

ARTICLE 370 VERDICT

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People at Lal Chowk in Srinagar on December 11, 2023, the day the Supreme Court upheld the Centre's decision to abrogate Article 370 of the Constitution. | Photo Credit: PTI

The [Supreme Court's recent verdict](#) upholding the [Centre's 2019 decision to end the special constitutional status of Jammu and Kashmir \(J&K\)](#) has altered the political landscape of the Union Territory.

The immediate fallout was evident from the silence of the People's Alliance for Gupkar Declaration, also known as the Gupkar alliance. The absence of a joint statement by the four-year-old political conglomerate comprising Farooq Abdullah's National Conference (NC), Mehbooba Mufti's Peoples Democratic Party (PDP), Muzaffar Shah's Awami National Conference (ANC), and the CPI(M)'s M.Y. Tarigami to the verdict has been conspicuous. All the four leaders, who are also petitioners before the Supreme Court, chose to react strongly but separately to the verdict. To date, there has been no attempt to sit together or plan for the future, unlike earlier occasions when they would go into a huddle and put up a joint face.

The [Gupkar alliance](#), which includes regional parties that are otherwise political rivals in J&K, came into being on August 4, 2019, just a day before the Centre decided to dilute the provisions of Article 370 and split the erstwhile State of J&K into two Union Territories. The declaration, which was signed by seven political parties, had warned that "modification, abrogation of Articles 35A and 370, unconstitutional delimitation or trifurcation of the State would be an aggression against the people of Jammu, Kashmir and Ladakh". The representatives of the political parties resolved "to remain together and stand united in their struggle for safeguarding [the] identity, autonomy and special status of J&K".

However, it seems that the Supreme Court judgment has the potential to bring down the curtains on this ideological alliance. Internal disputes regarding whether this ideological alliance could be turned into an electoral alliance against the Bharatiya Janata Party (BJP) in J&K came out in the open several times this year. Whether the Court verdict sounded the death knell for the alliance remains unanswered by the leaders.

Not only the Gupkar alliance, but even the NC's and the PDP's long-held positions on J&K remain between the hammer and the anvil. The NC's manifesto has always flagged the pre-1953 position of J&K as a final political settlement. The pre-1953 position would mean reversal of the Centre's authority except in the areas of communications, defence, and foreign affairs, as was underlined in the [Instrument of Accession in 1947](#). On the other hand, the PDP's manifesto

called for the reunification of pre-1947 J&K, which included Pakistan-occupied Kashmir and Gilgit-Baltistan, and pitched for joint decision-making bodies in several affairs, including trade, tourism, environment, and education. In fact, the cross-Line of Control movement of people and goods between the two parts of erstwhile J&K in 2005 was seen as the first measure in that direction.

The verdict, however, has posed a new challenge. These parties lost ground to separatists, especially the Hurriyat, which demanded the implementation of the UN resolutions on Kashmir calling for a plebiscite, in the past 30 years. The Hurriyat accused the NC and the PDP of failing to deliver on the promises made to the people. Both the parties believe that they are between the devil and the deep blue sea. If they go back on their political positions, they will be seen as weak political forces. If they harden their position, they will be subjected to the Centre's iron-hand approach. The parties have little choice but to reinvent themselves to stay relevant while also living up to the people's expectations.

Decoding the Constitution Bench's judgement on Article 370 abrogation

NC vice president Omar Abdullah's decision to take a sabbatical on social media and Ms. Mufti's decision to stop addressing public rallies after the judgment show that the verdict has delivered a blow. Two statements from these leaders, however, hinted at how they might be reshaping party politics to keep their constituency intact after losing the case. Mr. Abdullah said on X, "It took the BJP decades to reach here. We are also prepared for the long haul." Ms. Mufti said that the Court verdict was not Allah's commandment and could be reversed the way previous Court judgments on Article 370 were reversed by the five-member bench of the Court on December 11, 2023. The statements hint at the existential crisis that these parties seem to be facing in J&K for the first time since the NC came into being in 1931 and the PDP in 1998.

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