



International Institutions will not liberate Kashmir

The idea of the United Nations and international law is a flawed one for a number of reasons. Law in the traditional sense of the word means a consensus of the society to govern itself based on certain values, principles and ideals. This consensus generally is achieved in societies after hard fought ideological battles. One such ideological battle is being witnessed in Muslim lands as to what sort of law should we have, secular or divine. What sort of ruling system should we have, democracy or Khilafah.

Once a consensus is reached on the ideals which will form the basis of law, we need an authority to implement the law. It is important to understand this point. Societies are huge groups of human beings living together permanently. What we will achieve in terms of a consensus will be agreed upon by a majority or a super majority but not by all members of the society. Therefore it is an established principle that the authority (the state) which will implement the law will have coercive power. It will implement the law on both who agree or disagree with the law, using force if necessary.

The idea of international law is flawed because there was really no consensus on it neither a debate which preceded it. It was a law designed by the victor nations of the West, after World War 1 and World War 2. It is therefore based on ideals and principles drawn from Western civilization and although it is called international law, it is for all practical purposes Western law. If you have ever wondered why death and destruction in Western capitals cause a huge international outcry while none of that grief is witnessed when Muslim lives are lost, then here is your answer. International law, traditions, norms, values and ideals are basically Western law, traditions, norms values and ideals. The international society shaped by the international law therefore only seeks to protect Western interests and Western lives.

Secondly and most importantly, the idea of international law and institutions is a flawed idea because there is no law without an authority to implement it. And if at the international level you appoint an authority to implement international law then it goes against the concept of sovereignty of states. You can have an authority called a state for the national society but you cannot have an authority for an international society, for submission to that authority will mean loss of sovereignty of states. This is why the West has never submitted to international law and institutions when it is against its interests because this will mean loss of sovereignty. Infact loss of sovereignty was the reason cited by British politicians to call for an exit from European Union which was seen as a supra-national institution.

Therefore when you see Pakistani Politicians and Generals calling for the United Nations to resolve the Kashmir dispute and the international community to take action in support of Kashmiri Muslims know that they are fooling you. Know that they have absolutely no intention of doing anything about Kashmir or to end the plight of the oppressed Muslims of the valley. Know that they only see the Kashmir issue as an opportunity to earn goodwill with you because they know that even though they don't care about Kashmir, you do. And it is good politics to sympathize with Kashmir to earn your vote or support.

There are words out there to define one's political convictions. Whether you define yourself as a realist, a moderate, an Islamist or a radical. There is only one solution for Kashmir and it is organized military action by Pakistan's armed forces in defiance of international law and international institutions. Either that or continued tyranny awaits the people of the valley.

**Written for the Central Media Office of Hizb ut Tahrir by
Engineer Moez Mobeen**