Abstract

The study tries to unfold how the Kashmir conflict is constructed in the Pakistani media after the abrogation of Article 370 of the Indian Constitution. To understand the media discourse a Critical discourse analysis of the news stories published about Indian held Kashmir (i.e. that part of the former princely state of Jammu and Kashmir occupied by India post the 1947 partition, notably the valley of Kashmir) in the e-paper of Dawn was carried out. The findings reveal a distinctive narrative strategy employed by Pakistani media in response to the abrogation of Article 370. This strategy accentuates the negative aspects of the Indian government’s actions in Kashmir while simultaneously highlighting the voices of Kashmiris advocating for their right of self-determination. The findings also indicated that media discourse revolved around challenging the legitimacy of the Indian Parliament’s act of abrogating Article 370 and also focused on the casualties and losses which took place as a result of clashes between the Indian security forces and the Kashmiri separatist fighters. The media also gave significance to social media trends about Indian held Kashmir and also to posts of Kashmiri and Pakistani politicians. Negative actor description was used to highlight Bharatiya Janata Party (BJP)’s propaganda regarding the return of normalcy in the Indian held Kashmir whereas positive actor description was used for the Kashmiri separatist fighters.

Keywords: Jammu and Kashmir (J&K) Conflict, India, Pakistan, Media Discourse, Critical Discourse Analysis.

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Introduction

The Jammu and Kashmir (J&K) conflict has long been a contentious issue on the global stage, marked by decades of political, social, and military turmoil. However, the dynamics of this complex dispute underwent a seismic shift on August 5, 2019, when Narendra Modi’s government abrogated Article 370 of the Indian Constitution thereby removing the special status granted to J&K post-independence and partition in 1947. This unilateral decision not only altered the strategic and political landscape of the region but also had profound implications for the media discourse surrounding the Kashmir conflict.

In accordance with the UNSC 1948 decision, the plebiscite was to be conducted throughout the entire state of J&K including that part of the state occupied by Pakistan. The withdrawal of forces by both Pakistan and India was a prerequisite to holding the plebiscite but neither side was prepared to do so. Resultantly, the plebiscite never took place due to disagreements over its implementation.¹ Fast forward to 1972, the Simla Agreement played a crucial role in shaping the relationship between India and Pakistan regarding the Kashmir issue. The Simla Agreement was signed in 1972 after the Indo-Pakistan war of 1971, which led to the creation of Bangladesh. Indian Prime Minister, Indira Gandhi and Pakistani President, Zulfikar Ali Bhutto met in Simla (now Shimla) to discuss various issues including Kashmir. The Simla Agreement emphasised bilateralism and urged the two countries to resolve their differences through peaceful means. It sought to address the Kashmir issue through direct negotiations and called for the Line of Control (LoC) to serve as the de facto border between the two nations.² Article 370’s annulment upended the post Simla Accord status quo and J&K conflict is now experiencing a more perilous and long-lasting status quo following the repeal of Article 370. The abrogation of Article 370 raised concerns about human rights, particularly in terms of restrictions on movement, communication and the detention of political leaders. Critics argued that the move could exacerbate tensions in the region and impact the local population negatively.

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Media discourse is an effective tool for understanding and interpreting the meanings which readers can construct in their minds as it plays an indispensable role in shaping perceptions and international understanding of conflicts. The power of the media to influence opinion, mobilise support and frame narratives is undeniable. In the case of the Kashmir conflict, the abrogation of Article 370 was met with immediate global attention, and media outlets worldwide scrambled to provide comprehensive coverage. This extensive media discourse brought forth a myriad of perspectives, narratives and debates which continued to evolve. This research paper aims to delve deep into the labyrinth of media discourse surrounding the Kashmir conflict post abrogation of Article 370. By doing a critical discourse analysis of the Pakistani media coverage of Kashmir conflict, this study aspires to contribute to a more nuanced understanding of the Kashmir conflict. This research also aims to shed light on the multifaceted dimensions of the J&K conflict and provide valuable insights into the broader relationship between media and conflict in today’s interconnected world. The implications of this media discourse study extend beyond the realm of journalism since it has the potential to influence diplomatic efforts, peace negotiations and public perceptions not only in Pakistan but also at international level. Therefore, the study will help scholars, policymakers and media practitioners to engage critically with the evolving media discourse surrounding the Kashmir conflict and its broader ramifications.

**Article 370 of the Indian Constitution and its Abrogation**

The Article 370 of the Indian constitution granted special autonomous status to the state of Jammu and Kashmir within the Indian Union. The article was a result of the negotiations between the then Prime Minister of Jammu and Kashmir, Sheikh Abdullah, and the Indian leadership led by Jawaharlal Nehru.

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The special status provided to J&K by the Article 370 remained a contentious issue over the years with debates about the implications of this provision for the integration of Jammu and Kashmir into the Indian Union. Since 1950s, the repeal of Article 370 has been seen as one of the main demands of the Hindu nationalists. Through a number of policies put in place by the Indian government during the 1950s and 1960s, Indian-held Kashmir has lost some of its autonomy also because of the agreements with the then Muslim Kashmiri leadership. Only a few symbolic elements of the Article 370 remained intact, primarily after the mid-1960s. These included a separate state flag, a state constitution with no real meaning and a state penal code. Article 35A was also preserved since it guaranteed locals first priority for employment possibilities and prohibited outsiders from purchasing land in the valley (legitimacy was rooted in the Hereditary State Subject Law introduced by the Maharaja). Other Indian states, such as Uttarakhand, Himachal Pardesh, Punjab, and several north-eastern provinces of India, also offered comparable provisions to the local populace; hence the benefits outlined in the Article 35A were not exclusive to the Indian-held Kashmir. At the core of the Indian Union lies a foundational principle that upholds the states’ moderate autonomy from the central authority in Delhi. This principle, a cornerstone of India’s federal structure, underscores the distinctive powers and status accorded to individual states. However, a notable departure from this framework is evident in the case of union territories within India, where the semblance of autonomy diminishes significantly, often reaching a point where these territories possess minimal to no authority compared to their state counterparts.

Before its abrogation, Clause 3 of Article 370 clearly stated “Notwithstanding anything in the foregoing provisions of this article, the President may, by public notification, declare that this article shall cease to be operative or shall be operative only with such exceptions and modifications and from such date as he may specify” provided that the recommendation of the Constituent Assembly of the State referred to in

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6 Sumantra Bose, “Has India pushed Kashmir to a Point of No Return?” BBC, 2019.
clause 2 are met before the president issues any such notification. On August 5, 2019, the clause 3 of Article 370 was amended after the insertion of Article 367 (4) (d) which replaced the expression of “Constituent Assembly of the state” with the term “Legislative Assembly of the State.” The word ‘temporary’ was used in the marginal note of Article 370 and as per dominant interpretation it was used to indicate that Article 370 could be amended or abrogated only if the Constituent Assembly of Jammu and Kashmir made any such recommendation. Established in 1951, the Constituent Assembly of Jammu and Kashmir held a pivotal role in shaping the region’s constitutional framework. However, its significance reached a culmination in 1957, marked by the adoption and ratification of the Mir Qasim resolution. This resolution led to the dissolution of the Constituent Assembly, thereby concluding its mandate to formulate the constitution for Jammu and Kashmir.

As a result of the repeal of Article 370, India formally partitioned Indian-held Kashmir into two federally controlled areas on October 31, 2019. After the abrogation of Article 370, Jammu was the name given to the territory formed by combining Jammu and Kashmir. Originally, Jammu had a majority of Hindus and had a population of about six million, whereas Kashmir had a majority of Muslims and had a population of about eight million. About 300,000 people live in the Ladakh region, which has been designated as a distinct territory and is bordered by China. There are about equal number of Buddhists and Muslims living in Ladakh. The two new union territories were described as including areas under Pakistani administration, Gilgit Baltistan (Ladakh Union Territory) and Azad Jammu and Kashmir (J&K Union Territory). Both of the newly formed union regions were directly governed by Delhi. The Buddhist community, which dominates the eastern Ladakh district of Leh, also felt misled by the loss of

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8 Constitution of India (2019).
their rights under the article 35A, making them feel even more severely alienated and oppressed by the repeal of Article 370. Divided into two separate units, J&K represented a profoundly undemocratic action by India as it is undemocratic to mandate that residents of a particular demographic region be controlled by the centre because India is made up of voluntary federations of states.14

After the revocation of special status of the Indian-held Kashmir, restrictions on movement of indigenous Kashmiris by the Indian Security Forces (ISF) made it difficult for people to access essential services, including healthcare. Reports emerged of patients facing difficulties in reaching hospitals and healthcare workers being impeded in their duties. Security measures put in place by the BJP-led Indian government to prevent public protests led to deteriorated human rights situation in the Indian held Kashmir. The prolonged curfew and restrictions on movement affected the livelihoods of people in the region. Businesses, agriculture and tourism were adversely impacted, leading to economic hardships.15 As many Kashmiris were being detained by the Indian government, protests in the valley continued. To stifle opposition to Indian policies, “thousands of people, including three former Chief Ministers of the state, were detained.” After removing Kashmir’s autonomy, the mobile services were suspended for more than 72 days. The majority of businesses remained closed while internet services were also suspended16. Education was another area which was severely halted in the aftermath of abrogation of Article 370 as “1.5 million Kashmiri children remained out of school even after three months of Modi government’s unilateral decision.”17 Majority of the private and government schools remained closed as the parents were afraid of sending their children to school because of the fear that their children will either be

14 Shehkhar Gupta, “To understand Modi’s new Kashmir reality these 5 liberal myths need to be broken,” The Print, August 17, 2019, https://theprint.in/national interest/to understand-modis-new-kashmir-reality-these-5-liberal-myths-need-to-be broken/278220
Media Discourse on the Kashmir Conflict

shot by the pellet guns or will become victims of collateral damage as a result of the clashes between ISF and armed separatist fighters.18

Methodology

The study employed Critical Discourse Analysis for analysing the choice of themes, lexical items and phrases which were used by the media. Critical Discourse Analysis (CDA) framework developed by Van Dijk (a scholar of text linguistics) was used for this study. CDA focuses on lexical choices, as the pattern of language reveals the nature of discourse. Within the confines of cultural and social frameworks, the social reality is either highlighted or de-emphasised. According to Van Dijk19, the linguistic techniques included comparison, actor description, generalisation, victimhood, hyperbole and euphemism. Comparison meant contrasting the behaviours and ideology of members of the in-group and out-group. The portrayal of the out-group and the in-group as neutral, positive, repulsive, or negative is determined by the actor’s description. The process of a term or phrase’s meaning becoming broader or more inclusive than it was originally is referred to as generalisation. Victimisation is defined as the persecuting and oppressing of a certain individual, group of individuals, nation or other entity. A rhetorical device known as hyperbole refers to the excessive use of exaggeration in order to emphasise a point or make a powerful impression. Euphemism is a term used to describe delicate and polite communication in substitute of negative and abrasive words and phrases.

This study carried out a Critical Discourse Analysis of 13 purposely selected news stories published in Dawn from July 12, 2023 to August 12, 2023. The news stories were selected because of the significance of the time period as it marked the 4th anniversary of the abrogation of Article 370. Also it was during this time period that the Indian Supreme Court after four years of revoking the special status laid out a road map for hearing the petitions challenging the abrogation of Article 370. The Indian Supreme Court received several petitions related to the abrogation

of Article 370 and the reorganisation of the state into two separate Union Territories. The petitioners raised various legal and constitutional questions, including issues related to the procedure followed, the consent of the people, and the impact on the autonomy guaranteed to Jammu and Kashmir under the Indian Constitution.

The news stories were retrieved from the e-paper archive of Dawn using the key words of ‘Abrogation of Article 370’, ‘Kashmir Conflict’, ‘Indian held Kashmir’ and ‘Special Status.’

Findings and Discussion

A large part of the media discourse revolved around challenging the legitimacy of Indian Parliament’s act of abrogating Article 370. In one of the stories published in Dawn titled, “No Basis for Removing Kashmir’s Special Status,” 20 the legality of the abrogation of Indian constitution’s Article 370 was highlighted. The story reported that a larger bench comprising of five judges headed by the Indian Chief Justice D.Y. Chandrachud will start hearing petitions from August 3, 2023 which challenged the revocation of Article 370. The petitioner’s lawyer questioned the constitutional role of the Indian parliament on how it “unravelled India’s unique federal scheme five years ago while undermining crucial elements of the due process and the rule of law.” The story further provided background of the Kashmir conflict and how the Indian parliament was not authorised under clause 3 of Article 370 to alter the relationship between the state of J&K and the Indian Union without the recommendation of the Constituent Assembly. The petitioner’s lawyer, Mr. Sibal emphasised that the revocation of the special status of Kashmir conflict is not a representation of the will of the people and also that the parliament has actually abrogated the powers given by it to the Indian state. The constitution bench countered Mr. Sibal and asserted that the clause 3 had a temporary provision in 1950 and only J&K’s Constituent Assembly had the exclusive discretion to determine J&K’s relationship with India and also to recommend any modification or abrogation in it. The discourse indicated that it is not possible to convert a state into a union territory and it is also not possible for the Indian parliament to “declare itself as a Constituent assembly. Established in 1951,

the Constituent Assembly of Jammu and Kashmir held a pivotal role in shaping the region’s constitutional framework. However, its significance reached a culmination in 1957, marked by the adoption and ratification of the Mir Qasim resolution. This resolution led to the dissolution of the Constituent Assembly, thereby concluding its mandate to formulate the constitution for Jammu and Kashmir.

A story with the title of “India’s SC to Begin Hearing on Held Kashmir’s Special Status on Aug 2” 21 reported that Indian Supreme Court has laid out a roadmap for hearing the petitions challenging the abrogation of Article 370 on a day-to-day basis. The announcement came after four years of the abrogation act by the Indian Parliament and after a host of petitions were kept pending against the abrogation of Article 370. Omar Abdullah, former Chief Minister of Indian-held Kashmir, showed confidence in the Indian Supreme court as he asserted, “It took four years for the case to get to the Supreme Court. It shows how strong our case is. Had it been weak, believe me, they [the Centre] would have started the hearing within weeks. It took so long because the constitution was blown to pieces on Aug 5, 2019.” 22 Mehbooba Mufti, People’s Democratic Party Chief also hailed the Indian Supreme Court’s decision “not to rely on the Centre’s affidavit on the abrogation of Article 370.” The bench of the Indian Supreme Court also took notice of the affidavit which was filed by the BJP government in which they claimed “return of normalcy and unprecedented stability and progress to the two union territories” 23 after the abrogation of Article 370.

Pakistan’s Foreign Office spokesperson asked India to release “Kashmiri Human Rights Defenders” who have been detained for raising their voices against Indian oppression. 24 The briefing by the Pakistan’s Foreign Office was during the back drop to the UN special procedures for human rights in which India was informed about the serious concerns

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22 Naqvi, “India’s SC to Begin Hearing on Held Kashmir’s Special Status on Aug 2.”
23 Naqvi, “India’s SC to Begin Hearing on Held Kashmir’s Special Status on Aug 2.”
on the arrest and charges leveled against Kashmiri human rights defenders.

The media discourse also pointed towards the casualties and losses which took place as result of clashes between the Indian Security Forces and the Kashmiri separatist fighters. On the occasion of the fourth anniversary of New Delhi’s declaration of imposing direct rule on Indian-held Kashmir, three Indian soldiers were killed. The soldiers were searching for ‘armed Kashmiris’ in the Halan forests where a clash took place which left the trio wounded who later succumbed to their injuries. The story titled, “3 Indian Troops Killed in Held Kashmir,” further added that although the clashes between the Indian forces and Kashmiris have dropped significantly post abrogation of Article 370, peace is nowhere in sight as nearly “900 people, including 144 members of Indian security forces have died over the past four years.” The curtailments of civil liberties including restrictions on protests and harassment of journalists and civil rights activists has also been the highlights of media discourse on Kashmir conflict in the wake of the abrogation of Article 370.

The discourse developed through news stories also included social media trends and posts of Kashmiri and Pakistani politicians. In one of the posts on social media platform X, Mehbooba Mufti was quoted lamenting the detention of PDP party officials: “Why is @JmuKmrPolice detaining PDP leaders on the eve of 5th August? Arif Laigroo has been taken by the police. BJP is given a free run to carry out the ‘tamasha’ of celebrating illegal abrogation of Article 370 in Srinagar. All this is being done to hoodwink the public opinion in the country. Just goes on to expose the facade of normalcy — a fake narrative to justify their illegal actions @manojsinha_@AmitShah.” In another story titled, “Pakistan Condemns Indian Actions in Held Kashmir,” a post of Pakistan’s President was shared in which he asserted that Pakistan “will continue to be the voice of

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26 “3 Indian troops killed in held Kashmir,” *Dawn*
27 “3 Indian troops killed in held Kashmir,” *Dawn*
Kashmiri brothers and sisters.” Similarly Pakistan’s former Prime Minister, Shahbaz Sharif, posted on X, “Pakistan rejects all such unilateral and illegal actions and vows to continue extending its unwavering diplomatic, moral and political support to Kashmiris in their just struggle. We call upon India to reverse its post-August 5 actions. History bears witness to the fact that brute force has never succeeded in extinguishing the fire of freedom and rights.”

On the fourth anniversary of unilateral actions revoking Kashmir’s special status a “Youm-i-Istehsal” (Day of Exploitation) was observed in Pakistan and was meant to highlight the struggles of Kashmiris for the right of self-determination. The Legislative Assembly of Azad Jammu and Kashmir (AJK) called upon India to withdraw abrogation of the Article 370 as it is “an atrocious assault on Muslim majority state’s distinct political, cultural and religious identity.” To mark the Day of Exploitation the AJK Assembly passed six resolutions in which it demanded that the “arbitrary, unilateral and unlawful actions” of August 5, 2019 should be withdrawn by India. The AJK assembly also condemned the detention of politicians and human rights activists at the hand of the Indian forces in Indian held Kashmir.

Overall the selected stories developed a discourse in which abrogation of the Article 370 was termed as “sheer disregard and violation of the United Nations Security Council resolutions which declare Jammu and Kashmir — a disputed territory whose fate has to be decided by its inhabitants through a free, fair and impartial UN-sponsored plebiscite.”

Although AJK Prime Minster Chaudhary Anwarul Haq proposed that AJK based leadership should engage with the envoys of P-5 countries including the U.S. France, China, Russia and the UK, the effective role of the UN largely remained invisible in the media discourse especially in the wake of the revocation of Article 370. In the aftermath of a closed-door meeting in New York in 2019, the Chinese Ambassador, Zhang Jun, stepped outside the chamber to address reporters, delivering a crucial message that underscores the urgency for restraint in the face of an already “tense and very dangerous” situation. Ambassador Zhang urged both India and Pakistan to refrain from unilateral actions that could exacerbate the existing

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29 Naqash, “Pakistan Condemns Indian Actions in Held Kashmir.”
30 Naqash, “Pakistan Condemns Indian Actions in Held Kashmir.”
tensions, thereby setting a tone of caution and emphasizing the gravity of the circumstances.\textsuperscript{31}

As per Van Dijk’s framework the selected stories made use of the linguistic techniques of ‘actor description’ as the Indian parliament was negatively characterised. The selected stories also employed negative actor description for the Indian government over the detention of the Kashmiri human rights defenders as one of the stories reported “Delhi continues to silence and harass Kashmiri human rights defenders.” Negative actor description was used to highlight the BJP’s propaganda regarding the return of normalcy in the Indian held Kashmir. Positive actor description was used for the human rights defenders as a story reported that young Kashmiri men have continued to join “Kashmiri separatist groups who have been fighting for Kashmir’s freedom or merger with Pakistan.” Kashmiris were also represented as victims by labelling them as “activists languishing in jails for raising their voice against Indian oppression.” The linguistic device of ‘comparison’ in terms of comparing the ‘will of the Kashmiri people’ with the ‘Indian parliament’s unconstitutional steps’ was also extensively employed. The stories also employed generalisations for expressing the unanimous unacceptability of scrapping Article 370 by J&K politicians as one of the stories reported “Political parties in the Indian-held Jammu and Kashmir welcomed the Supreme Court’s decision to hear the petitions on a day-to-day basis.”\textsuperscript{32}

It is crucial to acknowledge that media discourse is a powerful tool that not only reflects prevailing sentiments but also shapes them. The Pakistani media’s portrayal of the Kashmir conflict after the abrogation of Article 370 is not merely a reflection of events but an active participant in the ongoing conversation. However, it is equally important to recognise that media discourse, particularly in the context of deeply entrenched conflicts like Kashmir, is inherently complex and contested. While some may view the portrayal as a necessary tool for drawing attention to human rights violations, others may perceive it as propagandistic and one-sided.

One of the major limitations of the study was the selective and qualitative nature of data and its analysis. For future studies a more robust quantitative approach can help in expanding and generalising the results.

Conclusion

In the wake of the historic abrogation of the Article 370 on August 5, 2019, the media discourse surrounding the Kashmir conflict underwent a transformation that reverberated far beyond the borders of the region. The findings of this study underscore the influential role that the media plays in shaping narratives, influencing public opinion and framing debates on complex geopolitical issues such as the Kashmir conflict. The analysis of Pakistani media’s discourse on the Kashmir conflict post the Article 370 revocation reveals a noticeable pattern in which Pakistani media employed a narrative that predominantly highlights the atrocities and unconstitutional actions of the Indian government in the region. This portrayal seeks to highlight the human rights violations, curfews, communication blackouts, and security crackdowns that have marred the Kashmir Valley, drawing international attention and condemnation. The discourse in the Pakistani media has strategically employed a positive actor description when it comes to efforts aimed at amplifying Kashmiri voices and advocating for their right of self-determination. This facet of the narrative also emphasised the resilience of Kashmiri people in the face of adversity. In conclusion, understanding the nuances of media discourse is integral to comprehending the multifaceted dimensions of the Kashmir conflict and the role of media in shaping and influencing global discourse on the issue.

Given the profound impact of media discourse on the Kashmir conflict, policymakers must strategically navigate this complex landscape to foster a more nuanced and constructive narrative. International engagement is crucial and policymakers should actively pursue diplomatic initiatives to present Pakistan’s stance on the Kashmir issue. Establishing open channels of communication with global media outlets and foreign governments will allow for a more balanced portrayal of the situation, countering the one-sided narratives that may emerge. Also fostering a robust media environment within Jammu and Kashmir is
vital. This involves supporting local journalism and ensuring that journalists have the freedom to report objectively. Empowering local voices in media can provide a more authentic representation of the ground realities, thereby contributing to a more comprehensive global understanding of the J&K conflict.