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India's Constitutional Change: Revocation of Article 370 and 35-A and the Repercussions from Pakistan

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Abstract

The revocation of article 370 & 35-A by Prime Minister (PM) Modi Government on August 5, 2019 marked significant constitutional changes, depriving the people of Jammu & Kashmir from their special status. This move was aimed to integrate Jammu and Kashmir with the rest of India. The paper employs a qualitative methodology, analyzing secondary data from different sources to understand the implications of the revocation of article 370 & 35-A. The findings inculcate that the revocation of article 370 & 35-A has led to significant social, political and economic upheaval in Jammu & Kashmir, by widespread violation of human rights and economic instability. The paper concludes that India intended to assert its strong control and promote development. Contrary to their aims behind revocation of article 370 & 35-A, they exacerbated tensions and instability in the region and also highlighted the issue internationally, calling for a balanced approach to achieve a long-lasting peace between two nuclear armed states.

Key Words: *Indian Constitution, Article 370 & 35-A, Pakistan, Kashmir Special Status*

Introduction

In 1947, the British Indian Empire underwent a partition, resulting in the establishment of two separate and independent nations: Pakistan and India. A resolution was reached to designate Pakistan as the home of the Muslim majority, while the non-Muslim majority regions would remain India (Bhatti, 2020). The Indian subcontinent had more than 560 princely states when it got its freedom. In 1947, the Indian Independence Act established Pakistan and India as separate sovereign states (Ashraf, 2020). Paramountcy was terminated on August 15, 1947, rather than being transferred to the succeeding administrations; as a result, Indian masters became states of their own destiny. They had the choice to

either join a more powerful nearby state or remain independent by establishing friendly political agreements. Lord Mountbatten of Burma, the last Viceroy of India, finalized a set of criteria for sorting which of the two would go where. "When making decisions, factors such as geographical location, communal interests, and other relevant considerations are usually considered" (Hussain & Nawaz, 2021).

Subsequently, the adjacent states with the most significant non-Muslim populations joined India, except for Hyderabad and Junagadh. Although bordering Pakistan, these states were predominantly inhabited by Muslims when they acceded to Pakistan. The Maharaja of Kashmir, desiring independence, was unable to make an immediate decision (Awan, 2020). On the other hand, the crisis worsened as a result of the Muslim population's revolt and the entry of Indian soldiers in Kashmir. Subsequently, on October 26, 1947, the Maharaja acquiesced to India's demands and signed the contentious Instrument of Accession (Awan, 2020).

The war in Kashmir emerged as a major issue between Pakistan and India after the annexation. Over this territory, both countries have fought three major wars and one smaller conflict. The basis for Jammu and Kashmir's admission into India was Article 370, which allowed princely states to choose between Pakistan and India once they gained independence from British control in 1947. Passed in 1949, this article spared Jammu and Kashmir from certain provisions of the Indian constitution (Singh, 2019).

Pakistan has been actively supporting the Kashmir cause and working to address the challenges faced by the Kashmiri people. The revocation of these articles is likely to affect the strategic stability of South Asia significantly. The autonomy and unity of the territory have been weakened by India's long-term annexation of Jammu & Kashmir (Wani, 2020). The Kashmiri people have been subjected to human rights violations, murders, economic destabilization, and social strangulation as a consequence. Pakistan has consistently and unequivocally advocated for the rights of the Kashmiri people at all regional and international forums, both at the bilateral and multilateral levels (Fareed, 2020).

Statement of problem

The fundamental aspect of the India revocation of Article 370 pertains to the notion of autonomy retraction. Although this is not the initial instance in which a formerly autonomous region or territory has relinquished its autonomy, there is still a dearth of research on the subject. Considerable scholarly inquiry is devoted to the legitimacy of the concept of autonomy as it relates to international law.

Nonetheless, the predominant research challenge associated with this subject pertains to the overall dearth of studies concerning the notion of retracting autonomy, given its apparent rarity. Indeed, a significant research void exists concerning the retraction of autonomy by religious and ethnic groups, nations, regions, or even ethnic groups, which resulted in the loss of autonomy that was sanctioned by policies and laws (including the Indian Constitution). One article during the search for literature on the subject explicitly mentioned the word "autonomy" followed by the term "retraction." However, the primary emphasis of this article is on ethnic secession in the context of institutionalized autonomy. This suggests that there are certain parallels between the cases discussed in the article and the situation in which India revoked article 370.

Research Questions

1. What factors contributed to the emergence of the Kashmir conflict?
2. Why did India decide to remove articles 370 and 35A from its constitution?
3. How may India profit from the abrogation act and the purportedly inhumane actions in Kashmir?
4. What is Pakistan's required policy choices and reactions to deal with this matter?
5. In what ways has Jammu and Kashmir been impacted politically and socially by the abolition of Article 370?

6. What are the advantages and disadvantages of Article 370 and 35A?

Objectives of Study

- To locate the insertion of Article 370 and 35A
- To see how the Indian Constitution has retained and incorporated Articles 370 and 35A.
- To investigate the procedure for the Indian Constitution's Article 370 to be revoked.
- To comprehend Jammu & Kashmir's sociopolitical landscape following Article 370.
- To research how Article 370 affects Jammu & Kashmir
- To investigate Pakistan's reaction to the repeal of Articles 35A and 370.

Research Methodology

A qualitative research methodology is used in this work. The study followed a deductive technique, effectively applying the philosophy of realism to analyze the Indian participation in the Kashmir conflict. The research employed secondary data sources, which comprised books, research articles sourced from diverse online platforms (Google, Wikipedia, and Google Scholar), reports, and website articles.

The methodology employs both descriptive and analytic techniques. The data was analyzed utilizing the Discourse-Historical technique within the broader framework of Critical Discourse Analysis. The results of the study illustrate how de-promoted methods, including the self-projected version, were employed in media discourse to rationalize and clarify policies of the two regional atomic powers in the region regarding a particular issue.

Theoretical Framework

The application of the realism theory in understanding the Indian role in the Kashmir conflict brings out the inherent power and the need for control. Thucydides, in his "History of the Peloponnesian War," defined the foundations of realism in the 5th century B.C., where he underscored political authority and the subsequent role of power, which determines the behavior of states. He distinguished between the powerful and weak states in the dialogue between the Malians and Athenians, asserting that the weak 'have it acceptably imposed on them to suffer' and submit to the powerful, while the powerful on the other hand 'will exercise that power… without hindrance from … contradiction' (Thucydides, 431 B.C./2008). This fundamentally can be identified with the Indian approach to Kashmir, where its stronger power allows India to overlook Articles 370 and 35A in moving in to take over the region to further impose its influence.

Kautilya, on his part in his book "Arthashastra," focused on the position of the balance of power that states need for existence. He argued that the states need to ensure their security while at the same time seeking to increase the size of territory they hold (Kautilya, 4th century B.C./1992), and in seeking to 'annex the territory of another,' more so that of neighboring Kashmir, states build their capacities and resources for enhanced influence. The revocation of Articles 370 and 35A in India clearly demonstrates the lack of a counterbalancing influence that could have pursued a foreign policy solely focused on the benefit of the Indian state. This justifies the Indian expeditionary move of taking over Kashmir, against the provisions of the articles and the inherent human rights of the people of Kashmir.

Many human rights violations, killings, economic destabilization, and social strangulation have occurred as a result of this annexation in Jammu and Kashmir If the status quo ends due to the policy options described above and peace and stability prevail in Kashmir, the impact will be global, not just limited to South Asia. Kashmir is an issue of paramount importance for Pakistan (Hussain, Mustafa, Imran, & Nawaz, 2019).

Literature Review

Scholars and policy specialists have significantly added to our understanding of the Kashmir situation after Articles 370 and 35A were revoked by India, as well as the actions that followed. In "The Kashmir Dilemma Post the Indian Abrogation of Articles 370 and 35A," Sadiq Ali makes an effort to give a general historical account of Kashmir while highlighting its importance as the main point of contention between Pakistan and India after the Indian subcontinent was divided in 1947. Ali, a prominent statesman hailing from Kashmir, reminds the readers of his introduction of political and environmental activism in his resume, and his treatise is one that is well composed considering his implicit understanding of the history of the turbulent region. The Kashmir conflict has resulted in three major wars, and a mini-war in Kargil. India and Pakistan both lay claim to all of Jammu and Kashmir, and China is mediating between them. Nearly 60% of Jammu & Kashmir's landmass and 70% of its people call India home. China has 15% of the area, and 30% of the area is with Pakistan. (Sadiq Ali, 2020)

"Abrogation of Articles 370 & 35A of the Indian Constitution: Implications for Peace in South Asia" is written by Sughra Alam, Dr. Muhammad Nawaz Bhatti and Dr. Muhammad Waris Awan. The research clearly mentioned facts about the Indian article 370 and 35A and its implications for the security of South Asian region. (Alam, Bhatti, & Awan, 2020).

"Cyber Warfare between Pakistan and India: Implications for the Region" is an article that has focused on cyber warfare between the 2 states and its implications for South Asian Region. (Mustafa, ZainabMurtaza, & Murtaza, Cyber Warfare between Pakistan and India: Implications for the Region, 2020).

A paper titled as "Regional Dynamics and Russian Security Strategy in South Asia: A Comparative Analysis of Pakistan and India" authored by Muhammad Imran, Ghulam Mustafa and Ghulam Muhammad Nagra deals with the role of Russia to collaborate with India defence wise and its impact on region. (Imran, Mustafa, & Nagra, 2019)

"Pak-Indian, Heads of States Sideline Meetings for Normalizing of Conditions in both Countries through SAARC Engine: Efforts and Outcomes" is an article written by Dr. Ghulam Mustafa and Muhammad Tasleem Ashraf that deals with Pak-India Relations and role of SAARC. Outstanding issues between the both countries including Kashmir have been elucidated in this research. (Mustafa & Ashraf, 2016)

"Mapping of Outsource Diplomatic Initiatives: A Case of Pakistan-India Relations" by Muhammad Khalique Kamboh, Sadoon Masood, Dr. Ghulam Mustafa and Nida Shabbir (2021) deals with the diplomatic initiatives between the two rival states. The conflicts have been also discussed through back channels in this study.

The book by Khalid Shah and Kiriti M. Shah, "The state of affairs in Kashmir subsequent to the revocation of Article 370: A diplomatic dilemma confronts India" is about the implications of India rescinding its decision to do away with Articles 370 and 35A. Article 35A guarded the regional demographic through the prohibition of holding property by non-residents. The writers insist that only Pakistan is responsive to the Kashmir cause and the issues of the Kashmir people. Still, the country Pakistan itself is plagued by problems of economy, sociology, and security (Shah & Shah, 2020).

"The Indo-Pak Rivalry and the Kashmir Issue: A Historical Analysis in the Security Context of the South Asia" is a research work that elucidated the concept of Kashmir as a bone of contention between the two enemy states. (Hussain, Mustafa, Imran, & Nawaz, 2019).

An article titled as "Ambivalence Constitutional Developments during 2019 in India: Impacts and Implications on its Muslim Community" written by Dr. Ghulam Mustafa, Adnan Aslam, Muhammad Nawaz Bhatti, Dr. Abdul Qadir Mushtaq, Muhammad Arslan is about constitutional developments by Modi's Government and its implications on Indian Muslims. (Mustafa, Aslam, Bhatti, & Mushtaq, 2020).

Muhammad Imran and Ghulam Mustafa elucidate the US Security Policy with reference to India and Pakistan in "Convergence and Divergence of Interests of Regional Players (Pakistan & India) and the US Security Policy in South Asia" (Imran & Mustafa, 2019).

"Kashmir Issue During Modi Era: A Comparative Analysis of Pakistan's and Indian Print Media" a research work directly deals with the Kashmir issue. The article is written by Maryam Azam, Asad Ali Akram, Dr. Ghulam Mustafa. (Azam, Akram, & Mustafa, 2023)

Malik Muhammad Ashraf in his article for The Nation, "Kashmir continues to experience ongoing violence and bloodshed," states that after India illegally abrogated Articles 370 and 35A, Pakistan's diplomatic efforts are imperative. Ashraf insists that Pakistan must emphasize human rights abuses at all forums through the media, the international community, and organizations. The actions of China, Pakistan, Turkey, and Malaysia oppose the abrogation, while several countries consider it an internal matter of India. The actions of Turkey, Malaysia, and several others in attempting to mediate between Pakistan and India are also included (Ashraf, 2020).

Shah and Shah (2020) examine the immediate and enduring geopolitical ramifications of the events that transpired between India and Pakistan on August 5, 2019. Pakistan perceived the abrogation as an independent effort to modify the existing state of affairs in Jammu and Kashmir. In response, it issued a diplomatic appeal and heightened military readiness along the Line of Communication (Shah & Shah, 2020). Cues of international response towards this move, however, have been on the average side. Major countries like China, Turkey, and Malaysia have sounded their strong concern, but to most of the major westerns and regional powers, the dispute has been taken as an internal affair of India (Ashraf, 2020). With every stakeholder pursuing its ambition, strategic stability in the region at present stands jeopardized. While, on one hand, India has persistently enlightened itself with acquisition of weapons, Pakistan has ideologically resorted to an increase in their nuclear and missile arsenal. Both countries are also busy locking horns at various international forums with a war of words related to the Kashmir issue (Shah & Shah, 2020). The role of China is also unavoidable in the conflict. With an ally of Pakistan and a general stakeholder in the South Asian security architecture, China's attitude towards the Kashmir issue tends to make even the most unswerving of scenarios complicated. The China-Pakistan Economic Corridor, an undertaking that circumvents the intensely contested area, effectively demonstrates China's strategic interests in the region (Sadiq Ali, 2020).

There has been little improvement to the human rights situation in J& K after Articles 370 and 35A were repealed. According to Malik Muhammad Ashraf (2020), the Kashmiri people continue to endure acts of violence, violations of human rights, and economic instability. Movement restrictions, communication disruptions, and the substantial deployment of military personnel have collectively contributed to an indisputable escalation in civil unrest and global censure.

Ashraf (2020) says that Pakistan needs to continue to maximize its diplomatic efforts so that the global eye is kept on human rights infringement. Media and international bodies have a critical role in humanitarianizing the crisis that the people of Kashmir face. The reaction of the rest of the world varies: some countries expressed concern and asked for dialogue and restraint, while others supported the position of the Government of India with regard to maintaining law and order in the region (Ashraf, 2020). Worries about possible demographic shifts that could cause a significant cultural and social transformation of the region have been sparked by the abandonment of Article 35A, which defined Jammu and Kashmir's demographic status and regulated property ownership exclusively for permanent residents of the state. This has also given rise to scanner fears of settler colonialism and marginalization of the aboriginal Kashmiri population (Shah & Shah, 2020).

Tehseen Nisar, in her article "Kashmir and the Enactment of Article 370: Is it Possible for Peace to Come to India and Pakistan, or Will Their Relationship Remain Stuck in a Stalemate?" looks deep into history and politics between the passing of Article 370 for special status to Kashmir and its repeal. Nisar

(2019) claims that Articles 370 and 35A were political power abuses, complicating India-Pakistan negotiations for peace. The author deals with the historical context and the relation damage of India-Pakistan and international diplomacy.

In his Congressional Research Services paper "Kashmir: History, Recent Changes, and U.S. Policy," K. Alan Krostadat informs readers on the constitutional authority of the Indian government in J&K. Continued by Krostadat (2019) is the argument that the significant constitutional amendments in the near past not only have far-reaching implications for the Muslim-majority region but also have the U.S. perspective on the same.

Mahaveer Golechha, in his article "For Peace and Prosperity, Kashmir Should Be Brought Together," discusses the effects in the socio-political outcome of the repeal of Articles 370 and 35A. Golechha (2019) continues by claiming that the abrogation deprived the minorities of their basic rights and contributed to increasing social-economic instability within the region. The author reiterates reviewing the policy in existence to bring in peace and prosperity to the people of Kashmir.This article, "Genesis and What Article 370 is All About," by Aastha Mahata, is published in the renowned Journal. It is an excellent critique and analysis of the exact legal status of Article 370. Mahata (2019) criticizes the undue emphasis on the tendency of separatism and communalism in the region and justifies that the article deserves a clear comprehension of its position in the Constitution.

The strategic importance of Kashmir for geopolitical South Asia is further indicated by Victoria Schofield, who discusses the possible consequences for regional stability of repealing Articles 370 and 35A. The study makes an emphasis on the external powers, like China and the United States, in the Kashmir dispute—and that a more comprehensive and cooperative manner may find a solution to this.

The Reasons behind India's Revocation of Article 370 and 35A

Article 370 was invoked when Kashmir and the Indian government signed the Instrument of Accession, at a period of intense internal political unrest and armed hostilities with Pakistan. As part of the accession agreement, this item sought to provide Jammu & Kashmir certain provisions (Nisar, 2019). The repeal of Articles 370 and 35A resulted from a number of factors.

1. Inequality: The particular status created inequality among the states of India.
2. Temporary and Transitional Measures: Though supposed to be a temporary solution, Article 370 was in force for almost seventy years.
3. Invalidity of Instrument of Accession Section 5: The extension of the applicability of Article 370 resulted in the invalidity of the Instrument of Accession Agreement.
4. Separatist Movements: The special status encouraged the growth of separatist movements within Jammu and Kashmir.
5. Economic Development: The abrogation aimed to promote economic betterment and integration with the rest of India.
6. Corruption: The special status fostered corruption within the region.
7. Security Threat: The ongoing conflict and special status posed a security threat to India.
8. Gender Inequality: Women in Jammu and Kashmir had different rights, leading to gender discrimination. A state resident who married out of state loses her claim to state-owned immovable property. The Jammu and Kashmir High Court deemed this section unlawful. Omar Abdullah and his party sponsored the 2004 Permanent Resident (Disqualification) Bill, which required women to forfeit their permanent residency status if they married outside the state (Nisar, 2019).

Who Abrogated Article 370 and 35A

Shri Amit Shah, India's Union Home Minister, made the announcement that the erstwhile Jammu and Kashmir state's unique privileges granted under Articles 370 and 35A of the Indian Constitution will be repealed on August 5, 2019. The Jammu and Kashmir state assembly has the authority to determine who is considered a permanent resident and to provide them with certain rights and advantages according to Article 35A. Although it was not originally included in the 1949 Constitution of India, Article 35A was added to it in 1954 by a Presidential Order with the agreement of the state (Hussain, 2019) (Alam, Bhatti, & Awan, 2020). The Union Ministry of Home Affairs also presented two resolutions and two bills relating to Jammu and Kashmir in the Lok Sabha on August 5, 2019.

They were:

1. The Constitution (Application to J&K) Order, 2019: The President of India, exercising the powers conferred by Clause 1 of Article 370 of the Constitution, made this order to supersede the Constitution (Application to Jammu and Kashmir) Order, 1954, as amended from time to time; effective from August 5, 2019, with the concurrence of the Government of the State of Jammu and Kashmir (Hussain, 2019).
2. A Resolution to Rescind Article 370: Under Article 370(3), the President of India is authorized to issue a notification to withdraw Article 370 based on the recommendation of the Constituent Assembly of Jammu and Kashmir, assumed to be the Jammu and Kashmir Legislative Assembly (Hussain, 2019).
3. The Jammu and Kashmir Re-organisation Bill, 2019: This bill divided the state into two Union Territories; the Union Territory of Ladakh and the Union Territory of Jammu and Kashmir, to be effective from October 31, 2019 (Hussain, 2019).

After President's Rule was imposed in J&K, the Indian President, following suggestions from the Indian Parliament, announced that all provisions of Article 370 would be null and void as of August 6, 2019 (Hussain, 2019).

The Revocation of Article 370 and Its Aftermath

Modifying Jammu and Kashmir's special status under Article 370 of the Indian Constitution was one of the most momentous constitutional changes in the country's history (Azam, Akram, & Mustafa, 2023). Abolition of the state's exceptional status led to the deletion of Article 35A, which in turn led to the abrogation of the distinctive position of the state. By identifying permanent residents and conferring numerous benefits upon them, the J&K administration was able to make use of this constitutional provision. With the backing of several political factions, including the Bahujan Samaj, Aam Aadmi, and Biju Janata Dal, the Indian government revoked Jammu and Kashmir's special status on August 5, 2019, according to Rauf (2020).

Both the Jammu and Kashmir (Reorganization) Bill, 2019 and the Jammu and Kashmir Reorganization Act of 2019 were greatly influenced by the deletion of Article 370, which in turn paved the way for their passage. Exceptional significance is bestowed to each of these statutes. Article 3 of India's constitution authorized the first of these laws, which entrusted the state's administration to the regular processes and procedures used by other Indian states. This was done in order to free the state from the demands and compulsions that Article 370 imposed. The second of these acts made Jammu and Kashmir one single union territory, while Ladakh was designated as a separate union territory (Nisar, 2019).

The closure of internet services and the immediate imposition of a curfew under Section 144 of the Criminal Procedure Code from August 5, 2019, till December 2019 had a devastating impact on the

state's social fronts. Transportation was halted in almost all areas. Such a proclamation had an impact on the people's mentality. The citizens of the state felt they were being deprived of the rights and freedoms that they had enjoyed all this time. The complete communication lockdown, with the prohibition of mobile phones, landlines, and the internet, made the issue worse and established several new health issues in the form of depression and mental stress (Ahmad, 2005).

There was strong opposition from a number of important political parties as well as the Chief Minister of Jammu and Kashmir due to the political repercussions. Referred to as the darkest day in Indian democracy's history, it was experienced by a number of the most powerful political parties in the region. They have also referred to the decision as being unilateral and disturbing to the rights of the people who live through Kashmir. In addition, the economic repercussions were quite severe. The tourism sector suffered a financial loss of 1056 crore INR, while the service, industrial, and agriculture sectors faced losses of INR 19,191 crores, INR 45,095 crores, and INR 4591 crores, respectively (Nimisha, 2015). Unemployment surged across various sectors, with job losses in agriculture, tourism, and handicrafts amounting to 74,500, 12,000, and 70,000, respectively. From the above discussion, it is found that the abrogation of Article 370 was never acceptable to politicians as well as governing bodies globally; likewise, the process to integrate Jammu and Kashmir into any other state in India was not regarded as successful (Sharma, 2019).

Revival of Article 370 and the Socio-Political Climate in J&K

Since Article 370 was repealed, the state of Jammu and Kashmir has had to adjust to substantial social and political changes. Residents of the valley saw an upsurge in mental health issues as a result of the scenario, which was similar to a curfew, and the cutting off of all contact connections. In Kashmir, 37% of males and 50% of females showed symptoms of probable depression. Anxiety disorders affected 21% of men and 36% of women. Further, around 22% of females and 18% of males revealed symptoms of Post-Traumatic Stress Disorder (PTSD). As a result, an undemocratic system was put in place where individuals were deprived of their democratic rights (Krostadat, 2019). Different political parties from different states, including those in Jammu and Kashmir, responded to the repeal of Article 370 in different ways. Among the political groupings opposing the abolition were Mehbooba Mufti, the Chief Minister of J&K, the Imam Khomeini Memorial Trust, and former Chief Minister Omar Abdullah (Krostadat, 2019). Many organizations have voiced their support for the abolition of Article 370, including the Ladakh Buddhist Association, leaders of the Kashmiri Hindu minority, and Jamyang Tsering Namgyal, a representative from Ladakh. Notable were the responses from neighboring countries including China, Pakistan, and other SAARC members. For instance, Pakistan denounced the Indian government's decision, charging it of violating the Constitution by removing Article 370 and escalating tensions between India and Pakistan. (Alam, Bhatti, & Awan, 2020)

It even stated that it might break diplomatic ties with India and suspend bilateral trade. However, China opposed the idea of having Ladakh as part of the Union Territory on the basis of Chinese sovereignty interests (Kamboh, Masood, Mustafa, & Shabbir, 2021).

The Effects of Removal of Article 370

The abrogation of Article 370 has several important consequences. First and foremost, Jammu and Kashmir will no longer have a special status (Rauf, 2020). The region is now fully governed by the laws of the Indian Constitution (Nisar, 2019). Due to this modification, Jammu and Kashmir is now governed by Part IV of the Indian Constitution, which describes the essential responsibilities and guiding principles of governmental policy (Sharma, 2019). Additionally, a distinct flag will no longer be designated for Jammu and Kashmir (Krostadat, 2019).

With the application of Article 360, financial emergencies will now apply to Jammu and Kashmir (Sharma, 2019). Minority reservations (16 percent) will be held for Hindus and Sikhs (Rauf, 2020). The

rights to education and information will also be applicable to the region (Nisar, 2019). The term of the legislative assembly will be reduced from six to five years (Krostadat, 2019), and panchayats will be granted the same rights as those in other states (Rauf, 2020). The abrogation of Article 35A means that a woman whose spouse is not a resident of Jammu and Kashmir will retain her citizenship and rights (Nisar, 2019). There are a lot of Muslims in Kashmir who are worried that this shift could undermine the state's sovereignty (Sharma, 2019). The move has also created a sense of unease among specific segments of the population (Krostadat, 2019). The repeal of Article 370 is seen by some as a threat to democratic principles, provoking and placating the Hindu inhabitants in the valley. Locals feel insecure as they are required to relinquish their dual citizenship (Rauf, 2020). Additionally, the abrogation has strained the already tenuous rapport with Pakistan, adding to the geopolitical tension (Alam, Bhatti, & Awan, 2020). This move has contributed to political instability and susceptibility in the valley (Nisar, 2019).

There are also social implications, such as threats to women's safety. Some segments of the population have begun to threaten that Kashmiri women can be married to outsiders without losing their citizenship, which is seen as discriminatory and endangers women's safety (Krostadat, 2019).

Response of Pakistan after Revocation of Article 370 and 35A

Pakistan wasted little time turning to telephone diplomacy after Articles 370 and 35A were revoked. Prime Minister Imran Khan received a warning via telephone from his Iranian counterpart that the Kashmir conflict would not be resolved through military means. Prime Minister Imran Khan delivered two addresses to the United Nations General Assembly and paid two visits to the United States. Pakistan collaborated efficiently with diplomatic envoys from other countries in order to bring attention to the Kashmir dispute. During the September 2019 session of the United Nations General Assembly, several world leaders, including the Foreign Minister of China, the Prime Minister of Malaysia, and the President of Turkey, expressed their disapproval of India's conduct concerning Article 370 and 35A (Mustafa, Aslam, Bhatti, & Mushtaq, 2020). They also advocated for a peaceful resolution to the dispute (Rauf, 2020).

The Pakistani government's strategy centered on drawing more attention to Prime Minister Modi's actions, particularly the human rights breaches and atrocities in Indian-occupied Kashmir. Pakistan aimed to bring attention to the human rights violations, religious and ethnic extremism, and the overall state of human rights in Kashmir in order to raise global awareness about the revocation of Articles 370 and 35A (Mehta, 2019).

Pakistan Diplomatic Response to India

On August 5, 2019, the same day that India announced that Jammu and Kashmir's special status will be revoked, Pakistan wasted no time responding.

Diplomatic Response of Pakistan in Year 2019

- A press release was released by the Foreign Office of Pakistan on August 6, 2019, claiming that Pakistan, as a participant in this global conflict, will utilize all available means to counteract the unlawful actions. The abrogation was described as a unilateral measure (Rauf, 2020).
- The chief of army staff of Pakistan made the following statement during a meeting with commanders on August 6, 2019, that the army is committed to assisting the people of Kashmir "to the last bullet, last breath, last soldier, and last drop of blood" (Rauf, 2020).
- The Senate and the National Assembly convened for an emergency joint session to address the matter.
- On August 7, a resolution was passed by a joint session of parliament condemning India's action. The resolution described the action as illegal, unilateral, reckless, and coercive, and as an attempt to

change the disputed status of Indian illegally occupied Jammu and Kashmir, as stated in the United Nations Security resolutions (Rauf, 2020).

- The National Security Committee made the decision to cut off diplomatic relations between Pakistan and India on August 7. This involved recalling Pakistan's high commissioner from India and removing India's high commissioner from Pakistan.
- The Minister of Railways in Pakistan, Sheikh Rasheed Ahmad, suspended operations of the Samjhauta Express and the Thar Express on the following day.
- Pakistan's Ministry of Information and Broadcasting has prohibited the import of Indian plays and films and suspended all cultural exchanges with India.
- Pakistan formally cut off most commerce with India on August 9, 2019, making it illegal to import or export items to or from India (Rauf, 2020).
- PM Imran Khan, on August 11, 2019, compared the administration of PM Narendra Modi of India to "Nazis," claiming that India engaged in ethnic cleansing as part of its efforts to alter the demographic composition of the area of Kashmir that is predominantly Muslim.
- On August 13, 2019, Pakistan's foreign minister Shah Mehmood Qureshi said that he had written a letter to the UN Security Council president, asking him to convene a meeting to address India's unlawful actions in the Kashmir region, which go against UN resolutions. Additionally, he stated that he had dispatched the letter to each and every member of the Security Council (Rauf, 2020).
- Pakistan announced its intention to approach the International Court of Justice on August 20, 2019, citing human rights breaches committed by India as the reason (Mehta, 2019).
- As of September 14, 2019, Indian claims that the Jammu and Kashmir issue cannot be brought before the International Court of Justice (ICJ), as stated by Farogh Naseem, the Federal Minister of Law and Justice (Sajjad, 2019).

Diplomatic Response of Pakistan in Year 2020

Cultivation of media reports about Pakistan's pro-Kashmir campaign had been under way long before August 5. Along with mentioning the Inter-Services Intelligence, Prime Minister Imran Khan unveiled an 18-point agenda to commemorate the day. A media tour to Kashmir and the submission of a white paper to the United Nations Military Observer Group were also part of this agenda. On Black Day, Pakistani news channels would alter their logos to that effect, while newspapers would print relevant material. Protests would be expected in all of the country's embassies. Meanwhile, contact was to be made with Ankara, Kuala Lumpur, and Beijing. On the day, Imran Khan was expected to address the nation live from Kashmir (Islamudin, 2020).

Pakistan revealed an interim political map of India by showing portions of the disputed territory containing Indian Ladakh, removing any ambiguity about claiming back the territories of Ladakh, Siachen Glacier, the Saltoro Range, Sir Creek's eastern side, Jammu and Kashmir, Junagadh, and Manavadar in the Gujarat, India. The map marks the border of Ladakh with China as an undefined frontier. Its status would be decided by the appropriate governmental bodies following the Jammu and Kashmir conflict's resolution, according to the constitution. To show the whole country, this map was given the green light to be distributed.

The Kashmir Highway in Islamabad city was renamed the Srinagar Highway. On August 5, Pakistan officially named the day as Youm-e-Istehsal, which literally translates to "Day of Exploitation." The purpose of this was to mark the passing of a year since special designation was revoked. A number of events, including marches and seminars, were held in order to demonstrate solidarity with the people of the region (Islamudin, 2020).

What Pakistan Needs to Do in Response to the Revocation of Article 370 and 35A

Pakistan has to take some real steps if it wants to keep Articles 370 and 35A from being repealed. Firstly, it must build strong narratives. India's Foreign Minister, S. Jaishankar, has built multiple narratives against Pakistan, including labeling it as a supporter of terrorism concerning the situation in Indian-occupied Kashmir (Malik, 2020). The Foreign Office and diplomatic staff of Pakistan must revisit this narrative and build one of their own. Pakistan should ask the United Nations for a resolution in this regard. This will only be possible if Pakistan can improve its diplomatic relationships with other countries and convince them to side with Pakistan based on its position and the principle of self-determination for Kashmir (Kamboh, Masood, Mustafa, & Shabbir, 2021).

Distracting the world's attention is something India is quite good at. On Pakistan's part, it is indispensable to expose the real face of India and Prime Minister Modi. Noteworthy is that Modi was banned from the United States and Canada for twelve years after the Gujarat Pogrom in 2002 (Rauf, 2020). Pakistan should expose Modi in the media and international forums for India's transgressions against human rights, the horrors committed in Kashmir, and the annulment of Article 370 and 35A. It is imperative for Pakistan to inform the world about the religious and ethnic extremism of Mr. Modi (Azam, Akram, & Mustafa, 2023). Diplomatic preparedness and conflict resolution skills of Pakistan are key determinants of the success of Pakistan's stance.

In August 2019, all members of Pakistan's National Assembly passed an ordinance condemning India's actions and calling on the rest of the world to do something to stop their invasion. Pakistan sent back the Indian High Commissioner and stopped bilateral trade, including the Samjhota Express Train Service and Dosti Bus. Pakistan observed a black day on Indian Independence Day (Minhas et al., 2019).

Pakistan coordinated back-to-back diplomatic conferences with envoys from other countries and urged the Human Rights Council and the UNSC to investigate the Kashmir crisis. Although the UNSC met over the matter of Kashmir, it failed to draw any conclusion or pass any resolution or official statement. Pakistan also called for a meeting of the Organization of Islamic Cooperation (OIC), winning support from Iran and Turkey. However, the UAE and Saudi Arabia prioritized their economic interests, as there is substantial trade between India and Gulf Arab countries, amounting to over a hundred billion dollars per annum (Minhas et al., 2019). The government of Pakistan needs to empower and activate the Azad Jammu and Kashmiri government. Advocates from Jammu and Kashmir are required by law to do soon a global scale. Hence, it is a legitimate governing body with the power to assemble political, diplomatic, economic, social, and human rights support (Minhas et al., 2019).

Conclusion

Kashmir is an essential part of Pakistan that cannot be ignored. This is something that Pakistan and India have argued about ever since they gained their freedom. The Indian atrocities over Articles 370 and 35A related to Kashmir have increased many times since August 2019. Pakistan must take all these steps given in the relevant literature to solve this problem. The people of Kashmir need Pakistan, and Pakistan should be with them; the South Asian region would never be at peace and stability if Kashmir is not settled and calm.

A realistic and timely strategy is needed. Pakistan and Kashmir should keep making efforts until the UN Security Council comes forward to solve this problem, and the international community accepts the problem. If this happens, at this stage level of Kashmir, it needs to be resolved with a viable decision that takes care of the will of the Kashmiris. The solution to the problem will remain uncertain if this objective is not met. Apparently, Kashmir is burning in fire and blood. New Delhi and Islamabad both have many options that could help sort out the problem strategically. On the other hand, Pakistan has both diplomatic and non-diplomatic options for militancy. But through the option of militancy, Islamabad must never try to fight against India, because it will then lose the support of the international community.

Nuclear deterrence might be an effective approach to handle the situation, but there also should be confidence-building measures and some concrete steps that may assist in achieving the desired results of the negotiations related to the Kashmir problem. In the interim, let us prepare for the worst while hoping for the best.

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