

July 13 in Kashmir: On federalised historiography and the silent challenge to federalism

In a bizarre turn of events, the Lieutenant Governor of Jammu & Kashmir effectively placed the elected government officials, including the Chief Minister, under house arrest on July 13, as aptly described by one [local daily](#) as an instance of “government locking up government”. The supposed trigger for this action by the LG was the fear that the elected government and the public might commemorate July 13 as Martyrs’ Day, an official holiday until 2019, which was discontinued following the abrogation of Article 370 of the Constitution. Meanwhile, the BJP’s Leader of Opposition has endorsed the LG’s actions and branded the 22 people killed by the Dogra ruler in 1931 (in whose memory Martyrs’ Day is observed) as [traitors](#).

Beyond the political wrangling over what was undoubtedly a watershed moment in the modern history of J&K, and the constitutionally suspect nature of the actions taken by the Lieutenant Governor, the events unfolding in J&K have implications not only for federalised historiography but also for federalism itself, and should therefore concern other states as well.

A monolithic past?

The first issue with the BJP’s actions in J&K is related to its conception of nationalist history and identity. In the BJP’s attempts to advance a monolithic version of anti-colonial nationalism, it fails to appreciate that anti-colonial resistance was not a simplistic binary of the coloniser and the colonised, with the latter automatically becoming part of the Indian national movement. In the princely states, for instance, these movements were not necessarily aimed directly at the British, for British rule was not direct in these regions. Consequently, the princely rulers became the primary targets of such movements seeking self-governance, which could not, therefore, be neatly subsumed within the broader Indian national movement.

This is what the moment of July 13, 1931, [represents](#) in the official histories of J&K, as one of the first major expressions of protest against the Dogra rule. Over time, this moment came to be imbued with broader political meaning, symbolising the demand for self-governance, and ultimately becoming embedded in the region’s collective memory as a marker of its autonomous political identity and constitutional status. Simply because it does not align with the BJP’s conception of the anti-colonial movement and nationalism, the day has been removed from the list of official holidays, and those who were killed have been branded as traitors.

The issue is not merely that the 22 individuals killed on July 13, 1931, were [Muslims](#). The issue at stake here is what the 22 people have come to represent in the official histories - a distinct political trajectory in J&K, one closely tied to the region’s demand for autonomy. That is why they cannot be neatly subsumed into the

nationalist narrative of the past that the BJP aims to construct. Rather, their memory poses a challenge to this brand of nationalist history, which is why it must either be banished or, worse, recast as treacherous. This explains why, in a context where Article 370 is increasingly projected as [anti-India](#), the BJP can simultaneously [appropriate](#) someone like Maqbool Sherwani as pro-Indian while erasing the history of Martyrs' Day in Kashmir.

This, of course, is riddled with absurdities. The BJP's attempt to excise from J&K's past what it retrospectively deems anti-national and treacherous, in order to produce a monolithic account of nationalist history, is historically untenable. But there is another problem here. This monolithic account of the past allows the BJP to fashion a [monistic legal order](#) i.e, fashioning the post-colonial in unitary terms and producing an account of anti-colonial history in the service of this legal order, which brings me to the question of constitutional federalism.

The federal argument

Nationalist history is not solely a concern of historiography; it is deeply imbricated with constitutionalism, particularly how federal units draw on history in fashioning their sense of self and political identity. July 13 was designated an official state holiday by the government led by Sheikh Abdullah, and in J&K's federated constitutional framework, came to symbolize the region's distinct [constitutional identity](#).

Following the abrogation of Article 370, the BJP swiftly moved to integrate J&K by applying previously inapplicable laws to the region. However, this project of unification extends beyond the legal domain into the realm of history itself. Any historical moment (Martyrs' Day as well as Sheikh Abdullah's birthday) that has come to represent J&K's Article 370-inflected trajectory is being systematically erased, as part of a broader effort to impose homogeneity not only in the constitutional framework but also in the historical narrative now being constructed by the BJP government. That is, even in its abrogation, it is the spectre of Article 370 that haunts the BJP – hence the erasure of history.

But these events or historical moments constitute more than temporal landmarks; they are central to how individual federal units understand, construct, and express their identities. It is appropriate in a federal polity for units to have a distinct imagination of history and a sense of self that is not derivative of the central government. The policies of the BJP are such that the self-conception of federal units will have to conform to the [central government's imposing vision of the Indian nation and the state](#). Consequently, the federal units will be relegated to the status of appendages of the central government, with their existence deemed meaningful only insofar as it aligns with the [centre's vision](#). This undermines, to the extent of even

negating the possibility of the federal units cultivating sub-national identities that might diverge from the narrative set by the central government.

All this is done, it must be noted, without formally altering the powers of the governments of the federal units. Constitutional debates on federalism in India have for long treated it as a matter of power-sharing between the states and the centre when in fact it also bears on questions such as self-conception of federal units, constitutional identity, and history. The actions of the BJP reflect a broader tendency on the part of the central government to impose a particular historical-cultural narrative upon federal units and consequently, shape their political identity and sense of self. This goes beyond the traditional debates on Indian federalism, raising constitutional concerns that involve a deeper contestation over the very imagination of India as a nation-state. For such practices of the central government fundamentally erode the principles of federalism and present a new challenge compared to those faced under previous central governments.

Zaid Deva (DPhil Candidate, Faculty of Law, University of Oxford)