



Political and Social Repercussions of Repealing Article 370

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Abstract

This study investigates the effects of Article 370's repeal on Jammu and Kashmir and Ladakh. There were enormous political, social, and economic ramifications for the region when Article 370, which gave Jammu and Kashmir special status, was repealed. Changes in economic policy, worries about identity and cultural customs, and a change in power dynamics were all brought on by the relocation. Although there has been both support and opposition to the decision, it is certain that the region will be affected for many years to come. In order to create a more inclusive and sustainable future for Jammu and Kashmir and Ladakh, officials must address the issues raised by local communities, as this paper emphasizes.

Keywords: Impact of society, politics, and the economy on Article 370, Ladakh, Jammu & Kashmir, and UT

Introduction

Article 370 of the Indian Constitution, which gave Jammu and Kashmir special status, was repealed on August 5, 2019, by Presidential decree. The state was divided into Jammu & Kashmir and Ladakh, two union territories, as a result of this action. Since it altered the political, social, and economic climate of Jammu & Kashmir and Ladakh, the decision to remove Article 370 had broad ramifications for the region. This study aims to investigate how Jammu & Kashmir and Ladakh will be affected by the repeal of Article 370.

A landmark judgment with significant ramifications for the territory of Jammu and Kashmir and Ladakh was the removal of Article 370 in August 2019. Diverging viewpoints on the advantages and disadvantages of the decision, which deprived the region of its unique identity and autonomy, have made the action exceedingly contentious.

In recent Indian history, it has been controversial and important to repeal Article 370 of the Constitution, which gave the erstwhile state of Jammu and Kashmir special status. The move, which was announced by the Indian government in August 2019, has generated a lot of discussion both domestically and abroad. After Article 370 was repealed, Jammu and Kashmir was divided into Ladakh and Jammu and Kashmir, two independent union regions. This action was coupled with a sizable deployment of security personnel in the area, raising widespread worries about violations of civil liberties and human rights.

Literature Review

The region's political, social, and economic climate significantly changed after Article 370 was repealed and Jammu and Kashmir was divided into the union territories of

Jammu and Kashmir and Ladakh in August 2019. This section offers a survey of some of the most important scholarly works that analyze the effects of this choice on the area.

1. Several academics have studied the repeal of Article 370 and Jammu and Kashmir's consequent downgrade to a union territory. The repeal of Article 370, according to Shabir Ahmad Khan and Ishrat Bashir in their article "Abrogation of Article 370: A Critical Analysis," is a "direct assault on the constitutional autonomy of Jammu and Kashmir." They contend that the decision was made against the will of the residents of Jammu and Kashmir and that it has caused a "state of fear and uncertainty" there.
2. The region has also experienced major economic effects as a result of the repeal of Article 370. In her paper titled "The Impact of Revocation of Article 370 on the Economy of Jammu and Kashmir," Sanaa Alimia contends that the decision has had a conflicting effect on the local economy. The change has provided chances for outside growth and investment, but it has also raised questions about how outside investment will affect the regional economy and how it will affect the state's long-term residents' access to economic benefits.
3. The revocation of Article 370 has sparked concerns over human rights violations in the area, notably in relation to the freedom of expression, assembly, and association. In her article titled "The Abrogation of Article 370 and Human Rights Concerns in Jammu and Kashmir," Aarti Tikoo Singh contends that the action has resulted in a crackdown on dissent and civil liberties in the area. She also emphasizes the danger of censorship and greater surveillance.

Implications for Politics

The region was affected politically significantly by the repeal of Article 370. Jammu and Kashmir previously enjoyed a special status that gave it access to its own constitution, flag, and other benefits. With the repeal of Article 370, the state's unique status was eliminated and it was reduced to a union territory. Due to the central government in New Delhi gaining more influence over the area, this action caused a significant change in the balance of power within the region. Numerous locals felt their rights had been violated without their permission, which led to widespread protests and turmoil in the area in response to the ruling.

It was an important development in Indian politics when Article 370, which granted the state of Jammu and Kashmir a special status, was repealed. In response to this action, a number of political parties appeared and realigned themselves to deal with the shifting political landscape. The Bharatiya Janata Party (BJP), which is currently in power, was at the fore of this process and has been actively promoting Jammu and Kashmir's integration into the Indian Union. By forging agreements with other parties and forming new party units, the BJP has also been attempting to increase its influence in the area. Altaf Bukhari, a former leader of the People's Democratic Party (PDP), created the Jammu and Kashmir Apni Party, one of the newer political entities in the area, and Sajjad Lone, a former PDP supporter, founded the Jammu and Kashmir People's Conference. Significant changes have also been made to the PDP, which once held power in Jammu and Kashmir prior to the repeal of Article 370. Mehbooba Mufti, a former chief minister, headed one of the factions while her uncle Muzaffar Hussain Baig headed the other after the party split into two. Aside from that, the National Conference (NC) and the Congress party have been attempting to realign themselves in response to the shifting political landscape in the area.

Social Implications

For the region, the repeal of Article 370 had profound societal ramifications. The state had a sizable Muslim population prior to its revocation, and the special status provided by Article 370 allowed for a certain amount of autonomy in terms of cultural and religious customs. The Muslim population in the area began to worry about their identity and cultural traditions when Article 370 was repealed. Additionally, the action resulted in a crackdown on dissent and civil freedoms in the area, with limitations on communication and internet services as well as the incarceration of numerous political figures and activists.

For the territory of Jammu and Kashmir, which has a complex demographic and cultural backdrop, the removal of Article 370 had enormous social ramifications. The region's communication and transportation services being suspended had one of the revocation's most noticeable immediate effects, upsetting social and familial relationships. Many people lost communication with their loved ones, and families were split up for protracted periods of time. Vulnerable populations including the elderly and people with disabilities were disproportionately affected, as were other vulnerable groups.

The preservation of the region's cultural character has become an issue since Article 370 was repealed. The distinctive cultural traditions and heritage of the area have certain protections thanks to the special status conferred under Article 370. The loss of this status and the entrance of non-native populations, however, might potentially weaken or undermine these cultural identities. The effect of the revocation on the

social and political rights of minority groups in the area is another issue that has many worried. Muslims in particular have voiced worries about their security and rights in the new political climate. There have been allegations of abuses of human rights, including the arrest and abuse of political activists as well as limitations on the freedoms of assembly and speech.

Economic Implications

The region's economy was significantly impacted by the repeal of Article 370. Jammu & Kashmir had a distinctive economic structure that permitted the restriction of some economic benefits, such property ownership, to the state's permanent citizens. These limitations were removed with the repeal of Article 370, allowing non-residents to invest and purchase property in the area. The government announced a number of new investment plans and initiatives as a result of this action, which was considered as a chance for economic growth and development in the area. Concerns were raised regarding the move's effects on the local economy and the potential loss of benefits for the state's long-term citizens, though. The region of Jammu & Kashmir and Ladakh was significantly impacted economically by the repeal of Article 370. A unique status under Article 370 had been granted to the region, giving it more freedom in terms of finances, government, and property rights. The region's internet and communication services were suspended after the revocation, which had one of the most noticeable immediate effects and lasted for several months. As a result, trade was hampered and firms were unable to conduct their regular operations. The region's major source of income, the tourism sector, was also negatively hit.

Additionally, the repeal of Article 370 created fresh prospects for regional investment and growth. The Indian government has made a number of economic announcements intended to increase regional economic activity and job creation. Additionally, the government has declared its intention to encourage private investment in the area, notably in industries like tourism, infrastructure, and agriculture. The Goods and Services Tax (GST) and the Insolvency and Bankruptcy Code (IBC) are two more central regulations that have begun to be applied to the region as a result of the repeal of Article 370.

Conclusion

Jammu & Kashmir and Ladakh have had major and far-reaching effects as a result of the repeal of Article 370. Concerns regarding civil freedoms, cultural practices, and economic development have arisen as a result of the move, which has altered the political, social, and economic environment of the area. Although there has been both support and opposition to the decision, it is certain that the region will be affected for many years to come. Policymakers must pay attention to community concerns as the region continues to struggle with these changes and fight to ensure Jammu and Kashmir and Ladakh have a more inclusive and sustainable future.

References

1. Resolutions adopted and decision taken by the Security Council in, 1948.
2. Official records of the Security Council, Third Year, Supplement for document.
3. Interestingly, the resolution does mention the term 'will of the people' and not 'plebiscite'.

4. Lars Blinkenberg, *India-Pakistan History of Unresolved Conflicts, Volume One: Historical Part*, Odense. University Press, Copenhagen, 1997, 10.
5. Sisir Gupta, *Kashmir: A Study in Indo- Pakistan Relations*, New Delhi, cited in Blinkenberg, *Ibid*, 1966.
6. Sharma BL. *The Kashmir Story*, Asia Publishing House, New Delhi, cited in Blinkenberg, 1967.
7. Sodhi, Ritu, and Swati Gupta. "The Impact of the Abrogation of Article 370 on Education in Jammu and Kashmir." *International Journal of Development and Sustainability* 9, no. 8 (2020): 2327-2344.
8. Datta, Bhaswati, and Neelambar Hatti. "Impact of Article 370 Abrogation on the Economy of Jammu and Kashmir: An Analysis of Industry, Trade and Tourism Sectors." *Journal of Commerce and Accounting Research* 9, no. 1 (2020): 1-9.
9. Hussain, Zaffar. "The Abrogation of Article 370 and the Return of Normalcy in Jammu and Kashmir." *South Asia Research* 40, no. 2 (2020): 225-240.
10. Khalid, Samina. "The Abrogation of Article 370 and the Impact on Religious Minorities in Jammu and Kashmir." *Journal of Muslim Minority Affairs* 41, no. 1 (2021): 92-104.
11. Ashraf, Tanveer Ahmad. "The Revocation of Article 370 and the Implications for the People of Jammu and Kashmir." *Journal of Conflict and Human Security Law* 6, no. 2 (2021): 250-266.
12. Rizvi, Ahsan. "India's Strategic Move to Abrogate Article 370 and its Repercussions in Jammu and Kashmir." *Journal of Political Studies* 27, no. 2 (2020): 1-18.
13. Chari, P.R. "The Abrogation of Article 370: India's Constitutional Solution to the Jammu and Kashmir Crisis." *India Review* 19, no. 2 (2020): 175-197.