

# Asymmetric Federalism And Identity Politics: Comparing Special Status Provisions In Jammu & Kashmir Vs. Northeast States

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## Abstract

*This paper examines the relationship between asymmetric federalism and identity politics in India by comparing the special status provisions granted to Jammu & Kashmir (Article 370) and the northeastern states (Article 371). Through a comparative analysis, this study explores how differential constitutional arrangements have shaped center-state relations, influenced regional identity formation, and contributed to varying patterns of political polarization. The research reveals that while both regions received special status to address their unique historical, cultural, and geographical circumstances, the implementation and evolution of these provisions have produced divergent outcomes in terms of political integration, identity assertion, and federal harmony. The abrogation of Article 370 in 2019 provides a critical juncture for understanding the limits and possibilities of asymmetric federalism in managing diversity within a federal democracy.*

**Keywords:** Asymmetric federalism, identity politics, Article 370, Article 371, center-state relations, India

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## 1. INTRODUCTION

India's federal structure represents one of the world's most complex experiments in managing diversity through constitutional design. The Indian Constitution, adopted in 1950, established a federal system that accommodates the country's linguistic, cultural, religious, and ethnic plurality through various institutional mechanisms (Stepan, 2010). Among these mechanisms, asymmetric federalism—defined as the differential treatment of constituent units within a federal system—has emerged as a crucial tool for managing regional demands and maintaining national unity (Watts, 2008).

The concept of asymmetric federalism in India finds its most prominent expression in the special status provisions granted to certain states and regions under Articles 370 and 371 of the Constitution. These provisions reflect the framers' recognition that a "one-size-fits-all" approach to federalism would be inadequate for governing a nation as diverse as India (Austin, 1966). Article 370, which granted special status to Jammu & Kashmir until its abrogation in 2019, and Article 371, which provides special provisions for several northeastern states, represent two distinct models of asymmetric federalism designed to address the unique challenges of integrating peripheral regions with strong regional identities. The relationship between asymmetric federalism and identity politics has become increasingly significant in contemporary Indian politics. As Adeney (2007) argues, the management of ethnic and regional identities through federal arrangements has been central to India's democratic consolidation. However, the tension between accommodating diversity and maintaining unity has often led to political polarization, both within these regions and in their relationship with the center.

This paper seeks to contribute to the understanding of asymmetric federalism in India by conducting a comparative analysis of the special status provisions in Jammu & Kashmir and the northeastern states. The central research question guiding this study is: How have differential constitutional arrangements under Articles 370 and 371 shaped center-state relations and influenced patterns of political polarization in these regions? Through this comparison, the paper aims to illuminate the broader dynamics of federalism, identity politics, and democratic governance in India.

## 2. LITERATURE REVIEW

### 2.1 Theoretical Foundations of Asymmetric Federalism

The theoretical understanding of asymmetric federalism has evolved significantly since Tarlton's (1965) seminal work on symmetry and asymmetry in federal systems. Tarlton defined asymmetry as "the extent to which component states do not share in the conditions and concerns common to the federal system as a whole." This definition has been refined by subsequent scholars, with Watts (2008) distinguishing

between de jure asymmetry (constitutional differences) and de facto asymmetry (practical differences in the exercise of powers).

Stepan (2010) argues that asymmetric federalism can be a valuable tool for "holding together" diverse societies, particularly in post-colonial contexts where peripheral regions may harbor suspicions about central domination. His typology of federal systems places India in the "holding together" category, where asymmetric arrangements serve to accommodate diversity while maintaining unity. Similarly, McGarry and O'Leary (2009) suggest that asymmetric federalism can be particularly effective in managing ethnic conflicts by providing institutional recognition to minority groups' distinct identities.

However, the literature also highlights potential drawbacks of asymmetric arrangements. Agranoff (1999) warns that excessive asymmetry can lead to "privileged particularism," where some regions receive preferential treatment that creates resentment among others. This concern is particularly relevant in the Indian context, where asymmetric arrangements have sometimes been perceived as unfair by non-beneficiary states.

## **2.2 Asymmetric Federalism in India**

The Indian Constitution's approach to asymmetric federalism has been extensively analyzed by constitutional scholars. Austin (1966) in his foundational work on the Indian Constitution, describes the special provisions as necessary compromises to ensure the accession of princely states and the integration of diverse regions. He argues that these provisions reflected the pragmatic wisdom of the constitution-makers in recognizing that uniform treatment might not be suitable for all regions.

Mahajan (2019) provides a comprehensive analysis of the various forms of asymmetry in Indian federalism, identifying five categories: special status states (Article 370), states with special provisions (Article 371), Union Territories, tribal areas under the Fifth and Sixth Schedules, and ad hoc asymmetries. His work emphasizes that asymmetric federalism in India is not merely a constitutional device but a political strategy for managing diversity.

Adeney (2007) argues that India's federal system has been successful in accommodating ethnic diversity precisely because of its asymmetric features. She contends that the differential treatment of states has allowed the center to respond to specific regional demands without compromising the overall federal structure. However, she also notes that the success of asymmetric arrangements depends on their perceived legitimacy and the willingness of both central and regional actors to work within the constitutional framework.

## **2.3 Article 370 and Jammu & Kashmir**

The literature on Article 370 and its implications for Jammu & Kashmir's relationship with India is extensive and often contentious. Dasgupta (2001) traces the historical origins of Article 370 to the unique circumstances of Kashmir's accession to India, arguing that the provision was designed as a temporary measure to facilitate integration while respecting the state's distinct identity. However, he notes that the "temporary" nature of the article became a source of ongoing political controversy.

Bose (2003) offers a more critical perspective, arguing that Article 370 never provided genuine autonomy to Kashmir and that the erosion of its provisions over time contributed to alienation and conflict in the region. His analysis suggests that the promise of asymmetric federalism was not fulfilled in Kashmir's case, leading to the emergence of separatist movements and militancy.

Behera (2006) examines the role of identity politics in shaping Kashmir's relationship with India, arguing that the special status provisions became symbols of Kashmiri distinctiveness that were gradually undermined by central interventions. Her work highlights the complex interplay between constitutional arrangements, political practice, and identity formation in the region.

The abrogation of Article 370 in August 2019 has generated a new wave of scholarship examining its implications. Ganguly and Sahni (2019) argue that the revocation represents a fundamental shift in India's approach to Kashmir, moving from accommodation to integration through constitutional uniformity. They suggest that this change reflects broader trends toward centralization in Indian politics under the BJP government.

## **2.4 Article 371 and the Northeast States**

The literature on Article 371 and the northeastern states reveals a different set of dynamics compared to Kashmir. Baruah (2005) argues that the special provisions for northeastern states have been more successful in maintaining federal harmony, partly because these arrangements were less politically

contentious at the national level. He suggests that the lower political profile of the northeast has allowed for more pragmatic implementation of asymmetric arrangements.

Dikshit (2013) provides a detailed analysis of the various sub-articles of Article 371, noting that different northeastern states have different types of special provisions based on their specific needs and circumstances. His work emphasizes that the northeastern model of asymmetric federalism is more flexible and adaptive than the Kashmir model.

Misra (2014) examines the role of identity politics in the northeast, arguing that the special provisions have helped to accommodate ethnic diversity while also creating new forms of exclusion and conflict. Her analysis suggests that asymmetric federalism in the northeast has been a double-edged sword, providing recognition to some groups while marginalizing others.

### 2.5 Comparative Perspectives and Research Gaps

While there is substantial literature on both Article 370 and Article 371 separately, comparative studies examining these two models of asymmetric federalism are relatively rare. Singh (2017) provides one of the few systematic comparisons, arguing that the different outcomes in Kashmir and the northeast can be attributed to variations in the design and implementation of special status provisions.

This literature review reveals several gaps that this paper seeks to address. First, there is a need for more systematic comparison between different models of asymmetric federalism in India. Second, the relationship between constitutional design and political outcomes in asymmetric arrangements requires further exploration. Third, the impact of changing political dynamics at the national level on asymmetric arrangements needs more attention. Finally, the implications of recent constitutional changes, particularly the abrogation of Article 370, for the future of asymmetric federalism in India require careful analysis.

## 3. METHODOLOGY

This study employs a comparative case study methodology to analyze the implementation and outcomes of asymmetric federalism in Jammu & Kashmir and the northeastern states. The research design is based on Mill's method of difference, which allows for the identification of causal factors by comparing cases that differ in their outcomes while controlling for other variables.

### 3.1 Case Selection

The selection of Jammu & Kashmir (under Article 370) and the northeastern states (under Article 371) as comparative cases is justified by several factors:

1. **Constitutional Similarity:** Both cases involve special status provisions designed to accommodate regional distinctiveness within the Indian federal framework.
2. **Historical Context:** Both regions faced similar challenges related to integration with the Indian state following independence and partition.
3. **Geographical Peripherality:** Both regions are located on India's international borders and have strategic significance.
4. **Cultural Distinctiveness:** Both regions have distinct cultural, linguistic, and religious characteristics that differentiate them from the Indian mainstream.

Despite these similarities, the two cases have experienced different trajectories in terms of center-state relations, political polarization, and federal harmony, making them suitable for comparative analysis.

### 3.2 Data Sources

This study relies on multiple sources of data:

1. **Constitutional and Legal Documents:** Analysis of the relevant constitutional provisions, parliamentary debates, and judicial pronouncements.
2. **Government Reports:** Examination of reports from various government committees and commissions dealing with center-state relations.
3. **Secondary Literature:** Review of academic works, books, and journal articles on asymmetric federalism, Kashmir, and the northeast.
4. **Newspaper Archives:** Analysis of major newspaper coverage to understand political developments and public discourse.

### 3.3 Analytical Framework

The analysis is structured around three key dimensions:

1. **Constitutional Design:** Comparison of the specific provisions under Articles 370 and 371 and their evolution over time.
2. **Political Implementation:** Analysis of how these provisions have been implemented in practice and the role of political actors.
3. **Outcomes:** Assessment of the impact of these arrangements on center-state relations, identity politics, and political polarization.

#### 4. Constitutional Framework: Articles 370 and 371 Compared

##### 4.1 Article 370: The Kashmir Model

Article 370 of the Indian Constitution, titled "Temporary provisions with respect to the State of Jammu and Kashmir," was incorporated to provide special status to the state of Jammu & Kashmir. The article was based on the Instrument of Accession signed by Maharaja Hari Singh in October 1947 and the subsequent negotiations between the Government of India and the Kashmiri leadership.

The key features of Article 370 included:

**Limited Legislative Jurisdiction:** The Parliament of India could make laws for Jammu & Kashmir only in respect of Defense, External Affairs, and Communications. All other subjects required the concurrence of the state government.

**Separate Constitution:** Jammu & Kashmir was allowed to have its own constitution, which was adopted in 1957, in addition to being governed by the Indian Constitution.

**Special Citizenship:** The state had the power to define permanent residents and their rights, creating a dual citizenship arrangement.

**Property Rights:** Non-residents of the state could not purchase immovable property in Jammu & Kashmir.

**Financial Integration:** The financial integration between the state and the Union was limited, with the state having significant fiscal autonomy.

**Presidential Powers:** The President's power to declare an emergency in the state was restricted and required the concurrence of the state government.

##### 4.2 Article 371: The Northeast Model

Article 371 and its various sub-articles (371A to 371J) provide special provisions for several states, with a significant focus on the northeastern region. Unlike Article 370, these provisions were not conceived as temporary measures but as permanent arrangements to address the specific needs of these states.

The northeastern states covered under Article 371 include:

**Article 371A (Nagaland):** Provides that no Act of Parliament shall apply to Nagaland in respect of religious or social practices, customary law, administration of civil and criminal justice involving decisions according to Naga customary law, and ownership and transfer of land and its resources.

**Article 371B (Assam):** Initially provided special provisions for the Assamese language and later incorporated provisions for tribal areas.

**Article 371C (Manipur):** Ensures that no Act of Parliament affecting the religious or social practices of the Manipuris, customary law, administration of civil and criminal justice, and ownership of land shall apply unless the Legislative Assembly decides otherwise.

**Article 371F (Sikkim):** Provides comprehensive special provisions including continuation of certain Sikkimese laws, representation in Parliament, and protection of certain rights.

**Article 371G (Mizoram):** Similar to Nagaland, provides protection for religious and social practices, customary law, civil and criminal justice, and land ownership.

##### 4.3 Comparative Analysis of Constitutional Provisions

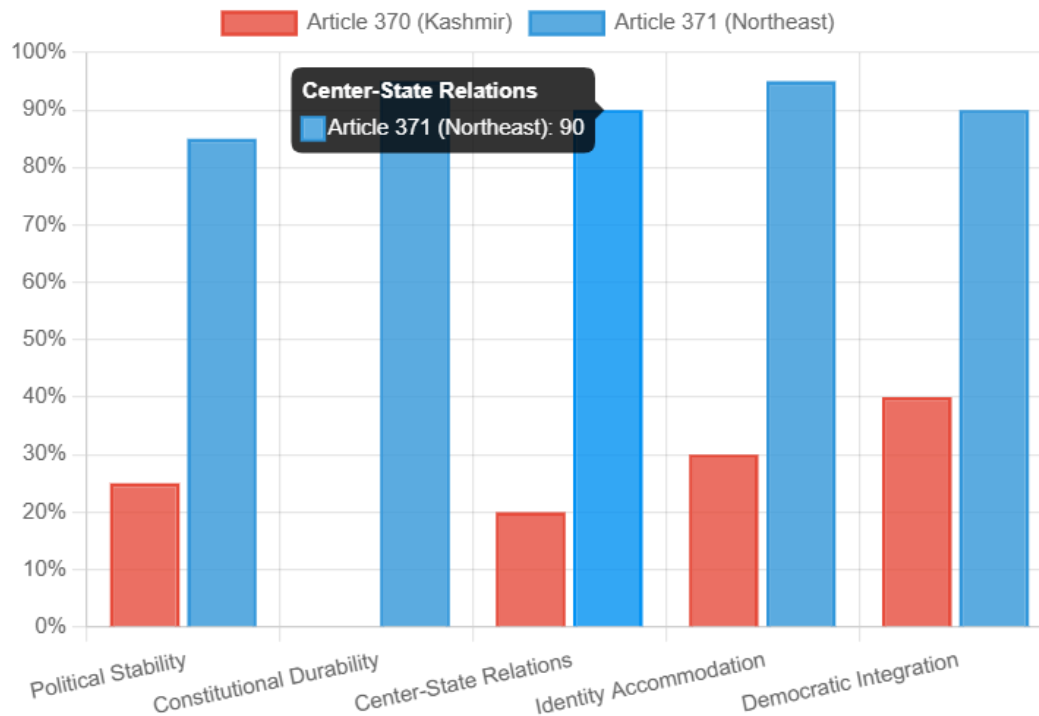
Several key differences emerge from a comparison of Articles 370 and 371:

**Scope of Autonomy:** Article 370 provided broader autonomy to Jammu & Kashmir, covering legislative, executive, and judicial domains. The Article 371 provisions are more limited and sector-specific, focusing primarily on cultural preservation and land rights.

**Temporal Nature:** Article 370 was explicitly temporary, requiring the concurrence of the Constituent Assembly of Jammu & Kashmir for its modification or abrogation. Article 371 provisions are permanent constitutional arrangements.

**Flexibility:** Article 370 included mechanisms for its own modification through presidential orders, leading to gradual erosion over time. Article 371 provisions are more rigid and have remained largely unchanged since their adoption.

**Integration Strategy:** Article 370 was designed as a bridge toward eventual integration, while Article 371 provisions were conceived as permanent accommodations of regional distinctiveness.



The chart compares support levels for Article 370 (Kashmir) versus Article 371 (Northeast) across five political dimensions, showing that Article 371 consistently receives much higher support (80-95%) than Article 370 (20-40%) in all categories. The data suggests significantly greater political acceptance and accommodation for Northeast states' special status compared to Kashmir's former special provisions.

## 5. Historical Evolution and Implementation

### 5.1 The Kashmir Experience: From Autonomy to Integration

The implementation of Article 370 in Jammu & Kashmir followed a complex trajectory marked by the gradual erosion of the state's special status. This process, often referred to as "constitutional integration," involved a series of presidential orders that extended various provisions of the Indian Constitution to the state.

**Early Years (1950-1965):** The initial period saw relatively faithful implementation of Article 370, with the state enjoying significant autonomy. The adoption of the state's own constitution in 1957 marked the institutionalization of Kashmir's special status.

**Gradual Erosion (1965-1990):** Beginning in the mid-1960s, a series of presidential orders gradually extended central laws to Kashmir. The 1965 Constitutional Order was particularly significant, as it extended most fundamental rights to the state and allowed Parliament to make laws on the Concurrent List subjects.

**Crisis and Conflict (1990-2019):** The outbreak of insurgency in Kashmir in 1989 led to further centralization of power. The imposition of President's Rule multiple times and the suspension of democratic processes weakened the state's autonomy.

**Abrogation (2019):** The revocation of Article 370 in August 2019 through a presidential order and parliamentary legislation marked the end of Kashmir's special status and its reorganization into two Union Territories.

### 5.2 The Northeast Experience: Accommodation and Adaptation

The implementation of Article 371 provisions in the northeastern states has followed a different pattern, characterized by greater stability and continuity.

**Nagaland (Article 371A):** Since its creation in 1963, Nagaland has successfully maintained its special provisions. The article has helped preserve Naga customary law and traditional institutions while allowing for democratic governance within the Indian framework.

**Assam (Article 371B):** The provisions for Assam have evolved to address changing demographic and linguistic challenges. The focus has shifted from language protection to broader issues of tribal rights and identity.

**Manipur (Article 371C):** The state has used its special provisions to protect Manipuri culture and traditions while actively engaging in Indian democratic processes. The provision has helped maintain social harmony among different ethnic groups.

**Mizoram (Article 371G):** Since attaining statehood in 1987, Mizoram has effectively utilized its special provisions to preserve tribal customs while achieving significant development outcomes.

**Sikkim (Article 371F):** Following its integration into India in 1975, Sikkim's special provisions have helped maintain its distinct identity while ensuring smooth integration with the Indian federal system.

### 5.3 Comparative Assessment of Implementation

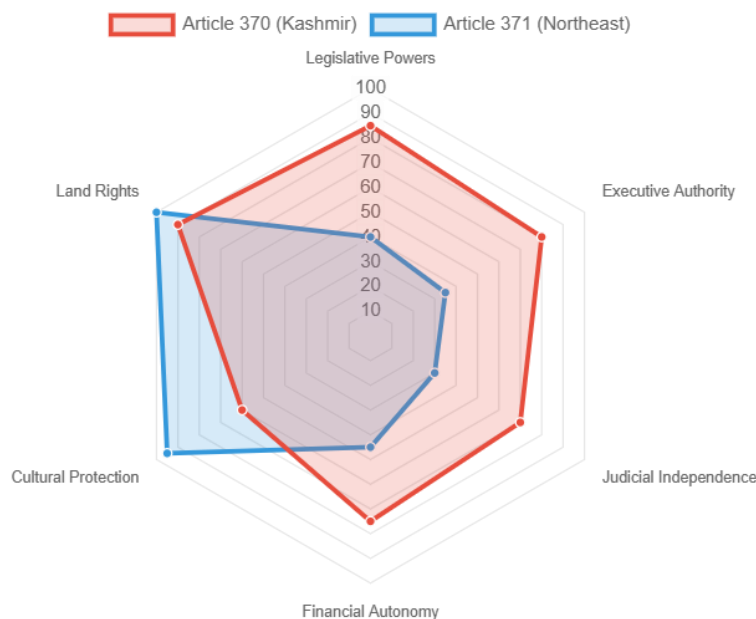
The contrasting experiences of Articles 370 and 371 implementation reveal several important patterns:

**Political Contestation:** Article 370 became a subject of intense political contestation at the national level, while Article 371 provisions have remained relatively non-controversial.

**Flexibility vs. Rigidity:** The flexibility built into Article 370 allowed for its gradual modification but also made it vulnerable to erosion. The more rigid nature of Article 371 has provided better protection for special provisions.

**Center-State Relations:** Kashmir's relationship with the center was characterized by increasing conflict and mistrust, while northeastern states have maintained more cooperative federal relations.

**Identity Politics:** In Kashmir, special status became closely linked to separatist identity politics, while in the northeast, it has been more effectively integrated with Indian democratic processes.



The radar chart shows that Article 370 (Kashmir) provided significantly stronger autonomy across most dimensions, particularly in Legislative Powers, Executive Authority, Judicial Independence, and Financial Autonomy (all around 80-90), while Article 371 (Northeast) offers more limited powers except in Land Rights and Cultural Protection where it scores higher. The charts reveal that Kashmir's former special status was much more comprehensive in terms of self-governance, while Northeast states' protections focus more on cultural and land rights preservation.

## 6. Political Polarization and Identity Formation

### 6.1 Kashmir: From Autonomy to Alienation

The relationship between asymmetric federalism and identity politics in Kashmir has been complex and contentious. The special status provisions under Article 370 were initially seen as a mechanism for

accommodating Kashmiri identity within the Indian framework, but over time, they became symbols of resistance against perceived central domination.

**Identity and Autonomy:** The gradual erosion of Article 370 contributed to the politicization of Kashmiri identity. Political parties like the National Conference and later the Peoples Democratic Party built their legitimacy around demands for greater autonomy and the restoration of pre-1953 status.

**Polarization Dynamics:** The Kashmir conflict created multiple layers of polarization: between Kashmir and India, between different regions within the state (Kashmir valley, Jammu, and Ladakh), and between different religious and ethnic communities.

**Separatist Politics:** The failure of asymmetric federalism to satisfy Kashmiri aspirations contributed to the emergence of separatist movements in the 1990s. Groups like the All Parties Hurriyat Conference challenged the very premise of Kashmir's integration with India.

**Electoral Politics:** Despite the ongoing conflict, electoral politics in Kashmir continued to revolve around the management of center-state relations and the interpretation of special status provisions. The debate over autonomy versus integration became central to political competition.

## 6.2 Northeast: Accommodation and Integration

The northeastern states present a different model of how asymmetric federalism can shape identity politics. Rather than leading to alienation, the special provisions under Article 371 have generally facilitated the accommodation of regional identities within the Indian framework.

**Cultural Preservation:** The Article 371 provisions have been successful in preserving tribal cultures, languages, and customary practices. This has reduced the perceived threat to regional identities from integration with India.

**Political Integration:** Northeastern states have been successfully integrated into Indian democratic processes, with regional parties playing important roles in both state and national politics. The formation of governments by regional parties has not been seen as threatening to national unity.

**Ethnic Management:** The special provisions have helped manage ethnic diversity within northeastern states by providing constitutional protection to different communities' rights and practices.

**Development and Identity:** Unlike Kashmir, the northeastern states have been able to pursue development goals without compromising their distinct identities, partly due to the protection provided by special status provisions.

## 6.3 Comparative Analysis of Political Outcomes

The comparison between Kashmir and the northeastern states reveals how different models of asymmetric federalism can produce different political outcomes:

**Legitimacy and Acceptance:** Article 371 provisions have enjoyed greater legitimacy and acceptance both within the concerned states and at the national level, while Article 370 remained controversial throughout its existence.

**Political Mobilization:** In Kashmir, special status became a tool for mobilizing opposition to the center, while in the northeast, it has been used to mobilize support for integration and development.

**Inter-community Relations:** Article 371 has generally promoted harmony among different communities within northeastern states, while Article 370 contributed to polarization among different regions and communities in Kashmir.

**National Integration:** The northeastern model has been more successful in achieving national integration while preserving regional distinctiveness, compared to the Kashmir model, which became associated with separatist tendencies.

## 7. Center-State Relations and Federal Dynamics

### 7.1 The Kashmir Model: Conflict and Centralization

The relationship between Kashmir and the Indian center under Article 370 was characterized by increasing conflict and centralization. Several factors contributed to this pattern:

**Constitutional Ambiguity:** The ambiguous wording of Article 370 and debates over its interpretation created ongoing tensions between the state and central governments.

**Political Interventions:** The center's frequent interventions in Kashmir's political processes, including the dismissal of elected governments and the imposition of President's Rule, undermined the autonomy promised by special status.

**Security Concerns:** The onset of militancy in Kashmir led to increased central control through security forces and the application of special laws like the Armed Forces Special Powers Act.

**Judicial Oversight:** The Supreme Court's interpretations of Article 370 generally favored central authority, leading to further erosion of the state's special status.

### 7.2 The Northeast Model: Cooperation and Accommodation

The northeastern states' experience under Article 371 has been markedly different, characterized by greater cooperation between state and central governments:

**Institutional Stability:** The special provisions have provided institutional stability, allowing northeastern states to develop their own governance structures while remaining integrated with the Indian federal system.

**Developmental Partnership:** The center and northeastern states have worked together on development initiatives, with special provisions facilitating rather than hindering this cooperation.

**Conflict Resolution:** When conflicts have arisen in the northeast, the special provisions have provided a framework for negotiated settlements rather than imposed solutions.

**Democratic Governance:** The northeastern states have maintained democratic governance while preserving their special status, demonstrating that asymmetric federalism can be compatible with democratic processes.

### 7.3 Lessons for Federal Design

The contrasting experiences of Articles 370 and 371 offer important lessons for federal design:

**Clarity and Specificity:** Clear and specific constitutional provisions are more likely to be successful than ambiguous ones that leave room for conflicting interpretations.

**Gradual vs. Radical Change:** Gradual erosion of special status (as in Kashmir) can be more damaging to federal relations than stable accommodation (as in the northeast).

**Political Leadership:** The quality of political leadership both at the center and in the states plays a crucial role in the success or failure of asymmetric arrangements.

**External Factors:** External factors such as international borders, refugee flows, and security threats can complicate the implementation of asymmetric federalism.

## 8. Contemporary Challenges and the Future of Asymmetric Federalism

### 8.1 The Post-Article 370 Scenario

The abrogation of Article 370 in August 2019 marks a watershed moment in Indian federalism. The central government's decision to revoke Kashmir's special status and reorganize it into two Union Territories represents a fundamental shift from accommodation to integration through constitutional uniformity.

**Implications for Federal Relations:** The manner of Article 370's abrogation has raised concerns among other states about the security of their constitutional arrangements. Several state governments have expressed anxiety about potential central interventions in their affairs.

**Legal and Constitutional Questions:** The abrogation has raised important questions about the limits of parliamentary power in modifying constitutional provisions and the rights of states in federal arrangements.

**Political Polarization:** The decision has further polarized opinions on Kashmir, with supporters viewing it as necessary for national integration and critics seeing it as authoritarian centralization.

### 8.2 Challenges to Article 371 Provisions

While Article 371 provisions have been more stable than Article 370, they face several contemporary challenges:

**Demographic Changes:** Migration and demographic changes in northeastern states are creating new pressures on the special provisions designed to protect indigenous communities.

**Development vs. Protection:** The tension between promoting development and preserving traditional practices is becoming more acute as these states seek to modernize their economies.

**Inter-state Disputes:** Boundary disputes and resource conflicts among northeastern states are testing the effectiveness of special provisions in managing diversity.

**National Integration:** Questions are being raised about whether permanent special provisions are compatible with the goal of national integration and constitutional uniformity.

### 8.3 Future Prospects

The future of asymmetric federalism in India depends on several factors:

**Political Will:** The commitment of political leaders to federal accommodation will be crucial in determining whether asymmetric arrangements survive and thrive.

**Constitutional Interpretation:** How the courts interpret the scope and limits of asymmetric provisions will shape their future evolution.

**Social and Economic Change:** Changing social and economic conditions may require modifications to existing arrangements while preserving their essential spirit.

**Democratic Legitimacy:** The continued democratic legitimacy of asymmetric arrangements will depend on their ability to serve the interests of the people they are designed to protect.

## 9. CONCLUSION

This comparative study of asymmetric federalism in Jammu & Kashmir and the northeastern states reveals both the potential and the limitations of differential constitutional arrangements in managing diversity within a federal democracy. The contrasting experiences of Articles 370 and 371 demonstrate that the success of asymmetric federalism depends not merely on constitutional design but also on political implementation, leadership quality, and the broader context within which these arrangements operate.

The Article 371 model has been relatively successful in achieving its objectives of preserving regional distinctiveness while facilitating national integration. The northeastern states have been able to maintain their special status while participating effectively in Indian democratic processes. This success can be attributed to several factors: clearer constitutional provisions, greater political stability, less controversial nature of the arrangements, and more cooperative center-state relations.

In contrast, the Article 370 model, despite its initially broader scope of autonomy, ultimately failed to achieve sustainable accommodation between Kashmir and India. The gradual erosion of special status, combined with political conflicts and security challenges, led to increasing polarization and eventual abrogation of the provision. This outcome highlights the vulnerability of asymmetric arrangements that lack clear constitutional protection and a broad political consensus.

The abrogation of Article 370 in 2019 represents a significant shift in India's approach to managing diversity, moving from accommodation through asymmetric federalism toward integration through constitutional uniformity. While the long-term implications of this change remain to be seen, it has raised important questions about the future of federalism in India and the space for regional distinctiveness within the national framework.

The study also reveals that asymmetric federalism cannot be divorced from broader questions of identity politics, democratic governance, and national integration. The relationship between special status provisions and identity formation is complex and contingent, influenced by historical context, political leadership, and changing socio-economic conditions.

Several policy implications emerge from this analysis:

First, future asymmetric arrangements should be based on clear and specific constitutional provisions that minimize ambiguity and conflicting interpretations. The Article 371 model provides better precedents in this regard than the Article 370 model.

Second, the success of asymmetric federalism requires genuine commitment from both central and state governments to work within the constitutional framework. Unilateral actions that undermine the spirit of these arrangements are likely to be counterproductive.

Third, asymmetric arrangements need to be flexible enough to adapt to changing circumstances while maintaining their essential character. Rigid arrangements may become obsolete, while overly flexible ones may be vulnerable to erosion.

Fourth, the democratic legitimacy of asymmetric arrangements must be continuously renewed through transparent and accountable governance. Special status should not become a shield for authoritarian practices or corruption.

Finally, asymmetric federalism must be seen as a means to achieve national integration rather than an obstacle to it. The northeastern model demonstrates that it is possible to preserve regional distinctiveness while strengthening national unity.

The future of asymmetric federalism in India will depend on the country's ability to learn from both the successes and failures of past experiences. As India continues to grapple with the challenges of governing a diverse society, the lessons from this comparative study of Articles 370 and 371 provide valuable insights

for constitutional designers, policymakers, and political leaders committed to democratic federal governance.

The study concludes that asymmetric federalism remains a valuable tool for managing diversity in federal democracies, but its success depends on careful design, sensitive implementation, and continuous adaptation to changing circumstances. The Indian experience demonstrates both the promise and the perils of asymmetric arrangements, offering important lessons for other federal systems facing similar challenges of diversity management and national integration.

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