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KASHMIR IN THE INDIAN-PAKISTANI RELATIONS AND ITS IMPACT ON
THE NATIONAL SECURITY OF THE TWO COUNTRIES

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ABSTRACT

The issue of Kashmir can be the major stuck matter in Indian-Pakistani relations since the independence of India from British colonialism in 1947. The dispute over Kashmir is a regional one that began after the partition of India, where the two countries disputed over Kashmir three times in the years 1947, 1965, and 1999. Although the majority of its population is Muslim, India controls over the greater part of the region. Its population, religiously and emotionally, tend to join Pakistan. On August 5, 2019, the Indian Parliament decided to abolish the special status and autonomy of the territory of Kashmir and to abolish Article 370, 35A of the Indian constitution relating to the termination of the autonomy.

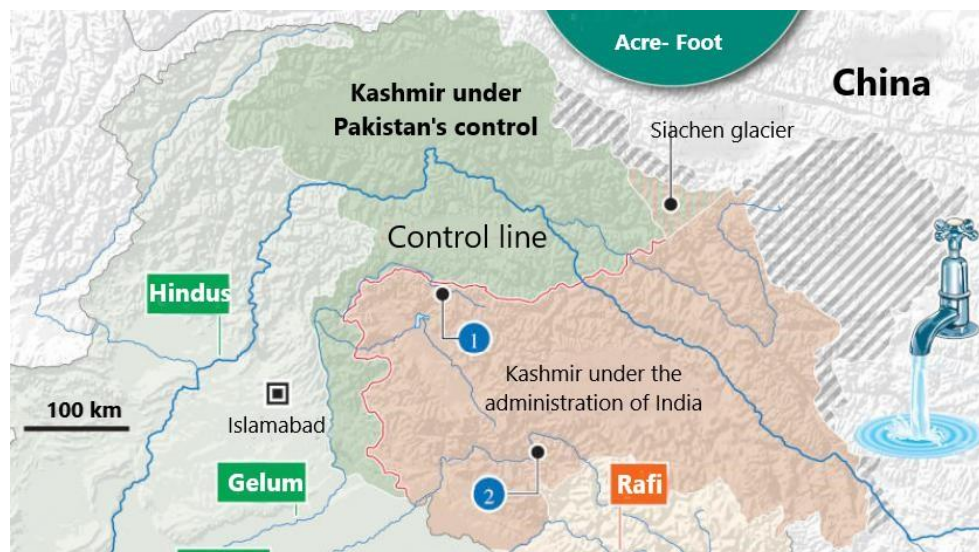
INTRODUCTION

The issue of Kashmir is a national security one that concerns India and Pakistan, as there are geographical, historical, political, religious and social ties linking the two countries. India and Pakistan have lived through a long history of wars and conflicts over this region and till today, because these dangers increased after the two countries entered the nuclear competition in May 1998. The two countries are still continuing to engage in an accelerating nuclear race, along with

developing conventional military capabilities, the risks of nuclear war in south Asia are now greater and greater than before. Our hypothesis stems from the idea that the Indo-Pakistani relations will remain in high levels of tension, especially after the abolition of the status of Kashmir in accordance with Article 370 and item 35A, and the escalation may lead to a limited war to preserve their national security.

The first topic: the geopolitical importance of Kashmir region and the historical development of the conflict between the two countries

The geographical borders of the state of Kashmir lie between several countries. The state is shared with India, Pakistan, Afghanistan, and China, as it is bordered by Afghanistan to the northwest, to the northeast by East Turkestan, to the southeast by India and to the southwest by Pakistan, but its borders with Pakistan are much longer than with India, as its borders with Pakistan are more than a thousand kilometers, while borders with India are less than three hundred kilometers (Al-Turabi, 2010) The area of Kashmir is approximately 84,000 square miles, which is larger than the area of the Netherlands, Belgium and Denmark combined, and many times more than the area of Switzerland. See the map of Kashmir for India and Pakistan (Himyri, 2015)



The state is divided into three regions (Gibran. 2014)

- 1- Jammu region
- 2- Kashmir Valley Region
- 3- The region of Laddakh, Baltistan and Gilgit

Kashmir is of great importance for both India and Pakistan.

First: The importance of Kashmir for India

For India, Kashmir is of great strategic importance, especially with China, after the latter managed to dominate Tibet. The development of the Indo-Chinese conflict along the border in the Himalayas, as India sees that Kashmir region has a geographical extension and a natural barrier to the ideology of Pakistani rule based on religious foundations, and this is a matter that seriously threatens the internal situation in India. India has a permanent obsession that people of Kashmir desire for independence based on religious and ethnic grounds, which will open the door wide for other Indian states to obtain independence (Abdul-Salam, 2019).

Second: The importance of Kashmir for Pakistan

The territory of Kashmir is of great importance for the Islamic Republic of Pakistan, we can include it in the following points (Esterlamp, 1992)

The state of Kashmir is an area controlled by the Muslim majority in contact from the south of the state with the Muslim majority area in Punjab, which became part of Pakistan.

Kashmir represents a northern human entrance to Pakistan and a threshold for the entry of foreign forces from the north into Pakistani territory, as well as the proximity of the Kashmir region to the Pakistani center, which extends from Lahore to Lapur, which contains most of the cultural, political, economic and commercial activities in Pakistan.

The major river valleys in Kashmir had provided the main lines of communication between them and the surrounding areas, passing through Pakistani territory. Thus, there is integration between the state and Pakistan imposed by the reality of the rivers descending towards the west and southwest.

Pakistan considers it a vital area for its security, due to the presence of two roads and a railway network in Sarhad and northeastern Punjab that run alongside it.

There are three main rivers in Pakistan that originate in Kashmir. The state is the source of the Janab, Sind and Glim Rivers, which are the main ones of Pakistan.

History of the Kashmir conflict

On October 27, 1947, the Indian forces entered the territory of Kashmir and began to launch an aggression against the Muslims who refused to join India. The Hindu forces practiced the most heinous massacres and violations in human history against the women, children and men of Muslim Kashmir in August 1947. After the end of British rule, the division was divided British India into India and Pakistan where the territorial division was based on Hindu and Muslim majority, causing mass emigration of those who did not live in the majority. Hundreds of thousands of people were killed in communal violence that led to decades of hostility, and Jammu and Kashmir have been disputed since partition, with both Pakistan and India claiming ownership. After the Indian forces entered Kashmir, the government of Pakistan did not accept the state annexing to India for the following reasons (Abdel-Fattah, 2019)

The Indian occupation of Kashmir reversed the desire of the Kashmiri people.

The existence of a previous agreement has created a legal barrier to the ruler's ability to unilaterally change the existing situation.

At the time when he offered to join India, the ruler himself fled from the state and that the government of people under the name "Azad Government" took control of a large part of the territory of Kashmir.

Accepting Jammu and Kashmir to annex to India was conditional when the Governor-General of India accepted the request of the Maharaja. He wrote that, in accordance with their policy, in the event that any state whose annexing was the subject of a dispute, the question of annexing should be decided in accordance with the wishes of the people of the state.

In Nehru telegram on October 25, 1947 to the Prime Minister of Pakistan, Liaquat Ali Khan, he wrote, "India considered the security of Jammu and Kashmir as vital to India security, especially since the southern Kashmir border is shared with India and Pakistan with the help of the Maharaja of Jammu and Kashmir, and it is our duty to protect Indian national security. (Al-Nadawi, n.d). The state of Jammu and Kashmir had become one of three emirates that Britain had not issued on July 17, 1947, any decision in the Indian Independence Act, which ended British rule over it, and the decision was implemented on August 15, 1947. These three states that Britain did not take a decision

on are “Haidar Abad, Junagar, Jammu and Kashmir, then the Muslim ruler of “Junagar” decided to join Pakistan despite the presence of a Hindu majority in the emirate and in the face of opposing this majority to the ruler’s decision, the Indian forces entered the emirate with the justification that the residents of the emirate are Hindus and therefore its ruler is not allowed to join Pakistan But India annexed it and did the same with Hyderabad. Kashmir remained with a Muslim majority population and its Hindu ruler, Hari Singh, did not express his refusal to join India, signing the agreement of annexing in October 1947, ignoring a Muslim majority who wanted to join Pakistan (Al-Nadawi, n.d)

In September 1965, the Indo-Pakistan war broke out after Pakistan launched a secret attack across the ceasefire line on Indian-administered Kashmir, and India retaliated by crossing the international border in Lahore. Then, after three weeks of war, India and Pakistan agreed to a cease-fire sponsored by the United Nations. In January 1966, leaders from India and Pakistan met in Tashkent, the capital of Uzbekistan, and signed a declaration agreeing to resolve all disputes through peaceful means (Hussein, 2007). The Indo-Pakistani war had stopped after the peace talks that took place between them under the auspices of the Soviets in the capital, Tashkent. This war showed that an escalation of fighting in Kashmir could draw the two countries into an all-out war. The Kashmir issue did not witness significant events or developments that can be monitored in the period between January 1966 until 1971, except for the outbreak of war between India and Pakistan in late 1971 due to the separatist movement in East Pakistan, which led to the establishment of the state of Bangladesh. The UN Security Council was unable on December 4, 1971 to reach a resolution on the Indo-Pakistan war, which made it refer the matter to the General Assembly, which called on the two countries on December 7, 1971 to immediately cease fire and withdraw their armed forces to the border. Indeed, an official ceasefire was established on December 17, 1971 (Abdel-Fattah, 2019). The Shimla Agreement came on June 28, 1972 to regulate the nature of the relationship between India and Pakistan, when Pakistani President Zulfikar Ali Bhutto met with Indian Prime Minister Indira Gandhi in the city of Shimla in India. An agreement was reached between the two countries known as the Shimla agreement, which consists of two main parts (Abdel-Fattah, 2019)

First: It relates to the results of the war that broke out between the two countries in 1971, an aspect that has been committed and implemented officially and practically.

Second: It relates to the main issue that was the cause of the permanent conflict between the two countries, which is the Kashmir issue.

Some of the terms of the agreement included articles in favor of Pakistan. It stipulated the restoration of all the territories it lost in the 1971 war, in exchange for withdrawing from the Punjab sector and the deserts of Rajasthan in favor of India. This agreement constituted a move between the two countries towards normalizing relations through the resumption of contacts and economic transactions between them in preparation for the settlement of the disputed Kashmir issue within a bilateral framework. In 1987 an armed uprising broke out in Kashmir in which the results of the referendum were manipulated by India and prevented the Jammu and Kashmir-based United Islamic Front, a clearly popular religious-political organization, from achieving victory by democratic means. Its members were arrested, where they decided in a meeting inside Srinagar Prison in April 1987 to adopt the path of armed struggle, and the uprising began, and its causes were (Abdel-Fattah, 2019)

The Indian government deprived the people of Jammu and Kashmir of any political participation by installing powerless governments such as the government of "Sheikh Abdullah", which was called the National Party and tampered with the results of the elections. This political deprivation and real political participation was a major factor in igniting the crisis in 1989.

Racist and arbitrary practices by the Indian side against the people of Kashmir, and breach of covenants and covenants undertaken by successive governments.

In 1989, India announced the holding of federal elections, and Muslim organizations in Kashmir announced boycotting it, but the Indian elections were not successful. India realized that the civil authorities had proven unsuccessful in quelling the rising trend and rejection of the Indian control over the Kashmir region, so it abolished the civil order and used force to put down the uprising and claimed the lives of 65,000 Kashmiris (Abd al-Salam, 2009). In 1998 the Hindu People Party of India take reign of power, known for its fanaticism and extremism towards Pakistan, where announced in electoral platform

his desire to turn India into a nuclear power. It was followed by steps to calm the situation, represented by the signing of the Lahore Declaration in 1999 and to settle the outstanding issues, including Kashmir, but the "Karkil" events occurred in the Indian part of Kashmir in July 1999, after the Kashmiri infiltrators entered the Indian part, and fierce battles took place in the Kargil highlands, which led to the deaths of more than 1,000 people on both sides. The battles stopped under American pressure during the era of US President Bill Clinton, as Pakistani Prime Minister Nawaz Sharif retreated from continuing that war, and General Pervez Musharraf seized power in October 1999. "Nawaz Sharif" was deposed and the latter was sentenced to life imprisonment for cases of kidnapping and terrorism charges and was later exiled to Saudi Arabia (Al-Nadawi, n.d)

Conflicts over Kashmir were renewed in the years 2001-2008-2016, especially in 2016 after killing the religious leader in Kashmir, "Burhan Wani," who was 22 years old at the time and was widely popular on social media, where murdering him led to large demonstrations (Al-Taweel, 2008) In light of the previous proposition, we find that the Kashmir issue has a long history of wars between India and Pakistan that began with the war of 1947-1971-1999, up to the present day. It is considered a strategic knot in the Indian-Pakistani national security, especially since the latter considers Kashmir its economic and commercial backbone. Therefore, reaching a solution that satisfies both parties has been a long way since those decades ago.

The second topic: the abolition of the autonomy of Kashmir by India and its impact on the Indian-Pakistani national security

The year 2019 was the worst year for Indo-Pak relations, especially after the Indian government announced on August 5, 2019 a dangerous decision to end the autonomy in the disputed Kashmir region with Pakistan. Thus, changing its legal status becomes a federal state of the Republic of India, where this step brought Kashmir crisis back to the forefront of the world. The tense situation escalated with Pakistan, which witnessed a military and security alert against the Indian decision. The people of Kashmir were, and still are, deprived of all the benefits of the rights guaranteed by the constitution of India to all other citizens in the federal system (Al-Taweel, 2008) The current crisis had clearly begun after the Indian government took the decision to abolish the special status of Jammu and Kashmir by

repealing Articles 370 and 35A. This decision did not was not a surprise, due to the growing Hindu nationalism (Al-Taweel, 2008). In fact, the Bharatiya Janata Party (or Indian People Party acronymized as (BJP) is associated with the Hindu nationalist movement. The ideology forms the basis of Hindu nationalism and is called Hindutva. It should not be understood or interpreted as being limited to religious practices or reflecting extremist forms, as it is related to the culture and spirit of the people, which is way of life and therefore comprehensive (Abdel Salam, 2009)

Undoubtedly, religious nationalism emanating from the activity of the Hindu right represents one of the essential ingredients for building the Indian state, but does it meet the conditions necessary to make it characterized by consociationalism and become a moderate basis and starting point for building the state? In fact, the most important characteristic of the Hindu right is the extent to which it interacts with the prevailing different interpretations of what constitutes the Indian national identity, and the extent to which such interpretations of identity are based on assimilation or exclusionary practices against non-Hindu minorities. As a result of this ideology, the pace of conflict rose for multiple eras between Hindus and Muslims during the eighties and nineties of the last century, where several separatist trends emerged in Indian states such as Jammu and Kashmir (Qasimi Abdul-Sami, 2019). It is noted that the current crisis over the Kashmir region, which began on August 5, 2019 and the abolition of the special status of Kashmir through Articles 370 and A35, was not a surprise by India due to the indescribably growing Hindu nationalism in India. Hindu nationalists believe in the political activist Vinayak Damodarsavarkar's philosophy regarding Hindotuva, who argued that the only way to promote nationalism in India is through Hindu nationalism. During Narendra Modi's first term as Prime Minister of India (2014-2019), Hindu nationalists aimed at claiming the conversion of religious minorities to Hinduism. The current Indian government knows that the decision to abolish the special status of Jammu and Kashmir will not be welcomed by the Kashmiri people with this decision. Therefore, India has deployed thousands of additional troops in the region, which led to the imprisonment of about 3,000 people, including local lawyers and businessmen And activists, politicians and others, and cut off telephone, Internet and television services to the people of Jammu and Kashmir for more than a month (Zahid, and WaqasJan, 2020)

Analysts point out that there are several reasons for the Modi government decision, as the desire to nullify Article 370 was stated in the election manifesto of the BJP in 2014. This party promoted its 44 mission to win 44 seats in the elections held in Jammu and Kashmir, but it won 25 Only 28 seats for the People Democratic Party. The main objective of Mission 44 was to win at least half of the seats in Jammu and Kashmir in order to achieve the business of the party through legal and constitutional means, but this did not happen. The Janata Party in the 2019 elections was clearer, with its intentions towards Jammu and Kashmir, and expressed a harsher, undemocratic strategy to achieve its desire for one nation and one constitution. (Jurgensmayer, et al. 2012)

On August 5, 2019 the issuance of a presidential decree to abolish Article 370 and item 35A of the constitution by the Indian Minister of Home Affairs, Amit Shah, was to implement the policy of the ruling Janata Party. Through that repeal, these changes achieve internal Indian goals related to the composition of the sectarian demography of the region and external ones represented in providing strategic security protection for the territorial region through controlling the state of Jammu and Kashmir and annexing them to India officially, thus ending the conflict over the region. The decision to repeal came into force on October 31, 2019, when the Indian Ministry of Interior issued an official statement that included the reorganization, which stipulated the separation of the Ladakh region, northeast of Buddhist-majority Kashmir, from the state. The remaining areas in the state, which include the Hindu majority southern plains of Jammu and the Muslim majority northern Srinagar Valley, will become a Federal Territory. That is, the region will be divided into two regions, Jammu and Kashmir and Ladakh, in addition to the administrative organization of the interior regions of the territory creating a new political map of India. (Jurgensmayer, et al. 2012) These new constitutional amendments lead to political, administrative and geographical arrangements, and lead to the assimilation and integration of the Kashmiri people into Indian society, and the abolition of the Kashmiri constitution and the privileges that were granted to permanent residents in the state, which means giving any Indian citizen those privileges by encouraging Hindus to buy, own and reside in the region. Therefore, this is a definitive confirmation of a sectarian demographic change.

The situation escalated in Kashmir, after the Government of India arrested former prime ministers of the region, such as (Omar Abdullah

and Mehbooba Mufti) and placed them under house arrest. In the city of "Srinagar", the capital of the Indian part of the region, the Indian authorities imposed a curfew on public gatherings and meetings, and instructed Hindu tourists and pilgrims to leave Kashmir. This led to great and general discontent within the Indian Parliament, especially from the major opposition parties, which described the Indian move as catastrophic. In response to the Indian measures, the Islamabad government decided to reduce diplomatic relations between the two countries and cancel bilateral trade, in addition to taking the issue to the United Nations after Pakistan summoned the Pakistani ambassador from New Delhi. The Pakistani Foreign Ministry also announced that Islamabad will resort to all available options to object to India decision on Kashmir, in addition to rejecting all Indian allegations made by Indian Prime Minister Narendra Modi aimed at considering the Kashmir issue as an internal affair and claiming to fight those he described as terrorists and separatists. (Political Studies Unit, 2019)

Imran Khan, Prime Minister of Pakistan, had announced, since assuming power in August 2018, the necessity of persuading India to resume bilateral peace dialogues. But after the decision to cancel in August 2019, the option of bilateral dialogue with India was excluded, because it had become an unlikely option. The international community does not fully support Pakistan position on this dispute with India, and Pakistan should urge world powers and multilateral organizations to have pressure upon New Delhi to restart the dialogue concerning Kashmir. (Allan, 2019) As for China position on India decision towards the Kashmir region, it has a special vision that India decision came in full coordination with the United States of America to tighten the screws on China and open more fronts to drain and disperse China forces. What supports this, according to the Chinese view, is the American reaction to the Indian decision, as the spokeswoman for the US State Department, "Morgan Ortagus," said, "We are closely following the situation in Kashmir," although she mentioned that the Indian government described these measures as a purely internal matter and urged all parties to maintain peace and stability in the region. These statements show that the United States of America does not oppose the step taken by India and is satisfied with monitoring the current situation. (Allan, 2019) China is dissatisfied with the Indian decision, but it has no interest in igniting the Indo-Pakistani war over Kashmir, and is likely to put pressure on Pakistan so that the latter does not resort to escalation over Kashmir. China will take advantage of this crisis to strengthen its role as a country that

maintains balance in the South Asian region and use the strategy of strategic adjustment. (Dabiqi, 2019) For international organizations, the Kashmir issue has some recognition during the United Nations Security Council meeting in August 2019 was a moral victory for Pakistan. The Pakistani campaign regarding human rights violations in Jammu and Kashmir has captured some of the attention of international human rights groups such as Human Rights Watch and Amnesty International. Pakistan always seeks to raise this issue and its concerns in the meetings of the Human Rights Council and the United Nations General Assembly. (Fakhri, 2019).

We should focus on the fact that India and Pakistan are nuclear states, and the world fears that relations between the two countries will deteriorate and the tension between them will lead to involvement in the use of their nuclear weapons, which will be disastrous for the South Asian region. An urgent international intervention is required to prevent the situation from deteriorating. (Fakhri, 2019) In addition to the foregoing, both India and Pakistan are striving to adhere to the Kashmir region and maintain the current situation. On the one hand, Pakistan is aware of the importance of Kashmir as a pressure card in its hand against India, and that continued waving from time to time will make India in a state of permanent blackmail. On the other hand, India will not give up the Kashmir region in favor of Pakistan, because this would threaten the central idea on which the Republic of India is based as a secular nationalist state capable of imposing its authority on a multi-ethnic and multi-ethnic people. (Farooq al-Imam., 2019) Despite the escalation of the Indo-Pakistani differences over Kashmir, a nuclear war between the two neighbors is not a matter in the strategic calculations of the two countries. Nuclear weapons are for deterrence only. A full-blown conventional war, which could affect the most important cities and institutions between the two countries, is also unlikely. This will deal a blow to the Indian economy and the development projects promised by the Hindu ruling Bharatiya Janata Party. As for the Pakistani side, the economic situation is very deteriorating, and any confrontation of this kind leads Pakistan to bankruptcy. (Makram, 2019)

In light of the previous proposition, we see that the abolition of Kashmir autonomy, which came on August 5, 2019 by the Republic of India, is a dangerous decision. Kashmir crisis has returned to the fore leading to a crisis situation between India and Pakistan, where this crisis might result in an outbreak of a limited war at any moment. That is because such possible war is not a long-term one and gives a spirit

of confidence to the governments of the two countries to preserve their national security.

Conclusion

In the light of the study concerned with Kashmir case and its impact upon the Indian-Pakistani national security, we find that the history of this conflict is long and bitter, especially on the Muslim Kashmiri people, regarding the persecution and wars they suffered. The history of the conflict dates back to 1947 when Britain granted freedom to some emirates and their territories to join either India or Pakistan. India rejected United Nations resolutions related to holding a referendum on self-determination in Jammu and Kashmir. In the context of the conflict over the region, there were three wars in the years 1948, 1965, and 1971, which resulted in the killing of more than 70,000 of the two parties. Since 1989, nearly 100,000 Kashmiris have been killed, especially in the part controlled by India, which has given rise to the emergence of anti-India Islamist groups. The Indian government decision to repeal Article 370, item 35 A, regarding the abolition of the special status of Kashmir, exacerbates the tension in Indo-Pakistan relations. This serious crisis resulted in several things:

- 1- Reducing the level of diplomatic representation after the government of “Imran Khan” expelled the Indian ambassador in Pakistan, in addition to summoning the Pakistani ambassador to New Delhi.
- 2- The line separating the two countries witnessed military skirmishes, with the Pakistani Prime Minister affirming in front of the Pakistani army the necessity of vigilance and attention, and work to support the Kashmiri people.
- 3- Freezing commercial transactions and transportation, as the Pakistani decision came quickly and included suspending trade exchange with India after India raised customs duties on Pakistani exports in February 2019 following the attack on the Indian troop carrier in Kashmir. Pakistan also took a decision to suspend train services, which affected the economic reality between the two countries.
- 4- Strict decisions by the Indian side following the decision to abolish the special status of Kashmir. These decisions represented in tightening the security grip on Kashmir and placing the political

leaders of the Kashmir region under house arrest and suspending internet and telephone services.

5- Pakistan fears that India will carry out ethnic cleansing operations against Muslim groups and minorities in Kashmir region after the end of autonomy. Pakistan has vowed to escalate diplomatically in international organizations, warning of the occurrence of massive massacres in the region.

Finally, the Kashmir issue is a historical dilemma created by British colonialism and has become like an explosive powder that could explode at any moment. Regional and international mediators lost their ability to reach a satisfactory settlement for India and Pakistan.

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