

An Analysis of the Recently Issued Language Policy in IOK: Process, Causes and Influences

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Abstract—The language policy in IOK (Indian occupied Kashmir, i.e. Jammu and Kashmir) has been changed recently and a new “five official languages” policy has been established. This paper untangles the three steps of the language policy change: modifying the Constitution, enacting *The Jammu and Kashmir Reorganisation Act, 2019* and passing *The Jammu and Kashmir Official Languages Act, 2020* and reveals the root causes of the change by collecting data from the media and historical documents. Results show that the language policy change in this area has been affected by many factors such as Hindu Chauvinism, the nation-state ideology, local identity, and issues of minorities’ language right. This paper then makes a further analysis of the possible influences of the new policy: exacerbating religious disputes, aggravating separatism, and undermining social justice and complicating the regional situation. The implication can be made from the language policy change in IOK is that language policy should be made based on the language-as-resource orientation and a comprehensive analysis of the specific historical and social conditions of a country or an area so that it can promote social harmony.

Index Terms—IOK, language policy, process, causes, influences

I. INTRODUCTION

In 2019, The Indian government's attempt to change Kashmir's status by abolishing Article 370 of the Indian Constitution raised concerns. Constitutional change is just one step in a long line of actions, followed by a series of concrete measures. Among them, language policy, as an issue closely related to national status, identity, ideology, religious belief and people's rights, has also attracted the attention of Indian government. In September 2020, the Indian parliament passed *The Jammu and Kashmir Official Languages Act, 2020*. According to the act, Kashmiri, Dogri and Hindi will be added to the list of official languages in Indian-occupied Kashmir (IOK). The move provoked strong reactions from all sides, and conflicts over language issues quickly escalated in the region. Opposition parties and local Punjabis and Gujjars have expressed their dissatisfaction with the act, and protests have broken out even in the COVID-19 pandemic. Pakistan's government and academics also condemned the move. The introduction of this policy seems to be sudden, but in fact, it has been “brewing” for a long time.

By making a document analysis of relevant materials of the history, religion, ethnicity in IOK and investigating the media reports before and after the new language policy, this paper aims at seeking answers to the three following questions:

- (1) How has India gradually changed the language policy in the region?
- (2) What are the profound social causes of this new policy?
- (3) What are the possible effects of this new policy?

II. THE ESTABLISHMENT OF THE NEW OFFICIAL LANGUAGE POLICY IN IOK

The language policy change in IOK was made by the following steps: first, the Indian Constitution was amended and Article 370 was declared invalid, which withdrew the autonomy of the region and removed legal obstacles for subsequent measures; second, *The Jammu and Kashmir Reorganisation Act, 2019* was formulated and implemented, in which the principle of choosing official languages, the use of official languages were made clear in provisions; third, *The Jammu and Kashmir Official Languages Act, 2020* was introduced through official media campaigns and constant propaganda by politicians.

A. Abolishing Article 370 of Constitution and Revoking the Special Status of IOK

The first step in the language policy change is to abolish Article 370 of the Indian Constitution. Article 370 adopted by the Constituent Assembly in 1949 (which took effect on January 26, 1950) was made specifically for IOK, as a “temporary, transitional and special provision” that granted a high degree of autonomy for the region (while the power of defense, foreign affairs and communications belonged to the central government). On August 5, 2019, home minister Amit Shah announced in parliament that the “special status” of IOK would be revoked. The following day, after the relevant resolutions were passed by both houses of Parliament, the President of India formally issued a presidential decree declaring the nullification of Article 370, stating that all provisions of the Constitution would apply to the region. Abolishing Article 370 means India can treat the region as an ordinary administrative unit, and the administrative

structure of the region will be in line with other states. The central government can set policies for the region and order the regional government to implement them. Obviously, this created space for the adjustment of language policy.

B. Enacting The Jammu and Kashmir Reorganisation Act, 2019 to Establish the Principles for the Selection of Official Languages

Following the repeal of Article 370, *The Jammu and Kashmir Reorganisation Act, 2019* was quickly introduced and approved by the Parliament as the second step of the language policy adjustment. Article 47 and Article 48 of the new act clarify the principles of language legislation, making preparations for future steps. Article 47 of this regulation deals with the selection principle of official languages, providing that the legislative assembly of the region may recognize one or more languages or Hindi as the official language(s) of the region. The selected official language(s) shall, in principle, be used for all the affairs of the District Legislative Assembly. Article 48 mainly stipulates that regional legislative documents, relevant regulations and rules shall be translated into English. There are three points to note about these provisions: first, the act foreshadows the possibility of official language changes, paving the way for further action on language issues; second, the act makes no mention of Urdu, which along with English was previously the region's official language. Third, the act specifically points out that Hindi can be recognized as an official language, which is in sharp contrast to the situation of Urdu, reflecting that the act is consciously to pave the way for Hindi's inclusion in the official language list.

C. Passing The Jammu and Kashmir Official Languages Act, 2020 to Establish the "Five Languages" Policy

The third step in the region's language policy adjustment is to finalize the official language change in the form of a law. Before the final move, India had carried out several publicity campaigns. The authority first chose to campaign for Hindi. In October 2019, senior officials of the Bharatiya Janata Party (the current ruling party of India) publicly declared that Urdu would no longer be the first and official language of the region and Hindi would replace Urdu in the region (Babushahi Bureau, 2019). It was also reported that the High Court of India had received a "public interest lawsuit" seeking to establish Hindi as the official language of the region under Article 47 of *The Jammu and Kashmir Reorganisation Act* (Pargal, 2020). Officials also realized that promoting Hindi alongside Kashmiri and Dogri would reduce the resistance to policy change. Thus, while campaigning for Hindi, officials also stressed that the expansion of official languages is a long-standing demand of the people of the region that must be taken into account. Kishan Reddy, home minister of state, has directly expressed the idea of recognizing Kashmiri and Dogri as official languages, while pledging that the authority will also consider the status of Gujar, Pahari and Punjabi (PTI, 2020). After nearly a year of publicity, on 22 September 2020, the ruling party of India and the Indian government formally presented an act on the issue of official languages in IOK. The act passed the Lok Sabha, the lower house of parliament on that day, and the Rajya Sabha, the upper house the next day. On September 26, *The Jammu and Kashmir Official Languages Act, 2020* was promulgated with the approval of the President. The act stipulates that Kashmiri, Dogri, Urdu, Hindi, English — the official languages of the region, should be used in all official occasions. All the businesses of the district legislative assembly shall, in principle, be conducted in the official language of the region. The act also encourages the development and promotion of languages such as Gujar, Pahari and Punjabi, and calls for the strengthening of existing language development mechanisms such as the Institute of Arts, Culture and Languages. The act marked the completion of the change of the official language policy in IOK.

III. THE CAUSES OF LANGUAGE POLICY CHANGE IN IOK

Due to the ethnic and religious diversity, the language and cultural environment in IOK is very complicated. In addition to Urdu and English, the previous official languages of the region, India's most recent census (2011) revealed that more than 100 languages are spoken in the region. In terms of the number of native speakers, the most commonly spoken languages and their proportion in the population of the region are Kashmiri (53%), Dogri (20%), Gujar (9.1%), Pahari (7.8%), Hindi (2.4%) and Punjabi (1.8%).¹

Urdu, the official language of IOK before the recent language policy change, is considered the lingua franca of the entire region, although it is spoken by a small number of native speakers. It is also the medium of instruction in many local schools (Bhat, 2017).

English also has an important status in the region. Since the 21st century, English has been widely taught in schools, and a large number of young people in IOK have mastered this language (Ganie, 2019). In 2000, the local government changed the textbooks of all subjects in public schools to English versions for students above grade 6. In 2005, the government decided that English should be used as the language of instruction in public schools from grade 1 onwards (Bhat, 2017).

In terms of native speakers, Kashmiri ranks first in the region (with more than 6.5 million native speakers). The Kashmiri language is mainly used for daily oral communication, and the people, especially the young, have poor written Kashmiri language ability. Some Kashmiri-speaking Muslims have switched to Hindi and other languages to make a living.

¹ Source: <https://censusindia.gov.in/2011census/C-16.html>.

Dogri is the second largest native language in the region, with more than 2.5 million speakers. It is also recognized as a modern literary language and literary prizes have been awarded to writers writing in Dogri. The language is also taught in many local schools.

Pahari speakers live mainly near the ceasefire line between India and Pakistan. The Paharis are essentially a multi-religious group with inner diversity, who live in harmony with each other. Pahari has long been considered as a symbol of cultural diversity but has not yet entered the eighth Schedule of the Indian Constitution.

In addition, Gujar, Punjabi, Hindi, Gujarati, etc. are also spoken by the inhabitants of the region. Some of these languages are important in other parts of India. For instance, Hindi is the official language of India, and Punjabi is the official language of Punjab. The speakers of these languages are relatively small in this region, but these languages are influential in other parts of India and thus also affect the language ecology in this region to a certain extent. For example, the recent language conflict and protest in India was initiated by the Punjabi community.

IOK is the only part of India with a Majority Muslim population. According to 2011 census data, Muslims make up about 68.3% of the total population of the area, followed by Hindus (28.4%), Sikhs (1.9%), Buddhists (0.9%) and Christians (0.3%).

It can be seen that IOK is an area with remarkable linguistic, ethnic and religious diversity. Language issues are intertwined with religion, politics, identity, rights and other factors, making language issues in the region very complicated. With the emergence of new situations in India in recent years, the fragile language ecology in India has been faced with new challenges. Conflicts about the language issue produced a variety of deep-seated social contradictions and profoundly changed the language life of the local people. These contradictions reflected the deep causes of the language policy change in IOK.

A. Religion: Hindu Chauvinism and the Marginalization of Urdu

Religious factors have played an important role in the language conflict in IOK, making a special impact on Urdu. Hindus and Muslims respectively make up 80.5 percent and 13.4 percent of India's population nationwide, according to statistics². However, as mentioned earlier, IOK is the only region in India with a Majority Muslim population, and religious factors have been an important driving force of separatism in the region. At the beginning, Muhammad Ali Jinnah supported unification and later chose to lead an independent Pakistan. This division was a result of the great difference and divergence between Islam and Hinduism. Warikoo (1996) pointed out that the Muslim League led by Jinnah successfully established the corresponding relationship between Urdu and Muslim. Muslims in Kashmir, influenced by the intellectual elite and political figures, also saw Urdu as a symbol of Muslim identity. On the other hand, Gandhi's use of Hindi in congress and his campaign of civil disobedience in accordance with Hindu tradition also established the connection between Hinduism and Hindi to some extent. This had influenced the linguistic ideology and deepened the division between Muslims and Hindus in the region. Historically, Urdu, as a "neutral" language, was used to be the "glue" between different ethnic groups in IOK. However, with the formation of the corresponding relationship between language and religion, Urdu's status in IOK has been increasingly challenged by Hindus. This change is not only reflected in some people's consciousness, but also in the local social life. According to an article in *Kashmir Vision*, a ruling party official posted on social media a picture of a new sign at a newly built railway station in India, with the name of the station written in Sanskrit, Hindi and English, instead of Urdu. Sahil Ahmad Lone, the author of the article, noted that many of the social comments referred to Urdu as the language of Pakistan, and some even saw Urdu speakers directly as "unfriendly people" (Lone, 2020). Some Hindus claimed that Urdu was a tool of Islamic fundamentalists in IOK to promote their pan-Islamic identity and influence, and that Urdu symbolized the suppression, assimilation and erosion of the region's indigenous culture. What should be pointed out is that the maintenance and development of Urdu in the local area is the result of many factors such as society, culture, ideology, literature, religion, media and the language's neutrality in the complex and diversified language ecology in history. However, along with the changes in the political ecology of India, Hindu chauvinism has become more and more intense, and religious fanaticism has gradually turned into actual exclusion, and thus Urdu has been increasingly marginalized in the region.

B. Politics: Promotion of Hindi under the Concept of Nation-state

While the interweaving of language and religion affects the use and status of Urdu in IOK, resulting in the opposition of different beliefs and languages, political factors have played an important role in the promotion of Hindi, which has further intensified the language conflict in the region. The concept of nation-state has so tremendous impacts on Indian politics that Indian home minister Amit Shah publicly declared that there must be a language to represent the identity of the whole country, and this language should be Hindi. Those who hold the concept of nation-state believe that the homogenization of national language and public language is the core and fundamental principle of modernization (May, 2006, p.256). India has long implemented the "Three Language Formula" in the field of education, which stipulates that Hindi must enter the education system of all states. Its purpose is to establish the relation between Hindi and national identity. This way of promoting the only language to represent the country is actually a symbol of political ideology, ignoring the language use in real life. In fact, according to the 2011 census data, the proportion of native Hindi speakers in the population of this region is less than 3% (only about 300, 000). Before the repeal of Article 370 in 2019, the

² Source: https://www.finprc.gov.cn/web/gjhdq_676201/gj_676203/yz_676205/1206_677220/1206x0_677222.

region enjoyed legal autonomy, while Hindi was not recognized as a “regional language” in the regional constitution. Therefore, the authority’s promotion of Hindi in the region was opposed by local people, causing language conflicts. In order to cope with Muslims’ resistance to Hindi, the Indian government has repeatedly encouraged Hindus to migrate from other regions of India to Kashmir in spite of the constitutional prohibition, so as to change the population structure and language situation in the region and reshape the politics there by changing the population boundary. The ultimate goal is to assimilate the region and bring it into the direct jurisdiction of the Federation. However, as Shamsa Nawaz, a researcher at the Strategic Research Institute in Islamabad, said, this unitary political path based on the concept of nation-state is deeply trapped in the vortex of Hindu nationalism, deviates from the reality of ethnic and religious diversity in the region, and will finally cause conflicts between people of different speech communities, nationalities and religious beliefs (Nawaz, 2017).

In fact, from a political perspective, it is not difficult to find that the authority has been not only creating language conflicts, but also reshaping and manipulating the politics and culture of the region through language issues. Through the propaganda of the official media, the appeal of government officials, and a series of other measures such as changing the population structure and promoting the teaching of Hindi, the authority not only intends to promote Hindi there, but also tries to construct the ideology among the local people that Hindi is the national language. Once this ideology is established, it means that the concept of nation-state will win a victory, and the authority can then achieve effective control over the region.

C. Identity: Dilemma of Regional Languages

Kashmiri is the most widely used language in this region (53% of the total population of the region speak this language). However, in terms of the social status, Kashmiri is obviously a “weak” language. The mismatch between the number of language users and the actual status of the language sows the seeds of language conflict. According to the “Three Language Formula”, Kashmiri, as a language recognized by the eighth schedule of the Indian constitution and used by the majority of people in the region, should have been taught in the educational system. But the reality is that Urdu and English are mostly used in schools and other formal occasions. Facing the pressure of these “strong” languages, Kashmiri language users are in a dilemma between maintaining their loyalty to their mother tongue and switching to a language with more social functions. For economic reasons, many Kashmiri young people left their hometown. Their original language identity has been integrated into other language and cultural groups. Therefore, although Kashmiri seems to have an important position in the region, its use is actually limited to the Kashmir valley and surrounding rural areas.

The actual use of Kashmiri language has caused the identity dilemma among Kashmiri language users, and the uncertainty of Kashmiri writing system has exacerbated the division and conflicts within the Kashmiri language community. In fact, Kashmiri is regarded by many as a spoken language. People are divided on the issue of a common writing system. At present, in the Kashmiri community, Sharada script, Devanagari script and Perso-Arabic script are used and supported by different groups. Political and religious factors have exerted a great influence. Sharada and Devanagari are closely related to Sanskrit and Hinduism and the promotion of these two writing systems mostly reflects the intentions of the Indian government and Hindu chauvinists. On the contrary, the Perso-Arabic writing system is related to Islamic culture. Under the influence of these factors, Kashmiri language users’ internal identity is becoming more and more chaotic. It can be seen that Kashmiri, like IOK, has become a social and political concept. In this context, although Kashmiri is the language spoken by most people in the region, it cannot be used to unite IOK.

D. Rights: The Debate on Minorities’ Language Rights

In the complex language ecology, ethnic minorities in IOK have always been safeguarding their language rights, but this process is not easy. Many factors, such as pressure from the government, competition among ethnic groups and differences in language classification, have had impacts on the efforts of local ethnic minorities to pursue language rights. To a certain extent, these factors also make the relationship between different language groups worse, laying the seeds for language conflicts.

As the second widely used language, language users of Dogri have been committed to improving the status of the language. Dogri has a good literary tradition. There are many literary masterpieces written in Dogri, such as poetry, novels, plays and so on. Therefore, driven by a group of linguists, on August 2, 1969, the National Academy of Arts of India recognized Dogri as an independent modern literary language and agreed to grant awards to Dogri writers. Dogri people took an important step in the pursuit of language rights. By 1992, people launched a campaign to improve the constitutional status of Dogri. They applied to the Indian parliament, pointing out that Dogri bears a rich literary heritage and is widely used in the region, and stressed that the language uses the Devanagari writing system, which plays a positive role in safeguarding national unity. However, the central government ignored their voices. Their application was also blocked by Kashmiri politicians (Warikoo, 1996). It was not until December 2003, ten years later, after the unremitting efforts of the Dogri people, that Dogri officially entered the eighth schedule of the constitution. This was an important step in Dogri people’s pursuit of language rights. The languages listed in the eighth schedule of the constitution are officially recognized and encouraged, and the government has the obligation to take measures to promote the development of these languages and help them become languages that can effectively disseminate modern knowledge. However, the discrimination towards Dogri can still be found: the government did not set up a special

Dogri TV channel, and there was no Dogri in the circulating banknotes. In addition, the Dogri community has always demanded that the language be a compulsory course for students in all grades, but there are still many difficulties in achieving this goal.

Aside from Dogri, speakers of Gujar, Pahari and Punjabi are also constantly making claims for language rights. In the extremely complex language ecology, the efforts of ethnic minorities to strive for their own language rights are restricted by the local administration and the central government. For political reasons, the authority often adopts strategies such as ignoring, obstructing and dividing to deal with the claims of local ethnic minorities, which often further escalates language conflicts.

IV. POSSIBLE INFLUENCES OF THE NEW OFFICIAL LANGUAGE POLICY IN IOK

The Indian government claimed that the formulation of a new official language policy for IOK responded to the long-standing demands of the people of the region. However, considering the complex language situation in the region and relevant factors such as religion, politics, identity and language rights, it can be seen that the Indian government's move was not really made based on full investigation of the attitudes and wishes of local people. Instead, it mainly reflected the intention of the government. The introduction of the official language act will stir up the nerves of various stakeholders, which may have rather a negative impact on the language ecology of the region and aggravate the conflict there.

A. *Exacerbating Religious Disputes*

Although Urdu is still listed as one of the official languages, there are signs that the new act will lead to the marginalization of Urdu. For the first time in the region, the regional budget was not released in Urdu in 2020. Senior officials of India's ruling party also publicly stated that Urdu will no longer be the first and official language of the region, and Hindi will replace it (Awasthi, 2019). Zareef Ahmad Zareef, a well-known local poet and writer, called the government's move a "conspiracy", the real intention of which is to erase the previous cultural identity in the region (Malik, 2020). Hindu chauvinists have always intended to assimilate the Muslim community, and language is an important tool they may choose to alienate Muslim culture and even change religious beliefs by excluding Urdu. It reflected a language ideology that forcibly connects language and religion. However, as an official language that has been used in the local area for more than 100 years, Urdu carries the local history and culture. As an "adhesive", it has become an embodiment of the complexity and diversity of local culture. The lack of tolerance for other religious groups, and their language and culture, will not only make the slogan of the ruling party "Sabka Saath, Sabka Vikas" an empty talk, but also further aggravate the religious contradictions and disputes in the region.

B. *Aggravating Separatism*

The *Jammu and Kashmir Official Languages Act, 2020* recognizes Kashmiri and Dogri as the official languages of the region, while the languages of other ethnic minorities such as Gujar, Pahari and Punjabi are excluded, which reflects that the authority does not really respect linguistic diversity and the linguistic rights of ethnic minorities. Gujar and Pahari were originally regional languages that were recognized in the regional constitution before the amendment of the constitution. After article 370 of the constitution was revoked, these languages lost their original status and were not officially recognized in the new policy. The new act only mentioned that Gujar, Pahari, Punjabi and other languages should be developed and promoted through the Institute of Art, Culture and Languages. However, the act has not mentioned whether the promotion mechanism of folk languages can really help the development of these languages. It can be seen that the official language act belittles these languages in a disguised way, which will inevitably lead to the dissatisfaction of ethnic minorities. On the other hand, the authority has favored one over the other and adopted different policies for different languages. In fact, it is a dividing strategy and will affect cultural diversity. Lateef-ul-Zaman Deva, a former government official, pointed out that the change in language policy will lead to language differentiation and more speech communities will put forward their own requests (Maqbool, 2020). In this sense, the chaos caused by the new act is probably just a beginning. The complex language issue will probably bring further uncertainty to the future of the region.

C. *Undermining Social Justice and Complicating the Regional Situation*

The newly promulgated official language act reflects the intention of the ruling party and the central government to suppress Urdu and promote Hindi. The authority has made Hindi, which lacks cultural and public foundation in this region, the regional official language. Critics have seen this as a manifestation of authoritarianism (Maqbool, 2020). The authority has deliberately listed Hindi as the official language, and the current language policy change is more like part of the government's plan to remove Urdu from the region (Zargar, 2020). Human rights activists are worrying that replacing Urdu with Hindi in judicial and other activities may complicate the regional affairs and make justice no longer transparent; at the same time, the new language policy would violate the religious rights of Muslims, because most Islamic documents are only written in Urdu (Awasthi, 2019). It can be seen that the authority only paid attention to how to realize their will in the new act, but had not really considered the interests of the local people. The act defines Kashmiri and Urdu as official languages, ostensibly showing respect for the local languages, but it makes no mention of how to promote and develop these two languages (which are not highly "prestigious" in this region). Such a step may

undermine social justice and bring instability. If people further extend their attention to the situation in South Asia, they can also find that language policy change and a series of other measures implemented by the authority in IOK have aroused strong dissatisfaction in neighboring countries. The regional situation thus will become more complex.

V. CONCLUSIONS

IOK is in a special geographical position, where various factors such as language, religion and nationality are intertwined, bringing complex language and social problems. As the newly established language policy fails to consider the complex local language and social ecology, it seems that the goal of formulating the new policy is not likely to be achieved. The formulation of a language policy should comprehensively consider various factors such as history, politics, society, religion and nationality, and people's needs. Policy makers should establish the language-as-resource awareness, respect and protect language diversity and promote the development of all languages. To establish a good language and social ecology, maintain social stability and promote social harmony, any language policy change should fully consider voices from all walks of life, and it is also important to invite stakeholders at different levels into the decision-making process.

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