health & Medical Education, Housing & Urban Development, Power Development, and Social Welfare	PDP	Kashmir	Central	Muslim
Farooq Ahmad Andrabi	MoS	Haj and Aquaf	PDP	Kashmir	South	Muslim
Zahoor Ahmad Mir	MoS	Fisheries, Animal Husbandry, Sheep Husbandry, Cooperatives, Irrigation and Flood Control	PDP	Kashmir	South	Muslim
Priya Sethi	MoS	Education, Technical Education, Culture, and Tourism	BJP	Jammu	Hindu Belt	Hindu
Ajay Nanda	MoS	Agriculture Production, Finance, Relief Rehabilitation & Reconstruction	BJP	Jammu	Chenab Valley	Hindu
Shakti Raj	MoS	Culture, Education, Information, R&B, Technical Education, Tribal Affairs, Youth Services & Sports	BJP	Jammu	Chenab Valley	Hindu

Source: Compiled from various newspapers and reports. Note: In the Kashmir region, the sub-region Central Kashmir is comprised of Srinagar, Badgam, and Ganderbal districts. The North Kashmir is comprised of Baramulla, Bandipora and Kupwara districts. The South Kashmir is comprised of four districts - Anantnag, Kulgam, Shopian, and Kulgam. In the Jammu region, the Hindu Belt is comprised of Jammu, Udhampur, Samba and Kathua districts. The Chenab Valley is comprised of Doda, Kishtwar, Ramban, and Reasi and Pri-Panjal included the districts of Rajouri and Poonch. The Ladakh region is comprised of two districts – Leh and Kargil.

Again the power-sharing government tried their best to accommodate all the three regions of the state (see Table 4.18). The cabinet again witnessed the entry of Sajjad

Gani Lone; the separatist turned politician as the cabinet minister from the BJP quota (Minister for Social Welfare, ARI and Trainings and Science and Technology).¹⁷² In the Kashmir province - Ghulam Nabi Lone, Syed Altaf Bukhari, Ashiya Naqqash, Mohammad Ashraf Mir, and Javaid Mustafa Mir were inducted in the council of ministers and representing the central Kashmir. From north Kashmir, the ministers who were accommodated are Abdul Haq Khan, Syed Basharat Ahmad Bukhari, Nayeem Akhtar, Imran Raza Ansari, and Sajad Gani Lone. The ministers who were included from the south Kashmir are Mehbooba Mufti, Abdul Rehman Veeri, Haseeb Drabu, Farooq Ahmad Andrabi, Zahoor Ahmad Mir, Mohammad Khalil Band, and Tassaduq Mufti.

From the Hindu belt of the Jammu province, the leaders who were inducted in the council of ministers are Nirmal Singh, Sham Lal Choudhary, Chander Prakash, Bali Baghat, Lal Singh, Priya Sethi, Kavinder Gupta, Sat Paul Sharma, Rajiv Jasrotia, and Devender Kumar Maniyal. Ajay Nanda, Sunil Kumar Sharma, and Shakti Raj were included from Chenab Valley, and Chowdhary Zulfkar Ali and Abdul Ghani Kohli were representing the Pir Panjal region. Cabinet again saw the entry of Chering Dorje, a Buddhist leader from Ladakh.

However, just one month before the breakup, Mehbooba Mufti allocates portfolios to new ministers.¹⁷³ Eight ministers, two from PDP and Six from BJP, were inducted in the council of ministers. Mohammad Khalil Band of PDP representing the Pulwama constituency was given the charge of Agriculture Production and Mohammad Ashraf Mir of PDP representing Sonawar constituency was given an

¹⁷² Tassaduq Mufti, brother of chief minister Mehbooba Mufti was inducted as Minister of the State on December 28, 2017. Governor NN Vohra last week nominated him as MLC on recommendations of the state government. He joined politics after demise of his father Mufti Muhammad Sayeed in January 2016. See, *Greater Kashmir*, "Jammu and Kashmir: Tassaduq Mufti, Javid Mustafa Mir Take Oath as Ministers of the State," December 28, 2017.

¹⁷³ This reshuffle was necessitated after BJP had sought the resignation of all its ministers except Nirmal Singh, though forwarded only two to the CM. They were of Lal Singh and Chander Prakash Ganga. The duo had invited trouble for the party after they protested in solidarity with the arrested accused in the Kathua rape and murder case involving a minor girl.

important portfolio of Food, Civil Supplies, and Consumer Affairs. The others are Abdul Rehman Veeri (Rural Development and Panchayati Raj), Ghulam Nabi Lone (Revenue), Syed Basharat Ahmad Bukhari (Horticulture, Law, Justice and Parliamentary Affairs), Chowdhary Zulfkar Ali (School Education, Haj and Auqaf and Tribal Affairs), Nayeem Akthar (Public Works and Culture), Imran Raza Ansari (Information Technology, Technical Education and Higher Education), Altaf Bukhari (Finance, Labour and Employment, and Floriculture), Javaid Mustafa Mir (Disaster Management, Relief, Rehabilitation, and Reconstruction).

From BJP, the assembly speaker Kavinder Gupta of BJP was inducted as new deputy chief minister and was given the charge of Ministry of Industries and Commerce and Transport and Nirmal Singh a former deputy CM was elected as the Speaker. Sat Paul Sharma representing Jammu West, was given the charge of Housing and Urban Development. Sunil Sharma, BJP's MLA representing Doda district was inducted in the cabinet and held the charge of Power Development. Rajiv Jasrotia representing Kathua was the portfolio of Forest, Ecology, and Environment. Ministry of Health and Medical Education charge was given to Devender Kumar Maniyal representing the constituency of Samba. Shakti Raj representing Doda constituency was inducted minister of the state along with Ajay Nanda and PDP's Zahoor Ahmad Mir.¹⁷⁴ In short, the Mehbooba Mufti-led power-sharing government accommodated all the three regions and religions of the state. This government followed regional and religious-based pattern power-sharing over a period of time.

4.5.3 PDP-BJP Breakup and the Agenda of Split

Since the killing of the Burhan Wani, the Hizbul commander, it has been the situation of the popular separatist upsurge that has frequently resulted in paralyzing the entire government process. The period of 2008 - 2010 was one such period when the process of governance and development was totally impacted by the massive

¹⁷⁴ Financial Express, 'Jammu & Kashmir CM Mehbooba Mufti Allocates Portfolio to New Ministers,' May 1, 2018.

demonstrations that lasted for several months. The summer of 2016 also witnessed another period of separatist upsurge during which there was almost a complete breakdown of the process of governance. As Chowdhary argues:

*“The conflict situation has led to an institutional lag. Often being stuck up in situations in which governance becomes a secondary issue and establishing the law and order and asserting the authority of the state becomes the primary one, it is the institutionalization of governance that remains the issue. The state, therefore, suffers from the fragility of the institutions, particularly those related to providing checks and balances in the process of governance.”*¹⁷⁵

The 87 member state assembly jumped into a political crisis after the BJP withdrew support to the power-sharing government led by Mehbooba Mufti in June 2018. Nevertheless, both the PDP and BJP had a clear idea of the strength of each other when they entered into power-sharing coalition in 2014. In fact, they both had a clear idea of the primary location of their politics. The PDP wanted to play a major role at the state level and the BJP wanted to emerge as a major national player. According to Madhav, “the first setback for the alliance was the Mufti Mohammad Sayeed’s sudden and early demise just 11 months after we had put things together. Had he lived longer, probably we would have succeeded in taking it forward. But, I do not blame Mehbooba Mufti either as she tried her best in the last two years to make it work.”¹⁷⁶

Despite working for a common cause, power-sharing partners may also have differences and disagreements. Some members of power-sharing partners attempt to please different electoral constituencies (e.g., members representing a particular region or sub-region look for different policies than members representing other regions or constituencies). As Lupia and Strom have argued that conflict arises when several coalition members chase a particular seat of power (e.g., chief minister or

¹⁷⁵ Chowdhary, *Jammu and Kashmir 1990 and Beyond*, 231-232.

¹⁷⁶ Jha and Uttam, “Why BJP pulled the plug on PDP,” 2018.

prime minister). Even if power-sharing members may agree on comprehensive policy goals, they can differ in the ways of governance.¹⁷⁷ If the power-sharing partners cultivate mutual interests and manage internal conflicts efficiently, it will increase the effectiveness of every power-sharing coalition. Such decisions determine and affect the quality of governance in the states all over the world.

Tsebelis believes that ‘the coalition is a product of both cooperative and competitive tensions between the coalition partners.’¹⁷⁸ Power-sharing agreements can be viewed as promises of future actions and activities and thus, by their nature, can be broken.¹⁷⁹ For example, a significant example of a policy difference is the governments’ handling of the unrest in Kashmir. Initially, BJP has deferred its politics of the special status of the state for the time being. Later, the BJP continues its tougher line and the scraping of Article 370 as well as Article 35A of the Constitution, which provides special status to Kashmir in the Indian union. Parties usually remain committed to certain policies and programs through the allocation of cabinet portfolios as well as non-cabinet positions to power-sharing partners, or by adopting certain significant decision-making strategies and mechanisms. PDP recognizes both the internal as well as external dimensions of Kashmir conflict and thus, considers the role of Pakistan and also the separatists in the process of conflict resolution in the state. On the other hand, BJP outrightly rejected this perspective as it views the separatists and also Pakistan as the perpetrators of ‘proxy war’ in the country. However, the BJP has been contrasting to its vision of conflict resolution in the state, particularly with its ‘self-rule’ framework as the party views it as a challenge to the sovereignty of the nation. Chowdhary argued that:

¹⁷⁷ See Arthur Lupia and Kaare Strom, “Coalition Governance Theory: Bargaining, Electoral Connections and the Shadow of the Future,” *Draft*, September 15, 2003.

¹⁷⁸ See George Tsebelis, “When Do Allies Become Rivals?” *Comparative Politics* 20, no. 2 (January 1988): 233-240.

¹⁷⁹ Indridi H. Indridason, “A Theory of Coalitions and Clientelism: Coalition Politics in Iceland, 1954-2000,” *European Journal of Political Research* 44, no. 3 (May 2005): 454.

“In a politically divergent state, where political differences remain generally unaddressed and are used by the political actors to nurse their exclusive constituencies, the two divergent parties have been compelled not only to pay attention to the viewpoint of the other side but also work out a consensus for the sake of sharing power. It is in the light of this that one can view the ‘Agenda for Alliance’ that has been accepted by both parties as to the framework in which the two parties would work. This document in itself is quite dynamic and reflects the flexibility on both sides. For instance, this is the first time that BJP, in a signed document, has accepted that the present constitutional position of the state providing for special constitutional status will be maintained.”¹⁸⁰

It is at the level of local politics that the power-sharing government between the BJP and PDP is perplexing and overcast with problems. The state BJP leadership in the later stage has been quite candid and forthright about its disapproval of this agreement. The critics of power-sharing argue that when power is broadly shared, it becomes difficult or even impossible to make decisions, which ultimately leads to a deadlock or immobilism, and in the end may result in a democratic breakdown.¹⁸¹ Generalizing about the power-sharing coalitions is not a trivial matter at all. Every state is unique in character, and those who govern it have to face the challenges with a unique combination of democratic principles, social conventions, historical precedents, and popular demands.

Power-sharing governments can generally be terminated because of an internal difference (for example, some coalitions set the stage for an early election in order to take advantage of various favorable conditions). However, Indridason mentions that coalition agreements do certainly not include any election rule, like an agreement which states that an election should be held if the government

¹⁸⁰ Chowdhary, “Democratic Processes in the Context of Separatism and Political Divergence,” 176-177.

¹⁸¹ See Arend Lijphart, “Power Sharing and Group Autonomy in the 1990’s and the 21ST Century,” *Constitutional Design 2000*, December 9-11, 1999.

collapses¹⁸² A power-sharing coalitions' cohesion is primarily influenced by two major factors: (a) the conflict management mechanisms like coalition agreements and committees and (b) the power-sharing parties' capability to discipline their members.¹⁸³

The 2018 local elections in the state produced a humiliating manifestation in which some contested and victorious candidates, targeted by militants' fears, resigned before taking office and publically apologized for participating in the elections. In addition, Pakistani support has intended to weaken independence oriented groups militants and empower militants and groups favoring accession to Pakistan.

Kashmir conflict still festers. It will feed grievance, prevent the normalization of relations with Pakistan, fuel bouts of terrorism, drain resources and diplomatic political energy, and cumulatively act as a hindrance to progress, albeit more so for Pakistan than for India.¹⁸⁴ Thomas believes that the reality is that India can enforce the status quo in J&K by the absolute weight of its military power.¹⁸⁵ As it did so in the previous and continues to do so during the present or future crises.

Tarigami argued that PDP accommodates BJP and vice versa, but there was no commonality of ideas. We have a map of a number of issues that are sensitive and political in nature, but I do not see any common ground between parties to resolve them. They are only making alliances to share power which is not enough to address issues.¹⁸⁶ However, BJP state general secretary assumes that during this power-

¹⁸² Indridason, "A Theory of Coalitions and Clientelism," 454.

¹⁸³ See Wolfgang C. Muller and Kaare Strom, ed., *Coalition Governments in Western Europe* (Oxford: Oxford University Press, 2000), 562.

¹⁸⁴ Ramesh Thakur, "India's Rising and Shining: Will it Prove a False Dawn?" *The Centre for International Governance Innovation: Policy Brief In International Governance*, no. 2 (July 2007): 5.

¹⁸⁵ See Raju G. C. Thomas, "Afghanistan Kashmir, China, and the Territorial Questions in South Asia," *Mediterranean Quarterly* 13, no. 3 (Summer 2002): 109-118.

¹⁸⁶ Interview with CPIM MLA M.Y. Tarigami, Jammu, January 8, 2017.

sharing government our priorities are developments in fields like education, hospitals, roads, etc. and then we would prefer talking about other national issues.¹⁸⁷ In the past also BJP seemed to ready to sidetrack its contentious campaign issues such as the uniform civil code, Ram temple, and the abolition of Article 370 on the special status of J&K.¹⁸⁸ Since 2002, both India and Pakistan have warmed to the idea of a soft border between the two countries, a notion that moderate leaders in both Indian Administered Kashmir and Pakistan Administered Kashmir also have welcomed.¹⁸⁹

The alliance was beginning with controversy when Mufti Sayeed soon after swearing-in ceremony by recognizing that Hurriyat and Pakistan allowed the democratic process of elections to go on smoothly.¹⁹⁰ PDP, by doing so wants to keep the aspirations of their constituencies intact who voted them during the elections. Later towards the beginning of 2018, serious differences emerged between the BJP and PDP around the issue of rape and murder of an eight-year-old child in Kathua district,¹⁹¹ finally leading to the breakdown in June 2018. However, a few months

¹⁸⁷ Interview with the BJP State General Secretary Ashok Koul, Jammu, January 5, 2017.

¹⁸⁸ See Pramod K Kantha, "General Elections, 1996. BJP Politics: Looking Beyond the Impasse," *Economic and Political Weekly*, (November 29, 1997): 3097.

¹⁸⁹ The initiation of the Srinagar-Muzaffarabad bus service has been the primary manifestation of this concept. Realization of the soft border notion would directly benefit the people of Kashmir. See for example, Samii, "Seizing the Moment in Kashmir," 75. The Pakistan controlled sector is divided into two parts: Azad, (or free Kashmir), and the northern territories of Gilgit and Hunza.

¹⁹⁰ Mufti was also aiming to push in his agenda of peace with Pakistan and Dialogue with separatists by invoking the argument that there is a constituency of peace in Pakistan and Kashmir, which New Delhi must seize.

¹⁹¹ The brutal incident not only pushed the government in two opposed directions but also resulted in generating internal turbulence within the BJP. While two ministers who had attended the rallies of Hindu Ekta Manch, fighting on the side of the accused and demanding CBI rather than the ongoing Crime Branch enquiry, had to resign, the positions of the Speaker and the deputy CM held by this party had to be swapped and the state party president had to be changed. With BJP, cadre and leaders showing lack of confidence in the Crime Branch and justifying the demand for CBI enquiry, and PDP cadre and leaders insisting on continuing with the handling of the case by the Crime Branch.

later, PDP announces it will be forming a grand alliance with Congress and NC.¹⁹² But unfortunately, Governor Satya Pal Malik dissolved the J&K assembly as the fax machine at the Governors' house did not receive the letter for a long time.¹⁹³ After the breakup, it is assumed that the PDP's failure to deliver according to its promises and as soft-separatism parties may face rejection in the future. Although Mehbooba Mufti tried a lot during the power-sharing government, however, it continued to use the populist rhetoric for claiming its juxtaposition with the fundamental separatist sentiments of the masses in the state. The PDP-BJP power-sharing alliance defies all political reasons and is wrought with serious repercussions for both partners. In short, again the two major parties have their diverse hidden agendas for their larger interest. It was that larger national interest for the BJP that forced them to break the coalition and for PDP, it was to protect the local interest and aspirations of their constituencies.

4.6 Travails of Power Sharing

There is a number of serious implications for governance during the three power-sharing governments since 2002, as the energies of power-sharing partners are in various instances, diverted away from the process of governance towards satisfying the ideological hopes of the respective regional and sub-regional constituencies. As professor Gull Mohammad Wani argued that in J&K, an alliance is not only about the mere formation of the state government but also about managing sharp curves and perception management. These difficulties were persisted right from the first power-sharing coalition (PDP-Congress) to the second power-sharing coalition

¹⁹² See for example, *India Today*, "Omar Abdullah, Mehbooba Mufti Join Hands With Congress in Jammu and Kashmir," New Delhi, November 21, 2018; *The Times of India*, "J&K Government Formation: Mehbooba Mufti Writes to Governor, Claims Support of Congress, NC," November 21, 2018; *The Times of India*, "Congress, PDP, NC to Join Hands to Form Government in J&K: Altaf Bukhari," November 21, 2018.

¹⁹³ Shuja-ul-Haq, "Fax Fuels Firestorm in J&K: No Tone Sets Tone for Assembly," *India Today*, Srinagar, November 23, 2018; *The Hindu*, "J&K Governor's Decision to Dissolve Assembly Based on Material Available to Him from Multiple Sources," November 21, 2018.

(NC-Congress), but the problem became much more acute the last PDP-BJP power-sharing coalition due to the history of strong ideological differences.¹⁹⁴

Most of the time, the differences between the allies are so extensive that even when for the sake of coming together, the parties agree on CMP, AoA, the power-sharing partners remain compelled not to cross lines outside the accepted party position. With no consensus on issues such as Article 35A, Article 370, the role of security forces, human rights violations, the peace process, India-Pakistan relations, AFSFA any issue can take up emotionally volatile nature.

During the PDP-Congress power-sharing government in the 2002-2008 period, the PDP which was a new region-based party with all 16 seats from Valley was keen on diluting the effects of the Conflict and emphasizing on the issues such as removal of AFSPA, demilitarization, healing touch, which would best be eluded by the Congress party. PDP's position on self-rule throughout remained challenging for the Congress party, particularly when PDP members started referring for 'dual currency.' The two allies were also on diverse notes around the issue of PRC for Kashmiri women who married outside the state. There were similar tensions within the NC-Congress power-sharing government over the issues of AFSPA and the role of security forces, with NC seeking the removal of draconian law and Congress, is not totally committed to it.

The PDP-BJP government started on a volatile note right from the beginning when chief minister Mufti Sayeed seeking to address his constituency in Kashmir thanked the Pakistan and militants for a peaceful 2014 assembly election. It is argued that since the death of Mufti Mohammad Sayeed, Mehbooba Mufti remained in office, not in power. Even her own ministers from 2015 to 2018 said New Delhi must do something to come to the rescue of the state government. The PDP-BJP government all through remained vulnerable as members of BJP, making PDP quite uncomfortable, openly raised many issues. Among the issues raised by BJP,

¹⁹⁴ Chowdhary, *Jammu and Kashmir 1990 and Beyond*, 203.

affiliates and members included those related to the special status of the state under Article 370 and Article 35A. Recently BJP party president Amit Shah said that abrogating Kashmir's special status has been in our manifesto since 1950, it is our commitment to the people of the country to abrogate Article 35A and 370 by 2020.¹⁹⁵ In Kashmir Valley, these two Articles as Chowdhary argues, “are matters of faith and any possibility of tinkering with these can lead to the very emotive response.”¹⁹⁶ Matters such as the minority status to the Kashmiri Pandits and the return and rehabilitation of them put both the power-sharing partners in a difficult position.

4.7 Conclusion

At the outset, the first two power-sharing governments, Congress-PDP (2002-2008) and Congress-NC (2008-2014), as may be seen largely successful in satisfying the hopes and expectations of the people of J&K. However, the last power-sharing government of PDP-BJP (2014-2018) may be seen primarily failed, although it started well during the Mufti's presence. However, all three power-sharing governments played a significant role in bringing the three distinct regions closer to each other and accommodates leaders of different parties and regions in the government process. Hence, a regional balance was created in all three power-sharing governments. Apart from accommodating all the three regions, the power-sharing governments have also shown that beyond ideology, there are certain issues such as development, employment, corruption where power-sharing partners can show a sense of rationality and work together and bring stability and peace in any troubled state.

¹⁹⁵ Amit Shah said at the News18 Agenda India Summit, it has not happened until now as we do not have a majority in Rajya Sabha, but I believe it will happen by 2020.

¹⁹⁶ Chowdhary, *Jammu and Kashmir 1990 and Beyond*, 205.

Chapter 5

Power Sharing and Coalition Politics: Separatist Political Parties

5.1 Introduction

In the previous chapter, we have discussed power-sharing and mainstream political parties. This chapter stresses the role of power-sharing and coalition politics in separatist politics. This chapter has six sections. The first section that is Introduction, attempts to characterize and define the politics of separatism in Jammu and Kashmir (J&K) during power-sharing governments. The second section focusses on the process of dialogue with all stakeholders during the power-sharing governments. The third section brings out the political face of separatism. The fourth section highlights the changing tactics in separatism and militancy. The fifth section deals with the politics of autonomy and regional autonomy. The final section spells out that only the expansion and accommodation of democratic electoral space may not prove to be sufficient to deal with the separatist sentiment and the alienation in Kashmir as separatism continues to be the focal point of Kashmir politics and concludes.

At the outset, the separatist stream of politics still continues to remain the reality of the valley. The expansion of the electoral space and politics in the state has not happened at the cost of separatist politics, space, and sentiments. However, separatist space and sentiments remain intact in the valley. As Chowdhary writes that, the legitimization of mainstream electoral politics has been possible in the state since there is no contradiction between mainstream politics and separatist politics, and most importantly the masses are not forced to make a choice between these two

streams of politics.¹ Tarigami with regard to separatist politics argued, ‘Look, I do not know what separatist means. Some call them resistant camp, some separatist, whatever the name is given; I think they are an important segment of political opinion in this state of J&K. There is no doubt about that. However, the question is what exactly they want. Many are talking about the plebiscite, many UN resolutions.’² Without having any fear of contradiction, people in the state are now able to defend and protect their right to vote in the elections as well as their right to support and participate freely in the protest demonstrations organized by the separatist forces. In other words, we can argue that the expansion of mainstream electoral space has not led to shrinking the separatist political space. However, mainstream political parties should deal with electoral politics by focusing mainly on the matters of politics of governance. In fact, they draw a clear distinction between the politics for the ultimate resolution of Kashmir dispute on the one hand and the politics for governance on the other.³

The ongoing violence in J&K is twofold; first, the conflict is between India and its neighboring country Pakistan over the territory of the Kashmir region. Second, between India and Kashmir, over the demand for a right to self-determination.⁴

¹ Rekha Chowdhary, “Electoral Politics in the Context of Separatism and Political Divergence: An Analysis of 2009 Parliamentary Elections in Jammu and Kashmir,” *South Asian Multidisciplinary Academic Journal* 3, (2009).

² Interview with CPIM Leader M.Y Tarigami, Jammu, January 8, 2017.

³ Rekha Chowdhary, “Electioneering in Kashmir: Overlap between Separatist and mainstream Political Space,” *Economic and Political Weekly* 43, no. 28 (July 2008): 22-25.

⁴ Sheikh Abdullah and Prime Minister Indira Gandhi signed an accord in 1974 that was widely considered to represent an understanding that no plebiscite would ever be called for and that Jammu and Kashmir was to be considered a constituent state in the Indian union, then armed militants began to capture the imagination of Kashmiris and to represent an unlikely force for change. The Kashmir dispute is the subject of innumerable scholarly and polemical works, and I do not discuss it at any length here. For detailed analysis, see, for example, Joseph Korbel, *Danger in Kashmir* (Oxford: Oxford University Press, 1954); Alastair Lamb, *Kashmir: A Disputed Legacy, 1846-1990* (Karachi: Oxford University Press, 1991); Prem Shankar Jha, *Kashmir, 1947: Rivals Versions of History* (New Delhi: Oxford University Press, 1997); Sumantra Bose, *Contested Lands: Israel-Palestine, Kashmir, Bosnia, Cyprus, and Sri Lanka* (Cambridge, Massachusetts, London, England: Harvard University Press, 2007); Sumantra Bose, *Kashmir: Roots of Conflict, Paths to Peace* (Cambridge: Harvard University Press, 2003); Sumit Ganguly, *The Crises in Kashmir: Portents of War, Hopes of Peace* (Cambridge: Woodrow Wilson Center Press and Cambridge University Press,

Over a period of time, a very peculiar situation has emerged in Kashmir, where the assertion of separatist sentiments and the mainstream political processes alternate. The people of Kashmir have always witnessed and experienced sudden changes in the situations in the valley. In the year 2008 and 2009, when electoral upsurge was at its peak throughout the year, it was unpredictably and suddenly obstructed by the separatist stream of politics in the wake of Amarnath agitation. The strong impact of the separatist assertion was also felt during the 2009 Shopian case of brutal rape and murder.⁵ Subsequently, the murder of three innocent civilians in a fake encounter in Machail, situated in the district of Kupwara of North Kashmir and also the gruesome killing of Kashmiri militant commander Burhan Wani had resulted in massive protests all over the valley.⁶ However, the message on electoral politics was clear that despite the relevance of separatist politics in the state, mainstream politics has always been legitimized and extended since the first power-sharing government in 2002.

The power-sharing governments, through several policies make feel separatist camp a part of the system. They invite them for talks and dialogue since 2002 at several platforms. The core demands of separatist camps like the release of political prisoners, revocation of the Prevention of Terrorism Act (POTA), Armed Forces

1997); Victoria Schofield, *Kashmir in Conflict: India, Pakistan and the Unending War* (London: I. B. Taurus, 2000); Sten Widmalm, *Kashmir in Comparative Perspective: Democracy and Violent Separatism in India* (London: Routledge Curzon, 2002); J. N. Dixit, *India-Pakistan in War and Peace* (London: Routledge, 2002); Navnita Chadha Behera, *Demystifying Kashmir* (Washington D. C: Brookings Institution Press, 2006).

⁵ In 2009 the campaign for justice in Shopian rapes and murders, largely peaceful, disciplined and methodical unnerved the government. The latter responded not with compassion but by using its legal justice system to subvert the truth through botched-up investigations and lies, revealing to the masses the ugly arrogance of brute power emanating from the corridors of power in New Delhi and their loyal junior partners in Jammu and Kashmir. See for example, Anuradha Bhasin Jamwal, "Burhan Wani and Beyond: India's Denial, Kashmir's Defiance," *Economic and Political Weekly* 51, no. 32 (July 2016): 12-15.

⁶ Post 2010, Kashmir has moved in circles from periods of unrest to calm and then back to unrest. In 2010, when cries for justice again erupted over the Machchil fake encounter killings, the street unrest was met with brute force resulting in 120 deaths within a span of five months. Later, Burhan Wani's death was just a small spark that was needed to break the pretense of normalcy thrust on its people. See for example, Jamwal, "Burhan Wani and Beyond," 12-15.

Special Powers Act (AFSPA), and the release of stone-pelters were brought to mainstream politics through various means like Common Minimum Program (CMP) and Agenda of Alliance (AoA). The situation has been quite different since the 2002 assembly elections, which were held under the international glare.⁷ In fact, the percentage of voter turnout has been increased enormously since the 2002 assembly elections as shown in Table 5.1. It also changed the orientation of separatist politics.

Table 5.1
2002 to 2014 Assembly Elections:
Comparative Voter Turnout in Kashmir

State/ Region	Votes polled in Percentage		
	2002	2008	2014
J&K	43.70	60.92	65.52
Kashmir	26.64	51.64	56.51
Jammu	55.82	70.90	72.21
Ladakh	75.91	68.65	76.05

Source: Election Commission of India.

During the by-elections for four assembly seats in 2006, everyone, including the separatists, acknowledged the voluntary participation of masses. However, Navlakha argued, “it would be a mistake to read this turnout as a rejection of the demand for self-determination.”⁸ This major shift had a strong impact on the state politics during the parliamentary elections in 2009, when a prominent and frontline separatist leader of the Peoples Conference (PC), Sajjad Gani Lone, decided to contest election from the Baramulla constituency of North Kashmir.⁹ Finally, in

⁷ Rekha Chowdhary, “Electioneering in Kashmir: Overlap between Separatist and mainstream Political Space,” *Economic and Political Weekly* 43, no. 28 (July 2008) 22-25.

⁸ Gautam Navlakha, “Jammu and Kashmir Elections: A Shift in Equations,” *Economic and Political Weekly* 44, no. 03 (January 2009): 10-12.

⁹ See for example, Rekha Chowdhary and V Nagendra Rao, “Jammu and Kashmir: Changed Political Scenario,” *Economic and Political Weekly* 41, no. 20 (May 2006): 1963-1965. Sajjad Gani Lone led

2014 assembly elections, PC decided to participate in electoral politics rather in a big way and secure two seats with a 4.23 percent of vote share in the Kashmir region. However, his decision to contest the election and shift to mainstream politics could be viewed as a crack within the separatist politics, as being a high profile leader, he is on par with separatist political leaders like Mirwaiz Omar Farooq, Syed Ali Shah Geelani, and Yasin Malik.¹⁰ About the relation between the separatist and democratic politics, Chowdhary writes, “that there was another context which has symbolic of the expanding democratic space. This was the entry of the PC in the electoral process in a rather big way. The party that had shunned its separatist background formally fielded candidates not only in its stronghold north Kashmir but also in many other constituencies of Kashmir.”¹¹ The interesting fact about the PC is that this party had moved from the mainstream politics to the separatist stream of politics along with its leaders and cadre in the late nineties, but now it has again moved back to the mainstream electoral politics. Geelani while commented on Sajads’ shift said:

‘See there are people like him. Sajad Gani is one like a person who has rapacity for power. These types of people never contemplate the promises and allegiances they have made and given to the people on the name of solving the Kashmir dispute. They have sold their souls for power. Sajjad, in his avarice for power comprised and even collated with BJP without considering the hate politics

one of the leading separatist organization, the People’s Conference that was a part of the All Party Hurriyat Conference right from the time of its inception in 1993. Abdul Gani Lone, father of Sajjad Gani Lone and the founder of the People’s Conference was on the most prominent leaders of the APHC. In the run-up to the 2002 assembly elections of J&K, Lone had been toying with the idea of using the electoral processes for separatist ends. However, since he was assassinated much before that, one is not sure if he would have participated in the elections. The split of the APHC into two major groups, one led by Abbas Ansari, the Hurriyat (A) and the other led by SAS Geelani, the Hurriyat (G) and its further fragmentation, and many like Yasin Malik choosing not to side with any of the two groups, had meanwhile created a political situation in the which the whole issue of electoral politics itself came to be highly politicized with in the separatist camp.

¹⁰ The two factions of Hurriyat had split in 2002, Hurriyat (G), led by Syed Ali Shah Geelani and Hurriyat (M), led by Mirwaiz Omar Farooq.

¹¹ Rekha Chowdhary, *Jammu and Kashmir 1990 and Beyond: Competitive Politics in the Shadow of Separatism* (New Delhi: Sage Publications, 2019), 276.

*(Hindutva) and anti-Kashmir policies of RSS and BJP. Talking about the people (Sajad Gani Lone) who do not have a conscience is nothing but the waste of time.*¹²

Mirwaiz, while commenting on the peoples' participation in the elections said, "I think we have taken the issue too far. Elections are for governance and about everyday issues. Moreover, to see them as public opinion on the resolution of Kashmir dispute is misleading. If people pay taxes, they have reason to see that the money is in the right hands."¹³ Even the number of separatists did not see anything wrong in people choosing their representatives for day-to-day issues. People believe that Azaadi has no relation with the elections, as they are merely for local governance, as one needs better roads, drinking water, health facilities, and education.¹⁴ In fact, masses went on to identify that '*Vote Hamara Haq hai, Azaadi Hamara Nara*' (Vote is our right, Azaadi is our slogan). The phrase, "*Go India Go*," which is inflicted with strong anti-India feelings, is now being asserted with new vigor. As Jamwal writes, "the Kashmiri youth are driven by ideas of revolution and liberty that the educated young among this generation have fed themselves with, through readings of conflict around the world – revolutionaries like Che Guevara and Bhagat Singh and thinkers like Foucault, Voltaire, Sartre, Marx, Kant, and Rousseau; ideas that have been craving for space to be articulated and expressed; ideas that are waiting to be translated into action."¹⁵ The moral of the above discussion is that in the case of Kashmir, participation in elections has always been treated as loyalty to India. However, power-sharing governments tried their best to include all the stakeholders in the peace and dialogue process, even though they

¹² Interview with the Chairman of Hurriyat (G) Sayeed Ali Shah Geelani, Srinagar, December 20, 2016.

¹³ See *Himalayan Mail*, Jammu, April 26, 2006.

¹⁴ Azaadi is the Urdu word for the two distinct concepts of independence and freedom.

¹⁵ Jamwal, "Burhan Wani and Beyond," 14.

invite militant groups during the early phase of talks. There was representation from all the three regions and their major religions during the dialogue process.

The parallel co-existence of the two streams of politics tends to reflect a complication at the basic ground level that is generated by the nature of popular responses and also by the change in the dynamics of the separatist stream of politics. Since the decline in the armed insurgency and with the emergence of power-sharing governments in the state, mass politics has now become the major source for the assertion of the separatist sentiments in the state. With the significant growth and expansion of mainstream politics, it has now become more deep-rooted in the local responses; it also generates a demand for the reaffirmation of the popular separatist sentiments. As Chowdhary contends:

“In a situation where conflict resolution has not taken a concrete shape, the danger is always felt that participation in mainstream politics may be a sign of political normalcy which might put the whole question of conflict resolution to the back burner.”¹⁶

However, subsequently, these elections, besides facing the problem of fear of the gun, was also conducted under the shadow of the call for boycott successfully enforced by the separatist camp, mainly All Parties Hurriyat Conference (APHC). During the 1990s, boycott politics was started as a separatist way of response to the governments’ efforts of restoring the electoral processes in the state. During the assembly elections in 2002, the influence of boycott politics was reflected largely in the voter turnouts in few districts of Valley.¹⁷ While the erstwhile districts of Pulwama and Anantnag had recorded less than 25 percent of voter turnout, Srinagar district was much affected; the total voter turnout was less than 11 percent. However, over a period, the participation of the people in electoral politics was increased as

¹⁶ Chowdhary, “Electoral Politics in the Context of Separatism and Political Divergence,” 2009.

¹⁷ See Election Commission of India.

power-sharing governments' through various means and ways influenced people to participate and feel part of the mainstream system.

The Kashmiri separatist leaders believed that the failure of the military-driven approach is clear from the last three decades. The Indian army has deployed around 600,000–700,000 army and paramilitary forces since 1990.¹⁸ In both Indian Jammu and Kashmir (IJAK) and Pakistan Jammu and Kashmir (PJAK), the autonomy guaranteed at the time of partition has been utterly suppressed. The autonomy of the J&K state gradually was eroded, which is the main cause of the widespread alienation in the valley.¹⁹ Therefore, the deep-rooted sense of separation and alienation still prevailed in Kashmir, which has not been adequately addressed by the electoral commitment. That is one of the major challenges power-sharing governments' are facing in the valley.

The separatist leaders unanimously believe that there can be no end to the conflict and violence until Kashmiris gain a seat at the negotiating bench along with India and Pakistan. Separatist leaders believed that all past mediations and negotiations over Kashmir have always excluded the Muslim Kashmiris, the main essential party from the vale of Kashmir.²⁰ Some of the significant issues of the separatist camp are so aggressively pursued by the mainstream camp, particularly the PDP, that it evidently upsets the separatist camp. By bringing separatist issues to the mainstream electoral discourse by the PDP, works not only to the cost of exclusivity

¹⁸ The high ratio of troops to civilians makes the region one of the most militarized places in the world, producing an everyday experience of embattlement, of living life under occupation and under siege. Currently, 400,000 to 750,000 (the exact number remain unknown and disputed) Indian military and paramilitary remain in Kashmir, making this one of the world's militarized regions. See, for example, Cyrus Samii, "Seizing the Moment in Kashmir," *SAIS Review of International Affairs* 26, no. 1 (Winter-Spring 2006): 68; A report by the Association of Parents of Disappeared Persons (APDP), a member organization of the Jammu and Kashmir Coalition of Civil Society (JKCCS), "Half Widow, half Wife? Responding to Gendered Violence in Kashmir," July 2011.

¹⁹ Balraj Puri, "Independence, Autonomy and Freedom in Kashmir?," *Economic and Political Weekly* 43, no. 12-13 (March 2008): 20-21.

²⁰ Anthony Wanis St. John, "Third Party Mediation over Kashmir: A Modest Proposal," *International Peacekeeping* 4, no. 4 (Winter 1997): 1-30.

that separatist politics has been enjoying since long but also towards legitimizing the democratic space.²¹ PDP leaders Mufti Sayeed and Mehbooba Mufti have been so zealous about their campaign of the release of political prisoners, demilitarization and dialogue, that separatist camp have been forced to react and condemn it. There were different thoughts about the same, some sections within the separatist camp feel good when such issues brought in the forefront. However, Mirwaiz of Hurriyat (M) called it “cheap politics and political planking” and declared that they seem to be living in a “fools” paradise if they consider themselves as the pioneers of demilitarization.²²

In the run-up to the 2002 assembly elections, moderate APHC leader Abdul Gani Lone was assassinated, robbing the Kashmir of a venerated broker between moderates and hardliners.²³ Later, on June 9th, 2002, former chairperson of APHC and Jamaat-e-Islami leader Sayed Ali Shah Geelani was arrested under the POTA. As security, agencies uncover of Geelani’s alleged links with Pakistan and his possible role in the murder of moderate APHC leader A. G. Lone, who had initiated a process to facilitate participation in the Assembly elections.²⁴ Sajad Gani Lones’ PC had set proxy political candidates in the 2002 Assembly elections in several seats.

²¹ With the possibility of separatist issues and concerns being democratically raised and debated, it also poses a challenge to the separatist politics and organizations. It is this challenge that is being felt by the separatists of various hues who are responding in a variety of ways, ranging from participation in a proactive boycott campaign to showing a positive inclination to movement forward towards peace and dialogue.

²² The state government is, in fact, powerless to even decide on the release of political prisoners. These issues fall in the domain of the New Delhi-based national security apparatus.

²³ APHC was formed in March 1993. The important leaders who joined together to form this organization included Syed Ali Shah Geelani of the Jamaat-e-Islami, Abdul Gani Lone of the People’s Conference, Moulvi Abbas Ansari of the Liberation Council, Professor Abdul Gani Bhat of the Muslim Conference, and Yasin Malik of JKLF. Chaired by Mirwaiz Omar Farooq, this organization was an amalgam of various separatist and militant organizations incorporating almost the full spectrum of ideologies prevalent in Kashmir at that time, though having a definite tilt towards the Islamic identity of Kashmir.

²⁴ Sayed Ali Shah Geelani, the Hurriyat hardliner and his relative Altaf Ahmad Shah were arrested in Srinagar under POTA on charges of receiving funds from Pakistan’s Inter-Service Intelligence Agency (ISI). It was widely believed to have been made by the government in preparation for the Assembly elections, to pave the ground for the moderates to participate in the political process.

Earlier, PC, under the leadership of Abdul Gani Lone, had already contested Assembly elections in the state even before 1980.²⁵ He was finally removed from the Hurriyat Conference; he then shifted to the mainstream politics in the year 2009 and also contested parliamentary elections from the Baramulla constituency. In short, with the assassination of Lone, Kashmir has lost a visionary political leader who had positive views on the situation as it was emerging and the way that it needed to take.

To analyze the politics of J&K in the more recent period, it is significant not merely to refer to the situation of insurgency and militancy that overtook the state in the late eighties but also important to locate this situation in its immediate context. Militancy was in itself a concern of an acute sense of alienation that was manifested in the impulsive mass upsurge in the Valley in the early nineties.²⁶ Subsequently, for example, youth gathered on the roads in the summer of 2009 in order to protest against the states' failure in delivering justice in the Shopian rape and murder case, probably perpetrated by the men in uniform.²⁷ Another incident of Afzal Guru, a Kashmiri Muslim, was convicted for his participation in a 2002 attack on the Indian parliament. He had never met his lawyer, was tortured into confession, and was executed in secret.²⁸ Amid the chaos, nearly 8,000 to 10,000 Kashmiris have disappeared since the early 1990s. According to human rights groups and civil

²⁵ Md. Sadiq, "Kashmir Round Table Conference: An Opportunity Lost," *J&K Insights*, February 26, 2006.

²⁶ Rekha Chowdhary and V. Nagendra Rao, "Jammu and Kashmir: Political Alienation, Regional Divergence and Communal Polarization," *Journal of Indian School of Political Economy* XV, nos. 1&2 (January-June 2003): 189-219.

²⁷ Bruce Hoffman and Haley Duschinski, "Contestations Over Law, Power and Representation in Kashmir Valley," *Intervention: International Journal of Postcolonial Studies* 16, no. 4 (July 2013): 501-530. The people's collective distrust of state legal machineries of accountability and redress was validated in December 2009 when the Central Bureau of Investigation (CBI), India's principal investigative agency, issued a report, extensively condemned throughout Kashmir Valley, finding that the women had not been raped and murdered, but rather had drowned. The case entrenched and validated feelings of frustration and anger, setting the stage for an extreme crisis the following year.

²⁸ See Toral Gajarawala, "Kashmir Stories," *Dissent* 63, no. 3 (Summer 2016): 11-16.

society reports, most of these men went missing after the Indian army picked them up.²⁹ In short, to understand the current political situation of J&K state, it is, therefore, imperative to examine the politics of state since 1983, especially after the 1987 assembly elections.

Almost all secessionist leaders in the state identified the forceful closures of the Jamia Masjid and Hazratbal Shrine as the strategy of the state to suppress the religious practice of the people and also intervene in the religious matters of the civilian population forcefully.³⁰ Graffiti on the walls of Srinagar and also outside the Jamia Masjid proclaims ‘Go India Go’- a phrase spray painted and chalked throughout the Valley during the months of violence, which resulted in the evacuation of Indian administration, and Indian troops, from that particular region. They believe that the innocent Kashmiri civilians protesting for their rights are dealt with brute use of force, leading to arbitrary arrests, detentions, disappearances, mass graves, and sexual violence. With regard to democratic rights in Kashmir, Prime Minister Jawaharlal Nehru, with characteristic candor, wrote to the Kashmiri activist and journalist in 1962, “It is true that political liberty does not exist there in the same measure as in the rest of India. At the same time, there is much more of it than there used to be.”³¹ However, since 2002 the power-sharing governments tried their best to bring peace, stability, and normalcy back to the Valley. At least they succeeded in transferring the violent insurgent movement to a peaceful movement, where the role of the gun was reduced and the role of talks, negotiation, and accommodation was increased.

²⁹ With no trace of their days wondering if, they will see their loved ones again. The discovery of mass gravesites in recent years has added to the fear and uncertainty of those who continue to search for their family members. The situation is common enough that there is a term, “half Widow,” for women who do not know if their husbands are alive or dead. See Showkat Nanda, “Kashmir: A Stone’s Throw, an Endless Wait,” *World Policy Journal* 33, no. 2 (Summer 2016): 42-45.

³⁰ Hoffman and Duschinski, “Contestations Over Law,” 501-530.

³¹ Jawaharlal Nehru, as quoted in M.J. Akbar, *Kashmir: Behind the Vale* (New Delhi: Viking/Penguin, 1991), 159.

5.2 Dialogue and Power Sharing

By the time the Vajpayee led NDA government had taken the initiative of reinstating the credibility of the electoral process by promising a ‘free and fair’ assembly elections in 2002, the change that had been taking place since 1996 assembly elections became distinctively noticeable. The last two ceasefires, July 2000 and November 2000 showed that people were keen that the dialogue and peace process should start.³² During the first power-sharing government, the dialogue and peace process with the representatives of Kashmir was in full swing.

“The goal of the power-sharing government was to heal the physical, psychological and emotional wounds inflicted by fourteen years of militancy, to restore the rule of law in Jammu and Kashmir State, to complete the revival of the political process which was begun by the recently concluded elections, and to request the Government of India to initiate and hold, sincerely and seriously wide-ranging consultations and dialogue, without conditions, with the members of the legislature and other segments of public opinion in all the three regions of the State, to evolve a broad-based consensus on the restoration of peace with honor in the State.”³³

It was in this context that the acknowledgment of separatists’ exclusive role of representing separatism that the government of India had taken the initiative of engaging the APHC in a dialogue.³⁴ Since the emergence of power-sharing governments, there has been almost a general agreement within the separatist

³² Gautam Navlakha, “Kashmir: Putting Politics in Command,” *Economic and Political Weekly* 37, no. 07 (February 2002): 609.

³³ Epilogue Analysis, “Peace Process: Marked by Several Rounds of Talking With Self,” *Epilogue* 2, no 8 (August 2008).

³⁴ It was the Atal Behari Vajpayee led NDA government that had initiated the dialogue with the moderate faction of All Parties Hurriyat Conference (APHC). However, after the two rounds of dialogue with the prime minister, there was a change of government at the center. The new government of UPA-I led by Manmohan Singh took some time to continue the dialogue and peace process. It was in September 2005 that the PM had a meeting with the Hurriyat leaders. This meeting was followed by one to one meeting of the PM with other separatists (Yasin Malik of JKLF and Sajjad Lone of PC).

groups except few that there was a need to delink violence from the Kashmir movement and to relocate separatist politics in the hands of Kashmiris. Non-violence is generally viewed as morally strong. It also provides opportunities to initiate debates as well as dialogues between various adversaries. In other words, it is a constant battle of the minds and hearts of the opponents. Therefore, the promise by the majority of separatists' to delink violence and the role of the gun from the movement was a clear response to the processes initiated by the power-sharing governments. Tarigami, while commented on the dialogue process, said:

*'Yes, the dialogue is important. Look, it is not about a solution, and otherwise, I have been telling my friends everywhere both in India and Pakistan that there is no readymade solution. I was once in Pakistan; I observed Pakistan calls Kashmir a jugular vein and India an inseparable part, so these are the positions of India and Pakistan, and somebody also says independent Kashmir. A solution is one that is acceptable to others, but where is the solution here? So how do we evolve commonality or common ground? I think that is possible if we respect each other and enter into a serious dialogue.'*³⁵

Separatist hardline leader Syed Ali Shah Geelani argued that converting the Line of Control (LoC) into an international border between the two nations could not be a permanent solution to the Kashmir conflict.³⁶ He believed that the Kashmir movement could not be defined as a mere 'political' struggle of the Kashmiris. However, it was the religious struggle of the Kashmiri Muslims and a part of the global Islamic movement. During the late nineties, Hurriyat outrightly rejected the ceasefire by the Hizbul Mujahedeen even when there was an overwhelming popular response in its favor.³⁷ However, the moderate separatist leaders like Abdul Gani Lone emphatically claimed that the problem of Kashmir was political, not religious.

³⁵ Interview with CPIM Leader M.Y Tarigami, Jammu, January 8, 2018.

³⁶ *The Hindustan Times*, "Making LoC the Border won't Resolve J&K Issue: Geelani," December 30, 2003.

³⁷ Rekha Chowdhary and Nagendra Rao, "Kashmir: Elections 2002 - Implications for Politics of Separatism," *Economic and Political Weekly* 38, no. 01 (January 2003): 15-21.

They do not find this proposition appropriate to the sentiments of the common Kashmiris. He further argued that the conflict would only be resolved through the United Nations (UN) resolutions or through talks between India, Pakistan and Kashmiri representatives guided by their principles' and not by intimidating us in various ways. He said:

*"My past more than 50 years political career stands testimony to the fact that all the agencies, overt or covert, are well aware of my political stand. I have been facing atrocities, curbs, jails, interrogation by Indian agencies for the last seven decades and how can they even think of any compromise by me using such mean and childish methods of threatening and humiliating my children. I have consciously and willingly adopted this torturous and thorny path of pursuing the movement for the basic and fundamental rights of my nation. No power on earth can deter me from this holy mission. Such maneuvering, much-hyped drama, and sensational media narratives may have electoral dividends for the ruling class, but can never help their stay for too long. Delhi rulers and its agencies harass and intimidate my family just to pressurize me, but these cowardly acts will yield nothing for them."*³⁸

The hardline separatist group during the power-sharing governments was motivated by the government that the conflict can only be resolved through dialogue and talks. That is a significant role played by the power-sharing governments that the hardline group changes their mind for talks. However, the assassination of Abdul Gani Lone was a major setback for the forces looking for a peaceful political resolution to the Kashmir conflict. He had emerged as the key dynamic leader among the separatists who insights into the ground level difficulties and who could recognize the compulsions of the changing times. His participation in the 2002 April Dubai meeting, attended among others by Mirwaiz and Abdul Quyum Khan, the chairperson of Pakistan National Kashmir Committee and former Pakistan administered Kashmir (PAK) PM, has raised many positive expectations as the

³⁸ See *Greater Kashmir*, "Delhi Intimidating my Family to Pressurize me," March 12, 2019.

meeting highlighted the need to search for a political resolution of the conflict.³⁹ In fact, he had engaged the hardliners of Hurriyat and others in debates, which provided space for internal dissent and dialogue. He raised the number of crucial issues like – role of foreign *'jihadi'* elements in Kashmir, the nature of the movement (religious or political), and the role of armed militancy in the present context when the government was ready for peaceful resolution of the Kashmir conflict.

He also asked the local Kashmiri militants to shun the path of violence and gun. He believed that the present movement had to be indigenous and placed in the political context of Kashmir. The political nature and the character of the movement required an organized and well-determined political approach as well as strategy, and, therefore, it was all the more important to focus more on the primacy of politics than the armed militancy.⁴⁰ These militants could not represent the common people but it is the Hurriyat alone, which has the capability to argue the case of the Kashmiris. However, unfortunately, the struggle as it evolved over the period, had shifted its way from being an uprightly homegrown political response to one, which is rigidly manipulated by religious sentiments.

When the leaders of the Hurriyat visited PAK on the formal invitation by the Pakistani government in the year 2005, the then PM of PAK challenged the Hurriyat's claim of representing the Indian side of J&K state since there was no single person from Jammu region accompanied them. In fact, "when the Poonch-Rawalakote bus route was opened last year, his son Farooq Hayat came up to the LoC and openly said in the presence of the media that there was no use opening the Srinagar-Muzaffarabad road as there were not many Kashmiris in his part of the state. He demanded the opening of more roads on the LoC in Jammu region as most

³⁹ Rekha Chowdhary, "Kashmir: Lone's Liberal Legacy," *Economic and Political Weekly* 37, no. 25 (June 2002): 2398-2400.

⁴⁰ Abdul Gani Lone believed that the foreign militants should not have any role in Kashmir struggle. His major objection to their role was their religious agenda, which he believed to be totally unrelated to the struggle of the Kashmiris. In fact, they are not for the Kashmir struggle (Azaadi), but they have their own agenda for international jihad.

of the divided families lived there. For administrative purposes and more so culturally, most of the PAK was part of the Jammu region before 1947.”⁴¹ This claim for under-representation of all regions at the negotiation and mediation table was resolved by the power-sharing governments, which invited people from all the three and their sub-regions during the talks.

The Jamaat-i-Islami J&K, along with the Rashtriya Swayamsevak Sangh (RSS), appears to be quite favorably motivated to the idea of trifurcation of the state. The ex-chairman of the APHC and the ideologue of the Jamaat, Geelani, has recommended the possibility of ‘trifurcation’ of the J&K state if it can help resolve the Kashmir conflict.⁴² PC leader Lone sought independence for J&K in its undivided form. He argued that “we believe in the undivided state of J&K, which is disputed and yet to be settled. Its formal settlement is to be done by the people of the state by a fair plebiscite, without going into the question of whether it is a Muslim issue or another issue. It is a complicated issue because the Muslims alone do not inhabit this disputed territory. There are other faiths as well. Then there are regions, Jammu, Kashmir, Ladakh, Azad Kashmir, Northern Areas, Gilgit...”⁴³ With regard to trifurcation of the state, the former Jammu Mukti Morcha (JMM) member and Jammu State Morcha (JSM) Chairman Varendra Singh believes that:

‘Our main aim was that Jammu, Kashmir, and Ladakh had different cultures and languages, and their political aspirations were different. Jammu was being discriminated against by the Kashmiri rulers who were ruling the state. The provisions like Article 370, the Delhi Accord was made with Kashmiris and were in the interest of the Kashmiri people, and Jammu was not being consulted in all these matters. We know that before 1947, Kashmiris raised the slogan of Quit

⁴¹ Balraj Puri, “Neglected Regional Aspirations in Jammu and Kashmir,” *Economic and Political Weekly* 43, no. 01 (January 2008): 13-15.

⁴² Rekha Chowdhary, “Autonomy Demand: Kashmir at Crossroads,” *Economic and Political Weekly* 35, no. 30 (July 2000): 2599-2603.

⁴³ See *Kashmir Times*, January 22, 2001.

Kashmir against the Maharaja. Quit Kashmir was alright, but then why they were occupying the Jammu region. We demanded that the aspirations of the people of the Jammu region were not being addressed and met. We were against the appeasement policy by the government of India adopted vis-a-vis the Kashmir people. Jammu people were suffering because they were not given proper representation in the legislature. Thus the political voice of Jammu people was suppressed, and people from Kashmir dominated the Assembly also. All these factors were not taken into consideration when giving representation to the people of Jammu. There used to be a difference of 12 seats, then it became 10 and now it is 9. So keeping that in mind, this state should be trifurcated into Jammu, Ladakh and Kashmir valley because all the three regions have their own political aspirations and there is alienation developing day-by-day and different people endorse different things. Keeping these three divisions together has led to disturbance because the Kashmir people feel that Jammu is the representative of the central government and they were discriminated against, and they say that we cant get what we want if the Jammu people are not with us and they were also to some extent justified. So we thought that let there be a division of the state and every division should get whatever they want their status vis-a-vis the center.’⁴⁴

In 2005, Prime Minister Manmohan Singhs’ treatment of the Hurriyat Conference could have been more diplomatic. When he did not extend any specific offer to the Hurriyat and just announced that doors were open to leaders of all political parties, those outside the system as well as within civil society. However, this does not amount to an invitation to alienate separatists. Sometimes national parties did not invite separatists directly because of the effect of the logic of two-level games as they have kept the larger interest of the nation. In other words, we can say separatists are now willing to have negotiations with the government and are trying to be part of the system. The moderate faction of Hurriyat argued that it had a better understanding of the Vajpayee’s NDA government. Other separatist groups voiced

⁴⁴ Interview with BJP State Spokesperson Professor Varendra Singh, Jammu, January 5, 2017.

similar disappointment with the announcements of the prime ministers' economic package, which did not have any political package. The initial offer was to initiate dialogue at the home minister-level within the framework of the Indian Constitution. The widely quoted PMO's remark, "that Hurriyat leaders were small men pushed to big chairs – you do not insult the people with whom you propose talks."⁴⁵ However, the policies of Vajpayee's (NDA) and Manmohan Singh's (UPI-I) government did succeed in convincing disparate separatist groups to come closer to each other and to Pakistan. Even though both power-sharing governments at the state believed that there is nothing wrong if separatist parties unite as it makes the job of negotiating with them a little easier.

In 2008 separatist leader, Geelani urged US president, Mr. Obama, to use his office and position for an amicable resolution of the decades-old conflict so that people in Kashmir could live in peace.⁴⁶ Geelani believed that the people in J&K had been subjected to the worst kind of state violence, but the global leaders had yet to take notice of Indian atrocities. President General Musharraf once told the Kashmiri leaders that former United States president Bill Clinton had been informally mediating between the two nations to help them hold dialogue to resolve the conflict.⁴⁷ Pakistan has always tried to keep the Kashmir problem alive and to internalize it.⁴⁸ It has all reason to welcome the involvement of a third party in resolving its conflict with India, which India claims is a bilateral matter. With regard

⁴⁵ Balraj Puri, "PM's Visit to Kashmir: Missed Opportunity," *Economic and Political Weekly* 39, no. 49 (December 2004): 5194-5196.

⁴⁶ See *The Dawn*, "Bill Clinton may be named envoy on Kashmir," November 06, 2008.

⁴⁷ The President quoted Clinton as having said that he had been asked by the Indian PM whether General Musharraf could be trusted. The reply by Clinton was that the Pakistani president could be trusted, as he sincerely wanted to push forward the peace process for the resolution of the Kashmir conflict. See, Ihtasham-ul-Haque, "Clinton Mediating on Kashmir," *The Dawn*, December 25, 2003.

⁴⁸ Balraj Puri, "India, Kashmir and War against Terrorism," *Economic and Political Weekly* 36, no. 27 (October 2001): 4043-4044.

to negotiations between the two sovereign nations of India and Pakistan on Kashmir, Muslim Conference (MC) leader Abdul Gani Bhat argues:

*'Dialogue in terms of international law will always happen between sovereign states or amongst sovereign states. If you are not sovereign, you cannot be a party in the dialogue. No Mujahid organization in Afghanistan was a party to the dispute across the table in Kabul. Russia, Pakistan, Afghanistan, Iranians, and Americans did the talking. Gulbadeens, Masoods, and others did not do it. The reason being that they are never recognized as a sovereign state. People are powerful and final arbiters but final arbiters in perspective, with reference to law. The law at the international level requires sovereign states to do the talking with reference to a dispute between them. So, talks must happen between India and Pakistan, to begin with. No doubt about it. They did the talking up to yesterday. They will have to do the talking tomorrow and thereafter. But the situation being what it is, Kashmir is in trouble, Kashmiris die. The blood of the people of Jammu and Kashmir is as red as is the blood of Americans and Russians, whether they are in Vietnam, Afghanistan, Kashmir, Palestine, or Syria. Wherever they are. It is red, and our blood is also red. We are inferior in case of blood; we are as superior as any other in the entire world. So, therefore when I say that talks constitute the final effort directed towards finding a solution to the dispute in Jammu and Kashmir, I mean talks between India and Pakistan. And as I said, since we shed blood day in and day out, since we see our houses set ablaze in broad daylight and the darkness of night, we see our children losing their lives before our eyes, we have to be taken into confidence. I believe that when India and Pakistan start talking, they will be guided by reason and wisdom. Therefore they will take us into confidence, the leadership in Kashmir and all sorts of things, and then discuss with them the broader outline of any solution of Kashmir between India and Pakistan. Or seek suggestions from us: what do you want? How do you want that we should proceed? But in principle, the talks must happen between sovereign states of India and Pakistan.'*⁴⁹

⁴⁹ Interview with the Chairman of Muslim Conference and member of APHC, Professor Abdul Gani Bhat, Srinagar, May 15, 2018.

Despite not being the sovereign state, the separatists are being invited for open talks (conditional as well as unconditional), in order to feel them that they are the part of the system. In this regard, the government of India has appointed three interlocutors during NC-Congress power-sharing government (Dileep Padgaonkar, M. M Ansari and Radha Kumar), to “start a dialogue with all groups in Kashmir.” The Interlocutors report said, “A political settlement in Jammu and Kashmir must be achieved only through dialogue between all stakeholders, including those who are not part of the mainstream. Their commitment to democracy and pluralism must be above board.”⁵⁰ All mainstream and separatist parties in J&K believe that the political problem of Kashmir can only be resolved with the dialogue process.⁵¹ NC general secretary Ali Mohd Sagar argues that:

‘There is a golden rule of trying again and again. Shiekh Abdullah was sent by Nehru to Pakistan to talk to their leadership and Pakistan, in turn, decided to send Field Marshall Ayub Khan to India to hold talks with Nehru. At that time, Maulana Yusuf tried to bring Ayub Khan to Kashmir as a confidence-building measure, but Nehru died and everything remained as it was. L.B. Shastri visited Tashkent to hold talks with the Pakistani PM and the duo tried to sign the Tashkent Agreement, but Shastri died and it remained all the same. Similarly, the Shimla Agreement was signed between Bhutto and Indra Gandhi, but Bhutto was hanged and the story closed. Sheikh Abdullah went to Pakistan and received a hero’s welcome there, which raised a ray of hope for the good relations between the two countries and for the solution of the Kashmir issue as well. But, Nehru’s death dashed all the hopes in one go.’⁵²

⁵⁰ The group of Interlocutors was appointed on October 13, 2010, following the All-Party Parliamentary Delegation’s visit to Jammu and Kashmir from September 20-22, 2010 and the Home Minister’s announcement of September 25, 2010. See the Final Report of Group of Interlocutors for J&K: A New Compact with the People of Jammu and Kashmir, by Dileep Padgaonkar, Radha Kumar and M.M. Ansari.

⁵¹ Interview with JKPCC President Ghulam Ahmed Mir, Jammu, January 16, 2017.

⁵² Interview with Ali Mohd Sagar, General Secretary Jammu and Kashmir National Conference, Srinagar, May 11, 2018.

From the separatist front, Banday argues that ‘there are two ways of resolving this chronic issue. One is either we go by the resolutions which have been passed by the world body, the United Nations Security Council about the way of resolution of J&K and at the same time, our constitution provides that if for some reason it does not happen, then there is an alternative solution which is a negotiated solution or through a trilateral dialogue process involving the people of J&K.’⁵³ He further says that the process of dialogue is the best way instead of going by military means or any other means. We feel that dialogue is the most civilized and the best way of resolving the difference.⁵⁴ The MC chief and APHC leader Abdul Gani Bhat believed that dialogue is the only viable way to resolve the issue:

‘We need to join heads together in a cool, calm, and calculating political environment with our eyes focused on tomorrow, secure, stable, and prosperous tomorrow. What do we do? We do the talking. Talking is the most civilized method of resolving disputes. We do the talking, and when you do the talking, what do you do? You proceed with a principle which is flexibility. You introduce an element of flexibility into talks and when you do it, you certainly will come up with a solution, a solution that is acceptable, honorable, and durable. That has to happen, and that is where the key will have to be applied and who will apply the keys? I wish we could do it. I mean in Kashmir, apply the key and the doors will open, the doors of communication, the doors of wisdom, the doors of accommodation, and probably the doors which will ultimately lead us to a

⁵³ Interview with Political Advisor of Mirwaiz Omar Farooq of All Party Hurriyat Conference (ALHC), Advocate Abdul Majid Banday, Srinagar, May 16, 2018. Note: In negotiating settlements, there are positions. The government of India holds a position, the government of Pakistan holds a position and the people of Jammu and Kashmir hold a position and the people of Jammu and Kashmir who we feel are the main parties because entire issue revolves around them. The experience from the last 70 years has taught us that through guns, repression, and oppression, there can be no military solution. So, the solution has to come in the most civilized way and the most civilized way is to have a comprehensive dialogue. The result-oriented dialogue process can help us reach a solution.

⁵⁴ Ibid.

*brighter future and a better South-Asian region. MC believes that dialogue is the only way forward.*⁵⁵

As for a dialogue with the separatists is concerned, all of them refused to communicate to the interlocutors, claimed that it was a futile exercise, although the interlocutors stressed their part in resolving the Kashmir problem. They contend that when political leaders, as a part of the all-party delegation visited Valley, had called on the separatist leaders, and it was a sign of goodwill. Geelani, while refused to talk with the delegation, believed that there are more than 150 dialogues with regard to Kashmir but no concrete result.⁵⁶ However, they could not offer any balanced solution of the Kashmir issue, then what more can the interlocutors offer. But still, they have hope that the issue can be resolved only through dialogue, and it is the right time when you have several parties sharing government space. Wani while commenting on the dialogue process said:

*'We already have many tracks; you already have a lot of groundwork that has been done on many issues. Lot of, I mean, after all, connectivity issues were taken up during Musharraf - Manmohan Singh's time, Vajpayee years, cross Line of Control (LoC) movement of people, the opening of more crossing points, having trade also between two parts of J&K state that was also that politics was taken forward in the larger politics of internal self-determination. However, I mean one cannot say anything with certainty about how things are going to evolve in the future.'*⁵⁷

On the positive side, the interlocutor's team met some youth leaders in jail as per the instruction of Congress president Sonia Gandhi and the prime minister. As in 2010, the protest movement was started by these young youths and it was much rational to meet their leaders and know the reasons for their disillusionment and

⁵⁵ Interview with the Chairman of Muslim Conference and member of APHC, Professor Abdul Gani Bhat, Srinagar, May 15, 2018.

⁵⁶ Interview with the Chairman of Hurriyat (G) Sayeed Ali Shah Geelani, Srinagar, May 14, 2018.

⁵⁷ Interview with Professor Gull Mohammad Wani of Kashmir University, Srinagar, May 17, 2018.

discontent.⁵⁸ The Jammu based parties like Panthers and BJP boycotted them for their ‘pro-Kashmir’ and ‘anti-national’ statements in Kashmir. There were certain protests in the Ladakh region also as they did not visit there.

In their second visit, interlocutors visited Kashmir and Ladakh but not Jammu. In Leh, a Buddhist majority district, the demand for union territory status and separation from the state was raised but was outrightly opposed by the delegation from Kargil, a Muslim majority district. In common, both complained about the discrimination against the region. In Valley, they urged the state government to release several political prisoners on Eid. Despite getting the Ladakh Autonomous Hill Development Councils (LAHDC), first, the concept of Hill Council was implemented in Leh District in 1995. Then it was introduced in Kargil District in 2003; the demand for Union territory or separation has still alive there but with less intensity, as they are getting a substantial share in all aspects since the power-sharing governments.⁵⁹

During the third power-sharing coalition, the government-appointed Dineshwar Sharma as its special interlocutor for initiating the process of a ‘sustained dialogue’ with all the stakeholders in the state of J&K.⁶⁰ Initially, he tried to meet political leaders, youths, student groups, and Kashmiri Pandits. During his following visits, he meets the representatives of youth, tribals, hawkers, sumo drivers, and the families of police officers who were killed. He also meets around 16 delegations at

⁵⁸ As a positive gesture, the team visited the house of Shakeel, husband and brother of the two young women who were raped and murdered in south Kashmir’s Shopian district and the office of Parveena Ahangar, president of the Association of Parents of Disappeared Persons (APDP).

⁵⁹ In October 1993, the union Government and the Jammu and Kashmir State Government agreed to grant Ladakh the status of Autonomous Hill Council. The councils were created under the Ladakh Autonomous Hill Development Council (LAHDC), Act 1995.

⁶⁰ *The Economic Times*, “J&K Interlocutor Dineshwar Sharma must engage with Separatists: Experts,” November 18, 2017. Note - In 2010, the Manmohan Singh led UPA had appointed a three-member group of interlocutors led by journalist Dilip Padgaonkar. A year later, the group submitted a report including review of the Armed Forces (Special Powers) Act and laws pertaining to detention of people for years on suspicion. These are yet to be implemented.

Shopian in South Kashmir during his fifth visit. However, he was able to initiate dialogues with all the stakeholders vigorously only in the first few months of his visits. Unfortunately, the power-sharing government collapsed even before he could bring Hurriyat or separatists to the table of dialogue.⁶¹ In a statement earlier, Sharma had said:

“Sentiments have to be addressed and the level of violence in the Valley has to be brought down before any political dialogue can be initiated. Other issues that need priority attention, he said, are how to prevent local youth from joining militancy; how to ensure the return of youth who have already joined; convince the youth that violence and gun will not bring a solution to any problem but will only add to the miseries.; and, how to restore harmony between people of different communities living in all three regions of J&K. As far as the sentiment in Kashmir is concerned, it can be addressed only if we embrace people with an open heart, about which our Prime Minister and Home Minister have already talked. More Kashmiri people, including youth, should visit other parts of the country, and they should be shown the same love and affection so that they get a feeling of belonging to the nation. Similarly, more people from the rest of the country should visit J&K, see its natural beauty, and enjoy the affection and hospitality of the local people.”⁶²

The ceasefire and amnesty during the third power-sharing government had a visible impact on the ground. As per the official records, during the Ramzan of 2018 (May 17th to June 17th), around 117 incidents of stone-pelting were reported in the state as compared to 219 during April 15-May 16, 2018.⁶³ In the present day, Kashmir, there

⁶¹ It was during his tenure that the Center announced amnesty for first-time stone pelters and declared a ceasefire during Ramzan. See Rahul Tripathi, “One Year as J&K Interlocutor: Some Progress, Some Setbacks for Dineshwar Sharma,” *Hindustan Times*, October 24, 2018.

⁶² Rahul Tripathi, “One Year as J&K Interlocutor: Some Progress, Some Setbacks for Dineshwar Sharma,” *Hindustan Times*, October 24, 2018.

⁶³ Dineshwar Sharma had a quiet meeting with Ghalib Guru, son of hanged Parliament attack convict Afzal Guru, in helping Ghalib secure an Indian passport. Sharma even said “I will do anything that can bring happiness and satisfaction to any young person, including Afzal Guru’s son.” See for example, Harinder Baweja, “J-K Interlocutor Dineshwar Sharma helping Afzal Guru’s Son to get

are two kinds of politics, one, there is a strong need for peace and dialogue on the one hand and strong feelings in favor of the demand for freedom (*Azaadi*) on the other. Which one will prevail will depend largely upon the power-sharing government and central government as to what kind of attitude it takes. If it chooses to ignore the flexibility shown by the moderates particularly as well as at times by hardliners within separatists, it will only facilitate more hardening of separatist stance. They also want to be a legitimate part of the system. Moreover, if it responds positively to them and gives it a real space essential for its preeminence within the separatist camp, there will be an opportunity of timely resolution of the conflict. The power-sharing governments tried to give real space to separatists through a series of round table conferences (RTC) to bring peace in the state.

5.2.1 Round Table Conferences (RTC)

The first ever-formal meeting between Indias' deputy prime minister and a five-member delegation of the APHC took place in January 2004.⁶⁴ The first-RTC was held in New Delhi in February 2006. Mainstream political parties, media persons, eminent intellectuals and leaders of various ethnic groups attended it from all the three regions of the state. The then Prime Minister Manmohan Singh had assured that all appropriate steps would be taken for the release of Kashmir detainees logged in several jails in the country.⁶⁵ Separatists were genuinely thinking of attending the Second RTC; however, before that, they wanted some clarifications from PM over the issue. As Mirwaiz Umar Farooq said that the real issue was between Hurriyat

Passport," *Hindustan Times*, March 14, 2019; Tripathi, "One Year as J&K Interlocutor," October 24, 2018.

⁶⁴ However, the exclusion of JKLF and Hizbul Mujahideen during the early phase of talks has anyway robbed the talks of their representative character and the refusal by Indian government to make any substantive gesture has reduced their legitimacy. See, Gautam Navlakha, Kashmir: Limits and Scope of Dialogue," *Economic and Political Weekly* 39, no. 09 (February 2004): 875-877.

⁶⁵ Even though it was not a failed conference, it was incomplete in the sense that Hurriyat leaders did not attend the meet. See *J&K Insights*, "Kashmir Press Roundup: April 2006," May 2, 2006.

and Center, they have to talk with them.⁶⁶ The peace process in J&K became more significant with the crucial Second Round Conference, which was successfully held in Srinagar in the month of May 2006. Even though New Delhi invited all political as well as separatist parties to participate in the peace conference, unfortunately, the separatists decided to boycott the dialogue once again.⁶⁷ The boycott policy by the separatists sometimes follows the logic of two-level games, which means they have to keep the interest of their hardcore constituencies while coming forward and sitting on the negotiation table with the Indian government.

The Indian Prime Minister Manmohan Singh convened the third J&K - RTC on April 24th, 2007. This conference was attended not only by the representatives of mainstream political parties but also by the religious and ethnic communities who, besides the Kashmir Muslims included the Gujjars, Paharis, Dogras, the Buddhists of Leh and the Shias of Kargil. Separatist leaders of the Valley chose not to attend, as the four working groups had not discussed the reports with the separatists or with other competent persons.⁶⁸ Balraj Puri writes, “The Hurriyat, as well as the other separatist parties, have hardly any representation from these communities. Based on whatever following they claim in the valley, individually and even unitedly, the Hurriyat’s claim to be a party in the talks on finding a solution to the Kashmir problem has been compromised by their complete isolation from the non-Kashmiri speaking communities. By their confrontation with the most influential leaders in the PAJK, moreover, they have also isolated themselves from non-Kashmiri

⁶⁶ There was time when the mainstream leaders were opposed to talks with militants and secessionist groups, but now they favored unconditional talks for finding out an honorable solution to the issue.

⁶⁷ The outcome of the second roundtable conference was not different from the first one. Separatist outfits, which had also boycotted the first Roundtable Conference, appear to be incognizant of the dominant public opinion in Kashmir, which is clearly in favour of a negotiated solution of the Kashmir problem. See for example, *J&K Insights*, “Kashmir Press Roundup: May 2006,” June 2, 2006.

⁶⁸ The Prime Minister conceded in his closing remarks, it was not possible to discuss threadbare every single recommendation in the reports of the four working groups that the participants received only the evening before the conference.

speaking people across the LoC as well.”⁶⁹ About representation from these groups particularly from the Jammu region, Geelani argues that ‘from the last one decade most of the Hurriyat leaders are under house arrest and whenever we tried to visit Jammu and Ladakh region in the past authorities are not permitting and instead detain our members to police stations and central jails. It is government policy to keep these groups and communities away from knowing the realities about the Valley. Then this claim of not representing other regions does not mean anything.’⁷⁰

The first group recommended several confidence-building measures (CBM’s), as the instances of human rights violations and recommended measures to protect innocent people from falling victim to counterinsurgency measures. They further suggested that in order to make the monitoring of human rights violations more credible and objective, international human rights organizations should be permitted to visit the state. Indeed a step that should directly be taken is to stop the practice of rewarding the army men and police for the number of militants they have killed. The reports have complained that they did not advise the extension of the jurisdiction of the National Human Rights Commission (NHRC) to J&K. Regarding the recommendations for the withdrawal of the AFSPA, the issue is being discussed at the national level also. It was argued that the decision on it might take time; revocation of the act could start instantly wherever the situation improves. All these steps were warmly welcomed by the separatist leaders and the masses in the Valley.

The third and fourth working groups had discussed the balanced regional development with a focus on good governance, and economic development, the comprehensive treatment of human rights by the first working group has been replicated in the third group.⁷¹ The group dealing with strengthening relations

⁶⁹ Balraj Puri, “Third Round Table Conference on Jammu and Kashmir,” *Economic and Political Weekly* 42, no. 20 (May 2007): 1809-1812.

⁷⁰ Interview with the Chairman of Hurriyat (G) Sayeed Ali Shah Geelani, Srinagar, May 14, 2018.

⁷¹ Ibid.

across LoC had a modest and less provocative job. The group has recommended that eligibility for travel across the LoC should be enlarged to pilgrims, tourists, cultural groups, traders, faculty and student exchanges, lawyers, journalists, and persons needing medical treatment.⁷² The group has made several recommendations to ensure good governance in the state, which includes computerization and e-governance, recruitment and transfer policies, assessment performance, etc. In fact, the root cause of corrupt and inefficient governance in the state is its extremely centralized character, which is deteriorated by its highly divisive character.

Table 5.2
Militancy Related Data: 1990-2003

Years	No. of Incidents	Civilians Killed	Security Forces Killed	Terrorists Killed	Foreign terrorists Killed
1990	4158	461	155	550	14
1991	3765	385	143	844	12
1992	4817	634	189	819	14
1993	5247	747	198	1310	90
1994	5829	820	200	1596	122
1995	5938	1031	237	1332	85
1996	5014	1341	184	1209	139
1997	3420	971	193	1075	197
1998	2932	889	236	999	319
1999	3017	873	355	1082	305
2000	3074	847	397	1520	436
2001	4522	996	536	2020	625
2002	4038	1008	453	1707	508
2003	3401	795	314	1494	470

Source: Ministry of Home Affairs, Annual Report (2003-2004).

⁷² To make travel across the LoC easier, the pre-1956 practice, which allowed people to cross the line on the basis of permits issued by deputy commissioners, may be revived subject to necessary security precautions.

In short, during this phase of power-sharing governments in the state, when dialogue and RTCs were going on, the militancy related incidents and killings were sharply decreased. Omar Abdullah also believes that there has been a steady decline in violence since the emergence of power-sharing governments.⁷³

Table 5.3
Militancy Related Data: 2004-2015

Years	No. of Incidents	Civilians Killed	Security Forces Killed	Terrorists Killed	Foreign Terrorists Killed
2004	2565	707	281	976	-
2005	1990	557	199	917	-
2006	1667	389	151	591	-
2007	1092	158	110	472	-
2008	708	91	75	339	-
2009	499	71	79	239	-
2010	488	47	69	232	-
2011	340	31	33	100	-
2012	220	11	38	50	-
2013	170	15	53	67	-
2014	222	28	47	110	-
2015	208	17	39	108	-

Source: Ministry of Home Affairs, Annual Reports (2012-2013 and 2015-2016).

Tables 5.2 and 5.3 clearly show the killings have come down from 2004 to 2015 as compared to the 1990-2003 period. In real fact, the number of attempts at infiltrations has fallen abruptly. In the year 2001, it was said to be 2417 but fell to 537 (2004), 597 (2005), 573 (2006), and 535 (2007). Finally, there was a 65 percent decline up to July 31st, 2008 to just 150 as compared to the same period in 2007.⁷⁴

⁷³ Interview with Jammu and Kashmir National Conference Vice President Omar Abdullah, Jammu, January 17, 2017.

⁷⁴ The government also claimed a 70 percent decline in militancy related incidents between 1990 and 2007 from 3500 to less than 1000. For further details see, Gautam Navlakha, "Jammu and Kashmir:

All these confidence-building measures like RTCs, unconditional talks, and purposeful dialogue processes with separatist parties and militant leadership during the power-sharing era were possible because there was also change in their outlook over a period. The separatist leaders and their outfits were also willing to take part in the peace and dialogue process, and the majority of them believed that the conflict could be resolved only through negotiations between all stakeholders. Therefore, whenever the government tried to respond to their demands, they feel they are part of the system. The masses who supported the separatists and their ideologies also welcomed these strategies and felt like part of the same system.

5.3 Changing Tactics in Militancy and Separatism

Militancy during the early phase was purely homegrown, with many joining it for purely ideological reasons. There were those who had been part of active mainstream politics and had joined separatist politics because of their disillusionment with the democratic electoral politics. Over three decades ago, they argued that the only way to express their aspirations was a violent separatist movement. They believed that the system failed to honor the outcome of the assembly election held in 1983. It also disappointed the masses by not allowing them to elect the government of their own choice in the election of 1987 through the use of the ballot, and, which, as a result, compelled them to turn to the method of guns and bullets.

Puri argued, “It was through democracy and federalism that Tamil nationalism, which was fiercer and which had sought a secessionist outlet earlier than Kashmiri nationalism, got reconciled with Indian nationalism. Above all, it was the failure of Indian democracy and federalism in Kashmir.”⁷⁵ Some people were quite happy with

Winning a Battle Only to Lose the War?” *Economic and Political Weekly* 43, no. 45 (November 2008): 43-49.

⁷⁵ Balraj Puri, “Sovereignty, Territorial Integrity and Right of Self-Determination,” *Economic and Political Weekly* 36, no. 04 (January 2001): 1-4.

the power of the gun and had no connection with any sphere of politics. Jammu and Kashmir Liberation Front (JKLF) was one of the most significant indigenous organizations that were accountable for leading the armed militancy in the state, and it had a strong influence on the local youth. Besides the JKLF, there were several other local militant groups, generally the militant wings of the political parties that had contested the earlier assembly election under the banner of MUF.⁷⁶ Rashid while commenting on the change in militancy said:

*'No, militancy existed before the 2002 assembly elections, and it would persist till we resolve the Kashmir issue. I cannot do anything about it. It is not in my hands. The election has nothing to do with militancy and vice-versa. Election and Kashmir dispute are two different things; there were elections before the armed militants struck here, and it has happened after. Besides, the election is to choose a government and run administrative affairs. Nevertheless, I do believe good representatives can represent sentiments, but they prefer not to.'*⁷⁷

However, during the second phase of militancy, the harmonization between the militant response and the popular response had undergone a massive change as a result of a sudden shift in the character and orientation of the militancy. The active involvement of Pakistan with its direct control over several militant organizations, associating the indigenous struggles with the wider and broader Islamic jihad, as well as the toxic internal rivalries among the militant organizations and also the entrance of criminals, had a powerful impact on making certain fractures between the militant response and the popular response.⁷⁸ It was almost tricky for such violent movements to maintain their absolute autonomy, given their exclusive dependence on Pakistan for training and arms. Initially, they had supported the

⁷⁶ The Jammu and Kashmir Liberation Front (JKLF), which initiated the militant movement, was soon split into two groups led by the Kashmiri speaking Yasin Malik and Pakistan Administered Jammu and Kashmir (PAJK), leader Amanullah Khan.

⁷⁷ Interview with Chairman Awami Ittihad Party (AIP) and an Independent MLA Engineer Sheikh Abdul Rashid, Jammu, January 16, 2017.

⁷⁸ Chowdhary and Rao, "Kashmir: Elections 2002," 15-21.

Kashmiri movement for Azaadi, which was largely inspired by the feelings of Kashmiriyat; however, later, they diverted their focus to the extreme Muslim militants and also pro-Pakistan movements. For example, the goal of one of the leading militant outfits in Kashmir, Harkat-ul-Mujahideen, according to its leader Fazal-ur- Rehman, “is to wrest from Hindu majority India its part of Kashmir, which is dominated by Muslims, and merge it with Islamic Pakistan. If that takes a holy war with India, so be it.”⁷⁹

In order to find a solution for such splits and also to provide a political platform to separatism, several separatist and militant organizations successfully formed the Hurriyat Conference in March 1993.⁸⁰ It is a conglomeration of 26 political, religious, and social organizations in Kashmir. The main objective of the APHC was to organize a peaceful struggle for the masses of J&K in the exercise of their rights to self-determination. Although recognizing India, Pakistan and the people of the J&K as three parties to the dispute. However, during the 90s, the APHC was not seen as a legitimate organization by the government of India or Kashmir. It was only after the emergence of power-sharing governments that the government gave this organization some space and legitimacy.

5.4 Political Face of Separatism

Though the separatist politics remained vibrant all through the post-1996 assembly election, the new beginning of democratic electoral space did succeed in bringing certain kind of pressure upon it. Such pressure could be seen in the way APHC was forced to guard the political community that it seeks to represent by becoming active and with its parallel ‘politics of boycott.’ Even though during the parliamentary

⁷⁹ Balraj Puri, “Time for Alternatives to Violence in Kashmir,” *Economic and Political Weekly* 35, no. 20 (May 2000): 1700-1701.

⁸⁰ One of the important objective that the APHC defined for itself was ‘to make endeavors, in keeping with the Muslim majority character of the state, for promoting the building of a society based on Islamic values while safeguarding the interest of the non-Muslims’.

elections of 1998 and 1999, the Hurriyat leaders personally going from place to place, holding public gatherings and meetings and appealing to masses not to participate in the elections. The realization of the 'politics of boycott' was predominantly visible in 1999 when three elected members entered Lok-Sabha with shallow support of the electorate.⁸¹

Over a period, exhausted with prolonged violence, people had been urging for peace and looking for a peaceful political resolution. Common people were desperate for some kind of fair retreat from the militancy and violence that they had been forced into since 1989. For APHC to respond to such demands was very challenging because it had a risk of sharpening the ideological and political differences within this organization. By the late 1990s, three distinct groups, popularly known as hardliners, moderates, and centrist, emerged within the Hurriyat reflecting evolving contradictions in it while responding to the ground realities.

Abdul Gani Lone of PC and Mirwaiz Umar Farooq of Awami Action Committee (AAC), were the main moderates who responded to the common urge for change through peaceful settlement. They believe that there was a strong need to follow the political and diplomatic approach as the phase of the armed militancy and violence was over. Such kind of politics making Lone extremely popular among the masses also had the effect of carrying him and his tactic to the mainstream of Hurriyat politics.

Geelani was the main hardliner who supported both the continuity of the role of foreign jihadi elements as well as the armed militancy in Kashmir struggle. As a hardliner, he believes that Kashmir should become a pure Islamic state, and militants are also fighting for Islam.⁸² Yasin Malik of JKLF was the key centrist who was not enamored by their willingness to be flexible in their attitude towards the

⁸¹ The support of the electorate to the elected members was as low as 4.81 percent in Srinagar, 6.89 percent in Anantnag and 11.05 percent in Baramulla constituency.

⁸² Personal Interview with the Chairman of Hurriyat (G) Sayeed Ali Shah Geelani, Srinagar, May 14, 2018.

resolution of the conflict. It emerged as a force representing a more or less non-negotiable kind of politics of an independent and integrated Kashmir cannot afford to change their political stand. But he and his organization were also ready for talks with both the governments of India and Pakistan. As Chowdhary writes, “No separatist leader, other than Geelani, enjoys the trust of the people – this is notwithstanding the fact that Geelani’s Islamic ideology does not represent the mass response. The biggest reason for his popularity is his constituency and non-negotiability. His hardline approach matches the disenchantment at the ground level.”⁸³ Chowdhary further writes:

*“To counter the international and local pressure to prove the representative character of All Parties Hurriyat Conference, they floated the idea of a parallel electoral process with the purpose of determining the real representatives of the people. As a direct outcome of this, the Hurriyat in January 2002, appointed an ‘autonomous’ Election Commission of its own for conducting elections throughout Jammu and Kashmir, including the areas on the other side of the border. However, the two incidents that completely altered the ground realities were the killing of Lone (May 2002) and the arrest of two important leaders Yasin Malik and Geelani just a few months before the elections. With key leaders not being around, Hurriyat reiterated its traditional position that elections are a non-event unrelated to the process of resolution of the dispute.”*⁸⁴

The change in the outlook of the common people, their dislike for armed militancy and violence, and their apt urge to come out of deadlock should not lead one to the assumption about the complete decline of the separatist sentiments in the Kashmir. JKLF chief Yasin Malik believes that for the resolution of Kashmir conflict through dialogue with all stakeholders is the first step towards the larger goal.⁸⁵ However,

⁸³ Rekha Chowdhary, “The Second Uprising,” *Economic and Political Weekly* 45, no. 39 (September 2010): 10-13.

⁸⁴ Chowdhary and Rao, “Kashmir: Elections 2002,” 18.

⁸⁵ Interview with the Chairman of JKLF Mohd Yasin Malik, Srinagar, December 22, 2016.

since the first power-sharing government one of the constructive developments in the direction of participation of the separatists in the political settlement of the conflict is the willingness shown by both moderate and hardline Hurriyat to be engaged. The Peoples Democratic Front (PDF) leader Hakim Mohd Yasin believes that one of the main motives of this power-sharing arrangement is to create an atmosphere for peaceful dialogue and talks with all stakeholders with the consent of all the parties. That makes this power-sharing government different from single-party governments in the past.⁸⁶

During the last power-sharing government, there is a possibility that the stance of the Hurriyat may be diluted because of negative feedback from the government, particularly from the last couple of years. This new Kashmir policy of the central government is undoubtedly calculated to drive the people to extremism. This was again the effect of the logic of two-level games because the Hindu nationalist BJP had larger goals and interests while playing politics at the state level. Sometimes they are reluctant to take a too stronger position on issues related to J&K because it might cause them damage in other states. Banday believed that the initiatives which were taken during the first power-sharing government, which were well received in the Valley but vanished immediately and then things went back to old positions.⁸⁷ However, Madhav contends while mentioning about the ceasefire, “It was a goodwill gesture by the government. We did it out of strength not out of weakness. It is another thing that the opportunity was lost. It was not ceased by the other side the separatist elements, the terrorists, and the political establishment in the state.” He further argues, “BJP has a commitment to restoring peace, curbing terrorism in the valley and also the larger political mission of national integrity.”⁸⁸ The politics of

⁸⁶ Interview with the Chairman of Peoples Democratic Front (Secular) Hakim Mohd Yasin, Jammu, January 11, 2017.

⁸⁷ Interview with Political Advisor of Mirwaiz Omar Farooq of All Party Hurriyat Conference (APHC), Advocate Abdul Majid Banday, Srinagar, May 16, 2018.

⁸⁸ Ram Madhav, in an interview to Prashant Jha and Kumar Uttam of *Hindustan Times*, June 21, 2018.

separatism largely revolves around the demand for the right to self-determination in the Valley; however, there is also a fight for state autonomy, which was eroded over a period of time with a strong demand for attaining regional autonomy within the state.

5.5 The Politics of Autonomy versus Regional Autonomy

The state of J&K enjoys the dual character; firstly, it is a constituent unit of the Indian union, and, secondly, it enjoys a special status within the union of India, which is provided by Article 370 of the Indian Constitution. In present-day Kashmir, it is believed that our history with the Indian nation is a long one of broken promises. India has been very rough to Kashmir. The autonomy of the state slowly was eroded, which is the main cause of the popular alienation in the Kashmir. Interlocutors on the issue of erosion of autonomy in the state since 1952 recommended setting up a Constitutional Committee to review all the Articles of the Indian Constitution and also to extend Central Acts to the state after the signing of the 1952 Agreement. The Interlocutors report also said, “The State’s distinctive status guaranteed by Article 370 must be upheld. Its erosion over the decades must be re-appraised to vest it with such powers as the State needs to promote the welfare of the people on its own terms.”⁸⁹ The idea of autonomy has to be extended to the other two regions within the state if the unity of the state is to be maintained. As the commitment, that Sheikh Abdullah and Nehru made in July 1952 to provide for regional autonomy in the state constitution and repeated by the Sheikh several times could not be implemented.⁹⁰

Muslim organizations like the Jamaat-i-Islami Jammu and Kashmir (JIJK) openly plead that the federation of religious communities is a healthier foundation than that of regions for rebuilding the system, the idea of what has been called greater

⁸⁹ See the Final Report of Group of Interlocutors for J&K.

⁹⁰ Puri, “Independence, Autonomy and Freedom in Kashmir?,” 20-21.

Kashmir, integrating the valley and the adjoining Muslim majority areas of Jammu and Ladakh regions.

The PC leader Abdul Gani Lone regarding the ‘internal autonomy’ argued:

“When the former ruler of Kashmir acceded to India after partition, he surrendered to Indian authority in only three areas defense, communication, and foreign affairs. He retained the rest for Kashmir. At the time of the accession, Kashmir was a semi-independent state. In my opinion, Article 370 of the Indian Constitution that was later drawn up had, in fact, nothing to do with autonomy. It is my opinion that Article 370 was a bridge used by India to erode the autonomy that we originally possessed following partition. The government of India can only legislate on those subjects identified by the erstwhile ruler in the Instrument of Accession. Under that, Instrument the government of India could only provide administration in the three subjects. Later, Article 370 was introduced. Under 370, the president of India could do away with these limits at any stage provided the state government made an application to the president and provided this request was supported by the constituent assembly of the state. It also stated that any act passed by the Indian parliament could be applied to the state of Jammu and Kashmir provided the state government made an application to the president. What happened was that this state’s governments went on making applications and the president started issuing presidential orders. By those presidential orders, our autonomy was subverted. In 1964, the biggest blow to our autonomy occurred during the government of Ghulam Mohammad Sadiq. The measures that destroyed our autonomy was known as the Presidential Application Order of 1964. This took away what we call the Nomenclature.”⁹¹

Puri writes, “Sheikh Abdullah is reported to have offered to Maharaja Hari Singh, as early as 1948, a proposal to partition the state on Hindu-Muslim basis. The idea was again formally revived in a memorandum to the UN on behalf of 110 prominent

⁹¹ Lawrence Lifschultz interview with Abdul Ghani Lone, the Hurriyat leader and chairperson of the People’s Conference. For further details see, Lawrence Lifschultz, “Death in Kashmir: Perils of Self-Determination,” *Economic and Political Weekly*, (August 2002): 3225-1234.

citizens of Kashmir valley, presumably with the consent of Sheikh Abdullah, in 1963.”⁹² In fact, when Karan Singh advised that if the government did not tackle the Jammu problem with sympathy and understanding, it would lead to “separation of Jammu region from the Kashmir Valley.” The then chief minister Sheikh Abdullah was quick to reply, “if the majority of people in the Jammu region believed that they could progress by carving out a separate state of Jammu, then there was nothing to stop them and we must part as friends.”⁹³

As Puri quoted by *The Times*, London, “Puri argues with justice that until Jammu and Kashmir draw closer, settle their differences, and agree to operate as equal partners, there will never be a stable basis upon which relations with the rest of India can satisfactorily settled.”⁹⁴ In 2010 the Government of India had appointed two task forces, one for Ladakh and the other for Jammu “to examine their development needs with particular reference to deficiencies in infrastructure and make suitable recommendations.”

For the last seven decades, the chief minister had always belonged to Valley, except for two and a half years when Ghulam Nabi Azad of Jammu occupied this post on a rotational basis. Ladakh and Jammu region perceive that Valley has dominated them.⁹⁵ Jammu soon after accession to India, start demanding regional autonomy within the state. Praja Parishad the Jammu affiliate of the Jana Sangh, which had started the agitation for full integration of the state with India union, withdrew it after Nehru’s assurance of regional autonomy.⁹⁶ However, over a period, this

⁹² Balraj Puri, “Problems and Prospects of Federalization: The Case of Jammu and Kashmir,” *Economic and Political Weekly* 16, no. 20 (May 1981): 895-987.

⁹³ Ibid.

⁹⁴ Balraj Puri, “The Challenge of Kashmir,” *Economic and Political Weekly* 25, no. 4 (January 1990): 191-192.

⁹⁵ Balraj Puri, “Interlocutors, Task Forces and Ground Realities in J&K,” *Economic and Political Weekly* XLV, no. 49): 25-26.

⁹⁶ Regional autonomy was also an unwritten part of the Indira Gandhi – Sheikh Abdullah Agreement of 1975. It was also included in the National Conference manifesto called “New Kashmir.”

demand was declined during the post-2002 era, as the three power-sharing governments tried their best to accommodate all the regions. The representation was given to all the three regions and their sub-regions during the three power-sharing governments in the state, that was not the case during the single-party governments or cabinets.

It should also be noted that communal polarization has gone pretty far in Jammu and Ladakh region, both between parts of the two regions and in relation to the Kashmir region. Each of the three regions also feels discriminated against by the central and state governments in terms of the allocation of jobs, funds, selections, and promotions. This kind of perception refuels communal tensions, with an impact between them as well as within the regions. For example, the Hindu and Muslim majority districts of Jammu are gradually drawing apart rather than coming together. The Buddhist and Muslim districts of Ladakh are becoming increasingly distant, in fact, the two LAHDC has not held a single combined meeting, although each would benefit from cooperative planning. But since 2002 there is a little change in this perception as all the three regions got their due share during the power-sharing governments in all aspects, and are coming together to each other.

There is no doubt that the three regions of the state and also its sub-regions have their peculiar problems. But if their solution has to be found outside the regional framework, it would naturally be replaced by the 'power-sharing framework.' The unity in as diverse a state as J&K can only be maintained with power-sharing set-up with representation in government from all the regions and sub-regions of the state. For example, Ladakh is administered by a Srinagar based administration from which it remains cut off for around six months. Recently, the Ladakh has been recognized as a separate division and given the separate administrative unit. Besides, there is a strong need in all the three regions and of sub-regions that the administrative and financial empowerment of the elected bodies at the level of the Panchayat or Municipality, the block, the district, as well as the region.

5.6 Conclusion

Separatism continues to be the focal point of Kashmir politics. Therefore, hope, however dim, exists that the conflict may someday be resolved. The very first and basic condition for peace in Kashmir is a dialogue between India and Pakistan. However, such responsibility will be fruitless if it is not accompanied by dialogue with other stakeholders in Kashmir like Separatists. Separatism and separatist leaders have offered nothing new to the common people since the various agitations (like 2008, 2010, and 2016). However, in order to sustain their relevance, the only tactic they had been using was to keep the vessel of discontent boiling.

However, it is observed that the separatist stream of politics is generally asserted on the streets of Kashmir valley. The major and effective tool of the present phase of separatism is the “politics of protest.” The strategies adopted by the separatists remain questionable and there is a strong need to change them. Mere expansion of democratic electoral space may not be sufficient to deal with separatist sentiment and the alienation in Kashmir. Instead, it will remain to continue until it is not addressed. Therefore the democratization of electoral politics is essential, but it cannot be replaced for continual dialogue and the peace process. Despite a major decline in militancy and violence in the state, there is no evidence of any major change in the harsh ground realities. Unfortunately, the violations of human rights by the armed and police forces still continue to prevail in the valley. The peace and dialogue process that had brought hopes for the people of the valley during the government of Vajpayee or during the first power-sharing government in the state has been stalled. The second power-sharing government of NC-Congress and UPA government reluctantly continued the peace and dialogue process initiated by them with the separatists, but after a couple of rounds of ineffective talks, the RTC, conveyed by the prime minister, replaced it. However, these RTC’s did not have much space for the separatists as compared to the mainstream political parties in the state.

Chapter 6

Conclusion

In this thesis, I attempted to analyze and understand the impact of coalition politics on the power-sharing and accommodation in the state of Jammu and Kashmir (J&K). Power-sharing arrangements, as elections conducted since 2002 demonstrate, have come to stay in the J&K politics. The National Conference (NC) decline and the coalition government's succession since 2002 assembly elections have rightly drawn attention to the need to explore J&K coalition politics.

The three coalition governments since 2002 have facilitated the troubled state of J&K in several ways and means. During these three coalition governments, there was an amply reduction in human casualties in the state as compared to the earlier decade or so. In fact, the killings have drastically come down from 2004 to 2015 as compared to 1990 to 2003 period, as shown in table 5.2 and 5.3. Since the rise of armed insurgency in the state in the late 1980s, the militancy reached its peak in the late 1990s. However, with the emergence of coalition politics, militancy started declining. The coalition governments started peace and dialogue processes with the militants during the early years of the first power-sharing government.

One of the significant features of three coalition governments in the state was to bring talks with all stakeholders, including separatists. These talks were held under the banners of confidence-building measures like round table conferences, unconditional talks, and purposeful peace and dialogue processes. One of the major contributions of the coalitions in the state was to convenience and involved the separatist camp in the dialogue process. The coalition governments create an atmosphere where separatists, as well as militants, feel they are part of the system.

The power-sharing helped the troubled state of J&K in several ways. After the onset of the power-sharing era in the state, all the three regions of the state got tangible visibility in power politics. Power-sharing aims at providing equal developmental opportunities to all the regions of the state. For example, during the last power-sharing government the Jammu region was given an Indian Institute of Technology (IIT) and Indian Institute of Management (IIM) the Kashmir region was given All India Institute of Medical Sciences (AIIMS), and the Ladakh region was satisfied with the establishment of the first State University.

With the rise of the insurgency in the late 1980's the demand for regional autonomy increased in both the regions of the state – Jammu, and Ladakh. Both regions blamed the state and central government that the majority of the funds were spent in the Valley as compared to the other two regions. However, there was a contrary opinion in the Valley that the Jammu region was receiving more funds as compared to Valley as it was under the umbrella of militancy, and no funds were spent there during the insurgency years. The Ladakh region blamed authorities for not receiving a due share of funds as compared to Jammu and Kashmir region. However, Ladakh was not a separate administrative unit and was administered from Srinagar.

However, with the emergence of power-sharing governments, the demand for regional autonomy decreased as all the three regions of the state got their due share of funds from the government. Before the emergence of power-sharing governments, there was no clear representation from the three regions and their sub-regions. Nevertheless, since 2002, the coalition governments gave representation to the three regions and their sub-regions in the cabinets. There are ministers from the three regions and their sub-regions and different religions, in all the three cabinets of the power-sharing governments, as shown in tables 4.6, 4.12, 4.17 and 4.18. Therefore, power-sharing helps in bringing all the three regions of the state together.

Power-sharing and coalition governments have helped bring back economic activity in the state. Tourism got a big boost in different parts of the state. In the past, only

the Valley had been given the preference. Such governments helped to increase the tourism sector in the region by enhancing road connectivity to all three regions. The opening of train services in the Valley and the launch of new tunnels such as Chenani-Nashri tunnel, Banihal Qazigund rail tunnel, as well as new projects worth 23,000 crores (such as Zojila tunnel, Z-Morah tunnel, Daranga tunnel, Pir-Ki-Gali tunnel, and Vailoo tunnel), are underway. They explore new tourist spots in all three regions and provide adequate funding for the development of new projects in Jammu, such as Bahu Fort-Mohmaya or Mata Vaishno Devi cable car projects, and Makhdoom Sahib (RA) shrine in Kashmir. Power-sharing governments thus allowed many ways to boost the tourism sector in all the regions of the state.

The three coalition governments also prioritized the education sector during this period. It was during this phase that the Ladakh region got its first university and the Kashmir University satellite campuses in both the Leh and Kargil districts. In the Jammu region, two new states and one central university and cluster university were opened during this phase apart from several Jammu University satellite campuses. During this phase, a central university, a state university, and a cluster university were opened in the Kashmir region. In all the three regions and their sub-regions, besides universities, several new colleges were opened.

The concept of the power-sharing government, according to political scientists, is worthy. However, its success depends on the manner in which the alliances are forged and how governance percolates down. That is equally true of one-party government or single-party governments. The relevance of power-sharing governments cannot be underestimated, particularly in a diverse setting like J&K, also because of their best garb the essence of democracy. The necessity is to look at ways in which the power-sharing model can become more accountable, functional, and suitable for the values of accommodation of diverse ideologies and identities. Its strength should flow from peoples' satisfaction.

The effects of power-sharing structures in Kashmir are deeply affected by the polarized society it frames. Profoundly, the outcomes of the coalition government

agreements and its accompanied dialogue and peace process have been unsuccessful in terms of resolving the larger Kashmir conflict. Still, it aids in managing conflict since 2002. It is important to note that the evident role of membership has been functional in electing chief minister and deputy chief minister on a rotational basis, ensuring equal representation of the two major parties with support from different distinct regions and religions. Coalition governments and grand cabinets have been used as a means to resolve past injustices. The PC and BJP's informal alliance exhibits a clear indication of accommodative traits, as opposed to the merger in the sense that it does not proclaim one combined identity.

The power-sharing governments create a space for regional and small parties at the state to play a bigger role in politics through their participation and activities in power-sharing coalitions. Further, during the tenure of the subsequent national governments (NDA-I, UPA-I, UPA-II, and NDA-II), the power-sharing governments (PDP-Congress, NC-Congress, and PDP-BJP) in the state of J&K has been passive on political issues. These regional parties are not only looking after the problems of the J&K state only, but they are also involved in deciding the national politics, especially relations with the neighboring country Pakistan. Space for the regional parties to assert themselves at the state level opened up as the NC dominant, and the hegemonic system ended in Kashmir politics. Since 2002, successive elections in Kashmir have resulted in power-sharing governments that have been forced to rely on the support of more than one party. Sridharan argues that coalition politics allows regional parties to influence the design of foreign policy, and to advance policies of specific interest to their states.¹ In the same pattern, the power-sharing government in the state gives different regional parties like PDP, NC, the opportunity to influence the formulation of foreign policy with Pakistan.

Since 2016 J&K's state politics has been going through a very complicated process. The effects of power-sharing structures in Kashmir are deeply affected by the

¹ Kripa Sridharan, "Federalism and Foreign Relations: The Nascent Role of the Indian States," *Asian Studies Review* 27, no. 4 (2003): 463-489.

polarized society it frames. The PDP-BJP coalition had the possibility of bridging the regional gap or sub-regional gap as well as of increasing the regional polarization. It has been a rather challenging time for the state of J&K not only with democratic and electoral politics facing a continuous challenge from separatist politics but also the power-sharing government collapsing in June 2018.

The states' special status under Article 370 and 35A of the Indian Constitution, was revoked by the BJP government on 5th and 6th August 2019, when two presidential orders were issued on the concurrence of J&K Governor and resolutions passed by the parliament.² These unilateral constitutional changes have both political and administrative implications as it took away the exclusive rights of its permanent residents on jobs, immovable property, and contesting polls. The decision to repeal special status was the apparent effect of Putnam's 'logic of two-level games' because the Hindu nationalist BJP had a larger interest or hidden goals while playing politics at the state level. Therefore, they have kept the larger interest of the nation and broke the commitment with a power-sharing partner not to abrogate states' special status.

Although, the first two power-sharing governments, Congress-PDP (2002-2008) and Congress-NC (2008-2014), as may be seen largely successful in satisfying the hopes and expectations of the people of J&K. However, the last power-sharing government of PDP-BJP (2014-2018) may be seen primarily failed, although it started well during the Mufti's presence. The controlling of corruption was one of the foremost commitments of the first coalition government, but not much could be accomplished in that path. The state got the disgraceful status of being the second most corrupt state of the country after Bihar by Transparency International in 2004.

² Not only constitutional changes, but the parliament also approved Jammu and Kashmir Re-Organization Act 2019, bifurcate the erstwhile state of J&K into two Union Territories. The state of J&K ceased to exist from the intervening night of October 30 and 31.

Despite this perception, there was mostly a positive response towards the first and second power-sharing government, especially the three years of Mufti's chief ministership during the 2002 coalition government. Regional accommodation and partnership have been one of the significant features of all power-sharing governments. All governments since then have reflected an alliance between the party that had won a larger share of its seats in the Jammu region and the party that had its stronghold in the Kashmir region. Hence, a regional balance was created in all three power-sharing governments. Kashmir and Jammu regions have an equal share in government formation, and even Ladakh was to have a consistent presence. Before 2002, the politics in J&K was more or less dominated by the Valley-based political elite, with only a symbolic presence of the Jammu region in it. Therefore, after the emergence of power-sharing governments, Jammu and Ladakh have attained a sense of partnership.

The fragility of governance continued throughout the second and third power-sharing government. Continued occurrences of human rights violations made people resentful about the government. From 2008 through 2010 and the year 2016, the process of governance was entirely impacted by the massive protests, which lasted for several months. Apart from accommodating all three regions, the power-sharing governments have also shown that beyond ideology, through governance, stability, and peace can come in any troubled state.

On the other hand, separatism continues to be the focal point of Kashmir politics. Therefore, hope, however dim, exists that the conflict may someday be resolved. The very first and necessary condition for peace in Kashmir is a dialogue between India and Pakistan. However, such responsibility will be fruitless if it is not accompanied by dialogue with other stakeholders in Kashmir like separatists. Separatism and separatist leaders have offered nothing new to the common people since the various agitations (like 2008, 2010, and 2016). However, to sustain their relevance, the only tactic they had been using was to keep the vessel of discontent boiling. They had therefore given their "*Chalo*" calls and protest calendars like Muzaffarabad *Chalo*,

Lal Chowk *Chalo*, Idgah *Chalo*, Shopian *Chalo* and South Kashmir *Chalo* (calls for marches to various valley spots), but with no clear vision for the future and offering nothing new to relieve the masses from the conflict. Therefore, as long as the separatists remain divided in the Valley and lack a leader of political standing, the prospects of the movement becoming popular with the public remain gloomy.

Nevertheless, separatist politics is proclaimed on the streets of the Kashmir Valley. The primary tool of this separatist process is “protest politics.” The strategies adopted by the separatists remain questionable, and there is a strong need to change them. Mere expansion of democratic electoral space may not be sufficient to deal with separatist sentiment and the alienation in Kashmir. Instead, it will remain to continue until it is not addressed. It is very significant to look for a long-term negotiated resolution to the “Kashmir conflict” through greater engagement with the Kashmiris. People in Kashmir are positively urging for peace and a point of honorable exit from the conflict. In short, the democratization of electoral politics is essential, but it cannot be replaced for continual dialogue and the peace process.

Although a decline in violence, crime, and militancy, the ground realities have not changed amply. What is deplorable, the military and police forces are likely to violate human rights. The dialogue and peace, which had increased people's hopes during the government of the Vajpayee or during the state's first power-sharing government, has been stalled. The other power-sharing government of NC-Congress and the UPA government reluctantly continued the peace and dialogue process initiated by them with the separatists. Still, after a couple of rounds of ineffective talks, the RTC, conveyed by the prime minister, replaced it. Compared with the mainstream political parties, these RTC's had little room for the separatists.

Since then, all the initiatives and programs have been restricted to providing packages and policies for economic jobs and growth. The non-engagement with the separatists, particularly during the last power-sharing government, has made the impression that the central government is not prepared to address the issues politically. Since the advent of power-sharing governments with cut-throat

competition between the NC and PDP, the near-normal politics of governance has been mistaken as the decline of separatist space. However, the truth was quite different. Even after it lost complete legitimacy in the early years of the 21st century, militancy continued to outline the dominant response in Kashmir.

Finally, this study proposes that, by encouraging power-sharing regimes, the international community may play a significant role in constructing stability and peace, in cases like Kashmir. The political parties at the table have to support the separatist parties in their efforts to coordinate power-sharing systems. Security reasons and stability are tackled more effectively in troubled states, and peace has a higher likelihood of showing lasting if power-sharing is also expected among former adversaries in terms of different dimensions of state power. As a whole, these are findings that inspire an agenda for future exploration at the interface between coalition politics and power-sharing. To consider the consequences of the comprehensive power-sharing governments in the long-term peace period, we will have to wait and see just how democratic and what strategies they choose in the future.

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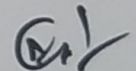
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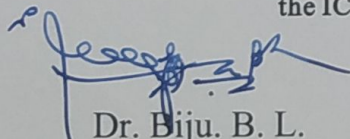
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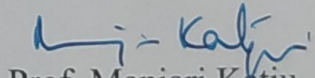
session titled Parallel Politics and Elections in Kashmir: Challenges and Opportunities

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