

Contested secessions in formal democracies: The case of Jammu and Kashmir

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In a new book, Dr Neera Chandhoke considers the political context and moral considerations that complicate the right of secession in the postcolonial world.

It is well known that the collapse of actually existing socialist societies at the turn of the 1990s inaugurated an era of hyper ethno-nationalist movements in the Balkans, the Caucasus, and subsequently in parts of the postcolonial world. Political mobilisation around the axis of ethnicity invariably resulted in the demand for a state of one's own. The scale as well as the pace at which existing states broke, and new states were created, was quite unprecedented in history. Given the cascading effects of secession, the concept was practically catapulted onto the academic agenda of liberal political philosophers, who until then had tended to take the territorial borders of the society that they theorised and prescribed for, for granted.

However a rather odd division of labour seems to have arisen in the domain of secession studies. Separatist movements have arisen in the developing as well as in the developed world. But whereas secessionist politics in Canada, the United Kingdom, and Europe, have occasioned a fair degree of interest among normative political theorists, considerations of separatism in the postcolonial world more or less fall within the academic category of identity/civil wars, ethno-nationalism, terrorism, security, and strategic studies. Axiomatically this genre of intellectual inquiry proscribes the raising of normative issues—questions about whether particular groups have the right to secede, if so why, and what the moral considerations that the right of secession has to be weighed against are, generally lie beyond the intellectual horizons of conflict studies. But these very questions are extremely significant, since they address an issue that is central to collective life in democracies: justice.



Liberal philosophers based in the West have addressed precisely these questions, mainly because they prefer to take as their conceptual referral what can be termed 'consensual secessions' pace Quebec. The problem is that most cases of secession in the Balkans, the Caucasus, and in much of the postcolonial world fall into the category of what can be termed 'contested secessions'. Contested secessions are marked by (a) the extensive deployment of violence, (b) illiberal ethno-nationalist leaderships (c) and third-party interventions. What is the approach that liberal political theorists should employ in cases of contested secessions?

The issue becomes infinitely more complicated when it comes to contested secessions in formal democracies such as India, and in plural societies such as the one found in the state of Jammu and Kashmir in India. The paradox of the case that constitutes the empirical referral of my work, the state of Jammu and Kashmir, can be summed up as follows: whereas the people of Jammu and Kashmir have been subjected to institutionalised injustice by the Government of India, at the same time it cannot be said that the Indian state is undemocratic and by this virtue illegitimate. Neither can we deny that a range of moral considerations inhibit an outright grant of the right of secession. How do we then deal with the demand for secession in one part of the state, notably the Kashmir Valley? My book, "[Contested Secessions: Rights, Self-Determination, Democracy and Kashmir](#)", which is the outcome of my involvement with the [Crisis States Research Programme](#), attempts to negotiate this question in particular and the phenomenon of contested secessions in general.

Whereas the Kashmir problem constitutes the empirical linchpin of the argument, this is not another book on

Kashmir. It is a work on the right of secession. This study takes on board a number of considerations that mediate the political context and the right of secession and which complicate reflection on the right of secessions. These considerations have neither been acknowledged nor given moral weight by liberal theories of secession. In the process, not only are distinctive aspects of contested secessions in formal democracies sidelined, theories that might be appropriate for countries such as India, have simply not found their rightful place in the literature on the subject. Now that a number of movements in the postcolonial world have begun to demand a state of their own, it is time to confront this issue. This work builds on the insights provided by liberal theories of secession, as well as goes beyond them in considering the phenomenon of violent and contested secessions which mark much of the post colonial world.

For more information on this topic, see Neera Chandhoke, “[Contested Secessions: Rights, Self-Determination, Democracy and Kashmir](#)” (New Delhi: Oxford University Press, 2012).

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