KASHMIR

A DISPUTED LEGACY

1846-1990

ALASTAIR LAMB

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CONTENTS

	Acknowledgements	vii
	Maps	
1.	The State of Jammu and Kashmir in Relation to its Neighbours	viii
2.	Stages in the Creation of the State of Jammu and Kashmir	ix
3.	The State of Jammu and Kashmir	x-xi
4.	The Western Sector of the Northern Frontier, 1899, 1905 and 1963	xii
5.	The Simla Convention Map and the altered status of the Aksai Chin	xiii
6.	The Partition of the Punjab, 1947	xiv
	Part One: Origins 1846 to 1947	
I.	Introductory	1
II.	Jammu and Kashmir and the Indian Princely States 1846 to 1947	4
III.	Jammu and Kashmir and the Defence of British India: the Problem of the Northern Frontier. Part I The Treaty Road in Ladakh and the Gilgit Agency	17
IV.	Jammu and Kashmir and the Defence of British India: the Problem of the Northern Frontier. Part II The Gilgit Lease	53
V.	Politics in Jammu and Kashmir on the eve of the Transfer of Power in India	83
VI.	Partition 1947	101
VII.	Accession 1947	121
	Part Two: Conflict 1947 to 1990	
VIII.	Introductory	148
IX.	The First Kashmir War and the Intervention of the United Nations 1947 to 1964	158
X.	Inside Jammu and Kashmir 1947 to 1965	182

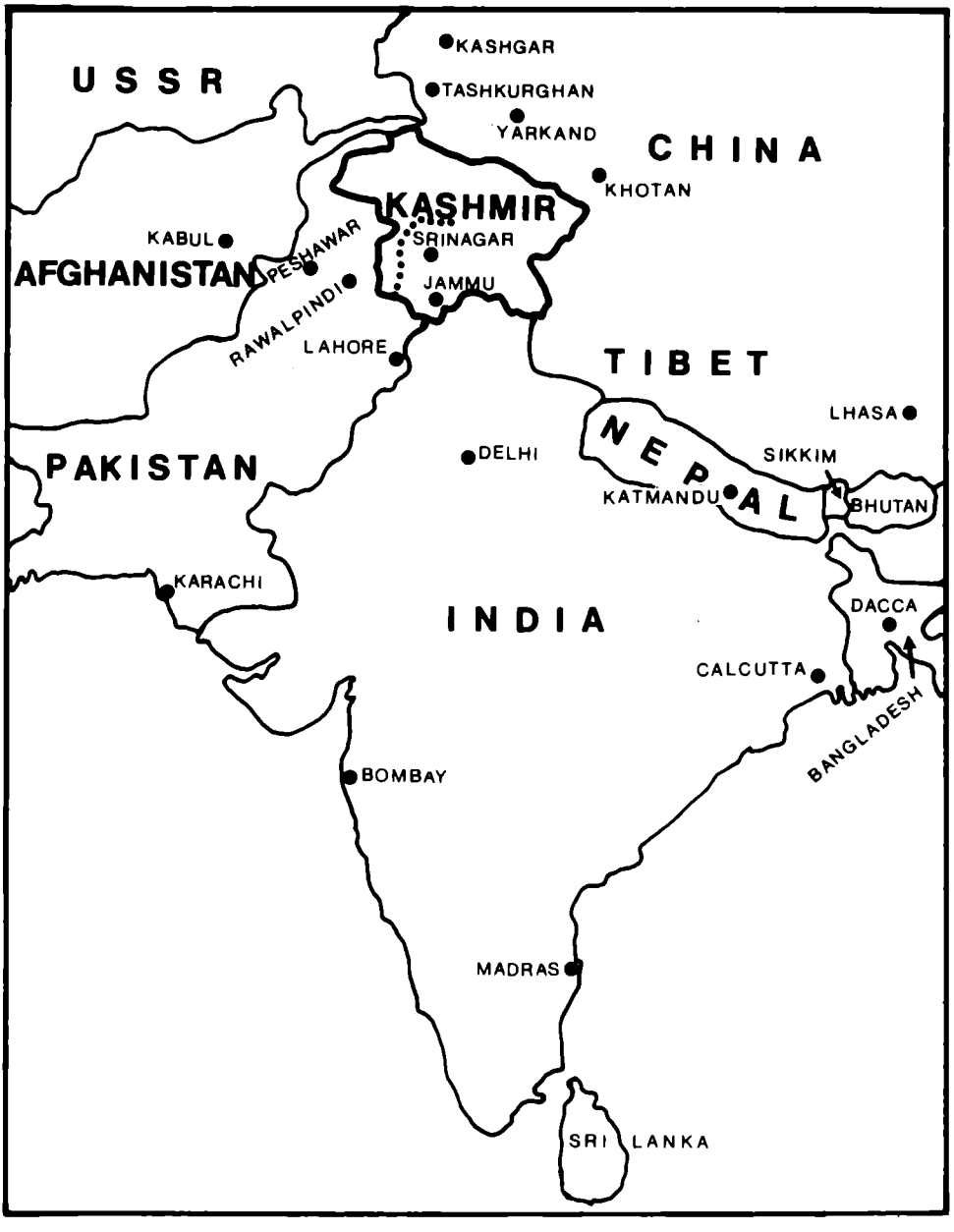
XI.	Direct Indo-Pakistani Discussions and the Intrusion of the Cold War 1949 to 1965	214
XII.	The Second Kashmir War of 1965	247
XIII.	From Tashkent to Simla 1966 to 1972	274
XIV.	Sheikh Abdullah 1972 to 1982	301
XV.	India's Failure in Jammu and Kashmir 1977 to 1990	322
XVI.	Final Word	342
	Select Bibliography	344
	Index	353

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This book began its life as a projected revision of *Crisis in Kashmir* which I wrote in 1966; and I am most grateful to the publishers, Routledge and Kegan Paul, for returning to me all rights in that work. In the event very little indeed of *Crisis in Kashmir* has come through into this present study; and my conclusions concerning the genesis of the Kashmir problem are very different indeed from those which I drew from the available evidence in 1966. The publication of Sardar Vallabhbhai Patel's correspondence and the documents in the final volumes of the monumental *Transfer of Power* series (H.M.S.O), combined with a number of extremely interesting memoirs and the opening of the British archives for the years covering the final decade or so of the British era in the Indian subcontinent, have enabled a breath of fresh air to blow many of the cobwebs away from the prehistory of the Kashmir question; and it is hoped that this new state of affairs is reflected here.

In preparing this book I was helped by many people. I am particularly grateful to the staffs of the following libraries: the University of Cambridge; the School of Oriental and African Studies, University of London; the Royal Geographical Society; the London Library; the India Office Library and Records; Chatham House Press Library. I must acknowledge the kindness of various Indian and Pakistani Embassies and High Commissions over the years for making official publications available to me and for allowing me to quote from them. I would also like to thank the Controller of Her Majesty's Stationary Office for permission to quote from Crown copyright material including passages from the final volumes of the *Transfer of Power in India* series. Finally, I must thank my wife for all sorts of help including the drawing of the maps and the designing of this book.

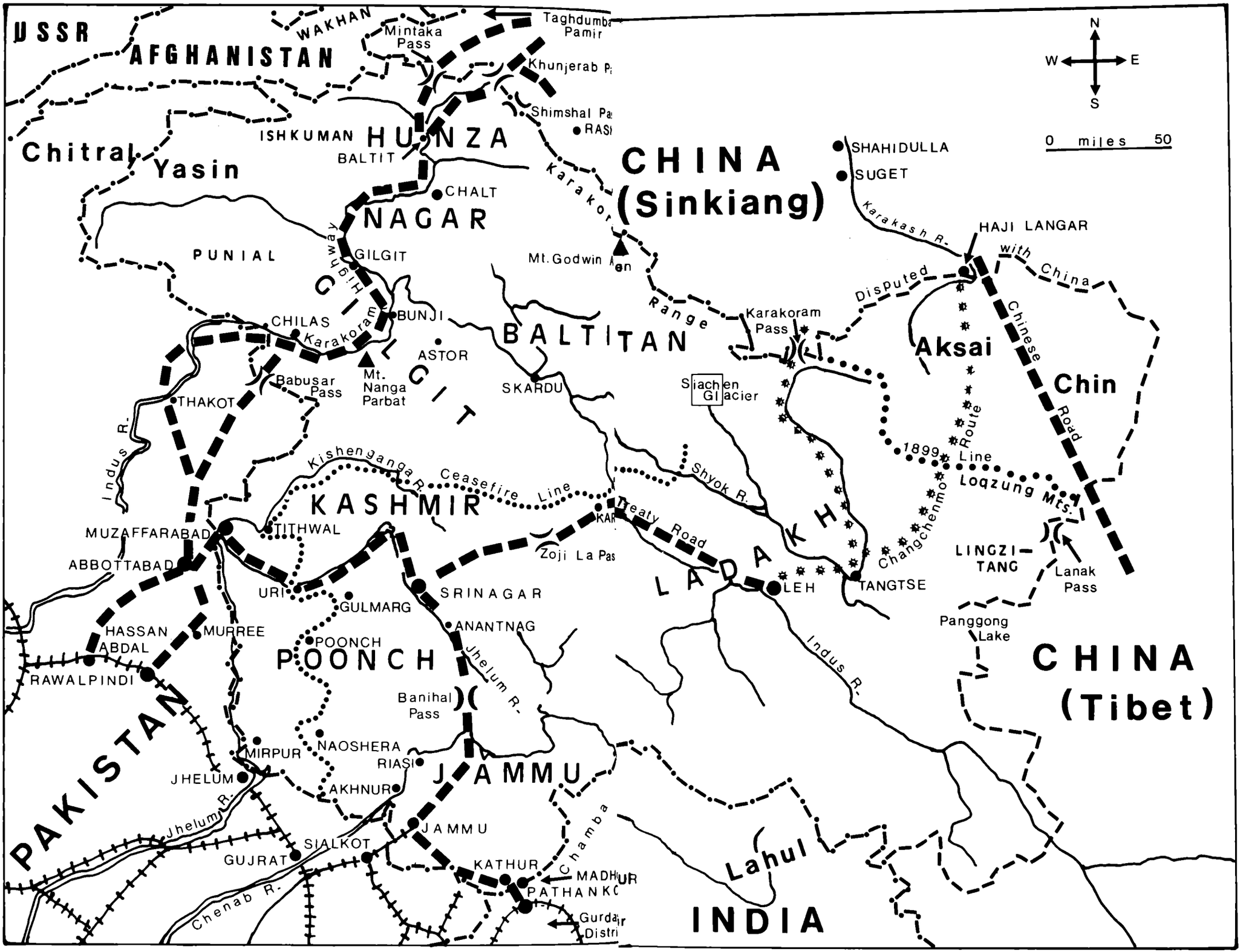
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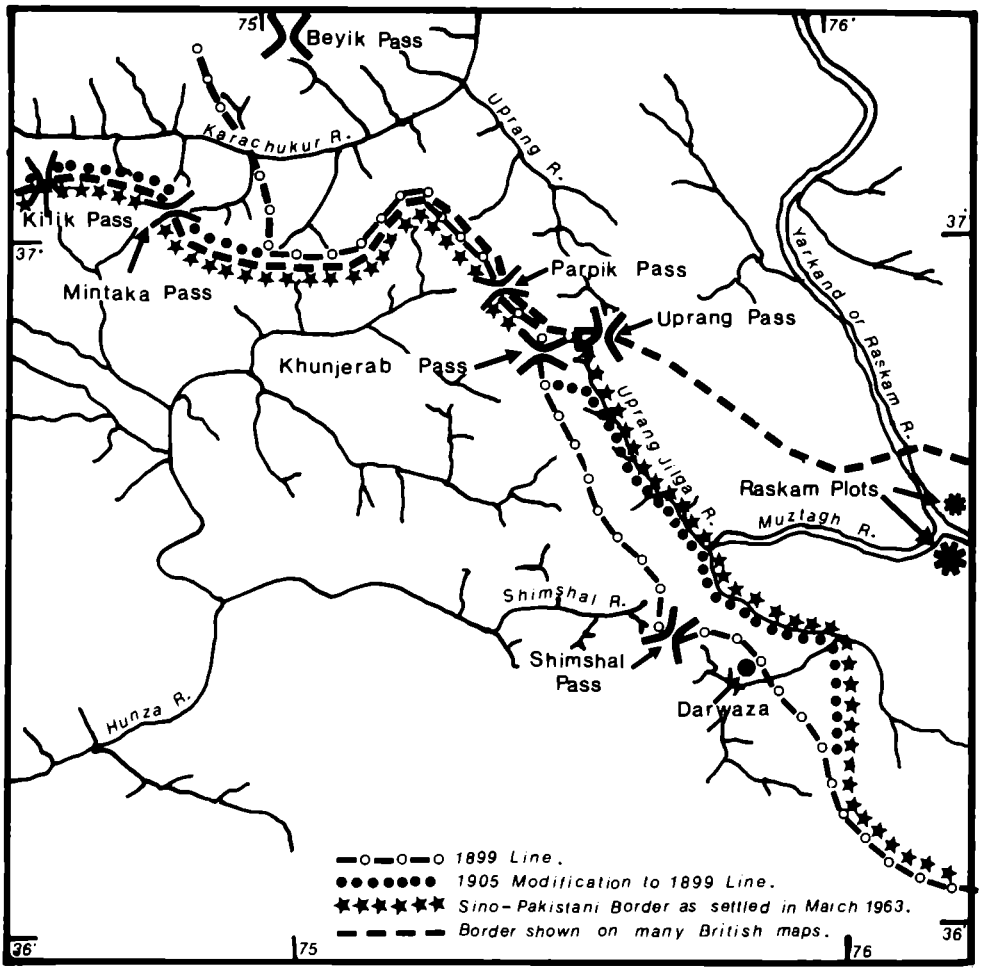
Map. 1. The State of Jammu and Kashmir in relation to its neighbours.



Map. 2. Stages in the creation of the State of Jammu and Kashmir.



Map. 3. The State of Jammu and Kashmir.

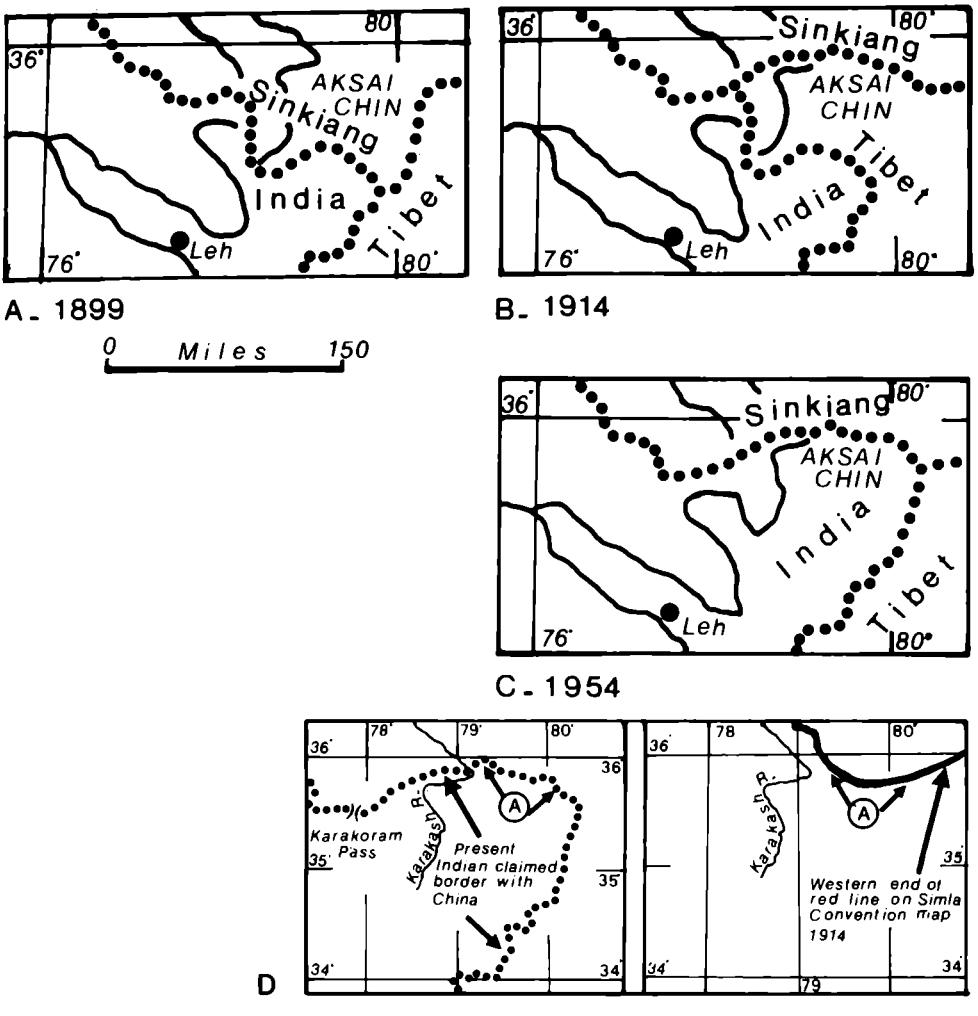


Map. 4. The Western Sector of the Northern Frontier, 1899, 1905 and 1963.

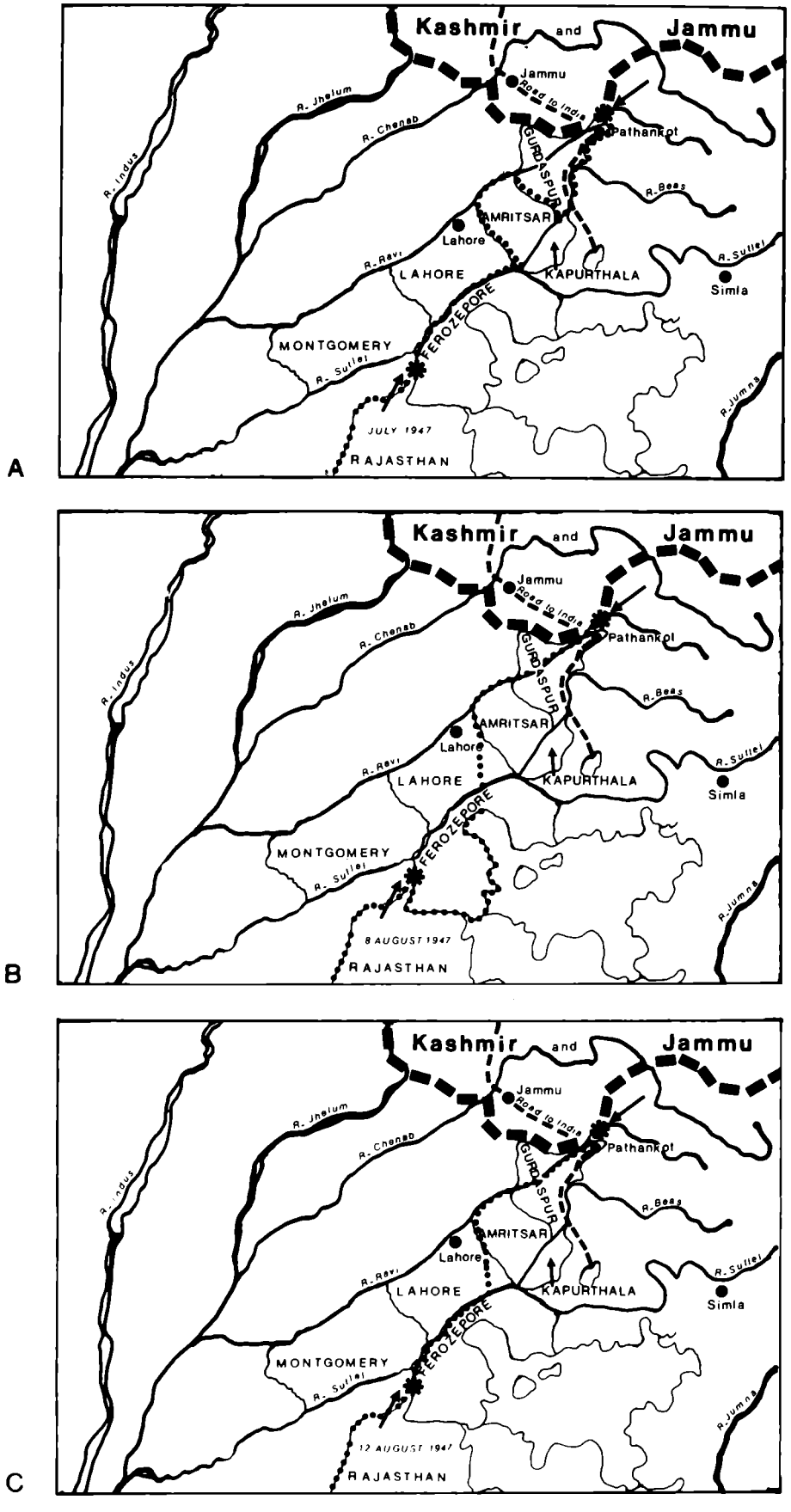
A, B & C. Three stages in the evolution of British and Indian views toward the Aksai Chin. Accepted as in Sinkiang by the 1899 Note (and its 1905 modification), an attempt is made in 1914 by means of the Simla Convention Map to transfer it to Tibet. In 1954, after the Transfer of Power, the Government of India moves the Aksai Chin from Tibet to India, ignoring the fact that in the years immediately preceding 1947 the British Government of India adhered (if to any line at all) to the 1899 Note boundary as modified in 1905.

D. The north-western end of the Simla Convention Sino-Tibetan border ("Red Line") compared with the Sino-Indian border in the Aksai Chin as claimed by India in 1954.

E. The Simla Convention map (somewhat simplified). The Sino-Tibetan border ("Red Line") not only indicates the Aksai Chin border but also the 'McMahon Line".



Map. 5. The Simla Convention Map and the altered status of the Aksai Chin.



Map. 6. The Partition of the Punjab, 1947.

PART ONE

ORIGINS 1846 TO 1947

A. Notional boundary between India and Pakistan in the Punjab as implied by the Indian Independence Act, 18 July 1947. Note how the entire Gurdaspur District is in Pakistan, thus dominating the main India to Jammu road. Also, how the notional boundary follows the north-eastern edge of the Lahore District. The effect is to create a narrow Indian salient of Amritsar, the Sikh heartland.

B. The provisional award of the Radcliffe Comission of 8 August 1947. Note how the eastern part of Gurdaspur District, on the eastern side of the Ravi, has been put in India. In compensation, much of the Ferozepore district (east of the Sutlej) had been put in Pakistan. A portion of the Lahore District, however, has been put in India, thus expanding the Indian hinterland of Amritsar.

C. Final award of the Radcliffe Commission, arrived at on 12 August 1947 but not published until 16 August 1947. The entire Ferozepore District is now in India, thus eliminating any Pakistani territory to the east of the Sutlej.

I

INTRODUCTORY

When the British gave up their Indian Empire in 1947 it was widely expected that the two successor states, India and Pakistan, would collaborate to preserve the essentials of what appeared to be the greatest of all British achievements in the subcontinent, a unified polity. The leaders of the two new regimes had grown up in the same tradition. They had worked together in the army and the civil service and they shared a common inheritance of British political, judicial administrative, ethical and educational concepts. All this, it seemed to many observers in the summer of 1947, might still be preserved beneath the umbrella of a single Governor-General and a single Commander-in-Chief. The device of Pakistan could perhaps satisfy Muslim aspirations without destroying the essentials of unity. In other words, the end result of the Transfer of Power from Great Britain to India and Pakistan could be the emergence of some kind of federal structure, albeit rather less formal than had been intended by some who had grappled with the problems of Indian independence since the first years of the 20th century, particularly those British parliamentary draftsmen who devised the federal provisions of the 1935 Government of India Act.

The reality, however, has been something very different. India and Pakistan since the very moment of their birth have grown ever further apart; and their policies both domestic and international have evolved in increasingly divergent ways. One underlying reason for this, perhaps, indeed, the most important, is undoubtedly to be found in the consequences of the dispute over possession of the State of Jammu and Kashmir.[1]

In the more than four decades which have passed since the British departed from the Indian subcontinent India and Pakistan have fought two wars specifically over the question of title to this territory, in 1947-48 and 1965; and during the final stages of the great crisis of 1971 which accompanied the birth of Bangladesh there was once again battle on Kashmiri soil between Indian and Pakistani soldiers. At the moment of writing (1991) a fourth Indo-Pakistani conflict in or over Kashmir would still seem to be by no means a remote

probability. It is possible, indeed probable, that without Kashmir the destinies of India and Pakistan would have in any case diverged; but Kashmir accelerated the process and added to it a most unwelcome degree of violence. It can be argued that Kashmir has been the dominant force in shaping the foreign policies of both India and Pakistan; and there can be no doubt that it has infected every aspect of the internal political life of the two nations (to which, in 1971, was added a third, Bangladesh).

In essence the nature of the Kashmir dispute is fairly simple; though the complexities of its details are indeed formidable. The Indian Princely State of Jammu and Kashmir, with a predominantly Muslim population under a Hindu Maharaja, was so situated geographically that it could have joined either Pakistan or India following the British departure from the subcontinent in 1947. The logic behind the partition of the Indian Empire into Muslim and non-Muslim portions suggested that Kashmir ought to go to Pakistan. In the event, the Maharaja decided to accede to India. His decision was supported overtly by Indian arms and challenged, somewhat less overtly at first, by the arms of Pakistan. All this took place against the background of the British retreat from Empire in 1947; and there can be no doubt that had the British made different decisions as to policy and course of action at that time the Kashmir problem might never have arisen, at least in its acutely virulent form.

The language of the Kashmir dispute, of course, has evolved over the decades; and, to add to the confusion, considerations which were totally absent in 1947 are now advanced as if they have always been of fundamental importance. An appreciation of the situation as it was at the moment of genesis, therefore, is today as crucial as it ever was to an adequate understanding of the problem. Until the key issues of 1947 are resolved it is more than probable that the Kashmir dispute will continue to damage seriously the health of the bodies politic of both India and Pakistan. We may not be able to advance here any practicable, as opposed to theoretical, solution to Kashmir; but it is hoped that the pages which follow will at least clarify the nature of those basic issues and the way in which they have been modified, obscured or distorted by the passage of time and the pressures of partisan argument. At the very heart of the matter is the decision made by the Maharaja of Jammu and Kashmir in October 1947 to accede to India. From this all else has flowed; and its consequences are with us still.

In the first part of this book we will examine the origins of the Kashmir problem, how the State of Jammu and Kashmir came into being in the first place, the role that it played in British policy, and the internal processes of political evolution which produced one of the key components of the dispute which erupted in 1947. The second part of the book explores the consequences of the dispute and

relates the story of its various stages, culminating in the horrors of 1990 (which surely do not mark the end of the crisis in Kashmir).

1. The State of Jammu and Kashmir is usually referred to as simply Kashmir. In that, strictly speaking, Kashmir means the Vale of Kashmir only, and not other parts of the State such as Jammu, Ladakh and Baltistan, I have tried here as much as possible to use the term Kashmir to mean the Vale of Kashmir, and Jammu and Kashmir to refer to the State as a whole. Inevitably, however, it has not been possible to be as consistent in this system of terminology as one might wish.

II

JAMMU AND KASHMIR AND THE INDIAN PRINCELY STATES

In 1947 the State of Jammu and Kashmir was one of those Indian Princely States, at least 562 (some authorities list 565 or, even, 584) in all, which constituted about a third of the extent of the British Indian Empire. In practice the Indian Princely States had been divided into three main categories. First; there were about a hundred and forty major States (including Jammu and Kashmir) which enjoyed in principle full legislative and jurisdictional powers (were "fully empowered"). Second: there were about the same number of States where the British exercised a measure of control specified in some formal engagement (and which varied from State to State) over internal administration. Finally: there were some three hundred minor States which were really just landed estates possessing extremely limited governmental rights. Some of this last category occupied no more than a few hundred acres. Many States, from all categories, possessed enclaves of territory surrounded either by other States or British India.

Be they major, middling or minor, concentrated or scattered, however, all the Indian Princely States were in constitutional theory quite separate from British India proper (the eleven Provinces and various Tribal Areas) in that their allegiance was directly to the British Crown, though relations between the States and the Crown were for reasons of practical convenience usually conducted by way of a political adviser or supervisor of some kind through the Viceroy in his capacity as representative (in formal language, the Crown Representative) of the King-Emperor: the Viceroy was also Governor-General, that is to say the head of government, as well being, as Viceroy, the surrogate for the ceremonial Head of State of the whole Indian Empire. The Rulers of the States, the Princes, were part of the Indian Empire by virtue of having acknowledged the Paramountcy of the British Crown. Their States were not technically territories which had been annexed by the British Government in the name of the Crown (though, of course, there may well have been coercion by the British in the process by which Paramountcy had originally been accepted or imposed).

With the passing of the British Indian Empire so also would Paramountcy lapse; and the States (particularly those which were "fully empowered") would thereby become to all intents and purposes independent. On the eve of the British departure this situation was made abundantly clear to the leading Princes by the British Cabinet Mission to India on 12 May 1946.[1] It was also at that time indicated that the Princes would have the option, which, indeed, it was strongly recommended that they exercise, of joining whatever regime might succeed the British Raj, which by the beginning of 1947 (with the evident inevitability of Partition) meant either India or Pakistan. Nothing was said about the need for the Rulers to consult the wishes of their subjects before making up their minds.

The mechanism for joining (accession) had already been worked out in some detail in the 1935 Government of India Act which provided for the integration of the States into an Indian Dominion by means of a federal structure; and the arrangements made in 1947 owe much to the 1935 precedent. The Ruler of a State, at least one in the first ("fully empowered") category, could, if he wished to join, sign an Instrument of Accession in which he transferred to the appropriate Dominion what were deemed the three major powers, those over Defence, External Affairs and Communications. For the second category of States another form of Instrument of Accession had to be devised to make it clear that such States had not acquired by the very process of the British departure powers which they had not hitherto exercised. The third category presented no real problems: it could just be absorbed. In the 1947 provisions it was possible for a State, which was either deliberating accession or acceding with certain issues unresolved, to sign with one or both of the Dominions what was termed a Standstill Agreement: this would permit the continuation of various essential services even if their constitutional basis was now uncertain. Also devised in 1947 was a scheme for the agreed union of two or more States prior to accession to create more viable administrative entities. In practice all States within the Indian catchment area were either integrated into existing Provinces or merged to form a larger State (for example PEPSU, the Patiala and East Punjab States Union) with the exception of Mysore, Hyderabad and Jammu and Kashmir which the Indian Union accepted more or less in their original territorial form; and of these only Mysore joined the Union without conflict, while the geographical shape in Indian theory of Jammu and Kashmir has not to this day corresponded with the realities of the situation.

The whole system of Princely States was one of the most peculiar features of the British Indian Empire as it had evolved during the second half of the 19th century and the first decades of the 20th. Within the apparatus of British imperial administration there existed a genuine, if at times sluggish, desire for the creation of representa-

tive institutions with self government as an ultimate goal. At the same time, in the Princely States arbitrarily autocratic polities were perpetuated, even protected, which were totally at odds with this spirit. The fact is that in the years immediately preceding the great crisis of 1857, which is enshrined in British history as the Indian Mutiny, the policy of the English East India Company had indeed been to move towards the incorporation of Princely States into territory under direct British rule. The events of 1857, however, were interpreted by the British as evidence both that it was dangerous to meddle too much in the affairs of the Princes, and that while some Princes had rebelled, others had not: their loyalty had contributed greatly to the survival of the Indian Empire. This role as buffer to British rule did not, of course, endear the concept of Princely States to Indian nationalists be they Muslim or non-Muslim. With independence, though many Rulers probably failed to appreciate the fact at the time, they were doomed in both India and Pakistan.

In practice, in 1947 the majority of Princely States fell naturally enough into one or other of the two catchment areas of the new sovereignties; and nearly all of those within the Indian sphere had acceded to India before 15 August 1947, the moment of the Transfer of Power to the new Dominions from the British. Indeed, only three Princely States with, so to say, Indian potential, held out by that date, Junagadh in Kathiawar in Western India (a small State with an 80% Hindu population whose Muslim Ruler wished to join Pakistan), Hyderabad in the Deccan (where a Muslim Ruler with a Hindu majority population wished to remain independent of both India and Pakistan), and Jammu and Kashmir in the North-West. In the end Junagadh was pulled into India when New Delhi imposed a plebiscite (the validity of which has never been accepted by Pakistan), Hyderabad was occupied by Indian force of arms, and Jammu and Kashmir with its Muslim majority and Hindu Maharaja (where the theoretical possibility of accession to Pakistan was very real) became the victim of dispute military, political and diplomatic which still continues to this day.

The emphasis upon accession which was so evident on the Indian side in the run up to Partition was not, in fact, shared by the leaders of Pakistan. There were ten major Princely States clearly in the West Pakistani catchment area (Jammu and Kashmir apart), Bahawalpur, Khairpur, Kalat, Las Bela, Kharan, Makran, Dir, Swat, Amb and Chitral. None had acceded to Pakistan by 15 August 1947, though all were within the Pakistani fold by March 1948.[2]

Jammu and Kashmir and Hyderabad were giants among the Princely States of British India, each over 80,000 square miles in area (and, thus, comparable in size to the United Kingdom) and each with relatively large populations, Jammu and Kashmir with some 4,000,000 and Hyderabad with no less that 14,000,000.[3] The only

other State with this kind of area was Kalat (in what was to become Pakistan) with some 70,000 square miles; and the only other States with this order of population were Mysore (with over 6,500,000) and Travancore (with some 5,000,000), both of which were to join India.

The State of Jammu and Kashmir differed in one important respect from other Princely States: it was rather better situated geographically to exercise a more than purely hypothetical choice as to its future. It had a border with Tibet, with the Chinese Province of Sinkiang, and (it could be argued) with Afghanistan (and it came very close indeed to the Soviet Union, only separated from it by the narrow Wakhan tract of Afghan territory and a small section of Sinkiang in the Taghdumbash Pamir), giving it, in theory at least, an outlet to the world outside the confines of the old British Indian Empire, a fact which added greatly to the attractions of the idea of independence after 15 August 1947.

As far as the two new Dominions were concerned, the Hindu Ruler of Jammu and Kashmir, Maharaja Sir Hari Singh, could, despite more than three quarters of his subjects being Muslim, with some degree of realism according to the provisions of the British statement of 12 May 1946 consider accession to either India or Pakistan. The geographical and economic links between Jammu and Kashmir and Pakistan, however, were rather better than those with India, particularly if in the actual process of Partition the Gurdaspur District of the Punjab, with a Muslim majority, were awarded to Pakistan. A Pakistani Gurdaspur would mean that direct Indian land access to the State (which was by no means ideal even across the Gurdaspur District) would have to be through the Kangra District of the Punjab over the extremely difficult terrain provided by the foothills of the Himalayas either directly into Jammu or by way of the Pathankot *tehsil* (sub-district) of Gurdaspur (where there was a small Hindu majority) if that *tehsil* alone went to India; and all this would involve new roads which would take some considerable time to construct.[4] Air links were not a serious consideration at this moment, though they would soon become vital. In practice, therefore, as opposed to theory, the fate of the various *tehsils* of the Gurdaspur District was to become inextricably bound up with the fate of the State of Jammu and Kashmir.

The State of Jammu and Kashmir was the creation in the first half of the 19th century of a Dogra (hill Rajputs who were to be found both in Jammu and the neighbouring Kangra District) chieftain, Gulab Singh, who had won the favour of Ranjit Singh, the builder of the great Sikh Empire in the Punjab with its capital at Lahore. In 1820 Ranjit Singh confirmed Gulab Singh as Raja of the State of Jammu; and from this base Gulab Singh rapidly proceeded to build up a small empire of his own, first in the 1830s conquering Ladakh (from some kind of tributary relationship with Tibet and with a

population which was Tibetan both ethnically and in its form of Buddhism) and then in 1840 acquiring Baltistan (sometimes referred to by 19th century travellers as "Little Tibet"). In 1841 Gulab Singh undertook a disastrous campaign into Tibet proper (then part of the sphere of influence of the Manchu Dynasty in China) which halted his advance to the east.

At about the same time that Gulab Singh received Jammu from Ranjit Singh, the Sikh ruler granted to Dhyan Singh, Gulab Singh's younger brother, as a *Jagir* (or fief) the small district of Poonch (a narrow tract on the eastern side of the River Jhelum and squeezed in between that river and the Pir Panjal Range beyond which lay the Vale of Kashmir). Poonch thus became a State in its own right quite distinct from Gulab Singh's Jammu. Its Muslim inhabitants did not take easily to Dogra rule; and the 1830s saw a series of singularly bloody rebellions which tested severely the military abilities of the Dogra Rajas.[5]

In 1846, as a result of his neutrality during the first Anglo-Sikh War, Gulab Singh was granted by the British dominion over the Vale of Kashmir. This had been conquered by the Sikhs from its Afghan rulers in 1819. In 1846 the Sikhs had been obliged to cede Kashmir to the English East India Company; but the Governor-General, Sir Henry Hardinge, reluctant to expand British direct rule into what was then an extremely exposed position, immediately transferred it (by the Treaty of Amritsar of 16 March 1846) to the Ruler of Jammu by what amounted to a deed of sale for the sum of Rs. 75,00,000 (about £500,000).[6] It took Gulab Singh, and then only with British military assistance, some two years to establish himself in his new possession where his presence was not welcomed by the local population. Some of his opponents he caused to be flayed alive, one of his favourite punishments: contemporary British observers did not find Gulab Singh a kindly soul, though many were surprised to find him to be a convivial companion when relaxing from the affairs of state.

People who write about the history of Kashmir generally have in mind the Vale of Kashmir only and forget the other regions which today go to make up the bulk of the State of Jammu and Kashmir. This emphasis on the Vale of Kashmir is natural enough, despite the fact that it constituted but a little more than 10% of the total area generally understood by the term the State of Jammu and Kashmir. In 1947 over half the population of the State were be found in Kashmir Province, the Vale of Kashmir; and it is from here that the main wealth of the State (or, after 1947, that part of it in Indian hands) was derived. The Vale of Kashmir was an important centre of tourism, a refuge from the heat of the Indian plains. Until the latter part of the nineteenth century it was the home of the Kashmir shawl industry, the weaving of fine fabrics based on *pashm*, wool from the

undercoat of sheep from highlands of Western Tibet. In the 1870s, however, the shawl industry was severely affected by famine which caused the weavers to disperse; but in more recent times its place has to a considerable extent been taken by carpet manufacture and silk weaving. The Vale of Kashmir was also the most important centre of agriculture in the State, with rice and fruit cultivation. Finally, the Vale of Kashmir played a vital role in another of the State's major industries, timber. Before 1947 the bulk of the exports of the State of Jammu and Kashmir passed from the Vale of Kashmir down the Jhelum Valley into that part of the Punjab which was in 1947 to be awarded to Pakistan.

Most of the phases of early Buddhist and Hindu civilisation in northern India appear to have had their impact upon the Vale of Kashmir. In the ninth century A.D. the region seems to have been a major centre in the world of Hindu culture. In the twelfth century Kashmir produced the chronicles of the historian Kalhana, a work entitled the *Rajatarangini* ("River of Kings") which is one of the very small number of writings of a true historical nature which have survived from pre-Islamic India.[7] The fourteenth century saw the establishment of Islamic power in the Vale of Kashmir (by one Shah Mir who seized power in 1339 and reigned as Sultan Shamsuddin). Under the Shah Miri Dynasty numerous Muslim preachers visited Kashmir, notably the Persian Mir Syed Ali Hamadani (also known as Shah-i-Hamadan), who consolidated the dominance of Islam among the people of the Vale of Kashmir. In 1586 the Moghul Emperor Akbar added Kashmir to his dominions; and it thereupon became a favourite summer resort for successive Moghul rulers. In 1752, with the collapse of Moghul power, the Vale of Kashmir came under the control of the Afghan warlord Ahmad Shah Durrani. It was removed from the grasp of the Afghans by the Sikhs under Ranjit Singh in 1819.

In the years that followed the Dogra acquisition of the Vale of Kashmir and the creation of the new State of Jammu and Kashmir, Gulab Singh and his successors expanded their influence to the north-west into what the British in the latter part of the 19th century often referred to as Dardistan, including Gilgit, Hunza, Nagar and other tracts adjacent to Chinese Sinkiang and Afghanistan to create what are today known in the language of the Indo-Pakistani dispute as the Northern Areas. The history of this process, and its consequences for the policy of the British Government of India, will be examined in detail in Chapters 3 and 4.

The State of Jammu and Kashmir thus assembled was, therefore, of considerable complexity. It was, moreover, in the context of the broad sweep of Indian history a totally new polity quite without precedent. The original heartland, Jammu, was predominantly Hindu and Sikh in population and dominated by the Dogras who

claimed Rajput ancestry, though with its outlying districts it had by 1947 a small Muslim majority, the latter mainly concentrated in Mirpur (now largely free of Indian control in Azad Kashmir) and Riasi Districts. In 1941 the total population of Jammu Province was 1,561,580. Kashmir itself, the Vale of Kashmir with its capital at Srinagar, was overwhelmingly Muslim though it contained a small but extremely influential Hindu minority in the shape of the Kashmiri Brahmins, the Pandits, from which group came the families of Jawaharlal Nehru and a number of other leading figures in the history of the Indian independence movement (Sir Tej Bahadur Sapru, for instance).[8] The Vale of Kashmir had 1,728,600 inhabitants in 1941 of whom 1,615,500 (over 90%) were Muslims. The Muslim population of the Vale of Kashmir, with no tradition of links with Jammu, had a highly developed culture of their own which included not only a form of Islam with features peculiar to the region but also a distinctive language, Kashmiri, generally considered to belong to that Dardic linguistic family which according to the *Encyclopædia Britannica* is "Aryan" but "neither Iranian nor Indo-Aryan", and is unique to the mountains of this north-western corner of the subcontinent. The majority of the Kashmiri Muslims considered themselves to be Sunni, though there was an Ahmadiya community there (which many did not consider to be Muslim at all)[9] as well a small number of Shias, perhaps 5% of the total, whose relations with their Sunni brethren, while generally harmonious, could from time to time lead to violence as in the case of the exceptionally severe Shia-Sunni riots in Srinagar of 1872.

The sparse population of Ladakh was almost entirely Tibetan Buddhist. Baltistan, with its capital at Skardu, was occupied by Muslims who were ethnically related to Tibet but in religion belonged to the Twelver Shia branch of Islam. Baltistan and Ladakh (which were usually treated as closely related administrative units) in 1941 had a total population of some 200,000 (with only 40,000 in Ladakh).

The people of Hunza, Nagar, Gilgit, Chilas, Astor, Yasin and Ishkuman and the rest of Dardistan numbered a scant 100,000 in all in 1941.[10] They were also overwhelmingly Muslim in population, the majority being members of the Twelver Shia branch of Islam though most of the people of Hunza were Ismailis, followers of that Islamic sect headed by the Aga Khan. Like the inhabitants of the Vale of Kashmir, they too spoke languages of the Dardic family; but in most respects their cultural links with the Vale of Kashmir were negligible.

The State of Jammu and Kashmir is extremely mountainous. The northern regions of the State are traversed by those great ranges which provide a link between the Pamirs and the Hindu Kush on the west and the Himalayas on the east. In the Karakoram in Baltistan is to be found K2 (Mt. Godwin Austen), over 28,000 feet high, the second most lofty peak in the world; and there are numerous other

peaks within the State of more than 25,000 foot altitude. Ladakh includes a corner of the Tibetan high plateau which extends eastward for thousands of miles into what is today Chinese territory.[11] Across the south-eastern corner of the State runs the Pir Panjal range, rugged enough even if dwarfed by the Himalayas or the Karakoram to both of which it serves as a line of foothills: it also separates the Vale of Kashmir from both Jammu and Poonch.

Cutting right across the State of Jammu and Kashmir in a great arc from east to west flows the Indus River on its way from its sources in Western Tibet to its mouth in Sind in Pakistan. One of the major tributaries of the Indus, the Jhelum, has its source in the State and for some of its length provides the basis for life in the Vale of Kashmir. Another Indus tributary, the Chenab, passes through the extreme southern corner of the State on its way from its Indian source in Lahul to the plains of the Pakistani Punjab. Thus three out of the five rivers of the Punjab (a word which simply means "five rivers") either rise in or traverse the State of Jammu and Kashmir (and a fourth, the Ravi, for a short stretch marks the boundary between Jammu and the Punjab in the Gurdaspur District); and the agriculture of the Punjab and Sind to a great extent depends upon the melting snow in its mountains.[12]

The valleys of the major Kashmiri rivers, now so vital to the economy of Pakistan, also provided until very recently the main lines of communication between the State and the outside world. The road to Srinagar started at Rawalpindi and followed the course of the Jhelum into the Vale of Kashmir. The valley of the upper Indus gave access to the hill States of the Gilgit region. The line of the beds of the rivers which created links between the western part of the Punjab and Kashmir also made communications between the eastern part of the Punjab and Kashmir extremely difficult. The only road within the State of Jammu and Kashmir, for example, which linked Jammu (the winter capital of the State) with Srinagar (the summer capital) involved the crossing of the Pir Panjal range by means of the Banihal Pass, over 9,000 feet high and snowbound in winter.[13] The easiest route between Jammu and Srinagar lay through the West (Pakistani) Punjab by way of Sialkot and Rawalpindi. At the moment of Partition in 1947 there existed but one road from India to Jammu, by way of Pathankot; and this was then of the poorest quality and much of it unsurfaced. The only railway in the State in 1947 was a short branch line (opened in 1890) linking Sialkot in the Punjab with Jammu City. It was to be severed by the process of Partition in the Punjab which put Sialkot on the Pakistani side.

This brief survey of the population, economy and geography of Kashmir contains within it the fundamental grounds for the Pakistani claim to Kashmir. These merit summary, not least because they are quite independent of what may or may not have happened at the time

of the Transfer of Power in India in 1947 when the actual conflict between the two successors to the British Raj began over the right to control the destiny of the State which the Dogra Maharajas had created.

First: the State of Jammu and Kashmir was a region with an overwhelming Muslim majority contiguous to the Muslim majority region of the Punjab which became part of Pakistan.

Second: the economy of the State Jammu and Kashmir was bound up with what was to become Pakistan. Its best communication with the outside world lay through Pakistan, and this was the route taken by the bulk of its exports.

Third: the waters of the Indus, Jhelum and Chenab, all of which flowed through Jammu and Kashmir territory, were essential for the prosperity of the agricultural life of Pakistan.

From a strictly rational point of view, based on a study of the culture and the economy of the region, there can be little doubt that a scheme for the partition of the Indian subcontinent such as was devised in 1947 should have awarded the greater part of the State of Jammu and Kashmir to Pakistan. That such an award was not made was essentially the product of a series of historical accidents arising from the nature of the Princely States and the British attitudes towards them. As Sir Owen Dixon indicated in his remarkable report to the Security Council of the United Nations in September 1950, the basic cause of the Kashmir problem "presumably formed part of the history of the sub-continent". It was this process of history which resulted, so Lord Birdwood once remarked, in

> the delimitation of a line on the map of Central Asia which on political considerations enclosed a completely artificial area, a geographical monstrosity which then assumed the name of the land of the Jhelum Valley, Kashmir.[14]

Thus was converted a group of otherwise unrelated tracts in the extreme north-west of the subcontinent into a Princely State; and the outcome was to merge the partition of British India and partition of Paramountcy into a single problem which the British were not prepared to resolve and for which the two successor States to the Indian Empire have yet to find a solution.

In the late 19th century the British nearly took a step which would have prevented the Kashmir problem from ever arising. The autocratic and arbitrary rule of the Dogras in the State of Jammu and Kashmir was a source of considerable anxiety for the Government of India, in part for major strategic considerations which we will examine further in Chapters 3 and 4, and in part because of that element of humanitarian concern which was a feature of the British Indian Empire all too frequently overlooked by its critics.

British observers were much disturbed by the great Kashmir famine of 1877-78 when excessive rain destroyed the crops in the

Vale of Kashmir. Many thousands died of starvation; and for several months refugees from the disaster were refused permission by the Maharaja's frontier guards to leave the State for the comparative plenty of the Punjab. When, in 1878, groups of Kashmiris at last found ways to escape the Vale of Kashmir and make their way to British India, they included many shawl weavers who never returned: their loss caused irreparable damage to the already declining Kashmiri shawl industry. While the Maharaja purchased emergency supplies of grain from British India, little of it reached those in need because of the corruption of his officials: much of it, indeed, was resold in the Punjab. No wonder that Lord Kimberley, Secretary of State for India, was able to write these words in 1884:

> as to the urgent need for reforms in the administration of the State of Jammu and Kashmir, there is, unfortunately, no room for doubt. It may, indeed, be a question whether, having regard to the circumstances under which the sovereignty of the country was entrusted to the present Hindoo ruling family, the intervention of the British Government on behalf of the Mahommedan population has not already been too long delayed.[15]

In the event, the British did not go so far as to annex the State; but they carried out some major constitutional changes. In 1846, following the Treaty of Amritsar which had brought the State of Jammu and Kashmir into being, the British had decided not to station a Resident there: relations between the Maharaja and the Government of India had been conducted by a British Officer on Special Duty in Kashmir who was more an ambassador of the Governor-General or Viceroy than an agent for the exercise of his governing powers. As a result of the new policy, however, in 1885 the Officer on Special Duty became the British Resident in Kashmir, "with the same position and duties as Political Residents in other Native States in subordinate alliance with the British Government".[16] In 1889 the decision was taken to "exclude the Maharaja . . . [Pratap Singh] . . . from all interference with public affairs" in the State, which would now be entrusted to a Council of State

> consisting of the Maharaja's brothers and certain selected Native officials in the British service. This Council will have full powers, subject to the condition that they will take no important step without consulting the Resident, and that they will act upon the Resident's advice whenever it may be offered.[17]

Thus the British Resident, at this time Colonel R. Parry Nisbet, was now the final arbiter in the State's affairs on behalf of the Government of India.

In 1905 some of the Maharaja's powers were returned to him by the Viceroy, Lord Curzon; and the process of restoration was virtually completed in 1922, though the Council of State remained in being, though with greatly reduced authority, at the time of the death of

Maharaja Pratap Singh in 1925. Thus the last of the Maharajas, Hari Singh, inherited in that year a State which was still an autocracy, albeit somewhat less absolute than the regime which Gulab Singh had founded. Had British annexation taken place in the 1880s, of course, as several British statesmen had rather favoured at the time, there would never have been a Kashmir dispute: the whole State (with the possible exception of parts of Jammu and Ladakh) would have gone to Pakistan under the terms of Partition in 1947.

Just over a decade before the British left India for good, the Maharaja of Jammu and Kashmir made one final addition to his dominions. Poonch, which, we have already seen, had been granted by the Sikhs to Gulab Singh's brother Dhyan Singh, had existed either as what virtually amounted to a State in its own right or as territory associated with the Punjab, until 1935-36 when, as a result of a successful lawsuit in British Indian courts, Maharaja Hari Singh at last managed to bring it entirely under his own direct control. This was the conclusion of a long history of ill feeling between the two branches of the Dogra Dynasty which had been exacerbated in 1925 by the deathbed efforts of Maharaja Pratap Singh to adopt a member of the Poonch ruling family as his heir in the place of his nephew Hari Singh (he had no son of his own, and he had not been at all amused by reports of Hari Singh's various youthful escapades in India and in England). Pratap Singh was frustrated by the British. While Poonch formally became an integral part of Jammu and Kashmir in 1935-36, its Muslim inhabitants (some 380,000 out of a total of 420,000) resented the change and never reconciled themselves to being subjects of that State, an attitude which was to be of great significance in 1947. Traditionally, the people of Poonch had very little indeed to do with their neighbours in the Vale of Kashmir across the Pir Panjal Range, and even less with Jammu: their links had always been across the Jhelum, particularly in the Hazara District of the North-West Frontier Province.[18]

1. For the text, see: V.P. Menon, *The Story of the Integration of the Indian States*, London 1956, Appendix II.

2. Of course, technically Pakistan did not exist until 14 August 1947, which certainly complicated somewhat the accession issue. In practice, however, it would have been possible to make a binding agreement to accede at some specified date after 14 August 1947. The concept of the Standstill Agreement was in part devised to meet this kind of difficulty.

3. There exists some dispute as to the precise area of the State of Jammu and Kashmir. An official Pakistani source in 1954 indicated 84,471 square miles. The 1891 Census (of British India) put the area as 80,900 square miles, but the 1911 Census increased the figure to 84,432 square miles. This shrank slightly to 84,258 square miles in the 1921 Census. In 1961 the Government of India suggested that

earlier estimates of the area of Jammu and Kashmir were incorrect: the true figure should be 86,023 square miles (no doubt because of the official inclusion in India of the Aksai Chin). The point, of course, was that Jammu and Kashmir possessed vague (to put it mildly) frontiers with both Tibet and China which could be interpreted to give the State a variety of areas.

4. Pathankot, situated in the *tehsil* of the same name which had a non-Muslim majority (albeit slight), was the railhead of the line from Delhi running through what would be after Partition entirely Indian territory. From thence to Jammu in 1947 there was a motor road of rather mediocre quality. There was a direct rail link from the main British Indian network to Jammu by way of Sialkot; but Partition was to put Sialkot on the Pakistani side of the divide. From Jammu to Srinagar, in the Vale of Kashmir, there was a road which crossed the Pir Panjal Range by way of the Banihal Pass: this was frequently closed. The easiest way by far to get to Srinagar from British India was along the Jhelum Valley from that part of the Punjab which was to become Pakistan; and the logical jumping off point for a holiday in the Vale was Rawalpindi, which was destined to be for a while the Capital of Pakistan.

   There was another route into Jammu and Kashmir from what would after Partition be India by way of Kulu. From Manali there was a trail over the Rohtang Pass into the Chandra valley up which one could travel to cross the Baralacha Pass into Ladakh. There is a jeep road along this route today. When the author travelled this way in 1955 it was obvious that this was not a good line of supply for large armies.

5. The Poonch rebellion is vividly described in: B.S. Singh, *The Jammu Fox. A Biography of Maharaja Gulab Singh of Kashmir 1792-1857*, Carbondale, Illinois, 1974, pp. 12-13.

6. There was also, however, what might possibly be interpreted as an element of lease in this transaction in Article 10 of the Amritsar Treaty where "Maharaja Gulab Singh acknowledges the supremacy of the British Government and will, in token of such supremacy, present annually to the British Government one horse, twelve perfect shawl goats of approved breed (six male and six female) and three pairs of Kashmir shawls". This tribute continued to be paid right up to the end of the British Raj, though for the live animals there had come to be substituted various examples of Kashmir shawl.

   Could an argument have been made that this implied a lease element in the transfer of the Vale of Kashmir from the East India Company to Gulab Sing; and if so, did this lease lapse with the Transfer of Power in 1947? Just this point, in fact, was implied in Sheikh Abdullah's representations to the Cabinet Mission to India of 1946.

   Had more thought been given to the Jammu and Kashmir question prior to the Transfer of Power the idea might have been further explored. It would have amounted to a Partition of Jammu and Kashmir, with the Vale of Kashmir reverting to British India and, thereby, becoming a contiguous Muslim majority area of the kind which would go to Pakistan. Jammu would have turned into a Princely State with a Muslim majority so small that perhaps M.A. Jinnah would have not protested too much about its eventual incorporation into India.

   Hardinge explained to Queen Victoria that the sale of Kashmir to Gulab Singh was a convenient way to recover most of the costs of the First Sikh War for which the Sikhs themselves were unable to pay. See: A.C. Benson & Viscount Esher, eds., *The Letters of Queen Victoria. A Selection of Her Majesty's Correspondence between the Years 1837 and 1861. Volume II. 1844-1853*, London 1908, pp. 73-74, Sir Henry Hardinge to Queen Victoria, 18 February 1846.

7. See, for example: A.L. Basham, *The Wonder that was India. A Survey of the Culture of the Indian Sub-continent before the Coming of the Muslims*, London 1954, p. 44.

8. The Kashmiri Pandits seem to have established themselves in Srinagar in Moghul times as administrators, a role which they continued to fill subsequently. The State Government of Jammu and Kashmir was dominated by Pandits. As Sir Walter Lawrence, who acquired a unique knowledge of the administration of Jammu and Kashmir towards the end of the 19th century as Settlement Commissioner, commented: "it is to be regretted that the interests of the State and of the people should have been entrusted to one class of men, and still more to be regretted that these men, the Pandits, should have systematically combined to defraud the State and to rob the people". See: W.R. Lawrence, *The Valley of Kashmir*, London 1895, p. 401. For an excellent study of the Kashmiri Pandits, see: H. Sender, *The Kashmiri Pandits. A Study of Cultural Choice in North India*, New Delhi 1988.

9. The Ahmadiyas of Srinagar will be discussed again in Chapter 5.

10. As will be shown in Chapter 4, it is arguable whether by 1947 Hunza (and perhaps Nagar, Yasin and Ishkuman too) ought to have been considered to be in any respect part of the State of Jammu and Kashmir.

11. This part of Ladakh will be discussed again in detail in Chapter 3.

12. The great Mangla Dam, so important to the economy of Pakistan, lies in territory which was once part of the State of Jammu and Kashmir.

13. A carriage road over the Banihal Pass was opened in 1916. At this time the road was the private property of the Maharaja of Jammu and Kashmir; and a special permit was required for its use. It was opened to general public use in 1922. The road became a truly all weather motor road when a most impressive tunnel, nearly two miles in length and with access generally free from obstruction by snow or landslides, was constructed by the Indian Government in the 1950s to meet the needs of the military: this was, aptly enough, named after Jawaharlal Nehru.

    Until 1916 the only way to travel from Jammu to Srinagar by carriage was by way of Rawalpindi and the Jhelum Valley Road which was opened in 1890. The Jammu and Kashmir Government had constructed this as a convenient means of British military access to the Northern Frontier and, thus, prevent the Government of India from building cantonments in the State.

14. Lord Birdwood, *Two Nations and Kashmir*, London 1956, p. 25.

15. Government of Great Britain, *Accounts and Papers. East Indies. Papers Relating to Kashmir*, C. 6072, 1890, LIV, f. 233, Kimberley to the Government of India, 23 May 1884.

16. *Papers Relating to Kashmir, loc. cit.*, Lord Randolph Churchill, Secretary of State for India, to the Viceroy, Lord Dufferin, 27 November 1885.

17. *Papers Relating to Kashmir, loc. cit.*, Lord Cross, Secretary of State for India, to the Viceroy, Lord Lansdowne, 24 May 1889.

18. The dominant group in Poonch were the Sudhans of the Sudhnuti *tehsil* who were to play a major part in the Poonch rising of 1947 which is described in Chapter 7. The Sudhans were, it is said, members of the Sadozai clan of the Durrani (or Abdali) Afghans who, perhaps, settled in this region during the Afghan occupation of Kashmir in the late 18th and early 19th centuries. They were, in other words, Pathans; and it is not surprising that they should have close relations with other Pathan regions of North-West India and eastern Afghanistan. This particular Pathan factor should be kept in mind when considering the probable nature of the Pathan involvement in the Kashmir crisis of 1947.

III

JAMMU AND KASHMIR AND THE DEFENCE OF BRITISH INDIA: THE PROBLEM OF THE NORTHERN FRONTIER. Part I

The Treaty Road in Ladakh and the Gilgit Agency

An Indian scholar, Dr. H.L. Saxena, maintained not so long ago that at the heart of the Kashmir problem lay the nature of British strategic interests in the region and the manner in which the British hoped that those interests would be maintained following the Transfer of Power in 1947.[1] Everything that happened in the State of Jammu and Kashmir between 1846 and 1947 was in some way a product of this strategic policy. What the British really wanted was control over the Gilgit Agency, that key observation point into the affairs of Central Asia and defensive outpost against any hostile incursions from that direction.

Dr. Saxena claimed that the Government of India used Sheikh Abdullah as its agent to stir up communal trouble in Srinagar in 1931 so as to destabilise the State of Jammu and Kashmir and thereby force the Maharaja Sir Hari Singh to give in to British pressure and hand over the Gilgit region on a long lease. In 1947, Dr. Saxena continued, Mountbatten made sure that Gilgit somehow did not revert to the State of Jammu and Kashmir but passed into the hands of Pakistan so as to enable the "Anglo-Americans" to maintain their base in this key Central Asian outpost after the Transfer of Power.

There was, it need hardly be said, much distortion in all this; and the records do not support the basic thesis. The British did not create or inspire the disturbances in Srinagar during the early 1930s which are described in Chapter 5. Nor, as we shall see, did Lord Mountbatten make the slightest effort to hand over the Gilgit Agency to Pakistan; indeed, he did his best, although without success, to create the circumstances which would lead to the eventual Indian domination over this key strategic region. Writers like Dr. Saxena are

forever searching for traces of the sinister hand of British policy behind the recent history of the subcontinent. The law of averages would suggest that from time to time they will hit a target of some kind, though it may not be that at which they have aimed. This is a case in point. While Mountbatten did not lift a finger to push the Gilgit Agency towards Pakistan, as Dr. Saxena suggests, yet British policy for a century or more, culminating in Mountbatten's ultimate Viceroyalty, was directed towards the security of that part of the frontier of the subcontinent which is symbolised by the name "Gilgit Agency"; and the history of the State of Jammu and Kashmir from its creation in 1846 until the crisis of 1947 was dominated by the implications of that policy.

In 1846 the British could probably, despite considerable practical difficulties, have held on to the Vale of Kashmir after they acquired it from the Sikhs whom they had defeated at the battle of Sobraon on 10 February 1845.[2] Instead, as we have already seen, they decided to transfer it to the Raja of Jammu, Gulab Singh, to bring into existence the State of Jammu and Kashmir. This creation the Indian Government of Sir Henry (later Lord) Hardinge resolved to exploit as its chosen instrument for the protection of what came to be known as the Northern Frontier.

The Northern Frontier ran along the high mountains of the Karakoram and associated ranges which create the main watershed between the Tarim basin, that vast expanses of internal drainage which is now part of Sinkiang Province of China, and the Indus river system flowing into the Indian Ocean. To the west these mountains run into both the Pamirs in what is today Soviet Tadzhikistan and the Hindu Kush of Afghanistan: to the east they meet the western edge of the high Tibetan plateau, bounded to its north by the Kunlun and to its south by the Himalayas. All these formidable ranges can be imagined schematically in the form of a very erratic letter H, with the Karakoram representing the horizontal line connecting the two verticals.

Over the horizontal line run two major routes across the main watershed. On the east there is the Ladakh route, the approach to Khotan (Hotan), Yarkand (Shache) and Kashgar (Kasha) in Sinkiang (Xinjiang) from Leh in Ladakh by way of the Karakoram Pass (or near it). On the west is the Gilgit route, a line of communication from Gilgit, on a tributary of the Indus, through Hunza to Kashgar over the Mintaka, Khunjerab and other passes of the western Karakoram Range. Both can be approached from Srinagar which not only controls the easiest access to Leh but also until 1947 was a logical starting place whence to set out overland for Gilgit; and both pass out of the subcontinent through territory which was technically part of the old State of Jammu and Kashmir as it evolved during the final century of the British Raj.

As a result of the Kashmir dispute in 1947 the Northern Frontier was partitioned and the two routes across it distributed between the successors to the British Raj. India acquired the Ladakh route which soon became inextricably bound up with the Western Sector of the Sino-Indian boundary dispute, where Indian claims to the Aksai Chin (now under Chinese occupation) derive to a considerable extent from British interest in this potential approach to Chinese Central Asia. The Gilgit route went to Pakistan. In recent years it has evolved into the Karakoram Highway, that motor road which was formally opened in 1978 to provide a direct link between China and the Arabian Sea (and which will be described in greater detail in Chapter 13).

In 1846 there was much that the Government had yet to learn about the structure of the Northern Frontier. It was well aware, however, of the major features of its geopolitical and commercial importance, in great measure because of the travels of William Moorcroft in the early 1820s. Ostensibly concerned with the supply of horses for the East India Company, between 1812 and his death in northern Afghanistan in 1825 Moorcroft travelled widely in the north-western corner of the Indian subcontinent and beyond, investigating its trade, natural resources and politics. He studied the sources of *pashm*, the undercoat wool from Western Tibet which was the basis of the valuable shawl industry of Kashmir; he reported on the route to Chinese Turkistan from Ladakh by way of the Karakoram Pass (which was visited by one of his assistants, Mir Izzat Ullah); and he warned of Russian interest in India, including a correspondence with the ruler of the Sikhs, Ranjit Singh. When he was in Leh (the capital of Ladakh) in 1820-21, he noted the presence of Chinese official visitors. He urged the Government of India to seize every opportunity, including that provided by Ladakhi requests for British assistance against the ambitions of the Sikhs (who had just acquired the Vale of Kashmir), to extend the influence of the East India Company into this region which offered access not only to the rich trade of Central Asia, he argued, but also, perhaps, to the Government of the Manchu Dynasty in Peking which had resisted British overtures from other directions.

While Moorcroft was technically an unofficial traveller, he was in communication with the highest echelons of the British administration in India. In 1841 a two volume edition of his journals covering the final six years of his life (1819-25) was published. It enjoyed a wide circulation; and there can be no doubt that those officials in the Government of India who were responsible for the sale of the Vale of Kashmir to Gulab Singh were aware of its contents. Moorcroft was the true pioneer both of British commercial interest in Central Asia and of British strategic concern with those territories which were to constitute the State of Jammu and Kashmir.[3]

Official British exploration of this hinterland of Gulab Singh's

dominions began immediately after the sale of the Vale of Kashmir in 1846 when the Government of India despatched a Boundary Commission to work out exactly where the limits of the new State were.[4] The main British interest at this time was the eastern border where Ladakh (which Gulab Singh had acquired in the 1830s) marched with Tibet, then deemed by the British to be in some way a part of the Chinese Empire; and in 1846-47 the British members of the Boundary Commission, without the hoped for Tibetan or Chinese participation, explored that border from the edge of Lahul to the mountains to the north of the Panggong Lake. There were, of course, other frontier tracts which merited examination even though their inspection was not strictly within the terms of the Amritsar Treaty. Thus in 1847 a member of the Boundary Commission, Vans Agnew, accompanied by Lt. Young of the Bengal Engineers, penetrated to the north-west of Gulab Singh's dominions into what is sometimes called for convenience Dardistan, that group of mountain polities extending from the north-western edge of the Vale of Kashmir up to the Karakoram crest.[5] He was able to get to Gilgit, which then marked the somewhat insecure limits of the former Sikh Kashmir now transferred to the Dogras. Another Boundary Commission member, its naturalist Dr. Thomas Thomson, in the following year reached the Karakoram Pass to the north of Ladakh; but he did not cross over to set foot in Chinese Turkistan which lay beyond.[6] Thus by 1848 the British had become officially aware of both the Ladakh and the Gilgit routes, though there remained a great deal to discover about their geopolitical potential and practical administrative problems in the context of their relationship with the State of Jammu and Kashmir which the British had just brought into being.

In the 1860s British policy began to take increasing note of the Ladakh route. By this time the leading edge of Tsarist imperialism in Central Asia was getting alarmingly close to the Indian Northern Frontier with the initial stages of Russian penetration of those petty states (including the Khanates of Khiva, Kokand and Bokhara) situated in a rough triangle south-east of the Aral Sea, north of Afghanistan and west of Chinese Turkistan in a part of the world where precise territorial boundaries were all too often either lacking or, if they existed, quite unknown to the British authorities in Calcutta. Not only did the Russians appear to be on the point of acquiring a common border with Afghanistan but also they were fast approaching Chinese Turkistan at a moment when it looked as if Chinese rule over its Muslim subjects in Central Asia would collapse to leave what in British eyes was perceived as an extremely dangerous power vacuum. By 1865 it was evident to British strategists that security of the Northern Frontier of India either was being, or shortly would be, threatened.[7]

The collapse of Manchu domination in Chinese Turkistan began

in 1861 when the Chinese Muslims (Tungans or Hui) in Kansu rebelled, thereby severing the main line of communication between metropolitan China and this vast area of Central Asia where Chinese domination had been consolidated only a century earlier by the Manchu Emperor Ch'ien Lung. The whole region had been divided into two main administrative districts, Kashgaria and Dzungaria (the latter with its capital at Urumchi), presided over by Manchu *Ambans* (Governors) who depended greatly for the local government of the mainly Turkic and Mongol population upon indigenous Muslim officials and institutions; and Chinese power was maintained far more by the prestige of the Empire than by its military force. The Taiping Rebellion, which the Manchu Dynasty had just managed to survive in 1864, had severely weakened the authority of the Government in Peking which was accordingly unable, when risings erupted against its rule in Central Asia, to take effective steps to retain its position as overlord. The memory of an independent existence was still strong among the various tribes and clans who had come under Chinese suzerainty; and it was inevitable that regional loyalties should revive and traditional chieftains strive to establish themselves as sovereign once more.

The whole area would probably have broken up into a confusion of petty sultanates had not a centralising force been provided in early 1865 by a number of adventurers who made their way to Chinese Turkistan from neighbouring Kokand which was then coming under intense Russian pressure. One such, Buzurg Khan, quickly established himself in Kashgaria (the extreme western corner of Chinese Turkistan with its centre at Kashgar) as a powerful warlord. He was soon (1868) replaced by one of his lieutenants, Yakub Beg, who proceeded with extraordinary energy to consolidate most of Chinese Turkistan into a new polity in Central Asia which extended to the borders of China proper and embraced not only the oases of Kashgaria but also, far to the east, the city of Urumchi (Tihua), the valley of the Ili river and the Mongolian borderlands along the Altai mountains.

Would Yakub Beg's creation produce something permanent? Or would the Russians seize this opportunity for imperial expansion, first by establishing their protection over Yakub Beg and then, as a possible final stage, by outright annexation, so that Tsarist territory actually touched the Indian Northern Frontier? That the Russians were extremely interested in what was happening in the former Chinese dominion and that they were trying to establish a special diplomatic relationship with Yakub Beg was soon apparent to the British; and the Government of India, as we shall see, lost no time in sending its own envoys to the court of this new star in the Asian firmament.[8]

The Yakub Beg era lasted for just over a decade. When Yakub Beg

died in 1877 the Chinese were beginning to restore their control under the command of one of those extraordinary soldier-bureaucrats whom China was still able to produce in the middle of the 19th century when it seemed on the point of total disintegration, Tso Tsung-t'ang. This formidable character was well over sixty years old when in 1873, as a reward for his achievements against the Taiping rebels, he was appointed Governor of Shensi and Kansu Provinces bordering on Chinese Turkistan. From this base, and largely on his own initiative and with financial support which he had himself raised from merchants in Shanghai, he set out to put an end to Yakub Beg's ambitions. By 1878 Kashgar was recaptured; and six years later, in 1884, the Manchu Dynasty was able to declare the whole of Chinese Turkistan a province of metropolitan China, Sinkiang ("The New Dominion").[9] Chinese Turkistan was not going, after all, to become a fresh region of Muslim states to be absorbed inevitably into the Russian or British Empires. It was to remain, however, a zone of Chinese vulnerability; and for the remainder of the British Raj there were strategists in India who anticipated that it would eventually become, if not Russian territory, at least a Russian protectorate (what in a later period would be called a "satellite"). It is against this background that the history of the Northern Frontier must be examined.

The Maharaja of Jammu and Kashmir, Ranbir Singh (who had succeeded Gulab Singh in 1857), appreciated quickly enough the significance of the changes then taking place to his north in Chinese Turkistan. The collapse of Chinese rule created a tempting opportunity for his State to enlarge, if not its territorial extent at least its diplomatic and commercial influence. In 1864 he despatched a small garrison some sixty miles as the crow flies north across the Karakoram Pass to Shahidulla (Xaidulla) on the caravan road from Leh to Kashgar, where a military post was established; and at the same time he entered into a correspondence with the Amir of Khotan, Haji Habibulla Khan, who had assumed power in that town in the absence of Chinese authority. In quest of possible allies in turbulent and uncertain times, the Amir of Khotan had written to Maharaja Ranbir Singh enclosing a message to be handed on to the Government of India.[10] Ranbir Singh saw that the Amir's overtures could well be exploited to the advantage of the State of Jammu and Kashmir. He wanted to expand his State's trade with Eastern Turkistan,[11] to protect it from bandit raids, and to ensure that it was properly taxed to the benefit of his treasury: these were the major objectives of the Shahidulla garrison. What he did not want, however, was the intervention of the British on his behalf: he did not go out of his way to inform the Government of India of his contacts with the Amir and the nature of the Amir's request for assistance (which embraced, as we have seen, the British as well as Ranbir Singh).

In 1865 Maharaja Ranbir Singh managed to bring the Government of India into the affair without, he evidently hoped, their being aware of the fact. Since 1855 the British had been surveying the State of Jammu and Kashmir as part of the Great Trigonometrical Survey of India. The task was now almost complete.[12] There remained the north-east corner of Ladakh including the route from Leh to the Karakoram Pass, the mapping of which was entrusted to one W.H. Johnson, an embittered man who felt that his British employers had failed to give his merits their due (perhaps because of his Eurasian ancestry) and who had transferred his allegiance from the Survey to the Maharaja. In return for the promise of future employment with the State, Johnson had agreed to act in a diplomatic capacity on behalf of the State of Jammu and Kashmir.

In 1865 Johnson crossed over from Leh to Khotan, following not the usual Karakoram route but a path further to the east which ran across the high Aksai Chin wasteland on the edge of the Tibetan plateau and descended towards Khotan by way of the Karakash River.[13] There had been some use of this approach to the Tibetan plateau from the Chinese Turkistan side over the centuries because the upper reaches of the Karakash were a valuable source of jade, a mineral much appreciated in the Chinese world; and it seems that Amir Haji Habibulla Khan had been trying to improve the way as a an alternative to the Karakoram Pass which he could use as his private access to India.

Johnson's journey, from the Maharaja's point of view, achieved three objectives. First: it established contact between the State of Jammu and Kashmir and Khotan through what appeared to be the mediation of a British official, which no doubt impressed the Amir. Second: it explored a route which might, as Amir Habibulla Khan had apparently already concluded, turn out to be a way round the Karakoram Pass (which was extremely high – over 18,000 feet – and difficult and, in times of Chinese strength, efficiently guarded); and as such, it might be of use both for secret contacts and, particularly if the Chinese ever came back, for clandestine trade. Finally: the resulting survey included on official British maps a considerable tract of territory as part of the State of Jammu and Kashmir which had hitherto been considered to be outside the Maharaja's dominions. The Johnson map pushed the north-eastern border of the State some hundred miles to the north of the Karakoram Pass (and far beyond the watershed) into what had until very recently been, without doubt, Chinese territory. The State of Jammu and Kashmir, according to Johnson, now extended to within about fifty miles of Khotan and, it was calculated by at least one British observer, had been expanded by some 21,000 square miles.[14]

When the British authorities found out about all this, they were extremely annoyed. There were a number of disturbing features of

the episode which would seem to involve violations of at least the spirit of the 1846 Treaty of Amritsar; but the Treaty was rather vague and could perhaps be interpreted in various ways.[15] The Maharaja had clearly been executing his own foreign policy and, indeed, could also be said with his Shahidulla garrison to have launched a military venture beyond the Indian frontier (if it were accepted, contrary to Johnson's map, that Shahidulla was not in the State of Jammu and Kashmir). Johnson, an employee of the British Government of India, was apparently acting far outside any authority conferred upon him by his legitimate masters. Johnson was rebuked and it was made plain to the Maharaja that the new border was not accepted in Calcutta.

On the other hand, as the only survey available, Johnson's map found its way into the official corpus of Indian cartography to influence British maps for years to come (and to lay one of the foundations for the post-1947 Indian claim to the Aksai Chin).[16] Moreover, while deprecating the political background to the Johnson survey, the Government of India was not unaware that the new route he had discovered could well be of some value. The official British reaction to the Johnson episode, therefore, was rather muted. The lesson, however, was clear enough: a careful watch would now have to be kept on what was going on in this newly explored frontier tract of the State of Jammu and Kashmir and beyond, wherever the boundary line might eventually prove to be.

The events in Chinese Turkistan, above all the rise of Yakub Beg, were studied with the greatest interest by the Government of India. They gave rise to a policy directed both towards encouraging trade and establishing diplomatic relations with the new regime in Kashgaria. In 1863 a commercial treaty had been negotiated by the British with Maharaja Ranbir Singh which was intended in part to improve trade between India and Eastern Turkistan across Ladakh. Because the Maharaja's agents, however, continued to impose as onerous dues on transit trade as they had in the past, the Government of India soon decided that a British commercial agent should be stationed in Leh to keep an eye on what was going on: in 1867 Dr. Henry Cayley was appointed to this post and established a tradition of special British supervision of the affairs of Ladakh which endured until the end of the British Raj.

There followed a series of British missions to the rulers of Eastern Turkistan, some official and some carried out by ostensibly private travellers. The journeys of Robert Shaw, George Hayward and Sir Thomas Douglas Forsyth over the period 1869 to 1875 culminated in a commercial treaty between the British and Yakub Beg in 1874 (ratified the following year) which in theory at least opened up Eastern Turkistan to British Indian trade in a manner which, if it would produce little profit in practice, was at least pleasing to a vocal mercantile lobby in Britain. Among its provisions the 1874 treaty

permitted the establishment of a permanent British representative in Yarkand or Kashgar; but this was not implemented during the Yakub Beg era.[17]

There can be no doubt that there was a powerful British political motive behind these ventures, the need to counter the main international implications of the new dispensation in Central Asia. From the moment that Yakub Beg came to power he was being courted by the Russians, whose nearest outpost was but a few days journey from the population centres of Kashgaria (in contrast to the British who were faced with the arduous approach through Ladakh and over the great heights of their border ranges). In 1872 the Russian diplomat Baron Kaulbars secured a commercial treaty from Yakub Beg (to which the 1874 British treaty was a direct response). Yakub Beg was also approached by Maharaja Ranbir Singh of Jammu and Kashmir in yet another of those covert forays into independent diplomacy which caused the Government of India such concern (while at the same time, even more covertly, the Dogra ruler was writing to the Russians to suggest that, with his help, they should advance to the Northern Frontier through Yakub Beg's territory by way of Sarikol and the Taghdumbash Pamir).[18] Finally, Yakub Beg was known to be in touch with agents of the Ottoman Empire which, while in no position to intervene directly in Kashgarian affairs, was still able to confirm him as the legitimate ruler of the country under Ottoman suzerainty: this may well have carried weight in the Islamic world of the day.[19]

An immediate consequence of the opening of relations between the Government of India and Yakub Beg was the British decision to try to develop that new track between Leh and Kashgaria across the Aksai Chin which Johnson had surveyed. The old route ran eastward from Leh to Tangtse where it turned north to join the Shyok tributary of the Indus leading to the Karakoram Pass. The new route turned east up the Changchenmo where that stream joined the Shyok a few miles north of Tangtse. From the upper Changchenmo it reached the Tibetan plateau at a basin of internal drainage called Lingzitang, from which it passed north by way of the Loqzung range and the Aksai Chin plain to the Karakash River at a site known as Haji Langar (a shelter for travellers established by Amir Haji Habibulla Khan). Following the Karakash northward downstream the new route eventually joined the old road, having avoided the Karakoram Pass, in the region of Shahidulla.[20] A Treaty was negotiated with the Maharaja of Jammu and Kashmir in 1870 by which the new route, often referred to as the Changchenmo (or "Treaty") Road was to be "a free highway in perpetuity and at all times for all travellers and traders". Its maintenance, and the supervision of traffic along it, would be the concern of a pair of Joint Commissioners, one appointed by the Maharaja and the other by the Government of

India. The Maharaja would levy no transit dues or other taxes on trade going this way between India and Kashgaria.[21]

During the period of British missions to Yakub Beg extensive official use was made of the Changchenmo or Treaty Road; but it had no appeal whatsoever for ordinary traders. It has been calculated that, British diplomatic missions apart, only 388 travellers used this road between 1870 and 1877; and with the return of the Chinese to Kashgar at the end of the decade it ceased to be a trade route at all. The term Treaty Road then came to be applied to the old Karakoram Pass route, which was supervised by the Joint Commissioners (with their headquarters at Leh) under the terms of the 1870 Treaty which were in effect transferred to it from the Changchenmo route. Thus Johnson's dream in 1865, that across the Lingzitang and Aksai Chin wastelands there might be constructed an all-weather road suitable for wheeled vehicles, was abandoned, only to be revived in the 1950s by the Peoples' Republic of China, which exploited the northern part of the route, including the approach by way of the Karakash, for their motor road linking Sinkiang with Tibet.

While the Changchenmo Road was still being used, if only by official British missions, there remained a case for establishing a northern border of the State of Jammu and Kashmir somewhere in the Aksai Chin region, at least to include the point where the road joined the Karakash at Haji Langar (if only to ensure that the rest houses, fodder stores, camps for road repair gangs and other such establishments which were either specified in or implied by the 1870 Treaty would be in British protected territory). While nearly all British observers of this period agreed that the Maharaja, by virtue of his occupation of Ladakh, possessed no valid claims much beyond the Changchenmo valley, yet it seemed prudent not to press the matter with him other than make it clear that the Shahidulla post was well beyond the limits of his dominions (and, indeed, it had been abandoned by 1867 or 1868). Thus in 1888 the Government of India vetoed a proposal by the Jammu and Kashmir Government to reoccupy Shahidulla (in order to protect it from marauding bands of Kanjutis, the men of Hunza of whom more later) on the grounds that to push the border of the State so far to the north might result in troublesome arguments with the Chinese in what, now, was Sinkiang Province. When the State Government revived this scheme in 1892, it was told firmly enough by the British Resident that Shahidulla, and Suget to its south, "were situated in a district inhabited by Kirghiz who had for many years paid tribute to China". The summit of the Karakoram Pass, where the Chinese authorities in Kashgar had recently erected a boundary pillar, in the eyes of the Government of India marked the limit of the Indian Empire.[22]

In the 1890s, though there were to be British strategists who advocated an advanced border in Ladakh including an extensive tract

of territory on the Sinkiang side of the main watershed (to serve as a kind of glacis where intruding Russians would be forced to reveal their intentions before they could cross the high passes), notably Sir John Ardagh, Director of British Military Intelligence from 1896 to 1901 (and from 1888 to 1894 Private Secretary to Lord Lansdowne while Viceroy of India),[23] the consensus of British official opinion was inclined to accept that the border here ought not to run much to the north of the Changchenmo valley. As a vantage point from which the British might exercise influence in, and defend themselves against threats from, Sinkiang, this desolate corner of Ladakh in the State of Jammu and Kashmir had lost most of its strategic attractions.[24] The emphasis had shifted to the west, to the Gilgit route.

The episode of Maharaja Ranbir Singh's Shahidulla adventure and the Johnson visit to Khotan, as well as his various contacts with the Russians, Yakub Beg and the Afghans in 1868-72 (of which the British did not at first know the full details), had demonstrated clearly enough to the Government of India that the State of Jammu and Kashmir, unless carefully watched, could well pursue an independent foreign policy for which its geographical position presented it with unique opportunities. While by the late 1860s surveillance in Ladakh over the Maharaja's external relationships was in practice exercised easily enough by the British Joint Commissioner at Leh, great opportunities for the application of the Maharaja's initiative remained along the Gilgit route, through that mountain tract which from 1877 onwards the British usually referred to as the Gilgit Agency (and today forms part of Pakistan's Northern Areas).

The 1846 Treaty of Amritsar was extremely vague about the whereabouts of the Maharaja's boundary in Dardistan. There was a reference in Article 1 to the River Indus, to the "eastward" of which lay the State of Jammu and Kashmir. But what was the situation to the northward of that river, in that the Indus for much of its course through the State ran in a generally east-west direction? Here, between the Indus and the unexplored mountain crests beyond which lay Eastern Turkistan, there were a number of small states, Chitral, Hunza, Nagar, Gilgit, Punial, Ishkuman, Yasin and the like (as well as some polities like Chilas and Astor which either lay on the Jammu and Kashmir bank of the Indus or straddled it).

The key to this whole region was Gilgit. Situated on a river flowing into the Indus from the north, Gilgit controlled access to Hunza (the capital of which was Baltit) and the passes leading into Eastern Turkistan over which a trade route of sorts had existed throughout recorded history, though difficult in the extreme and subject to the depredations of bandits: the people of Hunza, the Kanjutis as they were sometimes called, were particularly notable in this respect in the 19th century.[25] From Gilgit it was also possible to travel to Chitral and that remote and mysterious corner of what is today Afghanistan,

Kafiristan (the land of "unbelievers"). Not long before the Amritsar Treaty, the Sikhs had established a tenuous hold on Gilgit which Gulab Singh inherited in 1846. In 1852, however, his tenure of this outpost was shattered by tribal rebellion and his effective frontier was perforce withdrawn to Bunji on the left (east at this point) bank of the Indus. Gilgit was finally recaptured by Maharaja Ranbir Singh in 1860 and annexed to the State of Jammu and Kashmir as the capital of the Gilgit Wazarat.

Hunza (and Nagar, its traditional rival to its immediate east) had long been in contact with Gilgit.[26] It was inevitable, therefore, that Maharaja Ranbir Singh should try to extend his influence northward into this mountain state which dominated the frontier passes. By 1870 some treaty relationship had been established between the ruler of Hunza (the Mir or Thum) and the Dogras which was interpreted by Maharaja Ranbir Singh to mean that Hunza had accepted Dogra suzerainty. In fact, Hunza already possessed an elaborate system of relationships with the authorities in Eastern Turkistan (Chinese until the 1860s); and it rulers certainly would have denied that they were subjects of the Government of Jammu and Kashmir.[27] In Chinese eyes Hunza was a minor tributary state and, as such, part of the Empire presided over by the Manchu Dynasty.[28]

The ambitions of the Dogras in Dardistan were viewed with considerable hostility by the ruler of Chitral, the Mehtar, who in the 1860s reigned over what was to all intents and purposes an independent kingdom. Chitral competed with the Dogras for influence over other Dardistan polities, notably Yasin; and it posed a constant challenge to the Dogra position in Gilgit. Chitral had long been involved in the world of Afghan politics. Geopolitically, in the 1860s it was in fact a buffer of sorts between the State of Jammu and Kashmir and the sphere of authority of the rulers of Kabul. In the 1870s Chitral was to acknowledge Dogra suzerainty, confirmed formally under British supervision by the Mastuj Agreement of 1914; but in the history which concerns us here it belongs less to the story of the State of Jammu and Kashmir than to the evolution of the North-West Frontier of British India.[29]

In the 1870s the strategic importance of Dardistan began to be studied by the British with some intensity. It was the barrier which protected British India from attack or subversion from northern Afghanistan and Chinese Turkistan, both of which were perceived by the Government of India as potential Tsarist targets. In these years, as the crisis leading to the second Afghan war developed (and suspicions of Russian intentions increased), the Government of India concluded that, as a substitute for direct British control, their best interests lay in supporting the Maharaja of Jammu and Kashmir in establishing his influence in these northern tracts of Dardistan.

In November 1876 the Viceroy, Lord Lytton, discussed the

problem with Maharaja Ranbir Singh during a meeting at Madhopur, a town in British territory just south of the Jammu border. It was agreed that the Government of India would provide the Maharaja with arms and other military assistance for his penetration into Dardistan beyond Gilgit.[30] In return, a British Agent would be stationed in Gilgit, much as a British representative had already been placed in Ladakh, to supervise the conduct of policy on this frontier. In 1877, despite the Maharaja's dislike of further British officials permanently on his soil, the first Gilgit Agency was put in place.

The new Agency lasted until 1881. In the eyes of the Government of India it was a failure. Relations between the Political Agent, Major J. Biddulph, and the Maharaja were not always cordial; and he was unable, it was suspected in Calcutta, to prevent the Maharaja from establishing secret contacts with both the Russians and the Afghans which were not in the British interest. The intelligence derived from this outpost was considered to be disappointing. Hunza was not brought within the British sphere. The provision of logistic support for an official establishment so far removed from the nearest British military base proved to be extremely difficult (and costly). The Russian threat, which the Agency was designed to meet, appeared (at least in the opinion of a new Viceroy, Lord Ripon, who was very much Gladstone's man in his negative attitude towards imperial expansion, just as his predecessor Lytton had reflected the more adventurous outlook of Disraeli) for the moment to be less than had once been thought. In 1881 the Agency was withdrawn.[31] The Maharaja of Jammu and Kashmir, in effect, was now left to guard the Northern Frontier unsupervised by any representative of the Government of India.

This was a situation which could not endure. The 1880s saw Anglo-Russian competition in Asia rapidly coming to a climax. The Russians were approaching with alarming velocity the northern borders of Afghanistan both from what is today Turkmenistan and from the Pamirs. There was increasing evidence that Russian contacts had been established with the rulers of Chitral and Hunza. It was suspected that the new Maharaja of Jammu and Kashmir, Pratap Singh, who had succeeded Maharaja Ranbir Singh in 1885, had been engaged in treasonable correspondence with Tsarist representatives (as well as with the deposed heir to the Sikh empire, Dalip Singh, now exiled in England).[32] The Maharaja's administration of the State, in any case, was notoriously inefficient, corrupt and oppressive, a fact which had aroused considerable comment in the press both in England and in India. In these circumstances the Government of India could only conclude that the defence of the Northern Frontier was too grave a matter to be entrusted to the Maharaja.

By 1886 some British officials were arguing that the whole Gilgit region should be taken over lock, stock and barrel by the Government

of India and a new Gilgit Agency established, this time to rule directly and not merely keep an eye on the antics of the Government of Jammu and Kashmir.[33] There was a real risk unless appropriate precautions were taken, so the British diplomat Ney Elias concluded after his mission to Yarkand and Kashgar in 1885, that the Chinese would attempt the outright annexation of Hunza.[34] Others, with the enthusiastic support of a number of politicians in Britain (including Lord Randolph Churchill), favoured the annexation of all of the State of Jammu and Kashmir (and not merely some of its dependencies). In 1889 what amounted to a compromise was adopted. As we have already seen, Maharaja Pratap Singh was stripped of his powers and the entire State placed under the control of a Council of State closely supervised by a British Resident in Srinagar. Hitherto, as a symbol of the rather special status of the State of Jammu and Kashmir, the Government of India had been represented in the State not by a Resident but by the somewhat less formal mechanism of an Officer on Special Duty.[35]

From the point of view of the Northern Frontier this new arrangement had many advantages. It avoided arousing Indian public opinion: ever since 1857 the Government of India had been extremely wary of annexing Princely States. The British would be in control of frontier policy, yet many of the resultant costs could be charged to the State Government which would also both provide a considerable proportion of the military force required and maintain the major access route from Srinagar through Bunji.[36] Under these conditions, in 1889 Algernon Durand was instructed to re-establish the Gilgit Agency, but this time on a much firmer footing.

The most urgent task now facing the Agency under Durand was to deal with Hunza. In January 1888, in a rare alliance with its neighbour Nagar, Hunza had rebelled against Dogra authority and expelled the Jammu and Kashmir garrisons from two key posts on the road north of Gilgit, Chalt and Chaprot, and held them for several months before withdrawing. For a while Gilgit itself was threatened. Also threatened in 1888, of course, following the Hunza raid on Shahidulla, was trade along the caravan route across the Karakoram Pass.

Algernon Durand endeavoured to control Hunza's ambitions by diplomacy; but he soon concluded that the Mir, Safdar Ali, was from the British point of view devious, treacherous and hostile: despite British efforts at persuasion and offers of friendship and protection, it transpired that Safdar Ali had established diplomatic contact with M. Petrovski, the Russian Consul in Kashgar (where he had been stationed since 1882).[37] Relations between Algernon Durand and Hunza, still supported by neighbouring Nagar, soon broke down; and by late 1891 the British found themselves at war with both states. The conflict was brief but hard fought, and, needless to say, the British

won (as every English schoolboy of the day knew, if only because of the three Victoria Crosses which the campaign yielded). Safdar Ali fled, eventually taking refuge with the Chinese authorities in Sinkiang where, some forty years later, he died in Yarkand in somewhat straitened circumstances. His known relationship with the Russians in the 1890s, and his continued position within the Chinese official establishment right up to his death, made his presence on Chinese soil a cause for British concern for many years to come. In Hunza he was deposed by the British and replaced by his half-brother Mohammed Nazim Khan.

In the Hunza War of 1891-92 the British force, the Hunza-Nagar Field Force, consisted of some 600 Jammu and Kashmir State troops out of a total strength of under a thousand men (excluding porters and various irregular detachments). In other words, the State of Jammu and Kashmir, with the Maharaja conveniently powerless (but suitably rewarded with a Grand Cross in the Order of the Star of India), was still bearing a large part of the cost of British Indian defence in this crucial sector. The story was soon to be repeated, moreover, when in late 1892 a series of rebellions broke out in a number of the petty states within the Gilgit Agency culminating in a serious crisis in British relations with Chitral in 1895. In all this, Jammu and Kashmir State troops played a most important part in enabling the British to consolidate their position in Dardistan.

The Chitral crisis of 1895, the causes of which lie outside the parameters of this book, had one lasting impact upon the Gilgit Agency and the subsequent history of the State of Jammu and Kashmir. It resulted in the removal of Chitral from the supervision of the Political Agent in Gilgit, and the establishment of a new Political Agency, Malakand, to look after Chitral and its neighbouring States of Dir and Swat. Thus in 1896 Chitral, which undoubtedly had in 1878 accepted the suzerainty of the Maharaja of Jammu and Kashmir (and reaffirmed it in 1914), was effectively removed from a British administrative relationship with that State and established as an Indian Princely State in its own right and one which in the fullness of time would of its own free will join Pakistan. Had the Gilgit Agency acquired the same status as the new Malakand Agency, as Colonel W. (later General Sir William) Lockhart in effect proposed in 1886, instead of remaining under the supervision of the British Resident in Kashmir (a purely British bureaucratic arrangement to preserve unity of command over both parts of the Northern Frontier, Gilgit and Ladakh), then Gilgit and its dependencies too would have passed entirely outside the confines of the State of Jammu and Kashmir and, hence, would have not figured at all in the Indo-Pakistani Kashmir dispute which erupted in 1947.

The Hunza War and the subsequent crises in the Gilgit Agency and Chitral took place at a period when intense Anglo-Russian competi-

tion in the neighbourhood of the Northern Frontier was giving way to Anglo-Russian negotiation. The details of this process need not concern us here. The essence lies in two sets of agreements.

First: the Anglo-Afghan Agreement of 12 November 1893, signed by the Amir Abdur Rahman and Mortimer Durand, delimited (if sometimes in outline only) a frontier between Afghanistan and the British Indian Empire, the famous Durand Line, which established an agreed boundary alignment right up to the point where China, Afghanistan and the Indian Empire approached each other at the extreme eastern corner of the Pamirs in Wakhan. There were to be problems of demarcation, not least in the Chitral region where the Durand Line was a major factor in the troubles which broke out in 1895; but from now on the British Indian Empire possessed a defined western flank.[38]

Second: in 1895 the British and Russians came to an understanding concerning "the spheres of influence of the two countries in the region of the Pamirs", achieved following some six years of the most intense contest within the rules of the "Great Game". British protagonists like Francis Younghusband and his young assistant George Macartney[39] (who by 1890 had established himself more or less permanently as British diplomatic agent in Kashgar) competed energetically with such Tsarist representatives as the Polish nobleman Gromchevsky and the Russian commander of Cossacks Colonel Ianov to establish footholds in obscure border tracts. The outcome was the settlement of the northern frontier of Afghanistan with the Tsarist Empire and the establishment of a point in the Pamirs, the Pavalo-Schveikhovski peak (named after the Russian Governor of Ferghana), which might possibly represent both the easternmost limit of the Russian position in the Pamirs and the southern terminus of the border between Russia and Sinkiang (which here, in fact, has still to this day not been delimited, let alone demarcated, though *de facto* it follows the line of the watershed along the Sarikol Range between the Tarim basin and the Murghab and Aksu Rivers, flowing into the Oxus).

The combination of the 1893 Durand Line and the 1895 Anglo-Russian Pamirs Agreement created the background for the subsequent history of the Northern Frontier. There were two major problems outstanding. First: would the Sarikol range really mark the limit of the advance the Russian Empire, or would the dominions of the Tsar in due course flow eastward over it into the Kashgar region of Sinkiang? Second: where exactly was the frontier between what was still Chinese territory and those two northern tracts of Jammu and Kashmir State, the Gilgit Agency and its dependencies and Ladakh? The two problems were inextricably bound up with each other in British strategic thought in that both the kind of Northern Frontier suitable for British needs, and the urgency of its establish-

ment, depended greatly upon the probability of that frontier being with Russia rather than with China. As Lord Elgin, the Viceroy, put it in September 1895:

> recent reports . . . emphasise the possibility that Sarikul . . . may at a not far distant date pass into the possession of Russia. . . . The present moment . . . appears favourable for settling the Chinese boundary with Kashmir, Hunza and Afghanistan, and we invite earnest attention to the possibility of effecting an arrangement whereby a definite limit would be placed to possible extensions of Russian territory towards the Mustagh and Karakoram mountains, should that Power succeed China in possession of the tracts referred to.[40]

The definition of this Northern Frontier was dominated by the nature of the relationships which Hunza had established with the Chinese authorities in Sinkiang.

Apart from the payment of annual tribute (and the receipt of gifts of greater value in return), the Mir of Hunza maintained that he had acquired four basic rights on the Chinese side of the main watershed which he was extremely reluctant to abandon. First: Hunza enjoyed certain trading privileges in Sinkiang which were both profitable and prestigious. Second: the Hunza people had at some distant era secured rights (most of them in abeyance in 1895) to cultivate certain plots of land on the Sinkiang side of the Karakoram, notably in Raskam, a tract to the east of the Shimshal (Shingshal) Pass on the upper reaches of streams flowing into the Yarkand River. Third: the Mir was entitled to graze his sheep and yaks on the northern slopes of the mountains, just over the Kilik, Mintaka, Khunjerab and other passes in what was usually referred to as the Taghdumbash Pamir. Finally: in the Taghdumbash Pamir, and probably to its north as well, the Mir of Hunza possessed the right to revenues (apparently collected on his behalf by the local Chinese officials) from non-Hunza subjects (the Sarikolis, local Tajik nomads) who grazed their flocks here on a seasonal basis.

All these rights were part and parcel of the tributary relationship with China; and the Mir was convinced that their survival depended upon the continuance of his annual tribute missions to Kashgar. While the British were far from enthusiastic about Hunza's relationships with the Chinese Empire, they did not at this period attempt to deny that they existed: they did not, for example, prevent two Chinese representatives of the Sinkiang authorities from attending in an official capacity the installation in 1892 of the Mir Nazim Khan.

From the British point of view it was clear by 1895 that the question of Hunza rights to the north of the Karakoram crests was inextricably bound up in any attempted boundary definition: and the Hunza claim to the Raskam plots of arable land was of particular importance in this context in that it could be argued to indicate the actual possession of territory rather than the mere enjoyment of revenues

derived from its use. If it could be established that Hunza actually did cultivate these plots on a regular basis, then in any boundary settlement they could either be included on the Indian side (thus securing an alignment which ran well to the north of the watershed to provide what many British strategists still sought, a defensive glacis) or bargained away in return for something else.

Thus in 1897, when the Mir of Hunza resolved to renew cultivation in the Raskam area, the Government of India did not discourage him. Indeed, in that the Hunza people had not farmed in this area since at least the 1860s (their surplus energies having for many years been devoted to banditry), it is more than probable that the Mir's initiative was taken on British advice. The Political Agent in Gilgit at this time was Captain Henry McMahon, one of the leading frontier specialists in the Indian Political Service and one day to be Indian Foreign Secretary and then proconsul of Empire in Egypt.[41] McMahon shared the view advanced by Sir John Ardagh, indeed he had, along with Francis Younghusband and George Macartney, probably helped inspire it, that the British border in the Karakoram should be as far on the northern side of the Karakoram watershed as it was possible to put it. He studied the history of Hunza with great care; and his analysis of Hunza territorial claims was without doubt intended to provide a foundation for an ambitious frontier policy.[42]

Hunza claims to cultivation rights on the Chinese side of the Karakoram watershed, we have already observed, involved a number of plots of land to the east of the Shimshal Pass. There were two main tracts. First: immediately to the east of the Shimshal Pass, along a stream (the Braldu) running into the Muztagh (or Shaksgam) River which flowed north and then east to meet the Raskam River and become the Yarkand River, there were a number of camping grounds or shelters of which the largest was Darwaza (or Darband), about twelve miles as the crow flies from the summit of the Pass. Second: on the Raskam River, about fifteen miles upstream of the Muztagh-Raskam junction, was situated the major group of fields (to which the term Raskam is usually taken to refer), at Azghar on the right bank and Koktash and Bash Andijan on the left bank, about three thousand acres in all. Azghar was some sixty miles as the crow flies to the east (that is to say on the Chinese side) of the Shimshal Pass.[43]

At one time the Azghar area had supported a population of considerable size; and late 19th century travellers noted abundant signs of abandoned habitation and cultivation. Who these former occupants had been is not known: they may have been of Hunza origin, as some have suggested, but it is more likely that they were not.[44] By the 1890s the Raskam valley was virtually deserted. Were Azghar, Koktash and Bash Andijan to be included within the Indian Empire, the border would run a considerable distance beyond the main Karakoram crest and, depending upon the western and eastern

termini selected, could enclose many thousands of square miles of territory which on the basis of a watershed border would lie within China.

In his 1897 initiative the Mir sent a small party (perhaps no more than six men) to Azghar to plough and sow (wheat or barley) and then return to Hunza until harvest time in the autumn, leaving behind at Bash Andijan two guards to watch over the plots. The senior Chinese official in Yarkand, hearing of the presence of the Hunza pair, immediately ordered their arrest. They were held for six weeks in Chinese custody at Tashkurghan (Taxkorgan Tajik), the nearest Chinese administrative centre, and then released. The Mir was told by the Chinese to keep his people out of Raskam in future: it was, they said, part of the Manchu Empire, and, in any case, other people, the Sarikolis for example, also possessed cultivation rights there.

Thus began the first of a series of Raskam crises, which soon acquired new dimensions and greater complexity. The Mir, arguing (with much British support and encouragement) both that his rights to the land in question were sound and that his people needed for their continued well-being access to a greater area of cultivation than they possessed on the Indian side of the watershed, persisted in his essentially token attempts to cultivate the Raskam plots. The Chinese authorities were inclined to work out some sort of compromise with the Mir in which, perhaps, Hunza cultivation could be permitted in exchange for a formal admission that Raskam lay in Chinese territory and was only rented by him.[45] However, the Russian Consul in Kashgar, Petrovski, when he discovered was afoot, opposed any such solution on the grounds, so he told the Chinese, that permission for Hunza to cultivate anywhere in Raskam would eventually result in a British annexation of the entire area: the whole Raskam affair, he argued, was merely a cover for British imperial expansion. Should the British take over Raskam, Petrovski indicated, the Russians might seek compensating Chinese territory, perhaps in the region of Tashkurghan on the road leading from their own territory to Kashgar across the Sarikol range.

Petrovski's intervention transformed what had been an obscure matter of cultivation rights in one of the remotest parts of Asia into a question which produced considerable diplomatic activity in London, St. Petersburg and Peking. The British were presented with two main choices. Either they could insist that by virtue of the Mir's cultivation rights Raskam lay within the Indian Empire, or they could abandon Raskam, and with it the Mir's interests there, to China. In other words, they had to decide whether they really wanted a Northern Frontier of the Ardagh type running well to the north of the watershed (and risking Russian demands for compensation elsewhere in Kashgaria) or a Northern Frontier which followed the

convenient line of the Karakoram crests and relied for further protection upon the difficulty of the terrain rather than the possession of any glacis. McMahon was undoubtedly an advocate of the first solution. Not so, however, were his superiors.

The opinion of the Government of India under Lord Elgin, reinforced by the intelligence provided by George Macartney in Kashgar, was that it might be best to adhere generally to the watershed line and to abandon territorial claims to the bulk of the Raskam tracts where the Hunza men maintained that they had once raised crops. If Hunza really needed to farm here it could do so by means of some kind of special arrangement with the Chinese. Lord Elgin was not particularly alarmed by the prospect of a Russian dominated Sinkiang. Nor did he believe that moderation over Raskam would in fact lead to a Chinese challenge to the British position in Hunza itself. He appreciated, moreover, that a frontier more or less along the main Karakoram watershed was administratively far more convenient than some inevitably arbitrary line beyond. As he put it, in reply to the arguments advanced by Sir John Ardagh for a more ambitious border:

> we are unable to concur altogether in Sir John Ardagh's suggestions on military grounds. He advocates an advance beyond the great mountain ranges which we regard as our natural frontier, on the ground that it is impossible to watch the actual watershed. Sir John Ardagh is no doubt right in theory, and the crest of a mountain range does not ordinarily form a good military frontier. In the present instance, however, we see no strategic advantage in going beyond mountains over which no hostile advance is ever attempted . . . Our objection is mainly based upon the opinion of officers who have visited this region. They unanimously represent the present mountain frontier as perhaps the most difficult and inaccessible country in the world. The country beyond is barren, rugged and sparsely populated. An advance . . . [of the British Indian border] . . . would interpose between ourselves and our outposts a belt of the most difficult and impracticable country, it would unduly extend and weaken our military position without, in our opinion, securing any corresponding advantage. No invader has ever approached India from this direction where nature has placed such formidable barriers.[46]

Accordingly, in 1898 the Government of India decided upon the following border alignment. It started in the west at the Pavalo-Schveikhovski peak, that terminus of the 1895 Russo-Afghan border to which the British and Russian Governments had agreed. It then cut south-east across the Taghdumbash Pamir, crossing the upper reaches of the Karachukur (a stream which flowed into the Tashkurghan River and thence into the Tarim basin in Sinkiang) to meet the main Karakoram watershed just to the west of the Mintaka Pass. It continued along the main watershed eastward to the Shimshal Pass whence it diverted north of the watershed to enclose a few square

miles to the east of the Shimshal Pass near the permanent shelter at Darwaza (but excluding the strategically most important, but remoter, fields on the Raskam River including Azghar): thence it returned to the watershed line. Continuing in a south-easterly direction along the Karakoram watershed it reached the Karakoram Pass. East of the Karakoram Pass it followed a line across the western corner of the Tibetan plateau between the Aksai Chin and Lingzitang basins along the Loqzung range until it reached the reasonably well established (at least in the view of the Government of India) Ladakh-Tibet border in the neighbourhood of the Lanak Pass.

This alignment perforce ran north of the main Karakoram crests in the extreme west when it crossed a portion of the Taghdumbash Pamir: this was the easiest way to link it to the established eastern terminus of the 1895 Russo-Afghan border. Hereafter, with the minor exception of the Darwaza deviation, it followed a watershed line (though it was not based on the sanctity of the watershed principle, merely the practical convenience of crest lines in this kind of country) until the Karakoram Pass. To the east of that Pass, however, those who drafted the 1898 proposals began to run into difficulties. The current state of geographical knowledge provided them with no simple watersheds or crests, yet the Northern Frontier had to end somewhere. The device adopted, of selecting the Loqzung Range between the Lingzitang and Aksai Chin, was but one of a number of possibilities; and it was based upon expediency rather than any historical claims or administrative precedents.

This border proposal was communicated to the Chinese Government in Peking on 14 March 1899 in a Note from the British Minister, Sir Claude MacDonald, who declared that:

> it appears that the boundaries of the State of Kanjut . . . [Hunza] . . . with China have never been clearly defined. . . . It is now proposed by the Indian Government that for the sake of avoiding any dispute or uncertainty in the future, a clear understanding should be come to with the Chinese as to the frontier between the two States. To obtain this clear understanding, it is necessary that China should relinquish her shadowy claims to suzerainty over the State of Kanjut. The Indian Government, on the other hand, will, on behalf of Kanjut, relinquish her claims to most of the Taghdumbash and Raskam districts.[47]

The Tsungli Yamen (the Chinese Foreign Office of the day) never replied formally to this Note. It seems, however, that its contents were communicated to the Provincial authorities in Kashgar who studied its proposals; and neither in Kashgar nor in Peking were its terms ever repudiated.

Despite the terms of the 1899 Note, the British continued to support diplomatically the Mir's claims to cultivation in Raskam, presumably to keep up the pressure until the Chinese had replied to their proposals. In February 1901, as Petrovski had threatened on

several occasions, the Russians established a military presence in Tashkurghan, consisting of a Russian officer, four Cossacks from the Russian Consular guard at Kashgar and four locally employed soldiers. The Government of India saw this as part of the Raskam problem, the Russian reaction to the support by the British to the Mir's claims. In fact, however, it was more likely to have been a consequence of anti-Russian riots in Kashgar in late 1900 (perhaps not unconnected with the outbreak of the Boxer Rising) which convinced Petrovski of the need to protect his line of communication between the Kashgar Consulate and Russian territory.

The Government of India, now under Lord Curzon who had strong views on Central Asian matters, was in no doubt that the setting up of the Tashkurghan post was intended as a Russian warning to the British that they should not exploit the Mir's claims to rights to the north of the Karakoram crest. While by nature disinclined to give way to the Russians (as witness his vigorous reply to what he saw as Tsarist intrigues in Tibet which resulted in the Younghusband Expedition to Lhasa of 1904), Curzon eventually came to accept Lord Elgin's opinion that there was nothing to be gained by pressing forward on the Chinese side of the Karakoram. By 1904 he had concluded, despite his instinctive initial anti-Russian reaction, that there was little point in expending British diplomatic energy in support of Hunza's claimed rights in Raskam. As for the Russian military post at Tashkurghan, the British would just have to learn to live with it.

What the British ought to do, Curzon was now convinced, was to terminate all relations between the Mir of Hunza and the Chinese, even if in the process the Raskam cultivation, as well as his other rights and interests in the Taghdumbash Pamir and elsewhere, would have to be abandoned. The Mir could be compensated for his losses: Curzon thought Rs. 3,000 a year subsidy would be enough. Finally:

> we accordingly recommend that a formal notification be made to China that since the Chinese Government have been unable to fill their promises to the Mir of Hunza . . . [relating to Raskam cultivation] . . . , that State, under the advice of the British Government, withdraw from all relations with China, and henceforth will owe suzerainty to the Kashmir State and the British Government alone. As regards the boundary between Kashmir and the New Dominion, we strongly recommend that the Chinese Government should be informed that, as they have not shown any reasons for disagreeing with the proposals placed before them in Sir Claude MacDonald's despatch of the 14th March 1899, we shall henceforth assume Chinese concurrence and act accordingly.[48]

Had this been done, it is quite possible that the British would have acquired in the Northern Frontier a boundary alignment explicitly agreed by the Chinese; and, it is probable, independent India some

half century later would have been spared its disastrous conflict with the Peoples' Republic of China.

After further reflection, however, Lord Curzon decided that from the British point of view there were practical objections to two features of the border in the 1899 Note. First: the proposed alignment had started at the Pavalo-Schveikhovski peak; and by so doing it had violated one of the fundamental principles underlying the 1895 Anglo-Russian Pamirs Agreement, namely the need to create a buffer strip consisting of Afghan Wakhan and the Chinese Taghdumbash Pamir between the British and Russian Empires. The intention in 1895 was that the two Empires should *not* meet. In the 1899 Line proposals they did. Second: the territory allocated to Hunza immediately around Darwaza on the Sinkiang side of the Shimshal Pass in Raskam really was a bit too small to meet the practical needs of the Hunza people.

In August 1905 Lord Curzon addressed himself to both these problems.[49] He proposed that the Mir of Hunza's territory on the Chinese side of the watershed by the Shimshal Pass should be increased by a few more square miles by pushing the border east from Darwaza to the junction of the Uprang Jilga and Shaksgam (or Muztagh) Rivers. This would still exclude from Hunza territory the main Raskam tracts of Azghar, Koktash and Bash Andijan. He also resolved to draw back the extreme western end of the border from the Pavalo-Schveikhovski peak to the point where the main Karakoram watershed met the Afghan frontier: the result would be to create a short stretch of direct Sino-Afghan boundary between the British Northern Frontier and the Russo-Afghan border along the northern side of the Wakhan tract, thereby returning to the spirit of the 1895 Pamirs Agreement.[50]

These new proposals (in contrast to the line of the 1899 Note) gave over to China a substantial tract in the Taghdumbash Pamir in exchange for a few square miles to the east of the Khunjerab and Shimshal Passes. Curzon saw no reason why the British should not be rewarded for this generosity. He advised that the abandonment of British claims beyond the main Karakoram watershed should be accompanied by a formal Chinese recognition of the presence of a British Consulate in Kashgar (where George Macartney was, lacking this status, at a significant disadvantage *vis à vis* Petrovski and his successors). In the view, however, of the British Minister in Peking, Sir Ernest Satow, 1905 was not a good year to seek Chinese approval for the planting of further British Consulates on Chinese soil: he was then doing his best to persuade the Chinese Government to come to terms with the consequences of the Younghusband Expedition to Lhasa of 1904 and to accept a version of the Lhasa Convention which Younghusband had negotiated with the Tibetans, a task which would certainly be made no easier by attempts to strengthen the British

presence in yet another part of Chinese Central Asia. Curzon's ideas for the modification of both the borders and the status of Hunza, accordingly, were not communicated to the Chinese; and the opportunity to formalise the alignment of the Northern Frontier was lost.[51]

With the abandonment for the time being of the advanced border on the McMahon or Ardagh model, it seemed pointless to encourage the Mir of Hunza to go on provoking the Chinese Provincial authorities and annoying the Russian Consulate in Kashgar by sending his annual expedition of a half a dozen men to Azghar, Koktash and Bash Andijan. In 1905 the Hunza cultivation of Raskam was stopped. *De facto* the Northern Frontier was considered by the British to be the 1899 proposal as modified by Curzon in 1905, an alignment which, interestingly enough, was eventually to be confirmed in its essentials by the Sino-Pakistani Boundary Agreement of 2 March 1963. Indian writers have insisted that in this transaction Pakistan surrendered to China no less than 2,050 square miles of territory to which, in any case, it had no right: in fact, if anything, Pakistan gained a bit, perhaps twenty square miles or so.[52]

The Russian post at Tashkurghan continued to cause the Government of India a twinge or two of anxiety from time to time. After the Anglo-Russian Convention of 1907 had enormously reduced tensions in Asia between the two Empires, however, such matters as a few Cossacks here and there were no longer the foundations for major crises. In 1908 the Russians did not oppose, as they had in the past, the conferring by the Chinese of Consular status on George Macartney in Kashgar. By the same token, in 1911, on the eve of the Chinese Revolution which brought the Manchu Dynasty to an end, the Government of India did not object too strenuously when the Russians greatly strengthened their garrison at Tashkurghan (which was finally withdrawn in 1917 following the collapse of the Tsarist regime).[53] In 1916 the British used the precedent of the Russian military presence at Tashkurghan to justify to the Chinese authorities in Kashgar the stationing in the Taghdumbash Pamir of a detachment of Gilgit Scouts. The objective, however, was less to watch the Russians than to monitor traffic between Sinkiang and the Wakhan tract of Afghanistan over the Wakhjir Pass, a route which the Government of India suspected might be taken by German (and, perhaps, Turkish) agents who were known to have established themselves in Persia and Afghanistan.[54]

In 1912, shortly after the fall of the Manchu Dynasty in China, and in the greatly improved diplomatic atmosphere of Anglo-Russian relations which had prevailed since 1907, the British began to explore the possibility of revising the 1907 Convention by alterations in its terms relating to Persia, Afghanistan and Tibet.[55] The Viceroy of India, Lord Hardinge, perhaps the last of the rulers of British India

to be enthusiastic about a forward frontier policy, and the Indian Foreign Secretary, Sir Henry McMahon, whose views on this topic had certainly not changed since he had been Political Agent in Gilgit more than a decade earlier, believed that this might be an opportune moment to secure an advance northwards of the Northern Frontier from the alignment set out in the 1899 Note to China (as modified in 1905).

Hardinge and McMahon argued that the increased presence of Russia in Kashgaria, as was implied by the strengthening of the Tashkurghan post in late 1911, was no threat to British interests provided that the Northern Frontier of British India was clearly defined and accepted by both the Russians and the Chinese. This Frontier, Hardinge and McMahon argued, ought to be of the forward variety instead of the 1899 alignment (even as modified by Curzon in 1905): what was needed was a "boundary line which will place Taghdumbash, Shahidulla and Aksai Chin outside Russian and within our territory".[56]

There were two major difficulties in the way of implementation of this new policy. First: the Liberal Government in Britain was opposed in principle to any projects for the advance of the Indian frontier, as indeed it had been since coming to power in 1905. A revision of the 1899 Line would have to be secured by oblique methods which did not attract the attention of the politicians in London. Second: the Russians, when the question of the revision of the 1907 Convention was first raised in 1912, showed no interest whatsoever in widening its scope by adding Sinkiang to Persia, Afghanistan and Tibet. Frontier revision would have to arise, somehow, out of the existing processes of Anglo-Chinese diplomacy. Sir Henry McMahon's solution to the problems posed by these obstacles was so ingenious that it has hitherto escaped the notice of historians. It involved two distinct steps.[57]

First: the Mir of Hunza was encouraged in 1914 to resume his token cultivation of the Raskam plots of Azghar, Koktash and Bash Andijan. This would retain a British foothold on the northern side of the watershed at the western end of the Northern Frontier which could, should the need or occasion arise, at some future date be converted into a forward boundary, perhaps by Anglo-Chinese agreement or perhaps merely through usage reinforced by time.

Second: in the Simla Conference negotiations which started in October 1913 between the British, Tibetans and Chinese in an attempt to resolve a crisis in Sino-Tibetan relations (and, *en passant*, obtain for India a more satisfactory border with Tibet along the Assam Himalayas, the McMahon Line), the eastern (Ladakh) end of the Northern Frontier might be introduced surreptitiously. McMahon's ploy was to include in the Simla Conference map, intended as a vehicle for exposition of the Sino-Tibetan border under

discussion, an extension of the Tibetan boundary (usually referred to as the Red Line) to the north-west such that it ran along the Kunlun mountains with Aksai Chin to its south. If the Chinese accepted this map they would find that they had agreed to a Tibetan Aksai Chin (an idea which the Foreign Department of the Government of India had been exploring since 1907). No doubt McMahon was confident that he could persuade the Tibetans to transfer this tract (to which, after all, they had never laid claim) to British India at some later date, just as he was in the process of inducing them to hand over Tawang in the Assam Himalayas: meanwhile, a Tibetan Aksai Chin was protected against Russian interference by the provisions of the 1907 Anglo-Russian Convention.[58] In the event, the failure of the Simla Conference in 1914 removed any legal force from lines on the map to which it had given rise. The Chinese delegate did indeed put his initials on it; but he was then repudiated by his own Government in Peking.[59]

All that remained of the Hardinge-McMahon initiative after the outbreak of World War I in August 1914 was the annual visit of the Mir of Hunza's men to Raskam. The probability that Russia might agree to include Sinkiang within the terms of reference of a revision of the 1907 Anglo-Russian Convention, never high, dwindled in 1915 with the failure of the Dardanelles campaign which deprived the British of the one bargaining counter, the promise of Constantinople, which really interested the Russians.[60] Nor, by 1916, did the Government of India continue to favour the enlargement of the scope of the 1907 Convention to include Sinkiang. As the administration of Hardinge's successor as Viceroy, Lord Chelmsford, put it to the India Office in September 1916, "we strongly deprecate any attempt to bring Chinese Turkistan into the *post bellum* settlement with Russia".[61] Any lingering thoughts on this prospect were buried by the Bolshevik Revolution in late 1917. All hope that the Chinese might eventually accept a version of the map associated with the Simla Convention died in 1921.[62] The Government of India was left with the 1899 Line as the only formal British international statement on the alignment of the Northern Frontier.

After the Chinese Revolution of 1911 and the end of the Manchu Dynasty, the Kashgar region of Sinkiang did not (as Hardinge and McMahon had once anticipated) fall into Russian hands. Instead, it came under the firm control of Yang Tseng-hsin, the first Republican Governor of the Province.[63]

Yang Tseng-hsin was the most powerful Chinese figure in Sinkiang politics since Tso Tsung-t'ang, the conqueror of the Yakub Beg regime; and his representatives in Kashgar did not look on the revival in 1914 of Hunza activity in Raskam with great enthusiasm. For a few years the half dozen or so Hunza men were able to make their way undisturbed to Raskam in the spring to plant the grain and again in

the autumn to harvest it (probably leaving one or two men behind as guards in between); but in 1919 Yang Tseng-hsin's Government started to protest formally to the British Consulate-General in Kashgar against the Hunza activities and to deny that the Mir's subjects had any right to be in Raskam at all.

The Government of India, however, encouraged the Mir to go on asserting his rights (including, of course, the grazing and revenue collecting rights in the Taghdumbash Pamir which, since they were so to say mobile, did not lend themselves so easily to the kind of territorial argument aroused by the Raskam cultivation). It seemed possible that the existence of these rights, and the discussions with the Chinese authorities to which they gave rise, could still be exploited by British diplomacy in Sinkiang. There was no longer any wish to press for a forward border of the type advocated by Ardagh, Hardinge and McMahon; but it was certainly useful to have something to bargain with in an effort to counter the revived influence of Russia in Kashgar where in 1925 the Soviets re-established a Russian Consulate. If the Russians should once more begin to show an unhealthy interest in the affairs of Hunza, then it was open to the Government of India to offer to the Chinese the surrender of the Mir's various rights beyond the Karakoram watershed in exchange for an agreed border (inevitably now of the 1899 Line pattern) proof against Bolshevik-inspired challenge.[64]

This remained the position during the remainder of Yang Tseng-hsin's tenure of the Governorship of Sinkiang. In July 1928 Yang Tseng-hsin was assassinated. His successor, Chin Shu-jen, assumed control of what was now a far less stable regime. Apart from the question of Soviet influence which had revived in 1925, Chin Shu-jen had to resolve what relationship, if any, Sinkiang would have with the Kuomintang Government of Chiang Kai-shek which had just established itself as the nominal ruler of all of China. He had, moreover, to contend with an explosion of separatist movements among the indigenous Muslim peoples of the Province who had been to a great extent held in check by the firm rule of Yang Tseng-hsin.

The Northern Frontier of India once more seemed insecure, if only because of the deterioration of Chinese authority to its immediate north; and, with the fall of the Chin Shu-jen regime in 1933, Bolshevik Russia appeared to be closer to the domination of the entire Province of Sinkiang than had ever been the Empire of the Tsars. It was soon evident that the defence of the Northern Frontier called for a further revision in the relationship between the Government of India and the State of Jammu and Kashmir.

1. H.L. Saxena, *The Tragedy of Kashmir*, New Delhi 1975, preface. Those who consider Dr. Saxena's views a trifle extreme ought to read: V.D. Chopra, *Genesis of Indo-Pakistan Conflict on Kashmir*, with an introduction by P.N. Haksar, New Delhi 1990. Chopra, who has been associated with the Indian journal *Link*, detects imperialist conspiracies behind practically every facet of the Kashmir story from the foundation of the State of Jammu and Kashmir in 1846 until the outbreaks of violence in 1990. If these views really do represent Indian public opinion, then there can be scant hope of any elected Indian Government surviving a fair and realistic settlement of the Indo-Pakistani dispute over Kashmir. One can only hope that they do not.

2. The Sikh Empire, with its capital at Lahore, was very much the creation of Ranjit Singh. At its height it dominated the Punjab and lay as a buffer between territory controlled by the East India Company on the east and Afghanistan on the west. In 1839 Ranjit Singh died. His Empire started to disintegrate, in the process creating political turbulence on the British frontier. The situation led to Sikh military chieftains embarking in late 1845 on a policy of war with the East India Company. The battle of Sobraon, in February 1846, marked a rather indecisive British victory in what turned out to be the first round only. In 1848 war once more broke out. In late 1848 in three extremely bloody encounters, Ramnagar, Chillianwalla and Gujarat, the British broke Sikh resistance; and the Sikhs finally surrendered in March 1849. The Punjab was then annexed by the East India Company. It thus became the British Indian Province which was to be partitioned between India and Pakistan in 1947, an event of considerable importance in the subsequent history of the State of Jammu and Kashmir.

   Had the Sikh command been united and free of treachery, the British would have found it very difficult indeed to have conquered this formidable military organisation, the Khalsa; and the history of British India would surely have been very different. The role of Gulab Singh and the Dogras in these events was crucial. The Government of India certainly considered the sale to Gulab Singh of the Vale of Kashmir to be an extremely economical way to reward one of the key players in what was for a time the greatest military threat to British rule in India since the 18th century.

   For an account of the First Anglo-Sikh War, including the part played by Gulab Singh which contributed to his acquisition of the Vale of Kashmir, one can do much worse than read: George MacDonald Fraser, *Flashman and the Mountain of Light*, London 1990. This work of fiction conveys accurately enough, and certainly entertainingly, the flavour of this episode in British Indian history. For a more scholarly account, see: Khushwant Singh, *A History of the Sikhs. Volume 2, 1839-1964*, Princeton, New Jersey, 1966.

3. W. Moorcroft & George Trebeck, ed. H.H. Prinsep, *Travels in the Himalayan Provinces of Hindustan and the Panjab from 1819 to 1925*, 2 vols., London 1841.

   The achievements of Moorcroft are discussed on the basis of meticulous research by G.J. Alder in two books; *British India's Northern Frontier 1865-1895*, London 1963, and *Beyond Bokhara. The Life of William Moorcroft, Asian Explorer and Pioneer Veterinary Surgeon 1767-1825*, London 1985. See also: J. Keay, *When Men & Mountains Meet*, London 1977.

   There were a number of European visitors to Kashmir and its neighbourhood between Moorcroft and 1846, among them Victor Jacquemont, Joseph Wolff, Baron von Hugel, John Henderson, G.T. Vigne and Alexander Gardiner. Their journeys are discussed in: Keay, *Men & Mountains*, *op. cit.*

4. For the background to the Boundary Commission, see: A. Lamb, *British India and Tibet 1766-1910*, London 1986, Ch. III. See also: A. Cunningham, *Ladak, Physical, Statistical and Historical*, London 1954; H. Strachey, *The Physical Geography of Western Tibet*, London 1953.

Article 2 of the Treaty of Amritsar provided explicitly for such a Boundary Commission to lay down the eastern boundary of the new State (with China or Tibet).

5. Vans Agnew left no account of this journey. The first European visitor to Gilgit to produce a written description of that place was Dr. G.W. Leitner, who made his way there in 1866. Leitner is largely responsible for the use of the term Dardistan. His linguistic studies convinced him that the inhabitants of this part of the world spoke languages which belonged to a distinct group. Moreover, Leitner concluded that the people were not Indian, Turkic or Tibetan in ethnic origins but something quite of its own. He called them Dards after, so John Keay tells us, "the Daradas of Sanskrit literature and the Daradae of classical geographers". Needless to say, the term Dard has no meaning among the local inhabitants of "Dardistan". See: John Keay, *The Gilgit Game. The Explorers of the Western Himalayas 1865-95*, London 1979. Dr. Leitner wrote extensively on Dardistan. See, for example: G.W. Leitner, *The Languages and Races of Dardistan*, Lahore 1877.

6. For Thomson's narrative, see: T. Thomson, *Western Himalaya and Tibet*, London 1853 (reprinted, New Delhi 1978).

7. For the history of Russian expansion into the Khanates of Khiva, Kokand and Bokhara, see, for example: A. Krausse, *Russia in Asia. A Record and a Study. 1558-1899*, London 1899; G. Morgan, *Anglo-Russian Rivalry in Central Asia 1810-1895*, London 1981.

   In 1865 the Russians captured Tashkent which became the centre of a new Province, Turkestan; and in the same year they also took the town of Kokand. The entire Kokand Khanate was formally annexed by the Russians in 1876 to become the district of Ferghana, by which date both Khiva and Bokhara had become Russian protectorates.

8. For a readable account of the Yakub Beg episode in the history of Chinese Turkistan, see: J. Chen, *The Sinkiang Story*, London 1977. A more scholarly analysis can be found in: E.O. Clubb, *China & Russia. The "Great Game"*, New York 1971. See also: T. Yuan, "Yakub Beg (1820-1877) and the Moslem Rebellion in Chinese Turkestan", *Central Asiatic Journal*, 1961.

9. The classic biography of Tso Tsung-t'ang is: W.L. Bales, *Tso Tsung-t'ang: Soldier and Statesman of Old China*, Shanghai 1937.

10. In 1866 Yakub Beg occupied Khotan, which he incorporated into the new Kashgarian state, and Amir Haji Habibulla Khan was put to death.

11. The British frequently referred to Chinese Turkistan (or Turkestan) as Eastern Turkistan, to distinguish it from Western Turkistan, that part of Central Asia including Samarkand and Bokhara which would fall into the Russian sphere.

12. Maharaja Ranbir Singh had been careful to exclude the Survey from any work across the Indus in the Gilgit region and beyond.

13. Some of this border region to the east of the Karakoram Pass had been explored by the Schlagintweit brothers in 1856-57. These German unofficial travellers had scant impact on official policy at the time. One of the three brothers, Adolph, was murdered in Kashgaria in 1858, a fact which undoubtedly discouraged unofficial travel here for a while. See: H., A., & R von Schlagintweit, *Results of a Scientific Mission to India and High Asia*, 4 vols., London and Leipzig 1861-66.

14. For the Johnson map, see: A. Lamb, *The Sino-Indian Border in Ladakh*, Canberra 1973, p. 113. For Johnson, see also: Alder, *Northern Frontier, op. cit.*, p. 32.

15. In Article 4 of the Treaty the Maharaja agreed that he would not alter the limits of his territories without the concurrence of the British. Had the Johnson survey done just this? It could be argued that the Johnson survey was a *British* operation and nothing to do with the Maharaja. In Article 5 it was implied that the Maharaja would permit the British to supervise his foreign policy; but this article was rather vague, and it was evident that the treaty did not provide for the kind of situation which arose in 1864 with respect to Khotan: it was directed specifically towards disputes between Jammu and Kashmir and other States in the British sphere. In Article 7 the Maharaja agreed not to employ any British subject in his service without the approval of the Government of India. Was the Maharaja so employing Johnson? Perhaps; but the case for arguing this was ambiguous. Johnson, it was known, had in his pocket some kind of promise of employment by the Maharaja when he set out for Khotan: but he did not take up a formal post in the service of the State of Jammu and Kashmir until some time later, after he had retired from British service. In 1872 he was made *Wazir* (Governor) of Ladakh.

16. The results of the Kashmir Survey were published in 1868 by the Government of India in a magnificent work entitled *Kashmir Atlas*. This showed the Johnson boundary including Shahidulla and extending far to the north of the Karakoram Pass. While the Government of India did not in 1868, or indeed at any other time, accept the Johnson boundary as being a true representation of British aspirations, yet the Johnson map existed and better maps did not. Features of the Johnson survey, even after the Johnson boundary had been totally abandoned, persisted in cartography well into the 20th century. See: Lamb, *Ladakh, op. cit.* Chapter I, which deals with some Johsonian problems in considerable detail.

17. The history of these ventures is discussed in magisterial detail in: Alder, *Northern Frontier, op. cit.*

18. The fact that there had been correspondence between Maharaja Ranbir Singh and both Yakub Beg and the Russians was known to the Government of India in 1872-73, indeed the initial approach of Ranbir Singh to the Russians in Tashkent had been made in 1868 at the request of the British in an attempt to find out what the Russians were up to; but the true nature of Maharaja Ranbir Singh's dealings with Yakub Beg, and the Russians, as well as the Afghan authorities, was not appreciated until after the Second Afghan War of 1879 when a number of documents were recovered by Sir Frederick Roberts in Kabul.

19. For an interesting account of Ottoman Turkish contacts with Yakub Beg, see: M. Saray, "Turkish Officers Sent to Kashgar in 1874", *Dogu Türkistan Sesi (Voice of Eastern Turkistan)*, Vol. 2, No. 6, August 1985.

20. Shahidulla, on the lower Karakash River, was the first settlement of any size on the Chinese side of the Karakoram Pass. Suget, to its south, was little more than a camping ground.

    There were a number of advantages in the new Changchenmo route over the that which crossed the Karakoram Pass. It avoided the Karakoram Pass, which was well over 18,000 feet high and caused many travellers to suffer from acute altitude sickness. It could, in theory at least, be used by camels to journey all the way from the Chinese side to Leh: on the Karakoram Pass route camels could only go as far south as the Shyok glacier, where their loads had to be transferred to mules or yaks. Again, at least in theory, it could be turned into a carriage road of a kind which the approaches to the Karakoram Pass rendered quite impracticable.

The Changchenmo route, including its crossing of the desolate Lingzitang and Aksai Chin plains, is both described and illustrated by photographs in: G. Henderson & A.O. Hume, *Lahore to Yarkand. Incidents of the Route and Natural History of the Countries Visited by the Expedition of 1870, under T.D. Forsyth, Esq., C.B.*, London 1873.

21. The text is printed in: Alder, *Northern Frontier, op. cit.*, Appendix II.

22. See: Lamb, *Ladakh, op. cit.*, pp. 27-31.

23. For a life of Sir John Ardagh, see: Susan, Countess of Malmesbury, *The Life of Major-General Sir John Ardagh*, London 1909.

For Ardagh's views on the Northern Frontier, see: (in PRO London) FO 17/1328, Military Intelligence to Foreign Office, 1 January 1897.

Ardagh was particularly interested in frontier questions and had participated in boundary commissions in the Balkans and elsewhere. During his time in India as Lansdowne's Secretary he got to know the key Indian frontier specialists like Algernon Durand, the founder of the second Gilgit Agency, Macartney, Younghusband, McMahon and the rest. His views on the Northern Frontier expressed in January 1897 were undoubtedly based to a great extent on the views and experiences of these men.

The Intelligence Division (subsequently Department) of the War Office was the late Victorian precursor of the Secret Intelligence Service. One of its main fields of interest was in the determination of British imperial and colonial borders, where they actually were or where they ought to be. Sir John Ardagh proved himself to be particularly adept in gathering information on frontier matters and proposing solutions to frontier problems, not only in Asia but also in Africa. It is more than probable the SIS in due course retained this frontier interest, and that it continued, as had Ardagh, to debrief travellers from remote parts of the world.

24. The history of the border between Ladakh and Chinese territory here, be it in Tibet or Sinkiang, is a subject of considerable complexity; and the Indian claims to the Aksai Chin in the 1950s and their subsequent part in the Sino-Indian boundary dispute have done nothing to simplify matters. See, for example: Lamb, *Ladakh, op. cit.*; A. Lamb, *The China-India Border. The Origins of the Disputed Boundaries*, London 1964; D. Woodman, *Himalayan Frontiers. A Political Review of British, Chinese, Indian and Russian Rivalries*, London 1969; J. Lall, *Aksaichin and Sino-Indian Conflict*, New Delhi 1988. The last work is of great interest in that it is an attempt, possibly under official auspices, to extricate Indian diplomacy from the consequences of its extreme Aksai Chin claims without seeming to be beholden to previous non-Indian studies such as the work of the present author and Dorothy Woodman.

25. In 1888 Kanjutis attacked the main Leh-Kashgar caravan route at Shahidulla to the north of the Karakoram Pass. The raiders numbered eighty-seven in all, from the Shimshal district of Hunza which was almost two hundred miles away. They looted a caravan and took some twenty captives, both men and women, whom they subsequently ransomed for eighty rupees a head. This exploit was certainly a factor both in the revived interest of the Jammu and Kashmir Durbar in Shahidulla and in the deterioration of relations between Hunza and the Gilgit Agency. See: Francis Younghusband, *The Heart of a Continent. Narrative of Travels in Manchuria, across the Gobi Desert, through the Himalayas, the Pamirs, and Chitral, 1884-94*, London 1896, p. 227.

26. The rivalry between Hunza and Nagar was proverbial. One difference between the two states was that the bulk of the Hunza people were Ismailis, followers of that Islamic sect presided over by Aga Khan, while in Nagar the dominant version of Islam was Twelver Shia.

27. The Mir of Hunza from 1869 paid the Maharaja of Jammu and Kashmir an annual tribute of twenty-one *tolas* (twenty ounces) of gold and two baskets of apricots. In return, however, he received from Jammu and Kashmir a subsidy of greater value. The adjacent state of Nagar had entered into a similar agreement with Maharaja Ranbir Singh in 1868.

28. Since at least the middle of the 18th century Hunza had paid, by way of the Chinese official establishment in Kashgar, an annual tribute of one and one half ounces of gold (fifteen *miscals*), worth in the 1930s about £10 sterling. This tribute payment was duly recorded in Peking and announced publicly. The ruler of Hunza, as was the way with the Manchu tributary system, received from the Chinese a great deal more than he paid them (in the 1930s the equivalent of about £40 sterling): he was, therefore, not surprisingly reluctant to abandon this arrangement. The Chinese claimed the right to send representatives to take part in the installation of a new Mir of Hunza. Two Chinese officials were allowed by the Government of India to attend the installation at Baltit of Mohammed Nazim Khan in 1892. Mohammed Nazim Khan died in 1938. No Chinese representatives were present at the installation of his successor, Ghazan Khan.

    Nagar, Hunza's neighbour, does not seem to have entered into any relationship with the Chinese.

29. By the Agreement signed at Mastuj, the Chitral capital, on 22 March 1914 (in the presence of the British Political Agent, D.G. Wilson) the Mehtar, Shuja-ul-Mulk, agreed to recognise Kashmiri suzerainty and to pay the Maharaja an annual tribute of three horses, five hawks and five hounds. This was a confirmation of the Chitral agreement with Maharaja Ranbir Singh in 1878. It was confirmed once more by the Government of India in 1933. (See: L/P&S/12/3286 in IOL for papers on Mastuj Agreement and 1933 confirmation). In 1936, however, the Government of India did not inform the Maharaja of Jammu and Kashmir of the forthcoming installation ceremonies of a new Mehtar of Chitral, and when the Maharaja protested at this oversight, the British suggested that a new treaty relationship between Chitral and Jammu and Kashmir was called for to take account of the realities. While this was never done, and on paper the situation remained as set out in the 1914 Mastuj Agreement, the fact was that for administrative purposes Chitral had not been treated by the British as in any significant way part of the State of Jammu and Kashmir since the mid 1890s; and the 1935 Gilgit Lease did not relate to it all. The Indian side since 1947 has made from time to time claims that Chitral was part of the Kashmir dispute; but it has never done so with any conviction. In our present context, therefore, Chitral's history can be put on one side.

30. The British had not yet discovered the true nature of Maharaja Ranbir Singh's correspondence with the Russians and Afghans in 1868-72, otherwise Lytton might not have been so willing to rely on the loyalty of the State of Jammu and Kashmir.

31. The standard works on the Gilgit Agency are: Alder, *Northern Frontier, op. cit.*; A.S. Chohan, *The Gilgit Agency 1877-1935*, New Delhi n.d.; F.M. Hassnain, *Gilgit, the Northern Gate of India*, New Delhi 1978.

32. Which Ranbir Singh denied. Many historians sympathetic to the Dogra Dynasty challenge the authenticity of the evidence which supported these charges of Dogra-Russian intrigue. In the present author's opinion the evidence seems quite good. See, for example: M.L. Kapur, *Kashmir Sold and Snatched*, Jammu Tawi 1968, p. 149.

    Dalip Singh, son of Ranjit Singh, was deposed in 1849 when the British annexed the Punjab. He was then about eleven years old. In 1853 he was converted to Christianity. In 1854 he went to England where he remained until his death in 1893. Queen Victoria presented him with an estate at Elvedon in Suffolk. By the 1880s Dalip Singh had reconverted to Sikhism and had convinced himself that there was still a role for him in India. He started a correspondence with the Russian Government and with various Indian Princes; and in 1887-88 he visited Russia. His basic proposition to the Tsar was that he be put at the head of a great movement in India to expel the British. The Russians made no positive reply to his overtures and the British did not take him too seriously; but it is possible that Pratap Singh was impressed by what Dalip Singh had to offer. See: M. Alexander & S. Anand, *Queen Victoria's Maharajah. Duleep Singh 1838-93*, London 1986, pp. 228-276.

33. This was the view, for example, of Colonel Lockhart, who in 1885-86 undertook an investigation on the ground of the strategic problems of Dardistan, notably the security of Gilgit and the nature of the loyalties of Chitral. See: Alder, *Northern Frontier*, *op. cit.*, p. 156.

34. See: G. Morgan, *Ney Elias. Explorer and Envoy Extraordinary in High Asia*, London 1971, p. 153.

35. This episode in the history of the State of Jammu and Kashmir is studied in considerable detail in: M. Yasin, *British Paramountcy in Kashmir 1876-1894*, New Delhi n.d.

36. The distance from Srinagar to Gilgit was about two hundred and twenty-five miles, fifteen days journey in good conditions. The road was maintained, and traffic on it moved, by the extensive use of *begar*, forced labour. In the second half of the 19th century the Gilgit road acquired a terrible reputation among villagers in the Vale of Kashmir who would try to hide on hearing that a military convoy was about to pass along it. See: A.S. Chohan, *Historical Study of Society and Culture in Dardistan and Ladakh*, New Delhi n.d., p. 168.

37. Petrovski remained in Kashgar, apart from periods of leave, from 1882 until 1903. He died in 1909. He was succeeded in Kashgar by Kolokolov, who had been his Secretary. Kolokolov occupied the Consulate until 1908. He was replaced by Sokov. When Sokov retired in 1913 his place was taken by Prince Mestcherski, who left in September 1917.

38. By far the best analysis of the Durand Line is to be found in: J.R.V. Prescott, *The Map of Mainland Asia by Treaty*, Melbourne 1975. See also: Sir P. Sykes, *The Right Honourable Sir Mortimer Durand, P.C., G.C.M.G., K.C.S.I., K.C.I.E.; a Biography*, London 1926, for an account of the 1893 negotiations.

    There are many accounts of the Chitral crisis. See, for example: Major-General J.G. Elliott, *The Frontier 1839-1947*, Chapters 11 & 12.

39. George (later Sir George) Macartney was born in 1867. His father, Sir Halliday Macartney, had been a distinguished servant of the Manchu Dynasty in China during the traumatic period of the Taiping Rebellion, when he had married (rather surprisingly) into one of the Taiping ruling families whose overthrow he had helped to bring about. George Macartney, therefore, had a Chinese mother. He

spoke Chinese and possessed a profound understanding of Chinese ways of thought, all of which contributed greatly to his effectiveness during his long stay in Kashgar, 1890-1918. He died in 1945.

Macartney's first task in the service of the Government of India was as Chinese Interpreter to the Sikkim Field Force in 1888. When Macartney established himself in Kashgar in 1890 he possessed no official position there within the establishment of the Government of India: he was merely Francis Younghusband's Assistant. In 1893 he became Special Assistant for Chinese Affairs to the Resident in Kashmir, who happened as it were to spend most of his time in Kashgar. In 1905 Macartney was given the personal rank of Consul; though the Chinese did not agree to the presence of a Consulate in Kashgar until 1908. In 1910 he was promoted to Consul-General. In 1913 he was knighted (K.C.I.E.). He retired in 1918.

40. Quoted in: A. Lamb, *The China-India Border. The origin of the disputed boundaries*, London 1964, p. 99.

41. 1862-1949. Not only was he to be responsible, along with Sir Charles Bell, for the McMahon Line border in the Assam Himalayas but, as High Commissioner in Cairo he supervised the process of British policy towards the Arabs which has contributed its share to the present unhappy state of the Middle East.

McMahon, after working on the Indo-Afghan border in Baluchistan, formally took over the Gilgit Agency from Sir George Robertson in August 1897, and remained in charge until November 1898. In 1899 he took over the Malakand Agency with responsibility for Dir, Swat and Chitral.

42. FO 17/1362, IO to FO 11 August 1898, enclosing McMahon to Resident in Kashmir, 10 May 1898. McMahon's analysis attempts to dismiss the significance of the Mir's relations with the Chinese and to maximise the Hunza claims to territorial rights on the Sinkiang side of the Karakoram. Much of what McMahon says here must be taken with a grain or two of salt.

43. The geography of this region is well illustrated in: R.C.F. Schomberg, *Unknown Karakoram*, London 1936. Schomberg in 1934 visited both Darwaza and the Raskam plots in the Azghar group; and his map, at four miles to the inch, is extremely useful.

44. John Lall is not alone in arguing that these signs of past occupation supported Hunza claims. See: Lall, *Aksaichin*, *op. cit.*, p. 85.

45. The Chinese position was complicated by the fact that others, Sarikolis (Tajiks) from the Tashkurghan region, also sought cultivation rights in Raskam.

46. Quoted in: Lamb, *Ladakh*, *op. cit.*, p. 43.

47. The text of this note is reproduced in: A. Lamb, *The China-India Border: The Origins of the Disputed Boundaries*, London 1964, Appendix II.

The terms of the 1899 Note remind one of the provisions of the Sikkim-Tibet Convention of 1890. Sikkim was a state over which China (through Tibet) had claims and which, in turn, claimed rights in Tibet. The settlement involved the Chinese acceptance of a boundary dividing Sikkim, which was now recognised as under exclusive British protection, from the Chumbi Valley in Tibet in which British interests were to be (in the 1893 Trade Regulations which followed from the 1890 Convention) protected under conditions which did not alter Chinese suzerainty over Tibet. George Macartney, whose views were largely represented in the 1899 Note, was present as a Chinese interpreter at the early stages of negotiations leading to the 1890 Convention; and no doubt he appreciated the Sikkimese parallels to the Hunza situation.

48. Quoted in: Lamb, *Ladakh, op. cit.*, p. 61.

49. See: Lamb, *Ladakh, op. cit.*, p. 62.

50. This stretch of Sino-Afghan border was formally agreed by the Peoples' Republic of China and Afghanistan on 22 November 1963. See: Prescott, *Mainland Asia, op. cit.*, pp. 238-240.

51. That both the British Government and the Government of India after 1905 considered that the 1899 Line (as modified in 1905) represented the alignment of the Northern Frontier to which they were committed pending further negotiations with the Chinese and, perhaps, the Russians, is not open to doubt. In 1908 the Military Intelligence Department of the War Office produced a map of Kashgaria which showed this alignment clearly enough; and it was indicated in a colour wash in a map appended to the 1909 edition of *Aitchison's Treaties.*

52. It is probable that the intention of the 1963 Agreement was to coincide *exactly* with the 1899 Line as modified in 1905. In practice, in the interests of ease of survey, China may have given to Pakistan a small plot, certainly not much more than twenty square miles in area, between the source of the Uprang Jilga stream and the Khunjerab Pass.

    For a typical Indian view of the 1963 Agreement, See: Sangat Singh, *Pakistan's Foreign Policy. An Appraisal*, Bombay 1970, p. 113.

    See, for an admirable discussion of the 1963 settlement: J.R.V. Prescott, *Map of Mainland Asia by Treaty*, Melbourne 1975, Chapter 11.

53. The Russian excuse for the strengthening of the Tashkurghan garrison was the alleged Chinese violation of the terms of the Treaty of St. Petersburg of 1881. The additional Cossacks were in place by August 1911. They were further reinforced after the outbreak of the Chinese Revolution at the end of the year.

54. This was the only attempt ever made by the British to establish anything like a permanent presence beyond the Karakoram Range passes in the Taghdumbash Pamir. The Gilgit Scout detachment, which wintered in Tashkurghan alongside the Russian garrison, was withdrawn, it seems, in 1917. In the 1930s the Gilgit Scouts carried out patrols into the Taghdumbash Pamir; but they never again set up a base there such as they did in 1916. See, for example: C.P. Skrine & P. Nightingale, *Macartney at Kashgar. New Light on British, Chinese and Russian Activities in Sinkiang, 1890-1918*, London 1973, pp. 255-256.

55. For a survey of the proposed revision from the British point of view, see: IOL, L/P&S/18/C.142, *Revision of the Anglo-Russian Convention 1907.*

56. Hardinge to Crewe, 12 September 1912, quoted in: Lamb, *China-India Border, op. cit.*, pp. 107-108.

    By 1914 this policy had been refined somewhat. It would seem that it had been decided to locate Aksai Chin in Tibet rather than British India, perhaps with the 1899 Line now becoming the Indo-Tibetan border here. One presumes that the border to the west of the Aksai Chin would run from the lower Karakash somewhere in the Shahidulla region to the Pamirs at Pavalo-Schveikhovski Peak or the adjacent Beyik Pass. The evidence for the concept of a Tibetan Aksai Chin is to be found in the map which McMahon caused to be prepared for Chinese and Tibetan approval and appended to the Simla Convention of 1914. See: Lamb, *Ladakh, op. cit.*, pp. 13-14; Lamb, *McMahon Line, op. cit.*, Vol. 2, pp. 552-553. Perhaps it was hoped that at a later stage the Tibetan Aksai Chin would be transferred to British India.

57. A proposal which McMahon did not consider seriously was that the Chinese should be asked to agree to a forward Northern Frontier in exchange for British concessions to China on the Hpimaw sector of the Sino-Burmese border. This idea had been floated by Archibald Rose of the China Consular Service in 1911.

58. This map, on which various boundaries were drawn during the course of the Simla Conference, was at a scale of 1:3,800,000; and it should not be confused with a map (in two sheets) on a scale of 1:500,000 which as the basis for the McMahon Line secretly negotiated by the British and Tibetans during the Conference.

    The first version of the Simla Conference map, already with the Kunlun feature, emerged by November 1913. The Tibetans agreed to transfer Tawang to the British in February 1914, and the transaction was formalised by an exchange of secret Notes on 24 and 25 March 1914. Tawang was up to that moment undoubted Tibetan territory, including a major monastery. As far as can be ascertained, the Tibetans have never claimed the Aksai Chin.

    The "Red Line" on this map was also exploited in an attempt to obtain unwitting Chinese acceptance for the McMahon Line, the Indo-Tibetan border in the Assam Himalayas which was not, in fact, on the agenda of the tripartite Simla Conference discussions.

    Article I of the Tibetan section of the Anglo-Russian Convention of 1907 read: "the two High Contracting Parties agree to respect the territorial integrity of Tibet, and to abstain from all interference in its internal administration".

59. The history of the Simla Conference is examined in considerable detail in: A. Lamb, *The McMahon Line. A Study in the Relations Between India, China and Tibet 1904-1914*, 2 vols., London 1966. The implications of the Simla Convention map for the Northern Frontier are discussed in pp. 553-559.

60. In March 1915 Russia was offered Constantinople as part of a post-war settlement. It could well have been that such a settlement might have involved Sinkiang, though the view of the India Office in August 1915 was that "on the whole there seems little to be gained by raising the Hunza question in the present connection".

61. L/P&S/18/C 163, India to India Office, 29 September 1916.

62. The later stages of the Simla Convention are discussed in: Alastair Lamb, *Tibet, China & India 1914-1950. A History of Imperial Diplomacy*, Hertingfordbury 1989.

63. See, for example: R. Yang, "Sinkiang under the administration of General Yang Tseng-hsin, 1911-1928", *Central Asiatic Journal*, 1961.

64. As a result of the Sino-Soviet Agreement of 1924, the Russians were able to open a number of Consulates in Sinkiang as well as a Consulate-General in Urumchi, the capital.

IV

JAMMU AND KASHMIR AND THE DEFENCE OF BRITISH INDIA: THE PROBLEM OF THE NORTHERN FRONTIER. Part II:

The Gilgit Lease

The new Chin Shu-jen administration of Sinkiang from the outset in 1928 adopted a far more aggressive approach to problems of definition of the Northern Frontier than had any Chinese regime since at least the opening of the Yakub Beg era, reflecting the revival of Chinese nationalism which was such a feature of the early days of the Kuomintang. Its leaders suspected that the British, whom they numbered among the traditional enemies of Chinese strength and unity, would do their utmost, by exploiting the current wave of Muslim unrest in Kashgaria, to undermine the authority of Peking. It was firmly believed in Kashgar that the Government of India would surely try to insert agents across those remote border tracts of the Karakoram which, accordingly, the Chinese now watched and guarded with a new intensity.

Thus it was that in the summer of 1929 the Chinese despatched a force of some 700 Chinese troops on an excursion up the valleys of the Yarkand and Karakash Rivers towards the main Karakoram watershed to frustrate, so it was claimed by the Sinkiang authorities, a threat of invasion from the British side; and they left behind a permanent garrison of some strength at Shahidulla. In 1930, when the Mir of Hunza's representatives were in Kashgar to pay the annual tribute, the chief official in that town, the *Tao-yin* Ma Shao-wu, declared that the Mir had no rights whatsoever either in Raskam or in the Taghdumbash Pamir. He announced that the Chinese would now tax the Mir's flocks if they were grazed north of the main watershed; and, further, he told the Mir's representatives that the Hunza men could only continue to cultivate their plots in Raskam if

they accepted the fact that they were Chinese citizens. The Chinese subsequently emphasised this point by detaining two Hunza men who were travelling to Kashgar with British Indian passports, and only letting them go on their way after they had exchanged these documents for Chinese passports and paid a fee for the issue of the new papers.

Inevitably, against such a background, there began in 1930 negotiations between the Kashgar authorities and the British Consulate-General (as the Kashgar Consulate had become in October 1910), albeit rather tentatively, in an effort to forestall what the Government of India interpreted to be the first stage in a fresh Chinese challenge to the British position in Hunza itself.[1] The British side, represented by George Sherriff, indicated that it would probably accept Chinese sovereignty over Raskam and the Taghdumbash Pamir on the Sinkiang side of the British Indian border (which both Sherriff and the Chinese took to be the 1899 proposal but with the Taghdumbash Pamir in China, though the Chinese do not seem to have been aware at this stage of Curzon's 1905 other modification in Raskam in the region of the Shimshal Pass and Darwaza). The Mir of Hunza, however, Sherriff pointed out, would probably insist on retaining his taxing rights over grazers in the Taghdumbash Pamir: this was important to his prestige and involved very small sums. The Chinese reacted to such overtures by making it clear that they would prefer to avoid any *de jure* settlement while arriving, obliquely, at some kind of *de facto* face saving arrangement. In April 1933 talks between the Consulate-General and the Kashgar authorities were still going on along these lines when a major crisis erupted in Sinkiang following the collapse of the Chin Shu-jen regime.

The background to this milestone in the history of Sinkiang is indeed complex. Ever since the assassination of Yang Tseng-hsin, Muslim rebellion had been endemic; and with the fall of Chin Shu-jen in April 1933 it looked for a while as if the Province would disintegrate into a number of separate fiefdoms under Chinese Muslim (Tungan or Hui) and Turkic warlords, the leading figure being the Tungan commander Ma Chung-ying. By 1934, however, the greater part of Sinkiang had come more or less securely under the control of the exceptionally able militarist Sheng Shih-ts'ai, Chin Shu-jen's former Chief of Staff.[2] In July 1933 Ma Chung-ying fled from Kashgar across the Pamirs to the Soviet Union (where his subsequent fate is uncertain: it is probable that Stalin had him shot).[3]

From 1934 to 1937 one part of Sinkiang eluded the grasp of Sheng Shih-ts'ai. Along the southern edge of the Tarim basin from the Kansu border to within a few miles of Yarkand Ma Chung-ying's relative (half-brother or brother-in-law) Ma Hu-shan established an autonomous domain ("Tunganistan") based on Khotan. Until his defeat in 1937 Ma Hu-shan was a constant challenge to Sheng Shih-

ts'ai's position in Kashgaria to his west and an inspiration for Muslim rebellion throughout the Province.

To the Government of India the new state of affairs in Sinkiang presented two distinct threats to the security of the Northern Frontier.

First: Sheng Shih-ts'ai was known to be in close contact with the Soviet Union. He was receiving Russian advice and at certain crucial moments Russian troops came to his aid. Soviet geologists were exploring the mineral resources, not least in oil, in Sinkiang. In 1935 the Sinkiang Government received a substantial loan from the Moscow. All the available evidence suggested that under Sheng Shih-ts'ai the Province would become at least a Soviet puppet state if not an integral part of the Soviet Union.[4] If this were indeed the case, then that nightmare of some British strategists since the 1860s that Russia would eventually take over Eastern Turkistan would at last come true. The Northern Frontier, despite all the diplomatic effort which had led up to the 1895 Pamirs Agreement, and all that the British representatives in Kashgar had since achieved, would now divide the British Indian Empire from territory under more or less direct Russian administration. While the formidable geography of the Karakoram would most probably exclude armies, it was not an adequate barrier against individuals: the Political Department feared that Russian agents would be able more easily to cross into British India to spread the Bolshevik virus among Indian politicians already, in British eyes, dangerously exposed to such infection.

Second: the presence of the Tungans under Ma Hu-shan in the Khotan region, on the Chinese end of the old Treaty Road from Ladakh, was also not without its dangers. There was always the possibility of Tungan forces making their way into northern Ladakh where there existed no British garrisons and, indeed, no defined borders other than that indicated in the British Note of 1899. What would happen, for example, if the Tungans, defeated by Sheng Shih-ts'ai, should chose to escape to India by this route? Would Sheng's forces follow them in hot pursuit?[5] In earlier times the Government would have advocated a forward policy, the extension of direct influence into the zone of disturbance, to meet such a potential challenge: but in the 1930s, what with the economic depression and the decline of British imperial will since the Great War, this was quite out of the question.

Thus in 1934 the entire Northern Frontier, not just the western end protected by Gilgit on which the British had concentrated their attention since at least the 1880s, was now under direct threat.

Along its eastern half to the north of Ladakh, which was adjacent to the Tungan realm of Ma Hu-shan centred on Khotan, there was a total absence of British defences over and above the natural obstacles of a barren and rugged terrain through which ran no delimited

border (other than the 1899 Line towards which the Chinese attitude was obscure). The Treaty Road had virtually ceased to function because of the troubles in Sinkiang, so there were few traders and travellers to bring advance warning to what was really the British front line, the British official in Leh (the Joint Commissioner in Ladakh); and such traders as did use this route crossed the Karakoram Pass and saw nothing of what might be happening to its immediate east along the upper Karakash river and on the heights of the Aksai Chin and Lingzitang.[6] Neither the British nor the Jammu and Kashmir State Armed Forces sent patrols into this desolate frontier zone. Perhaps a few nomads came here in summer from the Tibetan side; but they were unlikely to provide advance warning of danger from the direction of Sinkiang. Indeed, on the eve of this crisis the only regular visitors to the remoter parts of the border tract were members of the Sino-Swedish Expedition to Sinkiang of 1929-33 (a venture inspired by the great explorer Sven Hedin) who were in the process of executing a geological survey of the Aksai Chin region on behalf of the Chinese Government and who travelled from time to time across the Loqzung range into Lingzitang; but by 1934 these geologists had gone.[7]

The western half of the Northern Frontier separated the Gilgit Agency from that part of Kashgaria where, provided he could control the local Kirghiz and other nomads, the writ of Sheng Shih-ts'ai could be said to run in 1934, even if insecurely and spasmodically. Here the British were somewhat better organised for defence than they were in the north of Ladakh.

In the late 1890s it became possible to travel directly to Gilgit from Rawalpindi without having to pass through Srinagar by means of a new road (not suitable, however, for wheeled traffic) which followed the Kagan Valley up to the Babusar Pass and then descended to the Indus at Chilas, an approach which was treated by the Government of India for all practical purposes as if it ran entirely through British territory; and in theory it enabled the Gilgit Agency garrison to be reinforced, albeit after some delay, from British India without reference to the Maharaja. Gilgit could also be reached from British India by way of Chitral; but this was no easy path and certainly longer than that over the Babusar Pass. In practice, in an emergency reinforcement by Jammu and Kashmir State troops from the Bunji garrison (about fifty miles from Gilgit, but on the left bank of the Indus which had to be crossed by a ferry) would probably still be needed, unless fresh military dispositions were made by the Indian Army. Even though telegraphic communication between Gilgit and Lahore, via Srinagar, had existed ever since 1894, the arrival of troops from the cantonments of British India could take many days after their services were requested.

The Gilgit Agency garrison had originally, except in time of crisis

as during the Hunza war in 1891-92, consisted almost entirely of Jammu and Kashmir State troops (in number over 2,000).[8] Most of the cost was borne by the Jammu and Kashmir State Treasury. Subsequent revisions reduced slightly both numbers and expense; but it was not until 1913 that the British were able to find troops for Gilgit which were, so to say, their very own. In that year the Corps of Gilgit Scouts was founded. The Scouts were recruited locally from within the area of the Gilgit Agency. The strength of the Corps was to be over 600 men, trained and commanded by British officers. While the State of Jammu and Kashmir paid for half the cost of the Corps, there was never any doubt from 1913 until the crisis of November 1947 that their loyalty lay with their British commanders; and when on 3 November 1947 their last British leader, Major W. Brown, opted for Pakistan, the Scouts followed his lead to a man. It was not considered that the Gilgit Scouts would by themselves suffice to protect the border in the event of a major crisis (such as a Russian or Russian-inspired invasion from Sinkiang); but they could at least offer adequate resistance to gain time for reinforcements to come up from elsewhere, and they could patrol the passes and keep an eye out for undesirable individuals.

By 1934 a most unsatisfactory feature of this arrangement was obvious to the Government of India. In 1913, while the British controls over the Jammu and Kashmir State Government established at the time of Maharaja Pratap Singh's removal from the reins of power were still largely in place, the Jammu and Kashmir forces could probably be relied upon just as they had been during the Hunza war. In 1925, however, when Pratap Singh died to be succeeded by his nephew Hari Singh, most of the controls had been lifted. Would Hari Singh prove to be a staunch ally of the British? By 1934 there were grave doubts for two main reasons. First: Hari Singh had expressed during the 1930 Round Table Conference in London what some British officials considered rather radical views about the British future in India: there was a question mark over his loyalty and co-operation in an emergency. Second: by the end of 1931 it was evident (as we shall see in Chapter 5) that in at least the Vale of Kashmir the Dogra Dynasty was facing serious popular opposition which, given the unsatisfactory nature of its administration of the State, oppressive and corrupt, could well indicate that the Maharaja might not be able, even if he so wished, to come to the assistance of the British in time of need.

In the Gilgit Agency relations between the Political Agent and the Jammu and Kashmir Government had certainly deteriorated after 1925. Here there now existed a form of "dyarchy", dual administration in which matters of defence, foreign relations and communications were the concern of the British, but the Maharaja still had responsibility for civil government which he exercised through a

Governor, the Wazir-i-Wazarat, who also acted as the Maharaja's representative in matters arising from the tributary relationship between the Dogra Dynasty and states like Hunza and Nagar. While in practice the Wazir-i-Wazarat in the end could be induced to follow the advice of the Political Agent in any matter where they disagreed, the process of persuasion might well be both protracted and acrimonious; and the Political Agent was constantly aware that, given an opportunity, the Wazir-i-Wazarat would do his best to undermine British authority and diminish British prestige. With the potential menace to the Northern Frontier from Sinkiang now so evident, the Government of India concluded that new arrangements for the Gilgit Agency were urgently required.

The question of the defence of the Northern Frontier, of course, was but one facet of the policy review inspired by the establishment in Sinkiang of the Sheng Shih-ts'ai regime. The Indian Foreign Department, instigated by its Deputy Secretary Olaf Caroe[9] (who did not always see eye to eye on such matters with his chief, Sir Aubrey Metcalfe), began to examine afresh the entire Indian borderland from Afghanistan to Burma, all of which looked vulnerable to penetration by Soviet agents travelling through Sinkiang. Among its conclusions were that the state of Anglo-Tibetan relations was far from satisfactory and that the border between Assam and Tibet needed far more attention from the Government of India than it had received since 1914. The question of the Gilgit Agency, therefore, must be viewed in parallel with the Williamson and Gould Missions to Lhasa of 1935-1937 and the British attempts at this period to revalidate the 1914 McMahon Line border alignment in the Assam Himalayas. In all this, of course, Sheng Shih-ts'ai was but one element. The Government of India had been much alarmed by a Chinese (Kuomintang) diplomatic mission to Lhasa in 1934; and the activities of the Chinese Communists, then undertaking the Long March, in the frontier areas between metropolitan China and both Tibet and Sinkiang added to the anxieties of Caroe and his colleagues in New Delhi.[10]

Of all the threatening clouds which were detected on the Indian horizon at this time, however, that in Sinkiang was perceived to be the one most likely to produce an immediate storm. The Gilgit Agency was directly menaced, so it seemed to many observers in India, by Sheng Shih-ts'ai (and the Soviet Russians who were believed to be behind him). The Sinkiang situation was to be the subject of intense British study and much argument between officials and departments of government as to the realities of the danger.

During 1935 both Peter Fleming, who had a relationship not only with *The Times* of London but also, it seems reasonable to suppose, some aspect of the British intelligence community,[11] and Sir Eric Teichman, Chinese Secretary to the British Embassy in Peking,

travelled across Sinkiang from China to India.[12] What Fleming really thought is not clear. Teichman, however, was convinced that Sinkiang was not in such dire peril from the Russians as some alarmists in the Government of India were arguing. The Chinese officials there, he believed, might well be pro-Soviet; but they were also Chinese patriots who would fight any Russian attempt to annex the area.[13] Sir George Macartney from his retirement wrote to the India Office to express much the same opinion.[14] Even the Indian Foreign Secretary, Sir Aubrey Metcalfe, concluded that "owing to the mountain barrier between India and Sinkiang, no grave strategical danger need be anticipated from Russian activities even in Kashgar".[15]

The really influential figures in the British Indian foreign policy establishment of this period, however, notably Olaf Caroe, were in no doubt at all that the Northern Frontier was in serious danger from Sinkiang and that something must be done. The view of the Caroe school was summed up well enough by R.A. Butler, then a junior minister at the India Office, in 1938 when he declared that the evidence, albeit not as good as it might have been, led "to the conclusion that the Soviets are making a determined effort to gain control of Sinkiang. . . . It is not in our interest that this particular listening post in Central Asia shall be once and for all submitted to Soviet control".[16]

The faction in the Government of India which believed in the reality of the danger, what one might call the Caroe tendency, advocated, as indeed had Colonel Lockhart in 1886 for much the same reasons, that the Gilgit Agency be taken under direct British control and the system of "dyarchy", which gave the Maharaja some say in what went on there, be terminated.[17] This proposal, in fact, involved a major reversal in policy. In 1931, as a result of the impact of the world financial crisis on the budget of the Government of India, there had been suggestions that the British commitment in the Gilgit Agency might be reduced. More use could be made of the locally recruited Corps of Gilgit Scouts (who presented relatively few logistic problems), and the Maharaja of Jammu and Kashmir ought to be persuaded to pay at least three quarters (instead of half as hitherto) of the cost. All this had been put to the Maharaja in late 1931.[18] His response, which was not made until March 1933, was that he would agree to take over the entire responsibility for the defence of the Gilgit Agency, paying all the costs, provided that the system of "dyarchy" were terminated and complete authority returned to the Wazir-i-Wazarat. Alternatively, the Government of India could assume the total burden of local administration (and pay for it all) as well as defence, in the Gilgit Wazarat (or at least that part of it north of the Indus) and its dependencies.[19] The Maharaja's hope and intention was that the Government of India would not hesitate in going for the first option.

The Maharaja's advisers had, however, been too cunning for their own good. The Government of India, instead of grasping the opportunity to load all the financial burden of the Gilgit Agency on to the Jammu and Kashmir State treasury (as it might indeed have done in 1931), decided to ask for the transfer of all rights in the region to the British as the Maharaja had offered in his second option. The British would now rely for the defence of the Agency upon the Corps of Gilgit Scouts supplemented by specialists from British India; and they would have to plan for rapid reinforcement from directly administered territory, either by costly road work (improving the Babusar Pass to make it suitable for motor transport or by building an entirely new road up the Indus) or by air. The last was perhaps the most promising, and certainly the cheapest. An airfield had been constructed at Gilgit in 1929, a year in which the RAF had evacuated the European community from Kabul in an operation which demonstrated what could be done even with the aircraft of the day.[20] In 1936 the Indian Foreign Secretary, Sir Aubrey Metcalfe, was able to fly in (in a Vickers Valentia) to see for himself what was going on in what had hitherto been an isolated outpost which would have involved at least six weeks of travelling for a brief visit.[21] In these circumstances it was thought that the Jammu and Kashmir military contribution to the garrison of the Gilgit Agency of an infantry battalion and a mountain battery could be dispensed with.

Formal negotiations between the Government of India and the Jammu and Kashmir Government (Durbar) began in October 1934. The Maharaja was represented by his Prime Minister Colonel Colvin, the British by the Resident in Kashmir, Lt.-Colonel Lang, and the whole process was much expedited by the assistance of B.J. Glancy who was then in the State to investigate the disturbances of 1931 and to devise constitutional changes (and these names, Colvin and Glancy, will recur in Chapter 5).[22] The outcome, on 26 March 1935, was the lease (not cession) of the Gilgit Wazarat north of the Indus and its dependencies to the British for a period of sixty years.[23] All civil and military administration of the area was transferred to the Government of India. "In normal circumstances" the British would not move British Indian troops through the leased territory (where in "normal" times they would rely on the Corps of Gilgit Scouts). It was to be made clear that, despite the Lease, the area remained part of the State of Jammu and Kashmir. The Maharaja would continue to receive certain public honours there; and he retained all mineral rights. In September 1935 the Maharaja tried to demonstrate symbolically his residual position in the leased area by demanding that the prohibition on the slaughter of cows in force throughout Jammu and Kashmir be retained in the Gilgit Wazarat.[24] The Lease, it is interesting to note, only referred specifically to the region north

of the Indus. Technically, therefore, the route to the Indus from Rawalpindi by way of the Kagan Valley and the Babusar Pass ran through territory still under the Maharaja's direct rule. In practice, however, it would seem that the British treated this approach to Gilgit as very much their own.

During the negotiation of the Gilgit Lease it became clear that in the view of the Government of India the State of Hunza, while accepting the suzerainty of the Maharaja of Jammu and Kashmir, was no longer (if it ever had been) in any way an integral part of Jammu and Kashmir State. Indeed, in that it also possessed (as did other polities in the region like Nagar) its own treaty relationship with the British Crown, it was now probably in constitutional law an Indian Princely State in its own right subject to British Paramountcy, as also, it would seem, were Yasin, Ishkuman, and Punial; but the status of Chilas and Astor was less clear. The Maharaja, however, never accepted that Hunza and the rest were anything but his tributaries and, as such, lay within what can only be called the empire of Jammu and Kashmir. In 1947 the new India inherited this view as part and parcel of Maharaja Hari Singh's accession.

On 1 August 1935 the Political Agent in Gilgit, Major G. Kirkbride, formally assumed his new responsibilities for the leased areas. Confronting him was the current state of the old Hunza problem of its rights in Raskam and the Taghdumbash Pamir.

The Mir of Hunza had evidently tried (probably with British encouragement) to exploit the breakdown of law and order which accompanied the fall of the Chin Shu-jen regime to expand his tax collecting activities in the Taghdumbash Pamir. By the end of 1934, however, the Chinese authorities, apparently now with Russian backing, were showing a far more active interest in remote border tracts. In September a party of some 120 Chinese troops reached Tashkurghan with orders to improve the road from Kashgar to the Russian border. In November the Mir of Hunza reported that a Chinese patrol, which he claimed was acting on Soviet Russian instructions, demanded taxes from some of his herdsmen just on the northern side of the Kilik and Mintaka Passes. When they refused to pay, the patrol confiscated twenty-five of his sheep.

In 1935 the pressure was increased. Early in the year, while discussing in Kashgar the return of the confiscated sheep, the Mir's agents were informed that in the eyes of the Sinkiang Government Hunza was part of the Chinese Republic; and the question of the sheep was "an internal affair" in which the British had no standing whatsoever. In the early summer of 1935 a patrol which was nominally Chinese but was in fact commanded by a Soviet agent, one Zamir (a Kirghiz who had at one time served in the Tsarist Russian garrison at Tashkurghan), drove the Mir's flocks from the Taghdumbash Pamir in the region of the Khunjerab Pass and told

the Hunza herdsmen that they would either pay dues to the Sinkiang Government or be prevented from any grazing in future on the Sinkiang side of the watershed.[25] Under Zamir's influence, moreover, the Chinese magistrate in Tashkurghan in September refused to help, as he had in years past, the Mir's representatives in gathering dues from the nomads who grazed in the Taghdumbash pastures.

When news of the first of these incidents reached the Political Agent, Kirkbride, he concluded that a new policy for Hunza was urgently called for. Since the late 1890s the British view had been that the Mir ought to be supported by the British representative in Kashgar in his claims to revenue and grazing rights on the Chinese side of the border, the border being that defined in the British Note to China of 1899 as modified in the Taghdumbash Pamir and Shimshal Pass areas by Lord Curzon in 1905. Any Hunza territorial claims, however, on the Sinkiang side of this line would not receive any formal British support even if the Mir were encouraged unofficially by the Government of India to keep them alive with his more or less ritual Raskam cultivation. Now, Kirkbride reflected in June 1935,

> it seems to me that with the sovietisation of Sinkiang the Mir of Hunza will have to reconsider his position in the Taghdumbash Pamirs, where he enjoys the right to levy a grazing tax, and in Raskam where he cultivates a certain amount of land each year. The present undemarcated frontier excludes both these places but it should, in case of need, be possible to compensate him elsewhere for loss of one or both.[26] The Mir is well aware that matters may come to a head shortly and, though he might be tempted to listen to the blandishments of his Soviet neighbours, he is shrewd enough, if forced into the open, to know where his true interests lie.[27]

What this meant in practice was that the Mir would have to cease paying his tribute to the Chinese authorities in Kashgar. The Chinese would in retribution surely cancel all the Mir's rights in Sinkiang and prevent his people from tilling the plots in Raskam. In compensation the Mir could be offered a British subsidy, Rs. 3,000 a year (precisely the sum suggested by Lord Curzon in 1905), and granted plots of land elsewhere in the Gilgit Agency which his subjects could cultivate.[28]

The Mir of Hunza, who had not paid tribute in 1933 when Sinkiang was much disturbed following the fall of the Chin Shu-jen regime, had resumed payment in 1934 and, it seems likely, also paid in 1935 despite the activities of Zamir. He was now told not to pay in 1936. The new situation was formalised in April 1937, when the Mir received for the first time the Rs. 3,000 annual subsidy and had conferred upon him a fief (*jagir*) of 312 acres at the mouth of Bagrote Nullah in the Gilgit Agency.

The Mir pointed out to the Government of India that he had rather

more to lose than the grazing, taxing and cultivation rights. He had, for example, a claim to a substantial estate near Yarkand (which was then the subject of litigation) which would certainly go by default if his tribute payment, what he called his "annual presents", to the Chinese came to an end. There were also privileges for Hunza men to travel and trade in Sinkiang which would surely disappear. If nothing else, he would suffer a considerable "loss of face". The Government of India thought that they would be able to make up for all this by conferring on the Mir a knighthood, the KCSI, which he duly received in May 1937.[29] It is probably indicative of the current British view that Hunza was no longer in any way part of the State of Jammu and Kashmir that in all the discussions leading to the termination of the Mir's tribute to the Chinese the Maharaja's Government was not consulted.

The ending of the Mir's tribute was a step of more than symbolic import. So long as the Mir went on paying, the two related questions of his status within the Chinese world and the precise whereabouts of the limits of Chinese sovereign territory remained in a diplomatic limbo. The Chinese could claim all of Hunza as theirs without having to do anything about it: for all practical purposes the tribute was enough to maintain "face". The Mir, in his guise of a Chinese tributary, could exercise his rights in Raskam and the Taghdumbash Pamir and, indeed, elsewhere in Sinkiang, without of necessity involving the Government of India to any significant degree. Thus the Northern Frontier could remain here a convenient buffer zone of ill defined sovereignties separating the Gilgit Agency, to all practical purposes an integral part of British India, from Sinkiang, a Chinese Province which might shortly become part of the Soviet Union. The possibilities and dangers inherent in the loss of this geopolitical shock absorber all too soon became apparent. One consequence was to breathe fresh life into those proposals for a boundary alignment which the British had made to China in their Note of March 1899.

By the end of 1937 the Chinese authorities in Kashgar evidently concluded that the Mir of Hunza really had ended for good his annual tribute missions to Kashgar. There had been occasional interruptions in the past, so the absence of a Hunza tribute mission in 1936 might have had no long term significance. The formal British decision to end the tribute, however, agreed with the Mir in April 1937, was soon known in Kashgar even though it does not seem that the British Consulate-General went out of its way to inform the Chinese authorities of the cessation of a practice to the very existence of which the Government of India had for more than four decades chosen to turn a blind eye. The Sinkiang reaction came in the early spring of 1938. In March there were two raids by Sinkiang patrols, at least one led by Zamir, whom the Government of India still

believed to be a Bolshevik agent, against Hunza people.

One raid took place just on the Sinkiang side of the Mintaka Pass on 9 March 1938. Here Zamir captured sixty-two yaks belonging to the Mir of Hunza along with five herdsmen who were looking after them. Three of the herdsmen were soon released, as were the animals less seventeen who had died while under Zamir's care; but two Hunza men were taken off to Kashgar by way of Tashkurghan (they were eventually set free in 1939). The reason for this act of banditry, so the British authorities noted, was that "Zamir, the Soviet agent, is said to have stated that these men were taken so that enquiries could be made as to why the Mir had not paid his annual present to the Chinese authorities".[30] It was arguable that all this took place on what was technically Sinkiang soil where the Mir only possessed rights to graze on land beyond his State border.

This, however, could not be said for the second raid, by a Sinkiang patrol on the look-out post and travellers' shelter at Darwaza (or Darband) about twelve miles as the crow flies to the south-east of the Shimshal Pass. Here some ten Hunza men, along with sixty yaks and about six hundred sheep, were taken (both men and animals were soon released); and Darwaza itself was attacked, or at least fired upon. The Darwaza incident, so reports reaching the Government of India suggested, was the work of a party of Russians (rather than a nominally Sinkiang force under the command of a suspected Russian agent like Zamir).[31] If so, then this was the nearest that the Russians ever got to invading British India throughout the history of the Anglo-Russian competition in Asia, the "Great Game". There could be no question that within the parameters of the 1899 Line as modified by Curzon in 1905 Darwaza lay within the British Indian Empire.

These raids were by no means the only evidence of Sinkiang displeasure with the British. In November 1938, for example, a caravan from British India consisting of sixteen Hindu and five Muslim traders along with wives and servants was detained by Chinese officials at Tashkurghan and treated rather rudely. All, including the women, were searched by Chinese guards and many valuables were stolen in the process. At about the same time a member of the staff of the British Consulate-General in Kashgar, Khan Sahib Mohammed Nasir Khan, travelling with his family from Kashgar to India, was held up and robbed by Chinese officials at Tashkurghan. In the past merchants from British India and officials of the British Raj had rarely been subjected to such indignities.

The British reaction to these two raids was immediate. Patrols by the Gilgit Scouts were ordered over the Mintaka and neighbouring passes to ensure that Zamir's men could not strike again. A British post was established at Darwaza: it was manned by Gilgit Scout parties from time to time as a base for reconnaissance forays into Sinkiang.

Discussions on the two incidents were opened in Kashgar between the British Consulate-General and a senior Chinese official, General Chiang the Administrative Commissioner.[32]

General Chiang observed that in both episodes the Mir's men and flocks had been on Chinese territory; and, as evidence of this, he pointed to the boundary proposals which the British had made to China in March 1899.[33] In the case of the incident near the Mintaka Pass the British had no option but to agree: the 1899 Note was explicit, the border here followed the "crest of the main ridge" of the Karakoram (here sometimes called Muztagh) range. The Darwaza question, however, was rather more complex.[34] The 1899 Note had indicated here a deviation to the Sinkiang side of the main watershed in the region of the Shimshal Pass so as to embrace Darwaza; but the wording was probably unfortunate in that it described the line as running "through the Darwaza post", a description the precise meaning of which could well have been obscured in Chinese translation. Hence it could be argued that all to the east of Darwaza was in Sinkiang and that Sinkiang territory might extend to the centre of (or, perhaps, in the Chinese text to include) Darwaza itself: if so, then the Hunza men had no right to close its gates to prevent the entry of a Chinese official party. The British position in Darwaza, of course, had long depended not so much upon the line in the 1899 Note as on Curzon's 1905 modification which extended the Mir's territory to several miles to the east of Darwaza. This variation, however, as we have seen, had never been communicated to the Chinese.

While the Chinese at the beginning of these discussions did not accept the 1899 Line here as a valid border definition (indeed, they maintained that the true border lay at the summit of the Shimshal Pass some 70 *li* to the west of Darwaza), yet it was evident that under pressure they would probably in the end accept an alignment of this kind. Even during the provocative raids of 1938 Zamir had, it seemed, been reluctant to cross the main watershed: this was accepted by the authorities in Kashgar as the *de facto* border. British policy was to try to obtain the incorporation into any agreed alignment of the 1905 modification which significantly increased the Mir's acreage in the Darwaza region to the east of the Shimshal Pass. By December 1938 M.C. Gillett, then acting in charge of the Consulate-General, reported from Kashgar that General Chiang was getting steadily nearer to a formal recognition of the 1899 Line. Chiang was now tacitly accepting the force of the 1899 Line when he argued it supported the Chinese case (because, he said, it showed Darwaza to be on the Chinese side); and, no doubt, eventually he could be persuaded that he was mistaken about Darwaza. Moreover, he had indicated that the main reason why the Chinese did not begin negotiations in 1899 on the basis of Sir Claude MacDonald's Note was

not that they disagreed with the indicated boundary alignment but that they were not ready to accept the British annexation of Hunza. Now, the hint was plain, that Hunza had indeed been annexed by the British, in a perverse way an obstacle to Chinese consideration of this boundary alignment had been removed.[35]

As so often in the history of Anglo-Chinese diplomacy, the Kashgar negotiations petered out once the pressures behind them were diminished. Zamir seems to have disappeared from the Tagh-dumbash Pamir. The main issue in Anglo-Chinese relations became the reopening of trade between British India and Sinkiang, the main routes both through Gilgit and Leh having been effectively closed on the Chinese side since 1938. Detailed border issues, which would inevitably have involved Ladakh as well as Hunza, were put on one side.

Ladakh had also played its part (alongside the western Karakoram which provided the venue for the escapades of Zamir) in exacerbating the crisis in Anglo-Chinese relations which followed the ending of the Mir of Hunza's tribute. In 1937 two of Sheng Shih-ts'ai's main opponents in the south-western corner of Sinkiang decided to seek refuge in India. One was Mahmud Muhiti, a Uighur warlord in the Kashgar region who, having broken with Sheng Shih-ts'ai over his increasingly close relationship with the Soviet Union, decided to make a dash for India in April 1937. He crossed into Ladakh by some route which, it is probable, by-passed the Karakoram Pass, perhaps, indeed, by going up the Karakash to Haji Langar on the Aksai Chin and then following a version of the original Treaty (Changchenmo) Road to Leh, where he turned up on 27 April. He was in Srinagar some four weeks later. In January 1938, to the Government of India's great satisfaction, he finally left India for Mecca on the *haj*.[36]

In September Mahmud was followed by the Tungan leader Ma Hu-shan, at last forced to abandon his stronghold in Khotan when his regime along the southern edge of the Tarim basin collapsed. He was accompanied by a small force of Tungan soldiers, ninety-five of whom became refugees in Srinagar while others seem to have established themselves in the desolate borderlands north of Ladakh. Like Mahmud, it is probable that Ma Hu-shan had taken a route to the east of the Karakoram Pass which involved the Aksai Chin region. He brought with him the bulk of his treasury, some Rupees 4,50,000 the Kashgar authorities maintained; and this the Sheng Shih-ts'ai regime demanded be returned to Sinkiang.[37] Ma Hu-shan reached Srinagar on 17 October 1937. He soon got in touch with the Chinese Consulate-General in Calcutta who assisted his return to China by sea in early 1938.

The presence of both Mahmud and Ma Hu-shan on British soil was at first interpreted in Kashgar as evidence of British meddling in Sinkiang politics. The immediate Chinese response was to close the

two main trade routes to India, by Gilgit and Leh. With this end in mind, in December 1937 a Chinese border post was established for a time on the very summit of the Mintaka Pass, over which crossed the main route between Gilgit and Sinkiang, by Kirghiz irregulars who declared their sympathies for Communism by flying the red flag; but they soon withdrew from such a windswept position. The Kirghiz men had advanced from the established Chinese border post at Mintaka Karaul some two days march away, apparently on the orders of the Chinese commander there.

There can be no doubt that the activities of Zamir and others on the Hunza border in early 1938 must be seen against the background of the flight to India of Mahmud and Ma Hu-shan as well as in the light of the termination of the Mir's tribute. Had these two fugitives from the wrath of Sheng Shih-ts'ai been permitted to remain in the State of Jammu and Kashmir it is possible that there would not only have been increasing pressure on Hunza but also the actual advance of Chinese patrols into the Aksai Chin region to seal off that loophole in the defences of south-western Sinkiang. Indeed, given the total lack of any British observation posts so far to the north-east in Ladakh, combined with the closing of the trade route and the intelligence which flowed along it, it is perfectly possible that such patrolling may in fact have taken place. The episode of the flight to India of Mahmud and Ma Hu-shan certainly gave Olaf Caroe and his colleagues in the Indian Foreign Department a great deal of food for thought.

After 1937 the trade route through Leh, which had been declining in importance for many years, remained closed; but the Gilgit road was soon reopened. The closure of the Karakoram Pass route did not disturb unduly the Government of India: ever since the acquisition of the Gilgit Lease it had been British policy to shift the main axis of commerce from Ladakh to Gilgit.[38] Conditions, however, for traders from British India crossing the Mintaka and other passes of the western Karakoram continued to be extremely difficult for some years: the Chinese authorities at Tashkurghan frequently subjected Indian travellers to rigorous and humiliating searches. The Chinese often escorted such traders all the way to the summit of the Mintaka Pass; and there were occasions when Chinese patrols actually penetrated what, in the context of the 1899 Line, was the undoubted British Indian border. In June 1939, for example, a party of seven Chinese and two Soviet soldiers crossed the Mintaka Pass into Hunza where they stopped a mile or so on the British side to take photographs before withdrawing.[39] The Kashgar authorities, moreover, started to deport British Indian subjects, many of whom had been born in Sinkiang where their families had lived for generations. By 1942 over a hundred such people had been expelled to India by way of Gilgit.

Had the Sheng Shih-ts'ai regime continued with this policy of harassment and provocation, no doubt a major crisis would have erupted which would have called for some diplomatic settlement of the whole border at a higher level than that of conversations between the Kashgar authorities and the British Consulate-General. In 1941, however, the political situation in Sinkiang began to change dramatically. Sheng Shih-ts'ai seems to have lost many of his illusions about the nature of Soviet policy when Stalin signed a non-aggression pact with Japan (13 April 1941). Then followed the German attack on Russia which altered profoundly the balance of power in remote tracts like Sinkiang. It now seemed most unlikely that the Russians would continue to support actions designed to provoke the British. Finally, on 7 December 1941, the British became allies of the Chinese in the war against Japan. By this time Sheng Shih-ts'ai was seriously considering the transfer of his allegiance to the Kuomintang, a process which was completed by October 1942. When in September 1944 Sheng Shih-ts'ai finally left Sinkiang, the Province was under the direct control, albeit somewhat insecurely, of the Government in Chungking.[40]

To the Government of India the news of the German attack on the Soviet Union in June 1941 indicated that for the time being threats to the Northern Frontier could be safely ignored. As the India Office put it in a telegram to the Viceroy, Lord Linlithgow, on 25 June 1941, the German invasion "has introduced entirely new element into situation which affects our whole policy in Central Asia".[41] Sinkiang might turn out to be a valuable supply route to the beleaguered Russians. Co-operation with the Chinese authorities there would now be the order of the day. The Chinese, too, appear to have decided that for the present provocative actions on the Indian Northern Frontier served no useful purpose. By May 1943 large caravans, some with as many as a hundred and sixty pack animals, were crossing the Mintaka Pass (the Leh route, however, does not seem to have been reopened). In August 1943 a Chinese survey party under one Chu arrived in Gilgit from British India to work in the border region along the Karakoram watershed from the Mintaka Pass eastward. Chu was given a royal welcome in Gilgit where the Political Agent arranged for the flags of the Allies including that of China to be flown (which was certainly the first time that the flag of the Chinese Republic had ever been displayed in public here).

Chu's survey was probably intended as a preliminary step towards a final demarcation of the Northern Frontier by Anglo-Chinese agreement at the highest level. Such negotiations were doomed, however, by difficulties which were then emerging about both the alignment of the British Indian border in Assam along the so-called McMahon Line and the Chinese status in Tibet.[42] It was highly improbable that the Northern Frontier could be isolated from other

issues; and it is likely that the Indian Foreign Department under Olaf Caroe was quite happy to leave the problem of the Northern Frontier alone for the time being.

During the final years of British India after the end of World War II, however, there were a number of crises in the affairs of Sinkiang which did nothing to reassure the Government of India both as to the security of the rights of British subjects there (its immediate responsibility) and the future stability of the region. Up to 1945, with occasional interruptions, the Sinkiang authorities had permitted British Indian traders to travel in the Province with passports provided by the Political Agent in Gilgit; but with the end of World War II they began to insist that such people carried travel documents issued by the Chinese Consulate-General in Calcutta. Also in 1945 a revolt, Russian inspired so the available evidence suggested, by the Kirghiz in the Sarikol region along the Soviet border against Chinese rule obliged the Chinese garrison at Tashkurghan to take refuge in the Gilgit Agency. There was some British anxiety that Soviet inspired bands of armed nomads would cross the border in hot pursuit. In the same year, in the extreme north-east of Sinkiang where the capital, Urumchi, was situated, there were abundant signs of direct Soviet involvement in rebellion against the Kuomintang and the creation of the "Eastern Turkestan Republic". The Kuomintang, despite a number of temporary agreements with various dissident indigenous groups and factions in the Province, never really re-established its control over Sinkiang before it gave way to the Chinese Communists in 1949.[43]

In all this the British were now, for the brief period remaining to them in the Indian subcontinent, no more than passive spectators. The time for the implementation of forceful frontier initiatives had long since passed. There can be no doubt, however, that the theoretical problems of the Northern Frontier continued to occupy the minds of strategists in the service of the Government of India during these final years of British impotence, and that the options for future policy to be executed by those who would take their places were being discussed and refined. What such policy might have been, in that it would have been inherited by the successors to the British Indian Empire, particularly on the Indian side of the 1947 Partition line, we must now briefly consider. It certainly has a bearing on attitudes towards the future of the State of Jammu and Kashmir which were adopted in 1947.

Where exactly did the Government of India in the last years consider the alignment of the border along the Northern Frontier to be? Official British maps had for many years ceased to show any border here at all: across the frontier zone ran the word "undefined". It seems certain, however, that the alignment set out in the 1899 Note to China as it had been modified by Lord Curzon in 1905 had not

been forgotten. The Chinese had *de facto* accepted much of the western end of this line, running along the main crest of the Karakoram from Afghanistan to the Shimshal Pass, though they still had on the table a challenge to those Hunza claims to territory to the east of Darwaza which Curzon had accepted in 1905. Had there been serious Anglo-Chinese negotiations on this subject at any point from 1943 to 1947 it is reasonable to suppose that the 1905 modifications would have been accepted: they were, in fact, to be incorporated into the demarcated Sino-Pakistani border which resulted from the Agreement of 2 March 1963. The real problem would probably have arisen over the eastern end of the 1899 Line in Ladakh.

The eastern end of the alignment in the 1899 Note had been adopted by the Government of India less for its inherent merits than because the Northern Frontier had to end somewhere. Here cartography in 1898 (when the line was devised) was still defective, depending, as we have seen in Chapter 3, largely on the Johnson survey of 1865 which was known to be inaccurate. The terminal point, which was stated as "a little east of 80° east longitude", was actually a little *west* of that longitude.[44] The border was located along the Loqzung mountains separating the Aksai Chin and Lingzitang plains as a compromise between various British boundary ideas, those of the "forward" school represented by Sir John Ardagh and those based on the realities of Jammu and Kashmir administration in Ladakh following the abandonment of the Changchenmo route to Eastern Turkistan.[45]

Up to 1937 the Government of India was probably perfectly happy with this alignment. Nothing ever happened in the Aksai Chin and Lingzitang region which was about as desolate (and remote) as the surface of the moon. With the flight of Mahmud and Ma Hu-shan, however, perceptions in New Delhi altered. If parties of military refugees from Chinese territory could turn up in Leh, quite unannounced, by way of this route up the Karakash River from Khotan, might not India be more seriously threatened from this direction should a hostile regime maintain itself in Sinkiang?

The immediate danger was averted for the time being by the termination of relations between Sheng Shih-ts'ai and the Soviets in 1942. In 1947, however, Sinkiang was once more under actual threat from the Soviet Union. Moreover, should the Kuomintang lose, as seemed quite possible, the civil war raging in China, then a truly formidable Communist regime of unknown aggressive tendencies would appear along the Northern Frontier with, so it appeared at that time, the full backing of the Russians. The line of the Karakoram crest to the west was probably a good enough barrier. To the east, however, might it not be as well to obtain (by fair means or foul) a modification of the line of the 1899 Note so as to bring the Indian border up to the Kunlun mountains on the northern edge of the

Tibetan plateau? So, it has been pointed out by the late Karunakar Gupta, Olaf Caroe of the Indian Foreign Department argued in 1945 (though he failed to persuade his superiors either in India or London in these final days of the British Raj); and after 1947 there would be Caroe disciples who continued to exert a powerful influence over frontier policy (a highly technical subject enjoying but the minimum of popular interest) in the service of independent India.[46]

Had the British remained in charge of Indian foreign policy after the Chinese Communist victory in 1949 it seems probable that in any discussions with the new regime on the Northern Frontier the Government of India would have insisted that this additional modification of the alignment of the 1899 Note, along with that proposed by Curzon in 1905, would have been on the agenda. It would not have been easy to ignore the 1899 Note entirely because it had already been, as we have seen, the subject of Anglo-Chinese discussion in Kashgar in 1938. Perhaps, given that such an India would have had a vantage point in Hunza from which to keep an eye on what was going on to the north of the mountains, the outcome could well in the end have been a confirmation of the 1899 alignment along the Loqzung mountains (rather than a major northward advance of the alignment of the 1899 Note which would almost certainly have been opposed by the British Foreign Office in London because it could well disturb Anglo-Chinese discussion of more important issues such as Hong Kong) combined with an active policy of administrative expansion on the Indian side so as to ensure that the eastern end of this alignment was suitably supervised. If the Chinese pressed too hard against the eastern end of this border, they could be countered by opposite pressure from Hunza on the western end (by, for example, patrol activity in the Taghdumbash Pamir).

Partition and the first stages of the Kashmir dispute created quite a different strategic situation. Hunza went to Pakistan, thus depriving India of a key Central Asian observation point (not least because of the loss of intelligence brought by traders from Sinkiang, the Karakoram Pass route never having recovered from the crisis of the late 1930s). At the same time, the Northern Frontier was divided into two sectors. No single set of negotiations with the Chinese could now deal with the whole of the alignment of the 1899 Note. Once it became clear to the makers of Indian policy that it was unlikely that Pakistan would collapse and the entire Northern Frontier revert to Indian control, then it could well have been argued in New Delhi that the limitations of the 1899 Note must be abandoned and an Indian outpost established, come what may, in the Kunlun overlooking the southern edge of Sinkiang, a kind of Central Asian equivalent to the Golan Heights. Here is the most likely explanation of how it came to be that in 1954, when independent India for the first time expressed cartographically its boundary ideas, it put the border in the north-

eastern corner of Ladakh along the Kunlun crest, far to the north of the 1899 Line along the Loqzung mountains.

Had independent India given practical, and rapid, expression to such a new policy between 1947 and 1950 by setting up military posts along the new border and creating a suitable infrastructure for their logistic support, then it would not have been possible for the Peoples' Republic of China in the early 1950s to have constructed its own line of communication between Sinkiang and Tibet over this particular border without, at the very least, attracting attention in New Delhi.[47] What would have been the outcome of such a confrontation it is impossible to say. Perhaps India would have been obliged to sit down with the Chinese and sort out the entire Sino-Indian border from Ladakh all the way eastward to Burma. Perhaps not. Certainly, Sino-Indian relations would have had a rather different history. Independent India, however, did nothing. Probably the demands of the contest with Pakistan over the future of the State of Jammu and Kashmir attracted its attention, and absorbed its resources, to the exclusion of all else.

In the event India endeavoured, after the Chinese had already occupied the ground, to establish its claim to this Central Asian vantage point by two singularly ineffective stratagems.

First: a formidable corpus of historical data, much of it distorted, misinterpreted, irrelevant or simply untrue, was assembled to show that the Aksai Chin and its southern approaches had always been part of India.[48] Lacking information to the contrary, until the 1960s all this was accepted by world opinion as being sufficient to give India at the least an arguable case.

Second: it was decided in New Delhi that the 1899 Note to China could be construed to support the Indian claim. This sleight of hand, which depended upon nobody being sufficiently energetic to check the original text of the Note, resulted in the Indian Prime Minister, Jawaharlal Nehru, writing on 26 September 1959 to the Chinese Prime Minister, Chou En-lai, as follows:

> the proposal made in 1899 referred not to the eastern frontier of Ladakh with Tibet but to the northern frontier of Ladakh and Kashmir with Sinkiang. It was stated in that context that the northern boundary ran along the Kuen Lun range to a point east of 80° longitude, where it meets the eastern boundary of Ladakh. This signified beyond doubt that the whole of Aksai Chin lay in Indian territory.[49]

What the 1899 Note really said was this:

> from the Karakoram Pass the crests of the range . . . [followed by the proposed boundary] . . . run east for about half a degree (100 *li*), and then turn south to a little below the thirty fifth parallel of north latitude. Rounding then what in our maps is shown as the source of the Karakash, the line of hills to be followed runs north-east to a point east of Kizil Jilga, and from there in a south-easterly direction follows the Lak Tsung

> . . . [Loqzung] . . . Range until that meets the spur running south from the K'un-lun range, which has hitherto been shown on our maps as the eastern boundary of Ladakh. This is a little east of 80° east longitude.[50]

The differences are striking. A line which does not go near the Kunlun range at all, but meets a "spur running south" from it, has been pushed northward by over sixty miles to embrace some 4,000 square miles of territory which in the 1899 Note was declared to be beyond the Indian frontier.

Had the 1899 Note sunk without trace on presentation to the Tsungli Yamen, the Chinese Foreign Office of the day, Jawaharlal Nehru's misquotation would have been less surprising. One could imagine in such circumstances some clerk in an Indian governmental department becoming confused by the no means simple language of its geographical description, and presenting his masters with a garbled summary. But, as we have seen, the 1899 Note was the subject of active Anglo-Chinese discussion in 1938. There were senior officials still in New Delhi both in 1954, when the first Indian maps showing the Aksai Chin claim appeared, and in 1959, when Jawaharlal Nehru's communication to Chou En-lai was drafted, who understood fully the implications of the 1899 Note. One must presume, therefore, that the misquotation was deliberate, a consequence of policy dilemmas arising from the partition of the Northern Frontier.

The possibility of deliberate misquotation of the 1899 Note might at first sight seem improbable. Senior officials of civilised Governments, it could be argued, simply did not do such things. In fact, however, it is to be regretted that they did; and the records of the Government of British India preserved in the India Office Library and Records in London provide a number of examples of which the following may well have some bearing upon the subsequent history of the 1899 Note.

Olaf Caroe, many of whose disciples still occupied positions of influence in the field of Indian foreign policy in the 1950s, had pioneered the technique of "cooking the books" in the 1930s in the context of the McMahon Line in the Assam Himalayas. It suited Caroe's purpose to exploit in discussions with the Tibetans, and perhaps the Chinese as well, the precedent of the tripartite (British India, Tibet and China) Simla Convention of 1914 and the force of an exchange of Notes between the Tibetans and the Government of India, also in 1914. The subject is complex and has been discussed at length elsewhere: we need not concern ourselves with details here. The essential point was that the Simla Convention was abortive and as such possessed no validity whatsoever in international law; and the significance of the Anglo-Tibetan Notes was, to put it mildly, open to question. Accordingly, these documents were omitted from that official publication which enshrined the corpus of British Indian

diplomatic instruments, Aitchison's *Collection of Engagements, Treaties and Sanads*, in Volume XIV of the new edition of 1929. In 1938, at the instigation of Caroe, a new version of Volume XIV was prepared which contained the desired texts, so presented as to suggest that they possessed far more weight than the facts merited.[51] This new Volume XIV, however, still bore the date 1929; and arrangements were made for it to be substituted surreptitiously in various libraries in Britain (including those of the House of Commons and the House of Lords) for the original Volume XIV. This device of "new lamps for old" escaped detection until 1963, to complicate greatly the interpretation of both the Simla Convention and the 1914 Anglo-Tibetan Notes (which enshrined the McMahon Line) during the Sino-Indian boundary dispute leading to the Himalayan war of 1962 (what Neville Maxwell has aptly called "India's China War").[52]

The deliberate misquotation of the 1899 Note (if that is what occurred) could well have been an application of the same approach to documentary evidence in the Indian Ministry of External Affairs for which Caroe had set the precedent in its British departmental precursor which he dominated for so many years.[53] That such a precedent existed is a matter of some importance to our understanding of certain features of the documentary evidence as to the genesis of the Indo-Pakistani dispute over the State of Jammu and Kashmir which we will have to examine in Chapters 6 and 7 below. It suggests, to say the least, that documents prepared by English gentlemen are not always quite what they might at first sight seem to be.

The possible consequences of the partition of the Indian Empire for the security of the Northern Frontier must have been apparent to foreign policy specialists in the Indian Government during the final days of the British Raj. If the State of Jammu and Kashmir asserted its independence, then India would be deprived of its main benefit from the creation of the State since the sale of the Vale of Kashmir to the Dogras in 1846: it would no longer serve as a vital guard for a difficult frontier. If the State of Jammu and Kashmir joined Pakistan, whose stability and durability appeared to many British observers in 1947 to be extremely doubtful, then the Northern Frontier might become an open door into the subcontinent for all sorts of undesirable influences which it had been British policy for generations to exclude. Far better, it could well have been argued, that the guardianship of the entire Northern Frontier be entrusted to the bigger, stronger, and apparently more reliable of the two successors to the British Raj, India.

To do this, three things had to be done. First: Hunza had to be retained within the confines of the area leased from the Maharaja in 1935. Technically, as we have seen, Hunza by 1947 had long ceased to be regarded by the British as being in any way a part of the State of Jammu and Kashmir; but the Gilgit Lease without Hunza would

be no guard for the Northern Frontier. Indeed, a Hunza on its own (independent with the lapse of Paramountcy), would be an irresistible invitation to the Chinese to reassert their old claims and, perhaps, occupy it. Second: the Gilgit Lease, including Hunza, would have to be returned to the State of Jammu and Kashmir. It must be born in mind that there was no legal or constitutional reason why the Lease should inevitably end with the departure of the British since it did not, in itself, involve the doctrine of Paramountcy. It could perfectly well have been transferred to one of the successor states to the Indian Empire, which in practice would almost certainly have meant Pakistan. Finally: the new India would have to establish at least the same degree of control over the frontier tracts of the State of Jammu and Kashmir as the British had secured since the 1860s. All this, as we shall see in the pages that follow, was attempted (albeit far from successfully) during the Mountbatten Viceroyalty.

If the new India, of course, were not to secure control over the Gilgit leased territories (including Hunza), then it followed inexorably that if India hoped to have any say at all in the affairs of the Northern Frontier, and to retain a position from which the political developments of Central Asia could either be observed or influenced, then it would have to devote a great deal more attention to those tracts along the northern border of Ladakh than had the British during the final years of the Indian Empire. It may well be that the cartographical annexation of the Aksai Chin in 1954 and the official distortion of the implications of the 1899 Note in 1959 represented belated steps towards the implementation of such a policy.

In 1947 the only practicable approach to the north-east of Ladakh was by way of Leh; and for all but enthusiastic mountain trekkers the road to Leh started at Srinagar and then ran across the Zoji La pass and through Kargil. To Srinagar from India after Partition in 1947 access lay through the Gurdaspur District of the Punjab. The mere listing of these names reinforces the suspicion that the struggle for the State of Jammu and Kashmir as it evolved in the second half of 1947 was in the strategic perception of some leading figures in the political establishment of the new India also the struggle to retain an Indian foothold on the edge of Central Asia, that "pivot" or "heartland" of Asia of such intense interest to the disciples of Sir Halford Mackinder.[54].

1. The British Consulate-General in Kashgar had divided loyalties. The Consul-General was almost always appointed from the Political Department of the Government of India; but there was at times a junior officer from the China Consular Service whose ultimate professional superior was the British Minister (after 1935 Ambassador) in China.

2. Sheng Shih-ts'ai was born in Liaoning in north-eastern China in 1895. He studied

in Japan, with brief visits to China, from c. 1917 to 1927 when he returned to join Chiang Kai-shek in the Koumintang Northern Expedition. He became a member of Chin Shu-jen's staff in late 1929 or early 1930. In 1949, following the Kuomintang defeat on the Chinese mainland, he retired to Taiwan.

3. Ma Chung-ying's adventures in Sinkiang are vividly described in: Sven Hedin, *Big Horse's Flight: the Trail of War in Central Asia*, London 1936.

4. The presence of Ma Chung-ying in Russia (where his status was not known) was also a cause for concern for the British. It suggested that the Russians might have a second string to their bow. Should Sheng Shih-ts'ai be overthrown by a rebellion by the indigenous Turkic peoples of Sinkiang, then it was possible that Ma Chung-ying might reappear as Stalin's chosen instrument to lead an Islamic regime under Soviet influence.

   The view of the India Office in London by the middle of 1935 was clear enough: the Soviets, it noted, have "acquired virtual control of the Province". L/P&S/18/C 211, India Office Political Department Memorandum, 18 June 1935.

5. This possibility was raised in June 1934 when Muhammad Amin, one of the Amirs of Khotan, fled into Ladakh to escape the Tungans. The politics of turbulent Sinkiang could, it seemed, all too easily overflow into the State of Jammu and Kashmir.

6. There is evidence that the authorities in Khotan were well aware of the potentials of the Aksai Chin approach to the Tarim basin, which they considered to be a state secret. Whenever a Tibetan nomad, as happened from time to time, made his way down to the Khotan region by this way, he was immediately executed to prevent the existence of this route being revealed.

7. The work of the Sino-Swedish Expedition in this border region is discussed in: A. Lamb, *Tibet, China & India 1914-1950. A History of Imperial Diplomacy*, Hertingfordbury 1989, pp. 385-386, 400.

8. In 1896 the Agency force consisted of two hundred Jammu and Kashmir Infantry who provided the Agent's personal escort, three Regiments of Jammu and Kashmir Infantry (1,800 men in all), one Jammu and Kashmir Mountain Battery, and two Companies of Jammu and Kashmir Sappers and Miners, to which were added some forty Bengal Sappers and Miners.

9. Olaf Caroe was born in 1892. After Winchester and Magdalen College, Oxford, he joined the Indian Civil Service in 1919. In 1934 he was appointed Deputy Secretary in the Indian Foreign and Political Department, and from 1939 to 1946 he was a Joint Foreign Secretary. In 1946 he became, for a brief period, Governor of the Frontier Province and then retired on the eve of the Transfer of Power. He died in 1981. Caroe possessed a remarkable intellect and a somewhat Machiavellian approach to diplomacy; and his example was certainly an inspiration to some of his successors in the conduct of Indian foreign policy after independence.

10. Tibet and the problem of the McMahon Line are discussed at length in: Lamb, *Tibet, China & India*, *op. cit.*, Chapters VIII and XII.

11. Peter Fleming, like his brother Ian, was involved in various intelligence activities during the War; and it is more than probable that he had contacts within the British intelligence community in the immediate pre-War years. For some account of Fleming's intelligence work during the War, see: A. Stripp, *Codebreaker in the Far*

East, London 1989, pp. 179-181; D. Hart-Davis, *Peter Fleming, a Biography*, London 1974.

12. Both published narratives of their journey. Fleming's account was enormously popular at the time, Teichman's probably less so. See: P. Fleming, *News From Tartary. A Journey from Peking to Kashmir*, London 1936; E. Teichman, *Journey to Turkistan*, London 1937. Teichman's official report on this journey is to be found in the IOL, L/P&S/12/2371.

13. India Office Library and Records (IOL), L/P&S/12/2376, Teichman to Cadogan, 1 February 1936.

14. L/P&S/12/2376, Macartney to India Office, 20 February 1936.

15. L/P&S/12/2376, Metcalfe to India Office, 8 November 1934.

16. L/P&S/12/2376, Memorandum by R.A. Butler, 5 October 1938. Of course, when Butler wrote this the situation on the Northern Frontier had resulted in that crisis which will be described here below. However, what Butler had concluded in 1938 was what the Caroe school thought in 1934. Indeed, it was but a revival of the thinking of Sir John Ardagh in the 1890s and Lord Hardinge in 1912.

17. The main source for this section on the Gilgit Lease is the India Office Library and Records file L/P&S/12/3287. Unless otherwise stated, specific documents quoted are to be found in this important file.

18. India to Jammu and Kashmir, 23 December 1931.

19. Kashmir Durbar to British Resident, 20 March 1933.

20. With the collapse of the Amanullah regime in Afghanistan in late 1928, the British Minister in Kabul, Sir Francis Humphreys, arranged for the evacuation of all British nationals (and a number of others as well) from the Afghan capital by air. Between December 1928 and February 1929 586 men, women and children (of thirteen nationalities) were flown out of Kabul by the Royal Air Force in Vickers Victoria transports (aircraft derived from the World War I Vickers Vimy bomber). This demonstration of the potentials of air power impressed many influential members of the Government of India. See: L.B. Poullada, *Reform and Rebellion in Afghanistan, 1919-1929*, Ithaca, N.Y., 1973, p. 188; Government of Great Britain, *Accounts and Papers. Report on the Air Operations in Afghanistan, December 12, 1928, to February 25, 1929. Cd. 3400*, London 1930.

21. Teichman, at the end of his journey through Sinkiang, flew from Gilgit to Delhi in a day, a journey which otherwise would have taken him three weeks.

22. A number of Indian writers have argued that the facts that the Prime Minister of the State was a British official on secondment from the Political Department and that the Glancy Commission investigation of the internal administration of the State of Jammu and Kashmir was then in progress were by no means unconnected with the British quest for Gilgit. The case is not totally absurd: the verdict on the present evidence is probably "not proven".

23. The Lease was ratified by the Viceroy, Lord Willingdon, on 3 April 1935. For the text of the Lease, see: Chohan, *Gilgit Agency*, *op. cit.*, pp. 219-210.

24. The Government of India were prepared to do nothing to repeal existing legislation

on this matter in the knowledge that in a 100% Muslim region it would have no practical effect. They were certainly not going to enforce the ban on cow slaughter.

25. The Political Agent in Gilgit, Kirkbride, clearly had no love for the "Soviet Agent" Zamir, whom he described as "a pinchbeck Napoleon". IOL L/P&S/12/3285, Gilgit Diary, September 1935.

    Zamir was encountered at the Chinese border post of Mintaka Karaul, some two days march from the summit of the Mintaka Pass, by both Peter Fleming and Eric Teichman in 1935. Teichman certainly thought that he could well have been a Soviet official from across the Russian border in Tadzhikistan. Teichman said that he was by origin an Afghan from Wakhan who had for many years lived in Russian territory. Fleming says that he had an admirable command of the Russian language. Ella Maillart, who accompanied Peter Fleming, however, was not convinced that Zamir was a Soviet agent. See: Teichman, *Turkistan*, *op. cit.*, p. 166; Fleming, *Tartary*, *op. cit.*, pp. 345-352; E.K. Maillart, *Forbidden Journey. From Peking to Kashgar*, London 1937, pp. 277-279.

    Zamir must have reminded Olaf Caroe and others in the Indian Foreign Department of Dorjiev, the Buriat who had acted as link between the Dalai Lama and the Russians in Lord Curzon's day. The activities of Dorjiev and a handful of companions, both Buriats and Kalmuks, had inspired the Younghusband Expedition to Lhasa of 1904.

26. The wording here makes it clear that the "present undemarcated frontier" must be the 1899 Line as modified by Curzon in 1905.

27. L/P&S/12/3285, Gilgit Agency Diary, June 1935.

28. The records all imply that the Hunza cultivation rights in Raskam were of real value to the Mir and his subjects. The Raskam area was investigated in 1934 by R.C.F. Schomberg who concluded that the total yield of the plots in Azghar, Koktash and Bash Andijan was between 40 and 50 *maunds* of grain, which would barely suffice to feed the cultivators let alone provide a surplus of value to the Mir. See: R.C.F. Schomberg, *Unknown Karakoram*, London 1936, p. 176.

    It is hard to escape the suspicion that the Raskam cultivation was something of a charade conducted by the Mir with the covert encouragement of the Political Agent in Gilgit in order to maintain a British foothold on the northern side of the Karakoram watershed which might be exploited to justify forward boundary claims should the policy of the Government of India so incline. It suddenly started in 1897 after an interval of nearly forty years at a moment when it could play a part in the evolution of the Northern Frontier; and it stopped as suddenly in 1905 when its function appeared to be redundant. It was restarted in 1914 when, again, it could clearly be useful to potential British policy.

    Teichman, after his 1935 journey through Sinkiang, agreed that "we should be well advised, with the future of Sinkiang so uncertain, . . . to ensure that Hunza drops, once and for all, all these vague claims to rights, and attached obligations, across the Chinese frontier". He continued: "we can only deal with the matter unilaterally in this way, for it would be most unwise to seek to take up the matter with the Chinese Government. The latter will never, except under compulsion, renounce any of their transfrontier claims such as they have in Hunza. The question has been quiescent for the past thirty years and the sleeping dog should not be disturbed". See: L/P&S/12/2371, "Report on Mission to Chinese Turkestan", para. 51.

29. Mir Sir Mohammed Nazim Khan, KCSI, died in 1938. He was succeeded by his son Ghazan Khan.

30. L/P&S/12/2357, Peshawar Weekly Intelligence Summary, 4 April 1938.

31. L/P&S/12/3292, Government of India to Secretary of State for India, 7 April 1938.

32. During these discussions, which continued throughout most of the second half of 1938, the British were represented first by K.C. Packman and then by M.C. Gillett. I am most grateful to the late Sir Michael Gillett for discussing these events with me when I was his guest at the British Embassy in Kabul in 1958.

    These Kashgar negotiations of 1938 are discussed in Major-General S. Shahid Hamid, *Karkuram Hunza. The Land of Just Enough*, Karachi 1979, pp. 37-39.

33. The British attitude towards this Line had been discussed at length in: Lamb, *Ladakh, op. cit.*, which takes the story to c. 1914. In 1907 the British had come to the conclusion that the 1899 Line, presumably with Curzon's 1905 modification, represented a border to which the British were more or less bound because they had incorporated it in a formal offer to China. There would have to be good reason indeed, in other words, to depart from it in a significant way without justifying Chinese accusations of bad faith.

    In 1917 the issue of the 1899 Line was considered again by the Government of India, probably in the light of the collapse of Russian power in that year; and it was then argued that the British did not need to be bound by the 1899 proposals to China. In practice, however, no alternative to this 1899 line as modified in 1905 was ever forthcoming. In 1938 it would not have been easy for the Government of India to have come up with any alternative boundary alignment.

    For the 1917 discussions, see: L/P&S/12/3292, Indian Foreign Department to Political Department, India Office, 7 September 1917.

34. Darwaza or Darband, meaning "the Gate", was originally a post from which the Hunza men, the Kanjutis, had set out on their caravan raids (which ranged over the northern slopes of the Karakoram to as far east as the route over the Karakoram Pass) in the period before the establishment of the second Gilgit Agency in 1889. It consisted of a walled enclosure situated on a cliff overlooking the Shimshal stream with two look-out towers and other buildings. It was mainly used since the 1890s as a shelter for herdsmen and the occasional trader who passed this way. At one time it had provided easy access to a good mule track linking Yarkand with Baltistan; but the movement of glaciers had blocked this route by the end of the 19th century. Because of its function, the existence of Darwaza was well known to the Chinese authorities in Kashgaria. They had never seen fit to eliminate it during the period of the Kanjuti raids; but no doubt they had considered doing so and, therefore, may have for their own official purposes located it within Sinkiang rather than Hunza. If so, then the Chinese records would indicate that the summit of the Shimshal Pass was the Sinkiang-Hunza boundary point.

    See, for example: Sir F. Younghusband, *The Heart of a Continent. A Narrative of Travels in Manchuria, across the Gobi Desert, through the Himalayas, the Pamirs and Chitral, 1884-1894*, London 1896, p. 259; R.C.F. Schomberg, *From the Oxus to the Indus*, London 1935, p. 150; Schomberg, *Karakoram, op. cit.*, pp. 210-218.

35. It was, of course, quite possible that the English and Chinese texts differed in this respect. The translation of geographical descriptions into Chinese is notoriously difficult; and it would have been very easy to convert the English inclusion of Darwaza (already with its ambiguities as we have seen) into a Chinese exclusion of the same place and a border at the summit of the Shimshal Pass.

36. Forbes, *Warlords, op. cit.*, p. 247, gives rather later dates for Mahmud's flight; but the Government of India records (L/P&S/12/2376) are clear enough that Mahmud reached Leh in April and Srinagar in May.

37. The Government of India seems to have returned the money to the Sinkiang Provincial Government after deducting the cost of maintaining the Tungan refugees in Srinagar and compensating some of the British subjects resident in Kashgaria for looting by Ma Hu-shan and his men before they took flight to India.

38. The trade across the Karakoram Pass was of no great value. Between 1917 and 1931 Indian exports to Sinkiang by this route, mainly textiles, tea and spices, amounted to Rs. 2,85,000, and Indian imports from Sinkiang, predominantly the drug *charas*, along with Russian rubles, gold dust, raw silk and various categories of carpet, came to Rs. 3,30,000. The total trade, therefore, averaged about £5,000 per annum. See: K. Warikoo, "Ladakh: an Entrepot of Indo-Central Asian Trade during the Dogra Rule", in K.N. Pandit, ed., *Ladakh Life & Culture*, Srinagar 1986. During this period the Gilgit route trade was very much smaller in value, *charas* probably being the major commodity brought along it into India.

39. For students of the history of the Sino-Indian boundary dispute this incident must surely bring to mind the activities of Chinese and Indian patrols along what the Indians called the Middle Sector at the Niti Pass in 1954 and the Shipki Pass and near Nilang in 1956.

40. In 1943 Sheng Shih-ts'ai seems to have tried to return to the Soviet fold; but he was frustrated by the Kuomintang. In 1949 he retreated with the Kuomintang leadership to Taiwan.

41. L/P&S/12/1336.

42. The question of the McMahon Line and the status of Tibet, as it affected Anglo-Chinese diplomacy in the final years of the British Raj, is discussed in considerable detail in: Lamb, *Tibet, China & India, op. cit.*, Chapters X to XIV.

43. The convolutions of Sinkiang politics in this period have been explored in several studies. See, for example: Forbes, *Warlords, op. cit.*; Clubb, *China & Russia, op. cit.*; Chen, *Sinkiang, op. cit.*; A. Doak Barnett, *China on the Eve of the Communist Takeover*, London 1963.

44. The arguments for this conclusion are set out in: Lamb, *Ladakh, op. cit*, Section I. They have been contested by a number of Indian specialists, notably Dr. S. Gopal.

45. Some Indian commentators, and their allies like the late Sir Olaf Caroe, have denied that the Loqzung mountains even exist. In fact, they do. See: Lamb, *Tibet, China & India, op. cit.*, pp. 388, 389, 400.

46. See: Karunakar Gupta, "Sino-Indian Border. Legacy and Responsibility", *Frontier*, 8 September 1984. The only concrete result of Caroe's suggestion at the time was the production of a map by the Survey of India in 1946 which marked the Northern Frontier not only as "undefined" but also by means of a colour wash which extended in a shadowy manner British rule up to the Kunlun. Dr. Gupta at the very end of his life appears to have had access to documents not available in the British archives.

    There can be no doubt that at this period, 1946-47, Caroe was also considering

another territorial expansion, namely the physical occupation of the Tawang area on the North-East Frontier which the Government of India claimed was Indian by virtue of the McMahon Line but which it was willing to abandon to Tibet in return for a Tibetan acknowledgement of the remainder of the McMahon Line. On the advice of one of Caroe's close associates during the 1930s and 1940s, K.P.S. Menon, in February 1951 the Government of India went ahead and took over all of the Tawang tract including the important Tibetan monastery there, exploiting the interval between the collapse of Tibetan hopes of independence in October 1950 and the final surrender of the Lhasa Government to the Peoples' Republic of China in May 1951.

47. In the event, there is no satisfactory evidence that the Government of India had any idea that this road existed until it was shown on a map published in a Chinese magazine in 1957. See: Neville Maxwell, *India's China War*, London 1970, pp. 88-89.

48. For a summary of Indian arguments concerning the Aksai Chin, see: G. Narayana Rao, *The India-China Border*, Bombay 1968. The full Indian case is presented in: Government of India, Ministry of External Affairs, *Report of the Officials of the Governments of India and the Chinese Peoples' Republic on the Boundary Question*, New Delhi 1961.

49. See: Government of India, Ministry of External Affairs, *Notes, Memoranda and Letters exchanged between the Governments of India and China, September-November 1959, White Paper II*, New Delhi 1959, p. 36. In this letter Nehru set out at considerable length the Indian case for the entire alignment of the Sino-Indian boundary. He was replying to the case presented by Chou En-lai in a letter of 8 September 1959.

50. Text printed in: Lamb, *China-India Border*, *op. cit.*, pp. 181-182.

51. Neither version reproduced the map appended to the abortive Simla Convention. This was published for the first time by the Government of India in 1960, by which time no one in New Delhi seems to have been aware of the implications of the extreme north-western end of the "Red Line" which indicated a Tibetan Aksai Chin, as we have seen in Chapter 3.

52. The whole question has been discussed at length in: Lamb, *Tibet, China & India*, *op. cit.*, Chapter IX. The facts about the substitution were first discovered by the late Sir John Addis (later British Ambassador in China) while he was spending a sabbatical year at Harvard University. See: J.M. Addis, *The India-China Border Question*, Centre for International Affairs (for private circulation), Cambridge, Massachusetts, 1963. See also: Karunakar Gupta, "The McMahon Line 1911-45: the British Legacy", *China Quarterly*, 47, 1971; Karunakar Gupta, *The Hidden History of the Sino-Indian Frontier*, Calcutta 1974.

    It is interesting that Jawaharlal Nehru, in his letter to Chou En-lai of 26 September 1959, noted that "the Simla Convention was published in the 1929 edition of Aitchison's *Treaties*" as evidence of the force of that instrument. Of course, it was only published in the 1938 version of that work, of which a copy was certainly not sent to the Chinese Government, who probably only possessed the original 1929 volume in which the text of the Simla Convention was omitted on the grounds of its lack of any validity in international law. The text of Nehru's letter, to which reference has already been made, can also be found in: G.V. Ambekar & V.D. Divekar, eds., *Documents on China's Relations with South and South-East Asia 1949-1962*, Bombay 1964, p. 136.

53. In that Caroe in 1945 was advocating just the kind of Northern Frontier which Indian maps showed in 1954, it may well be that the original misquotation of the

1899 Note was the result of a scheme devised by Caroe. His successors in independent India, notably K.P.S. Menon, who had charge of frontier matters, many of whom had been Caroe disciples, certainly knew about the true whereabouts of the 1899 Line. See, for example: K.P.S. Menon, "The Sixties in Retrospect", Address to the Indian School of International Studies, New Delhi, 13 December 1969.

54. According to Mackinder this area, the "heartland", was the key to world domination, an idea which greatly impressed the late Sir Olaf Caroe. See: Sir Halford Mackinder, *Democratic Ideals and Reality*, London 1919; A. Lamb, *Asian Frontiers. Studies in a Continuing Problem*, London 1968, pp. 12-14.

V

POLITICS IN JAMMU AND KASHMIR ON THE EVE OF THE TRANSFER OF POWER

We have already seen that in the provisions for the accession to either India or Pakistan by the Rulers of the Princely States which the British made prior to 15 August 1947 there was no specific requirement that the States' population should be consulted. As the vast majority of the Princely States were autocracies where the Rulers exercised powers which varied from mildly limited by constitutional checks to absolute in a manner which would have seemed excessive even in Europe before the French Revolution, the question of accession was in practice decided by the Rulers and their close advisers without anything remotely resembling a plebiscite. In this respect Jammu and Kashmir was no exception. Maharaja Sir Hari Singh's decision in October 1947 to join India was not referred to his subjects at the time; and subsequently it has never been ratified as such by a free and fair popular vote, though elaborate arguments have been advanced by the Indian side in the Indo-Pakistani Kashmir dispute in an attempt to demonstrate that other political processes within the State both before and since that date are an adequate substitute for a vote of this kind. The assessment of the validity of such claims requires some examination of the nature and origins of political activity in the State of Jammu and Kashmir as it had developed by October 1947: of particular importance in this context is the growth up to that moment of organised opposition to the Maharaja's autocracy and the demand for representative institutions by the State's population.

Despite the reforms imposed upon the State of Jammu and Kashmir by the British during those years after 1889 when they were in effective control of its affairs, Maharaja Hari Singh in 1925 inherited a regime in which the Muslim majority of the population endured considerable hardships in their daily lives. The system of *begar*, for example, the conscription of the local people for various public works including service as porters, was deemed particularly objectionable by the Government of India even though many a British traveller, unofficial and official, had found it extremely convenient and had not hesitated to exploit it to the full.[1] In theory

begar had been abolished in 1893, but in practice it persisted, particularly in remoter districts, right up to 1947. In those parts of the State where the Maharaja owned the bulk of the land, in Jammu and the Vale of Kashmir, the revenue demanded of the cultivators was such that they were only able to retain sufficient for the barest margin of subsistence in a good year; and famine was by no means uncommon. The land settlement which Sir Walter Lawrence had devised during the initial years of British control in theory left the cultivator with 70% of the yield of the land. In practice, however, rapacious State officials and landlords, or *jagirdars* (those to whom the Maharaja had granted the revenue rights over tracts of land in the feudal manner), steadily eroded the peasants' entitlement. The result was a marked increase in rural indebtedness and a proliferation of money lenders, those scourges of rural India. Trade and industry, too, were subjected to extortionate demands from the Maharaja. An *ad valorem* duty of 85% was levied on the textile industry. All traders, even prostitutes, were taxed at comparable rates.

In every aspect of the State's life there was discrimination against the Muslim majority and the application of legislation expressly designed to favour Hindus. Until 1934, for example, the slaughter of cows was a capital offence; and it continued to be forbidden under lesser penalty after that date. The administration of the State was dominated at all levels by the Pandits, Kashmiri Brahmins, who were notoriously corrupt and avaricious. Muslims were in practice severely disadvantaged by the education system which began to develop in the State in the first years of the 20th century. Hindus, alone, were allowed licenses to possess firearms in the Vale of Kashmir; and Muslims from the Vale were carefully excluded from service in the State's Armed Forces where the higher ranks were reserved for Dogra Rajputs. Muslim troops in the Jammu and Kashmir State forces (usually with Dogra officers) were mainly recruited from the Sudhans of Poonch, a military clan which the Maharaja believed could be relied upon to suppress any disorder in the Vale. The State did not hesitate to interfere with many aspects of Muslim religious life including the administration of Islamic shrines.

On the surface, at the time of Maharaja Hari Singh's accession Hindu-Muslim relations, particularly in the Vale of Kashmir, seemed amicable enough. The Kashmiri Muslims were generally described by outside observers as docile and subservient. They were certainly impressed by the power of the Maharaja's Government which, particularly in the early days of Gulab Singh's rule of the Vale, had ruthlessly suppressed all vestiges of opposition. Beneath the calm exterior of Kashmiri life, however, there undoubtedly persisted a bitter resentment which by the late 1920s was beginning to take political shape. Even the Kashmiri Pandit community, which had benefited greatly from Dogra administration, was not immune from

a growing disenchantment with the injustices of the Maharaja's administration when it was compared with conditions to be found in territory under direct British control.

The Pandit community, containing the best educated people in the State and with extensive contacts outside it in British India, particularly in Lahore in the Punjab and Lucknow in the United Provinces, was affected to some degree by the various intellectual and political reform movements which arose during the course of the latter part of the 19th century and the first decades of the 20th. The influence of the *Arya Samaj*, a movement which combined Hindu religious reform with agitation for political progress, was first felt in Jammu in the last years of the 19th century; and in 1903 it inspired the *Dogra Sabha*, mainly confined to Hindus and essentially conservative, but for all that a pioneering experiment in political activity in the State. By 1915 the ideas associated with the *Arya Samaj* had also taken root among the Pandits of Srinagar; and from them sprang a number of associations with objectives to a greater or lesser extent political, notably the *Yuvak Sabha*, which under a Hindu religious guise became a secular voice of the Kashmiri Pandit community directed towards preserving its privileged status in Jammu and Kashmir State. The *Yuvak Sabha*, like the *Dogra Sabha* in Jammu, was essentially conservative in its politics though active in such social questions as the improvement of the conditions of women (in particular the remarriage of widows); and it posed no challenge to the authority of the Maharaja. It did, however, provoke a number of Pandits into adopting more radical views; and it provided an example to the Muslim community of the effectiveness of techniques of communal organisation.

In 1905 the then religious leader of the Muslims of the Vale, the Mirwaiz of Kashmir Maulvi Rasool Shah (whose base was the Jama Masjid in Srinagar) founded in Srinagar an association (or *Anjuman*), the *Anjuman-i-Nusrat-ul-Islam*, with the object of improving the lot of the Kashmiri Muslims, especially in education, while at the same time ensuring the spread of pure Islamic doctrine.[2] It established or arranged for the management of schools (including the Islamia High School, Srinagar), held regular meetings, and conducted its business through a system of councils and committees. In the 1920s it embarked upon an examination of the social reforms necessary to improve the condition of the Muslim community. In 1922 it sent deputations to the State Government to seek redress of Muslim grievances. It was not particularly effective and it certainly caused the State authorities no great anxiety. It did, however, establish a very important precedent which others could exploit.

The *Anjuman-i-Nusrat-ul-Islam* in the 1920s was dominated by the Kashmiri religious leader of the day, the *Mirwaiz-i-Kashmir* Maulvi Ahmad Ullah Shah. It was both conservative in political attitudes and

concerned primarily with religious matters. In 1923 it became involved in an acrimonious dispute with the Ahmadiya community in Srinagar. The Ahmadiya movement was founded in about 1879 by Mirza Ghulam Ahmad, who lived at Qadian in the Punjab and who died in 1908. Its doctrines were in Islamic terms extremely unorthodox; and, in that the Ahmadiyas have been deemed to have cast doubt on the uniqueness of the Prophethood of Mohammed, many Muslims, not least in Pakistan, consider the followers of the sect to be either heretical or, indeed, not Muslims at all. The Ahmadiyas were extremely energetic both in spreading their ideas and in commercial activities. They were enterprising in seeking out new areas for their missionary activities which often encountered fierce opposition from the established Muslim leadership. Mirwaiz Ahmad Ullah Shah certainly did not find the Ahmadiyas to his taste. His attitude, it has been argued, was to have the gravest consequences for the future of the Muslim political life of the State of Jammu and Kashmir.[3]

An important feature of Ahmadiya teaching was the stress that it placed upon Muslim unity, a theme which was emphasised in 1924 by the head of the Ahmadiyas, Mirza Kamal-ud-Din, during a visit to Kashmir. While Mirwaiz Ahmad Ullah Shah dismissed Mirza Kamal-ud-Din as an unbeliever, the second most important Muslim divine in Srinagar, the Mirwaiz Hamadani of the Khanqah-i-Mualla (the shrine sacred to the memory of Mir Syed Ali Hamadani, the Saint who had done so much to establish Islam in the Vale of Kashmir in the 14th century) gave the Ahmadiya leader permission to hold a public meeting in the building of which he had charge. Mirwaiz Hamadani was no supporter of the Ahmadiyas; but his courtesy to them on this occasion aroused the anger of his fellow Mirwaiz who never forgave him. Thus began a threefold division in the Kashmiri Muslim ranks, between the *Mirwaiz-i-Kashmir*, the Mirwaiz Hamadani and the Ahmadiyas, which was to have fateful consequences in years to come. Some have argued that here lies the genesis of the Kashmir problem.[4]

The example set by the *Anjuman-i-Nusrat-ul-Islam* was followed by other Muslim groups in Kashmir in the second and third decades of the 20th century, with the creation of associations such as the *Anjuman-i-Hamdard Islam* (founded by Punjabi Muslims in the State), and the *Anjuman-i-Tahaffuz-i-Namaz-Wa-Satri-Masturat*, with a variety of objectives. In Jammu, too, there was a measure of Muslim organisation with the *Anjuman-i-Islamia*. None of these bodies rivalled the *Anjuman-i-Nusrat-ul-Islam* in importance.

The various *Anjuman* established in the Vale, and to a lesser extent among the Muslims in Jammu, during this period were more local in influence and inspiration than reflections of the major political waves then sweeping through British India. It is interesting in this context that the Khilafat movement, which from late 1919 onwards began to

play such a seminal role in Muslim nationalist agitation in India, aided and abetted not only by Mahatma Gandhi but also two prominent figures of Kashmiri Pandit origin, Sir Tej Bahadur Sapru and Motilal Nehru (the father of Jawaharlal), had relatively little impact upon the political life of Kashmir.[5] There were mass meetings in Srinagar during the second half of 1920 in the organisation of which Maulvi Mohammed Yusuf Shah (who, as the *Mirwaiz-i-Kashmir* some eleven years later was to become one of the founders of modern Islamic politics in Kashmir) played an important part. The reaction of the Jammu and Kashmir Government (Durbar), however, was swift; and the movement was effectively banned. The Government was supported by the *Mirwaiz-i-Kashmir* of the day who advised it to arrest the leaders of the agitation on the grounds that they were non-religious trouble makers. The main significance, which should not, however, be underestimated, of the Khilafat movement in Jammu and Kashmir was, perhaps, the introduction of many of the leading members of the Muslim community to the name of Mahatma Gandhi. The movement, so the record would indicate, made no significant impact upon the local Pandit community despite the role played in it in British India by Tej Bahadur Sapru and Motilal Nehru.

In 1924 the Vale experienced a crisis which was to mark another important stage in the evolution of political opposition to the Maharaja's rule. Labour unrest hit the State Silk Factory in Srinagar. This had been established by the Maharaja's Government in 1907; and by 1924 it employed some 5,000 workers, the overwhelming majority of them Muslims, whose average wage (when the Kashmiri Pandit management did not pocket a portion of it for itself) was a mere four and a half annas per day.[6] The Jammu and Kashmir Government reacted with considerable violence; and, though the silk workers gained a minute increase in pay, the strike movement was effectively suppressed.

The State Silk Factory strike brought the condition of the ordinary people in Jammu and Kashmir State to the attention of the British Government of India in a manner which it was difficult to ignore. When, in October 1924, the Viceroy, Lord Reading, visited Srinagar, he was presented with a Memorandum signed by many prominent members of the Kashmiri Muslim community (including the *Mirwaiz-i-Kashmir*) which outlined their grievances not only in the context of the State Silk Factory but in all aspects of their life. It called for an increase in the number of Muslims employed in State service, improvements in Muslim education, land reform, protection of the Muslim religious establishments from Hindu encroachments, the abolition of all forms of forced labour, equitable distribution of Government contracts to all communities, and a State Constitution providing for a Legislative Assembly in which the Muslims were properly represented. The Memorandum, in fact, provided an

outline programme of reform which any effective organised opposition to the Maharaja's autocracy could hardly fail to follow. It also indicated to the Political Department of the Government of India, which was responsible for the conduct of the British Crown's relations with the Indian Princely States, that there existed serious social and political problems in Jammu and Kashmir, a Princely State the strategic importance of which was only too well appreciated (as we have already seen in the previous two Chapters), which it would be unwise to ignore for much longer.

This point was emphasised in 1929 by Sir Albion Bannerji, an Indian Christian who had served the Government of India with distinction and who, since 1927, had been Senior Member of the Council of State of Jammu and Kashmir, a post which was soon to be given the title Prime Minister. In March 1929 Bannerji resigned on the grounds, which he made public through the Indian vernacular press, that he could no longer be associated with the Maharaja's misgovernment. He declared that:

> Jammu and Kashmir State is labouring under many disadvantages, with a large Muhammadan population absolutely illiterate, labouring under poverty and very low economic conditions of living in the villages and practically governed like dumb driven cattle. There is no touch between the Government and the people, no suitable opportunity for representing grievances and the administrative machinery itself requires overhauling from top to bottom to bring it up to the modern conditions of efficiency. It has at present no sympathy with the people's wants and grievances.[7]

Bannerji was replaced as Senior Member of the Council by a British official, G.E.C. Wakefield, who had hitherto been in charge of the State's Police and Public Works. Wakefield was presiding over the Maharaja's administration when, in 1931, a crisis developed in Srinagar from which the modern political history of Jammu and Kashmir can be directly traced. Some Indian commentators, with sharp eyes for any signs of a conspiracy, have suspected that Wakefield was more than a spectator in the precipitation of that crisis, and that he was acting in collusion with the British Government of India.[8]

During the 1920s, in part a consequence of the development of Muslim associations interested in educational reform, a number of young Kashmiri Muslims were able to leave the State to study in institutions of higher learning in British India such as the University of the Punjab and the Aligarh Muslim University.[9] By the beginning of the 1930s the first Kashmiri graduates from Aligarh had returned to their native State, and to Srinagar in particular, where they rapidly assumed of dominant place in local political activity in collaboration, and also in competition, with the old Muslim leadership which was

headed by the two Mirwaiz. Among the young graduates who came back to the Vale about this time were Sheikh Mohammed Abdullah, Mirza Afzal Beg, and G.M. Sadiq, men who in their various ways would dominate the internal politics of the State of Jammu and Kashmir for many decades. The result was a new focus of opposition to the autocracy of the Maharaja of Jammu and Kashmir. It was still, inevitably, inextricably bound up with Islamic sensitivities, though it was supported by some members of the Kashmiri Brahmin (Pandit) community, like Prem Nath Bazaz,[10] who sought to guide political activity in a secular direction, with the initially guarded approval of some of the Muslim young men who had been exposed while away in British India to the thoughts of Marx and Engels. It had very little to do with the hostility to the Maharaja's administration that was to develop in Poonch; and it received relatively restricted popular support in Jammu, where the bulk of the State's Hindu and Sikh population was concentrated. It made no perceptible impact in Ladakh, Baltistan and the Gilgit Wazarat and its dependencies.

In 1931 one event more than any other seems to have turned a general dislike of the Maharaja's rule in the Vale of Kashmir into an organised opposition movement. There are various versions of the story; and there may well have been more than a single incident involved. It was reported, among other happenings, that a Mosque in Riasi in Jammu Province had been demolished by Hindus with the approval of the Maharaja's Government; that at another place in Jammu Muslims had been prevented from saying their prayers; that the Imam of a mosque in Jammu had been stopped by the authorities from giving his sermon (*khutba*) before Friday prayers; even that pages of the Holy Koran had been found discarded in a public latrine. The essential point common to all these stories is that in early June 1931 it was reported that in Jammu Province the Maharaja's Government, or officials in its employ, had caused Muslim worship to be disrupted and the Holy Koran to be insulted. When news of all this reached Srinagar it caused great outrage. There were fiery denunciations from mosque pulpits, processions and public meetings. On 25 June 1931 at one such meeting a certain Abdul Qadeer, a non-Kashmiri (he apparently came from the North-West Frontier region), made a particularly vehement speech advocating violence against the Maharaja's rule. He was promptly arrested. This provided a fresh focus for public demonstration and protest.

Abdul Qadeer was put on trial at the Sessions Court, Srinagar, on 6 July 1931; but so great was the assembly of Muslims which gathered outside the buildings that the proceedings had to be moved to the securer environment of the Srinagar Central Gaol. It was outside the Gaol, on 13 July 1931, when the trial of Abdul Qadeer was reopened, that a crowd gathered only to be met with police baton charges. The police were resisted, stones were thrown and even, so some reports

indicate, shots were fired at them. The police then opened fire. Some twenty-two demonstrators were killed as well as at least one member of the police (who was shot). 13 July 1931 became known in Kashmiri history as "Martyrs Day", the official beginning of a struggle for independence from alien rule (at that time the Hindu Maharaja and subsequently the Republic of India) which has not yet ended.[11] It immediately produced Muslim protests and clashes between Muslim demonstrators and the State police throughout the Vale of Kashmir and in nearly every District in Jammu.

Maharaja Sir Hari Singh was persuaded by some of his advisers that the immediate cause of the trouble was the encouragement given to Muslim agitators by his senior Minister, Wakefield, apparently acting as an agent of the Government of India. The Maharaja was convinced that the British were determined to punish him for his stand during the Round Table Conference in London in 1930 where, as we have seen, he had spoken out in a manner which was definitely not to the liking of the Political Department of the Government of India. There are still Indian writers who see the whole Abdul Qadeer affair as a British plot to destabilise the Government of Jammu and Kashmir as part of the Political Department's plan to secure the lease over the Gilgit Agency: they have even claimed that Abdul Qadeer was a professional agitator smuggled into Kashmir in the guise of a cook in the entourage of a British Officer, one Major Bott.[12] Wakefield was dismissed and replaced, with the new title of Prime Minister, by Sir Hari Kishen Kaul, a distinguished Kashmiri Pandit.

The Maharaja was certainly right in believing that the events of 13 July 1931 would not augment the good reputation of his State. A scarce week after the killings outside the Srinagar Central Gaol a Kashmir Committee was formed in British India by leading Muslims including that distinguished Kashmiri Sir Muhammad Iqbal who was strongly supported by the head of the Ahmadiya community at Qadian, Mirza Bashir Ahmed. Its aim was to alert the Government of India to the situation in the State of Jammu and Kashmir and to secure the appointment of an impartial Commission of Enquiry into the background to the crisis. It also resolved that henceforth, in memory of the martyrs of 13 July 1931, there should be observed a special Kashmir Day, for which the fateful date 14 August was selected. On the appointed day there were meetings all over India, in Delhi, Bombay, Calcutta, Simla and elsewhere. Despite the prohibitions of the Maharaja, the Day produced demonstrations in his State including a rally of an estimated fifty thousand people outside the Jama Masjid in Srinagar.

The crisis of June and July 1931 in Srinagar was dominated by two Kashmiris. One was the religious leader Mirwaiz Mohammed Yusuf Shah; and the other was a young schoolmaster with a MSc Degree in Chemistry from Aligarh Muslim University, Sheikh Mohammed

Abdullah, one of those graduates who, as we have seen, had recently returned from their studies in British India.

Mohammed Yusuf Shah had just succeeded his uncle in March 1931 as the *Mirwaiz-i-Kashmir*, the acknowledged head of the Kashmiri Islamic community. Unlike his uncle, however, the new Mirwaiz was prepared to speak out openly against the policies of the Maharaja's Government. He was the chief inspiration behind the protests against the blasphemous insult to the Holy Koran which had resulted in the Abdul Qadeer crisis; but in this he was greatly assisted by his protégé Sheikh Mohammed Abdullah.

Sheikh Abdullah was born in 1905 at Sorah not far from Srinagar into a family of Kashmiri Brahmin origin which had converted to Islam in the 18th century.[13] His father, who died two weeks before his birth, had been a dealer in *pashm* (or *pashmina*, the undercoat of sheep from Western Tibet which was the basis of the Kashmir shawl trade). While poor, his family were evidently well connected; and Sheikh Abdullah was able to obtain an excellent education culminating in his MSc at Aligarh (unlike the degrees in law or the arts usually acquired by aspiring politicians in the British Indian Empire). On the eve of the crisis he was employed in a rather humble, and to his own mind far from satisfactory, position of schoolmaster at the State High School (on a salary of Rs. 60 per month), having failed to secure a gazetted post in the State Government service. He had set up what came to be known as the Fateh Kadal Reading Room, a meeting place where young men of like mind could gather to discuss the problems of the day without running foul of the Maharaja's ordinances against public assemblies. He appears at this time to have been (or to have given the public impression of being) an extremely devout, and highly orthodox (Hanifite), Muslim and, as such, to have won the affection and approbation of Mirwaiz Mohammed Yusuf Shah. Even as a young man he impressed all who met him, not always favourably, in part because of his obvious intelligence and in part, no doubt, because of his sheer size – he was over six feet tall and towered above most of his fellow Kashmiris. Between them, Mirwaiz Mohammed Yusuf Shah, with his religious prestige, and Sheikh Abdullah with his charismatic personality and organising ability, made a formidable team.

The opposition which they inspired, reinforced by the protests of distinguished Muslims in British India, resulted in the Maharaja's appointment, under considerable pressure from the Government of India, of a Commission of Enquiry to be presided over by a senior British official from the Indian Political Department, B. (later Sir Bertram) Glancy; and in early 1932 the Maharaja found it expedient to appoint a new Prime Minister, Colonel E.J.D. Colvin who was seconded from the Indian Political Department (and who remained in office until 1936). The Glancy Commission, in which the Chairman

was assisted by four Kashmiris, two Muslims including Chaudhri Ghulam Abbas,[14] and two Hindus including the Kashmiri Pandit intellectual Prem Nath Bazaz, obliged the Maharaja to grant the State a Constitution supported by a significant degree of freedom of speech and association. Meanwhile both Mirwaiz Mohammed Yusuf Shah and Sheikh Abdullah had served terms in the Maharaja's prisons, which did nothing to diminish their popular standing.

By the time that the Constitution came into being, in 1934, politics in Srinagar had developed rapidly. A party had been established by a group of Kashmiri patriots including Sheikh Abdullah and Mirwaiz Mohammed Yusuf Shah, the All Jammu and Kashmir Muslim Conference, which became the major vehicle for opposition to the Maharaja. It held it first annual assembly in 1932. Early Muslim Conference activists included Chaudhri Ghulam Abbas (from Jammu) as well as those newly fledged graduates Mirza Afzal Beg, and G.M. Sadiq, who were joined by Bakshi Ghulam Mohammed. The 1934 Constitution provided for a Legislative Assembly (with severely limited powers and no control over the appointment of Ministers which remained with the Maharaja) in which there were thirty-three elected seats out of a total of seventy-five, of which twenty-one were reserved for Muslims (with ten for Hindus and two for Sikhs). The use of communal constituencies, a highly restricted electorate (as little as 3% of the total adult population it has been estimated by some observers), a by no means impartial system of scrutiny of nominations and the presence of nominated and appointed members (who were in a majority in the 1934 Constitution), combined to produce a far from perfectly democratic arrangement.[15] It did, however, create a forum for political activity which the new Muslim Conference exploited to the full, dominating the Muslim constituencies.

From the moment of its birth the Muslim Conference faced the problem of internal discord. Almost immediately after the Abdul Qadeer crisis Sheikh Abdullah and Mirwaiz Mohammed Yusuf Shah had begun to quarrel with each other. The origins of their differences are obscure. There is some evidence that Sheikh Abdullah, abetted by the other Mirwaiz in Srinagar, Mirwaiz Ahmad Ullah Hamadani of Khanqah-i-Mualla, had showed himself to be too sympathetic towards the Ahmadiya (Qadiani) community which Mirwaiz Mohammed Yusuf Shah considered, as had his uncle before him, to be heretical, thus reviving the controversy which had so disturbed Srinagar religious society in the mid 1920s. Mirwaiz Mohammed Yusuf Shah, it has been reported, even came to believe that Abdul Qadeer, the hero of 13 July 1931, was an Ahmadiya, and in consequence modified considerably his attitude towards the whole protest movement which had arisen. Be that as it may, there can be no doubt that by the middle of 1932 there was developing an active,

and at times violent, political rivalry in the Muslim ranks in Srinagar between bands of supporters of Sheikh Abdullah, the *Shers* or "Lions"[16] (after Sheikh Abdullah who was increasingly being referred to by his admirers as the "Lion of Kashmir"), on the one hand and followers of Mirwaiz Mohammed Yusuf Shah, the *Bakras* or "Goats" (after the beards worn by Islamic clerics), on the other.

A major consequence of this quarrel was the growing secularisation of Sheikh Abdullah's outlook. Clear evidence of this process was detected by Srinagar political society in 1933 when, immediately after his release from a term of imprisonment at the Maharaja's pleasure, Sheikh Abdullah married the daughter (her mother was Kashmiri) of Harry Nedou, the European proprietor of a chain of hotels including Nedou's Hotel in Srinagar.[17] Begum Akbar Jehan Abdullah was a Muslim; but it is unlikely that she, and her background (which included a previous marriage when she had lived in cosmopolitan Bombay), would have fitted in easily with the orthodoxy represented by Mirwaiz Mohammed Yusuf Shah. The financial advantages of the marriage were evident at the time; and it marked an early (but, perhaps, crucial) step in Sheikh Abdullah's progress towards becoming the richest man in the State. There were also, of course, financial advantages in a sympathetic attitude towards the Ahmadiyas (whose commercial acumen was proverbial) which may have influenced the young Sheikh Abdullah in the evolution of his attitude towards the Mirwaiz Mohammed Yusuf Shah.

In the development of his secular approach to politics Sheikh Abdullah was supported by a number of Kashmiri Pandit opponents of the Maharaja's autocracy, like Prem Nath Bazaz; and when in 1938 Sheikh Abdullah met for the first time that descendent of Kashmiri Pandits who was rapidly becoming such a dominant figure in the Indian National Congress, Jawaharlal Nehru, the process of secularisation was greatly accelerated. Sheikh Abdullah became deeply involved in Congress politics, particularly in the movement to extend its scope from British India to the Princely States; and at the same time he increasingly saw his own movement, the Muslim Conference, as an extension of the Indian National Congress in Jammu and Kashmir. In 1939 the Muslim Conference was formally dissolved: it was replaced by the Jammu and Kashmir National Conference. This was a body far more concerned with social and political issues, such as land reform, than with matters of Islamic theology.

The process of secularisation was not welcomed by the more conservative Muslim elements in Kashmiri politics. In 1941 some of Sheikh Abdullah's earlier associates like Chaudhri Ghulam Abbas joined with Mirwaiz Mohammed Yusuf Shah in reviving the old Muslim Conference which now became to all intents and purposes allied to M.A. Jinnah and the Muslim League in British India.

In 1939 the Maharaja introduced a new Constitution, in large

measure in response to a campaign of protest and representations organised by the Muslim (about to become National) Conference and its supporters outside the State. The number of elected seats in the Legislative Assembly was increased to forty to give the elected members a theoretical majority. However, the communal constituencies remained; and the restricted franchise of the 1934 Constitution was retained.[18] Careful scrutiny of nominations ensured that the Maharaja exercised considerable control over the nature of the elected component of the Assembly. The Muslim seats of the Assembly under the new Constitution were at first dominated by the National Conference; but in 1941, with the revival of the Muslim Conference, the National Conference was left with but ten members in the Assembly. At this point the remaining members of the National Conference were instructed to resign from the Assembly; but only the resignation of the leader of the party in the Assembly, Mian Ahmad Yar, was accepted. The Maharaja declared that the War prevented the holding of fresh elections in the foreseeable future: members already elected should stay where they were.

In 1944 the Maharaja, seeking to broaden the base of his popular support, decided to appoint two members of the Assembly as Ministers in his Government, one Hindu and one Muslim (an experiment, it was said, in "dyarchy"). The Muslim Minister, assigned the portfolio of Public Works and Municipalities, was Mirza Afzal Beg, the deputy leader of the National Conference (and the Hindu Minister was Wazir Ganga Ram, who had received the highest vote in the Hindu constituencies). Mirza Afzal Beg had already become one of Sheikh Abdullah's closest associates (which he was remain until the two men fell out in 1978); and his collaboration with the Maharaja no doubt reflected the policy of his leader. It was, however, to be a short lived experiment. In March 1946 Mirza Afzal Beg resigned. Soon the Maharaja and the National Conference came into direct conflict during the so called "Quit Kashmir" movement when Sheikh Abdullah declared (at the moment when the British Cabinet Mission was in India) that the sale by the British of the Vale of Kashmir to Gulab Singh in 1846 was an invalid act. The Dogra Dynasty, therefore, should leave Kashmir forthwith.[19] The Dynasty's response was to arrest Sheikh Abdullah yet again (he had been in and out of the Maharaja's prisons since 1931). In reply to the public protest which this action aroused, during which hundreds were arrested and at least twenty killed, the Maharaja's Prime Minister, Pandit R.C. Kak, placed the State under martial law. Sheikh Abdullah and a number of his colleagues in the National Conference were put on trial, and eventually Sheikh Abdullah was sentenced to three years imprisonment for sedition. Bakshi Ghulam Mohammed and G.M. Sadiq, however, managed to evade the Maharaja's agents and make good their escape to the Punjab.

The "Quit Kashmir" agitation by the National Conference was accompanied by a certain amount of supporting activity on the part of the revived Muslim Conference. Officially, the Muslim Conference adopted a policy of non-involvement in what it perceived to be a political ploy on the part of Sheikh Abdullah's faction in alliance with the Indian National Congress outside the State in British India: some of the Muslim Conference leaders were definitely parochial in their political outlook. In the event, many of its members, including some who were close associates of Mirwaiz Mohammed Yusuf Shah, did participate energetically in public demonstrations in support of the "Quit Kashmir" movement. The Mirwaiz, however, had been persuaded by Pandit Kak, who had great skill in handling the more traditional Kashmiris with his mastery of the Kashmiri language, that the whole affair was a bit of trouble making by Sheikh Abdullah; and the Mirwaiz temporarily allowed his personal animosity towards Sheikh Abdullah to get the better of his political judgement. The relative quiescence of the Muslim Conference at this time undoubtedly did much to reinforce Jawaharlal Nehru's conviction (which was to be such an important factor in the following year) that Sheikh Abdullah's National Conference alone had any significant popular following in the State. This was certainly a false impression as Pandit Kak well knew: he did not hesitate to take the Muslim Conference leader Chaudhri Ghulam Abbas into custody at this time.

It was against this background that at the end of 1946 the Maharaja decided upon fresh elections to the Legislative Assembly (Praja Sabha) to be held in January 1947. They were boycotted by the National Conference but contested by the Muslim Conference (despite many of its leaders being in prison). The Muslim Conference won fifteen of the Muslim elective seats in the Legislative Assembly, the remainder being unfilled because of nomination screening by the Maharaja's Government. On 19 July 1947 the Muslim Conference, with the largest elected representation in the Legislative Assembly, passed a resolution advocating accession of the State of Jammu and Kashmir to Pakistan, though a faction within the Conference, including its Acting President Chaudhri Hamidullah Khan, preferred the option of the State remaining independent.

By 1947, as has already been noted, Sheikh Abdullah had become a close friend of Jawaharlal Nehru. The two men had first met in Peshawar in early 1938, and through Nehru Sheikh Abdullah had become involved in the affairs of the All-India States' People's Conference (which been founded in the late 1920s to be to the Princely States what the Indian National Congress was to British India). In 1940 Nehru, accompanied by Khan Abdul Ghaffar Khan (the "Frontier Gandhi"), toured Kashmir and in the process helped establish Sheikh Abdullah's wider political reputation. Jawaharlal Nehru was enormously taken with Sheikh Abdullah who, he noted at

the time, was a true leader of this people. His followers loved him. He possessed a broad political vision and was not distracted by transient disputes. Kashmiri political life had started as a communal movement; but Sheikh Abdullah, Nehru believed, had extricated it from that impasse and transformed it through his statesmanship from futile communalism into infintely more fruitful nationalism.[20] In 1945 the National Conference held a session at Sopur (a town in the Vale of Kashmir some forty miles or so to the north-west of Srinagar): Jawaharlal Nehru, along with Khan Abdul Ghaffar Khan and Maulana Abul Kalam Azad, attended at Sheikh Abdullah's invitation.[21]

1946 saw Jawaharlal Nehru's last direct encounter with both Sheikh Abdullah and the affairs of the State of Jammu and Kashmir before the outbreak of the great Kashmir crisis in 1947. Sheikh Abdullah had just been elected Vice-President of the All-India States' People's Conference while Jawaharlal Nehru was President of that body. Sheikh Abdullah was actually on his way to Delhi at Nehru's invitation on business in connection with the All India States' People's Conference when, on 21 May 1946, he was arrested, as we have already seen, by the Maharaja's Government for his part in the "Quit Kashmir" movement. After bombarding Pandit Kak with representations on behalf of his friend Sheikh Abdullah, Nehru decided to go up to Srinagar himself and sort things out. He was refused entry to the State on 20 June 1946 and detained, gently and comfortably enough, for a couple of days in Uri Dak Bungalow near the Punjab border. Jawaharlal Nehru never forgave Pandit Kak for his exclusion from his ancestral home, which he took as a personal insult.[22] In order to save face, he resolved to repeat his attempted entry to the State in the near future; and this time he would not be turned back. A number of leading Congress politicians persuaded the Viceroy, Lord Wavell, to approach the Maharaja and smooth the way. When Nehru tried again in July 1946, he experienced no difficulty in reaching Srinagar, where he was able to visit Sheikh Abdullah in prison and to attend part of his trial. The Maharaja, however, refused to meet Nehru on grounds of ill health.[23]

Jawaharlal Nehru saw in Sheikh Abdullah, a fellow Kashmiri, something of a reflection of himself; and he firmly believed that they shared the same goal of a secular independent India incorporating all the territory that had been part of the British Raj. To Jawaharlal Nehru there could be no doubt that this objective also represented the will of the bulk of the people within Kashmir as elsewhere in India. It was a conviction which was to contribute enormously to the shape of the history of the State of Jammu and Kashmir from 1947 until the present day, as will be seen from the Chapters which follow.

Kashmir, of course, had long before 1947 also attracted the attention of those nationalist leaders who advocated Partition and the

creation out of portions of the former British Indian Empire of a Muslim State, Pakistan. Indeed, the K in the PAK part of the word Pakistan was generally taken to represent Kashmir. As we have seen, one of the creators of the idea of Pakistan, Sir Muhammad Iqbal, himself of Kashmiri origin, had been active in drawing the Government of India's attentions to Kashmiri misgovernment following the events in Srinagar of July 1931. The true founder of Pakistan, Mohammed Ali Jinnah, had personally investigated the state of Kashmiri politics during a private visit to Srinagar in 1936. He came to Srinagar again in 1944 when he was offered the thankless task of trying to sort out the differences between the Muslim Conference and the National Conference (leaders of both bodies having first called on him in Lahore and Delhi). After failing to mediate successfully, he made it clear that he disapproved of Sheikh Abdullah's secularism and that the only body in Kashmir which truly represented the Muslim majority was the Muslim Conference.[24] M.A. Jinnah, unlike Jawaharlal Nehru, was extremely reluctant at this period to involve himself directly (or the Muslim League which he headed) in the internal affairs of a Princely State: such action would in his eyes have been constitutionally most improper.[25] The record, however, leaves one in no doubt that in his own mind M.A. Jinnah believed that the Muslim Conference enjoyed the support of the overwhelming majority of the population of the Vale of Kashmir at least, and in all probability the rest of the State as well.

This, then, was the political situation in the Vale of Kashmir on the eve of the Transfer of Power in 1947. There was a profound divide between the revived Muslim Conference and Sheikh Abdullah's National Conference which was in significant measure rooted in the quarrel between Sheikh Abdullah and Mirwaiz Mohammed Yusuf Shah. Neither party could demonstrate a true popular mandate. The electoral system provided for by the 1934 and 1939 Constitutions only permitted the representation of less than 10% of the population; and it was subject to considerable manipulation, particularly in the matter of nominations. In 1947 many of the leaders of both parties were in prison and the National Conference, having boycotted the 1946 elections, occupied no seats in the State Legislative Assembly where the Muslim Conference had a strong presence. Sheikh Abdullah's secular approach was supported by a number of representatives of the Kashmiri Pandit community and others; but it is likely that among the non-Muslims in the State the majority (many of whom had powerful vested interests in the Dogra regime) supported the authority of the Maharaja rather than the ideals of Sheikh Abdullah.

On the eve of the Transfer of Power, of course, no one knew for sure what would happen were the question of the future of the State of Jammu and Kashmir to be put to the entire electorate in a fair and free manner. It was unlikely that the proposition that the Maharaja's

autocracy be permitted to continue as it was would win a majority of votes. Less certain would have been the outcome of an unfettered electoral contest between the views represented by Mirwaiz Mohammed Yusuf Shah, imprecise though they might be, on the one hand and those of Sheikh Abdullah on the other. Sheikh Abdullah's faction was well organised and had considerable attraction for the intelligentsia. It also advocated land reform which could well have appealed to the poorer sections of society.[26] The Islamic fundamentalism, moderate though it was, of Mirwaiz Mohammed Yusuf Shah probably attracted that bulk of the population of the Vale of Kashmir which had no voice at all in the electoral system of the 1934 and 1939 Jammu and Kashmir State Constitutions.

1. On *begar*, see: P.N.K. Bamzai, *A History of Kashmir, Political, Social, Cultural, from the Earliest Times to the Present Day*, Delhi 1962, pp. 634-636.

2. The institution of Mirwaiz figures prominently in the political history of Kashmir. I have been unable to find in the literature any adequate study of this feature of Kashmiri Islam. It is not, for example, discussed at all in Sir Walter Lawrence's classic *The Valley of Kashmir*, published in 1895. The Mirwaiz is a religious leader who also holds a position in the community which might be described as in a significant respect political. The office is hereditary; but there would seem to be an appointive element in that the holder is in some manner confirmed by the Government. In Srinagar there were in the period covered by this Chapter two Mirwaiz, one based on the Jama (Friday) Mosque and the other on the shrine associated with the Saint Mir Syed Ali Hamadani, or Shah-i-Hamadan, the Khanqah-i-Mualla. According to Lawrence the teaching of the Jama Masjid was Hanifite while that of the shrine of Shah-i-Hamadan was Shafiai. The two Srinagar Mirwaiz did not always agree on matters political as well as theological. It may well be that the institution of Mirwaiz is peculiar to Islam as it developed in the Vale of Kashmir.

3. For an excellent study of the history of all aspects of the early stages of Islamic politics in Kashmir, see: G.H. Khan, *Freedom Movement in Kashmir 1931-1940*, New Delhi 1980. See also G.H. Khan's essay, "Early Socio-Religious Reform Movements in Kashmir", in: Mohammad Yasin & A. Qaiyum Rafiqi, eds., *History of the Freedom Struggle in Jammu & Kashmir*, New Delhi 1980.

4. This point was put to me in 1966 in Pakistan by a Kashmiri with a unique fund of knowledge concerning all aspects of the Kashmir question. I did not take him very seriously at the time; but, after some 25 years of reflection, I have concluded that he may well have had a point.

5. The Khilafat movement was the outcome of a reaction on the part of Indian Muslims to the peace terms which the British were in the process of imposing upon the defeated Ottoman Turks. During the course of 1920 Mahatma Gandhi associated the Indian National Congress with the movement and related the fate of Muslim Turks to that of Indian Muslims. The Khilafat movement was effectively ended in 1924 when Kemal abolished the institution of the Caliphate. The Khilafat movement, though of short duration, marks an important phase in the evolution of Hindu-Muslim relations within the context of the Indian independence

movement. See: Khalid B. Sayeed, *Pakistan. The Formative Phase 1857-1948*, London 1963, for an interesting discussion of this topic.

6. The Kashmir silk industry became a State monopoly in 1889. It was then established on modern lines with the advice of Sir Thomas Wardle, President of the Silk Association of Great Britain and Ireland. By 1907 the State of Jammu and Kashmir had become one of the world's leading producers of silk yarn. See: M. Ganju, *Textile Industries in Kashmir (Jammu and Kashmir State)*, New Delhi 1945; Sir T. Wardle, *Kashmir: its New Silk Industry, with some Account of it Natural History, Geology, Sport Etc.*, London 1904.

7. Quoted by: M.Y. Saraf, *Kashmiris Fight – For Freedom*, Volume 1, Lahore 1977, p. 349.

8. See, for example: H.L. Saxena, *The Tragedy of Kashmir*, New Delhi 1975.

9. Founded largely through the influence of Sir Sayyid Ahmad Khan in 1875 as the Anglo-Oriental College, Aligarh became a full University in 1920. From the outset it was designed to enable Muslims of ability to compete on equal terms with Hindus for places in Government service.

10. Prem Nath Bazaz was born in 1905, the son a policeman in the Jammu and Kashmir State service; and he died in 1985. He graduated from the University of the Punjab in 1927 and then returned to Kashmir where he obtained a minor post in the State Government in the office of the Chief Engineer, Roads and Building Department. He soon gave this up, however, to devote his life to journalism and politics. His *History of the Struggle for Freedom in Kashmir, Cultural and Political, from the Earliest Times to the Present Day*, New Delhi 1954, is a classic. For an fascinating biography of this remarkable man by his daughter, see: Nagin Bazaz, *Ahead of his Times. Prem Nath Bazaz: His Life & Work*, New Delhi 1983.

11. Many commentators on Kashmiri politics, particularly those like S. Gupta writing from the Indian point of view, have insisted that this protest movement was from the outset secular in nature. The facts, which are admirably documented, cannot support such an interpretation. See: S. Gupta, *Kashmir: A Study in India-Pakistan Relations*, London 1967.

12. See, for example: Saxena, *Kashmir, op. cit.*, which devotes several hundred pages to the development of this theme. See also: Baghwan Singh, *Political Conspiracies of Kashmir*, Rohtak 1975.

13. According to Lawrence, the appellation Sheikh in Kashmir indicated a family which had fairly recently converted to Islam from Hinduism. See: Lawrence, *Kashmir, op. cit.*, p. 292.

14. Chaudhri Ghulam Abbas was from Jammu, to which he had returned from Lahore with a degree in law in 1931. He rapidly became leader of the Jammu Young Men's Muslim Association, where his position could perhaps be compared to that which Sheikh Abdullah had acquired in Srinagar.

15. The 1934 franchise was restricted to village and district headmen, priests, managers of religious property, holders of titles, those who paid Rs. 20 either as land revenue or municipal tax or Rs. 60 as rent, those who owned a house worth Rs. 600 or more, medical practitioners, pensioned officers, and those who had passed the Middle School Examination or its equivalent. Women, in general, were excluded except for those with the required educational qualification. It was intended to enfranchise

about 10% of the adult population; but, in practice, this franchise gave the vote to 3% or less. See: Vidya Bhushan, *State Politics and Government: Jammu and Kashmir*, Jammu Tawi 1985, pp. 44, 365.

16. The word usually means "tiger", there being no lions native to the subcontinent.

17. Nedou's son, and hence Sheikh Abdullah's brother-in- law, was Private Secretary to the Maharaja of Indore at the time of the accession crisis in October 1947; and Sheikh Abdullah's family stayed in Indore during these crucial days when the fate of Kashmir was to be decided.

18. The 1939 Constitution added seven highly specialised elected seats to the original thirty-three; but these were carefully designed to produce members guaranteed to support the Maharaja. The 1939 Constitution owed a great deal to that distinguished Kashmiri Pandit Sir Tej Bahadur Sapru.

19. Sheikh Abdullah submitted in the name of the National Conference a memorandum to the Cabinet Mission. This document is reproduced in: Bhushan, *State Politics*, *op. cit.*, Appendix III.

20. *Selected Works of Jawaharlal Nehru*, Vol. 11, New Delhi 1978, p. 407.

21. During this visit Nehru and Azad, accompanied by Nehru's daughter Indira Gandhi and escorted by Sheikh Abdullah, took part in a river boat procession traditional to Srinagar ceremonial. The occasion was marred somewhat by hostile demonstrations by members of the Muslim Conference which were challenged by supporters of the National Conference. The Jammu and Kashmir State Police did not intervene – the Maharaja had no affection either for Nehru or for what he stood for. At least one National Conference member was killed in the clashes between the two parties. See: *Selected Works of Jawaharlal Nehru*, Vol. 14, New Delhi 1981, p. 393.

    Indira Gandhi and Sheikh Abdullah were to participate in a similar Srinagar river procession in 1975.

22. Maharaja Hari Singh's son, Karan Singh, considers that Nehru's arrest was the turning point in the history of Kashmir. The Maharaja, Karan Singh noted, had completely failed to assess the importance of Nehru in the India that lay in the immediate future. See: Karan Singh, *Heir Apparent. An Autobiography*, New Delhi 1982, p. 40.

23. This episode gave rise to voluminous correspondence on the part of Jawaharlal Nehru. See: *Selected Works of Jawaharlal Nehru*, Vol. 15, New Delhi 1982, pp. 353-419. See also: S. Gopal, *Jawaharlal Nehru. A Biography. Volume One 1889-1947*, London 1975, pp. 321-323.

24. Jinnah's visit to Kashmir in 1944 is described in some detail in: Saraf *op. cit.*, Vol. 1, pp. 622-638.

25. Though in 1942 he did tell the Viceroy that he thought the Maharaja of Jammu and Kashmir really ought to appoint a Muslim Prime Minister.

26. It is interesting in this context, however, that soon after Sheikh Abdullah came to power in late 1947 he introduced one of the most drastic programmes of land reform ever to have been seen in the subcontinent. The degree of its popularity, certainly in the medium to long term, is open to question; and it did nothing to remove the Islamic component in Kashmiri politics.

VI

PARTITION 1947

It took the British more than three hundred years to build up their Indian Empire. They dismantled it in just over seventy days in 1947. Such a rapid collapse of imperial structures would hardly surprise anyone today in the light of what has been happening in Eastern Europe. In 1947, however, the European empires still seemed solid enough edifices (despite the lesson of the Japanese conquests half a decade earlier). The true weakness of the British position was not widely appreciated. In fact, after the terrible winter of 1946-47 Britain was on the verge of financial catastrophe. In February 1947 the Attlee Cabinet had to adopt a policy of a drastic reduction of overseas responsibilities. It resolved to abandon its role both in combating the Communists in Greece and in supporting the economy of Turkey. It decided to give up the thankless task of mediating between Arab and Jew in the Palestine Mandate which it now declared would be handed back to the United Nations (successor to the League of Nations which had granted it just after World War I) by June 1948. Finally, it announced that by the same date it would transfer power in the Indian subcontinent to a successor regime or regimes.

This was the background to the Mountbatten Viceroyalty (22 March to 15 August 1947) which not only brought the British Indian Empire to an end but also saw the first stage of the Kashmir dispute between India and Pakistan.

The logic behind the Cabinet decisions of February 1947 was clear enough. Britain could no longer afford costly imperial entanglements of the kind already present in the Eastern Mediterranean and which threatened to develop in India. She should cut her losses. If so, then the more rapidly this were done the better. In a crisis one could not take into account every long term consequence. It followed that if it were good to get out of India by June 1948, it might well be preferable, at least from the British point of view, to get out rather earlier. When on 4 June 1947 Mountbatten announced that the British departure date would now be 15 August 1947, a day possibly symbolic as the second anniversary of the end of the War with Japan, he was certainly acting in the spirit of the British Cabinet decisions of

February 1947, even though he may on his own initiative have accelerated somewhat the timetable.[1] It was also quite in keeping with this spirit that, it has been said, the basic final plan for the dividing up of the British Indian Empire was drawn up in four hours (by V.P. Menon) and accepted by the British Cabinet after a discussion lasting all of five minutes. Having failed to persuade the two challengers to their position in India, the Indian National Congress and the Muslim League, to accept any formula for continued unity, the British Government accepted that a particularly drastic partition of their Imperial legacy, into Muslim and non Muslim-majority sectors, offered the best way forward; and this would now be implemented by means of a crash programme. Partition was widely seen to be preferable to the alternative of "Plan Balkan" and its variants, the break up of the British Indian Empire into its myriad component parts.[2]

The haste with which Partition was executed guaranteed that there would be serious problems to plague the successor states to the British Raj. Such traumatic surgery was unlikely to heal without complications. One side effect was the exacerbation of communal tensions in the subcontinent resulting in massacre and migration on a colossal scale: another was the set of circumstances which resulted in the outbreak of the Indo-Pakistani conflict over Kashmir. Some observers have blamed Mountbatten for causing these unhappy consequences of Partition. Denying the inevitability of M.A. Jinnah's Two Nation India, they have argued that had Partition been delayed, its very necessity might have been avoided. They point out that in 1947 Jinnah was already terminally ill. Had Partition been postponed to a point when Jinnah was actually on his deathbed (as would have been the case if the original date of June 1948 had been adhered to), would there have been the will to create a Pakistan at all? Perhaps, without an active Jinnah the Muslim League might yet, when faced with the practical difficulties of Partition, have opted for some kind of federal structure which preserved the basic unity of the old British Indian Empire.

Such speculation is not particularly fruitful; but it has appealed to many Indians who have never been able to come to terms with the underlying logic of Partition. Given, many Indian commentators have said, that India is a secular state in which as about as many Muslims live as in Pakistan, what need has there ever been for an Islamic State at all? Perhaps Pakistan, it could have been argued, was no more than a temporary expedient devised by the British to solve a transient problem. This, it seems certain, was Jawaharlal Nehru's view in 1947. As Nehru put it, in a letter to K.P.S. Menon (Indian Ambassador in China) on 29 April 1947: he was in no doubt that eventually India would have to become a single country, and it could well be that Partition was but a stepping stone on the path towards that goal.[3] Such reasoning would certainly go far to explain why Jawaharlal

Nehru, and some of his Congress colleagues (notably Sardar Valabhbhai Patel and the Congress President, Acharya Kripalani), collaborated so wholeheartedly in the hasty Partition plan proposed by Mountbatten and worked out in detail by V.P. Menon (who was probably as much Congress's man as the Viceroy's).

The reality, of course, was that, whatever the merits of secularism might or might not be, by 1947 there existed no practicable alternative to some kind of division of the British Raj between Muslims and non-Muslims, though this might have been achieved in practice in a number of ways. In the event, by May 1947 the type of Partition proposed by Mountbatten seemed to offer the only escape from a political impasse. The last Viceroy may well be blamed for the manner, and the speed, of its execution; but he was not responsible for the necessity for Partition as such. This was a product of the historical evolution of the subcontinent with a dynamic which no man could withstand.

The mechanics of Partition as applied to the Punjab, more than any other single factor, created the immediate background to the Kashmir dispute. The theory was that all Muslim-majority districts contiguous to the Muslim core of the Punjab would go to Pakistan. In the event, with the awarding of three out of the four *tehsils* (sub-districts) of Gurdaspur District to East Punjab (that is to say the part of the Punjab which was to be Indian), the accession to India of the State of Jammu and Kashmir became a practical, as opposed to theoretical, possibility. Because two of these *tehsils*, Batala and Gurdaspur, were areas with significant Muslim majorities (only Pathankot *tehsil* then had a small Hindu majority), this award seemed to go against the basic spirit of Partition; and the Gurdaspur decision has consequently been the subject of a great deal of discussion ever since. Mountbatten has been accused, particularly in Pakistan, of having participated in this manipulation of Partition with the deliberate intent to favour the interests of India over those of Pakistan.

The practicalities of Partition, arising out of the so-called Mountbatten Plan of 3 June 1947, with the new deadline of 15 August 1947 announced the following day to replace what most observers had hitherto anticipated would be the moment of the final act of the Transfer of Power, June 1948, involved two Boundary Commissions, both to be under the Chairmanship of a distinguished British jurist, Sir Cyril Radcliffe (Vice-Chairman of the English Bar Council). One Commission would deal with the Partition of Bengal and the other would concern itself with the Punjab. In both Commissions Sir Cyril Radcliffe would be assisted by four Commissioners from the Dominions-to-be, India and Pakistan, two Muslims and two non-Muslims, all senior Judges. The decisions of the two Commissions would be final; and the leadership of both the Muslim League and

the Congress agreed to abide by them. In the case of the Punjab the Muslim Commissioners were Din Mohammed and Mohammed Munir; and the non-Muslim Commissioners were Mehr Chand Mahajan (Hindu) and Teja Singh (Sikh). In the event, since the Commissioners consistently voted on communal lines with Mahajan and Teja Singh acting in concert, Sir Cyril Radcliffe had to make his awards by the liberal application of his casting vote. Sir Cyril Radcliffe's major qualification for this task, it appeared, was his almost total ignorance of Indian affairs: he had never before set foot in the subcontinent.

Radcliffe arrived in New Delhi on 8 July 1947 and the final award was ready and in the hands of the Viceroy's staff on 12 August 1947 following a preliminary version on 8 August. The terms of reference of the Commission for the Punjab were these:

> the Boundary Commission is instructed to demarcate the boundaries of the two parts of the Punjab on the basis of ascertaining the contiguous majority areas of Muslims and non-Muslims. In doing so, it will also take into account other factors.

What "other factors" were involved was never spelled out: nor, given Radcliffe's inexperience in Indian affairs, was it made clear who would draw the Commission's attention to them. There was an understanding latent in the whole process, however, that they would be "judicial" rather than "political", that is to say that they would relate to practical geographical, economic and structural matters rather than to the aspirations of the leaders-to-be of the two successor states to the British Raj. The question of the Princely States and their future was certainly not part of the Commission's brief: in the Punjab it was concerned solely with the devising of a line which ran from the border with the State of Jammu and Kashmir to that with the State of Bahawalpur (which was destined to join Pakistan).[4] The Commission's deliberations were to be secret and its work was to be isolated entirely from the all political pressures which those concerned with other aspects of the Transfer of Power might wish to exert.

This was the theory. In practice, of course, everything that the Commission did was "political" in that it affected the future of both India and Pakistan and of millions who would be citizens of one or other Dominion. Anything that was to contribute to the death of some 500,000 people and the uprooting of millions more, as was the most immediate consequence of the Partition of the Punjab, was surely rather "political" than "judicial". Secrecy was impossible to maintain as the Muslim and non-Muslim Commissioners showed no reluctance in communicating what they knew to leaders of the Pakistani and Indian sides. The isolation of the Commission from political pressures was an ideal; but many observers at the time

doubted its reality. It was hard to believe that such serious matters of policy would be left entirely to the casting vote of one man who had no previous experience of Indian affairs. Moreover, Sir Cyril Radcliffe was accommodated while in India in Viceroy's House (if not in the main building, then in a guest house in the compound) where willy nilly he was in contact with Mountbatten and his staff. It seemed unlikely that they never discussed Boundary Commission matters with the Chairman.

We will never know the detailed story of the Boundary Commission since its records have not survived. When Sir Cyril Radcliffe left India on 15 August 1947, the day of the Transfer of Power but before the Commission's awards had been published (though they were known to the leadership both in India and Pakistan), he took no papers with him; and his subsequent comments threw scant light on what had gone on.

The Boundary Commission proceedings in the Punjab, in that they relate to the Kashmir dispute, raise two major questions. First: did Mountbatten have a policy of his own as to the future of the State of Jammu and Kashmir which involved the fate of that crucial access to it from India by way of the Gurdaspur District; and, indeed, did he actually appreciate the importance in this context of that District? Second: if so, did that policy and that appreciation in any significant way influence the final decision of the Boundary Commission which awarded the three key *tehsils* of the Gurdaspur District to India despite the fact that two of them had Muslim majorities?

These are not easy questions to answer, even now. Many Pakistani writers have maintained that the Radcliffe Commission was somehow manipulated by Mountbatten to ensure that the State of Jammu and Kashmir retained that essential access to India provided by the three eastern *tehsils* of the Gurdaspur District and so avoid the necessity of joining Pakistan. Others, including one of Nehru's biographers, Michael Brecher, and more recently the official biographer of Mountbatten, Philip Ziegler, have declared that the evidence cannot support any such charge.[5] Mountbatten, they affirm, had absolutely nothing to do with Radcliffe's award. These latter versions of Mountbatten's part in the Gurdaspur affair, however, can no longer be accepted uncritically. The official publication in the United Kingdom between 1980 and 1983 of the four final volumes of a selection of the British documents relating to the Transfer of Power in India has made easily available a great deal of information which throws light, directly or indirectly, on the history of Partition. It is now possible to offer some analysis of British attitudes towards both the future of the State of Jammu and Kashmir and the part to be played by the Radcliffe Commission on the basis of something better than indignation, speculation and partisan argument; and this is what will be attempted here.[6]

By the time that Mountbatten arrived in India to take over as Viceroy from Wavell on 22 March 1947 the Government of India had a pretty clear idea as to what the State of Jammu and Kashmir might wish to do after the Transfer of Power. If at all possible, it would opt for independence from India. As the British Resident in Jammu and Kashmir reported from Srinagar on 14 November 1946:

> I am inclined to think that the Maharaja and Kak . . . [Pandit R.C. Kak, Prime Minister of Jammu and Kashmir from 1945 until 11 August 1947] . . . are seriously considering the possibility of Kashmir not joining the . . . [Indian] . . . Union if it is formed. . . . The Maharaja's attitude is, I suspect, that once Paramountcy disappears Kashmir will have to stand on its own feet, and that the question of loyalty to the British Government will not arise and that Kashmir will be free to ally herself with any power – not excluding Russia – she chooses.[7]

In that a major objective of British policy since the sale of the Vale of Kashmir to Gulab Singh in 1846 had been to keep Russian influence out of that north-western corner of the Indian subcontinent which the State of Jammu and Kashmir occupied (as we have seen in Chapters 3 and 4), this was an alarming conclusion. Russian influence, now Communist, could well threaten the stability of the successors to the British. It would be best if the State of Jammu and Kashmir were prevented from experiments in an independent foreign policy. Firm control over the State was clearly called for; and there were arguments current among those who determined British Indian strategy that this could more effectively be exercised by India than by Pakistan. A hint that Jawaharlal Nehru, who would certainly be the Prime Minister of independent India, was of like view, emerged from a meeting with Mountbatten on 22 April 1947. When Mountbatten pointed out that the Princely States "would have complete freedom of choice" as to which successor entity to the British they could join "independent of geographical considerations", Nehru noted correctly enough that "the future of Kashmir might produce a difficult problem".[8]

On 29 April 1947 Mountbatten showed that he had been giving considerable thought to one important aspect of the geopolitics of the State of Jammu and Kashmir when he advised the Secretary of State for India in the British Government, Lord Listowel, on the problem of the future of the Gilgit Lease and its dependencies. What would happen here when Paramountcy lapsed? At this point the date for the Transfer of Power was still understood to be June 1948. Mountbatten recommended that the entire area of the Gilgit Lease should be returned to the State of Jammu and Kashmir before then, perhaps as early as October 1947. Listowel agreed. Jawaharlal Nehru, too, concurred when asked what he thought about this major strategic problem. M.A. Jinnah does not appear to have been consulted.[9]

Mountbatten's attitude towards the Gilgit Lease is extremely

interesting. As we have already seen in Chapter 4, that region which the British knew as the Gilgit Agency, was leased from the Maharaja of Jammu and Kashmir in 1935 for sixty years. The main reason was strategic, the need to observe and, perhaps, counter actively, Soviet influence in Sinkiang, a need which certainly had not disappeared in 1947. It would be difficult to make out a case for the transfer at this juncture of the defence of Gilgit to Maharaja Sir Hari Singh: it was largely to keep the area out of the Maharaja's hands that the Gilgit Lease had been secured in the first place. Yet here was Mountbatten apparently abandoning this vital outpost to the Jammu and Kashmir State authorities. It was an action which only made sense on the assumption that those authorities would soon turn out to be based not in Srinagar and Jammu but either in New Delhi or in Karachi.

Had Mountbatten, or his advisers in what was a technical matter of Indian strategy, been prepared to let Pakistan be the guardian of the Gilgit Agency and the high passes of the Karakoram, he could perfectly well have left the Gilgit Lease alone. The original contract was between the State of Jammu and Kashmir and the Government of India. Paramountcy had nothing to do with it. There was no reason why it should lapse automatically on 15 August 1947; and as an added precaution its extension could have been covered easily enough by a Standstill Agreement. In which case, it could be argued that the tenancy of the Lease would pass, along with sovereignty over other British administered territory, to the appropriate successor Dominion which, by the terms of Partition, would of course mean Pakistan since the leased areas were certainly not at that moment contiguous with India and they clearly possessed a Muslim-majority population. There is, therefore, more than a hint here that Mountbatten hoped that the role of guardian of the Northern Frontier would be filled in the end by India rather than by Pakistan. This is a conclusion very strongly reinforced by the logic of the history examined here in some detail in Chapters 3 and 4.

If, while he was contemplating the future of the Gilgit Lease, Mountbatten was not yet aware of M.A. Jinnah's interest in Kashmir he could have been left in no doubt on 17 May 1947 when M.A. Jinnah pointed out to him the significance of the name Pakistan. He explained

> the derivation of the word Pakistan – P for Punjab; A for Afghan (i.e. Pathan or N.W.F.P.); K for Kashmir; I for nothing because that letter was not in the word in Urdu; S for Sind and TAN for the last syllable for Baluchistan.[10]

In June 1947, with the announcement of the 15 August 1947 deadline for the Transfer of Power, the problem of the future intentions of the two big States which had indicated an interest in an independent existence after Partition, Hyderabad and Jammu and

Kashmir, became much more urgent. Mountbatten made it abundantly clear that he was personally unhappy about the prospect of independence for either. On 9 June 1947 he announced that he was instructing the British Residents in both States to urge the Rulers to make no announcements on independence until he had had the opportunity to visit them and discuss the matter with them in person.[11]

Mountbatten, accompanied by Lady Mountbatten and by his Chief of Staff Lord Ismay, arrived in Srinagar on 17 June 1947 and was back in New Delhi six days later.

Just before his departure, on 14 June 1947, Mountbatten received a private letter from Krishna Menon which, in a somewhat confused and emotional manner, warned him that there might be dire consequences for the future of Anglo-Indian relations if the State of Jammu and Kashmir were permitted to go to Pakistan. The gist of the argument seemed to be that it might be perceived that British policy, while accepting the abandonment of India, was to make Pakistan, strengthened by the accession of the State of Jammu and Kashmir, into the eastern frontier of a British sphere of influence in the Middle East. Such a development would not be at all popular in the newly independent India; and it might put at risk the extensive British interests there. It was essential in Menon's view that State of Jammu and Kashmir be brought within the Indian fold.[12]

As he was about to set out from New Delhi for Srinagar Mountbatten received a long Note on Kashmir, dated 17 June 1947, which he had earlier requested Jawaharlal Nehru to prepare for him. After pointing out that in the State of Jammu and Kashmir the Muslims made up 77% of the total population, Nehru argued that the people of the State would approve of its accession to India because of their devotion to Sheikh Abdullah and his National Conference. The Muslim Conference, which had allied itself to M.A. Jinnah's Muslim League, "had little influence in the State". In 1946, at the time of the "Quit Kashmir" movement (when Nehru had suffered the humiliation of being refused admission to that region whence his family had sprung, as we have already seen in Chapter 5), the Prime Minister of Kashmir, Pandit Kak, had ruthlessly suppressed the National Conference, putting Sheikh Abdullah and his colleagues in prison, and had punished its supporters by withholding supplies of fuel and food to the population of the Vale of Kashmir during the winter, and by allowing the police and military to open fire on crowds, killing many people. Kak's regime was corrupt and dominated by a small clique; but it had both frightened and isolated the Maharaja. Kak, Nehru continued, had told the Maharaja that Mountbatten personally favoured the State joining Pakistan not only because of its geographical position but also because, if it joined India, the result would be "communal riots in the State and that possibly hostile people

from the surrounding territory of Pakistan might enter Kashmir and give trouble". In that Mountbatten had never said anything of the sort to anybody, this piece of hearsay could only have served to irritate the Viceroy and increase his distrust of the current Prime Minister of the State of Jammu and Kashmir.[13]

From all this, and more, Jawaharlal Nehru drew the following conclusions. The State of Jammu and Kashmir should undergo major reform to become a democracy with the Maharaja as its consitutional head. In order to achieve this goal, Pandit Kak had to be removed as Prime Minister and Sheikh Abdullah and his associates released from prison. "What happens in Kashmir", Nehru went on, "is, of course, of the first importance to India as a whole not only because of the past year's occurrences there,[14] which have drawn attention to it, but also because of the great strategic importance of that frontier state". Nehru concluded:

> if any attempt is made to push Kashmir into the Pakistan Constituent Assembly there is likely to be much trouble because the National Conference is not in favour of it and the Maharaja's position would also become very difficult. The normal and obvious course appears to be for Kashmir to join the Constituent Assembly of India. This will satisfy both the popular demand and the Maharaja's wishes. It is absurd to think that Pakistan would create trouble if this happens.[15]

This fascinating document repays careful study. It cannot have failed to impress Mountbatten.

While in Srinagar, Mountbatten was unable to persuade the Maharaja to discuss serious matters. Nor could he, as Jawaharlal Nehru had suggested he try, see Sheikh Abdullah in prison; and Lady Mountbatten found it impracticable to meet Begum Abdullah. Mountbatten made no attempt to visit another of the Maharaja's political prisoners, Chaudhri Ghulam Abbas, or to seek the views of Mirwaiz Mohammed Yusuf Shah (which might have been hard going because of the Mirwaiz's virtually complete lack of English). He did, however, communicate with the State Prime Minister, Pandit Kak. The record here is capable of being interpreted in more than one way. Mountbatten (in the form of reporting a discussion with the Maharaja which it would seem may never have taken place – the Maharaja went out of his way to avoid the slightest policy discussion with the Viceroy) advised Kak that the State of Jammu and Kashmir would have to accede to either India or Pakistan as it would have great difficulty protecting itself on its own. However,

> it was not for him . . . [Mountbatten] . . . to suggest which Constituent Assembly they should join, but clearly Kashmir should work this out for themselves on the basis of the best advantage to the ruler and his people, and in consideration of the factors of geography and the probable attitude of the Congress and of the Muslim League respectively to

> Kashmir. If Kashmir joined the Pakistan Constituent Assembly presumably Mr. Jinnah would protect them against pressure from the Congress. If they joined the Hindustan Assembly it would be inevitable that they would be treated with consideration by Hindustan.[16]

At first sight this is fairly evenhanded. But is it? There is, for example, the *certainty* of a Congress welcome contrasted with the *probability* of Mr. Jinnah's ability to "protect" against some danger unspecified. It would not be too difficult to interpret these words as implying that the Maharaja of Jammu and Kashmir would be well advised to join India if he entertained any hope of retaining his own position in the State. The Congress would keep him on his throne: Mr. Jinnah and his Muslim League would make sure that his Muslim subjects brought about his overthrow.[17]

Almost immediately on his return to New Delhi from Srinagar, Mountbatten reported the results to Jawaharlal Nehru. He said that he had advised Pandit Kak that the decision to join either India or Pakistan could well be deferred for a while, until the situation was a bit clearer, but that in the meantime there should be no statement about independence. He had suggested that, pending a decision, the State of Jammu and Kashmir should enter into a "standstill" agreement with both India and Pakistan. In the end, before finally making up his mind, the Maharaja "should consult the will of the people and do what the majority thought best" for the State. If this consulting of "the will of the people" meant what was indicated in Nehru's Note of 17 June, then Mountbatten may well have believed that the outcome, under the leadership of Sheikh Abdullah, would have been accession to India.

Jawaharlal Nehru was disappointed that Mountbatten had been "unable to solve the problem of Kashmir, for", he declared, "the problem would not be solved until Sheikh Abdullah was released from prison and the rights of the people restored". He seemed determined to go up to Srinagar himself to see what he could achieve. It was with great difficulty that Mountbatten was able to dissuade him on the grounds that Nehru "really must look to his duty to the Indian people as a whole. There were four hundred millions in India and only four millions in Kashmir". It was rather irresponsible of the future Prime Minister of India, Mountbatten observed, to spend so much time on what was but one of the many grave problems confronting him. It was agreed eventually that Mahatma Gandhi should go to Kashmir in Nehru's place to take up the "question of Sheikh Abdullah"; and Mountbatten wrote to the Maharaja to pave the way.[18] When the Maharaja tried to put Gandhi off, Nehru revived his own plan to go: Mountbatten found it far from easy to persuade him to stick to the original arrangement.[19] The Gandhi visit in due course took place.[20]

A tentative answer to the first part of our first question about

Mountbatten and Kashmir can at this stage be offered. Mountbatten disliked the prospect of independence for the State of Jammu and Kashmir after the Transfer of Power. While publicly declaring that the Maharaja was perfectly entitled to accede either to Pakistan or to India, the documents cited here do rather suggest that he personally favoured a solution where the Maharaja left the decision to Sheikh Abdullah's National Conference which appeared to him to be representative of the people of the State as a whole; and, as Nehru's Note suggested, Sheikh Abdullah would surely opt for India. This outcome would in his view not only be politically just but also geopolitically desirable in that it ensured that the Gilgit Agency and the defence of the Northern Frontier would remain in Indian hands. We can never be absolutely certain; but that is what the balance of probabilities would indicate.

This leaves the second half of the first question, whether Mountbatten appreciated the importance of the Gurdaspur District. Only if the three eastern *tehsils* of Gurdaspur were awarded to India by the Boundary Commission would the accession of the State of Jammu and Kashmir to India be a practicable proposition, as opposed to a theoretically desirable one (at least, according to the conventional wisdom of the day). The answer here is unequivocal: Mountbatten did appreciate this fact. As he said to the Nawab of Bhopal and the Maharaja of Indore on 4 August 1947, the State of Jammu and Kashmir was "so placed geographically that it could join either Dominion, provided part of Gurdaspur were put into East Punjab by the Boundary Commission".[21] In other words, only by giving Gurdaspur to India would the Maharaja of Jammu and Kashmir be presented with a free choice: to give Gurdaspur to Pakistan was effectively to guarantee that the State of Jammu and Kashmir would sooner or later fall to that Dominion.

This leads to the second question. Was the final award of the Boundary Commission influenced in any way by Mountbatten (or his close advisers) for "political" ends? The published documents provide some evidence which, if not conclusive, is certainly circumstantial.

In the original proposals for Partition it was generally understood by the Pakistan side, and probably by at least the majority of the Indian side as well (despite a strong hint by Mountbatten to the contrary on 4 June when he observed that "it is unlikely that the Boundary Commission will throw the whole of the . . . [Gurdaspur] . . . district into the Muslim-majority areas"),[22] that Gurdaspur was a Muslim-majority District in the Punjab which would go to Pakistan in its entirety. This conclusion was indicated in the notional boundary between India and Pakistan with which the Boundary Commission started in July 1947, derived from the First Schedule of the Indian Independence Act of 18 July 1947, which also pointed to a Muslim-majority salient along the southern edge of Amritsar District in the

Lahore region of Pakistani territory jutting into the Indian part of the Punjab.[23] Together, this southern salient and Gurdaspur resulted in Muslim-majority territory which almost surrounded Amritsar, a city of supreme importance to the Sikhs; and the attitude of the Sikhs presented by far the greatest immediate problem for Partition in the Punjab. The Sikh problem has not gone away; but, fortunately, it need not detain us here beyond noting that it could of itself provide a sound "political" reason for the alteration of the boundary around Amritsar to include not only some of the southern salient but also Gurdaspur (or, at least, its eastern *tehsils*) in India. This Sikh component has complicated greatly the interpretation of the records by those in quest of answer to the mysteries of the origins of the Kashmir dispute.

On 8 August 1947 there emerged from Sir Cyril Radcliffe's establishment a provisional boundary map on which, there is strong evidence to indicate, the southern salient had been modified in what seemed to be Pakistan's favour by substituting for a small portion of the Lahore District (the tip of the original salient, created by the need to somehow transfer the Indo-Pakistan border from the line of the Ravi to that of the Sutlej, which it could be argued on this particular alignment encroached more than it was absolutely necessary upon what the Sikhs regarded as their special land around Amritsar) the adjacent Ferozepore and Zira *tehsils* of Ferozepore District, thus extending Pakistan to the eastern side of the Sutlej.[24] The same map also indicated that the three eastern *tehsils* of Gurdaspur District were now located on the Indian side of the Partition line.[25]

Sir George Abell, Mountbatten's Private Secretary, immediately communicated the contents of this map to Stuart Abbott, Secretary to Sir E. Jenkins, the Governor of the Punjab, through whose Province the new boundary would run. Jenkins also received at this time a memorandum of some kind on the question of the boundary award from Christopher Beaumont, a member of Sir Cyril Radcliffe's staff. Thus several members of the Punjab Government were aware of the current state of Radcliffe's thinking on partition by 9 August.[26] So, also, it would seem were many other people.

There was, for example, immediate objection from the Indian side to the location of the Ferozepore and Zira *tehsils* in Pakistan, it being clearly impossible to confine such a secret to the inner circle of Viceroy's House, New Delhi, and Government House, Lahore. Not only were several Rulers whose States depended upon irrigation works cut by the proposed Radcliffe line much disturbed by the dangers which they detected in the Boundary Commission's proposals, but also a wide selection of officials, not all of them of particular seniority or major importance, found cause for concern.[27] Thus on 9 August 1947 Jawaharlal Nehru wrote to Mountbatten enclosing a memorandum by A.N. Khosla, Chairman, Central

Waterways, Irrigation and Navigation Commission, reporting various items of gossip, including the account of an eavesdropped lunchtime conversation between Sir Cyril Radcliffe and his Commissioners, to the effect that the award to Pakistan of the Ferozepore and Zira *tehsils* to Pakistan was a compensation for the award of the three eastern *tehsils* of Gurdaspur to India.[28] Khosla pointed out that, if true, this arrangement would be most undesirable on technical irrigation grounds: Ferozepore and Zira, as well as Gurdaspur, would have to be in India if certain canals were to operate adequately.

Jawaharlal Nehru's letter of 9 August is intriguing. If a relatively junior official like Khosla could pick up confidential discussions on Boundary matters by Radcliffe and his colleagues, it did not say much for the secrecy in which the Radcliffe Commission was alleged to have carried out its task. Moreover, why should Nehru have chosen to convey this titbit of information to the Viceroy at this particular time? Was he trying to influence the Radcliffe Commission by way of Mountbatten in at least three ways, to ensure that the Ferozepore *tehsils* did not go to Pakistan, to guarantee that whatever decision was in the air concerning the award to India of the three eastern *tehsils* of Gurdaspur was adhered to, and to provide reasons for both these decisions which could be argued to be "judicial" rather than "political"?

Mountbatten politely rebuked Nehru for this letter. "I hope you will agree", he wrote, "that I should not do anything to prejudice the independence of the Boundary Commission, and that, therefore, it would be wrong of me even to forward any memorandum, especially at this stage".[29] All the same, on 10 or 11 August 1947 the Governor of the Punjab, Jenkins, received a telegram from Viceroy's House, New Delhi, which told him to "eliminate salient", in other words, delete from Pakistan (as shown in the earlier version of the partition proposals which he had received on 8 August) the Ferozepore and Zira *tehsils*, and put them in India.[30] Moreover, in the final award (which was ready on 12 August) the location of the Ferozepore and Zira *tehsils* in India was justified on grounds of good irrigation policy, as was, also, the Indian possession of the three eastern *tehsils* of Gurdaspur in India (which had already been shown on the map of 8 August).

On 8 or 9 August 1947 news of the award of the three eastern *tehsils* of Gurdaspur to India reached Liaquat Ali Khan (Finance Minister in the Interim Government and the closest of M.A. Jinnah's associates), who up to this time (as also the two Muslim Commissioners on the Punjab Boundary Commission) had no reason to doubt that all of Gurdaspur District would go to Pakistan following the logic of the principles of Partition in that this was a Muslim-majority District contiguous with the Muslim-majority part of the Punjab.[31] He at once protested to Lord Ismay that the reported decision was

"political" which, if so, was "a grave injustice which will amount to a breach of faith on the part of the British".[32]

Lord Ismay replied thus:

> you surely do not expect the Viceroy to suggest to Sir Cyril Radcliffe that he should make any alteration. Still less can I believe that you intend to imply that the Viceroy has influenced this award. I am well aware that some uninformed sections of public opinion imagine that the award will not be Sir Cyril Radcliffe's but the Viceroy's, but I never for one moment thought that you, who are completely in the know, should ever imagine that he could do such a thing.

Liaquat Ali Khan, who was destined to be Pakistan's first Prime Minister, and who had to deal with some of the consequences for his country of the Gurdaspur award, clearly thought that the Viceroy was capable of just that.

On 11 August 1947, at this crucial stage between the Radcliffe Commission's provisional award of 8 August and the final document of 12 August (but which was not to be published until after the Transfer of Power on 15 August), the Prime Minister of Jammu and Kashmir, Pandit Kak, was dismissed ("sacked" was Mountbatten's term) by the Maharaja and replaced by a soldier in the Maharaja's service (and kinsman), Major-General Janak Singh.[33] The Maharaja, Mountbatten noted in his Personal Report dated 16 August 1947 (but, perhaps, written earlier), "now talks of holding a referendum to decide whether to join Pakistan or India, provided that the Boundary Commission give him land communication between Kashmir and India", that is to say Gurdaspur; and hence "it appears, therefore, as if this great problem of the States has been satisfactorily solved within the last three weeks of British rule".[34] This was certainly evidence that Mountbatten appreciated the link between the award of Gurdaspur and the future of the State of Jammu and Kashmir.

Is there, however, in all this a conspiracy? We certainly do have hints that the Radcliffe Commission was not operating in complete purdah. Common sense suggests that it is very improbable that certain British officials, if not Mountbatten then some of his advisers like Lord Ismay, were not keeping an eye on the Radcliffe Commission proceedings.[35] Given the importance of these deliberations (not least, as we have seen, for the future security of the Northern Frontier), it would have been irresponsible if there had not been such a watch. Common sense also indicates that those same British officials would do what they could to ensure that the three eastern *tehsils* of Gurdaspur District would be awarded to India, if only to present the Maharaja of Jammu and Kashmir with a genuine choice. As has already been noted, to award them to Pakistan was, in the current climate of opinion, tantamount to directing the State of Jammu and Kashmir to join Pakistan. To award them to India, on the other hand,

still left open in theory the question of the future of the State of Jammu and Kashmir.

If this is so, then it rather looks as if the business about the Ferozepore District *tehsils* was an abortive attempt to find some sop to Pakistan in recompense for the loss of the Gurdaspur *tehsils*, an attempt which foundered on several rocks, not least that of the Sikhs, who needed a great deal of persuading to accept the redefinition of their homeland which was involved in Partition. What it also suggests is a process of modification or final adjustment in the Radcliffe Commission award taking place in anything but total secrecy and isolation from politically interested parties, as witness the comments of Khosla on the basis of gossip picked up here and there.

Behind all this there may well have been some last minute endeavour to persuade the Maharaja of Jammu and Kashmir to make up his mind to follow the anticipated advice of his prisoner, Sheikh Abdullah, and accede to India before the actual Transfer of Power. For such a step there seemed to be two prerequisites, the removal of Pandit Kak as Prime Minister of Jammu and Kashmir (an action within the power of the Maharaja) and the guarantee (which, it could be argued, Mountbatten could alone deliver) of a practicable land link between the State of Jammu and Kashmir and the rest of India. It is possible that one reason for the delay in the publication of the Radcliffe awards, which were to hand in their final version on 12 August 1947, was to leave the Maharaja in doubt about Gurdaspur until he had made up his mind to take the final step, accession to India, possibly with Sheikh Abdullah at the head of his Government. It could well have appeared to Mountbatten that if the future of Gurdaspur seemed to be as yet undecided the Maharaja might be induced to turn to India before the Transfer of Power on the grounds that if he did not do so then Gurdaspur might still be given to Pakistan. A Pakistani Gurdaspur would surely be the signpost pointing towards a Pakistani Jammu and Kashmir and the end of the Dogra Dynasty. Also, of course, if the Maharaja did accede to India before the publication of the Radcliffe award then the British could hardly be accused of having manipulated that award to bring about such an accession. In the event, the Maharaja did not accede to India while the British Raj was still in being for its last few days; and with the publication of the awards, which could hardly be delayed for more than a day or so after the Transfer of Power was complete, this particular inducement for the Maharaja to make up his mind would have lost its force. Once published, the Maharaja knew that there were no practicable difficulties in the way of his joining India should he so wish; and he could afford to take his time in making up his mind.

The use of the deliberations of the Radcliffe Commission as a lever in the negotiations over the Maharaja's accession to India

would not, in the real world of politics, have been particularly discreditable. Its public exposure, however, would have revealed that the independence of the Commission was something of a charade. That it was just this is, of course, highly probable. Mountbatten, in the run up to the Transfer of Power, still believed that he might have a part to play as Governor-General of both India and Pakistan, perhaps, indeed, in this role being able to undo some of the damage wrought by the very process of Partition (over which he had presided) to the structure of a united polity in the subcontinent (in which case, of course, who got Gurdaspur would not matter very much). If so, he could not allow himself to be blamed for the many hard decisions which Partition involved with the possible suggestion of bias towards either India or Pakistan. It was vital that Mountbatten appeared to be impartial, neutral and above party in all his actions during the birth process of the two Dominions. Here the Radcliffe Commission, seeming to act in total independence, was an extremely useful scapegoat. Any claimed injustices could be blamed upon Sir Cyril Radcliffe, a man who not only had no previous involvement in Indian affairs but, on the very day of the Transfer of Power and before his awards had been published, would remove himself from the subcontinent never to return. Sir Cyril's value in this particular respect, however, would disappear the moment that the slightest hint of Viceregal interference with the Commission's deliberations was allowed to escape. This could explain, at all events, Moutbatten's dogged defence for the rest of his life of the reputation for total independence of the Radcliffe Commission, and his refusal to comment on the growing corpus of documentary evidence to the contrary.

The most serious charge against the last Viceroy's handling of the accession of the State of Jammu and Kashmir in the final weeks of the British Raj, if there is any merit in the speculations outlined above, is the degree to which Mountbatten (or his advisers) seem to have accepted Jawaharlal Nehru's views about Kashmiri politics and to have failed to explore the Muslim dimension. The records reveal no checking of Nehru's Note of 17 June 1947 by the seeking of other opinions. The names of Ghulam Abbas and Mirwaiz Yusuf Shah simply do not appear in the briefing papers available to Mountbatten who was presented with but a single view, that Sheikh Abdullah and his National Conference represented the overwhelming majority of the people of the State of Jammu and Kashmir. When M.A. Jinnah raised the question of the Muslim Conference, as he did, for example, on 13 July 1947, he was not, it would seem, taken seriously.[36] Yet the matter was clearly not lacking in importance. If the Muslim Conference really had been representative of the opinion of the Muslim majority in the State of Jammu and Kashmir (or even a significant portion of it), then the policy of backing Sheikh Abdullah was fraught

with dangers both short term and long term. At the very least the matter should have been investigated; but the available evidence seems to be that it was not.

The main point, of course, which is apparent in the documents published in the three final volumes of *The Transfer of Power*, is that Mountbatten got on well with Jawaharlal Nehru, whom he both admired and trusted; and he had no great personal affection for M.A. Jinnah. This fact, which was well known at the time, was to lead to a great deal of speculation and many rumours of scandal which did nothing to make the decisions of Partition easier to accept by those who felt they were not on the favoured side. It is hard to reject the suspicion that Nehru's Note on Kashmir of 17 June 1947 greatly reinforced Mountbatten's subsequent attitude, already influenced by the question of the future defence of the Northern Frontier, towards the State of Jammu and Kashmir and the place that would now be occupied by Sheikh Abdullah; and this because Mountbatten unhesitatingly trusted what Nehru had to say. Had a Note on this subject, regardless of its contents, been written by M.A. Jinnah or Liaquat Ali Khan, one cannot help wondering, would it have had anything like the same impact upon Mountbatten?

1. Mountbatten always maintained that during his Viceroyalty he possessed full powers. While the degree to which he was in fact independent of the Cabinet in London is open to question, there can be no doubt that Mountbatten accepted complete responsibility for everything which he did as Viceroy of India up to 15 August 1947.

2. In the last years of the British Raj there were those who proposed, either in desperation or as a means to bring the various parties to their senses, that the British should withdraw, stage by stage, leaving behind them whatever polities might manage to take their place. Thus the great achievement of a united India would not have outlasted the Raj, the temple, as it were, would be brought down along with the British.

3. See: M.J. Akbar, *Nehru. The Making of India*, London 1989, p. 405.

4. The Nawab of Bahawalpur toyed briefly with the idea of independence after the Transfer of Power; but on 3 October 1947 the State acceded formally to Pakistan.

5. See: Michael Brecher, *Nehru. A Political Biography*, London 1959, pp.359-361; Philip Ziegler, *Mountbatten. The Official Biography*, London 1985, pp. 419-422.

6. Publication of the twelve volumes of *Constitutional Relations between Britain and India. The Transfer of Power 1942-47*, began in 1970. The project was announced by Prime Minister Harold Wilson in 1967. The Editorship-in-Chief was entrusted to Professor P.N.S. Mansergh, who, with various Editors or Assistant Editors, remained in charge of the entire series. The volumes which relate particularly to the origins of the Kashmir dispute, and which are used here, are: Vol. IX *The fixing of a time limit, 4 November 1946-22 March 1947*, London 1980; Vol. X *The Mountbatten*

Viceroyalty, Formulation of a Plan, 22 March-30 May 1947, London 1981; Vol. XI *The Mountbatten Viceroyalty, Announcement and Reception of the 3 June Plan, 31 May-7 July 1947*, London 1982; Vol. XII *The Mountbatten Viceroyalty, Princes, Partition and Independence, 8 July-15 August 1947*, London 1983. These Volumes will be referred to here as TP IX, TP X, TP XI and TP XII; and references to documents will be made by means of the document numbers in the relevant Volumes.

7. TP IX, No. 37.

8. TP X, No. 194.

9. TP X, No. 254. Technically, therefore, the Gilgit Lease had been returned to the State of Jammu and Kashmir before the its accession to India in October 1947 in that the 1935 lease agreement would have automatically lapsed with the Transfer of Power on 15 August 1947. V.P. Menon argued that the Gilgit Lease reverted to the direct control of Jammu and Kashmir immediately after the announcement of Mountbatten's plan of 3 June 1947; and he stated that the Political Department, that body of the Government of India responsible for day to day relations with the States, had so informed the Maharaja. See: Menon, *Indian States*, *op. cit.*, p. 393.

   On 30 July 1947 a Governor (or Wazir), Brigadier Gansara Singh, appointed by the Maharaja arrived in Gilgit only to find that the Gilgit Scouts (the military power in the region), and without doubt the bulk of the Gilgit population, wanted to join Pakistan. The Governor was powerless. On 1 November 1947 he was arrested by the Gilgit Scouts whose commander, Major W. Brown, assisted by Captain Matheson, on 3 November agreed with his men that they should come out openly for Pakistan. On the following morning the flag of Pakistan was raised over Gilgit where two weeks later a Political Agent of the Government of Pakistan arrived. As an illustration of the wishes of one part at least of the population of the State of Jammu and Kashmir the Gilgit episode is of great interest. See, for example: Hassnain, *Gilgit*, *op. cit.*, pp. 146-158, for an account of the final days of the Gilgit Lease.

   It is interesting that in the reverted Gilgit Lease Hunza was deemed to be included in those territories which now were to be controlled by the Maharaja. In fact, Hunza by the late 1930s had ceased to be treated by the Government of India as anything but a State in its own right, just like Chitral.

10. TP X, No. 473. The whole word Pakistan, Liaquat Ali Khan then went on to say, meant "pure land".

    The name Pakistan, it seems, was devised by Chaudhri Rahmat Ali in 1933. From that time the K in the word always bore the same significance: it referred to Kashmir.

11. TP XI, No. 108.

12. TP XI, No. 201. Menon asked Mountbatten not to keep this letter; but it has survived among the Mountbatten papers.

    Menon's letter echoes discussion which had been in progress for some time over the role of a Pakistan-like polity in the British Commonwealth that was emerging immediately after the War. The thought was present that Pakistan could become the eastern flank of a British influenced power block including Mesopotamia, Jordan, Palestine and the Canal Zone. There was a great deal of unreality in all this; but it did influence some people's thoughts at the time.

13. This alleged statement of Mountbatten's has often been quoted by Indian writers as evidence that he really wanted the State of Jammu and Kashmir to go to Pakistan. The documents support no such conclusion.

14. A reference to the arrest of Sheikh Abdullah following the "Quit Kashmir" campaign, and to Nehru's own exclusion from the State.

15. TP XI, No. 229.

16. TP XI, No. 294.

17. In that it seems likely that the conversation between Mountbatten and Maharaja Hari Singh never took place, it is probable that this document was intended more "for the record" than as an account of what actually had happened.

18. TP XI, No. 386.

19. TP XII, Nos. 78, 129, 149, 249, 255, 259, 260, 269, 277, 280, 302. This affair occupies a surprising amount of space in TP XII.

20. Gandhi eventually reached Srinagar on 1 August and went on for a call at Jammu on 5 August. He spent much time with Begum Abdullah and had talks with both the Maharaja and Pandit Kak.

    When he arrived in Srinagar the authorities were celebrating the return of the Gilgit Lease. It is interesting that Gandhi, whatever else he might have thought about the future of Jammu and Kashmir, believed that Gilgit should not be returned to the Maharaja's rule but granted at the least some kind of autonomy. See: S. Gupta, *Kashmir, op. cit.*, pp. 108-109.

    This, incidentally, was not the only visit to the Maharaja by leading personalities on the Indian side on the eve of the Transfer of Power. There were also Kashmiri excursions by Acharya Kripalani, the then President of Congress, and the Sikh Rulers of Patiala, Kapurthala and Faridkot, States in the East Punjab which had decided to accede to India. Kapurthala, of course, was a State with a Muslim majority (at least until the massacres that accompanied Partition) and a non-Muslim Ruler.

21. TP XII, No. 335.

22. Quoted in: Latif Ahmed Sherwani, *The Partition of India and Mountbatten*, Karachi 1986, p. 125.

23. TP XII, Map at end.

24. This was a departure, albeit temporary as events turned out, from one of the basic principles which Sir Cyril Radcliffe had established for himself, namely that Pakistan should *not* extend to the east of the Sutlej.

    The small corner of the Lahore district transferred to India was that on the right bank of the Sutlej at the point where the Lahore, Amritsar and Ferozepore Districts met a corner of the State of Kapurthala. There appears to have been no objection from the Pakistan side. These various changes between the original provisional map and the final Radcliffe award are not always easy to work out in detail because of the actual wording of the award. They become clear, however, when maps from just before and just after 15 August 1947 are compared. See, for example, the two maps reproduced in: P.V. Ghai, *The Partition of the Punjab 1849-1947*, Delhi 1986.

25. See, for example: Chaudhri Muhammad Ali, *The Emergence of Pakistan*, London 1967, pp. 218-219. Also: TP XII, No. 377. The map has not survived. What it showed is deduced, therefore, from indirect (but convincing for all that) evidence.

Chaudhri Muhammad Ali (later to be a Prime Minister of Pakistan), for example, saw the 8 August Radcliffe boundary marked on a map in Ismay's office in Viceroy's House when, on 9 August, he called to protest on behalf of Liaquat Ali Khan against the reported award of the Gurdaspur *tehsils* to India. Ismay apparently was much embarrassed at this breach of security and made haste to cover the map up.

26. Documents arising from all this were communicated in 1948 to the Government of Pakistan by Jenkins' successor, Sir F. Mudie. See, for example: Sherwani, *op. cit.*, pp. 173-177; Ziegler, *Mountbatten*, *op. cit.*, pp. 419-421; Hodson, *op. cit.*, 352-355.

27. For example: TP XII, No. 405, telegram from the Maharaja of Bikaner to Mountbatten, 10 August 1947.

28. TP XII, No. 395.

29. TP XII, No. 406.

30. The Punjab Government, which would have to police the new border after the Transfer of Power, was clearly interested as to where exactly that border might run so that it could take precautionary measures.

31. The general assumption at this point was that the Radcliffe Commission would tend to make its award on the basis of Districts rather than lesser divisions such as *tehsils*. If so, then the Hindu-majority Pathankot *tehsil* would be included along with the remaining, Muslim-majority, *tehsils* of Gurdaspur District.

32. TP XII, No. 428.

33. TP XII, No. 456.

34. TP XII, No. 489. The Personal Report of 16 August 1947 uses language which suggests that Mountbatten did not know the final decisions of the Radcliffe Commission. As he was in possession of this information on 12 August 1947 (TP XII, No. 488), it seems reasonable to suppose that he was being very careful to suppress in this Report all traces of his prior knowledge. There would seem to be the whiff of economy with the truth here.

    Mountbatten dictated portions of these Reports at odd moments (when he was not compiling an elaborate family tree of the Battenbergs). The final Reports were assembled from the various segments and duly edited. The Reports were evidently intended to be a record of the last Viceroyalty destined for the eyes of the King and then, eventually, for publication. They were a major source used by Hodson in his *Great Divide*, *op. cit.*

35. The episode of the communication to Punjab of the provisional award of 8 August, and its subsequent modification, has already been noted. Mountbatten apologists, like Ziegler, Hodson and Brecher, have all accepted the official explanation that what was happening here was a bit of bureaucratic error by junior officials. These explanations seem, at least to the present author, to be improbable. There were good administrative grounds both why Viceroy's House should have kept a careful watch on Radcliffe and that Punjab should have been in possession of advance warning of the award. The British Government of India, even in these final hours of its life, was not manned by gentlemen amateurs but by extremely experienced players.

36. TP XII, No. 87.

VII

ACCESSION 1947

On 15 August 1947, with the Maharaja's failure to decide to accede to either India or Pakistan, the problem of the future of the State of Jammu and Kashmir became greatly more complicated. No longer could it be contained by a single authority, that of the last Viceroy, Lord Mountbatten. The State was now technically independent and both India and Pakistan had acquired lives of their own. Mountbatten was still Governor-General of India; his authority, however, was clearly circumscribed there, and to what degree his writ ran in Pakistan (where he had been denied the Governor-Generalship by M.A. Jinnah, who had resolved to keep the post for himself) was far from clear. There was still a united military supreme command under Sir Claude Auchinleck (which lasted until the end of November 1947); but its sanction of the last resort over the two armies which it supervised was in effect limited to the ability to withdraw British officers.[1] The leaders of neither India nor Pakistan were reconciled to the prospect of the territory of the State of Jammu and Kashmir, of such obvious strategic and economic, let alone psychological, importance, remaining in the limbo that it found itself at the moment of the Transfer of Power. Strong characters like M.A. Jinnah on the Pakistan side and Jawaharlal Nehru and Sardar Vallabhbhai Patel (perhaps in some respects the toughest of them all) in India were certainly not going to abandon the Kashmiri prize without a fight.[2]

At the eleventh hour, with Pandit Kak out of the way (soon after his dismissal he was placed under house arrest), the Maharaja's Government sought to follow one item at least of Mountbatten's advice and secure a Standstill Agreement with both India and Pakistan. This was a device which had emerged from the mechanics of the Indian Independence Act of July 1947 which would enable a State, while making up its mind what to do following the lapse of British Paramountcy, to ensure that the old arrangements of trade, communications and services continued with what had hitherto been British India. On 12 August 1947 the new Prime Minister of Jammu and Kashmir, Janak Singh, proposed by telegram a Standstill

Agreement with both Pakistan and India. Pakistan agreed on 15 August 1947. India procrastinated, arguing that the matter needed to be negotiated by an official from the State sent to New Delhi. No such official was ever despatched for this purpose and no Standstill Agreement ever concluded. The Indian response was certainly a departure from the procedure which Mountbatten had earlier indicated; and it suggested that Indian policy after independence was going to set out into hitherto uncharted waters.

Despite the Standstill Agreement, it was inevitable that in Pakistan, too, fresh approaches to the Kashmir problem should start to be explored. Many Pakistanis, and not only the leaders like M.A. Jinnah and Liaquat Ali Khan, once they appreciated the implications of the award by the Radcliffe Commission of the three eastern *tehsils* of Gurdaspur District to India, felt a profound sense of betrayal. It was understandable that some of them should begin to contemplate unorthodox, and unofficial, courses of action.

The situation, moreover, was exacerbated by the prevailing disorder in the Punjab and adjacent regions. Communal violence, which had already begun before the announcement of Partition, reached a climax at the moment of the Transfer of Power. The attacks by Hindus and Sikhs on Muslims, and by Muslims on Hindus and Sikhs, inevitably overflowed into the territory of the State of Jammu and Kashmir. Reports of atrocities bred fresh atrocities. The Punjab story at this period is confused enough. What exactly went on in the remoter corners of the State of Jammu and Kashmir may never be described with certainty; but that the region suffered its share of disturbances is not open to doubt.

In these conditions the most urgent task facing Janak Singh's Government in the State of Jammu and Kashmir was not the accession question, which it seemed could be put off for a while by devices such as Standstill Agreements, but the maintenance of the Maharaja's control over his own territories. It was already clear that the Gilgit Scouts, who were the real power in the Gilgit Agency, were not going to submit to the Maharaja's authority just because of the technical lapse of the 1935 Gilgit Lease. It was also apparent that there was grave trouble brewing in Poonch.

The predominantly Muslim inhabitants of the old *Jagir* of Poonch had never reconciled themselves to the new regime imposed upon them by the Maharaja's Government in 1935-36. The traditional social links of the Poonch Muslims were far more with what was now Pakistan than with any part of the State of Jammu and Kashmir. Unlike the Muslims of the Vale of Kashmir, large numbers of men from Poonch (mainly Sudhans from the Sudhnuti *tehsil*) had served in the Indian Army during the War, and Poonch men ("Poonchies") also constituted a significant proportion of the strength of the Jammu and Kashmir State Forces: in 1947 the *Jagir* may have contained as

many as 60,000 ex-servicemen who could provide a formidable nucleus for any resistance to the Maharaja. In June 1947 there began in Poonch a "no-tax" campaign which rapidly developed into a secessionist movement from the State. This was greatly reinforced by a crisis throughout much of Poonch (and in Srinagar as well) when on 14 and 15 August people tried to celebrate "Pakistan Day" (which coincided with that "Kashmir Day" – 14 August – which had been observed since 1931) in defiance of the Maharaja's orders by displaying Pakistan flags and holding public demonstrations. Martial law was introduced. About two weeks after the Transfer of Power there were major clashes between State troops (in this case Hindu Dogras) and Poonch crowds resulting in a large number of civilian casualties.

By this time the communal situation in Jammu, the one part of the State where there was a large non-Muslim population, had deteriorated rapidly with bands of armed Hindus and Sikhs (including members of the RSS. Hindu extremists, Akali Sikhs and others) attacking Muslim villages and setting in train a mass exodus. It has been estimated that in August, September and October 1947 at least 500,000 Muslims were displaced from Jammu: perhaps as many as 200,000 of them just disappeared. Many of the survivors made their way to the western (Pakistani) side of the Partition line in the Punjab where they reported that these atrocities had been perpetrated not only by uncontrolled bands of hooligans but also by organised units of the Maharaja's Army and Police. It was inevitable that such events in Jammu should influence opinion both in Poonch, the one centre of effective opposition to the Maharaja (outside the Gilgit Agency), and in Pakistan.

The Maharaja's Government, well aware of the danger brewing in Poonch, had already during July ordered all Muslims in the *Jagir* to hand over their firearms and ammunition to the authorities. Initially these instructions were complied with in some villages; but, when the same weapons started turning up in Hindu and Sikh hands, there was an inevitable reaction. Fresh supplies of weapons were sought from across the Pakistan frontier. As the major unofficial source of armaments here was in fact in the tribal tracts of the North-West Frontier with a long history of both arms smuggling and local arms manufacture, an incidental consequence was the establishment of direct contact between the Poonch resistance and tribal leaders along the Pakistan-Afghanistan border. By the beginning of September bands of Poonch men, some now equipped with weapons obtained from the Frontier or from other informal sources in Pakistan, had already come into conflict with Jammu and Kashmir State forces throughout the Poonch *Jagir* and in Mirpur District of Jammu to its immediate south. There is some evidence that they were also being joined by small groups of volunteers from Pakistani territory on the

west bank of the Jhelum, which was hardly surprising given the close links which had long existed across that river; and they may also have begun to be reinforced at this early stage by a few Pathan tribesmen from the Frontier.

During the course of September 1947 the Poonch rising acquired a formal command structure. Mohammed Ibrahim Khan, a young lawyer who not only had served as a legal officer in the Maharaja's Government but also was a Muslim elected representative of Poonch in the Jammu and Kashmir Legislative Assembly (and associated with the Muslim Conference), had escaped from Srinagar at the end of August and made his way to Pakistan.[3] Here he tried to see M.A. Jinnah, who apparently refused to meet him on the grounds that he did not want to be involved personally in anything that was going on in the State of Jammu and Kashmir (and this reflected the initial attitude of the bulk of Pakistani officialdom). However, Mohammed Ibrahim Khan did manage to set up a base at the hill station of Murree, not far from the Poonch border, where he became the centre of an unofficial command post. Weapons were collected, many of them ancient muzzle loaders, ammunition was prepared, and supplies were smuggled across the Jhelum into Poonch and Mirpur where some kind of military organisation had been imposed upon the Muslim rebels (by men like Sardar Mohammed Abdul Qayyum Khan, a young landlord from Poonch who in later years would head the Government of Azad Kashmir). Soon a number of Muslim officers in the Jammu and Kashmir State Army deserted the Maharaja and joined the opposition, to whom were added volunteers from Pakistan including several officers who had fought with the Japanese in the late War in the Indian National Army (and were now in a kind of professional limbo).

Mohammed Ibrahim Khan acknowledged in all this the assistance of Mian Iftikharuddin (1908-62), a Muslim League politician, Oxford educated and with reportedly rather left wing views, who came from an extremely wealthy Punjabi family which, among other assets, owned the *Pakistan Times* of which he was the founder. Mian Iftikharuddin, it is said, had been asked by M.A. Jinnah at the time of the Transfer of Power to visit Srinagar to try to contact Kashmiri leaders and assess the prospects of accession to Pakistan. On his return from Srinagar (this would seem to be some time in the first half of September 1947) Mian Iftikharuddin, who had concluded that a peaceful settlement of the Kashmir question was unlikely, decided to support Mohammed Ibrahim Khan's movement. He may well have helped in funding the acquisition of arms for the Poonch rebels.

By this time, or shortly after, others in authority in Pakistan had begun to take an active, albeit highly unofficial, interest in the Poonch revolt. A Pakistani soldier, Colonel (ex-Major-General) Akbar Khan, who was later to become a senior commander in the first Indo-

Pakistani Kashmir war under the pseudonym of "General Tariq" (after the Muslim leader who had crossed the Straits of Gibraltar into Spain in the beginning of the 8th century A.D.), records a meeting with the Prime Minister of Pakistan, Liaquat Ali Khan, as well as a number of leading Pakistanis including the Finance Minister, Ghulam Mohammed, the Governor of West Punjab, the Nawab of Mamdot, and a Minister in the Punjab Government, Sardar Shaukat Hyat Khan, during which practical steps to aid the rebels were considered.[4] The date of this meeting is unclear, perhaps mid-September 1947.[5] It did not indicate any official Pakistani direction of rebel strategy. The evidence tends to confirm that M.A. Jinnah was kept entirely isolated from such discussions.

Given that the Poonch troubles were taking place right on the Pakistani border a few miles away from major cities like Rawalpindi, some official notice was inevitable. Of the three basic options open to the Pakistani leadership, to ignore what was going on and leave the Poonch Muslims to their fate, to assist the Hindu Maharaja in suppressing the rebellion, or to permit (be it overtly or covertly, officially or unofficially) some degree of material assistance to reach the rebels from or over Pakistani territory, the actual course adopted was probably the least that could be done within the prevailing political climate.

Military command of the Poonch movement appears at this stage to have been divided between Mohammed Zaman Kiani, a former officer in the Indian National Army (who had fought as a divisional commander on the Japanese side at Imphal), and one Khurshid Anwar, who had held some minor position in the organisation of the Muslim League.[6] The need to keep any actions secret from the highest command of the Pakistan Army, which was still British, severely restricted what could be done. Some 4,000 army surplus Lee-Enfield rifles intended for the Punjab police seemed to be available (though, in the end, for these were substituted weapons of highly inferior quality made in the North-West Frontier); but little else.

As the Poonch rebellion increased in intensity, there is evidence that the new Government of Pakistan explored a number of other approaches to the Kashmir problem. Documents are lacking, however, and subsequent polemic has had a baleful effect upon our knowledge of these initial stages of the crisis. One can only speculate.

One possibility may have been to exert a measure of economic pressure on the Maharaja to persuade him of the wisdom of accession to Pakistan, a device of a kind which India was not slow to exploit in its arguments with the Rulers of Junagadh and Hyderabad (and which is no more than a variety of sanction which modern international opinion would probably consider to be quite respectable). The Government of Jammu and Kashmir protested against such activity which it declared had become evident during the course of

September: it accused Pakistan of deliberately withholding supplies of petrol, oils, food, salt and cloth. It also sought, it would seem, assistance from India whence, by the middle of October, supplies of salt, sugar, kerosene and the like were being sent by lorry to Srinagar.[7]

On 2 October 1947 the Government of Pakistan denied that pressure was intended, pointing out that any falling off in supplies was probably due to such factors as the reluctance of lorry drivers to cross border tracts between Jammu and Kashmir and Pakistan which were then greatly disturbed by communal violence, the disruption of the Sialkot-Jammu railway through a temporary lack of coal, and the blocking of roads by crowds of refugees set on the move by communal attacks (in all of which there was undoubtedly more than a grain of truth). It then proposed to send an officer to Srinagar, Major (later Colonel) A.S.B. Shah (at that time Joint Secretary of the Pakistan Ministry of Foreign Affairs which was also responsible for matters relating to the State of Jammu and Kashmir), to discuss the improvement of the supply routes from Pakistan. The Government of Jammu and Kashmir, on 8 October 1947, declined to receive Shah until the Poonch situation, for which it was said Pakistan was largely responsible, had been brought under control. Shah went up to Srinagar anyway, where he had singularly fruitless discussions with various officials including the new Prime Minister Mehr Chand Mahajan (who formally assumed office on 15 October 1947). Mahajan related in his memoirs that Shah had brought with him a blank Instrument of Accession to Pakistan which he hoped the Maharaja would fill in and sign.[8]

On 18 October the Government of Jammu and Kashmir went so far as to declare that, if the present deterioration in political and economic relations between the State and Pakistan were not halted, "the Government fully hope that you . . . [Liaquat Ali Khan] . . . would agree that it would be justified in asking for friendly assistance", in other words in seeking Indian help with all that was thereby implied. To this Liaquat Ali Khan replied by telegram to the Prime Minister of Jammu and Kashmir on the following day that

> we are astonished to hear your threat to ask for assistance. Presumably meaning thereby assistance from an outside power. The only object of this intervention by an outside power secured by you would be to complete the process of suppressing the Muslims to enable you to join Indian Dominion as *coup d'état* against the declared and well-known will of the Mussalmans and others who form 85% of the population of your State. We must earnestly draw your attention to the fact that if this policy is not changed and the preparations and the measures which you are now taking in implementing this policy are not stopped the gravest consequences will follow for which you alone will be held responsible.[9]

The correspondence on this subject, which continued until the end

of October 1947 with an increasingly acrimonious tone, can be interpreted in a number of ways. What is clear is that within it is buried an exchange of threats concerning accession and reactions to accession of the greatest significance.

Another possible approach lay in the Junagadh question. The State of Junagadh, one of the Kathiawar group of States in Western India, was in some respects a mirror image of the State of Jammu and Kashmir. It had a large Hindu majority and a Muslim Ruler (noted for his passion for dogs) who wished to accede to Pakistan. In area it was much smaller than the State of Jammu and Kashmir, some 3,000 square miles; and its population was under 1,000,000. In theory, since Junagadh had a long coastline along the Indian Ocean, there was an unobstructed line of communication with Pakistan, though the Junagadh port, Veraval, was closed during the monsoon. There were pockets of Junagadh territory in the middle of other Kathiawar States which had joined India; and within Junagadh there were tracts, notably Mangrol, which owed some allegiance to it but which had expressed a wish to join India. There were involved here, in fact, accessions within accessions in an environment of extreme political complexity.

On 15 August 1947, having held out until the actual moment of the Transfer of Power, the Ruler of Junagadh, the Nawab, acceded to Pakistan.[10] The timing may have been no accident; and there was certainly a close relationship between M.A. Jinnah and his advisers and the Dewan (Prime Minister) of Junagadh Sir Shah Nawaz Bhutto, a prominent supporter of the Muslim League who had taken over charge of the State in May 1947 (and who was the father of Zulfikar Ali Bhutto and the grandfather of Benazir Bhutto). It has been suggested by one shrewd commentator on this period, H.V. Hodson, that M.A. Jinnah and his Government saw in Junagadh a most useful weapon in the struggle for the State of Jammu and Kashmir.[11] There were a number of obvious possibilities, a straight exchange of the State of Junagadh for the State of Jammu and Kashmir in which the final accessions were decided on communal grounds rather than by the whims of the Rulers, the provocation of India into military action in Junagadh (perhaps to rescue Mangrol) which could well have provided justification for Pakistan taking (or threatening) similar action in the State of Jammu and Kashmir, or the exploitation of the Junagadh situation to establish the precedent that the problem of the future of the State of Jammu and Kashmir should also be settled by a plebiscite.

On 30 September 1947 Jawaharlal Nehru accepted the idea of a plebiscite for Junagadh, and, he said, he invited the Pakistan Government, therefore, to submit the Junagadh issue to a referendum of the people of Junagadh under impartial auspices. By the middle of October, when as will be seen the entire nature of the

Kashmir problem was being transformed, Pakistan had yet to respond officially to this proposal, though on 16 October 1947 Liaquat Ali Khan had indicated privately to Mountbatten that he accepted the plebiscite plan; but he was not yet ready to agree formally to an Indian offer. Presumably he required some balancing suggestion *vis à vis* the State of Jammu and Kashmir which was patently not forthcoming at this time.

On 25 October 1947 (probably a fateful date) the Government of India decided to intervene in Mangrol, which meant in fact sending Indian troops across Junagadh territory and, hence, to all intents and purposes invading Junagadh. On 1 November 1947 Mangrol was taken, without bloodshed, under Indian administration. On 7 November 1947 Sir Shah Nawaz Bhutto in effect surrendered, accepting the Indian position in Junagadh subject to the results of a plebiscite: he said that this was the only way to put an end to the suffering of the people which had resulted from the virtual state of siege imposed by India. The Government of Pakistan, however, did not agree. Accession, whatever the Dewan might say, was valid. This was an inevitable reaction given the massive deterioration in the Kashmir question which had taken place in the last days of October. Pakistan has never since modified its stance on Junagadh: its official maps still include that State within its territory. India arranged a plebiscite (on the basis of a somewhat restricted electorate) in Junagadh on 20 February 1948 in which there was an overwhelming vote in favour of accession to India.[12]

During the course of September 1947 the attitude of the Maharaja of Jammu and Kashmir towards accession seemed to alter profoundly. While never happy about joining India, he believed that he was unlikely to survive as a Ruler in any capacity whatsoever if he joined Pakistan. He still, it is certain, favoured the idea of independence; but, with the rising tide of popular resistance to his rule in his own territories, it was evident that he would need some help from India for which accession might be the price demanded. Whatever the long term outcome, the Maharaja appreciated that some major governmental changes were called for. In late August or early September he began to look for a new Prime Minister in the person of Justice Mehr Chand Mahajan.

The choice of Mahajan is extremely interesting. A native of the Kangra District of the Punjab, Mahajan had as a young man practiced law in Gurdaspur; and he probably appreciated better than most, therefore, what was implied when he was a member of the Radcliffe Boundary Commission which awarded the three eastern *tehsils* of Gurdaspur to India. The Commission's work completed, he had returned to the law as a Justice in the High Court of the East Punjab (as the Indian half of the Province which he had helped partition was now called). The post of Prime Minister was formally offered to him

on 18 September 1947. He was urged by Sardar Vallabhbhai Patel to accept "in the interest of India". Having taken up the offer (on a short term basis, it transpired, since he sought but eight months leave of absence from the East Punjab High Court), he consulted with Jawaharlal Nehru, to whom he explained that it was the Maharaja's intention to accede eventually to India and then undertake an administrative reform of the State. Jawaharlal Nehru made it clear that he saw as a prerequisite to any such reform the release from prison of Sheikh Abdullah (though he did not, it would seem, link directly at this time the question of Sheikh Abdullah with the Indian acceptance of the State's accession).

The available evidence rather suggests that Mahajan was actually the nominee of Sardar Vallabhbhai Patel (the Indian Deputy Prime Minister who was also in charge of the States Department), who had brought his name to the notice of the Maharaja in the first place, and that his appointed task was to see through accession to India. This impression is confirmed by Mahajan's visit to New Delhi on 11 October 1947, just before formally taking office as Prime Minister, when he called on Sardar Vallabhbhai Patel, Jawaharlal Nehru and Mahatma Gandhi. He also visited the Governor-General, Lord Mountbatten, who immediately sent him on to see V.P. Menon (Sardar Vallabhbhai Patel's right hand man in matters of the accession to India of States) in whom, Mountbatten said, he had great confidence. Despite noting the obvious connections between the State of Jammu and Kashmir and Pakistan, communal, economic and geographical, Menon advised Mahajan to bring about the accession of the State to India anyhow. Mahajan did not seek an interview with any senior Pakistani politician or official before assuming office.

By the time of Mahajan's appointment, the Maharaja through his Deputy Prime Minister, R.L. Batra (a retired member of the Punjab Political Service), was already engaged in negotiations with Sheikh Abdullah, then still in prison (but under much improved conditions), on the kind of terms which might secure Sheikh Abdullah's freedom in exchange for his collaboration with the Maharaja's Government over the accession question. There was some urgency. The Maharaja was steadily losing control over large parts of his State, as his military commander Major-General H.L. Scott had already pointed out in his final report of 22 September 1947 before departing (to be replaced by Brigadier Rajinder Singh, a Dogra and a professional soldier in the Jammu and Kashmir State Armed Forces). Winter was approaching. By the end of October, or the beginning of November at the latest, so at least Jawaharlal Nehru (looking at the situation from the viewpoint of New Delhi) noted in a letter to Sardar Vallabhbhai Patel on 27 September, most of the State of Jammu and Kashmir would be isolated from India. The Maharaja would then be cut off from

outside help, should he need it, and the Pakistani people would have a relatively free field. Accession to India was now a matter of extreme urgency, for which the Maharaja had to have the support of Sheikh Abdullah and his National Conference.[13]

On 29 September 1947 Sheikh Abdullah was released from detention, to be followed a few days later by other National Conference leaders; but nothing was done to free Ghulam Abbas and his Muslim Conference colleagues at that time.[14]

Immediately after the departure from the State of Jammu and Kashmir of Major-General Scott on 22 September (and now safer from British observation) some active steps were taken to strengthen links with India by providing Srinagar airfield with wireless equipment to make it more suitable for bad weather operation. Arrangements were made for the supply extra arms and ammunition to the Jammu and Kashmir State Armed Forces through an Indian military adviser, Lt.-Col. Kashmir Singh Katoch (a regular officer in the Indian Army who was a son of Janak Singh, then still Prime Minister of Jammu and Kashmir, and related to Maharaja Sir Hari Singh), who was established in Srinagar at the beginning of October (and who remained there throughout the accession crisis); and by the middle of the month war material was being flown in to the State in significant quantities. Staff preparations were made for Indian troop concentrations at Madhopur in the Pathankot *tehsil* near the Jammu border as potential reinforcements for the State Army. The improvement of the road from Jammu to the Indian frontier in the direction of Pathankot, begun around the time of the Transfer of Power, was accelerated; and telegraphic lines of communication were expanded. Batra, the Deputy Prime Minister of the State, was now in regular contact not only with Sardar Vallabhbhai Patel but also with Baldev Singh, the Defence Minister in the Government of India. No doubt there were other links between Srinagar and New Delhi: for example D.P. Dhar, a young Kashmiri Brahmin (Pandit) who was beginning his political career, certainly possessed close contacts at the higher levels of Indian political life.[15]

All this activity, recorded in considerable detail in the first volume of Sardar Vallabhbhai Patel's correspondence which was published in 1971, makes it clear that both Sardar Vallabhbhai Patel and Baldev Singh were heavily engaged in the planning of some kind of Indian military intervention in the State of Jammu and Kashmir, if only on a contingency basis, by at least 13 September 1947; and that by the third week of October a substantial foundation for such an operation had been laid. It is more than probable that some report of what they had in mind reached the Pakistani leadership; and it is highly unlikely that the commanders of the rebellion in Poonch had no inkling of what was afoot in the Indian camp.[16] Whether the Governor-General and the senior British officers in the Indian Armed Forces had any

idea what was going on cannot be determined from the available records.

The Government of Jammu and Kashmir during this crucial period was also in contact with the Rulers of a number of Indian States who, despite their own accession to India, may to some degree have been operating independent policies. The Sikh Maharaja of Patiala, for example, in the first two weeks of October 1947 provided his colleague in the State of Jammu and Kashmir with a battalion of infantry and a battery of mountain artillery from his own State Armed Forces: perhaps this had been discussed when the Maharaja of Patiala visited Srinagar in July 1947. When Indian troops finally intervened in Jammu and Kashmir on 27 October 1947 they found, apparently to their surprise, Patiala gunners already guarding the vital Srinagar airfield, where they had been encamped since at least 17 October. The Patiala infantry were stationed in Jammu as reinforcements for the garrison of the Maharaja's winter capital.[17] How these troops were transported is not known: it is possible that they were moved as part of the supply convoys despatched to Jammu and Srinagar by the Government of India in reply to the alleged Pakistani "blockade". Shortly after the formal intervention of the Indian Army the Maharaja of Patiala, Yadavindra Singh, came to Jammu to command his contingent in person.[18]

In that by October 1947 the Patiala State forces had by the terms of the State's accession to India (as part of the Patiala and East Punjab States Union) on 5 May 1947 come under the control of the Government of the Indian Union at the moment of the Transfer of Power, this deployment of Patiala State troops raises a number of questions which have yet to be answered, not least how they actually managed to reach the State of Jammu and Kashmir without the fact being reported to the senior British commanders still in the service of the Indian Army (who would surely have informed Mountbatten had they known).[19] The arrival of such exotic forces could hardly have escaped the notice of the Indian Army observer in the State, Lt.-Colonel Kashmir Singh Katoch. While it is probable that some members of the Indian leadership, including perhaps Sardar Vallabhbhai Patel and Baldev Singh, were aware of this development, there is no evidence that it had been brought to the attention of Jawaharlal Nehru; and it is likely that the Indian Prime Minister was kept deliberately in the dark about such covert operations.

Pakistan, of course, had it own sources of information as to what was going on in Srinagar and what the Maharaja and his advisers might be planning. There were numerous sympathisers with the Muslim League who were able to communicate both with Pakistan and with the rebel areas in Poonch: the efficiency of the Maharaja's police left a great deal to be desired and the long border between the State and Pakistan was impossible to seal completely. One of M.A.

Jinnah's Private Secretaries, K.H. Khurshid, who had been born in Gilgit and in his youth had been active in Muslim Kashmiri student politics, went up to Srinagar about the time of the Transfer of Power and remained there until he was arrested on the orders of V.P. Menon on 2 November 1947 and deported to Pakistan.[20]

It must have seemed highly probable to such observers, particularly once negotiations between the Maharaja's Government and Sheikh Abdullah had begun in September, and become a virtual certainty after the decision to offer the post of Prime Minister to Mahajan became known (as it surely did before the beginning of October), that the Maharaja was about to accede to India. There could be no question where Mahajan, a former Indian member of the Radcliffe Punjab Boundary Commission, stood with respect to New Delhi. Sheikh Abdullah, now seen by many to be the rising star in State politics, was a trifle more enigmatic. His pronouncements after his release, however, were nothing if not outspoken in their hostility both to Pakistan and to the supporters of the Muslim Conference; and it was no secret that when Sheikh Abdullah briefly visited New Delhi on 14 October or thereabouts, he stayed with his old friend Jawaharlal Nehru at his residence where, it must have been assumed, the question of accession was at least discussed. It looked as if only the Maharaja's indecisiveness and self delusion, those fatal flaws in his character, had prevented him from already acceding to India: he still hoped that somehow he might yet realise his dream, shared with Sheikh Abdullah who did not have much else in common with Sir Hari Singh, of turning the State of Jammu and Kashmir into an independent and neutral state, the "Switzerland of the East".

An Indian State of Jammu and Kashmir, particularly after the outbreak of fighting in Poonch, was something which many Pakistanis found it impossible to accept for immediate practical reasons over and above those underlying considerations arising from the theory of Partition. If India came to the Maharaja's assistance now, then Indian troops would soon be trying to suppress the Poonch rebels on the other bank of the Jhelum opposite the eastern border of the Pakistani West Punjab. What consequences might such conflict have for the future of Pakistan? Might not the war overflow from Poonch into Pakistan itself; and, worst of all, might not this lead to an Indian attempt to terminate the very concept of a Two Nation subcontinent? It was not unreasonable, in these circumstances, if some individuals both in Pakistan and in Poonch started to take matters into their own hands.

Khurshid Anwar, one of the resistance commanders in Poonch, had been in touch with various tribal leaders in the North-West Frontier since at least the middle of September as part of his quest for arms supplies; and, Akbar Khan has suggested in his memoirs, from these transactions emerged the idea of actually recruiting

tribesmen to fight alongside the Poonch forces. Given the warlike traditions of the Frontier, it was not surprising that more experienced Pakistani soldiers and politicians who were aware of what was brewing were seriously alarmed. Pathans were superb fighters. They were, however, far from being the most disciplined of men, even on their own turf; and to let them loose on remoter battle fields was to guarantee trouble. Unfortunately, it appeared that, having once scented a fight from their preliminary encounters with Khurshid Anwar and his lieutenants and having already been aroused by reports of the slaughter of Muslims that had been taking place in the Punjab, they could not be restrained. Officials of the North-West Frontier Province, with, apparently, the benevolent acquiescence of the Chief Minister Khan Abdul Qayyum Khan (himself with Kashmiri associations), did nothing to prevent lorry and bus loads of these tribesmen from making their way to the Poonch front.[21]

It is not clear exactly when the Pathan tribal involvement began. It may well have started in a modest way in the middle of September (or even earlier): by then rumours of something of this kind had reached the Maharaja, so Mehr Chand Mahajan recorded. The main tribal forces, however, probably began to arrive during the first week of October when their presence was noted by State forces in Poonch and adjacent Mirpur.[22] Nor is it certain how many Pathan tribesmen actually took part in this adventure. Probably no more than 3,000, perhaps less, though some Indian sources have suggested an absurdly large number, 70,000 or so. Also obscure were the tactical, let alone strategic, objectives behind the whole operation.[23] It may be that when it started nobody in the divided command in Poonch had any specific ideas beyond a general welcoming of reinforcements.

By 21 October 1947, however, some kind of plan must have been formulated which involved a dash from the State border in the Muzaffarabad region to Srinagar to forestall the expected Indian occupation of the Vale of Kashmir as soon as the Maharaja had acceded, a step which had by now seemed inevitable to all Pakistani observers and their allies in Poonch. It is likely, moreover, that the arrival of the Patiala troops in Jammu and Srinagar, which surely was observed by Poonch sympathisers, added greatly to the sense of urgency already created by reports of various Indian preparations for military intervention in support of the Maharaja. Moreover, the telegram which the Jammu and Kashmir Government sent to Liaquat Ali Khan on 18 October (quoted above), raising the possibility of the Maharaja's quest for "friendly assistance", looked very much like an ultimatum which was shortly about to expire.[24]

The plan (which may well be comprehended within what Indian Intelligence officers were to refer to as "Operation Gulmarg") became evident on the night of 21/22 October 1947 in the Domel-Muzaffarabad area of the Kashmir-Punjab border. This sector, containing the

key road crossing over the Jhelum at Domel, was guarded by 4th Jammu and Kashmir Infantry Battalion under Lt.-Col. Narain Singh, who had orders to blow the bridge in the event of an emergency. About half the State garrison strength, including the commander and most of the officers, consisted of Dogra Hindus from Jammu, while the other half was made up of Muslims from Poonch. The Poonch men had been in contact with their fellow Muslims among the rebels and had decided not only to join them but also to dispose of the Dogra portion of the guard at Domel and thus clear the main road to Srinagar. In the small hours of 22 October 1947 they acted, taking the Dogras by surprise and killing the majority of them including the Colonel.[25] However brutal this episode, there is no denying that it represented an internal *coup* of some kind within the State of Jammu and Kashmir, and was an act of rebellion against the Maharaja by some of his Muslim subjects rather than any external "aggression".

The road to Srinagar was now open. The summer capital of the State of Jammu and Kashmir and the heart of the major prize, the Vale of Kashmir, was a little over 100 miles away. Had the Poonch rebels possessed even one squadron of armoured cars they could have been in Srinagar by the evening of 22 October and have taken control of the vital airfield there; and the Kashmir dispute, if not ended, might have been altered dramatically. Without Srinagar airfield conventional wisdom then considered that it would have been virtually impossible for the Indians to intervene on behalf of the Maharaja (at least outside Jammu) for a very long while. The significance of all this had been appreciated by Akbar Khan; but he was not in command at Domel on 22 October, and the Poonch rebels had no armoured cars. Instead, they had bands (the precise number of men involved is still unclear but, we have already suggested, was unlikely to have exceeded 3,000) of Pathan tribesmen in civilian buses and lorries, many of which were of dubious mechanical reliability. It may well be that the fact that the Pathans came with their own transport was a major consideration behind the decision to employ them on this operation. In the event, the Pathan involvement was to have the most unfortunate consequences for the cause of the Poonch rebels. Lack of discipline, combined with a tribal love of plunder and indiscriminate rapine, not only caused crucial delays but also created a most unfortunate public relations image.[26] The result was to shift the balance of advantage from the Pakistani to the Indian side of the equation.

The Government of Jammu and Kashmir had a fairly clear idea of what had happened by the next day, 23 October; and on 24 October the Deputy Prime Minister, R.L. Batra, was sent off to New Delhi to ask Jawaharlal Nehru and Sardar Vallabhbhai Patel for Indian help in the form of men, arms and ammunition. He carried with him an offer of accession to India by the Maharaja,[27] but almost certainly did

not show it to the Indian leaders: the Maharaja's hope, even at this late stage, was that Indian assistance might be forthcoming without any surrender of independence by accession to India.

On the same day the Poonch rebels formally declared their independence from the Maharaja as the State of Azad (Free) Kashmir (with a Government which included Mirwaiz Mohammed Yusuf Shah as Minister of Education and was headed by Mohammed Ibrahim Khan as President); and the invaders, who now might properly be called the Azad Kashmir Army, reached the Mahura power station a scant thirty miles from Srinagar (with dramatic, and obvious, effects upon the electricity supply in that city).

Batra's news was received by Jawaharlal Nehru, Sardar Vallabhbhai Patel and other Indian leaders on the evening of 24 October (and they most probably had been made aware of some features of the situation the previous day); but it was not formally communicated to the Indian Defence Committee, on which sat Mountbatten and other British service chiefs, until the following morning.[28] In the Defence Committee it then was decided that V.P. Menon should fly up to Srinagar at once to investigate, which he did. At the same time, Sheikh Abdullah took the flight from Srinagar to Delhi where he again put up with his old friend Jawaharlal Nehru.

At dawn on 26 October, Menon accompanied by Mahajan flew back to Delhi, while the Maharaja and his household a few hours earlier abandoned Srinagar for Jammu. In Delhi, Menon and Mahajan drove to Nehru's residence where they found not only Sardar Vallabhbhai Patel but also Sheikh Abdullah. Mahajan begged for help, but, it would seem, without promising accession, and certainly without committing the State to constitutional reform. Nehru showed reluctance: it was not so easy, he said, to move troops at short notice. Mahajan then gave way. In return for military assistance he agreed to accept a Sheikh Abdullah administration. Indian troops, however, had to sent in at once or he would go to Lahore to see what terms he could get from Pakistan.[29] With the support of Sheikh Abdullah, Nehru and Patel persuaded Mahajan that a visit to Lahore was not really necessary. After a few hours, while he rested at the house of Defence Minister Baldev Singh, Mahajan was told that the decision had been taken to intervene on the terms proposed. On the next day, 27 October, so Mahajan related, he and Menon flew up to Jammu to obtain the Maharaja's signature on what he referred to as certain supplementary documents about the accession.

Menon, on the other hand, reported that he and Mahajan went to Jammu on the afternoon of 26 October when they saw the Maharaja and obtained from him the signed Instrument of Accession.[30] It is, of course, possible that Menon went up to Kashmir on 26 October for some reason unstated, and then again on 27 October with Mahajan to get signed the final version of the Maharaja's letter to

Mountbatten which outlined the conditions under which accession was offered (and dated in its published version 26 October), as well, perhaps, as the Instrument of Accession itself (which was also dated 26 October in its published version); but this seems unlikely, and Menon makes no mention of it in his narrative. All accounts, however, agree that in the early morning of 27 October an airlift of Indian troops to Srinagar began, just in time to hold the airfield and, in the process, to give the Kashmir dispute a form which it has retained ever since.[31] Within a few days at least 35,000 Indian regular troops were involved in the defence of the Vale of Kashmir.

If Mahajan's account of his travels is true, and he was quite emphatic that he refused to return to the State until Srinagar airfield was firmly in Indian hands (reflecting both the Maharaja's determination that Indian assistance should physically arrive before he finally committed himself to handing power to Sheikh Abdullah and, one must presume, Mahajan's personal reluctance to run the slightest risk of falling into the hands of Pathans), then it would appear that the Indian intervention actually took place *before* the formalities of Accession had been completed.[32]

What was the part played by Mountbatten in all this? By the time that Mountbatten was formally drawn into the story, which would seem to be the meeting of the Defence Committee on 25 October, negotiations quite outside his own circle had already started between Nehru, Patel, and, possibly, Baldev Singh, and various Kashmiri politicians, first Batra, who arrived on 24 October, then Sheikh Abdullah on 25 October, and, finally, Mahajan, who turned up on the following day. The result was the decision made on the morning of 26 October to offer Indian military assistance in return not only for accession but also for the agreement (crucial in the eyes of Jawaharlal Nehru) that the Maharaja would entrust to Sheikh Abdullah the task of forming an Emergency Government under the Prime Ministership of Mahajan.[33]

If we accept the chronology indicated by Mahajan rather than V.P. Menon, then it rather looks as if the Maharaja's original formal (as opposed to the various covert arrangements) request for Indian military aid, advanced on his behalf by Batra on 24 October but not accepted by the Indian side, made no reference to Sheikh Abdullah being given office, an idea which the Maharaja found extremely distasteful; and it is probable, moreover, that accession was not offered at this stage. The Sheikh Abdullah feature, discussed by Nehru with Sheikh Abdullah himself on 25 October, was surely finalised at the meeting at Nehru's house on the 26 October already described. A draft letter would have then been prepared for the Maharaja's signature, that letter published as having originated from him on 26 October though, in fact, it was only brought to him in Jammu on the following day along with Mountbatten's acceptance of

its terms.[34] This charade, of course, of which Mountbatten must have been aware (unless he had been shown a fraudulently signed letter from the Maharaja, and, perhaps, Menon had lied to him about a journey to Kashmir with Mahajan on 26 October), would have required a measure of falsification of the record both as to chronology and as to the origination of the proposals. As we have seen in Chapter 4, such manipulations of documentation were not unknown in the British Government of India's conduct of political matters. The actual Instrument of Accession (which made no mention of the crucial Sheikh Abdullah element and was, therefore, in the context of the moment just a formality) was, in fact, no more than a printed form, not unlike an application for a driving licence, with blank spaces left for the name of the State, the signature of the Maharaja and the date; and it also contained a printed form of acceptance which required dating and signature by Mountbatten as Governor-General. It would have presented no great difficulties to arrange for Mahajan to carry back to Jammu with him on 27 October such a form, to be pre-dated 26 October, with the Governor-General's acceptance already signed and dated 27 October, for the Maharaja to sign at a moment convenient to him.[35]

Mountbatten's major contribution to the Maharaja's accession may well have been to inject formally into the proceedings the requirement for some kind of plebiscite, and to persuade Jawaharlal Nehru of its desirability. As he put it in a letter (dated 27 October 1947) which accompanied his formal acceptance as Governor-General of India of the Maharaja's accession:

> consistently with their policy that in the case of any State where the issue of accession has been the subject of dispute, the question of accession should be decided in accordance with the wishes of the people of the State, it is my Government's wish that as soon as law and order have been restored in Kashmir and her soil cleared of the invader the question of the State's accession should be settled by a reference to the people.[36]

What did the expression "reference to the people" mean? To Mountbatten it must have indicated something along the lines of the plebiscite which had so recently been under discussion in connection with Junagadh (not to mention that actually carried out in the Frontier Province prior to the Transfer of Power).[37] Did Jawaharlal Nehru and Sardar Vallabhbhai Patel see it this way? Jawaharlal Nehru, at least, considered the possibility of alternative interpretations. Would, for example, the establishment of a Sheikh Abdullah government, which he personally favoured because he was convinced that it would enjoy majority popular support in the State of Jammu and Kashmir (despite the fact that Sheikh Abdullah's National Conference had not taken part in the January 1947 elections in the State), suffice as a "reference"? Mahajan indicates that Jawaharlal

Nehru had explored something like this line of reasoning.[38] When, in his broadcast on All India Radio of 2 November 1947, Nehru confirmed that "we have declared that the fate of Kashmir is ultimately to be decided by the people", that "that pledge we have given", which "we will not, and cannot back out of", and that "we are prepared when peace and law and order have been established to have a referendum held under international auspices like the United Nations", he may still have had at the back of his mind the established political processes of the State of Jammu and Kashmir and their exploitation by Sheikh Abdullah.[39] Sardar Vallabhbhai Patel may well have been rather less enthusiastic about the merits of a Sheikh Abdullah administration; and he may well have preferred an unqualified accession by the Maharaja to India. This was a matter, however, in which Nehru had the final say.

Thus it might turn out that the "plebiscite", even with a United Nations presence, would be held under the existing electoral laws of the State of Jammu and Kashmir. The United States Department of State, in a position paper on the Kashmir question prepared for the United States Delegation to the General Assembly of the United Nations on 2 December 1947, anticipated just such a possibility. It noted that

> the Dominion of India may attempt to establish the extant electoral rolls as the basis for the referendum. As these rolls are said to contain less than 7% of the population and were compiled on a basis which served to weight the members of the wealthier educated Hindu minority who would obviously vote for accession to India, it is important that the electoral body should in fact be composed on a basis of complete adult suffrage in order that the result of the referendum may be representative of the actual wishes of the people of Kashmir.[40]

In a very real sense the provision for a "reference to the people" made rather a nonsense of the acceptance of the Maharaja's accession. It more than implied that the accession was conditional and could, in certain circumstances, be reversed. If so, did India have the right to act upon it until it had been confirmed? Could it not, really, be said to be nothing more than another kind of Standstill Agreement? Against this could be argued the crisis of the tribal attack, which clearly called for strong measures. But could not India have lent its neighbour, the State of Jammu and Kashmir, at this moment in most respects an independent State, help in its hour of need without the necessity for prior accession?[41] There were other ways to meet the crisis without accession, the most obvious being some kind of joint Indo-Pakistani action: this was never explored.

The evidence is clear that accession meant different things to different people. Sardar Vallabhbhai Patel wanted accession because he wished to ensure that the State of Jammu and Kashmir became part of India beyond all doubt, not least to guarantee the security of

the Northern Frontier. Nehru saw accession as a means to challenge the Two Nation theory by creating a secular state within the Indian Union out of a Muslim-majority region through the efforts of Sheikh Abdullah. Be that as it may, one possible interpretation of the events since 22 October which have been outlined above was that these two men, even if their motives differed in detail, were playing game of brinkmanship to create the best possible circumstances for both accession and Indian military domination of the situation. Without these, there was always the possibility that, despite Jawaharlal Nehru's admiration for the qualities of Sheikh Abdullah, the whole State (apart, perhaps for parts of Jammu and Ladakh) would gradually fall into the hands of the rebel movement established in Poonch; and one day it would all become accepted internationally as part of the State of Azad Kashmir (which had been formally declared on 24 October 1947, as we have seen). Without the facade of legitimacy given by accession, moreover, it might have been difficult to persuade those British officers who still dominated the topmost echelons of the armed services of both India and Pakistan as to the propriety of the proceedings; and British acquiescence at least still appeared to be militarily essential.

British opinion, that of Mountbatten, of the senior military officers, and of the British Government, was inextricably involved in every facet of the opening phase of the Kashmir dispute. There is strong evidence that at the very end, with the tribal attack in progress, Mountbatten lost what detachment he may have had and came to look upon M.A. Jinnah and Pakistan as the enemy.[42] There were two good reasons for this.

First: the introduction of Pathan tribesmen, for which Mountbatten had been persuaded M.A. Jinnah was personally responsible, into what in British terms would have been an internal Indian matter could only be considered by those steeped in British strategic ideas as an act of criminal folly. British policy for more than a century had been directed towards keeping Pathan war parties out of British administered territory. Mountbatten's chief British advisers, like Sir George Abell and Lord Ismay, would without doubt have emphasised this aspect of the situation. It was something with which Mountbatten was certainly not going to associate himself.

Second: the tribal attack involved the possibility, which had largely been absent hitherto in all the appalling violence which accompanied Partition, of the massacre of Europeans.[43] It is a depressing reflection on the nature of the British media that such a killing of a small number of Europeans would have attracted infinitely greater notice in the United Kingdom than the slaughter of the hundreds of thousands of Muslims, Hindus and Sikhs which had already resulted directly or indirectly from Partition. It would have been a serious blemish on the record of the Mountbatten Viceroyalty and Governor-

Generalship, to say the least. Thus Mountbatten was predisposed to go along with what were Jawaharlal Nehru's and Sardar Vallabhbhai Patel's favoured solutions to the Kashmir problem.

Similar considerations certainly inspired the senior British officers in the service of both India and Pakistan. When, late on 27 October 1947, M.A. Jinnah instructed Pakistani troops to go into the State of Jammu and Kashmir to try and restore order, he was frustrated by the acting Commander-in-Chief of the Pakistan Army, Lt.-General Sir Douglas Gracey. It is quite possible that in other circumstances, and without the tribal involvement, Gracey might have turned a blind eye. By the same token, it would seem that British commanders on the Indian side adopted a Nelsonian approach to Indian preparations for intervention in Kashmir.

There were surely contingency plans somewhere in the Indian army for just such an eventuality. Unlike the Army of Pakistan, which was a new creation still in the early stages of formation, the Indian Army was essentially the old Indian Army of the British period; and it did not lack for able, experienced and senior Indian staff officers. It was obvious that operations in the State of Jammu and Kashmir presented grave logistical problems, particularly in winter; and air supply would be crucial. The Sardar Vallabhbhai Patel correspondence, to which reference has already been made, leaves us in no doubt whatsoever that there he and some of his close associates had been involved in military planning about Kashmir for more than a month before the events of the night of 21/22 October. When intervention was officially decided on 26 October 1947, a massive air lift was immediately organised to fly two infantry battalions into Srinagar the following day. Over 100 Dakota transport aircraft were assembled at various airfields around Delhi.

It has always been argued both by Indian apologists and by British officials that this was the result of a triumph of improvisation.[44] The provision of air support on this scale, however, so common sense would suggest, took more than twenty-four hours to arrange and was the result of considerable staff work which could hardly have escaped the notice of some senior British officers. If so, most of them certainly chose to keep their eyes and mouths closed. While Lt.-General Sir Frank Messervy (Commander-in-Chief of the Pakistan Army from August 1947 to February 1948, but away from his post at this crucial juncture with Lt.-General Sir Douglas Gracey acting for him) subsequently expressed his conviction that this airlift had to have been the product of much planning which had been started weeks before the event, the three British commanders of the Indian services, Lt.-General Sir Rob Lockhart, Air Marshal Sir Thomas Elmhirst, and Rear Admiral J.T.S. Hall, took the somewhat unorthodox step of issuing a joint declaration of ignorance as to what was going on prior to 24 October 1947, and a joint denial of involvement

in any planning before 25 October. They did not, however, state that *nothing* had gone on: nor were they in a position to confirm that there had been *no* planning by anyone else.[45]

1. Sir Claude Auchinleck was Supreme Commander with notional authority over the armies of both India and Pakistan, which were headed by British Commanders-in-Chief, Sir Rob Lockhart for India (until 31 December 1947, when he was replaced by Sir F.R.R. Bucher) and Sir Frank Messervy for Pakistan (until 15 February 1948, when he was replaced by Sir Douglas Gracey).

   The Supreme Command was formally closed down on 30 November 1947 at the instigation of India on the grounds that the office could not be reconciled with the patent lack of goodwill, to which Kashmir had contributed, between the two Dominions.

2. Sardar Vallabhbhai Patel was Deputy Prime Minister as well as having responsibility for the integration into India of the States. He had been Nehru's closest rival for the Premiership. As early as 3 July 1947 Vallabhbhai Patel had been writing privately to the Maharajah to urge his accession to India "without delay".

3. See: Sardar M. Ibrahim Khan, *The Kashmir Saga*, Lahore 1965.

4. See: Ex. Major-General Akbar Khan, D.S.O, *Raiders in Kashmir. Story of the Kashmir War (1947-48)*, Karachi 1970, p. 17.

5. M.Y. Saraf gives 12 September as the date of this meeting. See: Muhammad Yusuf Saraf, *Kashmiris Fight – For Freedom*, Vol. II, Lahore 1979, p. 859.

6. Khurshid Anwar was a Punjabi by birth. He had attained the rank of Major in the Indian Army before retiring. His wife, Mumtaz Jamal, was Kashmiri through her father and Pathan through her mother. Khurshid Anwar knew the North-West Frontier Province well: he had been active there on behalf of the Muslim League during the Referendum which was part of the Partition process devised by Mountbatten. Khurshid Anwar was seriously wounded during the Kashmir fighting. He died in 1950.

7. So Mountbatten reported on 7 November 1947, according to Wolpert. See: S. Wolpert, *Jinnah of Pakistan*, New York 1984, p. 348.

8. See: M.C. Mahajan, *Looking Back*, London 1963, p. 269.

9. Government of India, *White Paper on Jammu and Kashmir*, New Delhi 1948, Part I No. 14.

10. It could be argued, of course, that this was the earliest that accession could take place, Pakistan having only formally come into existence the day before.

11. See: H.V. Hodson, *The Great Divide. Britain – India – Pakistan*, London 1969, Chapter 24.

12. According to the 1941 Census the population of Junagadh was 670,719, of which 80% were Hindus. The registered Junagadh electorate in 1948 was 201,457, of whom 190,870 voted in the plebiscite. There were only 91 votes in favour of accession to Pakistan. See: Menon, *Indian States*, *op. cit.*, p. 149.

13. See: Durga Das, ed., *Sardar Patel's Correspondence, 1945-50*, 10 vols., Ahmedabad 1971-74. Vol. I, *New Light on Kashmir*, which appeared in 1971, contains a great deal of interesting material on the genesis of the Kashmir dispute and India's involvement therein. This letter from Nehru to Patel of 27 September 1947 is an extremely important item of evidence that the Indian Government was already aware that the problem of Kashmir might well produce Indo-Pakistani conflict and lead to direct Indian military intervention. It disproves convincingly any argument that India was taken by surprise by the events of 22 October 1947.

14. Ghulam Abbas and other Muslim Conference leaders in detention were eventually released by Sheikh Abdullah in late 1947 or early 1948 and allowed to cross over to Azad Kashmir or Pakistan.

15. The Patel correspondence rather suggests the existence of a small group including, apart from Sardar Vallabhbhai Patel, R.L. Batra (acting on behalf of Maharaja Sir Hari Singh), Baldev Singh (the Indian Defence Minister), R.A. Kidwai (Indian Minister for Communications), and perhaps the Maharaja of Patiala as well as V.P. Menon, which during September and October 1947 was planning for the unconditional (that is to say, without the requirement of confirmation by plebiscite) accession of the Maharaja of Jammu and Kashmir to India. It would seem that Jawaharlal Nehru was not a member. In many respects, it should be remembered, Jawaharlal Nehru and Sardar Vallabhbhai Patel were political rivals.

16. All this, of course, was long before 22 October, the official date for the beginning of the "tribal invasion" from Pakistan of the Vale of Kashmir.

17. This episode is discussed in: M.Y. Saraf, *Kashmiris Fight – for Freedom*, Vol. II, Lahore 1979, p.909. The story is confirmed by Indian sources both published and unpublished. See, for example: Lt. General L.P. Sen, *Slender was the Thread. Kashmir Confrontation 1947-48*, New Delhi 1969, p. 64; Major-General D.K. Palit, *Jammu and Kashmir Arms. History of the J & K Rifles*, Dehra Dun 1972, p. 197.

18. See: Karan Singh, *Heir Apparent*, *op. cit.*, p. 59.

19. It may be that at this early stage in the history of the integration of the States into the Indian Union there existed some ambiguity as to whom the armed forces of any one State were immediately responsible. However, it was quite clear that by Accession the States had assigned ultimate control over matters relating to Defence to the Union Government. Moreover, the use of such forces beyond the territorial limits of the Union surely involved the External Affairs of the Union, yet another of the three major powers transferred from State to Union by the Instrument of Accession (the third being Communications).

20. K.H. Khurshid, who was to be President of Azad Kashmir from 1959 to 1962, died in 1988.

21. Khan Abdul Qayyum Khan certainly made no secret of his sympathy for the Muslim cause in Kashmir. He talked freely about it to American journalists. There was also very little secrecy about the procuring of locally made rifles on the Frontier for use in Kashmir. News of all this through unofficial sources had even reached K.P.S. Menon, the Indian Ambassador in China, in Nanking by 10 November 1947. See: K.P.S. Menon, *Twilight in China*, Bombay 1972, p. 227.

22. Bands of tribesmen were referred to as *lashkars*.

23. Some contemporary observers writing from the Indian point of view thought that the total number of tribesman involved in the operation which began on 21/22 October 1947 was no more than 2,000. See, for example: Mohinder Bahl, *Whither Kashmir*, New Delhi n.d., p. 41. Wolpert, who is disposed to accept the Indian version of the story, gives 5,000: and this figure must represent the extreme upper end of those estimates worthy of serious consideration. See: Wolpert, *Jinnah*, *op. cit.*, p. 348.

24. One may speculate whether there was some connection between the arrival of the Patiala men and the telegram of 18 October 1947, which shows a firmness hitherto lacking in communications from Srinagar to Lahore.

25. There were fascinating echoes here of the opening stages of the Indian Mutiny of 1857. The Colonel had advance warning that something was afoot, and was advised to disarm his Muslim troops. He refused to believe that they could contemplate any disloyalty and, therefore, took no action.

26. The havoc wrecked upon the unfortunate population of the Vale of Kashmir by the Pathan "aggressors" has become part of the folk-lore of the Kashmir dispute; and it is constantly raised by the Indian side as justification for their own intervention. Quite what damage the Pathans in fact did has never been analysed objectively. Parties of tribesmen certainly looted the bazaar in Muzaffarabad, where there were many Hindu and Sikh shopkeepers at this period. They also attacked Christian premises, notably in Baramula, as might be expected from warriors engaged on what they saw as a *jihad*, a holy war. What else they did is far from clear; and any incidental savagery by these men would pale into insignificance when compared to what had taken place both in the Punjab and in Jammu at the time of Partition (with as many as 16,000,000 refugees and 500,000 killed through communal violence). There can be no doubt that for those in the way, Pathans on the warpath are bad news. There is no evidence, however, for the argument that what took place in the Vale of Kashmir immediately after 22 October 1947 marked one of the great atrocities of the modern history of the subcontinent. The significance of the Pathan atrocities is to be found less in their alleged magnitude than in the great publicity given to them at the time and ever since.

    The Indian 1948 *White Paper* concentrates on the horrors of the attack on Baramula, on the road a few miles to the west of Srinagar. Other atrocity stories reported in the *White Paper* in fact relate to later in the war and other sectors; and they have no bearing upon the nature of the initial tribal advance towards Srinagar from Domel. Even in Baramula, according to the *White Paper*, accounts of what happened vary. One source claims that 3,000 inhabitants were killed, many of them Hindus (which may mean no more than that there were a significant number of casualties – estimates of this kind are notoriously unreliable). An American journalist, Robert Trumbull, reporting for the *New York Times* from Baramula on 10 November 1947, two weeks after the attack, reported that "only 1,000 were left of a normal population of about 14,000". This has been interpreted by Indian writers to mean that up to 13,000 people were killed in Baramula. See, for example: S. Gupta, *Kashmir*, *op. cit.*, p. 111. In fact, of course, it meant no more than that the majority of the town's people had gone away, as one would expect in the circumstances. If one applied the refugee/killed ratio of Partition to Trumbull's Baramula statistics, one would come up with somewhere in the order of 400 killed, a not unreasonable figure in the light of other sources.

    Two facts should be remembered when considering any account of the tribal operation of October 1947. First: the Indian side committed its share of atrocities in the process of repelling the "invaders". This is well enough documented; but it is rarely mentioned in the literature of the Kashmir dispute. Second: the Kashmiri

casualties suffered in 1947 were certainly far less than those which have been inflicted upon the inhabitants of the Vale of Kashmir by the Indian security forces since 1989.

27. So states Mahajan, *op. cit.*, p. 150.

28. Nehru, however, mentioned to Mountbatten, almost in passing at a buffet dinner held in honour of the Siamese Foreign Minister on the evening of 24 October, that "tribesmen were being taken in military transport up the Rawalpindi road" towards Srinagar. See: Alan Campbell-Johnson, *Mission with Mountbatten*, revised ed., London 1985, p. 244.

    The Indian Cabinet had established a Defence Committee on 30 September 1947. It consisted of both Indian and British members. The Indians were the Prime Minister, Jawaharlal Nehru, the Deputy Prime Minister, Sardar Vallabhbhai Patel, the Defence Minister, Sardar Baldev Singh, the Minister of Finance and a Minister without Portfolio, Sir Gopalaswami Ayyengar (or, sometimes, Iyengar). The British side consisted of the Governor-General, Lord Mountbatten, and the three British Commanders-in-Chief. At this stage Mountbatten took the chair.

    The presence of Ayyengar is interesting. He had been Prime Minister of Jammu and Kashmir in 1936-43 and had the reputation of being a hard man. It has been suggested that his presence in the Cabinet, which he joined at the very end of September 1947, was directly related to the Kashmir problem. It may be significant that Nehru regarded Ayyengar as the one former Prime Minister of Jammu and Kashmir then in circulation who had enjoyed a tolerable working relationship with Sheikh Abdullah. (See: TP, XI, No. 229). Was this why he was brought into the Cabinet? If so, does this indicate the policy of the Cabinet towards the State of Jammu and Kashmir at that date, which was several weeks before the "aggression" of the tribal attack on 21/22 October 1947? Of course, the Defence Committee was also set up about this time. Was it designed with the Kashmir situation specifically in mind? There were no other obvious defence problems on the Indian horizon at that moment. In early 1948 Ayyengar took over the Defence portfolio in the Indian Cabinet.

29. Or so Mahajan reported. See: Mahajan, *op. cit.*, pp. 151-2.

30. See: Menon, *Indian States*, *op. cit.*, p. 399.

31. There are many accounts of the military crisis of late October 1947. Of great interest are: Major-General D.K. Palit, *Jammu and Kashmir Arms. History of the J & K Rifles*, Dehra Dun 1972; Lt.-General L.P. Sen, *Slender was the Thread. Kashmir Confrontations 1947-48*, New Delhi 1969.

    The first Indian unit to arrive at Srinagar airfield was 1/11th Sikhs. Its orders for the operation were issued at 1300 hours on 26 October 1947. See: Birdwood, *Kashmir*, *op. cit.*, p. 58n.

    The airlift was superintended by General Sir Dudley Russell.

32. Mahajan's account makes it clear that when he reached Jammu the airfield in Srinagar was firmly in Indian hands. Mahajan had refused to leave New Delhi for Jammu until "I got news from my aerodrome officer at Srinagar that the Indian forces had landed there". See: Mahajan, *op. cit.*, pp. 152-3.

33. Sheikh Abdullah became head of the Jammu and Kashmir Emergency Government on 29 October (with the title Chief Emergency Administrator), with Bakshi Ghulam Mohammed as his Deputy and Mirza Afzal Beg as a Minister. This Emergency Government, however, continued to operate under the general supervision of the

Prime Minister (or Dewan), who until March 1948 remained Mehr Chand Mahajan. On 5 March 1948 Sheikh Abdullah was appointed Prime Minister as head of an Interim Government of the State of Jammu and Kashmir; and Mahajan retired. This system of "dyarchy" was drawn up in consultation with Sir Gopalaswami Ayyengar, Minister without Portfolio in the Indian Cabinet. It may well be that Ayyengar's main function was to keep an eye on constitutional problems arising from the new dispensation in Jammu and Kashmir.

34. Whatever document Batra brought with him on 24 October would have been quite unsuitable as an acceptance by the Maharaja of the terms now under discussion.

35. It is interesting that the editor of Patels's correspondence should have decided to reproduce the final part of this printed document as the frontispiece to the first volume. See: Patel, *Correspondence*, *op. cit.*, Vol. 1.

36. Printed, for example, in: P.L. Lakhanpal, *Essential Documents and Notes on Kashmir Dispute*, New Delhi 1965, p. 57.

37. The North-West Frontier Province possessed a pro-Congress Ministry. A referendum was accordingly held (6 to 17 July 1947) to decide (on the basis of a surprisingly small vote) that the Province should join Pakistan.

38. Mahajan, *op. cit.*, p. 282.

39. See: 1948 *White Paper*, *op. cit.*, Pt. IV, No. 8.

40. United States, Department of State, *Foreign Relations of the United States 1947. Volume III. The British Commonwealth; Europe*, Washington, D.C., 1972, p. 183.

41. This point is raised to good effect in: J. Korbel, *Danger in Kashmir*, Princeton 1966, pp. 79-80.

42. See, for example, Ian Stephens' account of dinner with the Mountbattens on 26 October 1947 in: I. Stephens, *Pakistan*, London 1967, p. 203. His narrative differs significantly from that presented by Campbell-Johnson.

43. According to Campbell-Johnson, Mountbatten told Ian Stephens at the dinner already referred to that a large-scale massacre, including some two hundred Europeans living in Srinagar, by tribesmen could not be avoided without Indian military intervention. Campbell-Johnson, *op. cit.*, p. 225. At this moment, 26 October, news of the massacre at St. Joseph's Franciscan convent at Baramula, which cost the lives of many innocents including several nuns and Colonel and Mrs. Dykes, had probably not yet reached New Delhi.

44. It has been said that there were a large number of civil aircraft available as part of a project to fly Muslim refugees from India to Pakistan. This was what General Russell told Lord Birdwood. See: Birdwood, *Kashmir*, *op. cit.*, p. 59. Of course, if some element in the Indian (as opposed to British) military establishment were preparing for this kind of situation, the proposed airlifting of refugees would provide an admirable cover for the assembly of aircraft.

45. Korbel, *op. cit.*, pp. 85-87.

PART TWO

CONFLICT: 1947 TO 1990

VIII

INTRODUCTORY

Between 22 and 27 October 1947 the Kashmir dispute evolved from a subject for calm discussion at a diplomatic level between the two new Dominions of India and Pakistan into an armed conflict with all the passions that such a state of affairs inevitably arouses. War produces propaganda directed towards both internal and external consumption; and propaganda can all too easily turn into dogma believed implicitly by those who created it in the first place. By the beginning of November 1947 both India and Pakistan had adopted public positions on the Kashmir question from which they have found it impossible to depart. What really was at issue at this moment when attitudes had yet to be set in the most solid of diplomatic cements?

A memorandum from the Indian Foreign Department (perhaps inspired by Sardar Vallabhbhai Patel, though Jawaharlal Nehru would not have disagreed with its general tenor) to Prime Minister Attlee, dated 25 October 1947, probably got close to the heart of the matter as it appeared to the more geopolitically sophisticated of the new rulers of India.[1] A crisis had developed in the State of Jammu and Kashmir, which had just been invaded by large numbers of "Afridis" (shorthand for marauding Pathans of all species) and other tribesmen from the Frontier. Much bloodshed and destruction of property had resulted. The Maharaja of Jammu and Kashmir had asked for Indian help in restoring order. The Government of India were considering a favourable reply because

> Kashmir's northern frontiers, as you are aware, run in common with three countries, Afghanistan, the U.S.S.R. and China. Security of Kashmir, which must depend upon its internal tranquility and existence of stable Government is vital to the security of India, especially since part of southern boundary of Kashmir and India are common.

It followed that "helping Kashmir . . . is an obligation of national interest to India". The proposed Indian intervention in the State was "not designed in any way to influence the State to accede to India". The future of the State must be decided "in accordance with the wishes of the people". However, it was certain "that no free

expression of the will of the people of Kashmir is possible if external aggression succeeds in imperilling the integrity of its territory".

This is a fascinating document which in many respects points to the essence of the underlying Indian interest in the State of Jammu and Kashmir not only in 1947 but in the more than four decades that have followed. It can be interpreted thus. The State of Jammu and Kashmir was of great strategic importance for the defence of the Northern Frontier of the Indian subcontinent, and, in that India, unlike Pakistan, was the true defender of that subcontinent from such menaces as the Soviet Union (or, in years to come, the United States and China), the entire State of Jammu and Kashmir must go to India. Legalistic argument about accession were really irrelevant. Pakistan might or might not survive; but it was not the true geopolitical successor to the British Raj: this was India. Pakistan, therefore, had no business meddling in the affairs of a region as strategically significant as the State of Jammu and Kashmir. To do so, in the spirit of the language employed by the Indian Foreign Department, was "aggression", an offence against some form of natural law of geopolitics.

The fact that Pakistan claimed an interest in an adjacent Muslim-majority country was also, by implication in the terms of this Memorandum, totally without import. India did not accept M.A. Jinnah's belief in the idea that India was divided into Two Nations, the Muslim and the non-Muslim; and its leaders had only gone along with such absurdity in order to keep the British happy and expedite their departure. In truth, India was not only a secular state, the natural home of both Muslims and non-Muslims, but, also, the *only* state entitled to occupy any space and to wield any power in the subcontinent. Hence there was no need to mention Pakistan at all.

In geopolitical terms, as touched upon in the Foreign Department Memorandum of 25 October 1947, India was in the process of suffering a major defeat, perhaps of the same order as the British disasters in Afghanistan in 1841-42. The Gilgit Agency, Gilgit, Hunza and the rest, which was the protection of western end of the Northern Frontier, that crucial zone where Afghanistan, Russia and China met (as we have seen in Chapters 3 and 4), was on the point of slipping away from the sphere of influence of the State of Jammu and Kashmir; and within a week it would formally be placed under the flag of Pakistan. India's north-west frontier had been pushed several hundred miles to the east, and a century of British strategic planning (which included the sale of the Vale of Kashmir to Gulab Singh in 1846) had been undone. So it must have seemed in New Delhi in October 1947, where the idea of a defence partnership with Pakistan was not taken seriously. The real goal, on this analysis, of the military intervention which began on 27 October 1947 was not the Vale of Kashmir but the Gilgit Agency (and this it would fail to attain). The

Memorandum of 25 October 1947 makes it clear that the State of Jammu and Kashmir involved some feature of fundamental importance to India which had nothing to do with the personal attachment of Nehru to his ancestral home or the legal merits of the Maharaja's Instrument of Accession. It was the symbol of India's status as the true successor to the British Raj as the real overlord of the Indian subcontinent and its natural protector. Perhaps Jawaharlal Nehru did not at this moment see matters as clearly as this; but it is more than probable that Sardar Vallabhbhai Patel and his closest associates did.

The word Kashmir, of course, was an equally powerful symbol for Pakistan. It was a constant reminder that the ideological basis for Pakistan, M.A. Jinnah's contention that the Indian subcontinent was populated by Two Nations, the Muslim and the non-Muslim, and that the former had a right to separate statehood, was, despite the trauma of Partition, still under active challenge by India. Pakistanis from the outset saw in the Maharaja's accession to India a denial of the new nation's right to exist. Not surprisingly, Pakistan lost no time in contesting the validity of the Maharaja's accession to India in October 1947 (an action which was from the outset the keystone of the legal edifice erected by India to justify its position in the State of Jammu and Kashmir).[2] It did this on four main grounds, all of which merit examination.

First: the accession was legally invalid, either as a violation of the Standstill Agreement which the State had made with Pakistan in August 1947 or because it disturbed a general pattern of established understandings. This argument certainly impressed some international lawyers outside Pakistan. As the Office of the Legal Adviser to the United States State Department noted in February 1950:

> execution of an Instrument of Accession by the Maharajah in October, 1947, could not finally accomplish the accession of Kashmir to either Dominion, in view of the circumstances prevailing at that time; the question of the future of Kashmir remained to be settled in some orderly fashion under relatively stable conditions; this question is an important element in the dispute; and . . . neither party is entitled to assert that rights were finally determined by the Maharajah's execution of an Instrument of Accession.[3]

This, too, it seemed was the opinion of the Legal Advisers to the British Foreign Office and of the Attorney General in the Attlee Government, Sir H. Shawcross (who was particularly influenced by the legal implications of the Standstill Agreement).

Second: the Maharaja by 26/27 October 1947 was no longer competent to sign any Instrument of Accession because he had to all intents and purposes been overthrown by his own subjects. The story which has been examined above supports this argument in part. By the stated accession date of 26 October 1947 it is clear that the

Maharaja had failed to gain effective control over the Gilgit Agency; and in Poonch his rule had been formally replaced on 24 October by that of a new State which had seceded from him, Azad ("Free") Kashmir. Only in Jammu and Ladakh could the Maharaja be said to have then been a Ruler with any prospect of reigning without external military support. He had been obliged to flee from his own summer capital, and the capital of the Vale of Kashmir, Srinagar. Even the formal exchange of letters between the Maharaja and Mountbatten associated with the Instrument of Accession itself gave oblique recognition to this general situation. As these were finally drafted, one assumes in consultation between Mehr Chand Mahajan, Jawaharlal Nehru, Sardar Vallabhbhai Patel and Sheikh Abdullah, they specified that acceptance of accession was conditional upon there being an acknowledged constitutional change in the State. This provision cast doubt both on the Maharaja's competence on his own to deliver accession and his right to offer to do so. There were clearly other parties involved. In any case, did a Hindu Ruler have the power, moral if not legal, to decide the fate of his subjects if they were overwhelmingly Muslim and if his choice denied them the right to join their fellow Muslims? In the Junagadh affair the Government of India, in a case which was the mirror image of that of Jammu and Kashmir, had ruled that accession to Pakistan was invalid: a Muslim Ruler had not the right to determine the fate of his Hindu subjects. Junagadh was clearly a precedent for the State of Jammu and Kashmir.

Third: the Instrument of Accession was conditional. Was any such device justified by the Indian Constitution? Could there even be such a thing? Either a State acceded or it did not. And, this being so, was the acceptance of such a conditional Instrument valid? Acceptance, too, had here an implied conditionality. For example, if there were "a reference to the people" which decided against accession to India, then presumably the acceptance by India of that accession would be cancelled. If not, then India would be denying the right of "the people" to decide. Following such arguments, the best one could say about the Instrument of Accession which the Maharaja of Jammu and Kashmir signed was that it committed him to consult his people about the future of his State (and soon he was to be in no position to do even this, having been obliged to resign his office by the very regime which his accession to India had brought into being).

Fourth: that India's dealings with and concerning the State of Jammu and Kashmir from at least the beginning of the Mountbatten Viceroyalty were dominated by "fraud" culminating in the annexation of much of the State of Jammu and Kashmir by force. It is probable that this challenge is far more charged with emotion than the other three. There can be no question that many Pakistani statesmen felt in 1947, and many still do, that the British let them

down profoundly, betrayed their trust, by conspiring with the Indian side in the entire process of Partition. Conspiracies are notoriously hard to prove. Are there any grounds for such sentiments? Some evidence on this point has already been examined; and it is certainly sufficient to raise a number of doubts as to the absolute veracity of the version of events which, for example, has been presented by the official narratives of Mountbatten's Viceroyalty. As it appeared to Pakistani observers in those crucial days after the Kashmir dispute had turned into the first stages of armed conflict, there were two features of the conspiracy question, one general and one specific, which profoundly influenced their attitudes.

First the general. The view from Pakistan has tended to be that many in charge of British India during its final days were hostile to the idea of a Muslim State and did their best to ensure for it a stillbirth. Further, it is even more firmly believed that immediately after the Transfer of Power the policy of the Nehru Government (with Mountbatten as Governor-General) was to bring about the rapid demise of Pakistan. Many British observers came to the same conclusion. Sir Claude Auchinleck, who was then nominally Supreme Commander of the armies of both India and Pakistan, wrote to his superiors in London on 28 September 1947 that:

> I have no hesitation whatever in affirming that the present India Cabinet are implacably determined to do all in their power to prevent the establishment of the Dominion of Pakistan on a firm basis. In this I am supported by the unanimous opinion of my senior officers, and indeed by all British officers cognizant of the situation.[4]

Out of all the specific areas of suspicion which surround the initial stages of the Kashmir dispute, two stand out above all others, which fall easily enough under the headings Partition and Accession. These have already been discussed: summarised here are the major doubts as they arose in the minds of the unhappy Pakistani leadership in the last months of 1947, upon which recent evidence may or may not have cast some light.

During the process (especially in July and August 1947) of deciding what line exactly Partition would follow, is there any evidence of improper interference? There can be no doubt, it has been demonstrated above in Chapter 6, that *something* took place in connection with the preparation of the Radcliffe awards on between 8 and 12 August 1947 which could give rise to the belief that those awards were to some degree influenced by "political" rather than "judicial" considerations. The documents do not in themselves provide conclusive evidence; but they leave room for a degree of reasonable doubt. The probability cannot be excluded that, with the knowledge of either Mountbatten or some of his senior advisers, "political" criteria were applied to the decision concerning the three eastern *tehsils* of the Gurdaspur District; and, further, that such criteria

related to the potential future of the State of Jammu and Kashmir. It is certain that the leaders of Pakistan, M.A. Jinnah, Liaquat Ali Khan and many others, believed that the Gurdaspur award, where the tract concerned by virtue of its Muslim majority should under the terms of Partition as set out by the British have gone to Pakistan, was somehow manipulated so that it was placed in India. Further, they were convinced that Mountbatten had a part in this piece of sleight of hand. The documents which have been published in the final volumes of *The Transfer of Power* do not demonstrate that they were mistaken even if they do not prove absolutely that they were correct. These documents, in other words, fail to show that justice was done whatever the underlying verities might be.

The accession issue is not so well illuminated by documentary evidence. However, enough has come to light to show the following.

First: Nehru and other Congress leaders had from the outset of the Mountbatten Viceroyalty made no secret of the fact that they thought for various reasons, emotional, ideological and geopolitical, that the State of Jammu and Kashmir should accede to India. Nehru's Note to Mountbatten of 17 June 1947 and Sardar Vallabhbhai Patel's correspondence leave one in no doubt on this point. The documents printed in *The Transfer of Power* which have been examined here can be interpreted easily enough to suggest that Mountbatten, at least by August 1947, was in agreement with this view. None of this would have caused M.A. Jinnah the slightest surprise.

Second: that from at least the beginning of September 1947 the Indian leadership was in contact with the Government of Jammu and Kashmir and by various measures, such as the provision of military assistance and advice and the support for the appointment of Mehr Chand Mahajan as Prime Minister, was preparing the ground for the State's accession to India in the face of the Maharaja's indecisiveness. Again, hard evidence that all this was going on, such as was supplied over twenty years later with the publication of Sardar Vallabhbhai Patel's correspondence, would only have reinforced what the Pakistani leadership believed to be the case.

Third, and perhaps most importantly: it is apparent that the actual process of accession between 24 and 27 October 1947 was manipulated by Jawaharlal Nehru and Sardar Vallabhbhai Patel in collaboration with Sheikh Abdullah. The proposal that Sheikh Abdullah should head the Maharaja's administration after accession was imposed upon the Maharaja by the Indian leadership as a condition for the acceptance of accession and the provision of Indian military assistance. There can be no other interpretation of the various comings and goings and communications between Srinagar, Jammu and New Delhi in this period as revealed in Mehr Chand Mahajan's narrative. The Pakistani leadership were well aware of the presence of Sheikh Abdullah in Nehru's household at this

crucial juncture; and, no doubt, they drew their own conclusions.

Finally: Mahajan's narrative also contains the fascinating suggestion that the first Indian troops were landing at Srinagar airfield before the process of accession had been completed. If so, then the intervention of the Indian Army in the Kashmir dispute could well be another of those episodes, of which Pearl Harbour is the supreme example, where the military course of events resulted in the opening act of war taking place before the politicians and diplomats were able to organise its formal legitimisation. Even more intriguing, in this context, is the fact that the Indian troops arriving at Srinagar airport on 27 October 1947 found other Indian troops, in the shape of the Patiala men, already established there and elsewhere in the State. The Patiala forces had arrived, it seems, on about 17 October 1947, that is to say *before* the tribal crossing of the bridge at Domel on 22 October.

These two questions, the timing of the precise moment of accession and the date of arrival of the Patiala men, have for some reason not been touched upon by the Pakistani side in the Kashmir debate over all these years; and, not surprisingly, the Indian side has not gone out of its way to draw attention to the matter.

The chronology and interpretation of the events leading up to accession which have been set out in Chapter 7 above lead to a number of conclusions which certainly differ from the received opinion, at least as interpreted by Indian diplomats. We will confine ourselves here to two issues, the status of Azad Kashmir and the question of who were the "aggressors" in those crucial days from 21 to 27 October 1947.

On 15 August 1947 the State of Jammu and Kashmir became to all intents and purposes an independent state. There is no other possible interpretation of the lapse of Paramountcy. On 24 October 1947 the independence of the State of Azad Kashmir was declared, relating to territory mainly in the old Poonch *Jagir* in which the control of the Maharaja, apart from Poonch City itself, had completely disappeared. Azad Kashmir's first President, Sardar Mohammed Ibrahim Khan, as an elected member of the Jammu and Kashmir Legislative Assembly for a constituency in Pooch, could certainly be said to enjoy some measure of popular mandate, at least as much as that later claimed for Sheikh Abdullah.[5]

On 26 or 27 October 1947 the Maharaja formally acceded to India. Did he bring, even in theory, Azad Kashmir with him? This is certainly an interesting question which ought to occupy the minds of international lawyers.

If the various movements in opposition to the Maharaja's authority which were taking place in Poonch (and elsewhere) after 15 August 1947 were rebellions within an independent state, then what direct concern were they of either India or Pakistan? It could be argued,

indeed, that the only *locus standi* possessed by either was as an interested neighbour or that which was conferred by invitation from the parties directly involved. The Poonch rebels, and then Azad Kashmir, sought Pakistani assistance. The Maharaja sought the assistance of India. Contemporary history abounds with examples of this type of situation.

India has used in this context the word "aggression". The forces who crossed the Jhelum in the early hours of 22 October 1947 were "aggressors" sponsored by Pakistan; and, therefore, no solution to the Kashmir problem was possible until that "aggression" had been "vacated". The Indian presence in the State of Jammu and Kashmir was by the express invitation of the Maharaja in order to repel this "aggression": it was, therefore, perfectly legitimate. But who was "aggressing" on whom?

It has been shown that the crossing of the Jhelum by parties of Pathan tribesmen on the night of 21/22 October 1947 was at the invitation of internal elements in the political struggle then going on in the State of Jammu and Kashmir. The clearing of the way into the State at Domel was not that of forced entry by the tribesmen but of a gate being opened, as it were, by rebels within the State of Jammu and Kashmir in the interest of an entity which in two days was to declare itself the independent state of Azad Kashmir. The participation of the tribesmen in what amounted to a civil war could well be considered to represent an error of political judgement on the part of those who sought their assistance; but it would be difficult in these particular circumstances to classify it as part of an act of external "aggression" by Pakistan.

Indeed, if we accept Mahajan's chronology, there is not in reality a great deal of difference between the position of these tribesmen on 22 October and that of the Indian Army airlifted to Srinagar on 27 October. At that moment on 27 October, it can be argued, the State of Jammu and Kashmir was still technically independent. The Indians were there at the invitation of the Maharaja on just about the same basis as the tribesmen were there at the invitation of the Poonch rebels now declared subordinates of the independent state of Azad Kashmir. Only after accession, which it seems highly probable did not legally take place until *after* the Indian intervention started, could it be argued that the Indians were now defending their own land against invaders. Moreover, whatever might be argued in defence of the timing, actual or intended, of the Indian intervention on 27 October, it could not be said that the Patiala troops, who were certainly in theory subordinate to the Commander-in-Chief of the Indian Army, only arrived after accession. They were there *before* the tribal advance of 22 October.[6] Indeed, a good case can be made that the presence of the tribesmen was a direct response to the arrival of the Patiala troops. So, once again, who was "aggressing" against whom?

Such arguments indicate, if nothing else, that there is no simple legalistic explanation of the origins of the Kashmir dispute; and none which confers absolute moral right on one side only. The version of events presented in accounts sympathetic to the Indian position does not accord with all the evidence; and even narratives written with a Pakistani bias often fail to detect the ambiguities in the record. Mahajan's devastating autobiography has been in print since 1963; yet its implications would seem so far to have received surprisingly little comment.[7]

Very early on in the Kashmir dispute the concept of self determination was injected into it; and the United Nations, once its mediating services were sought, fixed upon this feature as providing the only path towards a practicable solution. In fact, however, self determination on the part of the people of the State of Jammu and Kashmir originally had nothing to do with the case. The only party in the State of Jammu and Kashmir deemed to have the legal right to exercise a choice in the future of the State under the terms of the British departure from India was the Maharaja; and his decision involved the transfer of territory the occupants of which had no inherent right to be consulted. In Pakistani eyes, of course, that choice had to be made within the context of the basic law of Partition, that contiguous Muslim majority areas ought to go to Pakistan, a proposition which found no favour in Indian eyes. At the last moment, with the acceptance of the Maharaja's accession by Mountbatten, an attempt was made to provide for some kind of "reference to the people" by plebiscite or other electoral device; but even then the choice was to made by the State of Jammu and Kashmir as a whole, thus not altering the basic underlying territorial concept.

The Kashmir dispute, in other words, started life as a contest over rights to a *territory*, not the struggle to establish the wishes of a *people*. After October 1947, of course, many extra elements were added to the problem including the need, and possible mechanisms, for the determination of the will of the people of the State of Jammu and Kashmir. The evolution of the Kashmir dispute over the next four decades and more, and its increasing complication by competing interpretations of the issues, involved the status of the State of Jammu and Kashmir as a political entity in its own right, strategic and economic interests of the various parties, wider international implications, and the problem of self determination in a region which contained not only Muslims but also Hindus, Sikhs and Buddhists. All this is the subject of the second half of this book.

1. *White Paper*, 1948, *op. cit.*, Part IV, No. 1.

2. There is a massive corpus of literature from the Indian side to support the validity

of the Maharaja's accession. See, for example: H.G. Agarwal, *Kashmir Problem – Its Legal Aspects*, Allahabad 1979,

3. United States, Department of State, *Foreign Relations of the United States 1950. Volume V. The Near East, South Asia, and Africa*, Washington 1978, p. 1379.

4. Quoted in: John Connell, *Auchinleck*, London 1959, p. 920.

5. Sheikh Abdullah, in fact, did not take up his position as leader of an emergency government under Mahajan until 29 October 1947. He was then an elected member of no legislative assembly.

6. The legal position of the Patiala troops in Kashmir is interesting. As a State which had acceded to India, Patiala had handed over to the Government of India all powers over defence and foreign relations: this was a standard condition of accession. It meant that at the moment of the Transfer of Power the State Armed Forces were taken under the command of the Armed Forces of India; and their deployment beyond the Indian external borders (as the State of Jammu and Kashmir was situated prior to joining India) was without doubt from that time a matter of foreign policy which could only be authorised by the Government of India at the highest level. It would seem to follow, therefore, that either the Patiala men were in Kashmir in blatant violation of the *de facto* Indian Constitution or that their presence was approved by New Delhi. If the former, then their status on the most charitable interpretation was very similar to that of the Pathan tribesmen: if the latter, then the Government of India was sponsoring direct military involvement in the State of Jammu and Kashmir before the tribal "aggression", let alone the Maharaja's accession.

7. The present author first noticed this discrepancy between the various narratives relating to accession when it was commented upon by A.G.P. Wright during a seminar at the Research School of Pacific Studies of the Australian National University, Canberra, on 26 October 1966. Wright's paper, "The Origins of the Kashmir Dispute: A Narrative", however, does not draw any conclusion from Mahajan's narrative any more than did, at that time, the present author.

   The first published reference to this discrepancy which I can find is: Wolpert, *Jinnah*, *op. cit.*, p. 349. Wolpert, however, draws no conclusions from it. He does not, for example, comment that, if true, Mahajan's story casts grave doubts upon the reliability of V.P. Menon as a witness, and not only in the matter of the State of Jammu and Kashmir.

IX

THE FIRST KASHMIR WAR AND THE INTERVENTION OF THE UNITED NATIONS 1947 TO 1964

The news of the tribal invasion immediately convinced Mountbatten that here, somehow, was evidence of a piece of sharp practice by M.A. Jinnah, a man whom he had grown to dislike and whose integrity he had come to distrust: accordingly, he decided to do what he could to stop Jinnah's little game. So involved personally did he become on behalf of the Indian side, indeed, that he rushed out to Palam airport to help supervise the initial stages of the military airlift to Srinagar; and he began to behave, so some reports have it, more as an Indian military commander than as a Governor-General.[1]

By accepting the Maharaja's accession to India Mountbatten was convinced that he had secured both a right for Indian troops to enter the State and the means to frustrate intervention by the regular forces of Pakistan. The State of Jammu and Kashmir, legally speaking, was now Indian territory. The presence of Pakistani troops there would, accordingly, constitute an act of aggression. Mountbatten did not take the obvious step of getting in touch with the Pakistan authorities before deciding to accept the Maharaja's accession, thus ruling out negotiations at a stage when negotiations would be most free from commitments brought about by the developing crisis.

On the Pakistan side M.A. Jinnah, the Governor-General, and Liaquat Ali Khan, the Prime Minster, also saw in the Kashmir crisis evidence of a conspiracy. They believed that the situation had from the outset been engineered by the Indians, whose puppet they thought Mountbatten to be, as to provide the excuse for the State of Jammu and Kashmir's accession to India beneath a defensive umbrella of Indian forces. They certainly did not take seriously a sequence of telegrams from Jawaharlal Nehru from 27 October onwards (discussed in Chapter 10) which asserted that all that India was doing in the State of Jammu and Kashmir was to ensure the free expression of the wishes of the people.

M.A. Jinnah's immediate reaction on hearing of the arrival of the Sikh battalion at Srinagar was to order General Sir Douglas Gracey, acting Commander-in-Chief of the Pakistan Army, to send in his own troops. Here the Pakistan side was at a real disadvantage. The armies of India and Pakistan were at that moment still under the same supreme command. Since 27 October and the Indian acceptance of the State of Jammu and Kashmir's accession it was clear that any Pakistani military action in the State would be also be a direct conflict with the forces of India. The Army Supreme Commander, Auchinleck, would not agree to what amounted to an inter-Dominion war. Gracey was instructed to tell M.A. Jinnah that if Pakistani regulars went into the State of Jammu and Kashmir, all British officers would have to resign from the Pakistan Army. M.A. Jinnah, in these circumstances, had to give in.

In an atmosphere of extreme mutual suspicion Mountbatten, supported by Lord Ismay, went to Lahore on 1 November to discuss the Kashmir crisis with M.A. Jinnah and Liaquat Ali Khan. Jawaharlal Nehru was unable or unwilling, because of illness so he said, to accompany Mountbatten; and Sardar Vallabhbhai Patel more or less refused to go (he did not consider that there was anything to discuss, accession being in his view absolute and unconditional). Thus the two Governors-General were left to do the best they could alone. Mountbatten put to M.A. Jinnah the suggestion that the Kashmir issue could be settled by a plebiscite, perhaps held under the supervision of the United Nations; but only, of course, following the restoration of order, which meant in practice the defeat and withdrawal from the State of Jammu and Kashmir of the Pathan tribesmen, whom Pakistan must desist from aiding and abetting in their aggression.

M.A. Jinnah detected no merit whatsoever in the idea of the plebiscite under these particular conditions which he saw as both insulting and humiliating to Pakistan. Given the overwhelming Muslim complexion of the population of the State of Jammu and Kashmir, he could not understand why a plebiscite should be needed at all: there could be no question that, following the logic of Partition, the State should go anywhere under any circumstances except to Pakistan. He proposed to Mountbatten that, as a compromise solution for the crisis, Pakistan might perhaps exchange its claims to Junagadh (where, it will be recalled, a Muslim ruler with a Hindu majority had acceded to Pakistan, only to be frustrated by India) for India's claim to any part of Jammu and Kashmir, a straight swap of accessions on a Government to Government basis.

It is probable, of course, that during the opening phase of the dispute both M.A. Jinnah and Liaquat Ali Khan had not ruled out the possibility that a Kashmir plebiscite could well find for India if its conduct were entrusted to Sheikh Abdullah. The views of the Muslim

League leadership on Sheikh Abdullah at this stage are clear enough. As Liaquat Ali Khan was to tell Jawaharlal Nehru on 16 November:

> while this Quisling, who has been an agent of . . . [the Indian] . . . Congress for many years, struts about the stage bartering away life, honour and freedom of his people for personal profit and power, the true leaders of the Muslims of Kashmir . . . [e.g. Chaudhri Ghulam Abbas] . . . are rotting in jail.[2]

Thus M.A. Jinnah was quite content to avoid the risk, however slight, of letting Sheikh Abdullah manipulate the electoral process so as to consolidate the Indian position. What he felt was urgently needed was a cease-fire within the next forty-eight hours followed by a simultaneous withdrawal from the State of Jammu and Kashmir of both the Indian Army and the Pathan tribesmen (but, presumably, leaving the Azad Kashmir forces in place). He denied that he had any direct control over the tribesmen, but he was willing to tell them that if they did not leave the State of their own accord "the forces of both Dominions will make war on them". When the State was free of both tribesmen and Indian troops, then Jinnah and Mountbatten, the two Governors-General, should "be given full power to restore peace, undertake the administration of Jammu and Kashmir State and arrange for a plebiscite, without delay, under their joint supervision" (without, it was implied clearly enough, any involvement of Sheikh Abdullah).[3] This was to remain the basis for Pakistan's attitude to the plebiscite for years to come, that any reference to the wishes of the people in the disputed State could only take place in circumstances where the influence of both the Indian army and Sheikh Abdullah was either excluded totally or in some way neutralised. Jinnah's proposals were not, on the face of it, unreasonable: the United Nations was soon to suggest very much the same.

The Indian position, which Mountbatten put to M.A. Jinnah on 1 November 1947, and which Indian statesman were to reiterate in years to come, was that there could be no question of the Indian forces leaving the State of Jammu and Kashmir until the Pathan tribesmen had first been withdrawn. The assumption, which in India has become an article of faith, was that the tribesmen were acting under the direct orders of Jinnah's Government, as Mountbatten, for one, undoubtedly believed. In that he was certainly not in control of the tribesmen, M.A. Jinnah felt personally insulted by repeated Indian demands that he cease to aid and abet the "aggressors". He made it clear to Mountbatten, so the Indian Governor-General reported to Nehru, that he felt that the whole affair was a deliberate, long worked out, deep laid plot by Nehru and his associates to secure Kashmir's permanent accession to India.[4]

Once M.A. Jinnah's proposals, which were repeated to Jawaharlal Nehru by Liaquat Ali Khan, had been rejected, the exchanges

between the Indian and Pakistani leaders became increasingly acrimonious and, in consequence, the prospect of any prompt settlement passed away never to return. Other Indo-Pakistani discussions, notably during Liaquat Ali Khan's attendance at a meeting of the Joint Defence Council in New Delhi in the first week of December 1947, immediately followed by a visit to Lahore by Mountbatten, Nehru, Baldev Singh and Gopalaswami Ayyengar[5], brought about no improvement in the situation.[6] The Pakistan side demanded both that the Indians withdraw from the State and that the Sheikh Abdullah Emergency Government give way to a caretaker administration which was at least neutral in the Indo-Pakistani dispute: only then could a plebiscite be held. The Indians, as well as Mountbatten, remained convinced that the Pakistanis were thick as thieves with the tribesmen and other rebels in Kashmir; and they had persuaded themselves that all fault for what was happening lay with Pakistan.[7] The Indian side concluded that further direct talks with the Pakistani leadership were quite pointless.[8]

On 12 December 1947 Jawaharlal Nehru indicated to Liaquat Ali Khan that he was considering, albeit reluctantly, the invitation of United Nations observers to come to India and advise on the proposed plebiscite.[9] Liaquat Ali Khan showed no initial enthusiasm for United Nations mediation. What, after all, was there to mediate? Nehru went ahead with the preparation of a formal approach to the United Nations, complaining of Pakistani aggression in Kashmir. A summary of the Indian case was despatched to for comment to Liaquat Ali Khan on 22 December; and, before a reply could be received, the full Indian presentation was sent to the United Nations on 31 December 1947 and put before the Security Council on the following day. It took some time for both India and Pakistan to work out the implications, and practical possibilities, of this added international dimension to the dispute: meanwhile the war in Kashmir went on.

During the final months of 1947, while high level Indo-Pakistani talks failed to resolve the crisis, Indian troops succeeded in breaking the back of the tribal offensive and securing their own hold over Srinagar. At the same time the Gilgit region on 3 November 1947, under the leadership of the commander of the Gilgit Scouts, Major W. Brown, threw off all vestige of Dogra rule and declared for Pakistan on the following day. Already, with the onset of the winter of 1947-8 the military situation in Jammu and Kashmir was fast approaching a stalemate, the State being effectively cut in two by an elastic but impenetrable battle-front.

During the course of 1948 fighting in the State of Jammu and Kashmir went on between the Indian Army and the forces of what Pakistani leaders continued to call the Government of Azad Kashmir (a body which, we have seen, formally declared its independence

from the Maharaja on 24 October 1947 just before the Indian airlift in defence of Srinagar). The Azad Kashmiri forces, which originally consisted of men who had taken arms during the Poonch troubles reinforced by a relatively small number of Pathan tribesmen (and certainly nothing like the 100,000 that Jawaharlal Nehru once indicated), began increasingly to receive support from Pakistani regulars (and a very small number of foreign volunteers – much has been made of the involvement, for example, of a former U.S. Air Force Sergeant, Russel Haight by name). At first it was merely a question of individual Pakistani soldiers taking their leave, as it were, on the Kashmir front. By May 1948, with Indian forces pressing dangerously towards the Poonch-West Punjab border, General Gracey reversed his decision of October 1947 and approved the commitment of regular Pakistani troops to the Azad Kashmir front (a fact which Pakistan publicly admitted in July 1948); though at no stage during the first Kashmir war were Indian regulars outnumbered by Pakistani regulars.

The increased Pakistani involvement in the fighting made it possible to hold a line through Poonch and Mirpur District of Jammu as well as in the Muzaffarabad District of Kashmir Province against determined Indian attacks which would have been too much for the Azad Kashmiri forces alone. Thus the town of Muzaffarabad at the junction of the Kishenganga and Jhelum Rivers survived as the capital of an Azad Kashmir Government, the nucleus of a Kashmir State free from both India and the Maharaja. The front between the Indian forces and Azad Kashmir became in due course the western half of the Kashmir cease-fire line.

The eastern portion of the cease-fire line emerged from a battle between Indian and Pakistani forces, the latter here mainly Gilgit Scouts and other professionals with very little assistance from the Azad Kashmir men, for control of the approaches to the Northern Frontier through Ladakh and Baltistan. The Pakistanis opened this campaign with an offensive based on Gilgit and directed along the Indus towards Leh, the capital of Ladakh; and they actually managed for a time to cut the main Srinagar-Leh road at Kargil. The Indians countered with a remarkable operation involving the use of tanks at altitudes of 10,000 feet or more (the Zoji La), where, incidentally, the Patiala contingent distinguished itself. The Pakistanis were unable to hold on to Kargil town; nor could they maintain a significant foothold elsewhere in Ladakh, Skardu in Baltistan (which they finally captured in August 1948 after a siege of some six months) thus becoming their forward base up the Indus.[10]

The intensity with which the Indians fought to hold Kargil is probably evidence of the appreciation that this was the vital battle to retain an Indian presence on the Northern Frontier (as has been suggested in Chapter 4). Kargil dominated the Srinagar-Leh road,

for which there was then no satisfactory alternative. With Kargil would also have gone the rest of Ladakh. Perhaps, with this geopolitical access to Central Asia shut off, India might have lost some of its interest in the Vale of Kashmir; and in consequence some negotiated settlement might have been easier. It is not known whether the Pakistani command at this time fully understood the significance of Kargil: it probably did. The setback to the Pakistani northern campaign, there can be no doubt, was to have grave consequences for the future of Sino-Indian relations in that in enabled India in the late 1950s to try to give practical expression to those cartographic claims to the Aksai Chin which were to be published for the first time in 1954 (and concerning the origins of which we have speculated in Chapter 4).

The check to the Pakistani advance from Baltistan also meant that the line between Indian and Pakistani control in the territories which had once made up on the map the State of Jammu and Kashmir now virtually cut the State into two portions of comparable area. Pakistan held the Gilgit region, Baltistan and a narrow strip of Kashmir Province, Poonch and Mirpur in Jammu along the West Punjab border. India held Ladakh, the bulk of Kashmir Province and Jammu, and a portion of Poonch.

In the autumn of 1948 the Indians developed an offensive in Poonch which not only freed Poonch town from Pakistani investment but also threatened to bring the Indian Army to the West Punjab border, cutting Azad Kashmir in two. Pakistan responded with a plan which in many respects parallels that which they were to adopt during the Kashmir war of 1965, and one which Akbar Khan had originally proposed in October 1947 as the logical opening move in any campaign for the liberation of the entire State of Jammu and Kashmir from Dogra rule. Pakistani forces were withdrawn not only from remoter parts of the Kashmir front but also from the Indian border in the Lahore region of Pakistan proper: they were concentrated in the West Punjab near Jammu for an attack which was intended to sever the main Indian line of communication into the State from the Indian East Punjab. The intention was to bring about a kind of Stalingrad in which the bulk of the Indian forces in the State of Jammu and Kashmir would be cut off and obliged to surrender. Grave risks were involved, as the events of 1965 show clearly enough, since the obvious Indian counter to such a move was to attack Lahore and other West Punjab centres, thus bringing on an unrestricted war between the two successor states to British India.

In the event, instead of an escalation of the war in the final days of 1948 there were negotiations leading to a cease-fire which took effect on 1 January 1949: and on 27 July 1949 Indian and Pakistani military representatives signed at Karachi an agreement defining a cease-fire line in the State of Jammu and Kashmir which, until the

outbreak of the 1965 war, was to mark the effective limit of the sovereignties of the two States. In part this rapid and unexpected, though partial and temporary, settlement of the Kashmir conflict was due to the fact that in late 1948 the commanders of the armies of both India and Pakistan were still British. General Gracey for Pakistan and General Bucher for India had remained in close touch despite the strained relations between the two new nations which they served; and with the increasing prospect of a general Indo-Pakistani war the British generals were powerful advocates of moderation. Doubtless also both Jawaharlal Nehru and Liaquat Ali Khan (M.A. Jinnah died in September 1948) were reluctant (and some of their advisers even more so) to see their newly independent polities mutually destroy each other. Finally, the calming down of the Kashmir situation can certainly be attributed in some degree to the influence of the United Nations.

Outside commentators on the Kashmir problem have tended to concentrate on the United Nations aspects. This is partly because Kashmir was one of the first disputes put to the United Nations after its creation at the end of World War II, and, as such, was seen in many quarters to be a crucial experiment in the possibility of settling quarrels between nations by international mediation. In part, however, the emphasis on the United Nations derives from the great volume of reports and other documents to which Kashmir in the United Nations has given rise. The result, perhaps, has been a trifle misleading. All the United Nations has been able to do in this kind of problem has been to devise formulae for a possible settlement and lend its good offices in attempts at arbitration or mediation. In the Kashmir dispute the United Nations has never possessed either the power or the mandate to enforce a settlement: it could only advise and recommend. Thus many of its discussions have contained within them a powerful element of unreality. The essence of the Kashmir problem is not to be found, except by inference, in the debates of the Security Council: it lies in the internal politics of India and Pakistan. Hence there is little point in examining, as have some writers, in microscopic detail every plan advance by the United Nations and its officials and every debate in either the Security Council or the General Assembly. I will confine myself here to a brief outline of the history of the United Nations involvement and an analysis of the basic nature of the solutions which it proposed.[11]

It was, we have already seen, the Indian side which first brought Kashmir to the Security Council. On 1 January 1948 the Indian Representative, P.P. Pillai, transmitted to the President of the Security Council the Indian case as it had been sent to him the previous day. This took the form of a complaint against Pakistan; and under Article 35 of the United Nations Charter it requested the Security Council to instruct Pakistan to desist from meddling in the State of Jammu

and Kashmir. The Indian argument was based on the validity of the Maharaja's accession to India. Pakistan had no right to aid the tribesmen or to permit its nationals to take part in the Kashmir fighting. Over the next few months this case was developed at great length by Gopalaswami Ayyengar, a former Prime Minister of the State of Jammu and Kashmir and a Minister in the Indian Government, who was aided by a team which included Sheikh Abdullah. From the outset the Indians concentrated on the single legal point of the Maharaja's accession which they refused to consider in the wider context of the partition of the entire subcontinent. The whole issue, so Gopalaswami Ayyengar said on many occasions, arose from Pakistan's "error" in aiding and abetting the Pathan tribal invaders in the State of Jammu and Kashmir. At this early stage, it is worth noting, the Indian side took care not to call Pakistan (at least in the United Nations – it was not so moderate elsewhere) an "aggressor", though such restraint was subsequently to be abandoned.

Pakistan, ably represented by its Foreign Minister, Sir M. Zafrullah Khan, approached the question in a fundamentally different way. It denied, naturally enough, all Indian charges of illegal actions in assisting the tribesmen. It represented the situation in the State of Jammu and Kashmir as essentially one of popular revolt against the oppressive regime of the Maharaja. It contested the validity of the Maharaja's accession to India. Beyond these points of detail, one might almost say, Pakistan, however, raised a much more fundamental issue. The Kashmir problem, so Zafrullah Khan said, arose as part of a wider Indian project for the very suppression of Pakistan itself. As evidence of Indian hypocrisy, the State of Jammu and Kashmir's accession to India, which India accepted, was compared to the State of Junagadh's accession to Pakistan, which India had unilaterally set aside. In both cases, it was pointed out, the ruler was of a different religion to his subjects, the State of Jammu and Kashmir with a Hindu ruler over Muslims and the State of Junagadh the precise opposite. Clearly, the argument ran, India was interested in something more than the mere technicality of accession as a legally binding contract: it wanted territory, come what may, with or without accession. This was "aggression" on a truly epic scale. With such a psychological composition, India was unable to accept Partition and the consequent loss of the north-western tracts of the old British Raj. Hence, Pakistan accused, India had used fraud, oppression, even genocide in the attempt to prevent and then undo Partition: the events of 1947 in Kashmir were but scenes in a far larger drama.

In the specific case of the State of Jammu and Kashmir, Pakistan requested that the Security Council set up a Commission which would arrange for a cease-fire, followed by the withdrawal of all outside troops, whether coming from India or Pakistan, as the prelude to the establishment of a fully impartial State of Jammu and Kashmir

administration and the holding of a plebiscite to determine the wishes of the State's people free from the influence both of India and of Sheikh Abdullah. All this, in effect, was very much what M.A. Jinnah had put to Mountbatten on 1 November 1947. Only in these circumstances would the people of the State have the chance to voice freely their opposition to aggressive Indian expansionism.

The key to the differences between the Indian and Pakistani arguments on the Kashmir problem before the Security Council is to be found, without doubt, in the ideas of the two sides on the plebiscite, what it should achieve, what structure it should have and who should organise and supervise it. India insisted that a plebiscite could only be held following the total withdrawal of the tribal invaders and other forces sponsored by Pakistan from territory in the State of Jammu and Kashmir (including both the Gilgit Agency and Azad Kashmir). It was this evacuation which India was asking the Security Council to bring about. Once achieved, then a plebiscite might take place under conditions which, so Indian leaders certainly anticipated, would ensure an overwhelming majority vote for Sheikh Abdullah and his administration. Such a vote would mean (at least this was the idea in New Delhi in 1948) the retention of the entire State of Jammu and Kashmir, including Azad Kashmir and the old Gilgit Agency and its dependencies like Hunza and Nagar, within the orbit of the Indian Union.

To Pakistan the plebiscite meant something rather different. With Sheikh Abdullah in control, abetted by Indian forces, and probably using both the restricted franchise and the communal constituencies of the old 1939 Jammu and Kashmir State Constitution, it seemed that the vote could only go in favour of India. Hence it must be so arranged that when the time for voting came not only would the Indian troops have withdrawn completely but also Sheikh Abdullah's influence would have been to some degree neutralised by the establishment of an "impartial" Government in the State of Jammu and Kashmir under effective United Nations supervision. Even in these circumstances, in the early stages of the Kashmir problem when the memory of the horrors of the tribal invasion of October 1947 was still fresh in the minds of the local population, and the prestige of Sheikh Abdullah (who was still perceived as Jawaharlal Nehru's man), at least among the inhabitants of the Vale, at its height, thoughtful Pakistani leaders cannot have been entirely convinced that the vote would in fact go in their favour. At this period, 1948-9, a plebiscite on the terms then being discussed would have involved a considerable Pakistani gamble. Had Pakistan lost, then not only would Azad Kashmir have disappeared into Sheikh Abdullah's empire but it was inevitable that the Indians would have done everything in their power both to displace Pakistan from the Gilgit Agency (now incorporated in the language of the Kashmir dispute in what was called the

Northern Areas) and to regain control over the entire Northern Frontier. In the first Pakistani discussions at Lake Success of the plebiscite question, therefore, one may perhaps detect something a little less than enthusiasm. As time went on, of course, and Indian popularity in much of the State of Jammu and Kashmir declined, so did Pakistan's attitude change somewhat.

Both sides, however, at the outset agreed on one point of great importance. The State of Jammu and Kashmir would be treated as a whole: there was no thought at this period of holding separate plebiscites in the various regions which had been combined by Gulab Singh and his successors into a single polity under Dogra rule.

While India might possibly have won a plebiscite in 1948, even under the kind of conditions which Pakistan said it would accept, yet there were two sound political reasons why India should not take the risk.

First: it was clear that any cease-fire would leave India holding a great deal of territory in the State of Jammu and Kashmir and the majority of the State's population and economic resources. Having retained Kargil, India also had an adequate access to the eastern sector of the Northern Frontier in Ladakh. All this would be put to *some* risk in a plebiscite.

Second: an electoral victory for Sheikh Abdullah would not of absolute necessity be a vote for union with India. Sheikh Abdullah had already made it abundantly clear that he did not feel that the people of Jammu and Kashmir could possibly be bound by the personal decision of the Maharaja to accede to India. As he declared just before he took office in late October 1947:

> Kashmir to be a joint Raj of all communities. Our first demand is complete transfer of power to the peoples of Kashmir. Representatives of the people in a democratic Kashmir will then decide whether the State should join India or Pakistan. If the forty laks . . . [4,000,000] . . . of people living in Jammu and Kashmir are bypassed and the State declares its accession to India or Pakistan, I shall raise the banner of revolt and we face a struggle. Of course, we will naturally opt to go to that Dominion where our own demand for freedom receives recognition and support. We cannot desire to join those who say that the people must have no voice in the matter.[12]

As India was to discover by 1953 (and we will examined in Chapter 10), Sheikh Abdullah might be no willing puppet of New Delhi. Indeed, there could be no guarantee, particularly after the death of M.A. Jinnah in September 1948, that Sheikh Abdullah might not come to terms with the Pakistani politicians.

In the Security Council of the United Nations the Indian and Pakistani arguments produced a Resolution on 17 January 1948 which set the tone for the future shape of United Nations involvement in the dispute. The United Nations was not, as it would shortly

do in Korea, involving itself directly in the repulsion of an act of aggression (which, indeed, it was never asked to do in Kashmir): it was simply offering its services as an honest broker to sort out a quarrel between two parties whose relationship could almost be described as "domestic". The first Security Council Resolution on Kashmir did no more in effect than urge the disputants to get together and sort out their differences without making a public nuisance of themselves. The Resolution

> calls upon both the Government of India and the Government of Pakistan to take immediately all measures within their power (including public appeals to their people) calculated to improve the situation and to refrain from making any statements and from doing or causing to be done or permitting any acts which might aggravate the situation. . . . [It] . . . further requests each of those Governments to inform the Council immediately any material change in the situation which occurs or appears to either of them to be about to occur while the matter is under consideration by the Council, and consult with the Council thereon.[13]

These bland requests were followed three days later by the formation of a United Nations Commission for India and Pakistan (UNCIP) with three members from States represented in the United Nations, one selected by India, one by Pakistan and the third jointly by the other two. With instructions amplified by a Security Council Resolution of 6 February 1948, it was authorised to investigate the situation on the spot, endeavour to help India and Pakistan to bring about law and order in the State of Jammu and Kashmir, and then try to arrange for a plebiscite to decide the future of the State. Its role from the outset was that of mediator rather than enforcer of international law.

The original proposals for the UNCIP were greatly strengthened on 21 April 1948 when a further Resolution emerged from the Security Council.[14] The UNCIP was increased to five members.[15] It was to make specific recommendations to the two parties in the dispute. Pakistan should be asked to arrange the withdrawal of both the tribesmen and troops who were Pakistani nationals from the State of Jammu and Kashmir. India should be urged to reduce its forces to the minimum needed to maintain law and order. An interim Jammu and Kashmir Government, a coalition of all the major political groups in the State, should be put in power. Refugees ought to be allowed to return and political prisoners to be released. In anticipation that all this would happen, the United Nations would appoint a Plebiscite Administrator with adequate powers to supervise the whole process of ascertaining the wishes of the people of the State.

The UNCIP, after some delay, reached the subcontinent in July 1948; and, after talks with Indian and Pakistani leaders, on 13 August it produced its detailed plan of action. It called for a cease-fire to be followed immediately by the opening of negotiations for a truce

agreement which would involve the withdrawal of the Pathan tribesmen and other Pakistani nationals – the UNCIP, much to Jawaharlal Nehru's annoyance, was very careful not to pass any moral judgements on the Pakistan side – followed by the withdrawal of the bulk of the Indian forces. Once the truce agreement was signed both sides could start working out the arrangements for a plebiscite.

A feature of the UNCIP plan as it developed in practice was the creation of a United Nations military presence in the disputed territory. Its function was mainly to observe and to report back to the United Nations Secretary General any violations of the cease-fire; and it consisted of somewhere between forty and sixty professional soldiers from member states of the United Nations commanded by a General Officer as Chief Military Observer, a position which was first occupied by the Canadian Brigadier Harry Angle (who was killed in an air crash) and then, from 1950 until his death in Rawalpindi in 1966, by the Australian Lt.-General Robert Nimmo. From the early days of the Kashmir dispute, therefore, until today, there has always been a direct physical United Nations presence in the State of Jammu and Kashmir on both sides of the cease-fire line to remind the various parties involved that the outside world is watching what goes on.

The August 1948 UNCIP plan found favour in the eyes of neither side. Jawaharlal Nehru was reluctant to agree to any formula which did not contain within it the allocation of a significant, and specific, measure of blame on Pakistan for causing the problem in the first place. As he said to a member of UNCIP, Josef Korbel of Czechoslovakia: "Pakistan must be condemned". Indians much resented the attitude of the United Nations that here was a genuine dispute with a measure of right on both sides: in the Indian view the Pakistani case was entirely meretricious. The Indian insistence on a moral verdict in its favour certainly did not make the task of UNCIP any easier.

The Pakistani leaders objected to this UNCIP plan on quite different grounds. They could not accept a situation where they would have the plebiscite throughout the State of Jammu and Kashmir influenced, covertly or overtly, by Sheikh Abdullah (who had formally become Prime Minister of the State on 5 March 1948) under the protection of Indian forces. India, after all, was only asked to withdraw the *bulk* of its forces, while the forces sympathetic to Pakistan would have to withdraw completely: hence, whatever happened there would be *some* Indian troops left and probably enough to overawe the timid population of the Vale of Kashmir, the demographic key to any plebiscite which treated the State as a whole. They did not consider that the presence of the UNCIP Plebiscite Administrator in itself offered adequate protection.

In the event, India made a rather guarded and highly qualified acceptance of the UNCIP plan, perhaps in the certain knowledge that

Pakistan would not agree to it. The result was the first of an interminable series of stalemates which were to vex successive attempts at mediation by the United Nations.

On 5 January 1949, shortly after the Kashmir cease-fire had been announced, the UNCIP refined in considerable detail its original plan for a plebiscite. In an attempt to allay Pakistani fears that the process would be dominated by Sheikh Abdullah and the Indian Army, it proposed that for the period when the plebiscite was actually being held the State of Jammu and Kashmir should pass under the full control of a Plebiscite Administrator.[16] To this post the Secretary General of the United Nations appointed Fleet Admiral Chester W. Nimitz on 22 March 1949. The idea of a Plebiscite Administration, welcomed in Pakistan, was coolly received by the Indian side. It not only implied a challenge to the legality of the State of Jammu and Kashmir's accession but also smacked of a return to some kind of colonialism, even if temporary – the Plebiscite Administrator would for the duration of the plebiscite enjoy quasi-sovereign powers over territory which Nehru and his colleagues maintained was Indian beyond a shadow of a doubt. When India rejected the proposal of President Truman and Prime Minister Attlee, made on 31 August, that both sides should agree to accept arbitration on the many differences of interpretation of the UNCIP plans, the first phase of the United Nations involvement in the Kashmir dispute came to an end. By this time, with the delimitation of the cease-fire line by the Karachi Agreement of 27 July 1949, the really pressing problem of the crisis, namely to bring actual fighting to an end, had been solved. It was clear that neither India nor Pakistan was as yet so eager for a wider settlement as to be prepared to sacrifice any of its major points of principle.

In December 1949 the Security Council made a new approach to the Kashmir problem when it proposed that its President, General A.G.L. McNaughton of Canada, should endeavour to mediate directly between the Indian and Pakistani delegations at the United Nations. The McNaughton proposals, apart from touching upon the problem of the Northern Areas (both Gilgit and that part of Baltistan controlled by Pakistan which should now be considered part of the disputed territory along with the Vale, Poonch and Jammu, but in the run-up to the plebiscite should remain, subject to United Nations supervision, under the control of the local authorities, that is to say the current pro-Pakistan administration), modified somewhat the UNCIP position on the demilitarisation of the State. A distinction was now drawn between the forces of Pakistan and those of Azad Kashmir. While the Pakistani regulars should be withdrawn entirely, the Azad Kashmiri troops should merely by "reduced" by disbanding. The McNaughton plan was received with a measure of interest by Pakistan but rejected by India on the grounds, in effect, that it

implied a legitimisation of the concept of Azad Kashmir. Thus the McNaughton mediation can only be described as a failure. It did give rise, however, to the appointment of Sir Owen Dixon, a distinguished Australian jurist, as United Nations Representative in India and Pakistan, with many of the functions and powers of the UNCIP.

After a strenuous tour of the State of Jammu and Kashmir between late May and late August 1950, and on the basis of long discussions with both Liaquat Ali Khan and Jawaharlal Nehru, separately and jointly, Sir Owen Dixon presented his report to the United Nations on 15 September 1950. It is a fascinating document, one of the very few pieces with claims to a measure of literary elegance and wit to emerge from the sorry Kashmir story. It did not, however, indicate any easy solution to the problem. Sir Owen Dixon concluded that it was extremely unlikely that any proposals for a plebiscite of the kinds, and under the circumstances, which the UNCIP had suggested or might suggest on the basis of anything already on the table, would ever bear fruit. As he observed:

> having come to this conclusion I thought I must either abandon all attempt to settle the dispute or turn from the plebiscite by which the destination of the whole State would be decided to some different solution. I ascertained from the Prime Ministers . . . [of India and Pakistan] . . . that they considered that with such a plebiscite in view there was no longer any hope of agreement upon demilitarization or upon conditions which would follow demilitarization or upon any modified form of demilitarization or upon any course that would advance the position towards a settlement.[17]

Dixon, with all these factors in mind, decided to explore a fresh approach to the entire problem face to face with the two Prime Ministers, Jawaharlal Nehru and Liaquat Ali Khan, whom he managed to persuade to meet with each other in New Delhi between 20 and 24 July 1950. Dixon now advanced what came to be known as the idea of "regional plebiscites". It was either

> a plan for taking the plebiscite by sections or areas and the allocation of each section or area according to the result of the vote therein,

or

> a plan by which it was conceded that some areas were certain to vote for accession to Pakistan and some for accession to India and by which, without taking a vote therein, they should be allotted accordingly and the plebiscite should be confined only to the uncertain area, which . . . appeared to be the Valley of Kashmir and perhaps some adjacent country.

Dixon proposed that the two Prime Ministers should reflect upon all this and tell him what they thought.

The Indian reaction was to look with interest at the second plan. The following refinements emerged during the course of subsequent

discussion between Dixon and the Indian side. There would now be only one regional plebiscite. The State of Jammu and Kashmir would be divided up into four main regions, Jammu, Ladakh, the Vale of Kashmir in its entirety (including the Muzaffarabad area in Azad Kashmir) and, finally, the Gilgit Agency and its dependencies along with Baltistan. It would seem that the bulk of those districts of the old Poonch *Jagir* and Jammu which were now on the Azad Kashmir side of the cease-fire line would remain with Pakistan and not form part of the proposal. Of these four regions, two, Jammu and Ladakh, would go uncontested to India, and one, Gilgit, Baltistan and the rest, what for convenience was now referred to as the Northern Areas, would go to Pakistan without further argument. In the Vale of Kashmir, however, a plebiscite would be held to decide if its future would lie with India or with Pakistan (the option of independence does not seem to have been contemplated by Dixon at this time). There would then be an Indo-Pakistani boundary commission to demarcate the new borders.

Nehru, so Dixon reported, was prepared to attend another joint conference with Liaquat Ali Khan to discuss this version of the new Dixon plan, which in principle he appeared to favour. Doubtless he still believed that, with Sheikh Abdullah at the helm, the Vale of Kashmir would opt for India. With this assured, he would accept the *status quo* for the remainder of the disputed territory. His ancestral home, the Vale of Kashmir, would remain with India along with access to the eastern end of the Northern Frontier. Nehru, in any case, must have suspected that all this was rather academic. Pakistan would never agree. If so, he was quite right.

The Pakistan Prime Minister declined to attend another joint conference to discuss a proposal which was so little to his taste. Liaquat Ali Khan's view was set out clearly enough when Dixon had first suggested the "regional plebiscite" concept to him. As Dixon reported, Liaquat Ali Khan

> protested against the course proposed on the ground that it meant a breach on India's part of the agreement that the destination of the State of Jammu and Kashmir as a whole should be decided by a single plebiscite taken over the entire State.

Interestingly enough, on this point the Pakistani leadership was in entire agreement with Sheikh Abdullah who at this time also made it a matter of public record that his Government most strongly opposed any scheme for the partition of the State of Jammu and Kashmir. A plebiscite restricted to the Vale of Kashmir, he declared, would only give rise to great communal tensions in the State of a kind which had not hitherto existed.

While Liaquat Ali Khan would talk no more about "regional plebiscites", he was prepared to explore pragmatically other pro-

posals for partition based on yet another idea of Dixon's, namely that in place of the Vale of Kashmir plebiscite there should be a simple agreed Indo-Pakistani partition of the State; but he insisted that in this case a prerequisite was that the entire Vale of Kashmir should go to Pakistan. Dixon believed, correctly enough, that India would never agree to the straight transfer to Pakistan of that part of the Vale of Kashmir which it then held so securely.

The "regional plebiscite" idea having been proved to be a non-starter, Dixon concluded his mission with a fresh examination of what exactly the term "plebiscite", as applied to all or part of the State of Jammu and Kashmir, meant to Pakistan and India. He established that Pakistan could only accept a plebiscite that was conducted in the total absence of the influences of both India and Sheikh Abdullah: this meant, in practice, the presence of a Plebiscite Administration with full powers during the period of campaigning and voting. India, on the other hand, considered a plebiscite to be acceptable only if Pakistan were entirely excluded: Pakistan was the "aggressor" and should in no way be allowed to profit from its offence against the norms of international behaviour. There could, moreover, be no question of granting temporary authority to the Plebiscite Administrator because it would not only violate the legitimate mandate of the present Government of the State of Jammu and Kashmir but also endanger the State's security (in a manner which he did not define). In the campaign leading up to a plebiscite only the people of the State had any right to participate. Pakistan had no *locus standi*. India, by virtue of the legitimacy of "accession", was fully entitled to exercise a supervisory role in the interests of peace and tranquility in a territory for which it had rightful responsibility.

These arguments suggested that there was no obvious solution to the Kashmir dispute. There were apparently insuperable obstacles to a unitary plebiscite, to "regional plebiscites" and to any form of agreed partition. On 23 August 1950, when Dixon left the sub-continent, he concluded, with the concurrence of both Jawaharlal Nehru and Liaquat Ali Khan, that "there was nothing further that I could now do".

It is still not entirely clear why the Dixon proposals were received with such scant enthusiasm in Karachi. Given the artificial nature of the State of Jammu and Kashmir, which, as Dixon perceived so astutely, was created by what can only be described as an imperial process out of diverse parts, it would have been easy to apply the same logic for partition there as the Muslim League had advocated for British India on the eve of the Transfer of Power. There were clearly defined Muslim bits, and there were equally clearly defined non-Muslim bits. Why could they not be permitted to go their separate ways? One can appreciate the emotional reasons behind Pakistani insistence on its right to a unitary Jammu and Kashmir: it embodied

both a challenge to the validity of the Maharaja's accession to India and a repudiation of the charges of aggression so freely raised by New Delhi and widely believed in the world at large. In fact, however, it is probable that a much more effective Pakistani case, once the original crisis had been passed, could have been made along the lines indicated by Dixon. By conceding that the non-Muslim parts of the State were not Pakistan's concern, emphasis would be placed upon the fact that, contrary to the basic theory underlying independence in the subcontinent, Muslim-majority portions of the State contiguous to Pakistan were for some strange reason under Indian control. Not only could this have had an impact on international opinion, particularly after the dismissal of Sheikh Abdullah in 1953, but it would have been appreciated both by Hindu (and Buddhist) opinion within the State and by certain politicians in India who saw the Kashmir dispute very much in Hindu ideological terms (a point to which we will return in subsequent Chapters).

Pakistan, however, has never formally endorsed the Dixon proposals as a basis for discussion.[18] It is clear from the Dixon report that Liaquat Ali Khan was extremely suspicious of any scheme which seemed to arouse Nehru's interest: if the Indians liked it, then there must be a hidden element disadvantageous to Pakistan (the Hindu rupee, it was sometimes observed in Karachi at this period, tended to contain seventeen annas). He requested that the Indian side set out in writing exactly what it meant in the proposed distribution of portions of the State of Jammu and Kashmir. Was it, for example, really offering to accept the right of Pakistan to be in the Northern Areas? What was its attitude towards the future of Azad Kashmir, or, at least, portions of it such as Poonch? When put like this, the Indian side refused to commit itself and immediately retreated behind a smokescreen of protests against Pakistani "aggression". Lacking firm, and specific, commitments, Liaquat Ali Khan believed that the Indian side was not seriously interested in a settlement: it might propose this and it might suggest that, but at the end of the day it would give nothing away to Pakistan.

Dixon undoubtedly believed, and nothing that happened in the years to come would demonstrate that he was mistaken, that his scheme of partition offered the only possible solution, both in theory and in practice, to the Kashmir problem. As he put it in the concluding section of his report to the United Nations:

> the State of Jammu and Kashmir is not really a unit geographically, demographically or economically. It is an agglomeration of territories brought under the political power of one Maharajah. That is the unity it possesses. If as a result of an overall plebiscite the State as an entirety passed to India, there would be large movements of Muslims and another refugee problem would arise for Pakistan, who would be expected to receive them in very great numbers. If the result favoured

> Pakistan, a refugee problem although not of such dimensions would arise for India, because of the movement of Hindus and Sikhs. Almost all this would be avoided by partition. Great areas of the State are unequivocally Muslim. Other areas are predominantly Hindu. There is a further area which is Buddhist. No one doubts the sentiment of the great majority of the inhabitants of these areas. The interest of the people, the justice as well as the permanence of the settlement, and the imperative necessity of avoiding another refugee problem all point to the wisdom of adopting partition as the principle of settlement and abandoning that of an overall plebiscite. But in addition the economic and geographic considerations point in the same direction.[19]

Without something like his partition plan, for which the prognosis was not very favourable, Dixon saw clearly enough that the effective Indo-Pakistani border in the State of Jammu and Kashmir would for years to come be the cease-fire line; and accordingly he advised that the United Nations observers who had been stationed along that line as a result of the Karachi Agreement of 27 July 1949 should continue to carry out the one peace-keeping task which it was within the power of the United Nations to fulfil. He urged that from now onward the United Nations should concentrate on improving the conditions of the cease-fire: and the Security Council should, he implied, waste no more time devising complicated but quite impracticable schemes for an overall plebiscite. What it could do, of course, was to try to persuade India and Pakistan to reduce their forces on either side of the cease-fire line which must now be regarded as a permanent feature of the political landscape of the subcontinent. The smaller the number of men who confronted each other in this way, the less the chance of some minor clash escalating into a major conflict between the two successors to the British Raj.

Despite Sir Owen Dixon's gloom, the United Nations did not give up its struggle to bring about a mediated settlement in Kashmir on the basis of a plebiscite. The Security Council, after all, had resolved that there should be a plebiscite; and it did not seem as yet disposed to permit its resolutions to moulder in a limbo of fruitless good intentions. Spurred by the proposal of the All Jammu and Kashmir National Conference, Sheikh Abdullah's organisation, to convene a Constituent Assembly and thereby take decisions on the future of the State which might conflict with its recommendations, still *sub judice*, the Security Council once more debated the Kashmir question in the first half of 1951. On 30 March 1951 it "affirmed" that it deemed the course of action on which Sheikh Abdullah now appeared to be embarked to be out of order. Accordingly, it appointed Dr. Frank P. Graham, a former United States Senator for North Carolina, as United Nations Representative in succession to Sir Owen Dixon with instructions to go to the subcontinent and further explore, in the light of Sheikh Abdullah's activities, the possibilities for the demilitarisa-

tion of the State of Jammu and Kashmir and the holding of a plebiscite.

Between 1951 and 1953 Dr. Graham submitted no less than five reports to the United Nations in which he described his endeavours to find a satisfactory formula. Dr. Graham was not one whit more successful than had been Sir Owen Dixon, and for precisely the same reasons. India continued to make a Pakistani "vacation of aggression" a precondition; and Pakistan retained the deepest mistrust of the fairness of any plebiscite which was not adequately protected by international safeguards. The dismissal of Sheikh Abdullah in August 1953, which will be examined in Chapter 10, did nothing to remove Pakistani suspicions.

Dr Graham's lack of progress, combined with various attempts to solve the problem by direct negotiation (which will be considered in Chapter 11), served to keep the Kashmir dispute off the Security Council agenda until January 1957 when Pakistan raised the matter. The occasion was once more the Jammu and Kashmir Constituent Assembly which had recently met to declare, in November 1956, that "the State of Jammu and Kashmir is and shall be an integral part of the Union of India". The Security Council, on 24 January 1957, resolved that this development was in clear conflict with the principle of a plebiscite; and on 14 February it proposed that its President, Gunnar Jarring of Sweden, be sent to the subcontinent to investigate and to attempt, yet again, mediation between India and Pakistan. Gunnar Jarring, as his report of 29 April 1957 made abundantly clear, was no more successful than had been Sir Owen Dixon and Dr. Graham.

During the debate on Gunnar Jarring's report, which began in late September 1957, the Pakistan Foreign Minister, Malik Feroz Khan Noon, declared that his country was prepared to withdraw every soldier from those parts of the State of Jammu and Kashmir which it controlled, including by implication Azad Kashmiri troops, if their place were immediately taken by United Nations forces. He doubtless had in mind the example of the use of such peace keeping forces in the Suez crisis. The proposal was opposed not only by India but also by the Soviet Union wielding its veto, a phenomenon which was henceforth to become increasingly common in the Security Council deliberations of the Kashmir issue.

On 2 December 1957 the Security Council produced its Resolution on the Jarring report. It illustrates well enough the degree of impotence felt by the United Nations after a decade of involvement with the Kashmir dispute. What the Security Council now "requested" (and nothing stronger) was that:

> the Government of India and the Government of Pakistan . . . refrain from making any statements and from doing or causing to be done any acts which might aggravate the situation and to appeal to their respective

> peoples to assist creating an atmosphere favourable to the promotion of further negotiations;

and that

> the United Nations Representative for India and Pakistan . . . make . . . recommendations to the parties for further appropriate action with a view to making progress towards the implementation of the Resolutions of the United Nations Commission for India and Pakistan of 13 August 1948 and 5 January 1949 and towards a peaceful settlement;

and, finally, that Dr. Graham be sent on another visit to the sub-continent to see if any such recommendations were forthcoming.[20] In other words, there were no fresh initiatives, merely a policy of somehow keeping the ball in play while both India and Pakistan were urged not to rock to boat by seeking unilateral solutions. The series of United Nations Security Council resolutions on Kashmir, which began in 1948 with the establishment of the UNCIP and the determination that the question should be decided by a free and impartial plebiscite under its supervision, ended on this rather pathetic note, a plea that at least the leaders of India and Pakistan should continue to listen politely to the ideas of Dr. Graham and to convey their own ideas to him.

Between 12 January and 15 February 1958 Dr. Graham duly visited yet again the seat of the trouble. His report of 28 March 1958, the sixth which he had presented to the Security Council since 1951, made it clear that he had failed once more (as he no doubt expected) to achieve any significant progress. It was evident that in his heart of hearts he had concluded that the Kashmir problem was incapable of solution by mere mortals. This was a strange document, full of despair: it concluded with an impassioned call for moral values in this thermonuclear age. The final paragraph shows the spirit which kept Dr. Graham at work in the face of the intractable realities of Indo-Pakistani relations; and as such it deserves quotation. Exclaimed Dr. Graham:

> the light of faith and the fires of the inner spirit, which, in dark times in ages past, were lighted among Asian, African and Mediterranean people for peoples in all lands, have shone most nobly in our times in the heroic struggles, liberation and universal aspirations of all the people of the historic sub-continent for a freer and fairer life for all. With their two-fold heritage of faith in the Moral Sovereignty, which undergirds the nature of man and the universe, and with a reverence for life challenging the violent trends of the atomic era, these peoples, in the succession of their prophetic leadership and great example, may again give a fresh lift to the humane spirit of people everywhere. The peoples of the world might in high response begin again in these shadowed years to transform with high faith and good will the potential forces of bitterness, hate and destruction, step by step through the United

> Nations, towards the way of creative co-operation, economic, social and cultural development, responsible disarmament, self-determination, equal justice under law, and peace for all peoples on earth as the God-given home of the family of man.[21]

On this high moral note, and with a cry for help by a man confronted with a problem for which no rational solution seemed to exist, ended the United Nations Security Council's consideration of the Kashmir dispute until 1962. In January of that year the Pakistan delegate to the United Nations, Zafrullah Khan, again brought it to their attention in a protest against certain bellicose speeches by Indian statesmen calling for the "liberation" of Azad Kashmir. Zafrullah Khan described the failure of direct Indo-Pakistani negotiations since Dr. Graham's last report; and he once more sought the mediation of the United Nations. He was, not surprisingly, opposed by the Indian delegate, C.S. Jha, who expressed what was then the position of Jawaharlal Nehru, that India was, of course, prepared to talk with Pakistan about anything whatsoever, but that there was really, here, nothing to talk about: it was best, in India's view, if things in the State of Jammu and Kashmir jogged along quietly more or less as they as they had been for the last few years, with at the most an occasional minor adjustment, a nudge at the tiller. The discussion in the Security Council continued in a desultory manner until June, when a draft resolution was tabled by Ireland which added to the Resolution of 2 December 1957 by urging the Governments of India and Pakistan to enter as soon as possible into negotiations on the Kashmir question "with the view to its ultimate settlement". The Soviet Union, one of the five Permanent Members, voted, so the Russian delegate Platon Morozov observed, against the Irish draft "in the interests of peace and security"; and, since the Soviets had the power of veto (which they now exercised for the 100th time), that was that. Morozov made it clear that in Soviet eyes no wrong could be found with India's foreign policy. Nehru was absolutely right over Goa;[22] and in Kashmir his position was objectively correct beyond argument. With the Soviet veto thus permanently in place, the United Nations offered a bleak prospect for meaningful initiatives on Kashmir.

In early 1964, following the crisis in Kashmir of December 1963 to January 1964 when the disappearance of a sacred Islamic relic, a hair of the Prophet Mohammed, from the Hazratbal Shrine near Srinagar gave rise to serious civil disturbances in the Vale (to which we will return in Chapter 10), Pakistan again raised the Kashmir issue in the Security Council. The Council, however, did not even proceed to a draft resolution, its President suggesting that it adjourn the debate *sine die* in the hope that a new climate of opinion in the subcontinent, of which signs were then detected (notably the release from Indian detention of Sheikh Abdullah, which will also be discussed in Chapter 10), should produce more fruitful direct negotiations between India

and Pakistan than had taken place in the past. The debate was still adjourned when serious fighting broke out between India and Pakistan over Kashmir in the summer of 1965.

It may fairly be said that in the space of some seventeen years the United Nations made absolutely no progress at all in its quest for a final solution for the Kashmir problem. It had played an important part in the securing of a cease-fire and the demarcation of a cease-fire line. Its corps of observers from 1949 to the beginning of 1965, moreover, helped in ensuring that incidents along the cease-fire line did not escalate into a fresh outbreak of full scale war. Once the cease-fire had been achieved, however, there was really little more that the United Nations could do; and from 1957 onwards, with the constant threat of a Soviet veto, it would not even have been able to bring about as much as this. It could never, not even in the very early stages of the Kashmir problem before the Cold War had made its presence felt here, have used any degree of coercion, either economic or military, to oblige India and Pakistan to come to terms with each other against their will: its role was always that of an invited mediator in what was essentially a subcontinental domestic quarrel. If India and Pakistan could not agree to make up their differences and collaborate, there could be no question of an impartial Kashmir plebiscite. From the middle of 1949, following the arrangement of a cease-fire where neutral mediation was still valued by both parties, the United Nations lost all initiative in the question: it could propose but not dispose. The Kashmir dispute from this point developed (though never, it must be said, towards resolution) because, on the one hand, the internal and external policies of India and Pakistan were evolving, and, on the other hand, there was a process of political change constantly at work within the State of Jammu and Kashmir itself.

1. See, for example: Ziegler, *Mountbatten*, *op. cit.*, p. 447.

2. *White Paper*, 1948, *op. cit.*, Pt. IV, No. 9.

3. The evidence rather suggests that at this stage Jinnah thought that the plebiscite ought to include Azad Kashmir which for this purpose would be reunited with the rest of the State. What he had in mind for the Northern Areas is not clear. Probably, at this early stage, the Pakistani leadership had not given much thought to the problem of the Gilgit Agency upon which the action of Major W. Brown on 3-4 November served to focus their attention.

4. For Mountbatten's report to Nehru on these talks in Lahore of 1 November 1947, see: Patel, *Correspondence*, *op. cit.*, Vol. I., pp. 71-81.

5. 8 December 1947.

6. The Joint Defence Council was set up so that, after the Transfer of Power in 1947, there would be consultation at the highest level between the Indian and Pakistani

leadership over matters of defence. Until November 1947 the Council, meeting alternately in New Delhi and Lahore, and with Mountbatten in the chair, supervised a Supreme Command under Auchinleck. After the Supreme Command had been disbanded, the Joint Defence Council continued to meet until March 1948. The final session, with both Nehru and Liaquat Ali Khan present, was on 19 March 1948.

7. Patel, *Correspondence, op. cit.*, Vol. I, pp. 109-111, Ayyengar to Maharaja Hari Singh, 9 December 1947.

8. The meeting in New Delhi between Nehru and Liaquat Ali Khan at the last Joint Defence Council session on 19 March 1948 achieved nothing to alter the Indian view.

9. See: Gupta, *Kashmir, op. cit.*, p. 134.

10. For an account of the Baltistan campaign, see: Skumar Mahajan, *Debacle in Baltistan*, New Delhi 1973.

11. For example: S. Chopra, *U.N. Mediation in Kashmir: a Study in Power Politics*, Kurukshetra 1971; M.M.R. Khan, *The United Nations and Kashmir*, Groningen/ Djakarta 1955; Rahamatullah Khan, *Kashmir in the United Nations*, Delhi 1966; S. Gupta, *Kashmir: a study in India-Pakistan relations*, New Delhi 1966.

12. *White Paper* 1948, *op. cit.*, Pt. I, No. 23.

13. Text in: Government of Pakistan, *Kashmir Documents. Text of the main resolutions adopted by the Security Council and the United Nations Commission for India and Pakistan from 17 January, 1948 to 2 December, 1957*, Karachi 1962.

14. Text printed in: Korbel, *op. cit.*, Appendix I.

15. The Commission first convened in Geneva on 15 June 1948. The members were: Argentina, nominated by Pakistan; Czechoslovakia, nominated by India; Columbia and Belgium, selected by the Security Council; the United States, nominated by the President of the Security Council. Joseph Korbel, the Czechoslovak member of the Commission, has provided us with the best account of its work, *Danger in Kashmir*, revised ed., Princeton, New Jersey, 1966.

16. The post of Plebiscite Administrator was first outlined in the Security Council Resolution of 21 April 1948.

17. Text in: Government of Pakistan, *Reports on Kashmir by United Nations Representatives*, Karachi 1958, p. 27.

18. In the author's *Crisis in Kashmir*, published in 1966, what are essentially the Dixon proposals were advanced as the most realistic basis for a settlement (which was certainly not then anticipated in the foreseeable future) of the problem: the reaction in Islamabad was distinctly cool. It is interesting, however, that a Seminar on the Kashmir problem held at Queen Elizabeth House, Oxford, in May 1990, Agha Shahi, who has occupied a number of the highest diplomatic posts in the service of Pakistan, and who has argued the Kashmir case in the United Nations, admitted that the Dixon "regional plebiscite" scheme probably offered the best way out of the present impasse in Indo-Pakistani relations over Kashmir, which at that moment seemed to be leading to war.

19. *Reports on Kashmir, op. cit.*, p. 33.

20. Text, for example, in: Lakhanpal, *Essential Documents, op. cit.*, p. 285.

21. Government of Pakistan, *Reports on Kashmir by United Nations Representatives*, Karachi 1962, p. 289. This publication also contains the reports of General McNaughton, Sir Owen Dixon, and Gunnar Jarring, as well as all of Dr. Graham's reports.

22. Some observers have argued that the Indian invasion of Goa in December 1961 was a far more serious act of aggression than anything of which Pakistan stood accused in the State of Jammu and Kashmir. Both the British and U.S. delegations raised the matter at the Security Council of the United Nations. As the U.S. representative, Adlai Stevenson, put it: "let us be perfectly clear what is at stake. It is the question of the use of armed force by one State against another – an act clearly forbidden by the Charter" of the United Nations. A Security Council Resolution calling, among other things, for an immediate Indian withdrawal from Goa, was approved by seven votes to four (including four of the permanent members, the United States, Britain, France and China); but the opposing vote of the Soviet Union served as a veto (the Soviets' 99th in the history of the Security Council).

    Goa is a complex issue which is not our subject here. It is interesting that many of the arguments raised by India in its claim to Goa have been echoed by Iraq in its recent claim to Kuwait. For Goa, see: R.P. Rao, *Portuguese Rule in Goa 1519-1961*, New York 1963.

X

INSIDE JAMMU AND KASHMIR 1947 TO 1965

On 27 October 1947, the day the Indian Army officially intervened in the Kashmir dispute, Jawaharlal Nehru sent the following telegram to Liaquat Ali Khan, the Prime Minister of Pakistan:

> I should like to make it clear that the question of aiding Kashmir in this emergency is not designed in any way to influence the State to accede to India. Our view which we have repeatedly made public is that the question of accession in any disputed territory or State must be decided in accordance with the wishes of people and we adhere to this view.[1]

Four days later Jawaharlal Nehru declared that

> our assurance that we shall withdraw our troops from Kashmir as soon as peace and order are restored and leave the decision regarding the future of the State to the people is not merely a pledge to your . . . [Pakistan's] . . . Government but also to the people of Kashmir and to the world.[2]

All this Jawaharlal Nehru repeated in a broadcast on All India Radio on 2 November 1947.[3]

These statements leave one in no doubt whatsoever that at this crucial moment of birth of the Indo-Pakistani dispute over title to the State of Jammu and Kashmir Jawaharlal Nehru considered that the Maharaja's accession to India was not only provisional but also required subsequent ratification by the people of the State. Further, as Nehru put it in yet another telegram to Liaquat Ali Khan, on 3 November 1947, "we have agreed to an impartial international agency like the United Nations supervising any referendum".[4] Until then, nothing could be settled. This was an opinion which was soon to be endorsed by the Security Council of the United Nations; but it must be emphasised that all the Security Council did here was to confirm what Nehru had already promised.

Nehru's attitude towards some kind of referendum was the result of deliberate policy on his part, supported and encouraged in the early days of the Kashmir dispute by the Governor-General of India,

his good friend Lord Mountbatten. Some of his colleagues, however, never agreed with him that the Maharaja's accession was anything less than absolute; and they denied that confirmation was called for. Sardar Vallabhbhai Patel, for example, was in no doubt that immediately after accession the State of Jammu and Kashmir had become for all time an integral part of the Indian Union; and Nehru himself was eventually converted to this view. During the opening stages of the Kashmir dispute, however, the force of Nehru's statements which have been quoted above could not be escaped. It dominated the evolution of political life in those parts of the State of Jammu and Kashmir which were under Indian control. Three main questions were involved.

First: what would be the constitutional relationship between the State and the Indian Union while the outcome of the consultation of the wishes of the people was being awaited? If the Maharaja's accession were provisional, then all that could be specified in any Indian Constitution would be that the State of Jammu and Kashmir was, so to speak, a guest temporarily sheltering under Indian protection. It might eventually become a permanent resident: it might choose to move on elsewhere. Until it decided what its future intentions were, however, only temporary transitional arrangements could be made for it. The point, of course, became all the more important after the United Nations Security Council had resolved (21 April 1948) to recommend that the Governments of India and Pakistan ought to take certain measures "appropriate . . . to create proper conditions for a free and impartial plebiscite to decide whether the State of Jammu and Kashmir is to accede to India or Pakistan".[5] To incorporate formally and without qualification the State of Jammu and Kashmir into India by means of any imposed Constitution would now be tantamount to outright annexation in contempt of the United Nations, a step which in these early years of Indian independence Jawaharlal Nehru was reluctant to take.

Second: during this period pending a plebiscitary settlement, how would the State in practice be administered? It could not be denied that some kind of administration was called for: the alternative was anarchy. Here was a real problem. Any form of direct Indian administration would be interpreted both as contempt for the expressed wishes of the United Nations and a repudiation of Nehru's many assurances to a multitude of people on the question of popular consultation. On the other hand, to permit the Maharaja to go on ruling as before was ideologically intolerable to Nehru and his Congress colleagues. In practice there seemed to be but one solution. The events of the accession crisis had committed both the Maharaja and the Government of India to some kind of administration headed by Sheikh Abdullah who, in Nehru's mind at least, had become equated with the will of the State's people. Even if India had been the

midwife at the birth of such a regime, yet it was still what the Kashmiri people truly desired: no election was called for to confirm this self-evident truth.

The establishment of a Sheikh Abdullah administration, therefore, begged the final question: what form of constitution would the State acquire so that it would be able, in fact, to become a vehicle for the expression of the popular will? The existing 1939 Constitution would not do. There was no substitute ready to slip in place. For the time being the Sheikh Abdullah "Emergency" or "Interim" regime would of necessity be arbitrary, far more so, indeed, than anything over which the Maharaja had presided before the introduction of the 1934 and 1939 Constitutions. The sole mandate for Sheikh Abdullah's Emergency Government was, in theory, the Maharaja's will announced by proclamation. This was to remain the real constitutional basis for National Conference rule for more than a decade (and, ironically enough, for many years after the Sheikh Abdullah regime had deposed the Maharaja and overthrown his Dogra Dynasty). In practice it was to transpire that it was up to Sheikh Abdullah and his friends to work out for themselves what kind of Constitution they wanted to legitimise their own hold on the reins of power. In 1952, pending the formal drafting of a State Constitution by a Constitutional Assembly, Sheikh Abdullah declared that he was operating under an Interim Constitution, which he had improvised upon the basis of the 1939 State Constitution, and in which he conferred upon himself many of the powers which the Maharaja had enjoyed on the eve of accession.

The Sheikh Abdullah Emergency Government which the Maharaja proclaimed at the end of October 1947 was a peculiar variety of "dyarchy". Mahajan was still Prime Minister of the State. Effective power, however, other than that which was wielded by the Indian military (which was indeed considerable), lay in the hands of a Ministry presided over by Sheikh Abdullah and his National Conference associates Bakshi Ghulam Mohammed, Mirza Afzal Beg and G.M. Sadiq.[6] These men were answerable to no elected assembly. Their relations both with Mahajan and his master the Maharaja, who represented a regime which was manifestly dying if not dead, were far from cordial. India, by virtue of Nehru's repeated declarations that Sheikh Abdullah represented the true voice of the Kashmiri people, could do little at this stage to control the actions of its own nominee without undermining a key element of its case for being in the State of Jammu and Kashmir at all.

Events were soon to demonstrate that Sheikh Abdullah, for all his opposition both to the Maharaja and to M.A. Jinnah, was no subservient follower of India. His regime, from the outset a potential dictatorship and one-party state by virtue of the constitutional ambiguities already noted, was soon seen to promise a form of

arbitrary, not to say extreme, government of a kind which it would not be easy for Jawaharlal Nehru to defend. Fortunately for Nehru's international reputation, the military situation in the State and the rhetoric of Indo-Pakistani argument distracted attention both in India and abroad (where the Lion of Kashmir was generally perceived as a hero of a struggle for popular self-determination) from what Sheikh Abdullah was really up to and which was all too apparent to those directly involved in Kashmiri affairs. Within six weeks of having been obliged to entrust to him the *de facto* leadership of an administration, Mahajan (still the Prime Minister in name) was complaining to Sardar Vallabhbhai Patel (11 December 1947) that the State government reminded him of Nazi Germany, run by gangsters without benefit of rule of law; and he wished to be in no way associated with it. The sooner he was out the better.[7]

The State High Court had been prevented from functioning. Large numbers of officials in the Maharaja's old administration, including the Governor of Jammu, had been detained. Sheikh Abdullah had on his own initiative conferred a number of senior official appointments on his friends: Mahajan had not been consulted. National Conference workers were busily selling trade concessions and renting out State transport without any interference from the Government. Members of the Muslim Conference whom the Maharaja had arrested were left languishing in captivity: Sheikh Abdullah treated them just as he was temperamentally disposed to deal with any other rivals to his authority.

On 5 March 1948 Mahajan finally disappeared from the scene and Sheikh Abdullah became by the Maharaja's proclamation head of an Interim Government, that is to say a regime which was to operate until at some unspecified future date constitutional provisions were made for a more formal system of administration in possession of some kind of popular mandate.[8] As head of the Interim Government Sheikh Abdullah continued to demonstrate his true colours, those characteristics to which Mahajan had already drawn the attention of Sardar Vallabhbhai Patel: they became increasingly difficult to ignore.

The political ideology of Sheikh Abdullah was of a distinctly socialist, even Marxist, tinge. He stood well to the left of Jawaharlal Nehru; and some of his associates (like G.M. Sadiq), so foreign observers like Josef Korbel felt, probably were, or had once been, fully fledged members of the Communist Party (as Sheikh Abdullah was quite willing to admit). Once in control of the Government of that territory which lay on the Indian side of the cease-fire line, Sheikh Abdullah set out to put some of his ideas into practice.

The basic programme had already been outlined by the National Conference in 1944 in a manifesto entitled *New Kashmir* which called

for what amounted to a one-party Government in the State of Jammu and Kashmir dedicated to social reform along the lines pioneered by the Soviet Union. One of the first priorities was land reform; and by March 1953 Sheikh Abdullah had enforced a revolution in the landholding pattern of the State (largely without compensation to expropriated landowners and holders of State-conferred land rights) including the establishment of something very like collective farms. The largest landholding now permitted was just under twenty-three acres (182 *kanals*).[9] All this was accompanied by a great deal of direct governmental involvement in industry and the distribution of industrial products. Further, Sheikh Abdullah set up a planning system modelled on the Soviet five-year plans. The first Kashmir plan provided for extensive irrigation works and for the construction of a tunnel under the Banihal pass which would keep open throughout the year the crucial line of road communication between the Jammu and Srinagar, a formidable undertaking. Finally, the new regime made it clear that it would welcome no argument or organised opposition: it retained powers of detention and suppression of hostile press comment which clearly conflicted with the democratic protestations of its Indian patrons.

One plank in the platform of the National Conference during the "Quit Kashmir" agitation of 1946 had been the abolition of the rule of the Dogra dynasty; it was for this reason that Sheikh Abdullah and his colleagues has been incarcerated in that year. Subsequently, however, Maharaja Sir Hari Singh may perhaps have hoped that, given the circumstances which had brought Sheikh Abdullah to power, a more tolerant attitude towards the Dogras might become acceptable; and by acceding to India the Dogra ruling family may have persuaded itself that it stood a better chance of staying in power than it would have by joining Pakistan. If the Maharaja believed this, he was soon to be disillusioned. In June 1949 Maharaja Sir Hari Singh was obliged to leave the State, ostensibly for reasons of health though in reality under the combined pressure of Sheikh Abdullah and Sardar Vallabhbhai Patel: he handed over his powers to his son and heir, Yuvraj Karan Singh, as Regent. In June 1952 Sheikh Abdullah announced the end of the Dogra dynasty. The Maharaja was replaced by a constitutional Head of State, the Sadar-i-Riyasat, to be elected for a five-year term by the Legislative Assembly (or, in the first instance in the absence of such an Assembly, by the Constituent Assembly, of which more shortly). Yuvraj Karan Singh was elected the first such Head of State, so the Dogras managed to retain some foothold for a while longer in the corridors of power of the polity which Gulab Singh had created.

Jawaharlal Nehru must have been dismayed to discover that Sheikh Abdullah, whatever some his National Conference colleagues might have thought, had distinctly ambivalent views about the relationship

which ought to exist between the State of Jammu and Kashmir on the one hand and the rest of the world, India included, on the other. Sheikh Abdullah said many things to many people at different times; and it would be possible by careful selection to discover in his spoken and written word evidence for a wide range of opinions and attitudes. Careful analysis, however, can reveal certain consistent threads in actions and policies during the first phase of his government (which ended abruptly in August 1953), most of which re-emerged during the second phase from 1975 until his death in 1982. These were sometimes paradoxical: Sheikh Abdullah cannot be accused of profound and logically rigorous political thought. They did not, on the whole, coincide with the kind of ideas which New Delhi deemed to be appropriate to the chief official of an Indian State.

In his 1944 *New Kashmir* proposals Sheikh Abdullah made a powerful case for the conversion of Jammu and Kashmir into an independent state, which he liked to describe as a South Asian Switzerland, perhaps in alliance with an India free from British rule but not an integral part of it (a theme to which he returned again and again in later years). It would be secular; but it would also be dominated by its Muslim majority and would thus acquire many of those very Islamic characteristics which M.A. Jinnah was advocating for Pakistan. Above all, it would be Kashmiri. His much acclaimed secularism could well have been the misunderstanding of what can only be described as a variety of Kashmiri nationalism. He argued on a number of occasions that just as Kashmiri Islam was different from the Islam of Jinnah's Pakistan, so Kashmiri Hinduism was more Kashmiri than Hindu. In other words, the Hindu minority in the State had more in common with the Muslim majority than it had with the Hindus elsewhere in the Indian sub-continent. It was an outlook which derived almost entirely from an interpretation (which had a great deal going for it) of the situation in the Vale of Kashmir. It did not, however, take into account the realities of non-Muslim opinion in Jammu or Ladakh.

Indeed, the Kashmir which Sheikh Abdullah hoped to create was really a reversal of the Dogra empire which Gulab Singh had founded. For the Dogras the Muslims of the Vale of Kashmir were to all intents and purposes colonial subjects ruled by a Hindu Jammu elite aided and abetted by the Pandit (Hindu) community. For Sheikh Abdullah the non-Muslims of Jammu and Ladakh were the colonial subjects of a Kashmiri elite recruited from the ranks of the National Conference with which some of the more enlightened Pandits collaborated. From time to time he even contemplated, so Mahajan reported, hiving off the non-Muslim bits by splitting the State into two, giving the Maharaja Jammu, Kathua and Udhampur (which were perceived to be predominantly Hindu and, in Sheikh Abdullah's eyes, culturally non-Kashmiri) to govern as a semi-autonomous

dependency of Srinagar, and turning the rest into an Islamic republic which he would rule in collaboration with the Muslim Conference.[10] What Mahajan was referring to when he mentioned the Muslim Conference, of course, was the problem of Azad Kashmir. In that this was to remain a component in the wider Kashmir problem, albeit usually latent rather than active, its description merits a digression here.

The accession crisis had been inextricably involved, as we have seen, with the Poonch rebellion and the creation of a the secessionist State of Azad Kashmir. Here many of Sheikh Abdullah's opponents in the Muslim Conference, such as Chaudhri Ghulam Abbas and Mirwaiz Mohammed Yusuf Shah, had migrated in one way or another (Chaudhri Ghulam Abbas after Sheikh Abdullah had finally released him from prison in March 1948). It was a peculiar entity made up of three quite distinct elements, much of the Mirpur District of Jammu, the bulk of the old *Jagir* of Poonch and a portion of north-western Kashmir Province (but excluding the Gilgit Agency and dependencies and Baltistan, which were to be integrated into Pakistan). These territories occupied a narrow tract between the West Punjab in Pakistan and the Pir Panjal Range. The capital was Muzaffarabad, the chief town of one of the Districts of the old Kashmir Province. The first years of Azad Kashmiri political life were dominated by tensions between the dominant group in Pooch, the Sudhans (who had been so prominent in the initial rising against the Maharaja, as we have seen in Chapter 7), and those with their roots either in the Vale of Kashmir or in Jammu, many of them refugees from Sheikh Abdullah and his Indian allies.[11]

The Muzaffarabad regime is not easy to classify.[12] While dependent upon Pakistan for its military and economic survival (not least because of its importance for the watering of the West Punjab by rivers which ran through it and by vast projects like Mangla which were over the years to come to be situated on its soil), it was not entirely a Pakistani puppet state. In some respects its was a kind of Kashmir government in exile; as such it provided a forum for Kashmiri politicians who represented widely divergent views as to the kind of future for which they were struggling. At the same time, it was inevitable that Pakistan would watch closely, and intervene actively in, its political processes; and without Pakistani assistance, economic, political and military, it could not hope to survive.

There were two obvious consequences. First: in its actual political structure it demonstrated great instability. Presidents came and went with extraordinary rapidity, particularly in its early years, for reasons which were not always apparent to the outside world. Second: its formal constitution tended to reflect whatever regime was in force in Pakistan, be it Ayub Khan's Basic Democracy, Zulfikar Ali Bhutto's PPP, or varieties of martial law administrations. In both cases what

was at work was a conflict between Pakistani interests in a wider context and the interests and attitudes of local Azad Kashmiri leaders, some of whom were prepared to consider solutions to the Kashmir problem which did not of necessity coincide with what was in favour at the moment in Karachi, Rawalpindi or Islamabad. There were Azad Kashmiri politicians, for example, who thought that they ought to have jurisdiction over the Gilgit Agency and Baltistan, a prospect which was anathema to underlying Pakistani geopolitical concepts which, in this respect, did not differ greatly from those of the British Raj.

The nature of Azad Kashmiri political life, of course, was also a cause for great anxiety on the Indian side of the cease-fire line. So long as Azad Kashmir existed, there was a constant temptation, as had Mahajan observed, for Kashmiri nationalists in Srinagar to seek some formula for the reunification of the divided Kashmiri state through means other than Indian arms and diplomacy. Sheikh Abdullah, while at times expressing his abhorrence for Azad Kashmir in the strongest possible language, was yet on occasions prepared to enter into clandestine correspondence with some of its leaders, many of whom he had known since the heady days of June and July 1931. There is evidence, for example, that in 1951 he was in touch with Chaudhri Ghulam Abbas, his old rival and one-time colleague who was Azad Kashmir's third President (after Sardar Ibrahim Khan and Colonel Sher Ahmed Khan). Pakistan's response, it is likely, contributed to Ghulam Abbas' downfall and his replacement by Mirwaiz Mohammed Yusuf Shah. The Indian reaction to such intrigues was perforce muted, given the degree to which Nehru had become Sheikh Abdullah's political and diplomatic hostage. There can be no doubt, however, that the prospect of a deal between Sheikh Abdullah and Azad Kashmir for what might be called an "internal settlement" of the Kashmir question caused great anxiety in New Delhi; and it was certainly a contributing factor in Sheikh Abdullah's downfall in 1953, just as it was to play its part in the crisis in relations between Srinagar and New Delhi in 1982 which will be examined in Chapter 14.

Implied in covert dealings with Azad Kashmiri leaders, of course, was a challenge to the finality of the accession of the State of Jammu and Kashmir to India: here to the Government of India was the most disturbing feature of Sheikh Abdullah's approach to politics, far more than its dictatorial nature, though this too certainly promised great difficulties. When the United States Ambassador to India, Loy Henderson, secretly visited Sheikh Abdullah in Srinagar in September 1950, he reported as follows:

> in discussing future Kashmir, Abdullah was vigorous in restating his opinion that it should be independent; that overwhelming majority population desired this independence; and that he had reason believe that some Azad Kashmir leaders desired independence and would be

willing cooperate with leaders National Conference if there were reasonable chance such cooperation would result in independence.[13]

Sheikh Abdullah did admit that in the last resort he thought that his State would do better within India than within Pakistan; but he clearly hoped that he could avoid complete incorporation into either of his powerful neighbours. Three years later, in May 1953, when Sheikh Abdullah talked with the American Democrat leader Adlai Stevenson in Srinagar, he seems virtually to have repeated what he told Ambassador Henderson.[14] It is extremely unlikely that Indian Intelligence was unaware of what Sheikh Abdullah was saying to distinguished foreign visitors; and certainly by the summer of 1953, if not much earlier, Jawaharlal Nehru was briefed on this question.

It is clear that, from the Indian point of view, from late October 1947 Sheikh Abdullah was what is sometimes called a loose cannon; and this became all the more so when, in March 1948, M.C. Mahajan stepped down (or was quietly displaced) and Sheikh Abdullah became the undisputed head, with the title Prime Minister (not Chief Minister as would be the case in an ordinary Indian State), of a "popular" Interim Government amidst considerable publicity within the State. The departure of Mahajan marked the end of the final, albeit tenuous, link between the current regime and a form of government which had some roots in previous constitutional evolution. In a very real sense Sheikh Abdullah was now an absolute ruler; and it was clearly in the interest of the Government of India that some fresh constitutional checks be devised. These would have to involve not only the structure of the internal government of the State but also the State's formal relationship with the Indian Union.

The Indian Constitution, as it finally emerged in January 1950 from an Indian Constituent Assembly (in which the State of Jammu and Kashmir was allocated four seats, just as it was in due course to have four seats in the *Lok Sabha*), perforce gave to the State of Jammu and Kashmir what can only be described as a peculiar position and one unique among Indian States. While the State was deemed in Article I to be an integral part of the Indian Union, it was given by Article 370 a special status by means of "temporary provisions with respect to the State of Jammu and Kashmir" which effectively limited the powers of the Indian Union Parliament there to the three "matters specified in the Instrument of Accession governing the accession of the State to the Dominion of India", namely Defence, External Affairs and Communications: and all this was to be confirmed in Article 152 of the 1956 amended version of the Constitution where, in the section dealing with the Indian States, it was specified that the expression State "does not include the State of Jammu and Kashmir".[15] Apart from the three powers reserved to the Centre, everything else would be the proper concern of whatever

form of Government a Jammu and Kashmir Constituent Assembly might decide to create. One possible interpretation of this situation, though it was hotly contested by many observers in New Delhi, was that the State was an autonomous polity under Indian protection, with the implication, of course, that it might evolve in time to full independence. Article 370 (originally 306-A) was drafted by Gopalaswami Ayyengar in close consultation with Sheikh Abdullah.[16]

Had it not been for Sheikh Abdullah it is probable that Article 370 would have been devised, if it had indeed been deemed to be necessary at all, so as to leave the future shape of the State, once the reference to the people had been made, much more clearly defined. It would have been quite possible to arrange, subject to popular ratification, that the State of Jammu and Kashmir would eventually have a Constitution just like that of the other Indian States of the same class. There was what was called at the time "the Mysore model". On 29 October 1947, the very day on which Sheikh Abdullah began his Emergency Government, the Maharaja of Mysore, having acceded to India prior to the Transfer of Power, set up a Constituent Assembly to draft a constitution for his State. The Mysore Assembly promptly passed a resolution that the State's Constitution should be essentially that which would be framed by the Constituent Assembly of the Indian Union for States of Mysore's class. Such a constitution was duly proclaimed by the Maharaja on 25 November 1949.[17] It followed the pattern for what were known technically as Part B States as set out in Article 371 of the Indian Constitution, that is to say former Princely States to be treated on much the same basis as the former provinces of the British Raj.[18]

Sheikh Abdullah was not prepared to accept this "Mysore" procedure; and there existed considerable anxiety both in New Delhi and in Srinagar and Jammu as to what he would do if he were pressed on the matter. No one knew how he would react if he were not granted the minimum degree of autonomy which came to be implied in Article 370. He might even, for example, decide to opt for Pakistan after all, which would make a nonsense of Jawaharlal Nehru's claim that Sheikh Abdullah was the personification of the Kashmiri people's desire to remain in India as a secular state. He was, accordingly, permitted an extraordinary degree of latitude in the process of establishing machinery for the devising of a constitution for his State, the Jammu and Kashmir Constituent Assembly.

The Constituent Assembly was a body which had been called into being in order to legitimise the new regime in the State of Jammu and Kashmir. It had originally been promised by Maharaja Hari Singh on 5 March 1948 when the Sheikh Abdullah Emergency Government was proclaimed. The Maharaja may, perhaps, have then had in mind the "Mysore model" (to which reference has already been made); but Sheikh Abdullah had very different ideas about what State

constitutions ought to look like. It is interesting that in the Maharaja's proclamation it had been made clear that the Constituent Assembly would also be a National Assembly, in other words that it would be a legislature which would then proceed to create a constitution to validate its own existence; but, even without a constitution, it could function as a fully sovereign body (within the parameters of the relationship with India, whatever exactly that might turn out to be).[19]

When the provisions for elections for a Constituent Assembly for the State of Jammu and Kashmir were formally announced by the Sadar-i-Riyasat on 30 April 1951, some appreciable time after the Constitution of the Indian Union had come into force, it was clear that the Assembly would concern itself with rather broader issues that the mere devising of a constitution for just another State in the Indian Union: it would also decide once and for all the future of the Dogra Dynasty (which Sheikh Abdullah was already settling, as we have seen, with the expedited departure of Maharaja Hari Singh in June 1949) and it would determine whether landowners and holders of land rights would (or, as Sheikh Abdullah wished, would not) be compensated for their losses under the land reform which had already taken place in a constitutional vacuum (all of which involved legislative powers more appropriate to a constitutionally elected legislature than to a Constitutional Assembly, and may well, it could be argued, have usurped powers properly belonging to the Indian Union even as narrowly defined by Article 370).

The Constituent Assembly was convened in October 1951 (and finally produced a draft Constitution in 1956). In theory its members had been freely elected by secret ballot in a manner hitherto unknown in the State; but somehow Sheikh Abdullah's National Conference Party and those sympathetic to it won all the seats for which they were candidates, seventy-five in all (with a further twenty-five reserved for those parts of the State currently under Pakistani control or in Azad Kashmir – these were never filled). The fairness of the election was certainly open to challenge. While based, unlike the old 1939 Jammu and Kashmir State Constitution, on universal adult suffrage, both the compilation of the electoral rolls (which had already begun in 1949) and the registration of nominations were supervised with great care and efficiency by Sheikh Abdullah's partisans. Under 5% of the potential electorate actually voted. No less than seventy-three delegates were returned unopposed; and the whole process was boycotted by the only other tolerably organised party in the State, the Praja Parishad (associated with Jana Sangh in India) which represented the Hindus of Jammu (with a measure of Sikh support), after the nominations for all twenty-seven of its candidates had been rejected.[20] The old Muslim Conference, of course, was no longer a force in politics on the Indian side of the cease-fire line, and it took no part in these proceedings: its members had been persecuted in a

number of ways by the Sheikh Abdullah administration and its leaders had mostly migrated to Azad Kashmir.

The object of the Constituent Assembly, to determine the "future shape and affiliations of the State of Jammu and Kashmir", appeared to conflict (as has already been noted in Chapter 9) with resolutions made by the Security Council of the United Nations, which was also endeavouring in rather different ways to decide on the future of the State, a question which it considered to be still *sub judice*. Security Council protest, however, did not hinder the Constituent Assembly in its deliberations. As the Chairman of the Assembly put it in October 1951:

> Kashmir was not interested in the United Nations, which was the victim of international intrigues. The path of Kashmir and the U.N. lay in different directions . . . It is well known that the National Conference had gone to the people of the State with a programme of accession to India and this programme had been ratified by every single adult voter of the State.[21]

Sheikh Abdullah saw the Constituent Assembly as a continuation of Jammu and Kashmir's freedom struggle. Even if the result would be some kind of incorporation of the State within the Indian Union, this would be done by a public demonstration of the sovereign will of the people under his guidance. He believed that the Constituent Assembly would guarantee that the State of Jammu and Kashmir would never become just another Indian State. A suitable Constitution would ensure that the "temporary" special status indicated in Article 370 of the Indian Constitution would, in fact, be permanent; and it would not preclude the possibility of, one day, full independence. This is what he understood by the word "accession"; and it explains many of the apparent contradictions in his public statements over the years. All that "accession" really meant to him was that the State of Jammu and Kashmir was not in any legal sense part of Pakistan. It did not indicate that the State was forever more to be an integral part of India. Through "accession" the State of Jammu and Kashmir had sought Indian aid at a moment of crisis: and the "irrevocability" of "accession" implied no more than that such aid was perfectly legitimate and could never be contested on grounds of international law. Until the people of the State of Jammu and Kashmir indicated otherwise, the Indian military defenders of the State had the right to be present on the State's soil. In that this was not how the matters were perceived in New Delhi, various "confirmations" of "accession" by bodies associated with Sheikh Abdullah (such as working parties of the National Conference preparing for deliberations of the Constituent Assembly) could give rise to major misunderstandings and divergences in interpretation.[22]

Jawaharlal Nehru also saw advantage in the Constituent Assembly.

It would reinforce the argument that Sheikh Abdullah's National Conference really did represent the will of the people of the State of Jammu and Kashmir; and the elections to which it gave rise could be presented to world opinion as a substitute for a plebiscite. If the majority of the State voted for Sheikh Abdullah's party in the Constituent Assembly, and if that Assembly ratified the accession of the State to India, then democracy, so Indian diplomats might declare, could ask for nothing more. The elections for the Constituent Assembly, despite their manifest deficiencies, were to be used increasingly by the Indian side as an argument for the rejection of proposals for a plebiscite to decide Kashmir's future status. The Kashmiri people had spoken: it would be insulting to ask them to speak again.

It was evident that the Constituent Assembly would take its time in the production of a definitive document. Meanwhile, given the Indian diplomatic emphasis which was being placed on its proceedings, Nehru soon concluded that it would be as well to obtain from Sheikh Abdullah some interim basic definition of the kind of relationship between the Indian Union and the State of Jammu and Kashmir that would in due course emerge. Above all, it would be extremely useful to have the ambiguities of interpretation of the word "accession", which we have just noted, clarified. In June 1952 the Government of India requested that a party of Kashmiri leaders come to New Delhi to discuss such constitutional fundamentals.[23]

A Kashmiri delegation, headed by Mirza Afzal Beg and including D.P. Dhar and Mir Qasim, arrived in New Delhi on 17 June and immediately started discussions with Jawaharlal Nehru. A month later, on 17 July, Sheikh Abdullah joined in the talks (along with Bakshi Ghulam Mohammed, G.M. Sadiq and Maulana Sayeed Masoodi) which also included a number of Indian politicians representing opposition parties. The result was an agreement between Sheikh Abdullah's faction and Jawaharlal Nehru reached on 24 July, often referred to as the Delhi Agreement, which Sheikh Abdullah outlined in Srinagar to the Jammu and Kashmir Constituent Assembly on 11 August 1952.[24]

It was now specified, Sheikh Abdullah declared, that the State of Jammu and Kashmir, while part of the Indian Union, yet enjoyed certain unique privileges within that Union. Citizens of the State, though also citizens of the Indian Union, had rights relating to land ownership within the State which were denied to Indian citizens from outside the State. The exceptional authority of the Legislature of the State was recognized. The power of the President of India to declare a state of emergency could only be exercised in the State of Jammu and Kashmir "at the request or with the concurrence of the Government of the State". The State would have its own flag, though this did not preclude (or, indeed, replace) the use of the Union flag

in the State. Special arrangements were laid down for the election of the Head of the State, the Sadar-i-Riyasat, who would be recommended by the State Legislature to the President of the Indian Union for confirmation (these were implemented in November 1952). That both the President of the Indian Union and the Indian Supreme Court could concern themselves with the State's affairs in certain circumstances was not in doubt; but what precisely those circumstances were was open to various interpretations. The essential point, Sheikh Abdullah made it clear, was that in the State of Jammu and Kashmir, unlike all the other states in the Indian Union, those "residuary powers" in the Indian Constitution were vested not in the Centre but in the State to be defined by the Constituent Assembly in due course. As Sheikh Abdullah declared in conclusion,

> it is, of course, for the Constituent Assembly, which is seized of these matters, to determine the extent and scope of the state's accession to India. The Assembly may agree to continue this relationship on the present basis or extent of its scope as it might like and consider feasible and proper.[25]

This was the first of three attempts by the Nehru dynasty to agree with the Sheikh Abdullah dynasty to agree on a definition of the status of the State of Jammu and Kashmir (the others being in 1975 between Sheikh Abdullah and Nehru's daughter, Indira Gandhi, and in 1986 between Sheikh Abdullah's son, Dr. Farooq Abdullah, and Nehru's grandson, Rajiv Gandhi, which will be discussed in Chapters 14 and 15); and it was no more satisfactory from the Indian point of view than its successors. Jawaharlal Nehru had effectively conceded that the finality of "accession" had yet to be decided: this was a task for the Jammu and Kashmir Constituent Assembly which was generally believed to be a euphemism for the opinion of Sheikh Abdullah. Nehru had evidently persuaded himself that at the end of the day his old friend would come down firmly on the Indian side. In the meantime it might be as well to permit a measure of ambiguity to persist, if only to blunt the force of United Nations protests. It still seemed essential, moreover, to keep Sheikh Abdullah happy. His goodwill justified, after all, the Indian military presence in the State; and without it the State might prove to be ungovernable. Difficulties, if and when they arose, could be sorted out by direct Sheikh Abdullah-Nehru discussions. Nehru was soon to discover, or be persuaded, that there were grave flaws in this line of reasoning.

Sheikh Abdullah might indeed be the king of the Vale of Kashmir; but it was soon evident to Indian observers that he was not so revered in either Jammu or Ladakh, regions in which he had little interest and, at least in the case of Ladakh, of which he possessed scant knowledge. Indeed, from the first days of Indian involvement after the accession crisis it was clear that one of the major problems arising

from Nehru's dependence on Sheikh Abdullah was how to maintain the cohesion of the empire which Gulab Singh had built up.

Ladakh, with a small population of 105,291 according to the 1971 census, is still, despite the annexations which the Indians maintain the Chinese have made of its territory in the Aksai Chin region, by far the largest District in the State of Jammu and Kashmir. As we have already seen, it was of enormous geopolitical importance to Indian strategists, who saw it as a route to Sinkiang alternative to the Gilgit Agency now apparently lost for a long time, if not for good, to Pakistan: hence the Indian struggle to deny the Zoji La to Pakistan in 1948 which was undoubtedly motivated to a great extent by the necessity to keep open this last remaining Indian access to the heart of Asia.

The majority of Ladakhis, Buddhists of the Tibetan variety, had lived in virtual isolation from the modern world until 1948; but soon they began to appreciate that Sheikh Abdullah, now the dominant force in their political universe, had no particular sympathy for the Ladakhi way of life and, with his land reform policies, actually threatened it (or, at least, the wealth of the Buddhist monasteries). Moreover, the Islamic flavour of the new order clearly favoured the small Muslim minority which controlled much of the Ladakhi economy (they had traditionally monopolised, for example, trade between Leh and Tibet – there was a community of them settled in Lhasa – and they dominated the supply of *pashmina* wool for Kashmiri weavers) and which was demographically important in only one part of the region, Kargil (where there was a significant concentration of Baltis, ethnically and culturally related to the Ladakhis but in religion Twelver Shias). When by the end of 1948 it had become clear that Ladakh would remain within the Indian sphere, there were Ladakhi leaders who advocated some relationship with New Delhi other than that through the Government of the State of Jammu and Kashmir.

Thus in 1949 Chhewang Rigzin, who presided over a body calling itself the Buddhist Association of Ladakh, submitted a Memorandum to Jawaharlal Nehru which advocated that Ladakh be integrated in some way with Jammu (or at least its Hindu-majority *tehsils*) to become either an Indian State in its own right or a part of the State of East Punjab. The Memorandum argued that one consequence of the accession crisis of 1947 had been the annulment of the Treaty of Amritsar of 1846. Sheikh Abdullah had got Kashmir. In law and equity Ladakh had reverted to its previous relationship with Jammu established in the 1830s (if it had not become independent). This theoretical status should be given practical effect. In other words, the Ladakhi people should be rescued from Sheikh Abdullah.[26] In 1952 the Abbot of Spituk Monastery, Kushok Bakula, who was widely accepted as the Ladakhi political leader (and was a member of the Jammu and Kashmir Constituent Assembly), returned to this theme

in an interview with Nehru when he complained about the injustices of the Sheikh Abdullah regime: it is alleged that he hinted that if matters did not improve Ladakh might seek to secede from India and join Tibet (which did not seem to be a very promising move after the Chinese "peaceful liberation" – but, perhaps, the full implications of all this were yet to be appreciated). He certainly made it clear that Ladakh, while quite prepared to cohabit with Jammu Hindus in some manner separated from Srinagar, was increasingly unhappy about what appeared to be a Muslim domination. These Ladakhi grievances were also communicated to the Sadar-i-Riyasat, Karan Singh, during a visit to Leh in the latter part of 1952.[27]

A much more serious opposition to Sheikh Abdullah had developed in Jammu where non-Muslim political activity was dominated by the Praja Parishad.[28] This political movement, launched at the very end of 1947 by Bal Raj Madhok with the support of many who had worked for the RSS and other Hindu extremist groups, enjoyed close links with Hindu political bodies in India outside the State, notably the Jana Sangh party whose charismatic President, Dr. Syama Prasad Mookerjee, was an Indian public figure of the first rank (who had held a portfolio, Industry and Supplies, in the Indian Cabinet from 1947 to 1950). The Praja Parishad view, shared by Dr. Mookerjee, was that the trend in Jammu and Kashmir political evolution under the guidance of Sheikh Abdullah was increasingly to drift away from incorporation into the Indian Union and towards the creation of what might almost be called a mini-Pakistan, an autonomous (if not fully independent) state which was in its essentials Islamic. In the State of Jammu and Kashmir, Dr. Mookerjee commented, there were, or would soon be, "two constitutions, two flags and two heads of the state in one country", and this "cannot be tolerated".

The Delhi Accord greatly alarmed the Praja Parishad. Under the leadership of Prem Nath Dogra it began in the autumn of 1952 a campaign of extra-parliamentary opposition (it had, not surprisingly, already boycotted elections for the Constituent Assembly) to Sheikh Abdullah. Essentially a Hindu middle class movement, it had been particularly disturbed by Sheikh Abdullah's land reforms; and increasingly it came to see the ruling National Conference both as an Islamic communal party and as a cover for the extension of communist ideology. It sought the separation of Jammu from the Vale of Kashmir, either as a state in its own right or as part of the Indian Punjab. It advocated the abolition of Article 370 of the Indian Constitution and the termination of the special status of the State of Jammu and Kashmir. Its thinking had certainly been influenced by those suggestions (already discussed in Chapter 9) made in 1950 by Sir Owen Dixon (with Nehru's qualified initial interest) that there might be as part of the plebiscitary process some kind of partition of the State.

The Praja Parishad was enthusiastically supported in India by the Jana Sangh: Dr. Mookerjee agreed with its demand that the State of Jammu and Kashmir, far from being permitted that autonomy enshrined in the Delhi Agreement and Article 370 of the Indian Constitution, should be incorporated lock, stock and barrel into the Indian Union ("one flag, one constitution and one president"), or, failing that, that Jammu be split off from the rest of the State and taken directly under India's wing.

In November 1952 the Praja Parishad leader, Prem Nath Dogra, and one of his close associates, Sham Lal Sharma, were detained on the orders of Sheikh Abdullah's Interim Government. The situation in Jammu thereupon grew increasingly tense with, in the spring of 1953, a mounting tempo of Praja Parishad *satyagraha* activity, to which the Srinagar authorities replied with considerable violence, dispersing crowds with police charges and numerous arrests. Dr. Mookerjee helped organise supporting agitation outside the State; and in May 1953 he set out for Jammu where he proposed to investigate the situation on the spot. He was arrested at the State border on 11 May by Jammu and Kashmir State Police, who were ultimately responsible to Sheikh Abdullah's administration. He was taken to Srinagar where, on 23 June 1953, he died (apparently of a heart attack) while under detention.[29] Dr. Mookerjee's demise attracted wide publicity in India where the affairs of the State of Jammu and Kashmir became the subject of lively public debate. It was widely believed that he had been murdered.

By now the behaviour of Sheikh Abdullah was being watched with increasing anxiety by agents and friends of the Indian Union, notably the Director of the Intelligence Bureau B.N. Mullik, who had easy access to Nehru, and a young Kashmiri Pandit member of Sheikh Abdullah's administration, D.P. Dhar, who was in constant contact with the Sadar-i-Riyasat, Karan Singh: they thought that Dr. Mookerjee's death, whatever its causes, was the last straw. In consultation with Sheikh Abdullah's Deputy, Bakshi Ghulam Mohammed, they decided to bring the crisis to an end by removing Sheikh Abdullah from power.[30] Jawaharlal Nehru, who had called on Sheikh Abdullah in Srinagar in May 1953 and concluded that his old friend was now out of control, repudiating the 1952 Delhi Agreement and insisting on a Jammu and Kashmiri status that looked as if it could only lead to secession from India, did not oppose this plan: nor did the Indian elder statesman Maulana Abul Kalam Azad, who had also visited Sheikh Abdullah and agreed with Nehru's conclusions.

Was Sheikh Abdullah really working for the independence of his State, as Nehru evidently believed? B.N. Mullik was probably near to the truth (even though he could be disastrously off target on other matters) when he observed that Sheikh Abdullah was not actually

planning to take the State of Jammu and Kashmir into Pakistan. He was looking for a semi-independent status where the Indians would protect him while he would benefit economically from the tourist industry and other sources of Kashmiri wealth free from interference from what he regarded as the Hindu dominated government in New Delhi.[31]

What was certain was that Sheikh Abdullah was participating in a Working Committee of the Constituent Assembly, along with the leading figures in his administration, in quest of some radical solution to the Indo-Pakistani dispute over Kashmir which was now entering its sixth year.[32] The Working Committee had before it a wide range of possibilities including accession of the State of Jammu and Kashmir to Pakistan and the establishment of its total independence, as well as a variety of plebiscitary devices such as those ingenious compromises thought up by Sir Own Dixon in 1950 (and which Sheikh Abdullah had initially rejected out of hand). The Working Committee had come to no conclusions; but its very existence with such an agenda was extremely alarming to those with a vested interest in the survival of an exclusive Indian connection with the State of Jammu and Kashmir.

On the night of 8-9 August 1953 the Sadar-i-Riyasat, Karan Singh, avenged his father by dismissing Sheikh Abdullah from office and swearing in Bakshi Ghulam Mohammed in his place, the Indian Army forces in the State having in the meantime been placed on the alert and various other police security measures, including severe press restrictions, put in hand. Under Bakshi Ghulam Mohammed, and with the fall of Sheikh Abdullah, the Praja Parishad agitation in Jammu rapidly died away (it had already passed its crisis by March).

While the problem of the relationship between Jammu and the Vale of Kashmir (often referred to as "regional imbalances"), perceived in the former to be very much to the advantage of the latter, persisted to produce crises from time to time, notably in the late 1960s and in 1979-80 (which will be examined in Chapter 14), the deposition of Sheikh Abdullah bought the Government of India a few years of relative calm in this aspect of the Kashmir problem. It was also, however, a severe blow to the basic structure of the Indian position in the State of Jammu and Kashmir from which it would never fully recover. As we have seen, that position had rested, at least in the international public presentation offered by Jawaharlal Nehru, on the fact that Sheikh Abdullah could be taken to be the manifestation of the will of the State's people on a non-communal basis; and, further, that it was the State's peoples' will, expressed through Sheikh Abdullah, that the proper place of the entire State of Jammu and Kashmir lay in, or in close association with, India. If Sheikh Abdullah were a false prophet, as the *coup* of 8-9 August 1953 suggested, then it could well be that Nehru had seriously misinter-

preted the will of the inhabitants of Jammu, Ladakh and the Vale of Kashmir. India, in other words, was not in the State of Jammu and Kashmir as liberator but, rather, as yet another colonial master. This was the negative side. There was also a more positive aspect to the fall of Sheikh Abdullah.

The departure of Sheikh Abdullah presented Jawaharlal Nehru with a magnificent opportunity to seek in direct discussions with Pakistan some kind of settlement of the Kashmir question along the general lines suggested as one possibility by Sir Owen Dixon in 1950. It was clear that Jammu and Ladakh would be quite happy to join India in some manner quite separate from the Vale of Kashmir; and they would vote to this effect if called upon to do so in any "regional plebiscite". It was probable that, with Sheikh Abdullah removed from the equation, the Vale of Kashmir in such a plebiscite would opt (if independence were ruled out) for an association of sorts with Pakistan. The Vale of Kashmir, were Pakistan to co-operate, might join up with Azad Kashmir. As Dixon had anticipated, the Gilgit Agency and dependencies and Baltistan would inevitably remain with Pakistan.

Unfortunately for the future peace of the subcontinent, this opportunity was lost. There were a number of reasons why Jawaharlal Nehru, who by 1953 had the undisputed last word in such matters, could not take the final step.

First: in late 1953 Indo-Pakistani relations began, at least in Nehru's eyes, to become involved with Cold War issues: concessions to Pakistan were equated with approval of an American military presence in the subcontinent (as we shall see in Chapter 11).

Second: Nehru, not to mention his various advisers, had invested a great deal of credibility in arguing the merits of the Indian case *vis à vis* Kashmir in general, and the validity of the Maharaja's accession in particular; and any scheme for the partition of the old State of Jammu and Kashmir would be tantamount to a repudiation of accession.

Third: there was the problem of how anything along the lines of the Dixon "regional plebiscites" could be reconciled with the fact of the existence of a Jammu and Kashmir Constituent Assembly legitimised by the concept of a united State. It was certainly far easier to replace Sheikh Abdullah by Bakshi Ghulam Mohammed than to dismiss the entire Constituent Assembly and repudiate the original basis for its existence.

Fourth: Nehru was a true believer in the idea of India as a secular state. However it might be presented to the world at large, it would be difficult to conceal the fact that any partition of the old State of Jammu and Kashmir, be it by plebiscite or by some kind of negotiation, would be based upon essentially communal criteria with the Muslim-majority portions going in one direction and those parts

with predominantly non-Muslim populations going in another.

Finally: the old geopolitical argument about the need to retain some access to the Northern Frontier and Sinkiang, the "Pivot of Asia", still exercised a fatal attraction for certain makers of Indian foreign policy.

All this being so, by the end of 1953 Nehru had made up his mind to soldier on with the existing situation in the State Jammu and Kashmir, in the hope that Bakshi Ghulam Mohammed would not threaten to upset the apple cart in the manner which his predecessor had developed into a sophisticated art form.

Born in 1907 into a poor family (his father was a tailor and his mother an *aya*, a domestic servant), Bakshi Ghulam Mohammed had joined Sheikh Abdullah in the agitation of 1931 as we have already seen. He showed little promise as a schoolboy, failing to matriculate; and at some period in his youth he had converted, albeit temporarily, to Christianity. His real forte, it was to become apparent during the great crisis in Kashmir of 1931, was politics. He had corresponded with several leaders of Congress (including Mahatma Gandhi and Jawaharlal Nehru) and acquired a reputation as a nationalist statesman of a stature which would have been greater had he not worked in the shadow cast by the towering presence of Sheikh Abdullah, physically as well as metaphorically. In 1946 he had been the liaison between Delhi and Srinagar during the "Quit Kashmir" movement. He had returned from India to Srinagar in September 1947, and had played a crucial role in maintaining order in that town during the crisis culminating in the Maharaja's accession to India. Bakshi Ghulam Mohammed was certainly a man of great ability and energy. He had also acquired a considerable fortune by methods which are open to suspicion. He was far less radical in his political outlook than Sheikh Abdullah, and far more in tune with the philosophy of the moderates in the Indian National Congress. He was certainly not obsessed by visions of the conversion of Kashmir into a South Asian Switzerland. He was to be the first of a series of potential strong men sought by New Delhi to take the place of Sheikh Abdullah and bring the political situation in the State of Jammu and Kashmir under some measure of control; and he was certainly by no means the least successful in this role.

Once in office, Bakshi Ghulam Mohammed proceeded to declare that Kashmir was now a permanent part of India and "no power on earth can separate the two countries". One of the very first acts of his regime was to arrest Sheikh Abdullah (on 9 August), who was accused, among other offences, of treasonable correspondence with foreign Powers (including both the United States of America – Sheikh Abdullah, as we have already seen, had recently held discussions with Adlai Stevenson in Srinagar – and the Soviet Union, not to mention Pakistan). Mirza Afzal Beg was also arrested at this time and held until

November 1954 (only to be rearrested in 1956). Except for a brief spell of liberty between January and April 1958, Sheikh Abdullah was to remain a prisoner until April 1964. He was rearrested in May 1965, and remained under one form of detention or another until 1968.

The constitutionality of the overthrow of Sheikh Abdullah, whose position as we have seen was not without its own constitutional ambiguities, was certain open to question. Bakshi Ghulam Mohammed possessed no popular mandate. Mohan Krishen Teng, that distinguished student of the political structure of the State of Jammu and Kashmir, has good cause to call the new regime the Second Interim Government. On 5 October 1953 the Constituent Assembly (without, of course, Sheikh Abdullah or Mirza Afzal Beg) recorded a vote of confidence in Bakshi Ghulam Mohammed as the new Prime Minister.

Sheikh Abdullah's arrest in August 1953 produced an inevitable reaction in Srinagar and other centres of population in the Vale of Kashmir, with the gathering of angry crowds and the calling of strikes: the police and military opened fire on demonstrators to cause deaths variously numbered between 60 and 1,400. The stability of the new administration of Bakshi Ghulam Mohammed, however, was never under serious threat. Perhaps more irritating to the Indian establishment than anything then happening in the State of Jammu and Kashmir was the championing of Sheikh Abdullah's cause by Mridula Sarabhai, a wealthy lady who was prominent in Congress circles and had once been a Secretary to Mahatma Gandhi. She undoubtedly ensured that Sheikh Abdullah was not forgotten outside the State.

The fall of Sheikh Abdullah aroused much concern in Pakistan, where there were public demonstrations in his support, notably in Karachi where Miss Fatima Jinnah (sister of the late M.A. Jinnah) addressed a vast crowd and called for the immediate liberation of Kashmir from its Indian occupiers. As a symbol of solidarity most of the celebrations scheduled for Pakistan Day, 14 August 1953, were cancelled. From this moment Sheikh Abdullah became an official Pakistani public hero; and soon it would be the Indians who were calling him a Quisling.

With Bakshi Ghulam Mohammed in power, the State of Jammu and Kashmir drifted steadily into the Indian orbit. Whatever Jawaharlal Nehru might say, and whatever the Security Council of the United nations might resolve, the question of a plebiscite in Kashmir became increasingly less capable of practical realisation. In February 1954 the Kashmir Constituent Assembly, while adhering in principle to the special position of the State, confirmed (in language that would surely never have been used if Sheikh Abdullah had still been presiding) the legality of its accession to India. By October 1956 the Constituent Assembly had decided upon a Constitution for the

State which came formally into operation on 26 January 1957. It was modelled on the Indian Constitution, with a bicameral legislature. It provided for jurisdiction in the State of the Indian Supreme Court and the Indian Comptroller and Auditor-General. It declared that "the State of Jammu and Kashmir is and shall be an integral part of the Union of India". Despite protests by Sheikh Abdullah (from his prison cell) and by the Security Council of the United Nations, the new Constitution duly came into effect.

The introduction of the Jammu and Kashmir Constitution was a major factor in a split in the National Conference (Sheikh Abdullah's creation) and the intensification of opposition from the Plebiscite Front under the leadership of its founder Mirza Afzal Beg (released from detention on 19 October 1956) who agreed with Sheikh Abdullah that the new Constitution was a direct repudiation of the Indian commitment to a Kashmir plebiscite under United Nations supervision. The ruling faction of the National Conference now became for all practical purposes the Srinagar branch of Jawaharlal Nehru's Congress. The release of Sheikh Abdullah on 8 January 1958 greatly strengthened the opposition to Bakshi Ghulam Mohammed and the demand for some kind of plebiscite. Sheikh Abdullah, who had expressed no enthusiasm for United Nations sponsored plebiscites during his years in power, now saw this particular form of reference to the people as essential on grounds both of justice and democracy. As he was to put it in a statement to the press on 17 February 1958:

> one of the most important objects underlying the entire political movement in the State . . . [of Jammu and Kashmir] . . . has remained to secure the right of self-determination for the people of the State. Expression of the will of the people through a plebiscite is the one formula which has been agreed upon by the parties concerned, and in a mass of disagreements about details, this common denominator has held the field so far. . . . The people of the State consider the formula of plebiscite as a clear interpretation of their long cherished aspirations and as a lasting solution of the complicated problem which is facing them.

Such outspoken demands for a plebiscite were interpreted by Bakshi Ghulam Mohammed and his advisers, notably B.N. Mullik (the Indian Intelligence specialist) and D.P. Dhar, as proof of Pakistani intrigue. It was argued that Sheikh Abdullah was being financed by money from Pakistan brought in by his wife, Begum Abdullah, the object being to destabilise the State and undermine the Indian position there. Inevitably, on the night of 29-30 April 1958, with the reluctant approval of Jawaharlal Nehru, Sheikh Abdullah was arrested under the Preventative Detention Act; and in due course, along with a crowd of co-defendants including Mirza Afzal

Beg, he was charged with conspiracy. The evidence, much of which Mullik reproduces in his narrative, is copious but not entirely convincing; though it does seem probable, and by no means surprising, that some funds from Pakistan (but not necessarily from official sources) were finding their way into the coffers of the Plebiscite Front.[33]

Under the new Constitution elections were held in March 1957 for a Legislative Assembly, first to be voted for as such since January 1947 (under the Maharaja's 1939 Constitution). Out of seventy-five seats the National Conference (which meant that faction which was closely allied to Congress) won sixty-eight, while seven seats went to Hindu parties (five to the Praja Parishad in Jammu). In 1962 there were fresh elections in which the National Conference slightly improved its position, with seventy seats. In India these elections have frequently been pointed to as popular confirmation of the accession of 1947; and they have been used by Indian diplomatists as an argument against the continuing need for a plebiscite. Most students of the political history of the State of Jammu and Kashmir, however, now agree that, like the 1951 elections for the Constituent Assembly, both the 1957 and 1962 Legislative Assembly elections were so manipulated (largely by controlled nominations and managed turn-outs) as to throw no significant light upon the realities of popular opinion in the State. It is probable that in 1962, and possibly in 1957 as well, a free election would have seen, in the Vale of Kashmir at least, the Plebiscite Front do rather better than the National Conference.

On 4 October 1963 the reign of Bakshi Ghulam Mohammed, which had grown steadily more corrupt and nepotic, came to an end. His resignation was the result of the Kamaraj Plan of August 1963, a somewhat eccentric measure designed to bring about a revitalisation of Congress by retiring some of the old guard and bringing in fresh blood. It is suspected that Jawaharlal Nehru was glad to see him go: he was certainly an obstacle in the way of any Indo-Pakistani *rapprochement* such as was being explored during the course of 1963 in the shadow of the great Sino-Indian crisis which had erupted in 1962. He was succeeded by Khwaja Shamsuddin, who had been Revenue Minister in the State Government, and by no stretch of the imagination could be described as a political strong man.

Just before his departure, on 3 October 1963, Bakshi Ghulam Mohammed announced further changes in the State's Constitution which were hardly calculated to reassure Pakistani opinion. It was proposed that, in order to bring the Jammu and Kashmir Constitution more in line with those of other Indian States, the title of the Head of State, the *Sadar-i-Riyasat*, should be changed to Governor, and, further, that the Prime Minister would now be known as Chief Minister. Moreover, it was also proposed that the four Kashmiri

representatives in the Indian Parliament (the *Lok Sabha*) who had hitherto been nominated by the Jammu and Kashmir Legislative Assembly, should be elected directly by the people of the State in what would now be constituencies like any others in the Indian Union. The threat of these changes certainly induced a deterioration in Indo-Pakistani relations which was further aggravated by the major crisis which broke out in Srinagar in late December 1963.

On 26 December it was discovered that a sacred relic, of hair which was believed to come from the head of the Prophet Mohammed, had been stolen from the Hazratbal shrine near Srinagar. The Relic (the *Moe-i-Muqaddas*) had been sent to Kashmir by the Moghul Emperor Aurungzeb (1658-1707). It was kept in a small tube of quartz (or glass) and was ritually exhibited ten times a year: otherwise it was kept locked away in a wooden cupboard. The theft (so it was generally believed) of the Relic gave rise to expressions of intense public indignation in Srinagar. It was widely held that Bakshi Ghulam Mohammed was somehow involved in the outrage: and cinemas and other property belonging to the former Prime Minister and members of his family were set on fire. In Pakistan there were demonstrations in protest against this crime which was declared to have been perpetrated on the orders of the Government of India. Srinagar was put under a curfew.

The crisis, however, decreased in intensity when, on 3 January 1964, the Relic was mysteriously returned to the Hazratbal Shrine. Meanwhile, on 31 December it was reported that two images had been removed from a Hindu temple in Jammu: this was widely seen as a reprisal for the loss of the *Moe-i-Muqaddas*, though the evidence rather suggests that the temple in question had long been abandoned and the images had disappeared through natural causes. The Muslim disturbances in Srinagar were thus followed by Hindu demonstrations of protest in Jammu by the Praja Parishad and its allies. Throughout January tension continued in Srinagar: the announcement of the return of the *Moe-i-Muqaddas* failed to convince the mass of the people. Calm was only established following the holding on 3 February 1964 of a special ceremony of verification (*Deedar*) to establish that what had been recovered really was the Hair of the Prophet and not some substitute. There remained the Hindu reaction, which came to a head in Jammu on 9 February when a general strike was called to support the demand for a prompt investigation of the loss of Hindu cult objects in Jammu. Thereafter the situation in Jammu gradually calmed down. There was always something contrived about the business of the Hindu idols; and it never affected public opinion as had the disappearance of the *Moe-i-Muqaddas*.

The affair of the Hazratbal Relic provided a most effective stimulus to the political life of Indian-held Kashmir. Maulana Mohammed

Sayeed Masoodi, who had at one time been the general secretary of the Jammu and Kashmir National Conference and had been in the early 1930s one of the founding fathers (along with Sheikh Abdullah and Mirwaiz Mohammed Yusuf Shah) of the Muslim Conference, now organized an Action Committee dedicated to the investigation of the causes of the loss of the Relic and to its rapid recovery: it was pressure from the Action Committee which made the holding of the *Deedar* essential. Maulana Mohammed Sayeed Masoodi was one of the verifiers, along with fourteen other learned Muslims; and he choreographed the proceedings which took place in the presence of a number of prominent Indians including B.N. Mullik and Lal Bahadur Shastri, then a Union Minister Without Portfolio but soon to be, on Jawaharlal Nehru's death, Indian Prime Minister. The Action Committee established branches in many parts of the Vale of Kashmir outside Srinagar and became, in effect, a coalition of opposition parties. Some of its members were followers of Sheikh Abdullah, seeking greater independence for Kashmir as the maximum goal: others were advocates of union with Pakistan.

During the course of 1964 the Action Committee was to split (a process greatly influenced by the presence of Sheikh Abdullah in Srinagar following his release from prison, of which more shortly). One wing of the Action Committee represented the policy of Sheikh Abdullah and of the Plebiscite Front and its leader Mirza Afzal Beg. Another wing supported the *Mirwaiz-i-Kashmir*, Maulvi Mohammed Farooq, and the Awami Action Committee, who were vocally opposed to Sheikh Abdullah, and some of whom certainly favoured the merger of Kashmir with Pakistan. Mirwaiz Farooq had been appointed, at the age of eighteen,[34] to the position of Mirwaiz in 1962 by Bakshi Ghulam Mohammed following the death of Maulvi Ataqullah, the temporary incumbent who had occupied the position ever since Mohammed Farooq's uncle, Mirwaiz Mohammed Yusuf Shah, had gone over to Azad Kashmir in 1947.[35] The crisis over the loss of the *Moe-i-Muqaddas* had made the young Mirwaiz Mohammed Farooq a rallying point in the Islamic politics in Srinagar; and, in effect, the rivalry that now emerged between his faction, the Awami Action Committee, and the supporters of Sheikh Abdullah and his friends recalled the old struggle between Mohammed Yusuf Shah and Sheikh Abdullah, between the *Bakras* ("Goats") and *Shers* ("Lions") of the early 1930s following the trauma of 13 July 1931 (to which the *Moe-i-Muqaddas* affair can well be compared).

The truth about the disappearance, and reappearance, of the Hair of the Prophet is still a mystery. B.N. Mullik, who investigated the matter and who implied that he was responsible for the return of the *Moe-i-Muqaddas*, the Holy Relic, hinted broadly enough, though he carefully refrained from saying it in so many words, that Pakistani agents were involved. This seems extremely improbable. It has been

suggested that it was Bakshi Ghulam Mohammed, for purposes which are far from clear, who engineered the affair. There are other possibilities. Whatever actually happened, there is abundant evidence that the ordinary inhabitants of Srinagar and elsewhere in the Vale of Kashmir suspected that at the bottom of it all was some plot inspired from New Delhi aimed towards cementing the Indian hold over the region. What is certain is that the episode demonstrated to all who wished to see that the inhabitants of the Vale of Kashmir, generally docile and for many years evidently prepared to submit to whatever government the Indians and the National Conference might provide for them, could become extremely violent when their religion was perceived to be under attack. In other words, despite years of Sheikh Abdullah and his associates apparently preaching secularism, the Islamic religion remained the most powerful stimulus for political activity in the Vale of Kashmir.

The violence and political activity to which the loss of the Hazratbal Relic had given rise much alarmed the Government of India. Not only could it be argued that India had failed to win the hearts and minds of the Kashmiris but also it looked as if this failure could produce a Hindu-Muslim crisis within India, that often proclaimed secular state, comparable to the great bloodbath of 1947. Jawaharlal Nehru, already seriously ill, found it all extremely depressing. It could frustrate any prospect for the improvement in Indo-Pakistani relations which was a major preoccupation during his last days; and it would surely damage India's image in the eyes of the Muslim world. Nehru was greatly influenced by one immediate consequence of the crisis in Srinagar following the disappearance of the *Moe-i-Muqaddas*, the violent outbreak of communal rioting in Calcutta. Something clearly had to be done in the State of Jammu and Kashmir before the situation in the rest of India passed completely out of control.

Lal Bahadur Shastri, who had been present as we have seen at the *Deedar* of 3 February 1964, made further visits to the State to investigate to root causes of the crisis. One outcome was the removal of Khwaja Shamsuddin and his replacement by G.M. Sadiq, an old associate of Sheikh Abdullah (and believed to have at one time been active in the cause of Communism, and, for that reason, deeply distrusted by Mirza Afzal Beg) whom it was hoped would be more acceptable to Kashmiri opinion than members of the Bakshi Ghulam Mohammed clique (whose Islamic credentials were a trifle suspect) while at the same time serving as a replacement strong man essentially loyal to the interests of New Delhi. On 31 March Sadiq announced that Sheikh Abdullah would shortly be released from prison (he was now being held in Jammu). On 8 April 1964 Sheikh Abdullah and fourteen other defendants, including Mirza Afzal Beg, were discharged by a special court, thus abruptly bringing to an end a conspiracy trial which had been continuing since October 1958.

The release of Sheikh Abdullah ushered in a brief period when it looked at last as if some prospect existed for a negotiated settlement between India and Pakistan of the Kashmir problem. In April 1964 Sheikh Abdullah, after a triumphal return to Srinagar, visited India and held discussions with several leaders of the Central Government. In May he visited Pakistan, where he met President Ayub Khan at Rawalpindi. On 27 May he was at Muzaffarabad on the first day of a tour of Azad Kashmir when he was informed of the death of Jawaharlal Nehru, whereupon he returned at once to India. The death of Nehru marked the end of this particular thaw in Indo-Pakistani relations over Kashmir, though the full consequences of his going took some time to take effect. Meanwhile, the release of Sheikh Abdullah and other leaders like Mirza Afzal Beg much stimulated the political life of the State of Jammu and Kashmir. While Sheikh Abdullah did not express himself as being an advocate of a plebiscite leading to union with Pakistan, there were other spokesmen in his entourage who were not so moderate. In September, possibly as a gesture to Kashmiri public opinion, the Sadiq Government caused the arrest of Bakshi Ghulam Mohammed on a vague charge of corrupt practices while in office.

By the end of October 1964 Indo-Pakistani relations over Kashmir began to revert to their habitual state of acrimony, the momentum of the spring that having dwindled away after Nehru's death in a series of fruitless exchange between President Ayub and the new Indian Prime Minister, Lal Bahadur Shastri. By December it seemed certain the Indian Government, far from resolving to talk about Kashmir with Pakistan, had decided to advance one stage further the integration of the State within the Indian Union. There was a revival of Bakshi Ghulam Mohammed's proposal for the direct election of the Kashmiri representatives in the *Lok Sabha*, the lower house of the Indian Parliament. Moreover, there was wide discussion of the possibility of extending to the State of Jammu and Kashmir the provisions of Articles 356 and 357 of the Indian Constitution, the force of which had hitherto been excluded by Article 370. These Articles would enable Indian Presidential rule to be instituted in the State and Indian legislation to come into effect there without prior approval by the State Legislature; and they were to be exploited ruthlessly in years to come by Rajiv Gandhi. To all intents and purposes this meant the cancellation of Article 370 and the formalisation of what had in fact been happening for some years, since already many Indian laws had been extended to the State, a process begun by Bakshi Ghulam Mohammed after Sheikh Abdullah's fall which had greatly accelerated under the Sadiq Government. Sadiq had even gone as far as to announce that the National Conference, that creation of Sheikh Abdullah's, was really but the extension in the State of Jammu and Kashmir of the Indian National Congress, thus

formally confirming what had been the practical reality since 1957.

In December 1964 the Sadiq regime released Bakshi Ghulam Mohammed after eleven weeks imprisonment without trial: it announced that it had decided to take this action because of the former Prime Minister's ill health.[36]

The first months of 1965 saw a further increase in political tension within the State of Jammu and Kashmir which the Indian Government had no hesitation in blaming on the influence of Sheikh Abdullah. In March 1965 the Indian Government had given Sheikh Abdullah and Mirza Afzal Beg passports to enable them to make the pilgrimage to Mecca. The two men took this opportunity to attend the Afro-Asian Conference which was then assembling in Algiers. When, on their way to Algiers, they landed at London Airport, news reached them that 165 leaders and supporters of the Plebiscite Front Party had been arrested in Srinagar. At a London Press conference Sheikh Abdullah refused to condemn Pakistan's relations with China, a fact which much enraged opinion in India. From London Sheikh Abdullah went on to Algiers where he had a brief discussion with Chou En-lai, the Chinese Prime Minister, who was there awaiting the opening of an abortive Afro-Asian Conference. To India this was the last straw. The Indian Government cancelled Sheikh Abdullah's passport and ordered his return. Sheikh Abdullah complied, turning down the offer of a Pakistani passport. On his arrival by air at Delhi on 8 May, he and his companion Mirza Afzal Beg were arrested by the Indian authorities and flown to Ootacamund in the Nilgiri Hills. The reaction in Kashmir was rioting and the beginnings of a campaign of civil disobedience. By the time that opening exchanges of the second Indo-Pakistani war over Kashmir began in August it was clear that the Indian Government was already facing an increasingly serious crisis in the internal politics of the State of Jammu and Kashmir, which then became swamped in the greater crisis of the clash of Indian and Pakistani arms.

A survey of the internal political development of Indian controlled Jammu and Kashmir over the decade 1954-64 does not, as Indian apologists argue, show within the State an increasing enchantment with the prospect of union with India. Sheikh Abdullah was certainly an autocratic ruler who instituted a one-party system of government; but there can be little doubt that he was enormously popular, and greatly respected and admired in the Vale of Kashmir. With his removal in 1953 no substitute for him in the affections of the Kashmiri people was found. Bakshi Ghulam Mohammed would probably not have won a free election, that is to say an election away from the umbrella of the Indian Army, at any point during his ten years of office; and he took good care to avoid this particular risk. The elections of 1957 and 1962 were carefully managed and opposition groups were unable to participate effectively. These

elections on any objective analysis cannot possibly be interpreted as a valid substitute for the kind of plebiscite advocated on several occasions by the Security Council of the United Nations.

Lacking the kind of popular support which Sheikh Abdullah enjoyed, the Bakshi Ghulam Mohammed regime (and its immediate successors) had no real alternative but to rely for survival increasingly on India. The inexorable momentum of Kashmiri politics drove towards the strengthening of constitutional ties between Srinagar and New Delhi, thus not only increasing political tension within the State but also causing much alarm and resentment in Pakistan. As the integration of the State of Jammu and Kashmir into India progressed, so too did the prospect of a plebiscite become ever more remote and negotiations on this subject with India appear more futile. By the early summer of 1965 it seems certain that the Pakistani authorities had despaired of ever arriving at a peacefully negotiated settlement with India; and they then began to intervene covertly, as we shall see in Chapter 12, on the Indian side of the cease-fire line.

The whole trend of political development in the State of Jammu and Kashmir encouraged this line of policy. In the early years of the dispute, once the Dogra dynasty had gone and Sheikh Abdullah was firmly in the saddle, it is quite likely, though one can never be sure, that a majority of the population of both Kashmir and Jammu Provinces would in fact, had they been given the chance to express their preferences, not have opted for union with Pakistan. It seems most probable that they would have accepted the view of Sheikh Abdullah that the State should enjoy a degree of internal autonomy amounting virtually to independence. In such conditions some kind of association with the Indian Republic would have been acceptable. A constitution of this kind then seemed very unlikely under Pakistani rule. With the passage of time, however, it became increasingly clear that a significant degree of autonomy in association with India was a fantasy. The real choice was between Indian domination and Pakistani domination. Once this conclusion emerged, as it had by 1957, then the idea of a union with Pakistan became far more attractive. To the Muslim majority in the State of Jammu and Kashmir, particularly after the *Moe-i-Muqaddas* crisis of December 1963 to February 1964 which emphasised with a vengeance the importance of Islam in Kashmiri politics, it could well have seemed preferable to be ruled by Muslims than Hindus. By the end of 1963 the majority of foreign observers of the Kashmir scene had little doubt that a plebiscite treating the State of Jammu and Kashmir as a single voting unit would lead to a clear call for the transfer of the entire State from India to Pakistan. In Indian-controlled Jammu and Kashmir only Ladakh and some Jammu districts would vote against Pakistan.

This did not mean, however, that the Muslim majority in the State

of Jammu and Kashmir was ripe for rebellion, ready to rise up and throw off the Indian yoke, though it was easy enough to believe that this might indeed happen. Some observers in Pakistan by the beginning of 1964 had come to such a conclusion, with, as it was to transpire, extremely unfortunate consequences, as we shall see in Chapter 12.

1. This telegram is quoted in: M. Ayub Khan, *Friends not Masters. A Political Autobiography*, London 1967, p. 242.

2. 1948 *White Paper*, *op. cit.*, Pt. IV, No. 7.

3. 1948 *White Paper*, *op. cit.*, Pt. IV, No. 8.

4. 1948 *White Paper*, *op. cit.*, Pt. IV, No. 9.

5. Quoted in: Rahmatullah Khan, *Kashmir and the United Nations*, Delhi 1969, p. 149.

6. There were other ministers nominated by the Maharaja, S.L. Saraf, G.L. Dogra, Colonel Pir Mohammed, and Sardar Budh Singh.

7. Patel, *Correspondence*, *op. cit.*, Vol. I, p. 92.

8. The new Cabinet was a continuation of the Emergency Government, with Bakshi Ghulam Mohammed as Deputy Prime Minister, Mirza Afzal Beg in charge of Revenue, Sardar Budh Singh (from Jammu) had responsibility for Health, G.M. Sadiq was given Development, S.L. Saraf was assigned Civil Supplies and Local Self-Government, G.L. Dogra was responsible for Finance, and Pir Mohammed Khan took over Education.

9. This area involved 160 *kanals* (20 acres) of arable land and the remaining 20 *kanals* for vegetable plots, orchards and land for a private residence.

10. Patel, *Correspondence*, *op. cit.*, Vol. 1, p. 128, Mahajan to Patel, 24 December 1947.

11. Notably in the clash between Sardar Ibrahim Khan and Chaudhri Ghulam Abbas. There are certain political and historical parallels, though too much stress must not be placed upon them, between Azad Kashmir and Taiwan. In both an emigré regime established itself in exile, as it were, in a region which possessed an identity and a political tradition of its own; and in both there was inevitable friction between "foreigners" and "natives".

12. There are methodological problems in the history of Azad Kashmir which it is not the intention of this book to resolve. Even M.Y. Saraf, in his monumental *Kashmiris Fight – For Freedom*, was unable to integrate this story with the course of events in that part of the old State of Jammu and Kashmir where Sheikh Abdullah ruled from 1947 to 1953. He contented himself with giving Azad Kashmir two chapters at the very end of his book. See: Saraf, *Kashmiris*, *op. cit.*, Vol. 2, pp. 1285-1373.

13. See: United States, Department of State, *Foreign Relations of the United States 1950, Volume V. The Near East, South Asia and Africa*, Washington, D.C., 1978, pp. 1433-35. When this report was published in 1978 it aroused great indignation on the part

of many Indian observers who saw here evidence not only of Sheikh Abdullah's treason but also of American meddling in the internal affairs of the Republic of India.

14. See, for example: S. Vashishth, *Sheikh Abdullah Then and Now*, New Delhi 1968, p. 98. The meetings took place between 1 and 3 May 1953. The discussions were widely reported at the time: the *Manchester Guardian* reported, for example, that Sheikh Abdullah considered that the best solution for Kashmir "could be independence both from India and Pakistan".

15. The Constitution also gave the Indian Union powers over certain other matters which the President of India might specify, but subject to "the concurrence of the Government of the State".

    The complex question of the special status of the State of Jammu and Kashmir has been studied extensively. See, for example: K.M. Teng & Santoosh Kaul, *Kashmir's Special Status*, Delhi 1975; K.M. Teng, *State Government and Politics: Jammu and Kashmir*, New Delhi 1985; Ram Krishen Kaul Bhatt, *Political and Constitutional Development of the Jammu and Kashmir State*, Delhi 1984.

16. For the text of Article 370, see. for example: Patel, *Correspondence*, *op. cit.*, Vol. 1, pp. 303-303, 337-338.

17. See: Menon, *Indian States*, *op. cit.*, p. 295. This was the day before, on 26 November 1949, the Indian Constituent Assembly completed the drafting of the Indian Constitution.

18. Until 1956, when the distinction was removed, the Indian Constitution recognised three classes of State, Part A, Part B and Part C. Part A States were former provinces of British India. Part B States were former Princely States, including Hyderabad; and Part C States were, in the words of Granville Austin, states which "were centrally administered areas and included the former Chief Commissioners provinces", as well as seven Princely States which were for the time being to be centrally administered. The majority of Princely States, of course, were integrated in one way or another into provincial units and, as such, came under Part A. The point of the Part B classification was that it preserved in a highly circumscribed form the concept of the Princely State as an element in the Indian Union. It was intended to last for ten years, during which period the Part B States were subject to particular supervision by the Indian President. When, however, in 1956 the Part B distinction was abolished, the only remaining vestige of the old Princely India was the State of Jammu and Kashmir, by virtue of Article 370. By 1956, of course, the Dogra dynasty had been abolished. See: G. Austin, *The Indian Constitution: Cornerstone of a Nation*, Oxford 1966, pp. 244-245.

19. For the text of the Maharaja's Proclamation of 5 March 1948, see: Vidya Bhushan, *State Politics and Government: Jammu and Kashmir*, Jammu Tawi 1985, pp. 374-375.

20. For a detailed account of the Constituent Assembly, see: Bhushan, *State Politics*, *op. cit.*; M.K. Teng, *Kashmir Article 370*, New Delhi 1990.

21. Quoted in: Korbel, *op. cit.*, p. 222, from *The Hindu* (Madras), 1 November 1951.

22. On Sheikh Abdullah's contention that the Constituent Assembly was a sovereign body quite independent of the Indian Constitution and in possession of the power to revoke "accession" should it so decide, see: Teng, *Article 370*, *op. cit.*, p. 96.

23. The immediate inspiration behind these discussions emerged from proposals by Gopalaswami Ayyengar in April 1952 to increase the degree of financial integration of the State of Jammu and Kashmir with the Indian Union. Sheikh Abdullah reacted with a speech at Ranbirsinghpura (in Jammu) on 10 April 1952 in which he described the full application of the Indian Constitution to his State as "unrealistic, childish and savouring of lunacy".

24. See, for example: Sisir Gupta, *Kashmir. A Study in India-Pakistan Relations*, New Delhi 1966, pp. 52-53; Manzoor Fazli, *Kashmir Government and Politics*, Srinagar 1982, pp. 137-138.

25. For the text of Sheikh Abdullah's statement of 11 August 1952, see: Bhushan, *State Politics*, *op. cit.*, pp. 395-400.

26. See: Bal Raj Madhok, *Jammu Kashmir and Ladakh. Problem and Solution*, New Delhi 1987, pp. 68-71.

27. See: Karan Singh, *Heir Apparent*, *op. cit.*, pp. 139-141.

28. See, for example: Balraj Puri, *Simmering Volcano. Study of Jammu's Relations with Kashmir*, New Delhi 1983, Chapter IV; Balraj Puri, *Jammu and Kashmir. Triumph and Tragedy of Indian Federalisation*, New Delhi 1981, Chapter IX.

29. For an excellent account of the career of Dr. S.P. Mookerjee, see: B.D. Graham, "Syama Prasad Mookerjee and the Communalist Alternative", in D.A. Low, ed., *Soundings in Modern South Asian History*, London 1968.

30. For Mullik's adventures in and about Kashmir, see: B.N. Mullik, *My Years with Nehru. Kashmir*, New Delhi 1971. Mullik probably deserves to be read with a grain of salt, so to say; but his narrative throws light on much that is not otherwise illuminated at all.

31. Mullik, *Kashmir*, *op. cit.*, p. 39.

32. The Working Committee, chaired by Sheikh Abdullah, consisted of Maulana Mohammed Sayeed Masoodi, Bakshi Ghulam Mohammed, Sardar Budh Singh, G.M. Sadiq, Pandit G.L. Dogra, Pandit Shem Lal Sharaf, and Mirza Afzal Beg.

33. See: Mullik, *Kashmir*, *op. cit.*, pp. 279-313.

34. Some sources say twenty-two.

35. Maulvi Ataqullah was, in fact, an uncle of Mirwaiz Mohammed Yusuf Shah. He was Sheikh Abdullah's appointee.

36. Bakshi Ghulam Mohammed died in 1972. He never returned to office in Jammu and Kashmir.

XI

DIRECT INDO-PAKISTANI DISCUSSIONS AND THE INTRUSION OF THE COLD WAR 1949 TO 1965

"Where there's a will, there's a way" may be a boring old platitude; but it certainly points in the right direction in all sorts of arguments, both domestic and international. If the parties in conflict truly want it, the difficulty may well be as good as solved: if they do not, the whole dreary business can drag on for generations. Even with the best will in the world, of course, a problem may, for reasons both theoretical and practical, simply be incapable of resolution. When such realties as physical and human geography and history are combined with divergent cosmological and philosophical perceptions (not always based on objective facts), it may never be possible to hit upon a single formula to cover all the variables.

It is probable that by 1950 the leadership of both India and Pakistan had developed the will to at least examine possible solutions to the Kashmir problem by means short of outright war, even though they might have very different views as to what would be the preferred alternative. Limited war, such as had been tried between October 1947 and January 1949, had achieved no more than a *de facto* partition of the State. There was no guarantee that further conflict, more extensive and of greater intensity, and perhaps carried beyond the borders of Jammu and Kashmir into metropolitan India and Pakistan, would do any better; and it might in the process destroy the very fabric of both successors to the British Raj.

Failing a general war, there were three main possibilities.

First: matters could be allowed to continue more or less as they were, with the cease-fire line gradually evolving into a fully acknowledged international border. Pakistan might grow to accept the regime of Sheikh Abdullah (and, after 1953, his Indian-sponsored successors); and India might reconcile itself both to the existence of Azad Kashmir and to the permanent Pakistani possession of Gilgit, Hunza and Baltistan. By virtue of the innate character of the situation this was the form of solution toward which India would incline. It at least maintained the *status quo*.

Second: the results of international arbitration or mediation might be accepted by both sides. In practice this meant the United Nations and its various plans for a plebiscite for the State of Jammu and Kashmir treated as a single unit (if we except the Dixon suggestions of 1950), as Pakistan never ceased to demand, in the hope that under the watchful eye of international observers, and with both the Indian Army and Sheikh Abdullah's cohorts out of the way, the Kashmiri Muslim majority would bring the entire State into the Pakistani fold. This was not a prospect pleasing to India.

Finally: there was the possibility of a compromise of sorts, which could well follow the general lines indicated by Sir Owen Dixon in his suggestions for some kind of partition or break-up of the State by means of "regional plebiscites".

A compromise formula, even one with so much good sense behind it as this, was far more likely to be achieved by direct negotiation between the leaders of India and Pakistan, free from external pressures and capable of exploring fresh avenues without the obligation to report back to a cumbersome international bureaucracy, than through any mediation on the part of the United Nations. The great advantage of a Kashmir compromise solution, of course, was that it would enable both India and Pakistan to set about the business, too long neglected because of this one obsessive argument, of resolving their other differences, some of them also of considerable magnitude and complexity, and thus conducting the affairs of the subcontinent in a more orderly and constructive manner.

This Chapter examines the quest for such a formula by the governments of Pakistan and India, the latter dominated for most of the time by Jawaharlal Nehru, over the years between the formal end of the first Kashmir War in 1949 and the outbreak of the second Kashmir War in 1965. It is a sad story, coming so near to success for one brief moment in 1953, missing, so some observers would maintain, a golden opportunity between 1959 and 1963, and wasting a short episode of hope during the final days of Nehru's life in 1964. It is, however, the essential prelude to the depressing state of the Kashmir question from 1965 to the present day.

In all Indo-Pakistani discussions over Kashmir, as much in the period covered by this Chapter as in subsequent years right up to today, there has been present one powerful factor in favour of India. India remains in physical occupation of roughly half of the disputed territory. For its own purposes it has not, on the whole, felt a compulsive need to get hold of any more. It would be pleasant, perhaps, to put an end to the irritation of Azad Kashmir; and the geopoliticians in New Delhi would be glad indeed to see the Gilgit Agency and the western terminus of the Northern Frontier safely back in the Indian fold. By the 1950s, however, these were not perceived as gains demonstrably vital to the survival of the Indian

Union (even the geopolitical argument had been to a great measure met in theory by the Indian cartographic advance to the northern edge of the Aksai Chin, which has been discussed already in Chapter 4). India, therefore, was strongly tempted to let matters drift; and it certainly detected no advantage in accepting any of the elaborate proposals of the United Nations for plebiscites which put the *status quo* at considerable risk. Only if India were convinced of the dangers to the peace of the subcontinent inherent in this approach might its leaders seriously contemplate novel initiatives.

For Pakistan the Kashmir situation was from the outset far more serious than it ever was for India. In that it involved an explicit repudiation of the concept that within the limits of the former British Indian Empire those areas with Muslim majorities possessed both the right and the moral obligation to form part of a separate and distinct Muslim state (which was the essence of Pakistan's claim to the State of Jammu and Kashmir when all was said and done), it challenged the legitimacy of the very idea of Pakistan. The Pakistani leadership from the outset, as we have already seen, suspected that such a challenge was the fundamental motive behind Indian policy in Kashmir; and they may well have had rather more than a point. Many of the Indian leaders in the first years of independence, notably (though in somewhat different ways) Jawaharlal Nehru and Sardar Vallabhbhai Patel, believed (and hoped) that Pakistan would collapse under the weight of what they saw as its own absurdities, inefficiencies and intellectual contradictions. To help Pakistan over Kashmir in any way was to strive officiously to keep it alive. To go on resisting Pakistan in Kashmir, or, indeed, merely to do nothing beyond standing firm on the ground already held, was to ensure that the missing fragments of the State of Jammu and Kashmir would one day revert to India when, in the fullness of time, Pakistan met its predestined end.

This attitude, of which its leaders were only too aware, presented Pakistan with a problem which for most of the time must have seemed to be insuperable. In the quest for a formula for a Kashmir settlement not only would India have to be convinced that Pakistan had presented a case which deserved answer but also that it was entitled to present any case at all. It was always possible, of course, that the weight of international opinion might persuade India to accept wholeheartedly Pakistan's tenure as a permanent resident in the subcontinent. If so, then such acceptance could be demonstrated in no better way than by formal Indian acknowledgement of some at least of the merits of the Pakistani case *vis à vis* the State of Jammu and Kashmir. It is not surprising that from the outset Pakistan spared no effort to win for its Kashmir argument the sympathy and support of world opinion wherever it could be found, frequently at the price of appearing obsessive, even hysterical and paranoid. The world

outside, inevitably, soon became bored with the very word Kashmir; and Pakistani diplomats had to cry out ever more stridently to attract the slightest attention in international fora.

The struggle to gain world support and approval confronted Pakistan with a number of tricky methodological difficulties. A legal case had to be expounded which could be understood by those unfamiliar with the minutiae of the history, culture, and ethnography of the subcontinent. The Kashmir dispute was far from simple. The State of Jammu and Kashmir, as we have already seen, was not monolithic: it contained many peoples with divergent pasts, traditions and patterns of life only combined into a single polity through the ambitions of the Dogra Dynasty during the course of the 19th century. Different parts could well in both justice and logic be treated in different ways. Within the strictly legal context of accession (as it was understood by lawyers in 1947), however, there was but one entity involved, a single State with an overall Muslim majority, whose future was under discussion in the United Nations. There were powerful practical arguments for not confusing the issue by considering the various parts of the State in isolation from each other. Pakistan, therefore, committed itself from the outset to a public stance which effectively precluded formulae for compromise based on any kind of partition of the disputed State. Thus it found itself in the paradoxical posture of defending the right for a Muslim polity, whose very existence was justified on Muslim criteria, to rule over what were undoubted Hindu majority districts in parts of Jammu and Buddhist majority districts in Ladakh, a manifest violation, it could well be argued, of the Two Nation theory. Here was a fundamental weakness in its Kashmir case upon which from the outset those friends of Pakistan who understood the matter were usually too polite to comment.

The Indian side, while prepared in practice from at least the time of the 1949 cease-fire to explore *de facto* the implications of various forms of partition of the State of Jammu and Kashmir, not least because of internal political pressures upon it to cope with the problem of "regional imbalances" (essentially the conflict of interest between the Hindus of Jammu and the Muslims of the Vale of Kashmir), also detected diplomatic arguments in favour of discussing the State as if it were a coherent entity. Apart from legalistic considerations arising from the interpretation of the concept of "accession" and its validity in international law, this approach provided ammunition for attacking Pakistan on grounds of "aggression" in any portion whatsoever of the State of Jammu and Kashmir, a most useful capability. India could always, for example, neutralise United Nations proposals with which it was not particularly happy by accepting them subject to Pakistan's "vacation of aggression", in the certain knowledge that Pakistan would never abandon, or risk the loss

of, either Azad Kashmir or the Northern Areas (Gilgit, Baltistan and the rest).

It is against such a background of structural attitudes that the history of attempts to discover a formula for the solution of Kashmir through direct Indo-Pakistani negotiations must be assessed.

Towards the latter part of 1949, a few months after the Karachi Agreement had formalised the end of the first Indo-Pakistani Kashmir War, the Indian side initiated a process of bilateral discussion with Pakistan directed towards a settlement of the dispute more on the basis of the *status quo* than on the theoretical rights and wrongs of the case. The immediate cause derived from a heightening of tension along the border between West Bengal and East Pakistan which threatened to add a new dimension to subcontinental frontier and territorial conflict (and in 1950 almost produced another Indo-Pakistani war).[1]

In November 1949 the professional head of the Indian Ministry of External Affairs, Sir G.S. Bajpai, proposed to the Pakistan High Commissioner in New Delhi, Mohammed Ismail, that henceforth, now that the actual fighting in Kashmir had stopped, all Indo-Pakistani disputes should be settled by negotiation rather than force of arms. After some discussion with Pakistani diplomats, the Indian side on 22 December 1949 produced the following formula as the basis for the future conduct of diplomacy in the subcontinent:

> the Government of India and the Government of Pakistan, being desirous of promoting friendship and goodwill between their peoples who have many common ties hereby declare that they condemn war for the settlement of any existing or future disputes between them. They further agree that the settlement of such disputes between them shall always be sought through recognised peaceful methods such as negotiation, or by resort to mediation or arbitration by special agencies set up by mutual agreement for the purpose, or by agreed reference to some appropriate international body recognised by both of them. It is their earnest hope as well as their firm conviction that the implementation of this declaration in the spirit which lies behind it will serve to maintain good relations between the two countries and advance the cause of peace.[2]

The Indian proposal of 22 December 1949, it should be noted, did not refer specifically to Kashmir.

The response of Pakistan is interesting. It made it clear that it considered that the problems in its relationship with India could be divided into two major categories.

On the one hand there were the problems of day to day relations such as trade and, it would seem, the growing Bengal crisis (which, in the event, was calmed down if not solved by an agreement between Nehru and Liaquat Ali Khan signed in New Delhi on 8 April 1950 – and reviewed by the two Prime Minsters in Karachi between 26 and

28 April – to establish a "bill of rights" of sorts for minorities, in practice far from satisfactory if only because of the inability of New Delhi to control both political activity and public opinion in West Bengal; but it did defuse the crisis and avert war).

On the other hand, there were what can only be termed structural problems arising from the incomplete nature of the process of Partition in 1947, of which Pakistan considered that there were five of particular importance. First: there was Kashmir. Second: the dispute over the status of Junagadh, deriving from the frustrated accession to Pakistan in August 1947 by the Muslim ruler of that overwhelmingly Hindu state, still remained on the books (though, in practice, by 1950 Junagadh had been swallowed up by India beyond hope of regurgitation). Third: the question of the division of canal waters between the two countries along the 1947 line of Partition remained a matter of great economic importance to both East and West Punjab. Fourth: the dispute over title to evacuee property, assets abandoned or forcibly cleared during the disturbances of the summer of 1947, was of still great interest to a significant proportion of the Pakistani electorate. Finally: Pakistan's claim to its share of the financial assets of the British Raj now held by India (including sterling balances in the Indian banking system) remained unanswered. It is interesting, and probably significant, that the problems of the Bengal Partition of 1947, which were both numerous and complex, were omitted from this list: in the eyes of the Pakistani leadership they were of quite a different order.[3]

To Pakistan the first problem, Kashmir, was by far the most important; and until it was settled, the "atmosphere of goodwill which is essential to the solution of disputes" would be lacking for other matters. The evidence, so Liaquat Ali Khan wrote to Nehru on 14 February 1950, was that India was determined to ignore a whole series of recommendations by the United Nations. He proposed that the "No War" concept should be combined with a joint Indo-Pakistani declaration that, once other procedures had been followed to their conclusion, the results of international arbitration would be binding. In other words, Liaquat Ali Khan urged, India should commit itself to paying rather more than lip service to the resolutions of the United Nations Security Council. India, not surprisingly, would issue no diplomatic blank cheques. Its position in this respect changed not one whit during the Liaquat Ali Khan-Nehru meeting in New Delhi between 20 and 24 July 1950 which had been brought about by Sir Owen Dixon to explore the "regional plebiscite" concept (and to which reference has already been made in Chapter 9).

A correspondence on the "No War" question continued between the two Prime Ministers until 28 November 1950, when Liaquat Ali Khan pointed out that:

> in the Pakistan Government's view, a declaration repudiating war as a means for the settlement of disputes . . . [with India] . . . was superfluous, as both countries were members of the U.N., and could serve a useful purpose only if it laid down a clear-cut procedure with an agreed time-table, making it binding on both Governments to carry through the settlement of their disputes to a peaceful solution.

Nehru countered that even without the "agreed time-table" and the other binding commitments sought by Pakistan, a "No War Pact" agreement would be of value as a means of removing "war psychosis", which he suggested was prevalent in Pakistan. India, however, was not prepared to promise in advance to accept any solution to its problems which might be proposed by an external body, even one as august as the United Nations.

By 28 November 1950 both India and Pakistan jointly accepted that the "No War" initiative had run its course, at least for the time being: this was not the magic Kashmir formula. From the Pakistani point of view it, and other Indian proposals of similar ilk which were to emerge from time to time, suffered from one fatal flaw. Churchill's idea of "Jaw, Jaw" rather than "War, War" was admirable in theory. In practice, however, jawing might go on for ever without producing a settlement. Meanwhile India would be left in possession of its bits of Kashmir, a constant challenge (at least in Pakistani eyes) to the right of Muslims in the subcontinent to their own statehood free of Hindu domination.

A second round of direct Indo-Pakistani discussions began in January 1951 with the Commonwealth Prime Ministers Conference in London. The Prime Minister of Pakistan, Liaquat Ali Khan, attempted to get Kashmir put on the Conference agenda but failed to overcome Indian opposition. He then faced the choice of either abandoning this opportunity to raise the issue or resorting to more drastic measures: he decided to threaten to boycott the Conference if it did not consider the dispute. The result was an informal meeting at 10 Downing Street on 16 January 1951, when Robert Menzies (the Prime Minister of Australia), Clement Attlee, Jawaharlal Nehru and Liaquat Ali Khan discussed the matter. The outcome was abortive, Nehru finding no difficulty in rejecting a compromise by the Australian Prime Minister, that Commonwealth troops might be used to keep order in Kashmir during the period of a plebiscite; and he refused to permit any formal discussion of Kashmir by the Conference – it was an internal Indian matter. During the Downing Street talks, however, which were accepted as informal, Nehru, unlike Liaquat Ali Khan, did express qualified approval of the Dixon "regional plebiscite" suggestions of the previous year, a fact which would probably influence another Pakistani Prime Minister in 1953, as we shall see shortly.

Liaquat Ali Khan in January 1951 was still insisting that a plebiscite

for the whole State, as recommended by the United Nations, provided the sole answer. His main concern was to devise methods to ensure that the voting was not dominated either by Indian troops or by the agents of Sheikh Abdullah. To this end he had already made to the Indian side on more than one occasion three basic proposals for possible ways to tackle the plebiscite: these he now repeated to Nehru. First: troops from some other (neutral) country, which could well be, as Menzies had suggested, a Commonwealth member, might be sent in to take the place of both Indian and Pakistani forces during the plebiscite. Second: the whole State could be supervised by a joint Indo-Pakistani force (of greatly reduced numbers) during that key period leading to the casting of ballots – and this meant, of course, a Pakistani presence in the Indian controlled areas and *vice versa*, not merely each party policing its own side of the cease-fire line. Finally: the United Nations Plebiscite Administrator might be given full authority over the State for the plebiscite, with both the Indian and Pakistani armies totally withdrawn.

All these proposals were acceptable to the United Nations, which would surely jump at any hint of compromise and movement; but Nehru would have none of it. If there were to be a plebiscite, to which he agreed in principle, it would have to be conducted in the presence of both the Indian army and the administration of Sheikh Abdullah following the withdrawal of the Pakistani forces from any part of the State where they might now find themselves, the total "vacation of aggression".[4]

The failure of the Commonwealth Prime Ministers to discover a workable Kashmir formula certainly did not reassure Liaquat Ali Khan, who was already much disconcerted both by Sheikh Abdullah's public statements concerning the terms of reference of the impending Kashmir Constituent Assembly and by the discovery of his correspondence with leading figures in the Azad Kashmir administration (as touched upon in Chapter 10). The Kashmir *status quo* thus being under threat (in what was seen in Karachi to be in India's favour), it is not surprising that the consequent increase of tension along the Kashmir cease-fire line should give rise to frequent incidents. In June 1951 Pakistan dispatched a brigade to Azad Kashmir. It was in fact a unit returning to its station after a period of rest in Pakistan; but the Indian side saw it as a sign of Pakistani offensive preparations. It responded with substantial troop concentrations along the West Pakistan border (as well as some threatening gestures on the frontier between Bengal and what was then East Pakistan – Bangladesh from 1971). On 15 July 1951 Liaquat Ali Khan announced that "the bulk of the Indian army", including all its tank formations, "is now concentrated against the Pakistan borders".

Had there been a total absence of will for peace on both sides, there is no reason to see why war should not have erupted at this point.

Instead, the developing crisis produced an exchange of telegrams between Liaquat Ali Khan and Jawaharlal Nehru (15 July to 11 August 1951). While no solution to Kashmir was revealed through these communications, and Liaquat Ali Khan was unable, as he had hoped, to arrange a meeting with Nehru, face to face and without prior conditions, yet armed conflict was averted and the attitudes of the two sides clarified (for what that was worth).

The basic position of Pakistan, demonstrated in this telegraphic correspondence, had not changed since 1948. India should agree to abide by the United Nations Resolutions relating to Kashmir, which meant in effect the acceptance of the concept of a decision for the entire State being taken through a single plebiscite supervised by the United Nations; and that, pending such a plebiscite, the Indian side should cease to threaten Pakistan either with military preparations or hostile propaganda.

The Indian position, too, held no surprises. As Nehru put it in his telegram to Liaquat Ali Khan of 24 July 1951:

> the charge that India has persistently refused to allow a peaceful solution through a free Plebiscite in Kashmir is as we have repeatedly pointed out wholly baseless. It is the armed aggression of Pakistan against Kashmir and the continuing presence of Pakistan armies there that has come in the way of a peaceful solution. Progress towards a peaceful settlement has not been made because of non-fulfillment on the part of Pakistan of conditions under which alone a free and impartial Plebiscite could be held. In these circumstances it is difficult to draw any other conclusion from the views of Pakistan's spokesmen and the virulent and frequent comments of Pakistan press that Pakistan is preparing to seek a settlement of Kashmir dispute by resort to force.[5]

The reference to those conditions under which "a free and impartial Plebiscite could be held" meant this: nothing in the way of a plebiscite could possibly take place until Pakistan had "vacated its aggression" in Kashmir by withdrawing *all* forces from the disputed territory (including, perhaps, the Northern Areas, though there was usually some ambiguity on this point).

The Indian position remained in 1951 (and still is) that the entire problem was Pakistan's fault. "The question of Kashmir", Nehru said in his telegram to Liaquat Ali Khan of 29 July 1951, "would have been decided peacefully long ago in accordance with the wishes of the people there as we desired right from the beginning" had it not been "for the major fact that Pakistan first encouraged, and then actively took part in, violent aggression against the state and its people". The Kashmir crime, so to speak, lay in the fact that "Pakistan tried to take possession of Kashmir by violent means". This offence against the norms of international behaviour had to be punished before any solution to the Kashmir problem could be ratified: aggression must on no account be seen to be profitable.

Indian demands for Pakistan's public expiation of sin guaranteed that any formula proposed by New Delhi could never succeed. When India declared that Pakistan was preparing to attack in Kashmir to defend its "aggression", Indian leaders may or may not have believed this to be true. Pakistanis at all levels, however, were absolutely convinced that India posed a constant threat not only to their position in Kashmir but also to the very existence of their nation. They did not see their involvement in Kashmir as evidence of aggression, rather as Pakistan's defensive answer to a hostile and extremely dangerous Indian challenge. As Liaquat Ali Khan put it in a telegram to Nehru dated 26 July 1951, commenting on the relative armed strengths of Pakistan and India:

> The strength of India's armed forces at the time of partition was double that of Pakistan. You have since persistently tried to increase that disparity, not only by constantly building up your armed forces but also by attempting to hamstring Pakistan forces by denying them the stores which were their rightful share under the Partition Agreement. Pakistan has, therefore, been forced to spend considerable sums on purchase of equipment wrongfully withheld by India. In spite of this, the increases in Pakistan's Defence Budget are less than half those in India's Defence Budget. To suggest, therefore, that you have not carried out a reduction in your armed forces because of Pakistan's actions is a complete travesty of facts. Because of this disparity between the armed forces of the two countries, it is fantastic to suggest that there is any danger of aggression against India from Pakistan. The greater size of India's armed forces, the manner in which they have been used from time to time in neighbouring territory, and the repeated threats to the security of Pakistan by massing of your troops against Pakistan's frontiers can leave no one in doubt as to where the potentiality of aggression lies.[6]

This was no mere rhetoric. The fears of Liaquat Ali Khan were real enough; and, it must be admitted, his suspicions were not without foundation. What possible use was the great Indian Army in 1951 if not to deal once and for all with Pakistan? At this epoch, before the Chinese spectre had been detected looming beyond the Himalayas, Pakistan was India's only potential external foe (Burma, Nepal, Bhutan and Ceylon presented no significant threats, and there was virtually no discussion at this period of the role of the army in Indian politics or Indian internal security). Equally, it must be accepted, the fears on the part of India, to which the Prime Minister of Pakistan referred, were also sincerely held, though probably with a lesser sense of urgency. Pakistan, in Indian eyes, had acquired some of the less pleasant features of the hostile North-West Frontier of the British Raj as a source of disturbance on an exposed flank. If, indeed, Pakistan felt itself to have been cheated out of Kashmir by Indian duplicity and cunning, aided and abetted by Mountbatten, then there was no telling what it might do in quest of revenge. New Delhi would have

to watch with hawk-like intensity every step taken by this disgruntled and resentful neighbour. The condition, however, was chronic rather than acute: a cure might have to be found one day, but not necessarily now.

When, in 1953-54, there was a further round of negotiations between Nehru and Pakistan's Prime Minister, these mutual suspicions contributed enormously to frustrating a process which initially showed considerable promise. That the 1953-54 discussions took place at all was due to three main factors.

First: there is no doubt that the military condition of Pakistan was markedly better in 1953 than it had been during the first years of the nation's life. The Pakistan Army, which in 1947 had been in considerable disarray, struggling to organise itself out of dispersed Muslim fragments of the old British Indian Army (some of them trapped deep in Indian territory), was now turning into an extremely impressive force, enjoying popular admiration, respect and support, which could certainly give the Indian Army a run for its money. Its existence was by itself a good reason for India to explore non-military solutions to Kashmir.

Second: the dismissal of Sheikh Abdullah on 8 August 1953 had transformed the moral position, and possibly the sustainable legal position as well, of India in the State of Jammu and Kashmir. Jawaharlal Nehru had always maintained that Sheikh Abdullah was the voice of the Kashmiri people, a one man substitute for a plebiscite. This claim, which had so influenced Mountbatten in 1947, now looked rather hollow. It was clear that a crucial reason for Sheikh Abdullah's removal was his reluctance to accept the total incorporation of his State, or at least a significant part of it, the Vale of Kashmir, within the Indian Union. Even if he were seeking independence rather than union with Pakistan, yet his attitude (if a true reflection of Kashmiri opinion) cast some doubt on the moral validity of the 1947 accession, whatever the narrow legal interpretation of that contractual process might be.

Third: as we have already seen in Chapter 10, the internal politics of two portions of the State of Jammu and Kashmir, Ladakh and Jammu, suggested to the Government of India the wisdom of exploring new arrangements for the State's administration. The Buddhists of Ladakh had shown themselves to be far from happy with the care and attention they were receiving from Sheikh Abdullah's National Conference. The Praja Parishad of Jammu, in close association with its fellow Hindus in the Jana Sangh in India, appeared in early 1953 to be on the point of open insurrection against the regime in Srinagar; and the detention by the Jammu and Kashmir authorities in May 1953 of Dr. S.P. Mookerjee, the Jana Sangh leader, and his death just over a month later in circumstances which many observers considered to be highly suspect, had brought about a

political storm the effects of which were felt throughout Hindu India.

Against this background Jawaharlal Nehru was prepared for the first time to look seriously at those ideas for "regional plebiscites" which Sir Owen Dixon had advanced in 1950 and which had subsequently been explored rather tentatively by Dr. Frank Graham. The political arguments in favour of a partition of the State could now, perhaps, be argued by Nehru to outweigh those geopolitical considerations, still almost entirely theoretical, of direct access to the eastern edge of the Northern Frontier (and all the more so after the death in December 1950 of Sardar Vallabhbhai Patel, the leading Indian advocate of an energetic Central Asian policy).[7] Perhaps, after all, there might be a case for letting the Vale of Kashmir decide for itself what future it wanted. If the vote went for India it would be a triumph for the idea of the Indian secular state: if it went another way, either for independence or for Pakistan, Nehru may have reflected, the result might not be such a disaster after all. Hindu opinion everywhere would be much calmed by the total removal of Sheikh Abdullah from the Indian political equation; and it might, in circumstances which saw the liberation of Jammu from Muslim domination, accept without violence, even if not with particularly good grace, the Muslims of the Vale going off to join their fellow Muslims elsewhere. Pakistan would certainly be far better disposed towards its Indian neighbour by the excising of the Kashmiri ulcer (to the great benefit of the peace of the subcontinent, not to mention the Indian treasury relieved of great military expenditure).

The "regional plebiscite" idea had first been discussed, albeit rather obliquely, by Mohammed Ali Bogra and Jawaharlal Nehru in London in June 1953 during a Commonwealth Prime Ministers gathering, and again in Karachi at the end of July. While nothing had been resolved, yet it was decided in these talks that further meetings would be of value. The news of the dismissal of Sheikh Abdullah on 8 August 1953 and his arrest on the following day made further Indo-Pakistani contact at the highest level a matter of urgency, to Mohammed Ali Bogra at least. The fall of Sheikh Abdullah had transformed the politics of the State of Jammu and Kashmir, a fact which Pakistan could hardly ignore. On hearing of the news, Mohammed Ali Bogra sought an immediate meeting with Nehru.

The two Prime Ministers talked with each other in New Delhi between 17 and 20 August 1953; and, to judge by the Joint Communiqué which they produced, their discussions were not entirely futile. The idea of a plebiscite was apparently confirmed, at least in principle, by both sides. The Prime Ministers noted that

> it was their opinion that . . . [the Kashmir dispute] . . . should be settled in accordance with the wishes of the people of that State. . . The most feasible method of ascertaining the wishes of the people was by fair and impartial plebiscite. Such a plebiscite had been proposed and agreed to

> some years ago. Progress, however, could not be made because of lack of agreement in regard to certain preliminary issues.[8]

The "preliminary issues", of course, were the crux of the matter. Until resolved, there was no point going ahead with such specific steps as the actual appointment of a Plebiscite Administrator. The two Prime Ministers, however, agreed to continue talking in an effort to resolve these "issues", with a provisional target date of April 1954 for the beginning of serious measures for the plebiscite.

What the Delhi joint communique did not reveal was that Jawaharlal Nehru and Mohammed Ali Bogra had been taking yet another look at the Dixon "regional plebiscites"; and this time with an interest which neither had shown before. The possible formula was summarised thus by the Pakistan side:

> the Plebiscite shall be so organised as to ensure that as a result of the poll no large scale shifting of population takes place from one side to the other. In the Prime Minister of India's view this could be ensured by providing that certain regions where the poll was overwhelming in favour of either India or Pakistan should be allocated to that country irrespective of the result of the overall vote. In short what was proposed amounted to a region-wise plebiscite.[9]

Such an ingenious development of the Dixon idea still required some neutral body to supervise the plebiscite; and, of course, it now called for someone to define the "certain regions" which would go one way or another. The opportunities for gerrymandering were obvious. A little ingenuity could provide Jammu with either a Hindu or a Muslim majority. Suitable electoral boundaries could play havoc with Azad Kashmir, for example by ensuring that Mirpur (and, perhaps, Poonch) returned to Jammu. A fair deal might perhaps be guaranteed by the Plebiscite Administrator designate, Fleet Admiral Nimitz: but Nehru loathed the idea of that Viceregal figure (and American to boot), whose presence he considered a reversion from full independence towards colonial rule, even if this time exercised on behalf not of the British Crown but the world community. He was, therefore, attracted to some degree by a variant of Robert Menzies' idea of 1951, that the whole business of plebiscite supervision be entrusted to somebody else entirely, perhaps one of those "neutral" states which were just beginning to appear upon the world stage and of which Jawaharlal Nehru saw himself as leader: Indonesia was an obvious possibility.

Whatever advantages in the idea of a "regional plebiscite" arrangement Nehru may have detected on 20 August 1953, by 3 September he had clearly begun to have his doubts; and, with time, he became less and less interested in whatever it was that he had discussed with Mohammed Ali Bogra in New Delhi between 17 and 20 August. He now denied that he had ever discussed "regional plebiscites" at all.

He returned to all the old conditions for a Kashmir plebiscite, total Pakistan withdrawal, "vacation of aggression", circumscribed United Nations involvement, no Plebiscite Administrator, and so on. In other words, he was no longer interested in following a diplomatic avenue which actually led towards an attainable destination.[10] Though correspondence between the two Prime Ministers on this question continued until September 1954, Nehru never budged from his revised position. "Regional plebiscites" were not to be discussed. All would be well in the State of Jammu and Kashmir if only Pakistan "vacated its aggression".

This was a crucial moment in the history of the Kashmir question. Had the "regional plebiscite" idea been explored further it might indeed have led to a way out of the impasse. By the judicious selection and definition of regions the outcome could well have been the acceptance of much that already existed, with Pakistan holding the Northern Areas and India holding Ladakh and most of Jammu. The great problems would be in the Vale of Kashmir and Poonch. Here, perhaps, a compromise might have been devised in which the Vale of Kashmir and Azad Kashmir (comprehending at least half of Poonch) were merged into a single Kashmir State. Given a revolution in Indo-Pakistani relations such as was implied by Nehru's new attitude (of, unfortunately, the shortest possible life if it had ever been more than a passing thought), it might even have been possible to imagine a Kashmir under some kind of joint Indo-Pakistani supervision (even, perhaps, with India granted both civil and military access rights to Ladakh and the Northern Frontier through the Srinagar-Kargil-Leh road).[11] But it was not to be. India's will for solution now evaporated.

Why did Nehru draw back at this crucial moment when it looked at last as if the Kashmir logjam had been broken? One reason was certainly the revived Indian fear that any emphasis upon the communal nature of the question, such as could all too easily result from "regional plebiscites", might give rise to Hindu-Muslim conflict within India itself. Better postpone settlement, even if indefinitely, than risk a crisis now. Another reason, of more immediate import, lay in the evolution of Pakistan's foreign relations in a direction which suddenly became apparent to Nehru and his advisers in the latter part of 1953.

In 1953 Pakistan ventured upon a policy of diplomatic association with the United States of America. Pakistan would play its part in the containment of Communist power and join the system of alliances devised for that purpose. It would permit the establishment of American bases on its soil. In return, it would receive American military aid. This trend in Pakistani policy was consummated by the Pakistan-Turkish Agreement of 2 April 1954 (the nucleus of the later Baghdad Pact and CENTO) and the Pakistan-United States Mutual

Defence Assistance Agreement of 19 May 1954. Later (September 1954), Pakistan joined the Southeast Asia Treaty Organization (SEATO), thus becoming the crucial link between SEATO and the Baghdad Pact (CENTO, the Central Treaty Organization). Since the Baghdad Pact by way of Turkey was also linked with the North Atlantic Treaty Organization (NATO), it can be seen that in the Western containment of the Communist world Pakistan was assigned an important role. It is said that so eager was Pakistan to play the part allotted to it that it even tried to join NATO as well.

While it is certain that many Pakistani statesmen were sincerely opposed to Communism and all its works and felt sympathy for the foreign policy of John Foster Dulles, yet it is equally certain that the main motive behind this Pakistani involvement in the Cold War was to be found in Kashmir. Pakistan was seeking American diplomatic and military support not so much against the Communists as against the Indians. Its attitude was, at this stage, undoubtedly defensive rather than offensive. In the by no means unlikely event of a fresh major military crisis along the Kashmir cease-fire line it wished for something to offset its weakness relative to India in economic resources and manpower.

Indian leaders had no difficulty in interpreting the new Pakistani foreign policy as a direct threat to their country. As Jawaharlal Nehru put it in a letter to Mohammed Ali on 9 December 1953 (when the details of the negotiations between Pakistan and the United States were still rather vague):

> I do not know what the present position is in regard to the military pact of assistance between Pakistan and the U.S.A. But responsible newspapers state that large-scale military assistance and equipment, arms and training will be given to Pakistan by the U.S. It is even stated (*The New York Times* had said so) that an army of a million men may be so trained in Pakistan. No doubt, the United States thinks that these forces may be utilized for a possible war against the communist countries. Some of us differ from them in considering this as a method of ensuring peace. It seems to us rather an encouragement to war. Whatever the motive may be, the mere fact that large-scale rearmament and military expansion takes place in Pakistan must necessarily have repercussions in India. The whole psychological atmosphere between the two countries will change for the worse and every question that is pending between us will be affected by it. We do not propose to enter into an armament race with Pakistan or any other country. Our ways of approach to these international problems are different from those of the nations of Europe and America. But it is obvious that such an expansion of Pakistan's war resources, with the help of the United States of America, can only be looked upon as an unfriendly act in India and one that is fraught with danger. . . . Inevitably, it will affect the major questions that we are considering and, more especially, the Kashmir issue.[12]

By March 1954 Jawaharlal Nehru had concluded that the prospect

of the provision of American military aid to Pakistan had changed "the whole context of the Kashmir issue". India, he said, must "retain full liberty to keep such forces and military equipment in Kashmir as we may consider necessary in view of this new threat to us". Since all the schemes for a plebiscite so far advanced by the United Nations had depended upon some scheme of demilitarisation in Kashmir, Nehru had, in effect, used the change in Pakistani foreign policy as grounds for the abandonment for the foreseeable future of any form whatsoever of Kashmir plebiscite.

What Nehru did not say, of course, was that the new relationship between Pakistan and the United States had, potentially, brought the Americans to the western end of the Northern Frontier, now separating the subcontinent from Communist China. Any Kashmir settlement could now only strengthen the American position in this respect with incalculable consequences for the political stability of Central Asia. At this period Nehru still believed that he could establish friendly relations with the Chinese. To assist in the advance of American influence to the borders of Sinkiang might not be interpreted in Peking as a benevolent gesture. At the same time, interestingly enough, the Government of India was also in the process of making its cartographical claims over the Aksai Chin which were to guarantee that China would soon become India's enemy: but it is extremely improbable that Nehru appreciated the implications of his nation's new maps at this juncture. Here, again, and in two quite divergent respects, we may perhaps detect the malevolent spectre of the problem of the Northern Frontier lurking behind the Kashmir dispute.

It is not hard to understand, even sympathise with, Indian protests against American military aid to Pakistan. One can appreciate why Jawaharlal Nehru was inclined to discount American assurances (some of which dated back to before the opening of the Nehru-Mohammed Ali Bogra discussions) that aid to Pakistan was purely defensive and would on no account be used against India. Yet it must be admitted that the Indian attitude was not entirely logical: for India itself was at that time (and has been ever since) in receipt of large quantities of American economic aid. The fact that India was not actually receiving arms was of minor importance. The aid which it did receive made it possible for it to devote its own resources to defence. It was American aid which enabled India during this period to concentrate on industrialisation at the expense of agriculture: its leaders knew that, in the last resort, they could rely on American help to feed the people. The result of this policy was, at least until the "Green Revolution" in the 1970s, to bring about a crisis in Indian agriculture of the gravest kind; but, at the same time, Indian industry was enabled to produce an ever-increasing proportion of those sophisticated weapons for the supply of which Pakistan depended,

and to a considerable degree still depends, on foreign sources. The food situation in Pakistan, however, at least in the 1950s and 1960s, was it is certain, far more satisfactory than it was in India. It was not easy, in the case of India and Pakistan, to decide who had chosen guns and who butter. Since independence both have devoted an extraordinarily large proportion of their budgets to defence. The percentage on defence has tended to be higher in Pakistani than in Indian budgets; but throughout the Indians have spent much more money, their national income being so much greater.

Faced with the Pakistani *entente* with the United States, the Indian leadership sought to restore the balance. In this quest Jawaharlal Nehru seems to have looked in two distinct directions. On the one hand, he now worked with increased determination to establish himself as the champion of the non-aligned nations of the Afro-Asian world, the leader of those peoples who had declined to commit themselves to one or other of the two main power blocs in the Cold War. Nehru's belief in the philosophy of non-alignment is not open to question. It is worth observing, however, that the majority of the non-aligned powers – Communist China was then great exception – possessed votes in the United Nations; and it certainly had not escaped the notice of Indian diplomats that while these states might be non-aligned in the Cold War, this did not prevent them from aligning with India in the Kashmir dispute. A great jamboree of non-alignment took place at Bandung in Indonesia in April 1955 where Nehru appeared to emerge as the most vocal champion of Afro-Asianism; and Indians, at least, were convinced that their country had won a position of moral leadership among the uncommitted peoples of the world. There can be no doubt that all this served to strengthen India's belief in its own rectitude in Kashmir. Nehru made no attempt to conceal his sense of moral superiority when he met with a new Prime Minister of Pakistan, Chaudhri Muhammad Ali, in New Delhi between 14 and 18 May 1955. The Kashmir question was "discussed fully in all its aspects"; but no fresh initiatives emerged.

While declaring himself the apostle of neutrality in the Cold War, Jawaharlal Nehru was certainly not the man to spurn Russian moral support over Kashmir. Shortly after the Bandung meetings, Nehru paid a visit to the Soviet Union. The Russian Press hailed India as a "bulwark of peace" and described Nehru as "one of the most outstanding statesmen of the age". Out of this trip emerged the Indian tour, later in the year, of Nikolai Bulganin and Nikita Khrushchev. The two Russian leaders arrived in Delhi in November 1955 and returned home in December. While in India they made a number of statements on world policy; and they did not overlook Kashmir. Khrushchev visited Srinagar (apparently on his own initiative) where he announced that "the question of Kashmir as one of the constituent States of the Republic of India has already been

decided by the people of Kashmir. . . . Facts show that the population of Kashmir do not wish that Kashmir become a toy in the hands of imperialistic forces".[13] By "imperialistic forces", of course, the Soviet leader meant Pakistan and its American ally.

While it cannot possibly be claimed that by their visit Bulganin and Khrushchev managed to bring India into the Soviet bloc, they paved the way for much closer Indo-Soviet relations in years to come; and it is undeniable that from that moment onwards India found Soviet support of enormous value in the Kashmir dispute. It was a Soviet veto, for example, which frustrated the Security Council resolution on Kashmir of 1962; and never again was the United Nations able to deal with Kashmir as objectively as it had before 1955. Moreover, from this period India began to receive Soviet military aid which served, in some measure, to offset the military aid which Pakistan was obtaining from the United States. The period 1954-5, there can be no doubt, saw the Kashmir dispute being sucked into the vortex of the Cold War. In this issue Jawaharlal Nehru was as much aligned as were the leaders of Pakistan.

American military aid to Pakistan and Russian moral support for India combined to convince Jawaharlal Nehru and his advisers that it was not longer necessary even to pretend to be interested in the various schemes for a Kashmir plebiscite. Moreover, the ratification of the accession to India of the State of Jammu and Kashmir by the Constituent Assembly of that State enabled India to claim that the people of the State of Jammu and Kashmir had now expressed their definitive opinion, and no further reference to them as called for: in the final draft of the State Constitution, which (as we have already seen in Chapter 10) was agreed on 17 November 1956 and came into force on 26 January 1957, the accession of the State to India was asserted beyond all doubt. In the place of a plebiscite Indian leaders now began to hint that the real settlement of the Kashmir problem lay in partition (but not, of course, by means of "regional plebiscites"). What they meant was the recognition of the *de facto* frontier along the Kashmir cease-fire line as the *de jure* frontier between India and Pakistan. Each side would keep what it held; and that would be that. The new State Constitution would apply on the Indian side. India would not be too fussy about what went on across the cease-fire line.

Nehru and his advisers must have seen that such an argument had curious implications. It involved, in effect, the surrender to Pakistan of nearly half the area of a State which it had been argued for so long and so strenuously had legally acceded to India. If the act of accession had so little force that India could be willing to treat it in such a cavalier way, then it might possibly be claimed that India, like Pakistan, did not really attach too much importance to the Maharaja's action in October 1947, which was the excuse for policy rather than its cause. This is what had been said on the Pakistan side from the outset.

In order, perhaps, to avoid strengthening Pakistani arguments along such lines, by late 1956 the Indian side began to advance, if rather tentatively at first, an alternative justification for the Indian presence in Kashmir which was not based upon the validity of the Maharaja's act of accession in October 1947. As Jawaharlal Nehru said in a speech in the *Lok Sabha* in March 1956, "even if Kashmir had not acceded to India, it would have been our duty to defend it" against the invading tribesmen. This line of reasoning has subsequently been developed in many an Indian official publication; and a passage from one such document (from 1962) is worth quoting here:

> In the absence of accession . . . the Union of India was responsible for the defence and protection if Indian States, since it has succeeded to the British Crown in the same way as the British Crown had succeeded to the Moghal Emperor. The United Nations recognized the Union of India as the successor State to the pre-independence Government of India by allowing it to continue its original membership, while admitting Pakistan, on her application, as a new member State.[14]

We are, of course, back here to the case presented in the 25 October 1947 telegram from the Indian Foreign Department to Prime Minister Attlee to which reference has already been made in Chapter 8, that India, not Pakistan, was the legitimate defender of the Northern Frontier; but it is couched in rather strange language.

The argument that Pakistan was a new State, while the Indian Republic was really the British Raj without the British, has little basis in the realities of Partition in 1947. British India was then cut in two, and both portions had an equal claim to succession to the British in their respective territories. However, before Partition the Indian Government did have a delegation, in anticipation of independence, at the United Nations. Rather than insist on the partition of that delegation between India and Pakistan, it was decided to create a completely new delegation for Pakistan and to leave the existing delegation with India. This was a sensible decision which was in no way intended to prejudice the rights of Pakistan. It did, however, nine years later provide Indian international lawyers with a peg on which to hang a case for, in effect, a partition of Kashmir. India would be defending its own part, that which it actually held, as it had every right to do. For the defence of the other part India would be prepared as an act of grace tacitly to hand over responsibility to Pakistan. There would be no more talk of a plebiscite and the *de facto* situation would in due course acquire through usage a *de jure* status. The Kashmir dispute would be settled out of court. That this line of reasoning still diminished, if it did not challenge outright, the case for the Muslim State's very existence in no way increased its negligible appeal for Pakistan.

By 1956, though this was not made public at the time, the State of Jammu and Kashmir was becoming involved in the Cold War in yet another way. Already the United States and the Soviet Union were interested in the Indo-Pakistani dispute: now it became an object of Chinese concern as well. As we have seen in Chapter 4, the Chinese had by now penetrated the old Northern Frontier (or, at least, one version of it) with the construction of their road across the Aksai Chin; and, in the process, they had occupied territory to which India had asserted a public cartographical claim in 1954. It was not until 1957, however, as the result of publication of a small-scale map in a Chinese magazine which was brought to the attention of New Delhi by the Indian Ambassador in Peking, that it began to become clear that this road ran through land which India stated was part of its territory. By 1959, in combination with the Tibetan revolt leading to the flight to India of the Dalai Lama and with arguments over the Sino-Indian border in Assam (the so-called McMahon Line), the Chinese road had helped to bring about a drastic change in the nature of relations between the Republic of India and the Chinese People's Republic.

Some explanation as to why the Government of India might have claimed the Aksai Chin in its 1954 maps has been offered in Chapter 4. To this must be added a factor arising directly from the Kashmir dispute (which British strategists and their Indian disciples on the eve of the Transfer of Power can hardly be blamed for failing to anticipate). As we have already seen, it was a fact that in 1947 at the time of the Transfer of Power there existed no form of defined boundary between Kashmir and both Sinkiang and Tibet. Official British maps, even those relating to both the Transfer of Power and Partition, marked the whole border line as "undefined". Once the Kashmir dispute reached the United Nations it was obviously useful for the entire extent of the State of Jammu and Kashmir to be clearly marked on maps for use in United Nations debates and published reports. It would at least make it clear what was under discussion and what was not. This pragmatic need for defined international limits undoubtedly influenced the decision to publish the Survey of India maps in 1954 which showed a clearly marked border between the State of Jammu and Kashmir on the one hand and what was now all Chinese territory, Tibet and Sinkiang, on the other. Once made, the new boundary claim could not easily be modified. Apart from obvious questions of prestige, of "face", it was evident that any change in the Indian maps could hardly escape the sharp eyes of Pakistani officialdom, ever on the watch for signs of an Indian intention to alter the status of any portion of the State of Jammu and Kashmir. The Indian acceptance, wholly or in part, of a Chinese Aksai Chin would most probably now have been interpreted in Karachi as the cession by India to a third party of a portion of the disputed territory, an

action which, it would be argued, was totally unlawful, both because the land was not India's to give in the first place and because it disregarded a vast corpus of United Nations Resolutions. Moreover, if India could let go of one bit of the State of Jammu and Kashmir to China, it might well be argued in the alternative, why could it not let go of another bit of Pakistan? [15]

There can be no doubt that the existence of the Kashmir dispute did not simplify the Indian approach to Sino-Indian relations. By 1959, of course, the possibility of any simple theoretical solution to the Aksai Chin problem (such as the modification of Indian official maps), which may perhaps have existed in 1956-7, had disappeared without trace. Indian public opinion had been outraged by Chinese policy in Tibet to a degree which made realistic Sino-Indian negotiations impossible. Nor, it must be confessed, did the tone of voice adopted by Communist Chinese statesmen, a species not always in this period given to excessive tact, help matters. In 1959 there were armed clashes between Indian and Chinese patrols both in Ladakh and along the McMahon Line in the Assam Himalayas. These were the prelude to the greater crisis which was to erupt in late 1962. It was a crisis, moreover, which became closely involved with the Kashmir dispute.

The decay of Sino-Indian friendship which was so accelerated from the late 1950s onwards took place at a time when some signs could be detected of an improvement in the general atmosphere of Indo-Pakistan relations. No doubt the Chinese danger now made the good will of Pakistan a more valuable commodity in the strategic thought of New Delhi than had hitherto been the case. It is clear, however, that the major factor was the assumption of the Presidency of Pakistan by General Ayub Khan in 1958.

President Ayub Khan was able to give his country's foreign policy a flexibility and rationality which it had hitherto lacked; and it is difficult to blame him for his failure to bring about a lasting *rapprochement* with the Indian Republic. Under President Ayub Khan, building to some extent upon initiatives by his immediate predecessors H.S. Suhrawardy, I.I. Chundrigar and Feroz Khan Noon, progress was made towards the settlement of a number of problems with their origins in the defects in the process of Partition in 1947.

From the first days of independence, for example, there had existed the need for a negotiated division of the water supply of the Indus basin. Pakistan in the west depended entirely upon the Indus and its tributaries for its irrigated agriculture. Some of the Indus tributaries, like the Sutlej, Ravi and Chenab, flowed through India before entering Pakistan; and Indian canals took off much of the water at the expense of Pakistani canals. Control over these rivers and canals gave India the power of life and death over much of West

Pakistan; and in 1948, when India cut off for several weeks the water supply to the Lahore region, it showed that it might in certain circumstances be ready to exploit this power.[16] Pakistan could never really feel safe from Indian attack so long as the water question remained unsettled. As a result of negotiations between India and Pakistan under the auspices of the World Bank during 1958 and 1959, real progress was made towards a solution. The waters of the Indus basin were to be partitioned. The Sutlej, Beas and Ravi would go to India: the Chenab, Jhelum and Indus would go to Pakistan. Such a division would only work in practice if it were accompanied by an elaborate programme of link canal construction to bring water across to the eastern side of the Pakistani Punjab to make up for water now permanently lost to India. A treaty along these lines was signed by Jawaharlal Nehru and President Ayub Khan at Karachi on 19 September 1960.[17]

Another problem of Partition (as we have already seen) had been the precise definition of the boundaries between India and East Pakistan, made particularly difficult by the proliferation of enclaves, fragments of one state or district surrounded by land belonging to another. Throughout the 1950s there had been incidents along these borders giving rise to spasmodic attempts at negotiated settlement, culminating in the agreement signed in New Delhi in September 1958 by Nehru and Feroz Khan Noon. When he came to power in late 1958, Ayub Khan resolved, if it were remotely possible, to clear up systematically such outstanding problems in the hope that their elimination would lubricate the process of resolution of the Kashmir dispute. Thus Ayub Khan, when he briefly met Nehru in Delhi (at Palam Airport) on 1 September 1959, touched upon the whole range of issues relating to the borders of East Pakistan. There followed detailed negotiations between Sardar Swaran Singh, the Indian Minister of Steel, Mines and Fuel, and Lt.-Gen. K. M. Sheikh, the Pakistan Minister of the Interior. An agreement was signed in October 1959 which reaffirmed and amplified the Feroz Khan Noon-Nehru Agreement of the previous year.

The settlement of some of these minor boundary disputes between India and Pakistan, while by no means complete, to the optimistic observer might have suggested that there was still some hope for a mutually satisfactory agreement over Kashmir. Very promising in this respect was the question of Berubari, which involved the cession in 1958 to East Pakistan of a small tract of territory, perhaps five square miles in all, in West Bengal. In the face of considerable opposition by the West Bengal Government, Jawaharlal Nehru persuaded the *Lok Sabha* to approve his conveyance of Indian-held land to Pakistan.[18] Such evidence of Indian readiness to rectify minor defects in the 1947 Partition by the actual transfer of territory (however small) might have been augured well for a new Indian approach to the greatest

partition problem of them all, the State of Jammu and Kashmir. In September 1960, while in Pakistan for the signature of the agreement over the Indus waters, Nehru radiated hints of a new benevolence. He discussed Kashmir with an unprecedented degree of calm and detachment; and he did so without a public condemnation of Pakistani "aggression".[19]

So impressed was President Ayub Khan by the diplomatic progress made in this period that he began to explore a fundamental restructuring of the basic architecture of Indo-Pakistan relations by means of an agreement for the joint defence of the subcontinent. The idea was far from new: Mountbatten had advocated it in 1947. In May 1959, however, with the shape of Indian policy now increasingly being determined by the Chinese threat (and an enemy which was not Pakistan), the moment seemed ripe for some concrete proposals. Why should not the armies of India and Pakistan, instead of confronting each other across the Kashmir cease-fire line, join forces to deter whatever dangers there might be to the north of the Himalayas and the Karakoram? There is no reason to doubt that President Ayub Khan was sincere. The proposal made strategic sense; and, Kashmir apart, the affinities between the two countries were still infinitely greater than the differences. They shared the same subcontinent, had emerged from the same history, and were confronted with the same order of political, cultural, social and economic problems.

Jawaharlal Nehru's immediate response was one of unconcealed scorn and suspicion, an attitude reflected ever since by the majority of Indian students of this episode. How could "aligned" Pakistan possibly help "non-aligned" India? It was all a trick. Ayub Khan was trying to exploit the growing crisis in Sino-Indian relations to extort concessions over Kashmir. The "aggressor" was now also a "black-mailer". Some Indian politicians, notably Jayaprakash Narayan, were more charitable and advised that the Pakistani initiative at least merited careful examination: but they were very much in the minority. Nehru's view prevailed.

One may well speculate what would have happened if Nehru had been more positive and trusting. In May 1959 President Ayub Khan was probably as concerned about the Chinese menace as were the leaders of India. The Chinese People's Republic, as had formerly the Kuomintang, showed Hunza on its maps as part of China. Was this a renewal of the Chinese challenge to the Karakoram border which had so concerned the British in the 1930s (as related in Chapter 4), or was it merely a symbolic survival of an earlier age which only required frank discussion for its disposal in the refuse bin of history? President Ayub Khan simply did not know; and some of his advisers urged him not to give Beijing the benefit of the doubt. It was in this spirit that on 23 October 1959 he warned the Chinese that if they encroached

upon the territory of Pakistan, that is to say crossed the Karakoram, they would be expelled with all the force at his command; though he did also point out that it would be far better to negotiate a border – this was "the way of wisdom".[20] The Chinese threat, as he then saw it, only reinforced his conviction of the need for a joint Indo-Pakistani defence of the subcontinent. A prerequisite, of course, was the settlement of outstanding differences between the two countries, above all Kashmir. As he put it in an article in the influential American journal *Foreign Affairs* in July 1960:

> as a student of war and strategy, I can see quite clearly the inexorable push of the north . . . [i.e. China and the Soviet Union] . . . in the direction of the warm waters of the Indian ocean. This push is bound to increase if India and Pakistan go on squabbling with each other.

Had Nehru been more receptive to the joint defence concept, it is quite possible that Pakistan would have found itself involved in the evolution of a Sino-Pakistani boundary dispute analogous to that which India had brought about. It only required a Pakistani revival on paper of Hunza claims to Raskam and the Taghdumbash Pamir to set the ball rolling.

While President Ayub Khan persisted in his efforts towards an Indo-Pakistani military *rapprochement* right through the great Sino-Indian crisis of 1962 into early 1963, Indian rebuffs had convinced him by the end of 1959 that it was worth taking a fresh look at the Chinese frontier claims. If China were not, indeed, intent upon penetrating the Karakoram barrier and intruding into the territory of West Pakistan, then there might be real diplomatic advantage in closer relations with Beijing. The first overtures began in 1959. It soon became apparent that China did not really want to take over any territory whatsoever which Pakistan then administered and which it had inherited from the British Raj: what it sought was a settled border with Pakistan just as it did with its other neighbours like Nepal, Burma and the Mongolian Peoples' Republic.[21] It was looking for a suitable formula for the recognition of the rightness of what was the effective position of administrative practice on the ground while avoiding any echoes of the rhetoric of the imperialist age now gone.[22] Thus on 15 January 1961 the Pakistan Foreign Minister, Manzur Qadir, was able to announce that Pakistan and China had agreed in principle to demarcate their common border once they had worked out where it ought to run.

By the end of 1962 the overture to China, originally entirely pragmatic, soon began to point to a completely new shape for the basic structure of Pakistan's diplomacy. It was argued, notably by Zulfikar Ali Bhutto, then Pakistan Minister for Industries and shortly to be Foreign Minister, that Pakistan's alliance with the United States had to date yielded no real dividends in that key national issue of

foreign policy, the Kashmir dispute. In the 1962 Security Council debate, for example, American help had not prevented a Soviet veto. American military aid to Pakistan had in no way diminished the Indian hold over the Vale of Kashmir. There appeared, therefore, to be good grounds for looking into a new aspect of the Kashmiri equation, namely China. Such a move was all the more logical because the Chinese entry on the scene served directly to balance the depreciating value of the American alliance. As Sino-Indian relations deteriorated, so did the United States incline towards counting India as a potential member of the anti-Chinese club. As such, India, far bigger and more populous, could well turn out to be more valuable than Pakistan. It could not have escaped the notice of President Ayub Khan and his advisers that the Chinese factor could align India, if only tacitly, with the West, and that the United States would do nothing to discourage such alignment. Indeed, the more effectively to woo India, it was quite possible that America would cease to show much sympathy for the Pakistani case over the State of Jammu and Kashmir. In these circumstances it is not surprising that President Ayub Khan decided to investigate more thoroughly what China had to offer.

When, however, towards the end of 1962 the crisis in Sino-Indian relations escalated into armed conflict, culminating in the massive Chinese military demonstration in the Assam Himalayas, Pakistan was still not committed fully to the Chinese side. The clash of arms between China and India in late 1962 provided Pakistan, in fact, with an admirable opportunity to force a Kashmir settlement. This was the time for Pakistan to attack the Indian army of occupation in its part of the State of Jammu and Kashmir. Indian forces defending the Assam border had suffered a disaster comparable to the British retreat from Kabul during the first Afghan War. The Indian line in northern Ladakh was also under severe Chinese pressure. There were good grounds for supposing that a Pakistani move at this juncture, particularly with Chinese collaboration, might have brought on an Indian debacle of the first magnitude. President Ayub Khan, however, decided not to exploit this opportunity. Instead, he agreed to begin a fresh round of talks with the Indians on the whole question of the future of Kashmir. Such talks, at ministerial if not at summit level, were also then being urged by Duncan Sandys and Averell Harriman on the part of the British and American Governments.[23] Sandys at this moment, with American support, was advocating a formally negotiated Partition of the State of Jammu and Kashmir between India and Pakistan (not just the acceptance, with the occasional adjustment, of the existing cease-fire line). It was a plan which raised an inevitable question, why was this not contemplated in 1947? Why was not Sir Cyril Radcliffe asked, while he was about it, to Partition the State of Jammu and Kashmir along with the Punjab?

Such Partition would mean, of course, detailed discussion of every bit of the State, with no talk of "aggression" and with a clearly defined set of criteria for the allocation of territory to India or to Pakistan which, as in 1947, would perforce involve communal considerations. The Pakistan side evidently understood the Sandys proposals in this sense: the Indian side, however, did not because it considered that, at the end of the day, it already possessed sovereignty over the entire State including those portions currently under Pakistani occupation. The basic Indian negotiating position from the moment that it began to consider seriously the Sandys proposals was that the cease-fire line, perhaps with very minor alterations (generally in India's favour), could be made into the agreed Indo-Pakistani international border, which, as we have noted, was not at all what Sandys had in mind. In any case, India was determined to give no territory away which threatened its main line of communication with the eastern end of the old Northern Frontier: whatever happened, it would have to retain absolute control over the route from Pathankot, via Srinagar, Kargil and Leh to the front line of Sino-Indian confrontation in Ladakh. To put it milldly, this strategic and geopolitical consideration presented (now as in the past) grave problems for any Partition of the Valley of Kashmir satisfactory to Pakistan.

In the face of a certain amount of popular opposition on both sides, a marathon sequence of talks at a ministerial level between India and Pakistan over Kashmir began at Rawalpindi on 27 to 29 December 1962. Sardar Swaran Singh led the Indian delegation and Pakistan was represented by Z. A. Bhutto, now Foreign Minister. Between 16 and 19 January 1963 the venue of the talks was moved to New Delhi, then from 8 to 10 February to Karachi, from 12 to 14 March to Calcutta, from 22 to 25 April to Karachi again, and, finally, from 15 to 16 May to New Delhi.[24] In one sense these discussions were rather more realistic than some of the earlier ventures in direct Indo-Pakistani negotiations over the future of the State of Jammu and Kashmir. Solutions to the problem other than a plebiscite were considered seriously by the Pakistani side. India is said at one point to have offered to cede to Pakistan all of the State of Jammu and Kashmir which Pakistan than actually held with some small tracts of additional territory in Kashmir Province and Poonch so as to straighten out the border, the first time it has proposed to transfer to Pakistan *any* land which it actually held in the disputed State. Pakistan, however, refused (probably as a bargaining position – what Pakistan really wanted was the bulk of the Vale of Kashmir plus Indian acceptance of both Azad Kashmir and Pakistani control over the Northern Areas) to accept any partition scheme which did not give it the entire Chenab valley in Jammu (cutting the Pathankot-Srinagar road): though it was prepared to give India temporary transit rights through Jammu so as to be able to continue contesting

Ladakh with the Chinese. India had no difficulty in rejecting this suggestion which it did not consider to provide a lasting answer to its view of the problem of the Northern Frontier.

By 16 May 1963 it had become abundantly clear, despite the enthusiasm which the Americans and British (the latter with more influence in New Delhi in the aftermath of the Chinese disaster than they had possessed for many years) demonstrated for some positive outcome, that direct Indo-Pakistani discussion would produce no answer for the Kashmir problem at that time. The possibility of a mediated or arbitrated settlement, which Lord Mountbatten, in his last appearance in the Kashmir drama (with a supporting cast which included Duncan Sandys, Lord Selkirk and the American Secretary of State Dean Rusk), urged on his old friend Jawaharlal Nehru moreover, was effectively ruled out by both sides.[25] It is possible that a real chance of settlement, albeit a slight one, may have existed in late 1962 when Indian leaders were still shocked by their defeat in the Himalayas by the Chinese. By the middle of 1963, however, this chance had disappeared. Mutual Indo-Pakistani suspicions, instead of abating had in fact increased to a critical point. Whatever benevolence President Ayub Khan might have entertained towards India in its hour of crisis seems to have evaporated; and Jawaharlal Nehru, when it came to the crunch, was no more prepared now to make major concessions to Pakistan over Kashmir than he had been in 1951 or 1953 and 1954.

As a result of the Chinese attacks India began receiving large, though unspecified, quantities of arms from the British and the Americans. India claimed that this help was needed to defend itself against the Chinese menace. In America and Britain it was fashionable to see the Chinese as harbouring aggressive plans in a number of directions; and there can be no doubt that many Western statesmen really believed in a "Yellow Peril" across the Himalayas. President Ayub Khan no longer did. He pointed out on several occasions that the Indians had more or less brought on the Himalayan crisis of 1962 through their own folly. Instead of dealing with the Sino-Indian border as the subject of a sincere difference of opinion between two great Powers, the Indian leaders frustrated all genuine negotiations by their declarations of absolute right. Having convinced themselves that their own case was so completely sound as to preclude the possibility of any compromise, they then initiated during 1962 a series of military probes toward and through the Chinese positions both in Ladakh and along the McMahon Line. Eventually the Chinese, their patience exhausted, replied with a massive military demonstration. Once they had made their point in the Assam Himalayas, they withdrew unilaterally. President Ayub Khan undoubtedly had a case when he observed that unilateral withdrawals are not the usual symptoms of aggression. By the end of 1962, with

the Chinese forces brought back once more behind the McMahon Line, the only Chinese "aggression" which could be pointed to was the advance of Chinese posts in the desolate wastes of Ladakh; and there could be little question that this was a defensive measure designed to protect their road and to frustrate any fresh Indian "forward policy" in the future.[26]

To President Ayub Khan the Chinese threat to India was something of a myth, and he believed that the Indian leaders knew it. Why then did India seek so desperately for foreign arms? The answer was clear. The arms were intended for use against Pakistan. As President Ayub Khan pointed out, even at the height of the 1962 crisis the bulk of the Indian Army remained in positions along the Pakistan borders.[27] Ayub Khan, like many others in Pakistan, had been much impressed (and alarmed) by Nehru's action over Goa at the very end of 1961, when a diplomatic problem had been abruptly resolved by Indian force of arms, justified by an interpretation of local history which was, to say the least, suspect. Was Kashmir, once the Chinese situation had calmed down, to become the second Goa? It was a possibility which could not be overlooked.

President Ayub Khan's arguments and fears cannot be dismissed out of hand. The Chinese did have a case, and not always a bad one, about their border with India, which the Indian side had made absolutely no effort to examine on its considerable merits.[28] Indeed, India had answered it with much information which the student of the history of the Sino-Indian border will have little difficulty in seeing was false. Moreover, orders to the Indian army to expel the Chinese from Ladakh and from positions which were probably north of the McMahon Line had been issued before the Chinese attacks of October-November 1962. No secret of this had been made. The Chinese in late 1962 were certainly responding to Indian pressure and had no thought of an invasion of India. They were not, as some alarmist British observers (Sir Percival Griffiths for one) said at the time, aiming to capture the oilfields of Assam.

For all this, however, it seems unlikely that the Indian leadership exploited the Chinese threat solely as a means to gain military aid against Pakistan. The truth is that Jawaharlal Nehru and his advisers (many of whom kept him isolated from the realities of the problem) allowed the Chinese situation to get out of control; and, having done so they panicked. It has subsequently been revealed, for instance, that at the height of the Chinese advance in the Assam Himalayas Nehru appealed desperately to the United States and Britain for fifteen bomber squadrons to attack the Chinese forces then sweeping down towards the Brahmaputra valley. Having panicked, the Indian Government quite naturally was reluctant to advertise the fact. It continued, therefore, to prepare for the Chinese threat long after that threat had disappeared: it experienced no difficulty in con-

vincing itself of the reality of a continuing danger from China. Indian ministers ever since December 1962 have been wont to talk about Chinese hordes massing beyond the Himalayas, much as some British strategists in the nineteenth century used to imagine great Cossack armies preparing to overthrow the British Raj; and even at the moment of writing (1991) it is probable that the bulk of informed Indian public opinion still holds that the Chinese represent an aggressive threat to the integrity of the Indian Republic.

In these circumstances Indian leaders, and the Indian public whom they had informed, did not relish President Ayub Khan's scepticism. Even less did they welcome the practical demonstration that Pakistan (like Burma) could come to terms with China where they had failed. The announcement of the Sino-Pakistani Border Agreement of 2 March 1963 gave rise to bitter resentment in New Delhi and, it is probable, contributed as much to the failure of the 1963 negotiations on Kashmir as did Pakistani suspicion of the motives behind the Indian acceptance of military aid from America and Britain.

The Indian side have constantly used the 1963 border agreement as evidence of the existence of a Pakistan-China "axis" directed towards the humiliation of India. In fact, it indicated nothing beyond a desire by the two parties to settle a relatively minor problem of boundary alignment with the minimum of side effects. The Karakoram border, the western end of the old Northern Frontier of the British era, had been established clearly enough by the British Note to China of 1899 and its unilateral modification by Curzon in 1905 (as we have seen in Chapter 3). The general whereabouts of this line had been admitted by the Chinese authorities in Sinkiang in the 1930s (as described in Chapter 4). There were, in fact, only three problems outstanding. First: the altered status of Hunza, once regarded by China as a tributary state, had to be accepted, even if tacitly, by Beijing. Second: the termination of old Hunza claims to territory and rights north of the Karakoram, which the British had *de facto* abandoned in 1936, would have to be confirmed, again tacitly if need be. Finally: the precise alignment of the Hunza-Sinkiang border, particularly in the region of the Khunjerab and Shimshal Passes, would have to be delimited. When all this had been agreed, it only remained the reconcile the maps on the two sides (based on different surveys of varying, and sometimes dubious, quality) by joint demarcation on the ground; and the job would be done. A task which the British had started with their Note to China of 1899 would have at last been completed.

Neither Pakistan nor China saw this 1963 Agreement as the foundation of a military alliance. It was a solution to a specific problem, and no more. In that the territory involved was located perilously close to the Indo-Pakistani cease-fire line in Kashmir, great pains were taken to isolate the Karakoram boundary definition from

Indo-Pakistani argument. Thus the preamble to the 1963 read as follows:

> the Government of the People's Republic of China and the Government of Pakistan, having agreed, with a view to ensuring the prevailing peace and tranquillity on the border, to formally delimit and demarcate the boundary between China's Sinkiang and the contiguous areas the defence of which is under the actual control of Pakistan, in a spirit of fairness, reasonableness, mutual understanding and mutual accommodation, and on the basis of the ten principles as enunciated in the Bandung conference.[29]

The expression "areas the defence of which is under the actual control of Sinkiang" makes the point clearly enough. The Chinese were not saying that this border tract, which at some time might have been considered to have formed part of the State of Jammu and Kashmir, actually was in Pakistan. It was a fact that Pakistan was currently in control. The rights and wrongs of Pakistan's position on the other side of the border were no concern of the Chinese, who were merely defining the limits to their own legitimate sovereignty.

India did not see it this way. Pakistan, it announced, in order to win Chinese support for its position in Kashmir had surrendered some 2,000 square miles which by rights were Indian.[30] This was a hostile action which deserved a hostile response. In this atmosphere of mutual distrust there began the next phase of the sorry Kashmir story.

1. The problem arose over the presence of Hindu minorities in East Pakistan and Muslim minorities in West Bengal following Partition in 1947. From the Indian side there were two issues. First: some Hindu extremists, such as the RSS, demanded that Partition be undone and the two Bengals reunited (an echo in some respects of agitation against Curzon's first partition of Bengal in 1905). Second: the security of Muslim minorities in West Bengal, notably in Calcutta, was threatened. There is some evidence that the Deputy Prime Minister, Sardar Vallabhbhai Patel, was sympathetic to the Hindu fanatics in West Bengal. On the East Pakistan side the inevitable reaction of the Muslim majority was to take it out in some way on the Hindu minority, which in East Pakistan made up about 10% of the total population. The immediate effect of a heightened communal tension in West Bengal and East Pakistan was an increased flow of refugees (in both directions): some 800,000 people moved in 1950, more or less equally divided between Muslims and Hindus.

   I have deliberately excluded from this book any detailed discussion of the complex problems arising from the other half of the 1947 Partition, that of Bengal. The two Partitions interact in the determination of the diplomatic climate of the subcontinent, as one would expect; and in 1971 they combine to provide the raw material for the Bangladesh crisis and the Indo-Pakistani war of that year. The Bengal problem of the early 1950's is admirably described in: G.W. Choudhury, *Pakistan's Relations with India 1947-1966*, London 1968, Chapter 6.

2. Text quoted, for example, in: S. Singh, *Pakistan's Foreign Policy. An Appraisal*, Bombay 1970, p. 183.

3. The partition of Bengal was an extremely difficult task; and the Radcliffe award left a legacy of bitterness and dispute which would have been far more serious had the outlook of the new State of Pakistan been not so dominated by the Punjab. In his classic account of Pakistan's frontiers, Dr. Razvi lists four major boundary disputes between India and East Pakistan, two on the West Bengal border and two on the Assam border. Interestingly, and in marked contrast to Kashmir, these were discussed in 1949-50 by a boundary commission under a neutral Chairman, Justice Algot Bagge of Sweden. The result left much to be desired. In September 1958, by agreement signed in New Delhi by Feroz Khan Noon (the last Prime Minister of Pakistan before Ayub Khan's *coup*) and Jawaharlal Nehru, a number of issues arising from the Bagge Commission were settled. There were still questions outstanding, however, when East Pakistan gave way to Bangladesh in 1971. See: M. Razvi, *The Frontiers of Pakistan. A study of frontier problems in Pakistan's foreign policy*, Karachi 1971, pp. 45-69.

4. For an account of Kashmir and the 1951 Commonwealth Prime Ministers Conference, see, for example: P.L. Lakhanpal, *Essential Documents and Notes on Kashmir Dispute*, Delhi 1965, Section X.

5. Government of Pakistan, *India's Threat to Pakistan. Correspondence between the Prime Ministers of Pakistan and India 15th July – 11th August, 1951. White Paper*, Karachi 1951, Nehru to Liaquat Ali Khan, 24 July 1951.

6. *Ibid.*, Liaquat Ali Khan to Nehru, 26 July 1951.

7. Just before his death, Patel warned Nehru of the dangers posed by the Chinese position in Tibet arising from the fall of Chamdo to the PLA in October 1950. One result may have been encouragement for Indian geopolitical theorists to asserts advanced territorial claims such as that to Aksai Chin. Nehru, however, was not impressed. His view at this point was that the new post-imperialist China posed no threat to the post-imperialist India. The two regimes could co-exist peacefully in the atmosphere of two thousand years of friendship. For Sardar Vallabhbhai Patel's views on the Chinese in Tibet, see: Karunakar Gupta, *Spotlight on Sino-Indian Frontiers*, Calcutta 1982, pp. 162-168.

8. Government of Pakistan, Ministry of Kashmir Affairs, *Negotiations between the Prime Ministers of Pakistan and India regarding the Kashmir dispute (June 1953-September 1954)*, Karachi 1954, Appendix VII.

9. Government of Pakistan, Ministry of Kashmir Affairs, *Negotiations between the Prime Ministers of Pakistan and India regarding the Kashmir dispute (June 1953-September 1954)*, Karachi 1954, p. 7.

10. *Negotiations*, *op. cit.*, pp. 32-37, Nehru to Mohammed Ali, 3 September 1953.

11. India, at one point, proposed something very like this to China for the road across the Aksai Chin.

12. *Negotiations*, *op. cit.*, Nehru to Mohammed Ali, 9 December 1953.

13. Quoted in: M.S. Rajan, *India in World Affairs 1954-56*, London 1964, p. 319.

14. Government of India, Ministry of External Affairs, *Kashmir and the United Nations*, New Delhi 1962, p. 1.

15. In period 1954-59 the prevailing view in the Pakistan Ministry of Foreign Affairs

was that the Sino-Indian border was correctly indicated on the maps which India began to publish in 1954.

16. For five weeks from 2 April 1948 the East (Indian) Punjab Government suddenly and without prior warning stopped water flowing into the Pakistani Bari Doab and Dipalpur canals. Some 1,500,000 acres of land in West Pakistan were deprived of water. The motives behind this action are not clear.

17. For an admirable account of the Indus water question, see: G.W. Choudhury, *Pakistan's Relations with India 1947-1966*, London 1968, pp. 155-169.

18. The question of the Berubari enclave, first discussed between Nehru and Mohammed Ali Bogra in 1953, was finally agreed by Feroz Khan Noon and Jawaharlal Nehru in September 1958. Though the *Lok Sabha* approved the 1858 agreement, Nehru's cession of Indian territory was challenged in the Indian Supreme Court by the West Bengal Government in 1960; and the matter had not been satisfactorily cleared up by 1971 when East Pakistan ceased to exist. See, for example: M. Razvi, *The Frontiers of Pakistan. A study of frontier problems in Pakistan's foreign policy*, Karachi 1971, pp. 56-58.

19. The Ayub-Nehru talks took place between 19 and 23 September 1960, with long sessions in Karachi on 20 September and Murree on 21 September.

20. *The Times*, 24 October 1959.

21. There was a Sino-Nepalese Boundary Treaty on 5 October 1961. The Sino-Burmese border was settled on 4 October 1960. A preliminary Sino-Mongolian border agreement was signed on 26 December 1962, leading to a more complete Border Protocol on 30 June 1964. In November 1963 the short Sino-Afghan border, between Wakhan and the Taghdumbash Pamir, was settled. The whole question of China's border policy is discussed with admirable scholarship in: J.R.V. Prescott, *Map of Mainland Asia by Treaty*, Melbourne 1975.

22. It has long been apparent that the Chinese have been perfectly willing to accept the Indian border in the Assam Himalayas as the reasonable alignment here: what they have not been able to accept is the validity of the negotiations between Sir Henry McMahon (Foreign Secretary of British India) and the Tibetan Government in 1914, upon which the Indian claim is based. Had India been prepared to drop all its arguments about the validity of the McMahon Line, the Chinese would probably have agreed to this line (perhaps now called the "Nehru Line") as the *de jure* Sino-Indian border: they have accepted it as the *de facto* ever since they unilaterally withdrew from the edge of the Assam plains after the 1962 war.

23. See: P. Gore-Booth, *With Great Truth and Respect*, London 1974, p. 299.

24. These talks are analysed in: M.S. Chaudhry, *Der Kaschmirkonflict. Seine Ursachen, sein Wesen sowie Rolle und Bemühungen der Vereinten Nationen*, 3 vols., München 1976, vol. 3, pp. 44-54.

    For a fascinating insight, from the Indian point of view, into the conduct of the discussions, see: Y.D. Gundevia, *Outside the Archives*, Hyderabad 1984. Gundevia was a very senior Indian official who participated in the entire sequence. He reflects clearly both the arrogance of the Indian attitude towards the Pakistani leadership (above all Ayub Khan) and the deep suspicion as to Pakistani motives. Gundevia, for example, seems to have accepted without question the extreme Indian boundary claims in the Karakoram region which make it look as if (as we have seen

was not the case) the Sino-Pakistani border agreement involved the cession by Pakistan to China of over 2,000 square miles of Indian territory.

25. See, for example: Gore-Booth, *op. cit.*, p. 304.

26. The peculiarities of the Indian position *vis à vis* China which precipitated the 1962 war have been studied in great, and convincing, detail by: Neville Maxwell, *India's China War*, London 1970.

27. For a statement of President Ayub Khan's position, see: Mohammed Ayub Khan, "The Pakistan-American Alliance. Stresses and Strains", *Foreign Affairs*, January 1964.

28. The Chinese and Indian cases in the border dispute have been examined in detail in: Alastair Lamb, *The China-India Border. The origins of the disputed boundaries*, Royal Institute of International Affairs, London 1964.

    This work, which challenged the official Indian position presented by the Historical Division of the Indian Ministry of External Affairs, aroused a great deal of Indian hostility. An official Indian reply was: G. Narayana Rao, *The India-China Border. A Reappraisal*, Bombay 1968.

    Few scholars today accept the Indian case as it was then presented though sympathetic analyses still appear. See, for example: Y. Vertzberger, *Misperceptions in Foreign Policymaking: the Sino-Indian Conflict, 1959-62*, Boulder, Colorado, 1984; S.A. Hoffman, *India and the China Crisis*, Berkeley and Los Angeles 1990.

29. For the text, see, for example: G.V. Ambekar & V.D. Divekar, *Documents on China's Relations with South and South-East Asia 1949-1962*, Bombay 1964, pp. 218-221. The Agreement was signed on behalf of Pakistan by Z.A. Bhutto.

30. The Indian side derived the 2,000 or so square miles from a boundary alignment which retained Raskam and its environs within British India. As has been shown in Chapters 3 and 4, the British never formally claimed this area and, indeed, in the 1899 Note (as modified in 1905) explicitly abandoned claim to it. This situation still applied in the 1930s and undoubtedly represented the true frontier picture at the moment of Transfer of Power in 1947. Whether or not Hunza was in fact part of the State of Jammu and Kashmir, and whether or not Pakistan had any right to be there, did not alter the validity of this boundary alignment.

XII

THE SECOND KASHMIR WAR 1965

In 1960 President Ayub Khan was thinking about the possibility of some kind of joint Indo-Pakistani defence arrangement, that British dream in the Mountbatten era. During the Sino-Indian crisis of 1962 the Pakistani attitude towards India was still not entirely unfriendly; and it is possible that an appropriate gesture from Jawaharlal Nehru (as, it may be argued, might have appeared but for Nehru's death in May 1964) could have changed the course of the history of the subcontinent. Yet in 1965 India and Pakistan went to war for a second time over title to the State of Jammu and Kashmir, a war which not only affected the disputed territory but overflowed both by land and in the air (and, even, from the sea) into metropolitan India and Pakistan.

One reason for this rapid deterioration in Indo-Pakistani relations undoubtedly lay in the increasing evidence from 1963 onwards that India intended (as indeed there had been signs since at least the dismissal of Sheikh Abdullah in 1953), sooner or later, to incorporate all of its part of the State of Jammu and Kashmir into the Indian Union as just another State, thus unilaterally declaring the Kashmir issue forever closed. It would have required very clear signals indeed from New Delhi to cancel the effects of this impression, and these were not forthcoming.

As we have already seen in Chapter 11, in October 1963 the retiring Prime Minister of Kashmir, Bakshi Ghulam Mohammed, announced some changes in the State's Constitution which were to come into effect in February 1964. The Government of the State of Jammu and Kashmir would be brought more closely into line with the Governments of the other States within the Indian Union and a more direct system of elections for its representatives to the Indian Parliament (*Lok Sabha*) would be instituted (four members, elected for the first time under the new system in 1967). It was clear that Article 370 of the Indian Constitution, which provided for a special status for the State of Jammu and Kashmir, was now under considerable pressure; and to observers in Pakistan, like President Ayub Khan, it appeared

to be India's intention to go ahead and effectively annex the State outright. Jawaharlal Nehru, in a speech in the *Lok Sabha* of 27 November 1963, rather confirmed such impressions. He said that a "gradual erosion" of Article 370 was now in progress (certainly an understatement), and he approved of what was happening though he felt that the initiative should come rather from the people of the State of Jammu and Kashmir than from the Government of India. In fact, however, there can be no reasonable doubt that the policy announced by Bakshi Ghulam Mohammed had full Indian approval following prior consultation; and both in Pakistan and in Indian-held Jammu and Kashmir it was seen, probably correctly, as a declaration of official Indian policy.

It is possible that in 1964 after the outbreak of communal disturbances not only in the State of Jammu and Kashmir but also in India and East Pakistan,[1] which resulted from the temporary disappearance of the *Moe-i-Muqaddas* Relic from the Hazratbal shrine, Nehru may have had second thoughts. As we have seen in Chapter 10, the *Moe-i-Muqaddas* crisis was followed by the release of Sheikh Abdullah; and there were influential figures in Indian politics who thought that, as the only leading Kashmiri politician with a mass following, he should be permitted to attempt to mediate not only with the Government of India but also with the authorities in Pakistan. Jawaharlal Nehru, there is evidence to suggest, sympathised with this view, even though Sheikh Abdullah's present attitude was clear enough. "No solution," he announced on 7 May 1964, "will be lasting unless it has the approval of all the parties concerned, namely India, Pakistan, and the people of Kashmir." Jawaharlal Nehru now seemed to be moving towards a position not too far removed from this opinion; and for the first time he appeared to be willing to admit in public that Pakistan *did* possess a genuine right to be interested in the future of the State of Jammu and Kashmir. Thus he did not oppose Sheikh Abdullah's visit to Pakistan in May 1964 at the invitation of President Ayub Khan.[2]

There was a real chance that Sheikh Abdullah's efforts would lead to the opening of summit talks between President Ayub Khan and Jawaharlal Nehru in a more promising atmosphere than had prevailed at any time since the Kashmir problem began. Nehru at this late stage, there is much evidence to suggest, realised that the mere reiteration of the moral rightness of the Indian case was unlikely to bring about any solution to a problem which was draining the economies of both India and Pakistan and pushing the two nations ever nearer the brink of war. A number of influential voices were now urging that India was duty bound to show its adherence to international morality less by obstinacy than by negotiation. One such spokesman was Jayaprakash Narayan, the veteran leader of the Praja Socialist Party, who interpreted the Kashmir question as "a moral and a political issue"

and not as a dispute over legal technicalities. It was a question which would never be settled by the winning of debating points unaccompanied by conciliatory action.

Jayaprakash Narayan expressed his point of view in two articles, "Our great opportunity in Kashmir", and "The need to rethink", which the *Hindustan Times* published on 20 April and 14 May 1964. He was scornful of the sincerity of much that India had said about the Kashmir plebiscite. As he put it in "Our great opportunity in Kashmir": he might be lacking in patriotism, but he found it difficult to accept that the people of Kashmir had already voted to integrate themselves into India on the basis of the highly suspect 1957 and 1962 elections. Why not give the Kashmiris a real chance to express their views? If India were so sure of their wishes, then what risk would there be?

Jayaprakash Narayan then turned to an argument much exploited by the Indian side against any concessions to Pakistan in Kashmir. Indian apologists from quite an early stage in the dispute had claimed that to permit any decision on the State of Jammu and Kashmir's future to be made on grounds of religion would not only be a victory for the "Two Nation" theory but also would provide the signal for a major outbreak of communal rioting throughout the Indian Republic, the prelude to the disintegration of the Indian secular state (an argument which is still being raised in India in 1991). But, so Jayaprakash Narayan pointed out, this was indeed a silly argument. It implied that the Indian States were held together by force rather than by a sense of common nationality. If true, then the Indian Union would indeed be no more than a tyrant; and its democracy would be a hollow sham.

Jayaprakash Narayan urged, above all, that the Kashmir question be considered by India in the light of not only its own interests but also those of Pakistan. After all, Pakistan actually held nearly one half of the State, and no peaceful settlement of the State's future could possibly be accomplished without its active co-operation. Pakistan was a fact which could not be denied, however much some Indian politicians might dislike it. Moreover, the history of the subcontinent since the Transfer of Power in 1947 had shown beyond doubt that both India and Pakistan could prosper only if they co-operated and there was friendship between them. Indo-Pakistani conflict only disturbed the balance of power in South and Southeast Asia to the benefit of China, a most undesirable state of affairs.

To conclude this remarkable statement, Jayaprakash Narayan observed that while it was not certain that a solution of the Kashmir question would guarantee that India and Pakistan became firm friends, it would be difficult to deny that it would help remove the current state of tension between the two successors to the British Raj. It would, at all events, be an act of statesmanship on the part of India's

leaders to at least experiment with such a fresh approach to the Kashmir problem.

In this second article, "The need to re-think", Jayaprakash Narayan both clarified his views and answered some of the many outraged criticisms which had greeted "Our great opportunity in Kashmir". He made it clear that he was not condoning Pakistani aggression in Kashmir; and he freely admitted that there were moral issues involved on which India should not give ground. However, the mere fact of the Maharaja's accession to India in 1947 had not ended the Kashmir question in practice: it was absurd, therefore, to treat the matter as if it were for ever closed. As he pointed out, no amount of Indian rhetoric could conceal the fact that Pakistan actually controlled Azad Kashmir and that the old State of Jammu and Kashmir was effectively partitioned by a cease-fire line across which the armies of India and Pakistan faced each other. Meanwhile, minorities in both India and Pakistan countinued to live in fear.[3]

There is considerable evidence that by May 1964 Jawaharlal Nehru, who had become a much changed man in the years following the Indian debacle under Chinese attack in late 1962 (and was also, by the beginning of 1964, seriously ill), was impressed by the kind of argument which Jayaprakash Narayan was advancing. There *were* other possible approaches to the Kashmir question than the insistence on the absolute rightness of the Maharaja's accession to India in October 1947. It *was* rather insulting to Pakistan to offer the cynical proposal that the cease-fire line be taken as the *de facto* boundary. Perhaps a constitutional device might be found which placed some at least of the disputed State of Jammu and Kashmir under the joint supervision of India and Pakistan: perhaps some more realistic scheme for the partition of the State might be worked out. We will, however, never really know what lay in Jawaharlal Nehru's mind at this time. On 27 May 1964 he died.

The passing of Jawaharlal Nehru undoubtedly marked a point of no return in the history of the Kashmir dispute, though this was not immediately apparent. The momentum of the steps then in progress during the last weeks of his life continued for some time. President Ayub Khan paid moving tribute to the departed leader. Lal Bahadur Shastri, who took on Jawaharlal Nehru's mantle in June, indicated that the new spirit of moderation on Kashmir must be retained as a memorial to the departed leader who to many was the very personification of independent India. Amidst expressions of Indo-Pakistani good will preparations were made for a summit meeting between President Ayub Khan and the new Indian Prime Minister, to take place in the autumn of 1964.

At the same time Jayaprakash Narayan embarked upon an unofficial good will mission to Pakistan: he visited Rawalpindi and Karachi in early September 1964. He concluded that the Pakistani

stand on Kashmir was not as unbending as it once had been: and he felt that much good might come of face to face discussions between President Ayub Khan and Lal Bahadur Shastri. He was, however, to be disappointed. The two leaders met briefly at Karachi airport on 12 October 1964; but their discussions resulted in no dramatic announcements. There were expressions of mutual good will, and provision was made for further exploration of the question at ministerial level, which would at least provide a cooling off period; but nothing more. The general impression was that further progress would have to wait until Lal Bahadur Shastri had time to find his feet in his new position and establish his control over Congress.

It is most probable that Lal Bahadur Shastri at this moment sincerely desired an Indo-Pakistani *detente* over Kashmir; his political position, however, was just too weak to bring it about. Ever since the Chinese disaster of 1962 there had been detected an increasingly jingoist voice in Indian public life. It was not only the extreme Hindu parties who deprecated any Indian concessions to India's external enemies. In the eyes of self-proclaimed patriots from all parts of the spectrum of Indian political life Pakistan stood doubly damned. On the one hand it was the living symbol of the "Two Nation" theory, the challenge to Hindu dominance. On the other hand, it had acted of late as the collaborator with China, India's deadly foe. Lal Bahadur Shastri evidently concluded that Indian public hostility towards Pakistan was too great to be ignored. By December there were unmistakable signs emanating from New Delhi and Srinagar that yet a further stage in the integration of the State of Jammu and Kashmir into the Indian Republic was about to begin. On 4 December 1964, as we have seen in Chapter 10, the Government of India announced that Articles 356 and 357 of the Indian Constitution, which related to the establishment in certain cases of Presidential rule and to the scope of Indian Parliamentary legislation, would now be applied to Kashmir. It seemed probable that soon Article 370 of the Constitution would formally be abrogated, thus completing once and for all the process of the merger of the State of Jammu and Kashmir with India. The announced increase in Indian constitutional powers in the State was greeted with loud cheers in the *Lok Sabha*. There could be no doubt that many Congress supporters felt that Lal Bahadur Shastri's Government had not gone far enough.

All this in Pakistan was interpreted as proof of Indian treachery. The Indians had now gone back, it seemed, on the tacit understanding of the Shastri-Ayub meeting of October 1964 that Kashmir should be put away in cold storage for a while pending further discussions at ministerial level. This was not an opportune moment for such an impression to be created since Pakistan was in the throes of an electoral contest in which President Ayub Khan was faced with the by no means insignificant candidature of Miss Fatima Jinnah, sister

of the founder of Pakistan. President Ayub Khan certainly could not afford to let the Indian action pass without comment, before, during or after the election campaign.

On 3 January 1965 President Ayub Khan won a clear victory in the Presidential election. He now possessed the mandate he needed to face the next phase of the Kashmir crisis which was rapidly to lead to war between India and Pakistan.

It seems more than probable that a key figure in the escalation of the crisis in Indo-Pakistani relations which was to develop during 1965 was the Foreign Minister of Pakistan, Zulfikar Ali Bhutto.[4] Still in his 30s, clever, dynamic, charismatic, Z.A. Bhutto had acquired enormous influence over President Ayub Khan during the last five years. With Presidential support he was determined to regain for Pakistan in its foreign policy in general, and above all in the Kashmir question, the initiative which had really been held by India ever since the Indian troops landed at Srinagar airfield on 27 October 1947. By January 1965, it is reasonable to assume, Z.A. Bhutto had advised President Ayub Khan that no amount of Pakistani protest was going to prevent the final integration of Indian-held Jammu and Kashmir into the Indian Republic. There was a clear need for the total rethinking of Pakistani policy towards the Kashmir question.

In essence, President Ayub Khan had three choices before him. First: he could continue along the well trodden path of appeals to the Security Council to bring about a plebiscite. Second: he could try to let the Kashmir issue drop gently out of public view, accepting tacitly that the 1949 cease-fire line would be for ever more the Indo-Pakistani border. Third: he could seek out other means hitherto unexplored, diplomatic, political and military, to force some settlement.

It had become obvious by 1962, if not earlier, that the United Nations had not the power to reunite the old State of Jammu and Kashmir any more than it could end the division of Korea or Vietnam, a conclusion which was reinforced in 1964 when the United Nations Security Council twice discussed Kashmir (in February and May) without even reaffirming previous resolutions: all it could manage was to urge India and Pakistan to negotiate with each other and refrain from initiating any violent actions. It had been castrated since 1957 by the Soviet veto, mainly exercised in the Indian interest. All the Security Council had achieved, it must have appeared to Z.A. Bhutto, was to reinforce India's determination to do away with Article 370 secure in the knowledge that international opposition would be negligible.

The second possibility, to persuade the Pakistani people to just forget about Kashmir, offered as little promise as reliance on the endeavours of the United Nations. In East Pakistan, it is true, the Kashmir issue sometimes seemed a trifle remote; but this was not the

case in West Pakistan where public opinion had been so aroused about Kashmir for so long that any attempt by any Government to bury the question would almost certainly produce serious repercussions. Hence, in fact, Z.A. Bhutto must have pointed out to President Ayub Khan, there was no choice but to explore fresh means to keep the Kashmir question open, even if no simple or certain solution might be in sight.[5]

There were two obvious lines of approach. First: in some way Pakistan's great Asian ally, China, perhaps with Indonesia (a State with which Pakistan also had very close relations at this moment before the fall of Sukarno) acting in diplomatic support, could be used to bring pressure on the Indians, to which New Delhi might show a greater response than it had to the urging of the United Nations. The events of 1962 suggested that the Chinese were more than a match, in military terms at least, for the Indians. Second: Pakistan might in some more active way exploit the growing popular disenchantment with Indian control within Indian-held Kashmir. The affair of the disappearance of the *Moe-i-Muqaddas* had given rise to a great deal of Islamic protest in both Jammu and the Vale of Kashmir which some Pakistani observers, Z.A. Bhutto for one, interpreted as evidence that the State was ripe for rebellion. All it needed was to apply the right pressures and give the appropriate stimuli and Kashmiris would rise up *en masse* against their Indian overlords.

While by the beginning of 1965 the Indian attitude to Kashmir had hardened to a point which made compromise seem most unlikely, yet there were factors in the political and economic situation within India itself which suggested that pressure from two directions, China and the population within the Indian part of the State of Jammu and Kashmir, might yield dividends. The Indian economy in 1965 was arguably in difficulties. For the first time since independence the Pakistani Rupee stood higher on the free money markets of the world than did the Rupee of India. Indian industrial development had not been matched by a corresponding increase in agricultural output; and a severe food shortage threatened to give rise to much popular discontent with the administrators in New Delhi. Moreover, the Indian Republic was about to face the stresses of regional protest against its ill-advised language policy. On 26 January 1965, Indian Republic Day, Hindi became the official language of the Union. Hopelessly inadequate preparations had been made for this development. The consequences were to be apparent almost immediately, for on 27 January serious rioting broke out in Madras State (Tamilnadu) where Tamil speakers resented the linguistic policy of the Central Government. Disturbances continued throughout February. During January 1965, therefore, it would not have been surprising had Pakistani Intelligence concluded that Prime Minster Lal Bahadur

Shastri was about to face so many internal problems that he would be reluctant to add to them a fresh crisis in the State of Jammu and Kashmir. He might well be prepared, following the application of some pressure, to make significant concessions.

It is probable that these considerations were very much in his mind that President Ayub Khan visited China between 2 and 9 March 1965. The Pakistani leader was enthusiastically, even regally, welcomed in Peking. Discussions were by no means confirmed to problems relating to the Sino-Pakistani border in the Karakoram Mountains. President Ayub Khan was reported to have sought Chinese economic aid towards Pakistan's third five-year plan. Joint Sino-Pakistani statements were issued on such subjects as nuclear weapons, colonialism and Afro-Asian solidarity. There was, however, also a joint statement on Kashmir in which

> the two parties noted with concern that the Kashmir dispute remains unsolved, and consider its continued existence a threat to peace and security in the region. They reaffirmed that this dispute should be resolved in accordance with the wishes of the people of Kashmir as pledged to them by India and Pakistan.[6]

China, in other words, was now making as clear a declaration of support for the Pakistani position that a plebiscite should take place, as the Russians had made in 1955 in support of the Indian position, that the matter had already been decided in India's favour. The fact was certainly noted in New Delhi, whence emerged strong protests against "Sino-Pakistan collusion against India in Kashmir". Indian diplomats doubtless saw their point confirmed when Abdul Hamid Khan, President of Azad Kashmir, publicly thanked Peking for its support.

Shortly after his Chinese visit, in April 1965, President Ayub Khan went to Moscow where he sought to normalise Russo-Pakistani relations and to undermine as far as he could the special relationship which had been growing up between Moscow and New Delhi, a policy which Z.A. Bhutto had been advocating since 1960. At least one observer is convinced that the result was to persuade the Russians to take a more neutral posture in Indo-Pakistani affairs, a decision which was to be of enormous significance in the months ahead.[7]

It is against the background of this "Sino-Pakistani collusion" (in which there can be no doubt many Indian leaders sincerely believed), combined with Russo-Pakistani fence mending, that the next crisis in Indo-Pakistani relations should probably be viewed. During March 1965 there had been a number of shooting incidents between Indian and Pakistani troops along the border between West Bengal and East Pakistan, which indicated the state of tension then prevailing. In April there began a series of far more serious incidents on the border between Indian and West Pakistan in the region of the Rann of Kutch.

The Rann of Kutch separates Sind in West Pakistan from Kutch State in India. For part of the year it consists of dry mud and scrub. During the monsoon it is flooded. The area of the Rann (a word which means "desolate place") is vast, one estimate being 8,400 square miles or a tenth of the area of the entire State of Jammu and Jammu and Kashmir. Dotted about the mud flats are pieces of higher ground which become islands during the monsoon, some of which are permanently inhabited. In the dry season the Rann is easily crossed by a number of tracks. In the wet it is an impassable barrier.

During British rule there had been a number of disputes between Sind and Kutch State over the Rann, which appears to have had some slight economic value, mainly as a source of salt and a seasonal grazing ground for camels. The British decided on several occasions that the whole area of the Rann fell within Kutch State, the Kutch-Sind border following the southern edge of the Thar Desert. After Partition, Pakistan contested this boundary, maintaining that the Rann was really a sea and that the border between Sind (now part of West Pakistan) and Kutch (now incorporated in the Indian State of Gujrat) should follow a middle line between both shores. This argument is not entirely convincing. Pakistan's claim to the northern part of the Rann, however, should not be dismissed out of hand. The border which the British settled upon between Sind and Kutch was tolerable so long as both regions lay within the same larger political unit, the British Indian Empire. As an international boundary, however, it was quite unsuitable, since it meant, in effect, that the Indo-Pakistani border followed what amounted to a foreshore or beach. As a virtually unpopulated region, there was no good reason why the Rann should not have been partitioned in some way; and such a step would certainly have made Indo-Pakistani relations rather easier. An Indian foothold on the Sind side of the Rann constituted an obvious threat to Karachi, Pakistan's chief port and largest city and, in 1947, Pakistan's capital as well. The Radcliffe Commission of 1947 made no ruling on the Rann of Kutch, which was not included in its brief; but it became the subject of some indecisive Indo-Pakistani argument in 1956.[8]

It is still impossible to say exactly how or why the crisis in the Rann of Kutch began in early 1965. The Indian side has claimed that from the beginning of the year Pakistani forces had been patrolling and establishing posts in Indian territory in the Rann, which, of course, was at that season quite dry. Pakistan, on the other hand, has stated that Indian troops suddenly began intruding north of the line which Pakistan regarded as the legitimate border in the Rann. Whoever started it, there could be no doubt that the result was a series of clashes between Indian and Pakistani forces, including tanks and armoured cars, on a scale which had up to that time only been seen in the Kashmir conflict. Formations of up to brigade strength appear

to have been involved. The Indian side claimed that Pakistan was using in these engagements American made and supplied Patton tanks, weapons which it had been promised would never be used against India. The Pakistan Government denied this allegation, though the Indian Government published photographs which purported to show Patton tanks in use in the Rann.

The real nature of the Rann of Kutch crisis is still obscure. Was Pakistan testing the strength and resolve of the Indian Army here as a kind of dress rehearsal for something contemplated shortly for Kashmir? Was India treating Pakistan to a martial display as a warning against any Kashmir adventures which might at that time be at the planning stage? We do not know. The Rann of Kutch was certainly a battlefield suitable for only the most limited of campaigns. With the coming of the monsoon it turned suddenly from dry ground into a shallow sea. It was a terrain for demonstrations rather than invasions. In the Rann of Kutch affair one has the distinct impression of a reconnaissance in force by both sides, each trying to feel out the other's weakness. Nevertheless, the operations in the Rann carried with them the very real danger of a spread of the conflict to other parts of the Indo-Pakistani border where the monsoon would not guarantee an abrupt termination of hostilities. Rather than risk this, both sides by May were ready for a cease-fire.

British mediation, in which Prime Minister Harold Wilson played a leading part, made a cease-fire possible. On 30 June an agreement was signed by India and Pakistan which brought an end to the Rann of Kutch crisis. The *status quo* as of 1 January 1965 would be restored; and both sides would withdraw to positions which they had occupied before that date. Thereupon Indian and Pakistani officials would meet to discuss some permanent settlement of the disputed Sind-Kutch border. Failing agreement, there was to be reference to a tribunal consisting of an Indian member, a Pakistani member and a neutral Chairman to be nominated jointly by the two parties to the dispute. If India and Pakistan could not agree on the Chairman within a specified period, then they would request the Secretary General of the United Nations to make the selection.

The Prime Minister of India, Lal Bahadur Shastri, experienced some trouble in winning parliamentary support for this agreement. Some members of the *Lok Sabha* made speeches of an extremely bellicose nature, urging, for example, the Indian Government to warn Pakistan that another such crisis would see the Indian Army on the march to Lahore and Karachi. President Ayub Khan, while the cease-fire was being discussed, also delivered himself of grave warnings to India that another Rann of Kutch affair would lead to total war. Once signed, the 30 June agreement proved difficult to implement in full.

Eventually a tribunal was assembled in Geneva with India repre-

sented by a Yugoslav, Ales Bebler, Pakistan by an Iranian, Nasrollah Entezam, presided over by a Swedish Chairman, Gunnar Lagergren. It did not come to a decision until February 1968, when it found rather more in favour of India than of Pakistan (giving India all but 350 square miles out of the 3,500 claimed by Pakistan); but it left Pakistan with just enough to satisfy, or appear to satisfy, honour.[9] During the course of 1968-69 the adjudicated border in the Rann was demarcated on the ground and formally accepted by both India and Pakistan at a signing ceremony in Rawalpindi in July 1969. The major interest of these proceedings (still in the future in 1965) lies in their demonstration that it is, theoretically at least, possible to submit Indo-Pakistani territorial disputes to international arbitration.

In Indian minds the Rann of Kutch affair was somehow related to President Ayub Khan's dealings with the Chinese. Parallels were drawn between Chinese moves on the eve of the great Himalayan crisis of 1962 and the actions of Pakistan in the Rann. Many Indians, including Cabinet Ministers, were convinced that somehow the Chinese had got at the Government of President Ayub Khan. All this was not entirely rational, but it was easy enough to understand as an inevitable consequences of the Chinese blow to Indian pride in late 1962. In this atmosphere Lal Bahadur Shastri deserves much credit in having been able to convince his own followers of the wisdom of a cease-fire. However, there was a definite limit to Lal Bahadur Shastri's patience and powers of persuasion; and this limit, while the Rann of Kutch crisis had not yet reached the world's headlines, was definitely passed by Sheikh Abdullah.

While away on his *Haj* to Mecca, Sheikh Abdullah visited Algiers. Here, as we have already seen in Chapter 10, on 31 March 1965 he had an interview with the Chinese Prime Minister, Chou En-lai, during which the Kashmir question was discussed and Sheikh Abdullah received an invitation to visit China. Sheikh Abdullah is said to have accepted, but not to have fixed the date. All this was interpreted in India as evidence that Sheikh Abdullah had now become "a tool of the Pindi-Peking conspiracy against India", to quote one journal or rather extreme views.[10] It simply could not be overlooked.

On his return to India on 8 May 1965, Sheikh Abdullah and his companion Mirza Afzal Beg were arrested and immediately removed to internment in South India. Rioting at once broke out in Srinagar and elsewhere in the Indian part of the State of Jammu and Kashmir. On 5 June the two main opposition groups on the Indian side of the cease-fire line in the State of Jammu and Kashmir, the Plebiscite Front (which supported Sheikh Abdullah's policy) and the Awami Action Committee (which, as noted in Chapter 10, under the leadership of Mirwaiz Mohammed Farooq had emerged at the time of the *Moe-i-Muqaddas* crisis in 1963-64 to turn into the major

Kashmiri political opposition to Sheikh Abdullah's faction, apparently favouring some form of union with Pakistan) initiated a non-violent civil disobedience campaign (*satyagraha*) for Sheikh Abdullah's release. It was all powerful evidence of an extremely strong surge of popular opinion, at least in the Vale of Kashmir, against the process of the incorporation of the Indian controlled portions of the State into the Republic and the end of Article 370, a process which had been going on steadily throughout the first half of 1965.

By the middle of 1965 it was possible to argue that there was prevailing within Indian-held Jammu and Kashmir a situation which could in some ways be compared to that of the autumn of 1947. In the remoter rural districts of Poonch which remained on the Indian side of the cease-fire line, and in the Vale of Kashmir, opposition to union with India had begun to be reinforced by armed resistance which was, it was appreciated at the time, undoubtedly much encouraged from the Azad Kashmir side of the cease-fire line, whence came not only arms and ammunition but also instructors and volunteers. One immediate consequence was a great increase in tension between the Indian and Pakistani regular forces all along the cease-fire line. The Indians were now on the lookout for parties of "infiltrators", supporters of the Kashmiri "freedom fighters" (terminology from other Cold War and anti-colonial episodes was borrowed to meet the requirements of the Kashmir dispute). A major clash between Indian and Pakistani troops guarding the cease-fire line appears to have occurred on 19 May 1965, when over forty Pakistanis were reported killed. Such incidents became ever more common during June and July 1965.

What was going on? The official Pakistani version is that the people of the State of Jammu and Kashmir took to arms against the increase of Indian control in the State; and, but not until August 1965, "freedom-fighters from Pakistan joined in their struggle". These "freedom-fighters", or "mujahidin", were evidently acting on their own initiative.[11]

The evidence rather suggests that this was by no means the whole truth. In 1947 the Pakistan Government had been accused of officially sending in the Pathan tribesmen and, thereby, precipitating the first Indo-Pakistani Kashmir War. As we have seen, the facts do not support this. The Pathan intervention was a complex business which emerged out of a state of insurrection within the State of Jammu and Kashmir prior to the Maharaja's accession to India. Individual Pakistanis may have been aware of what was happening and have given the process a helping hand; but the Pakistan Government, as such, was innocent of the charges made against it by India at the time and subsequently. In 1965, however, we can definitely see *official* Pakistani policy at work, to a great extent inspired through President Ayub Khan by Z.A. Bhutto.

The full story of Operation Gibraltar (the name which can provide a convenient label for this episode) has yet to be told.[12] What is clear is that a circle of Presidential advisers, in which Z.A. Bhutto was the dominant figure, having been convinced that the State of Jammu and Kashmir was ripe for revolt and being determined to profit by the lessons of 1947, persuaded a group within the Pakistan Government to precipitate matters by sending into Indian controlled territory across the cease-fire line trained guerrillas who would provide both the inspiration and the professional nucleus for a general Kashmiri rising.[13] This would, perhaps, be supported by the intervention (according to some sources named Operation Malta) of the Armed Forces of Pakistan who, it seemed after the dismal Indian showing against the Chinese in 1962, would be more than a match for any opposition they might encounter. The Indians might be forced to abandon their positions in at least the Vale of Kashmir, or, failing that, be induced to open a meaningful dialogue with Pakistan on the whole problem which, unlike previous discussions, might actually produce results of value.

The name selected for the operation, Gibraltar, is in itself instructive, since it clearly referred to "Tariq", the *nom de guerre* adopted in 1947 by Akbar Khan after the Arab conqueror for whom Gibraltar is in fact named. Planning for Operation Gibraltar may well have started as early as 1964, not long after the *Moe-i-Muqaddas* crisis. A number of training camps were eventually established, mainly in Azad Kashmir (but also in the Punjab), and volunteers recruited (from the Pakistan Army as well as from Kashmiris in Azad Kashmir and elsewhere in Pakistan). The first "mujahidin", it would seem, began to cross the cease-fire line in very small, and experimental, numbers during the winter of 1964-65. The tempo of infiltration increased during the first half of 1965 to reach a climax in July and August. It is not clear on quite what scale all this was planned. Probably the figure 3,000 represents a reasonable estimate of the maximum number of "mujahidin" who could possibly have been recruited and trained (the Indians have not claimed more); and somewhere in the region of 1,000 might be nearer the truth. The Indian side from time to time maintained that there were Chinese specialists behind the training of these guerrillas: of this no firm evidence has ever come to light.

The whole scheme of Gibraltar and its associated Operations suffered from a number of serious flaws.

First: the Kashmiri population on the Indian side of the cease-fire line was not at this period prepared to rise up in rebellion. Demonstrations over Islamic issues, as in the case of the missing *Moe-i-Muqaddas*, were one thing: taking on the might of the Indian Army was quite another matter.

Second: security was defective and Indian Intelligence had a fair

picture of what was being planned long before the summer of 1965.

Third: knowledge of the planned operations was restricted to a very small circle among the Pakistani establishment. Air Marshal Asghar Khan, for example, who commanded the Pakistan Air Force until 23 July 1965, by which time Gibraltar had been running for months, had no idea at all as to what was afoot. This was no way to prepare for what could well turn out to be a major war.

Fourth: the planners seriously underestimated the effectiveness of the Armed Forces of India, who had improved enormously since 1962.

Fifth: it was assumed by the planners that, just as in the first Kashmir War in 1947 and 1948, the Indian side would restrict operations to the soil of the State of Jammu and Kashmir, and would undertake no offensive against the provinces of metropolitan Pakistan both West and East.

Sixth: no allowance was made for the possibility that the Indians might riposte by persuading their good friends, the Afghans, then in dispute with Pakistan over title to "Pakhtunistan", to open up a second front directed across the North-West Frontier towards Peshawar. This last did not occur in the event; but the threat became real enough.[14]

In early August it would seem that the second phase of the plan, to which Indian Intelligence referred as Operation Malta, began to be implemented. Pakistani regular troops embarked upon an intervention on a significant scale in the worsening situation in Indian-held Jammu and Kashmir. By this date incidents on the Indian side of the cease-fire line had become so frequent as almost to warrant the description of rebellion or civil war, even if there was scant evidence of armed activity other than that by infiltrators from the Pakistani side. Both in Pakistan and in Azad Kashmir there was now enormous public enthusiasm for the Kashmiri "freedom struggle" which at last, after so many years, seemed to be beginning to show results. It looked as if what the Azad Kashmir forces and the Pathan tribesmen failed to do in 1947 might after all be achieved in 1965. In these circumstances it would have been very difficult for the Pakistani authorities to call the operation off even if they had so wished. In the event, it is clear that President Ayub Khan had no intention at this juncture of trying to slow down the rate of escalation in the State of Jammu and Kashmir.

In August 1965 the plan seemed to be going well. Press reports made it clear that a serious campaign of sabotage and ambush was now going on in the Indian-held part of the State of Jammu and Kashmir. Bridges were being blown up and police stations attacked. Shots were even fired in Srinagar itself. All this, the Pakistan Government declared, demonstrated that a state of rebellion existed across the fire-line; and on 8 August the "Voice of Kashmir" radio

went on the air to announce the formation of a Kashmir Revolutionary Council to lead a war of liberation from Indian oppression.

The Indian Government, of course, denied that there was any rebellion. It blamed all the troubles on Pakistan which had been committing continued "aggression" by dispatching the "infiltrators", some of which it was said had been identified as Pakistani regular army officers. While India no doubt possessed more than sufficient force in to retain control in Kashmir, perhaps as many as 100,000 troops and police in all, yet there could be little question that the present situation was unpleasant, obliging the Indian authorities to undertake some drastic measures of repression in the interests of security which would not enhance the Indian image abroad; and it threatened, if not to drive India out of the State of Jammu and Kashmir, at least to damage severely the Kashmiri tourist industry. Few foreigners would be willing to spend good hard currency to hire houseboats in the line of fire of Kashmiri snipers.

The growing Kashmir crisis presented Lal Bahadur Shastri's Government with two choices. It could either bring about a *detente* by opening discussions with Pakistan on the Kashmir dispute or it could endeavour to meet force with force, and in the process run the risk of uncontrolled escalation. In view of the opposition to his Rann of Kutch cease-fire, it is clear that Lal Bahadur Shastri felt that he could at this stage afford no more. It is likely that he was not only under political pressure but also faced demands from the leaders of the Indian Army that he refuse to let the State of Jammu and Kashmir turn into a repetition of the Rann of Kutch affair; and, of course, Indian Intelligence could provide ample details about Operation Gibraltar to demonstrate that all the difficulties were the direct result of Pakistani policy. Hence Lal Bahadur Shastri gave in to the military who saw that the way to stop "infiltration" from Azad Kashmir and the West Punjab was to advance across the cease-fire line and hold certain key passes.

Implementation of this active policy began, in fact, on 14 or 15 August with an Indian attack on Pakistani positions in the Kargil sector to the north (an application of counter pressure towards the Northern Areas whence any potential threat from Pakistan to the Srinagar-Leh road could be averted, and the main line of communication to the Sino-Indian front line in Ladakh and the Northern Frontier correspondingly made more secure);[15] but there was no official announcement of the intention to cross the cease-fire line until 24 August when Lal Bahadur Shastri made a statement to this effect in the *Lok Sabha*. It had now become abundantly clear that such a robust policy would be most popular in India: on 16 August a vast crowd, over 100,000 it was estimated, marched on the Indian Parliament in New Delhi to demonstrate against any more weakness in the State of Jammu and Kashmir.

The Indian Army appears at first to have concentrated on the main "infiltration" route in the Tithwal region; and by 25 August it declared that it had effectively shut the door here by occupying certain passes across the cease-fire line. On 26 August Indian forces turned their attention to the salient of Azad Kashmir territory between Uri and Poonch which by 31 August they had almost completely pinched out. Meanwhile there had been fighting and shelling along most of the western half of the cease-fire line.

India announced that its operation in Kargil, Tithwal and the Uri-Poonch salient were purely defensive, to shut off the routes used by Pakistani "infiltrators". There can be little doubt that this represented a true description of the Indian Army's strategy at this juncture (with the possible exception of operations in the Kargil region where one can detect the constant shadow of geopolitical considerations). However, the measures taken were certainly rather violent; and it is open to argument that India could have coped easily enough with the "infiltration" problem without tearing up the 1949 Kashmir cease-fire agreement. Moreover, it was extremely unlikely that the Pakistani military leaders would be prepared to believe in the stated limited objectives of the Indian offensives. In the prevailing atmosphere of distrust they had no choice but to act on the assumption that India was beginning a campaign for the total conquest of Azad Kashmir. Pakistan had to take some immediate countermeasures. At this point, one suspects, the planned objectives for Operation Gibraltar and its associated schemes had been left far behind.

What Pakistan now planned to do became clear on 1 September with the opening of a major attack by Azad Kashmir troops with Pakistani regular units, including armour, in support. The scene was the Chhamb district, right at the end of the cease-fire line where Jammu touches on West Punjab. The evident intention was to cut the main Indian line of communication along the road from Pathankot through Jammu to Srinagar by way of the Banihal Pass (following a plan which Akbar Khan had unavailingly advanced in 1947). By 5 September the Pakistani forces had captured Jaurian and were almost in Akhnur which controlled Indian communications with Uri and Poonch. They were less than twenty miles from Jammu City itself.

So far the fighting, with the possible exception of the occasional stray aircraft, had been confined to the State of Jammu and Kashmir. India, now facing a major setback in the disputed territory, resolved to spread the conflict to Pakistan proper.

On 6 September, without any declaration of war or other warning, two Indian columns were launched across the international border (the line of Sir Cyril Radcliffe's 1947 award) towards Lahore while a third column later crossed from near Jammu into the West Punjab in the direction of Sialkot. Thus the Kashmir problem at last gave rise

to a general Indo-Pakistani war. Jawaharlal Nehru had warned Liaquat Ali Khan in late 1947 that in certain circumstances India might have to take just such action in order to control the situation in the State of Jammu and Kashmir; but it had taken India eighteen years to make good its threat. On 8 September India further widened the conflict with an attack from Rajasthan towards Sind in Pakistan directed along the axis Gadra-Hyderabad (and directly threatening Karachi).

These offensives were accompanied by Indian Air Force raids on Pakistani air bases. The Pakistanis also resorted to air attacks (and they even undertook yet another escalation, the naval bombardment of an Indian radar station at Dwarka on the Gujrat coast). Pakistan claimed that Indian air raids were carried out against East Pakistan as well as West Pakistan; but India has denied this. The story of the air war is still most confused. However, it remained secondary to the land battles raging on the Sialkot and Lahore fronts. Here, again, the story remains rather vague. Both sides claimed improbable victories. On balance it rather looks as if a stalemate was quickly reached in which neither side was strong enough to defeat the other. India was unable to break through to Lahore. Pakistan failed both to cut the Indian line of communication in Kashmir and to start the long expected tank promenade down the Grand Trunk Road to Delhi.

Within a week it must have been abundantly clear to the military staffs of both India and Pakistan that neither side was going to win an outright victory. Indeed, neither side was now seeking the kind of victory which could possibly be gained on the battlefield. India had attacked across the cease-fire line because it felt that the Kashmir situation was getting beyond its control; and its main objective was certainly to maintain the security of its established positions. The Pakistani Operation Gibraltar project had now clearly run into severe trouble; and the problem was no longer to find the way forward but, rather, the way out. It seems reasonable, therefore, to suppose that both sides were really quite eager to obtain a cease-fire if they could do so without appearing to their respective publics to have surrendered to the enemy. They must have appreciated that the longer the fighting went on the more public opinion would be inflamed and the harder would it be to call a halt.

The outside world had watched the mounting crisis between India and Pakistan with ever-increasing alarm. No party in the Cold War stood to benefit at this moment from a major armed conflict in the subcontinent. The United States feared the result would be an increasing alignment of Pakistan with China and a serious blow to those alliances, CENTO and SEATO, of which Pakistan was a member. The Soviet Union likewise had no wish to see an increase of Chinese strength in the subcontinent: indeed, during 1965 there had been a remarkable thaw in the relations between Pakistan and Russia.

The British were much disturbed at the outbreak of war, even if undeclared, between two members of the Commonwealth. Even the Chinese, whom the Indians were inclined to see as the real villains in the melodrama, were extremely reluctant to be dragged into a war with India on behalf of their Pakistani friend. The few Afro-Asian States which were prepared to align themselves with one side of the other, like Indonesia with Pakistan and Malaysia with India, did so for reasons quite unconnected with events in the subcontinent; and they stood to gain nothing from an escalating Indo-Pakistani war. Here, indeed, was one of the few occasions in recent history when world opinion was almost unanimously behind a single course of action, namely a cease-fire in the subcontinent.

Three main initiatives were made to bring that cease-fire about, those of Britain and the United States, of the United Nations and its Secretary-General U Thant, and of China.

The United States and Britain, two of the principal suppliers of arms to the subcontinent, had an obvious means at their disposal whereby to endeavour to oblige both sides to cease fighting. On 8 September both countries announced a cessation of military aid to India and Pakistan so long as hostilities continued. This would certainly have had an effect in the long run, since the Indians were mainly using British tanks and aircraft and the Pakistanis tanks and aircraft from the United States.[16] With the wastage of operations a critical spare parts situation would soon develop on both sides. However, the action of Britain and the United States did not, in itself, provide the occasion for a cease-fire. Indeed, it was so resented by public opinion on both sides as to increase for the moment the will to go on fighting.

The only outside proposals for a cease-fire which India and Pakistan could accept with honour were those of the United Nations, a body which both sides had recognised as possessing a legitimate interest of some kind in the Kashmir dispute. The Secretary General of the United nations, U Thant, had been watching closely the Kashmir situation since the early days of crisis in August. On 1 September he appealed to Lal Bahadur Shastri and President Ayub Khan to respect the cease-fire line and to arrange for a withdrawal behind it of Indian and Pakistani forces. Both leaders, in effect, rejected U Thant's request. On 6 September the Security Council unanimously resolved that India and Pakistan should be called upon "to take forthwith all steps for an immediate cease-fire"; and it instructed U Thant to go out to the subcontinent immediately to report on the situation.

U Thant visited Rawalpindi on 9 September and was in New Delhi on 12 September. After talks with leaders on both sides he sent letters to Lal Bahadur Shastri and President Ayub Khan calling for a cease-fire to take effect by the early morning of 14 September. India

declared that it would be ready for a cease-fire if Pakistan withdrew all its forces from the State of Jammu and Kashmir and if the United Nations guaranteed that never again would Pakistan commit acts of aggression. Pakistan said it would agree to a cease-fire if it were immediately followed by a complete withdrawal of all Indian and Pakistani forces from the State of Jammu and Kashmir, their place to be taken by a United Nations force, recruited from Afro-Asian countries, the task of which would be to prepare the ground for a plebiscite within three months. On 14 September, on the expiry of U Thant's time limit, Lal Bahadur Shastri said that India would accept a cease-fire; but he made it conditional upon Pakistan doing likewise without preconditions, which Pakistan was clearly not prepared to do at this point. U Thant had failed to stop the fighting.

On his return to the United Nations headquarters in New York the Secretary General desperately explored all the means at his disposal to bring about some kind of settlement. On 17 September U Thant suggested to the Security Council that it might consider the use of the powers which it possessed under Article 40 of the Charter which enabled it to *order* the two parties to desist from fighting, and authorised it to back its demands with force if required. The prospect of the use of United Nations forces in the subcontinent was not welcomed by the Security Council: it was clearly impracticable. On 20 September, however, the Security Council adopted by far the most strongly worded resolution yet to have emerged from the Kashmir story. The Security Council, the resolution began,

> *demands* that a cease-fire should take effect on Wednesday, September 22, 1965, at 0700 hours GMT, and calls upon both Governments to issue orders for a cease-fire at that moment, and a subsequent withdrawal of all armed personnel back to positions held by them before Aug. 5, 1965.

This was the first time that the Security Council had ever *demanded* that India or Pakistan do something. The resolution concluded with the expression of hope that, once a cease-fire had been secured, the Security Council would be able to carry out useful exploration of possible solutions for the political problems which underlay the present conflict. The deadline for the cease-fire was subsequently extended for a few hours. Both India and Pakistan agreed to stop fighting, and the war came to a halt at 3.30 a.m. Indian summer time on 23 September 1965.

There were a number of reasons why India and Pakistan should agree to a cease-fire at this point. India, basically, was aiming at no more than maintaining its position in the State of Jammu and Kashmir. It no longer was particularly interested in internationally supervised settlements and it refused to agree that the status of its own part of the State of Jammu and Kashmir was still a proper subject for Indo-Pakistani negotiation. As far as it was concerned the

Kashmir issue was now closed. Indian-held Jammu and Kashmir was an integral part of India. It had become so before the outbreak of fighting and, with the cease-fire, it would remain so.

Pakistan, on the other hand, was hoping to keep the Kashmir question alive. Quite early in the fighting it must have become obvious that there was little chance of driving India from the State by force of arms: and whatever might have been the objectives of Operation Gibraltar, they were no longer attainable. The Security Council resolution carried within it the implication that the Kashmir dispute was still a matter requiring discussion. Such international recognition, partial though it might be, of the Pakistani position was better than nothing; and, perhaps, the practical demonstration of the danger to world peace inherent in the present situation in the State of Jammu and Kashmir might well lead world opinion to be more forceful in its advocacy of an effective solution. One imagines that President Ayub Khan hoped that with the cease-fire he had a slightly better prospect of securing a plebiscite in the State of Jammu and Kashmir than he had had in August 1965. The prospect, however, was still very remote.

Other things being equal, Pakistan might perhaps have gained from a few more days of fighting and the possibility of a more dramatic repulse of the Indian attacks. One military argument for a cease-fire, it has been suggested, was that Pakistan was rapidly running out of ammunition, spare parts and, above all, fuel for its tanks and aircraft. This is certainly a possibility. There can be little doubt, however, that the critical element in the decision is to found neither in the military and political situation nor in the resolution of the United Nations, but in the intervention of China.

Pakistan entered the conflict with India with, in theory at least, a number of allies on its side. It was a member of two multilateral treaty organizations, SEATO and CENTO. The other members of SEATO made it clear to Z. A. Bhutto, the Foreign Minister of Pakistan, that they refused in any way to be involved in the Indo-Pakistani conflict. Two members of CENTO, however, Iran and Turkey, while by no means prepared to join the fight on the side of Pakistan, yet were clearly sympathetic to the Pakistani cause. There is some evidence that by the time of the cease-fire considerable quantities of war material from Iran and Turkey were entering Pakistan overland via the Iranian railhead in Zahedan on the borders of Baluchistan. SEATO and CENTO were not, however, in the context of the present conflict the most important friends of Pakistan. China was clearly in a physical position, being in control of such a vast tract of Tibet along India's northern border, to make a direct intervention against India; and, in view of the prevailing state of Sino-Indian relations, might well be prepared to take active steps to relieve the pressure on the Pakistani front.

The Chinese did not let Pakistan down; but they intervened in a rather strange, indeed enigmatic, manner. They avoided any threat of direct involvement in the Indo-Pakistani conflict as such, perhaps because they realised that to do so might lead to rather drastic American reactions. Instead, they exploited one of the many small border questions which had for some years been the subject of Sino-Indian argument, making a minor issue the excuse for an ultimatum to the Indian Government. Since early 1963 the Chinese had been protesting against the Indian erection of "military structures" on the Chinese side of the border between Sikkim and Tibet at the Nathu La and other passes leading into the Chumbi Valley in Chinese territory. A study of the voluminous and acrimonious correspondence on this question rather suggests that the Indian Army in Sikkim had established a number of forward defences and observation posts just on the northern side of the crest of the pass. The frontier here had been defined clearly enough by treaty between British India and China in 1890.[17] It followed the watershed. It is possible, even likely, that the Indian positions were just on the Chinese side of the watershed; but, if so, the trespass could only have involved a few square yards at the most of Chinese territory.[18]

During August 1965, as the Kashmir crisis intensified, so did the Chinese begin to deliver increasingly strongly worded protests against this Indian "aggression". The Indian Government, evidently reluctant to provoke the Chinese at this juncture, replied in a tone of moderation quite unusual in the Sino-Indian correspondence of this period. It denied that there had been any trespass on Chinese territory and, on 12 September, it proposed that a neutral observer be allowed to carry out an inspection on the ground. The Chinese, who had themselves at an earlier stage proposed inspection, now refused to accept anything less than an Indian withdrawal, what India in terms of the Kashmir dispute would have called a "vacation of the aggression". On 16 September China delivered an ultimatum to the Indian Government. If the Indians did not dismantle their "military structures" and withdraw to their own side of the Sikkim-Tibet border within three days, they would face unspecified "grave consequences". The ultimatum would expire on 19 September. Just before it did in fact expire the Chinese extended the time limit for a further three days, that is to say to midnight on 22 September. At the same time, the Chinese added to their previous conditions the demand that India hand back to China four Chinese frontier inhabitants (presumably Tibetans), 800 sheep and 59 yaks which, it was claimed, India had kidnapped. On 21 September, when it seemed more or less certain that both India and Pakistan would agree to the cease-fire demanded by the Security Council, the Chinese began cool off the crisis by reporting that the Indians had fled from their positions and dismantled the "military structures" in order to

destroy the evidence of their "crimes". Thereupon the Chinese tacitly withdrew their ultimatum.

In retrospect the Chinese intervention might perhaps appear ludicrous. There was subsequently to be much merriment in New Delhi about the 800 sheep and 59 yaks. The *Economist* in London made great fun of the Chinese performance in a leading article entitled "Thanks for muffing it".[19] At the time, however, the Chinese threats alarmed India to an extraordinary degree. It may be that fear of a Chinese invasion tied up large bodies of Indian troops away from the Pakistan front. It seems certain that the Chinese intervention enabled President Ayub Khan to agree to a cease-fire from a position which could be made to seem to the Pakistani public to be one of strength, whatever the realities of the situation might have been.

Quite what degree of co-ordination there existed between Peking and Rawalpindi at this point it is impossible to say. It is worth noting, in passing, that Marshal Chen Yi, the Chinese Foreign Minister, had discussions in Karachi with the Pakistani Foreign Minister on 4 September, that is to say on the eve of the Indian offensive towards Lahore. It seems likely that some contingency planning was carried out on this occasion. Most foreign commentators have tended to see in the Chinese intervention an attempt to prolong the Indo-Pakistani conflict. In fact, it is far more likely that it was a means to bring it to a rapid end; and for once the Peoples' Republic of China and the Security Council of the United Nations saw eye to eye.

Major fighting between India and Pakistan stopped on 23 September; but the cease-fire line separating the two armies continued for several months more to be the scene of spasmodic incidents which served to keep alive the tensions which had resulted in the September crisis. The war had produced no political settlement: nor had it indicated that such settlement might be secured easily by peaceful methods. It was obvious that there were voices on either side advocating a resumption of hostilities. Z.A. Bhutto, it seems more than probable, believed that the fighting should go on a while yet with more forces committed: but he was, apparently, to his great chagrin overruled.

Both sides, moreover, now felt that they had been deserted or betrayed by many people in their hour of need. For example, the Malaysian representative at the United nations, Mr. Ramani, a man of Indian origin, in the Security Council debate of 18 September delivered himself of an extremely pro-Indian oration. Pakistan was furious and demanded an apology from the Malaysian Prime Minister, Tunku Abdul Rahman. The Tunku decided to support his old friend Ramani, who had certainly exceeded his instructions. Pakistan then broke off diplomatic relations with Malaysia. While this crisis was developing, Z.A. Bhutto was virtually presenting the United Nations with an ultimatum: either a proper discussion of the Kashmir

question were held in the very near future or the Pakistani delegation would be withdrawn. At the same time, in Pakistan there continued to swell a feeling of hostility to Britain and the United States, two Powers who, it was widely believed, had deserted Pakistan at a crucial moment by cutting off arms shipments. India, too, considered that British and American declarations of neutrality were, in fact, declarations of hostility to India; and in New Delhi it was felt that the United Nations would probably continue to show its pro-Pakistani bias by making yet more proposals for a plebiscite in the State of Jammu and Kashmir.

Once the cease-fire had been arranged, in fact, neither those Western Powers usually prepared to offer mediation in the sub-continent, like Britain and the United States, nor the United Nations retained sufficient credit with the two sides to be in a position to do anything further. No Afro-Asian State, for that matter, could do better. Those that had sided with Pakistan, like Indonesia, were certainly not in favour with New Delhi; and those that had sided with India, like Malaysia, could exert no influence in Rawalpindi. Those that had remained to a greater or lesser degree neutral were regarded with grave suspicion by both sides. The greatest Asian Power of them all, China, having made its gesture now appeared to have retired for the time being from the fray. In any case, China, not represented in the United Nations, could make no serious contribution to peaceful Indo-Pakistani discussions. The only power in a position to do this, in fact, was the Soviet Union.

In the era of Khrushchev, the Soviet Union had publicly declared itself a supporter of the Indian stand on Kashmir. In 1962 a Russian veto had defeated a Security Council resolution on the plebiscite issue. By 1965, and after the fall of the Khrushchev regime, Russian attitudes were significantly modified. When President Ayub Khan visited Moscow in early April 1965, Aleksei Kosygin, the Soviet Prime Minister, showed himself far more flexible in outlook on Kashmir than had ever been Khrushchev. No doubt he was looking for some means to reduce Chinese influence in Rawalpindi. Thus, during the great Indo-Pakistani crisis of August and September 1965 the Russians, while in fact suppliers of military equipment to India, yet managed to retain an attitude of neutrality with such skill as to earn the hostility of neither side.

On 20 August Kosygin wrote to both President Ayub Khan and Lal Bahadur Shastri requesting that Pakistan and India should refrain from taking any step which would serve to widen the conflict then developing in the State of Jammu and Kashmir. On 4 September he urged both sides to agree to an immediate cease-fire and offered Russian good offices for a negotiated settlement between the two nations. At this time both President Ayub Khan and Lal Bahadur Shastri turned the Russians down.

Kosygin, however, did not despair. On 17 September he proposed that the Indian and Pakistani leaders should meet in Tashkent or some other Russian city to talk over their differences under his chairmanship. Lal Bahadur Shastri announced on 22 September that he had accepted the Russian offer. President Ayub Khan wrote non-committally to Kosygin on 25 September, expressing interest but clearly preferring that Russian influence should be exerted in the Security Council rather than in direct Indo-Pakistani discussions. Such bilateral talks had not been particularly fruitful in the past and President Ayub Khan doubted whether they would be so in the immediate future. When the Security Council, which debated Indo-Pakistani relations in late October and early November, showed itself unlikely to produce anything useful on Kashmir (India refused to participate in these deliberations which, it claimed, concerned domestic matters beyond the Council's scope), President Ayub Khan finally made up his mind to experiment with Soviet mediation. He had, after all, nothing to lose by it. On 25 November, Z.A. Bhutto, then in Moscow, announced that Pakistan had accepted without conditions Kosygin's offer. It was then arranged that President Ayub Khan and Prime Minister Lal Bahadur Shastri should meet at Tashkent in early January 1966. Prime Minister Kosygin would endeavour to steer the discussions into fruitful channels and generally strive to bring about some resolution of the major causes of Indo-Pakistani hostility.

The three parties at the Tashkent conference were all playing for high stakes against the most unfavourable odds. Kosygin, could he but bring about significant measure of Indo-Pakistani agreement, would have demonstrated beyond question Russia's role as an Asian Power able to deal with other Asian Powers in a manner untainted by colonialist motives. President Ayub Khan and Lal Bahadur Shastri, were they to come to any agreement whatsoever, would run the risk of serious protest at home since in both India and Pakistan there was a powerful body of opinion violently opposed to negotiations and urging that the war go on until some more definite conclusion be reached. On the other hand, it was clear that, should the Tashkent talks fail completely, the result might well be such an increase of hostility between the two nations as to make a further outbreak of fighting a virtual certainty, and with consequences which none could foretell.

The Tashkent conference, when it opened on 3 January 1966, appeared to have little prospect of success. The Indian and Pakistani positions were too far apart. By 9 January it looked as if the talks were on the point of collapse. However, suddenly and dramatically on 10 January it was announced that an agreement had been reached. On the following day Lal Bahadur Shastri unexpectedly died. The Tashkent agreement thereby was invested, if only for the time being,

with an aura of sanctity which gave it far more effect than might otherwise have been the case. There can be little doubt that Lal Bahadur Shastri's greatest contribution to world peace was made at the very moment of his death.

The Tashkent declaration of 10 January 1966 did not deal with the Kashmir dispute other than to note its existence. In effect, it suggested that the issue should be put into cold storage while other more urgent problems were being solved. Pakistan and India accepted that their mutual relations should be restored to their normal state. The armies of both sides should withdraw to the positions they had occupied before the crisis began to erupt in August 1965. Full diplomatic relations should be re-established between the two States, and there should be an attempt to put a stop to the flood of hostile propaganda which was then being poured out by both Governments. Prisoners of war should be repatriated. There should be continuing discussions at a high level between the two States "on matters of direct concern to both countries".[20]

The most urgent item in this Declaration, the withdrawal of the armies behind the established international borders and the 1949 Kashmir cease-fire line, was implemented by late February 1966.

1. Serious anti-Muslim riots broke out in Calcutta on 6 January 1964, which were immediately followed by anti-Hindu outbreaks in the Khulna and Jessore districts of East Pakistan where substantial Hindu minorities had survived the traumas of Partition in 1947.

2. Sheikh Abdullah's travels on this occasion have already been referred to in Chapter 10. Immediately after his release from prison (in Jammu) on 8 April 1964, he visited Srinagar. He was in New Delhi on 29 April, then travelled elsewhere in India including Madras, talking to politicians of various persuasions. On 24 May, after his invitation to visit Pakistan, he arrived at Rawalpindi for talks with President Ayub Khan. On 25 May he shared the platform at a public meeting at Rawalpindi with Chaudhuri Ghulam Abbas, his old rival of the days of competition between the National Conference and the revived Muslim Conference. On 27 May he was at Muzaffarabad on the first stage of a tour of Azad Kashmir when he heard of Nehru's death. He at once ended his Pakistani visit and returned to New Delhi where, on 3 June, he called on the new Prime Minister, Lal Bahadur Shastri. He maintained that he had persuaded President Ayub Khan to start a fresh round of talks with Nehru: he now hoped that these would take place with Shastri instead.

3. Jayaprakash Narayan's two articles have been reproduced in full as appendices in: A.G. Noorani, *The Kashmir Question*, Bombay 1964.

4. Bhutto had replaced Mohammed Ali Bogra as Pakistani Foreign Minister in January 1963 after the latter's death. Zulfikar Ali Bhutto was born in 1928. His father was Sir Shah Nawaz Bhutto, who was Dewan (Chief Minister) of Junagadh at the time of the Transfer of Power in 1947. The Bhutto family, of immense wealth, had its power base in Sind.

   The whole question of the late Z.A. Bhutto's role in the history of Pakistan in

this period is still extremely controversial. I had the opportunity in 1972-73 to discuss this subject with him in Rawalpindi; and much of what appears in this and the following Chapter is based on my interpretation of what Z.A. Bhutto told me.

5. Bhutto was certainly not the only person to advocate this kind of action. He is used here to some degree as a symbol for one trend in official Pakistani thought at this period.

6. Quoted, for example, in: R.K. Jain, ed., *China South Asian Relations 1947-1980*, Vol. II, New Delhi 1981, p. 54.

7. See: Choudhuri, *Relations with India, op. cit.*, p. 278.

8. For some account of the Rann of Kutch, though very much from the Indian point of view, see: Government of India, Ministry of Information and Broadcasting, *Pakistan's Aggression in Kutch*, New Delhi 1965. Appended to this pamphlet is a most useful map.

9. For a map showing the 1968 Rann of Kutch award, see: M.K. Chopra, *India. The Search for Power*, Bombay 1969, p. 291. The main features of the award were: the elimination of two Indian salients in the region of Nagar Parkar at the eastern end of the Sind-Kutch border; the concession to Pakistan of a tract some twenty miles long and up to eight miles deep in the region of Dharbani and Chhadbet in the middle stretch of the border; and some minor modifications in Pakistan's favour at the extreme western end near Rahim Ki Bazar.

10. *Link*, 11 April 1965.

11. See, for example: Government of Pakistan, Ministry of Foreign Affairs, *White Paper on the Jammu and Kashmir Dispute*, Islamabad 1977, p. 81.

12. Most Pakistani writers tend to be rather coy, not surprisingly, about anything touching on Operation Gibraltar. Saraf's magisterial study has a brief mention of the subject; and he attributed the devising of the guerrilla plan to Lt.-General Akhtar Hussain Malik, which he dates to after the Rann of Kutch fighting in early 1965. See: Saraf, *Kashmiris Fight, op. cit.*, Vol. II, p. 1148.

13. During the course of conversation with the author in 1973, the late Z.A. Bhutto admitted that he had been to some degree influenced by the example set by Jawaharlal Nehru in the techniques employed for his acquisition of Goa from the Portuguese at the end of 1961.

14. The literature on Operation Gibraltar leaves a great deal to be desired. The following, one from the Pakistani side and the other from the Indian, throw some light on the story: M. Asghar Khan, with a foreword by Altaf Gauhar, *The First Round. Indo-Pakistan War 1965*, London 1979; Hari Ram Gupta, *India-Pakistan War 1965*, Vol. I, Delhi 1967, Vol. II, Delhi 1968. In 1966 President Ayub Khan admitted that he had been much influenced by the threat from Afghanistan when he agreed to the Tashkent settlement. See: Herbert Feldman, *From Crisis to Crisis. Pakistan 1962-1969*, London 1972, p. 149.

15. It is highly unlikely that many "infiltrators" came across the cease-fire line by way of Kargil. The Indian side was taking advantage of the situation to strengthen its general geopolitical situation.

16. *Newsweek*, under the caption "Arms: who supplied what", published the following table on 20 September 1965. While perhaps not completely accurate, yet it is probably as good a reflection of the true state of affairs as any.

United States:	*India*	*Pakistan*
F86 Sabre jets	0	100
F104 Starfighters	0	50
B57 Bombers	0	30
C130 Transports	0	4
C119 Transports	25	0
Patton tanks	0	200
Sherman tanks	30	0
Great Britain:	*India*	*Pakistan*
Hunter jet fighters	150	0
Vampire jet fighter	100	0
Gnat jet fighters	100	0
Canberra bombers	80	50
Canberra photo planes	8	0
Viscount transports	5	0
Centurion tanks	210	0
Stuart tanks	80	0
Soviet Union:		
MIG21 jet fighters	6	0
Ilyushin transports	2	0
Antonov transports	24	0
France:		
Mystere IV fighters	100	0
AMX13 tanks	40	0

From this table it would seem that India had done rather better than Pakistan in the matter of military equipment. Both sides, of course, were not supposed to use this material against each other; but both sides, not surprisingly, did so use it.

17. For the background to the Sikkim-Tibet Convention of 1890, see: Alastair Lamb, *British India and Tibet 1766-1910*, London 1986, Chapter VIII. Despite having been agreed by treaty, the Tibetans contested the validity of the border in the 1890s; and there are hints that they were still doing so in the 1930s. See: Alastair Lamb, *Tibet, China & India 1914-1950*, pp. 383-384.

18. For some of the earlier correspondence on this question, see Government of India, Ministry of External Affairs, *Notes, Memoranda and Letters exchanged between the Governments of India and China, July 1963 to January 1964, White Paper No. X* and *January 1964 to January 1965, White Paper No. XI*, New Delhi 1964 and 1965. See also: Jain, *China South Asian Relations*, *op. cit.*, Vol. II, pp. 71-93.

19. *The Economist*, 25 September 1965.

20. The text of the Tashkent Declaration has been reprinted frequently. See, for example: Government of India, External Publicity Division, *Tashkent Declaration*, New Delhi 1966, which includes a number of other related documents.

XIII

FROM TASHKENT TO SIMLA 1966 TO 1972

The 1965 Indo-Pakistani War marked a major watershed not only in the Kashmir dispute but also in the wider political and diplomatic history of Asia. Old relationships were disrupted and new relationships forged. The balance of power was significantly altered. The Superpowers adopted much modified postures. A new nation would soon appear in the Indian subcontinent; and the internal structure of old states was subjected to strains and stresses the consequences of which have yet to be revealed in full. To examine all this would require a series of volumes. We must confine ourselves here to the problem of the disputed territory of the State of Jammu and Kashmir.

In Pakistan the immediate general public impression at the time that fighting stopped was that the country had not done too badly; and the resisting of Indian forces at the gates of Lahore was an event which enjoyed a large public audience. The decision by President Ayub Khan to accept a cease-fire, therefore, was not generally understood: there were violent reactions in West Pakistan including student riots in Lahore.[1] Behind the scenes, among the informed elite, there were also reservations as to President Ayub Khan's wisdom. Zulfikar Ali Bhutto, who as Foreign Minister was directly involved in the Tashkent process, certainly felt that Operation Gibraltar and all that lay behind it had been bungled both in planning and, more significantly, in execution: he, who had hitherto been a possible heir apparent to the army chieftain President Ayub Khan, now became an outspoken critic of, and profoundly disliked and distrusted by, the Pakistan military establishment.

The cooler heads among the Pakistani soldiers, however, undoubtedly supported the President. The war had not gone too badly, it is true; and at the moment of the cease-fire it might almost be described as having resulted in a draw with approximately the same amount of losses in men and equipment on both sides and the same areas of enemy territory occupied.[2] But it must have been obvious that with time the advantage would swing increasingly in favour of

the larger Indian Armed Forces with their more developed domestic resources in arms manufacture and supply. Moreover, the people of the State of Jammu and Kashmir had not, as had been hoped, risen up in a spontaneous surge of rebellion against Indian rule; and they showed no signs of doing so if the war had gone on. A number of consequences flowed from these conclusions.

The major Pakistani ally and source of arms, the United States, had been found wanting in the hour of need, as also had Great Britain. Only China had taken any effective steps in Pakistan's support. While relations with the United States remained reasonably cordial (despite the growth of anti-American feeling among some leading Pakistanis, not least Z.A. Bhutto who had never expressed himself as a devotee of the men in Washington), it now became axiomatic that the Chinese alliance was an essential cornerstone of Pakistani diplomacy.

In order ensure that in future there would be a direct link with this one reliable ally, immediately after the 1965 cease-fire serious work began upon the improvement of land communications between West Pakistan and Sinkiang across the Karakoram mountains, the western end of the old Northern Frontier. In 1959 the Pakistan Government had started to build a motor road up the Indus Valley to replace the difficult route across the Babusar Pass (to which reference has already been made in Chapter 3): the original intention, it seems probable, was to meet what was still perceived (see Chapter 11) as a Chinese threat to Hunza, but its value as a nexus between allies was soon apparent. The new road started at the old Grand Trunk Road at Hassan Abdal (a few miles west of Taxila) to run through Havelian, Abbottabad and Mansehra to Thakot on the Indus which it crossed to continue up the right (west) bank for a while before crossing the Indus once more to Chilas. Crossing the Indus yet again north of Jalipur, the new route then went on by way of Jaglot to Gilgit.

By 1965, when the war started, the last stages of this road before Gilgit were still unsurfaced. In 1964, however, by a secret Sino-Pakistani agreement it had been decided to extend the road from Gilgit over the Karakoram, by way of the Mintaka Pass, to Sinkiang. One immediate consequence of the 1965 war was to accelerate work on this route. It was more or less completed, though of "jeepable" quality only for some of its crucial stages, by 1968; and it was formally opened in August 1969. Meanwhile, on 21 October 1967 the Governments of Pakistan and the Peoples' Republic of China announced their intention to build an entirely new surfaced highway suitable for heavy motor traffic connecting the two countries. The reference was to work which had just started on an alternative trans-border route by way of the Khunjerab Pass, 15,800 feet above sea level, by a massive joint Sino-Pakistani engineering effort.

The Khunjerab road was opened to traffic in 1971; but it was still largely unsurfaced and suitable for light vehicles only. In 1973 the

decision was taken to convert this road into a metalled two-lane highway capable of bearing heavy lorries and, perhaps, various forms of military transport including tanks. Some 15,000 Pakistani and 12,000 Chinese workers were employed at one time on the task. The Khunjerab route, while still only partially surfaced, was formally inaugurated on 18 June 1978 by General Zia-ul-Haq and Vice-Premier Keng Piao of the Peoples' Republic of China at a ceremony at the bridge over the Indus at Thakot. In 1986 the whole road was opened to travellers who were neither Chinese nor Pakistani; and to travel along it between Pakistan and Kashgar became one of the great adventures of exotic tourism. Thus the old Gilgit Agency of the British period, now part of the Northern Areas of Pakistan, finally came into its own, not, as the British had intended, as a barrier but rather as a major line of communication between the Indus plains and Central Asia.

There can be no doubt that the 1967 proposals for the construction of the Karakoram Highway marked a fundamental alteration in the strategic nature of the Northern Frontier, a fact which the Government of India was not slow to appreciate.[3] During the course of 1969 an acrimonious exchange took place between India and Pakistan on this subject.[4] On 25 June 1969 India declared that:

> Pakistan cannot be unaware that this road will help extend the Chinese road network in the Tibet-Sinkiang areas into northern Kashmir. Indeed, this new road will give easier access to Chinese troops from the areas which they have illegally occupied in north-east Kashmir ... [Ladakh] ... and from Tibet to the Gilgit area in Pakistan-occupied Kashmir, which lies immediately to the north of the cease-fire line dividing the armed forces of India and Pakistan in Kashmir. Considering that this is done with the approval of the Government of Pakistan, it is clear that this road forms part of a calculated and co-ordinated plan.

The Pakistan reply, presented on 9 August 1969, noted that:

> the State of Jammu and Kashmir is not, and never has been, recognized as a part of Indian territory, and therefore the Government of India have no *locus standi* to lodge any protest with the Government of Pakistan in respect of the matter referred to in their Note.

Immediately following the Tashkent declaration of January 1966, however, the Karakoram Highway was still no more than a dream; and it was, in any case, essentially defensive rather than offensive in purpose (and both China and Pakistan at this period took pains to give the absolute minimum of publicity to this vast engineering project). As far as the Kashmir question was concerned, it is likely that the balance of Pakistani military opinion in 1966 was that this was a dispute for which there existed no military solution in the prevailing circumstances. Should India disintegrate under the pressure of internal forces, or should the Kashmiris actually rebel against Indian

rule as it had been hoped they would in 1965, then the position could be reconsidered: meanwhile, it would be best to leave the matter in cold storage. For more than a decade, despite the events of 1971 which will be discussed below, this was to remain the basic opinion of the Pakistan General Headquarters.

What had emerged from the events of 1965 was clear evidence that India and Pakistan really were *enemies*, people who killed each other with all the horrible weapons of 20th century warfare, not merely rivals for a disputed inheritance from the British Raj. The Indian attacks on Pakistan proper were traumatic: for a moment the inhabitants of Pakistan's real emotional capital, Lahore, were under direct Indian assault. The Pakistan Armed Forces would now have to prepare for a conflict in which they *knew*, rather than merely argued, that the very survival of the nation was at stake. A disastrous consequence of this appreciation can be detected easily enough in the Pakistani military reaction to the events of early 1971 which related to the security of East Pakistan, when the soldiers felt that they had to act quickly because an Indian threat existed which they simply could not afford to ignore: this will be examined later in this Chapter. Probably another consequence was a decision that Pakistan ought to take at least the first steps towards becoming a nuclear power in competition with India whose nuclear programme was well under way. From the outset the Pakistani nuclear programme, whatever it might be in detail (on which this author has no information), was a defensive measure stimulated by projects known to be in hand in India. It is unfortunate for Pakistan that the world at large does not always appreciate this fact.

For politicians too (and no less so because so many of them were also soldiers) the political consequences in Pakistan of the 1965 War were indeed profound. Zulfikar Ali Bhutto departed from President Ayub Khan's administration in June 1966 (ostensibly taking "long leave" on grounds of health): he thereupon became not only a formidable opponent of the military domination of the country but soon was to establish his own organisation, the Pakistan People's Party (December 1967), which would for a while replace the military by another form of government altogether. The split between Z.A. Bhutto and President Ayub Khan symbolised, though there were of course many other factors at work, the decline of the latter's standing; and President Ayub Khan must be included in the list of casualties of the 1965 War, even though it took some time for his wounds to turn fatal. His political life, it may be, was prolonged by the State of Emergency which he was able to declare on the outbreak of the 1965 War under Article 30 of the Pakistan Constitution. There can be no doubt, however, that his prestige was dealt a devastating blow by the Tashkent Declaration in January 1966 from which it never recovered.

The influence of the 1965 War on India, where Indira Gandhi

(Nehru's daughter) had become Prime Minster on Lal Bahadur Shastri's death, was equally profound. The Indian military, too, were not entirely happy with the outcome of the fighting. As Lt.-General B.M. Kaul, whose reputation had been somewhat tarnished by the Chinese successes of 1962 but whose opinion is for all that of some value, noted it in 1971, India during the 1965 War had failed to achieve a military decision. Indeed, against Pakistan, with smaller forces and less resources, India had allowed the situation to turn into a stalemate. He concluded that the Indian military still needed improvement in training, equipment, and tactical and strategic ideas despite the work that had been done since the Sino-Indian crisis of 1962. This the Indian Government under Indira Gandhi proceeded to undertake; and it did so with considerable success as the world was to discover in 1971.[5]

One lesson of 1965 was the importance of the Soviet Union, whose benevolent neutrality, it could be argued, Pakistan's diplomacy had secured by the time of Tashkent. Indira Gandhi now set out to win back the Russians to the special relationship with India which had been symbolised by Nikita Khrushchev and Nikolai Bulganin during their travels in 1955. It was no easy task in that the makers of Soviet foreign policy, while appreciating the value of India, still hoped to counter both Chinese and American influence in Pakistan as well. The Indira Gandhi-Kosygin meeting of July 1966 produced no departure from the spirit of Tashkent, the advocacy of bilateral Indo-Pakistani dialogue. When the Soviet Deputy Foreign Minister, N.P. Firyubin, came to the subcontinent in September 1966, he called on both Indira Gandhi in New Delhi and Ayub Khan in Swat. In 1968 Kosygin, too, visited both India and Pakistan: on this occasion he was evidently prepared to consider the idea of supplying arms to Rawalpindi as well as to New Delhi. It was not until August 1971, as we shall see, that the Soviet Union finally came off the fence and put itself firmly on the Indian side. Indo-Pakistani relations apart, there was an underlying economic logic in India's quest for closer relations with the Soviet Union. Indian economic relations with the U.S.S.R and its allies in Eastern Europe had been doubling in value every five years since 1955: by 1969 it represented 33% of India's overseas trade, and 17% of that trade was with the Soviet Union.

During the course of the 1965 War, brief though it was, Pakistan sought to win the affections of the Sikhs, that community centred on the Punjab which had been alienated (or ineffectively courted) by the Muslim side in 1947 to contribute its share to the horrors of Partition. Since 1947 there had been considerable Sikh agitation for some kind of state as the framework for a degree of autonomous political life. In that the Sikhs contributed a disproportionate number of men to the Indian Army (a fact which was particularly visible at the senior levels of the officer corps), their disaffection had an obvious military

advantage for Pakistan. After the 1965 War, Sikh loyalty to the Indian cause, so it seemed to the Indira Gandhi Government, called for some reward. The result was the decision in March 1966 to partition the Indian Punjab into what amounted to three States, Haryana, Himachal Pradesh and the Punjab Suba, the last, where the Sikhs represented some 60% of the population, thus becoming a substitute of sorts for an openly acknowledged Sikh state. It is not the purpose of this book to deal with the Sikh question. It must suffice here to note that this administrative decision was a crucial step in encouraging agitation for Sikh separatism; and that this movement was in the 1980s not only to destroy, quite literally, Indira Gandhi, but to create circumstances which made it virtually impossible for New Delhi to make significant political concessions to the people of the Vale of Kashmir because to do so would only encourage the Sikhs. Here is but one example of the multitudinous ramifications of the 1965 War.

The 1965 War brought about profound changes in the political situation within the Indian part of the State of Jammu and Kashmir itself; but some of these were rather subtle in their effects and not immediately appreciated by observers at the time.

The original Kashmir dispute, we have already noted, was in essence a *territorial* dispute, an argument over who had the right to the possession of the whole of the State of Jammu and Kashmir as it had been on the eve of the Transfer of Power in 1947 on the basis of certain legal criteria to which the expressed wishes of the people were incidental. Even when the plebiscite idea had been injected into the dispute it was treated in a highly legalistic way. The Indian side argued that a plebiscite was unnecessary because the Kashmiri people had voted in other ways through the Constituent and Legislative Assemblies. The Pakistan side at the beginning was not too enthusiastic about plebiscites, particularly those which involved the dismantling of the State of Jammu and Kashmir into its component parts: their claim, as we have already noted, was to *all* the State on specific legal grounds to which they attached great importance. Any claim by a Muslim State to territorial possession of Buddhist Ladakh could not, by the widest stretch of the imagination, be described as being based upon the quest for an expression of the will of the people exercising their rights under the Two Nation theory. Operation Gibraltar, whatever else it may or may not have done, put enormous emphasis upon the right of self determination, the major justification for any guerrilla operation where the recourse to arms is defended on the grounds that it is merely giving expression to popular will in the face of an unjust and oppressive regime.

While the "mujahidin" of Operation Gibraltar did not produce a general revolt in the State of Jammu and Kashmir, they changed the tone of the whole Indo-Pakistani dispute. It is a fact which has received little comment that between 1947 and 1965, despite the

acrimonious language of the debate at times, neither India nor Pakistan set out seriously and systematically to undo the results of the 1947 Transfer of Power settlement by covert means despite abundant opportunities to do so. Here Gibraltar established a new precedent. It may be that India had claimed before 1965 that Pakistan was interfering in the affairs of the State of Jammu and Kashmir; but this was very much a gesture of ritual which carried relatively little conviction among the makers of Indian policy. During the course of 1965 the Indian leadership *knew* beyond doubt that Pakistan was behind the "mujahidin". They resolved to take what seemed to them to be the appropriate counter-measures in the State of Jammu and Kashmir, and, perhaps, to repay Pakistan elsewhere in kind.

Had there been a genuine revolt with mass support against Indian rule in 1965 such as there was in 1990, then the control of the situation in their part of the State of Jammu and Kashmir would have been difficult indeed for the Indian authorities. In fact, however, the "mujahidin" once across the cease-fire line into Indian-held territory were not really fish swimming in a sea friendly to guerrilla operations. While they may have enjoyed a significant measure of popular sympathy, they were also seen by many (perhaps the majority) Kashmiris as something of a nuisance, disturbers of the peace and provokers of Indian retaliation. It is interesting that during 1965 the native Kashmiri politicians of the leading factions, such as the followers of the young Mirwaiz Mohammed Farooq and those supporters of Sheikh Abdullah who were not in prison, were extremely sparing in their expressed support for the "freedom fighters". It was probably quite easy, therefore, for Indian Intelligence in Srinagar to insinuate its agents into whatever organisations the "mujahidin" may have established on the Indian side, and to capture infiltrators and to "turn" them.

The working of Indian Intelligence in the State of Jammu and Kashmir in 1965 and subsequent years has not been well documented. Unfortunately for the historian it produced nobody of the monumentally indiscreet calibre of B.N. Mullik. Certain facts are clear, however. The Indians set up their own covert organisations which penetrated "mujahidin" groups; and Indian agents crossed the cease-fire line to enter bases on the Pakistan side with the same ease that the "mujahidin" made their way over to the Indian side from Azad Kashmir. The immediate result was that it was no longer possible always to be sure for whom individual "mujahidin" were working, a fact which much disturbed the Intelligence and Security authorities in Pakistan from 1965 onwards.

In the longer term, Indian Intelligence in Srinagar began to devise increasingly ambitious schemes of its own, some of them in that field which is usually referred to as "disinformation". The late 1960s saw the beginnings of international terrorism as a general global menace;

and it was deemed in the major western nations that this was definitely a bad thing. Hijacking airliners, for example, was wrong. It was clearly in the interests of the Indian authorities, in order to impress public opinion both domestic and foreign, that the "mujahidin" be made to look as much as possible just like the run of the mill terrorists then to be found around the Caribbean and in the Near East. Indian Intelligence in Srinagar in the years immediately after 1965 War set out to create just such an impression with results which were to become all too apparent by the beginning of 1971.

Beside these covert security measures, 1965 saw the intensification of overt control over the political life of the State of Jammu and Kashmir on the Indian side of the cease-fire line by the Sadiq Government acting increasingly as an extension of Congress in New Delhi. In response to public demonstrations, in which there was considerable student participation, in Srinagar in October 1965 in favour of the holding of a plebiscite to decide the future of the State, the State Government proceeded to arrest many of the leading Islamic leaders of the Vale of Kashmir, including Mirwaiz Mohammed Farooq on 10 October and Maulana Mohammed Sayeed Masoodi on 21 October. With Sheikh Abdullah and Mirza Afzal Beg already safely in detention, by 21 October 1965, therefore, the leaders of both the major wings of opposition to the Sadiq regime in the Vale of Kashmir (Jammu was another matter) were now locked up.

The mastermind behind these measures, as well, one suspects, as being an influential adviser to Indian Intelligence in Srinagar, was that exceptionally able Kashmiri Brahmin, D.P. Dhar, then Home Minister in the Jammu and Kashmir State Government. Dhar had since the original crisis of 1947 served as an essential link between the State Government and the makers of policy in New Delhi. Lt. General Kaul, who, apart from being like Dhar a Kashmiri Brahmin (Pandit), had acquired over the years considerable personal experience of the realities of the Indian position in the State of Jammu and Kashmir, thought very highly of D.P. Dhar. As he put it in 1971: Dhar, brilliant, brave and wise in the ways of the international community, was the kind of strong man whose services were urgently needed to handle the Kashmir problem. [6] Kaul's opinion was shared by the powers that be in New Delhi. D.P. Dhar left the service of the State Government in 1967 to move on to higher things at the Centre. He was one of the architects of Indian policy during the great South Asian crisis of 1971, for a while providing the key liaison between Indira Gandhi and the Soviet Union.

It was not only in the State of Jammu and Kashmir itself that opposition to Indian policy was actively suppressed. On 4 November 1965 Miss Mridula Sarabhai, Sheikh Abdullah's champion, who was exceptionally vocal in New Delhi and elsewhere in India, was taken under police control (arrest would be too strong a term) and ordered

to remain in Ahmedabad (in Gujrat) under the comfortable supervision of her family, whose great wealth came from the textile industry.

There can be no doubt that the 1965 War enormously increased India's hold, already powerful, upon that portion of the State of Jammu and Kashmir which it occupied. In the 1967 elections the Sadiq Government, whose party was now effectively the extension in the State of Indira Gandhi's own Congress party (and even adopted its name, Pradesh – or State – Congress), won an overwhelming majority of seats (fifty-nine for the Pradesh Congress as opposed to eight for the rump of the old National Conference, still loyal in some measure to Sheikh Abdullah, and three for the Jana Sangh in Jammu plus two independents). The proceedings were rigged, as was now usual in such affairs, with a large number of unopposed candidates and a very careful control of nominations. The Plebiscite Front, the party founded by Mirza Afzal Beg which was believed to represent the views of Sheikh Abdullah, boycotted the elections. Immediately after the elections the Sadar-i-Risayat (Governor) of Jammu and Kashmir, Karan Singh (who liked to use the title Doctor), was invited to New Delhi to join Indira Gandhi's Cabinet as Minister for Tourism and Civil Aviation. He duly resigned, and in his place as Acting Governor of Jammu and Kashmir was appointed that State's Chief Justice, J.N. Wazir. This effectively brought to an end the peculiarities of the office of Sadar-i-Risayat as a symbolic continuation of the Dogra Dynasty (though Dr. Karan Singh did still represent one of the Jammu constituencies in the Indian Union Parliament, the *Lok Sabha*).

By 1968 the Indian Government was sufficiently confident of its control over the situation in the State of Jammu and Kashmir to decide to complete the process of the freeing of Sheikh Abdullah, Mirza Afzal Beg, Mridula Sarabhai and others from restraints of one kind or another. Sheikh Abdullah had been moved from southern India to a life of fairly mild house arrest in New Delhi in June 1967 where in January 1968 he was granted unconditional release. Mirza Afzal Beg was permitted in July 1967 to return to his home in the Vale of Kashmir, Anantnag, where he remained under some restrictions until December. Mridula Sarabhai was allowed once more to circulate in fashionable India in March 1967. Sheikh Abdullah's wife, Begum Akbar Jehan Abdullah, was permitted to return to the Vale of Kashmir in April 1967. Maulana Mohammed Sayeed Masoodi was set at liberty in December 1967.

The attitude of Sheikh Abdullah (and his friends) to what had happened remained ambiguous. He held an apparently amicable discussion with Indira Gandhi on 2 January 1968 in which he declared that all he wanted was to reconcile Indo-Pakistani differences; but a few days later the Pakistan High Commissioner in New Delhi announced that Sheikh Abdullah had sent a message to

President Ayub Khan thanking him for his support for the Kashmiri people "in their struggle for self-determination". Throughout 1968, not least during the Jammu and Kashmir State People's Convention which he organised in Srinagar in October (and which was attended by Jayaprakash Narayan), he reiterated his call for a plebiscite: at times he even seemed to advocate the adoption of one version of the Dixon proposals in which the Vale of Kashmir would be permitted to vote itself into an autonomous State, perhaps under United Nations supervision. He never, it seems, declared himself a supporter of the "mujahidin" who had been the consequence of Operation Gibraltar; and he was extremely imprecise in his statements about the future relationship between the Vale of Kashmir and Pakistan. Indian officialdom, however, did not overlook the presence during these years of his son Tariq in the diplomatic service of Pakistan, both in London and at the United Nations.[7]

During the course of 1968 Pakistan continued to press for further negotiations on the Kashmir problem as a sequel to Tashkent, either through the United Nations or by means of direct Indo-Pakistani dialogue. The question of a "No War Pact", a concept which, as we have seen, had been around for quite a while, was explored once more in a rather desultory manner. The Indian attitude was non-committal and evasive, and remained so right up to the outbreak of the great crisis of 1971. As the 1977 Pakistan *White Paper* put it, perhaps a trifle unfairly:

> the developments between June 1966 and 1971 are of no major significance in the history of the Kashmir dispute except in that they reveal that the regimes then in authority in Pakistan disinterested themselves in the issue.[8]

The fact of the matter was that Pakistan, after the 1965 War, appreciated that it held very few cards in its hand with respect to the State of Jammu and Kashmir; and the administrations of President Ayub Khan, and of General Yahya Khan who took over on 25 March 1969 under Martial Law, were increasingly preoccupied with internal matters, particularly the growing crisis in relations between West Pakistan and East Pakistan.[9]

The great South Asian crisis of 1971 involves a multitude of matters which must lie well beyond the scope of this book. Yet behind it are features which can only be understood in the light of the lessons learnt during the 1965 War. The breakdown in relations between West and East Pakistan had its roots in the unstable course of Pakistan's political history as it had evolved from the time of the Transfer of Power in 1947. When, in the latter part of 1970, Yahya Khan resolved to return Pakistan to civilian rule, the resulting elections in December 1970 produced an alarming result. In West Pakistan the dominant party was Zulfikar Ali Bhutto's Pakistan

Peoples' Party (PPP) with 81 out of 138 seats. In East Pakistan the dominant party was the Awami League of Sheikh Mujibur Rahman with 160 out of 162 seats. In theory Sheikh Mujibur Rahman, a Bengali and leader of what was an exclusively Bengali party, ought to be the next Prime Minister of Pakistan, a prospect in which the West Pakistan establishment took no pleasure whatsoever.

Sheikh Mujibur Rahman had been involved in 1967 in the so-called Agartala conspiracy.[10] This was yet another of those somewhat mysterious affairs characteristic of Pakistan's history where it never became clear exactly what was involved. There is evidence that there were indeed discussions between various East Bengali nationalists, including (directly or indirectly) Sheikh Mujibur Rahman, and Indian representatives (or agents, including, it has been alleged, the Indian diplomat P.N. Ojha) from at least 1966 in which the theoretical conditions for the secession of East Pakistan from West Pakistan had been explored. Police informers reported that among such conditions was the interruption of those direct (and highly subsidised) air communications between the two Wings of Pakistan over Indian territory which had been of enormous importance in the practical administration of a nation with such a peculiar geographical structure. If the West Pakistan authorities could not reinforce their troops and administrators in the East by air, then secession stood a real prospect of success. Though Sheikh Mujibur Rahman was arrested for his part in all this, he was released without a verdict and he was permitted in 1970 to play a leading role in Pakistani politics.

It is possible, however, to draw some conclusions from the Agartala affair. First: the Government of India believed that there existed the possibility in suitable circumstances of the splitting off East Pakistan from West Pakistan through the activities of some opposition movement in East Pakistan; and, given the part played by the West Pakistan authorities through Operation Gibraltar in attempting to destabilise the Indian position in the State of Jammu and Kashmir in 1965, the breaking up of a united Pakistan was perceived in New Delhi to be both tactically and strategically desirable (as well as an appropriate act of retribution). Why should not India give tit for tat in East Pakistan by supporting secessionists there? Second: the attention of Indian Intelligence (and, one presumes, those in New Delhi who saw its reports) had been drawn to the tactical connection between Pakistani overflights of India linking West and East Pakistan and the vulnerability of the West Pakistan position in East Pakistan. If something should arise to impede those overflights, then that was probably the moment to begin covert operations in East Pakistan. Finally: there were strategists in the Pakistan military establishment who appreciated all this as well; and they would certainly have contemplated the appropriate military counter measures, which could well be triggered off by any interruption of overflights.[11]

In February 1971 what we might call an Agartala condition came into existence with the Indian banning of Pakistani overflights across the thousand miles or so of Indian territory which separated West from East Pakistan. In that this was a direct consequence of the Kashmir dispute, and in a very real sense emerged from the situation created by the 1965 War, it merits consideration here in some detail.

In May 1969 Sheikh Abdullah announced that the Plebiscite Front would enter once more the electoral fray in the State of Jammu and Kashmir. The Plebiscite Front seems to have done very well in local (*panchayat* or village council) elections in the following August; and its renewed vigour was accompanied by an increase of violence in the State. In June 1970 a second session of the Kashmir State Peoples' Convention was convened by Sheikh Abdullah in Srinagar in which the policies of the Plebiscite Front were further clarified. There would be a supreme government of the State presiding over regional bodies representing the Vale of Kashmir, Jammu, Ladakh, Gilgit (the Northern Areas) and Azad Kashmir. The whole State (with what amounted to a federal structure) would either become independent or it would join Pakistan. Sheikh Abdullah did not say which of these options he preferred; but he admitted that he had made a mistake when he had agreed to the State's accession to India in 1947. "I trusted Nehru", he said, "and I never thought that Nehru would change". The Convention's general conclusions were supported by Mirwaiz Mohammed Farooq's Awami Action Committee.

Indira Gandhi was clearly anxious. The Kashmir problem simply would not go away. Even after the 1965 War and Tashkent, when Pakistan had been (if only in Indian eyes) suitably chastened, Sheikh Abdullah was still going on making proposals which would, at the least, imply the undermining the validity of the 1947 accession to India of the State of Jammu and Kashmir. Prison, apparently, had taught Sheikh Abdullah nothing. This was all particularly worrying in that Indian parliamentary elections were scheduled for early 1971. A Plebiscite Front victory in the *Lok Sabha* seats in the State of Jammu and Kashmir (of which the Plebiscite Front declared it intended to contest five out of the six) on the kind of platform which Sheikh Abdullah was now indicating could only promise trouble. On a visit to Srinagar in July 1970 Indira Gandhi made her position crystal clear: "the accession of Kashmir is part of our history, and history cannot be reversed or changed. The Kashmir question has been settled once for all". These words followed a series of arrests of political activists who were known to favour a closer relationship with Pakistan.

The end of 1970 saw a fresh development in the security situation in the Indian part of the State of Jammu and Kashmir. In the past, apart from the period in 1965 when Operation Gibraltar was in progress, the State had been the scene of frequent demonstrations,

many of them countered by police violence. What was new was the claim that there were now systematic acts of violence, "sabotage", carried out by a body described by the police authorities in the State as "Al Fatah", an indigenous terrorist organisation working in the interests of Pakistan. Was there in fact such a body? No doubt one consequence of Operation Gibraltar had been to introduce a large quantity of arms and ammunition into the State; and its abandonment by Pakistan must have left a number of what can only be described as unemployed guerrillas who found it difficult to change their profession and style of life. It is hard to avoid the suspicion, however, that the severity of the situation was much exaggerated by the authorities to damage the reputation of the Plebiscite Front and to provide an excuse for measures against it. The name "Al Fatah" would certainly impress opinion outside the subcontinent only too aware of what it implied in the context of the Middle East.

In January 1971 the alleged activities of "Al Fatah" were used to justify a direct Indian attack on Sheikh Abdullah and the Plebiscite Front and to prevent the Front's participation in the coming elections.

Sheikh Abdullah and Mirza Afzal Beg were in New Delhi at the opening of 1971. On 3 January Sheikh Abdullah met the Pakistan High Commissioner there to hand over a cheque for money raised in the State of Jammu and Kashmir for victims of the disastrous cyclone of November 1970 in East Pakistan (which was to have such a traumatic effect on the unity of Pakistan). On 6 January he again (this time accompanied by Mirza Afzal Beg) saw the High Commissioner. The Pakistani diplomat was extremely circumspect in the subjects which he discussed, particularly as both the *Hindustan Times* and the *Times of India* had been highly critical of his previous encounter with Sheikh Abdullah. On 7 January Sheikh Abdullah was due to fly back to Srinagar; but his flight was cancelled owing, it was reported, to a bomb scare (a false alarm, it transpired). On the following day an "externment" order[12] was served on Mirza Afzal Beg forbidding him, under the Indian Maintenance of Public Order Act, from visiting the State of Jammu and Kashmir for three months (which would keep him out of the way for the elections scheduled in March). On 9 January a similar order was served on Sheikh Abdullah and his son-in-law G.M. Shah. During the night of 8-9 January some three hundred and fifty officials and supporters of the Plebiscite Front were arrested in the State of Jammu and Kashmir under the Preventative Detention Act. These actions were publicly justified by P.K. Dave, the Chief Secretary to the Government of Jammu and Kashmir, on the grounds that the Plebiscite Front was involved in subversive activities in the State, presumably associated with "Al Fatah", though the facts (as seen through Indian official eyes) concerning that body were not revealed to the general public until 18 January. On 12 January the Government of India declared that the Plebiscite Front was an

unlawful association, which effectively banned it from taking any part in the forthcoming elections. On 25 January, to end this series of blows, the First Secretary at the Pakistan High Commission in New Delhi, Zafar Iqbal Rathore, was declared *persona non grata* on the grounds that he had been involved in the activities of "Al Fatah"; and he was given forty-eight hours to leave India. His principal offence appears to have been that he was present at one of the meetings between Sheikh Abdullah and the Pakistan High Commissioner.[13]

"Al Fatah", so the Indian Police announced, had been formed in 1968 or thereabouts as part of a Pakistani campaign to destabilise the State. Pakistan supplied it with arms and explosives and supervised its training. It was in touch with various movements in the State of Jammu and Kashmir, including student bodies and the Plebiscite Front. It had robbed banks and government offices, and planned not only the kidnapping of at least two Ministers but also the assassination of the State Chief Minister, G.M. Sadiq.[14] One of its links with Pakistan was reported to be through the Pakistan High Commission in New Delhi.

The various banning orders, externment orders and arrests were duly appealed, and a special Tribunal of the Jammu and Kashmir High Court was convened to consider these matters; but it was certain that no judgement would be forthcoming until long after the elections (indeed, the Tribunal did not report until 15 June 1971). The Permanent Representative of Pakistan to the United Nations, Agha Shahi, wrote at length to the President of the Security Council, on 21 January 1971 and again on 5 February, to protest about India's actions: the outcome was predictably unhelpful. India replied by accusing Pakistan of participating in various nefarious acts in the State of Jammu and Kashmir and, therefore, violating previous Security Council Resolutions.

It is still not clear quite what "Al Fatah" was all about. As a public relations exercise, however, its creation admirably suited the Indian book at this moment. It guaranteed that Sheikh Abdullah would not dominate the 1971 elections in the State of Jammu and Kashmir. It was, one presumes, in order to validate its existence by making it do one of the more dramatic things that the real "Al Fatah" and similar bodies did in the Middle East, namely to hijack airliners, that produced the next, and possibly oddest, episode in the entire Kashmir saga.

On 30 January 1971 at 1305 hours an Indian airliner, a Fokker Friendship (F27) VT-DMM belonging to I.A.C. and named "Ganga", en route from Srinagar to Jammu, landed at Lahore airport under the control of two hijackers, young Kashmiris who were apparently armed with a hand grenade and a pistol. The aircraft carried, apart from the aircrew (four in all including the Captain), twenty-six passengers. The two hijackers, through a local spokesman, demanded

that they be granted asylum in Pakistan, that the Government of India release thirty-six political prisoners said to be members of an organisation called the Kashmir National Liberation Front, and, further, that New Delhi guarantee that the families of the two hijackers (still in territory under Indian control) would in no way be harmed.

After some confusion about whether an Indian aircraft would, or would not, be allowed into Lahore to pick up the passengers and crew of the "Ganga", they were returned to India by road via Amritsar on 1 February.[15] The Indian authorities demanded the immediate return of the "Ganga", which had been parked in a remote corner of Lahore airport. Before a decision could be reached on this point by the Pakistan Government one of the hijackers managed to set fire to the aircraft; and this decided the issue (though it was a moot point whether the "Ganga" was airworthy after its arrival at Lahore).

The arrival of the "Ganga" produced a vastly enthusiastic public reaction in Lahore. Crowds numbering hundreds of thousands gathered at Lahore airport to see this evidence from the skies that the Kashmir struggle was still being carried on despite the disappointments of the 1965 War and Tashkent. The two hijackers were treated as national heroes. On 31 January Z.A. Bhutto passed through Lahore airport on his shuttle then in progress between East and West Pakistan in an attempt to sort out his differences with Sheikh Mujibur Rahman's party; and, without consulting the local Lahore police, he embraced the two hijackers as true champions of the Pakistani cause. They were, of course, just the sort of people who ought to have been available while Operation Gibraltar was in progress. On 4 February he issued a statement to the effect that the hijackers were "two brave men" and that their deed demonstrated that "no power on earth can stifle the Kashmiris' struggle for liberation".[16]

On 2 February, before the destruction of the "Ganga" was known, the President of the International Civil Aviation Organization, Walter Binaghi, had told the Pakistan authorities that the airliner ought to be allowed to go at once on its way; and the hijackers should be prosecuted without delay. Unfortunately, with the airliner's destruction, its release was no longer possible; and the question of the hijackers' punishment could not be decided immediately as it was a matter for the police and then the courts and there were, also, questions of public opinion involved which the Government of Pakistan could not ignore.

The destruction of the "Ganga" at once gave rise to an Indian Note of protest on 3 February accusing the Government of Pakistan of assisting the hijackers. It demanded compensation from Pakistan not only for the loss of the aircraft but also for mail and other cargo on board. On 4 February the Government of India went further. Until the whole question of the hijacking of the "Ganga" was

> satisfactorily resolved, the Government of India have decided to suspend, with immediate effect, the overflight of all Pakistani aircraft, civil and military, over the territory of India. This decision is not taken to inconvenience the people of India or Pakistan but is taken in the hope that the Government of Pakistan will settle this matter amicably and peacefully without delay.[17]

On 5 February the Government of India made a further demand. Pakistan should hand the two hijackers over to it at once for trial in India under Indian laws.

The Government of Pakistan was somewhat taken aback by all that was happening; and its diplomats, who were not helped by public utterances such as that of Z.A. Bhutto already mentioned (and which were widely echoed in the Pakistani popular press), produced a singularly ineffective reply. The Ministry of Foreign Affairs, of course, was not then in possession of all the facts about the hijackers and their background. It could not possibly accept all the Indian demands. The question of the surrender of the hijackers to India raised extremely embarrassing matters of sovereignty, as, one has no doubt, the Indian side intended. The best it was able to do was to attempt to justify both the hijacking and the less than decisive attitude of the Pakistan authorities towards it in a Note to India of 5 February with these words:

> the hijacking incident is the direct result of repressive measures taken by the Government of India in occupied Kashmir. The Government of Pakistan regrets that instead of employing normal diplomatic procedures for resolving it, the Government of India has used this incident to heighten tension between the two countries. In addition to the suspension of overflights of all Pakistani aircraft over Indian territory, the Pakistani diplomatic mission and its personnel in New Delhi have been subjected to unceasing demonstrations for the last few days which culminated yesterday . . . [4 February 1971] . . . in the burning of High Commission property and injuries to its personnel.

The Note concluded with the observation, perhaps optimistic, that "there is no reason why this problem, like other matters between our two countries, cannot be solved by mutual discussion, in a spirit of understanding".

The demonstrations in New Delhi on 3 February outside the Pakistan High Commission, to which the Note of 5 February referred, were indeed surprising in their intensity and suspect in their spontaneity. This was not a moment of particularly strained Indo-Pakistani relations. The hijacking affair had come out of the blue. Yet over 10,000 students, along with members of various Hindu factions including Jana Sangh, were produced to attack the High Commission premises with stones and, indeed, to break into it. The demonstrations were renewed on both 4 and 5 February; and had to be broken

up by police with *lathis* and tear gas with a number of casualties resulting therefrom.

The question of overflights was eventually referred to the Council of the ICAO (International Civil Aviation Organization) in April 1971. India reiterated its original demands plus a further insistence that Pakistan "give adequate assurances regarding the safety of flights in the future" before agreeing to lift the overflight ban; and, indeed, the ban was not lifted during the remaining life of the old Pakistan embracing both an East and a West Wing linked by an air corridor over Indian territory. Thus in February 1971 the Government of India brought about one of those key conditions for the successful secession of East Pakistan from West Pakistan which had been considered crucial by Sheikh Mujibur Rahman and the other Agartala conspirators (if we accept that such a conspiracy ever existed).

On 2 February 1971, before the Indian overflight ban had been imposed, the Chief Minister of Jammu and Kashmir, G.M. Sadiq, no lover of Pakistan, announced that the whole hijacking episode was an Indian plot and that one of the two hijackers was an agent of Indian Intelligence (and Sheikh Abdullah was to confirm this a week later).[18] Was there any truth in this? Was, indeed, the whole affair part of an Indian scheme to interrupt overflights and thus to isolate East Pakistan as a preliminary step to the breaking up of the country? The second question cannot be answered with any certainty; but there is a great deal of evidence, which we will now examine, to suggest that G.M. Sadiq knew what he was talking about. The hijacking episode was investigated exhaustively by the Pakistani authorities (including a Commission of Enquiry under Justice Noor-ul-Arfin); and their conclusions confirm that India had a great deal to do with this strange episode.[19]

When the "Ganga" landed at Lahore airport on 30 January, the local Pakistan police were extremely suspicious about the two hijackers. For one thing, it was discovered that they were armed with toy weapons which were anything but lethal (the hand grenade was made of wood). For another, it appeared that the passengers were either Indian service personnel in mufti or their families. Finally, it transpired that the aircraft in question was the oldest of its type in the I.A.C. fleet, was in poor state of maintenance and lacked certain items of equipment usually carried on such aircraft. If any I.A.C. airliner were to be expended, this was it.

The Chief Secretary of the Government of the Punjab refused to meet the hijackers and gave instructions that they were to be kept in isolation at the airport. This was not done. A few hours after their arrival the hijackers were seen by one Dr. Farooq Haider who had come to Lahore from Rawalpindi; and on the following day they were joined by a certain Maqbool Ahmed Butt, who immediately acted as their spokesman, communicating to the authorities their demands.

Despite the advice of the United States Embassy in Pakistan, received on 1 February, that the hijackers should not be granted asylum and that the aircraft should be returned to India at once because the affair could well be an Indian plot, no extra precautions were taken. Indeed, that night one of the hijackers' friends resident in Pakistan was permitted to sleep on board the "Ganga". The next day, 2 February, after a meeting with Maqbool Butt, the leader of the two hijackers set the aircraft on fire. He later claimed that he used spirit from the aircraft's magnetic compass for this purpose; but it appeared that he had in fact used some petrol which was held on board, evidently for this very objective (the aircraft's engines, of course, being turboprops, ran on a variety of kerosene which did not ignite too easily).

The story of the leader of the two hijackers was reported by the Lahore police authorities as follows. He was twenty years of age and had been working off and on in Srinagar as a seller of black market tickets for one of the cinema theatres in that town. He had visited Rawalpindi in 1969 where he had met Maqbool Butt, Dr. Farooq Haider and one ex-Major Amanullah Khan (formerly of the Azad Kashmir Armed Forces), all leading figures in an organisation known as the Kashmir National Liberation Front into which he had been initiated before returning to Srinagar. In April 1970 he again crossed the cease-fire line to Pakistan and stayed with Dr. Farooq Haider in Rawalpindi where, he said, he underwent some three months of training in sabotage under the supervision of Maqbool Butt.

In July 1970, on his way back to the Indian side of the cease-fire line in Kashmir, he was picked up by the Indian security authorities (the Border Security Force or BSF) who recruited him as an agent – making him, it is probable, an offer which he could not refuse. He spent, he said, three weeks or so in New Delhi in the service of the BSF to keep watch on Kashmiris entering the premises of the Pakistan High Commission. In January 1971 he became involved in the scheme to hijack an Indian aircraft which was being considered by Indian Intelligence in Srinagar where it was seen to be a "disinformation" device of great promise. He then recruited the second hijacker as an assistant, but probably did not inform him of the Indian involvement.[20] Final details of the hijacking scheme were worked out on 22 January 1971 at a meeting in Srinagar attended, he said, by a number of senior Indian Intelligence officials as well as representatives of I.A.C. and the management of Srinagar airport. The plan, so the Pakistan police were told, was originally intended to be implemented on 26 January; but, because of snow the flight was delayed until 30 January. It was reported that the tickets for the flight of the "Ganga" were obtained, and paid for, by the Indian Intelligence people. The leader of the two hijackers maintained, the police records indicate, that his instructions were, after landing at Lahore, to await

the arrival of Maqbool Butt or Dr. Farooq Haider who would assist in the destruction of the aircraft. There was no claim that these two men were Indian agents: indeed, evidence gathered by the Pakistan police suggested that they had unwittingly been drawn into the affair in the belief that they were helping in the Kashmiri people's fight for freedom.

What was this Kashmir National Liberation Front? The name has not turned up before in this book; and its existence was certainly a surprise to the Pakistan authorities at the time who investigated the two hijackers' story.[21] It transpired that it was the same as a group calling itself the "Plebiscite Front" (not to be confused with the Plebiscite Front party founded by Mirza Afzal Beg of which, however, it was an some ways an informal offshoot) which had come into being, perhaps, during the course of 1965. It had been converted into the Kashmir National Liberation Front (and its objectives more firmly oriented towards sustained guerilla warfare against the Indians) by Amanullah Khan. An early member had been Maqbool Butt, a charismatic but somewhat mysterious figure, at one time a journalist in Peshawar, who had been crossing regularly the Kashmir cease-fire line since 1958 and in 1966 had been arrested and sentenced to death for the murder of an Indian official during the course of an armed robbery in the Vale of Kashmir. In December 1968 he escaped from Srinagar Women's prison in rather dramatic circumstances: he said he had dug his way out with a nail and an iron bar.

In that Dr. Farooq Haider, ex-Major Amanullah Khan, Maqbool Butt and several others whose names came to light at this time were all to play a by no means insignificant part in the Kashmir story over a decade later, it is worth while trying to sort some grains of truth from this evidence which the Pakistan authorities gathered after the "Ganga" hijacking.

The probability is that the "Plebiscite Front" had been created in 1965 out of fragments of Operation Gibraltar, of resistance movements on the Indian side of the cease-fire line in the State of Jammu and Kashmir which it had then been the aim of Pakistan to encourage. Perhaps the name "Plebiscite Front" was exploited in an attempt to radicalise supporters of that organisation of the same name which had been founded by Mirza Afzal Beg and which was closely connected to Sheikh Abdullah (the genuine Plebiscite Front was far removed indeed from advocating violent guerilla action); and it certainly contained some people who had been associated at the margin with the original Plebiscite Front. The "Plebiscite Front", now calling itself the Kashmir National Liberation Front (also Kashmir Liberation Army or Jammu and Kashmir Liberation Front), operated in total independence from any official body in Pakistan. Indeed, it is quite clear that after Tashkent the administration of President Ayub Khan had gone out of its way to avoid the slightest suggestion

that it was still harbouring designs of the Operation Gibraltar pattern. The members of this Kashmir National Liberation Front, in other words, had turned into *ronin* (to use the Japanese concept of the masterless Samurai) of covert resistance against Indian rule in the State of Jammu and Kashmir, responsible to nobody but their own leadership and controlled by no Government. The evidence which came to light in 1971 and subsequently suggests most strongly that this body had been penetrated by Indian Intelligence in Srinagar (as witness, for example, the recruitment of the leader of the two hijackers); and we have no good reason to doubt that Indian Intelligence made use of it in the "Ganga" hijacking which, as G.M. Sadiq had declared, had been planned by the Indian authorities as a "black" operation. It is equally likely that the parties to that operation in the Kashmir National Liberation Front (even the leader of the two hijackers, who was not of great sophistication, and may well have imagined that it was he who was exploiting the Indians in the Kashmiri cause) genuinely believed that they were acting in the true interests of Kashmiri nationalism. What seems certain is that this "Plebiscite Front" (Kashmir National Liberation Front) was no subservient tool of either the Government of Pakistan or the Government of Azad Kashmir.

The Pakistan authorities were extremely suspicious of the motives behind the hijacking, though public opinion obliged them to act with considerable circumspection. Eventually several members of the Kashmir National Liberation Front were arrested and put on trial. Others were tried in their absence. In May 1973 a Special Court in Lahore ruled that only one person was knowingly working for the Indians: he was sentenced to nineteen years rigorous imprisonment.[22] Others, including Maqbool Butt, were cleared of all charges of collaborating with Indian Intelligence. They were genuine "freedom fighters". They had, however, contravened various Pakistani laws, notably Section 120-B of the Pakistan Penal Code (forbidding the acquisition, possession and transportation of illicit arms, ammunition and explosives) and legislation against the hijacking of aircraft (in which they had undoubtedly been accessories), for which fairly modest sentences of imprisonment were imposed (which they were deemed to have served while awaiting trial). Maqbool Butt made his way back across the cease-fire line to the Indian side, where, in 1976, the Indian authorities apprehended him during the course of an alleged bank robbery and confirmed the death sentence to which he had already been condemned (for, as we have seen, armed robbery in the Vale of Kashmir in 1966). He was hanged in February 1984 in Tihar Prison in New Delhi.

The consequences of the hijacking of the "Ganga", either direct or indirect, were indeed profound: but we can only summarise them here. The banning of overflights much alarmed the Pakistan military

who saw it as a direct challenge to their position in East Pakistan already threatened by the electoral successes of Sheikh Mujibur Rahman's Awami League. It was undoubtedly a major factor in the decision to fly massive troop reinforcements from West Pakistan to East Pakistan by way of Columbo (the shortest route left open because of the Indian overflight ban), a logistic feat which both turned the Pakistan army in East Pakistan into a potential hostage to India and injected an element of hysteria into the conduct of its commanders. One result was the attempt to suppress any secessionist tendencies in East Pakistan in late March 1971 by a massive military crack down. This, in turn, provided the background for possible rebellion in East Pakistan against the Yahya Khan regime.[23]

Indira Gandhi, no doubt advised among others by D.P. Dhar (translated from the State of Jammu and Kashmir to the Chairmanship of the Policy Planning Directorate of the Indian Ministry of External Affairs after a stint as Indian Ambassador in Moscow), soon perceived that there now existed a real opportunity to break up Pakistan into two separate parts, one advantage of which, no doubt, might perhaps be to guarantee that the Government in West Pakistan would never again attempt another Operation Gibraltar or otherwise challenge Indian rule in those parts of the State of Jammu and Kashmir on the eastern side of the cease-fire line. Possibly, it might even create the circumstances for dislodging Pakistan from the rest of the State as well, including the Northern Areas with their threatening Sino-Pakistani land link: if so, then Indian strategists would once more have acquired control of the entire Northern Frontier. The flood of refugees (their numbers almost certainly much exaggerated) from East Pakistan into India which started to flow after March 1971 provided an excuse for Indian intervention in the crisis since, it was to be argued with moving eloquence by Indira Gandhi, the care of these unfortunate victims of Pakistani oppression was clearly a matter of direct concern both to the Government of India and to the Indian tax-payer. The major problem was how direct Indian involvement could be brought about without provoking an Indo-Pakistani war in which China might act with greater force than it had in 1965.

Here the Yahya Khan administration unwittingly provided the solution. Yahya Khan, aware of the growing Indian threat, sought to reinforce his relationship with the United States under the surprisingly pragmatic leadership of Richard M. Nixon. Yahya Khan was prepared to do everything in his power to help the Americans bring about their projected *rapprochement* with China. One result was the part which the Government of Pakistan played in bringing about the secret visit of Nixon's National Security Adviser, Dr. Henry Kissinger, to Peking (Beijing) in July 1971.[24] The announcement of this excursion produced an almost magical transformation in the relations

between India and the Soviet Union. The Soviet Foreign Minister, Andrei Gromyko, lost no time in flying to New Delhi where, based on a draft which had, it seems, been circulating for some years, signed on 9 August 1971 with his Indian opposite number, Swaran Singh, a Treaty of Peace, Friendship and Co-operation. Whatever its wording might have indicated, the Treaty implied that in the event of a crisis in which both China and the United States were arrayed against India the Soviet Union would redress the balance (and it was widely believed at the time that there were secret clauses in the Treaty which emphasised this point). India was now free to mount its own version of Operation Gibraltar against East Pakistan, first to train rebels, the *Mukti Bahini*, the equivalent of the Kashmiri "Mujahidin" of Operation Gibraltar in 1965, and then, when the Himalayan passes were starting to close with the onset of winter, to intervene directly in an advance on Dacca.

All this came to pass much as planned. In late November, after an ever increasing level of Indian support, Indian forces openly appeared in East Pakistan in support of the *Mukti Bahini*; and it looked as if it was only a matter of time before Indira Gandhi would be midwife to the birth of a new sovereign state in the subcontinent (if India decided not to swallow East Bengal). Yahya Khan in desperation authorised the launch of Pakistani attacks on India from the West; and on 3 December 1971 yet another Indo-Pakistani War was in progress.

The "Fourteen Days' War" of December 1971 is a fascinating story which has been told elsewhere.[25] It was not a war which Pakistan wanted and it was not a war which Pakistan could possibly win. The best that Pakistani strategists could hope for was some kind a stalemate in which their Chinese and American allies (in an improbable association) would bring diplomatic pressure in their support, reinforced by the threat of worse to come if diplomacy failed, and in which Pakistan might have acquired at least a few tactical advantages to exploit in the new era in the history of the subcontinent which was clearly dawning. One possibility was an offensive into Indian occupied Jammu and Kashmir. Thus began what can quite accurately be called the Third Indo-Pakistani War over the State of Jammu and Kashmir.

Nowhere did the war go well for Pakistan. In Sind the Indians made quite significant gains; and they advanced into two sectors of the Punjab, Sehjra near Ferozepore and to Shakargarh towards Sialkot. In the State of Jammu and Kashmir the Pakistan forces launched an attack towards Chhamb with the ultimate objective, it would seem, of cutting the main Jammu-Srinagar road. They managed to capture Chhamb, lost in 1965; but got no further.[26] The Indians launched attacks to the north of Kargil (to improve yet further their control over the vital road to the eastern end of the

Northern Frontier in Ladakh) and eastward from Tithwal, Uri and Poonch City, in each case making small gains. When the fighting stopped on 17 December 1971, the Indians had made minor advances in a few places along the cease-fire line, except for Chhamb; but the basic position in the State of Jammu and Kashmir was essentially unchanged (according to the 1977 Pakistan *White Paper*, India gained 340.88 square miles and lost 58.38 square miles). The United Nations, throughout all this, had contributed nothing to the situation in the State.

For Pakistan, apart from the traumatic loss of East Pakistan which now became the independent state of Bangladesh (and which many Pakistanis soon came to feel secretly had removed a burden from their shoulders), the 1971 crisis brought to an end for a while the tradition of military rule in the country which had come under the command of a civilian administration headed by Zulfikar Ali Bhutto. It was now Z.A. Bhutto's thankless duty to try to save something from the catastrophe. As the 1977 *White Paper*, published in the final year of the Bhutto era, admitted:

> Pakistan had suffered a disaster . . . The disparity between its military strength and India's was far wider than ever before . . . Politically, Pakistan was isolated . . . Pakistan was economically shattered and psychologically bruised while India was feeling the euphoria of triumph.[27]

His task was not an easy one.

Between 28 June and 3 July 1972, after talks at lower levels had been held since April, and following a great deal of international diplomacy by both sides, Zulfikar Ali Bhutto and Indira Gandhi met in Simla to try to restore some order to Indo-Pakistani relations.[28] The outcome was the Simla Agreement (2 July) in which it was declared that

> the two countries are resolved to settle their differences by peaceful means through bilateral negotiations or by other peaceful means mutually agreed upon between them. Pending the final settlement of any of the problems between the two countries, neither side shall unilaterally alter the situation and both shall prevent the organization, assistance or encouragement of any act detrimental to the maintenance of harmonious relations.

Further, India and Pakistan resolved that

> the basic issues and causes of conflict which have bedeviled the relations between the two countries for the last 25 years shall be resolved by peaceful means

and that

> they shall always respect each other's national unity, territorial integrity, political independence and sovereign equality

and, moreover, that

> in accordance with the charter of the United Nations, they will refrain from the threat or use of force against the territorial integrity or political independence of each other.

As far as the State of Jammu and Kashmir was concerned, it was decided that

> in Jammu and Kashmir the line of control resulting from the cease-fire of December 17, 1971 shall be respected by both sides without prejudice to the recognized position of either side. Neither side shall seek to alter it unilaterally, irrespective of mutual differences and legal interpretations. Both sides further undertake to refrain from the threat or use of force in violation of this line.[29]

What exactly did this mean? It seemed at the time as if one clear implication was that the cease-fire line (from henceforth often referred to as the Line of Control or Line of Actual Control – LOC or LOAC) in the State of Jammu and Kashmir, as defined in the Simla Agreement, would from now onwards be to all intents and purposes the *de facto* border between Indian and Pakistani spheres of influence. But what of the status of the State of Jammu and Kashmir itself? The Simla Agreement had studiously avoided this topic beyond the reference to the need to resolve by peaceful means "the basic issues and causes of conflict" which had so disturbed Indo-Pakistani relations over the last two and a half decades.

Indira Gandhi was in no doubt that the Simla Agreement had in no way challenged her position that the State of Jammu and Kashmir was an integral part of the Indian Republic. Zulfikar Ali Bhutto, however, at Lahore airport on his return from Simla on 3 July 1972, announced that

> on the vital question of Kashmir too, we have made no compromise. We told them . . . [the Indian] . . . categorically that the people of Kashmir must exercise their right of self-determination. This was a question which can be decided only by the people of Kashmir. Neither Pakistan nor India had any say in this matter.[30]

The problem of the State of Jammu and Kashmir might no longer be an active *territorial* dispute, in other words, but the question of what the people of that State wanted their future to be was by no means closed. The internal politics of the State would continue to be of the greatest interest to the Government of Pakistan, and rightly so. The challenge which Z.A. Bhutto threw down to India at that moment was clear. It was up to India to demonstrate to world opinion that the inhabitants of the State of Jammu and Kashmir were willing to accept what India had to offer them.

1. For a lively description of the Lahore riots, see: L. Ziring, *The Ayub Khan Era. Politics in Pakistan, 1958-1969*, Syracuse, New York, 1971, pp. 68-69.

2. Feldman, *Crisis*, *op. cit.*, pp. 144-147, draws a balance sheet which is probably as near the truth as it is possible to get. Feldman gives the casualty figures estimated by the Institute of Strategic Studies, London, as follows: Pakistan, 3,000 to 5,000 men, over 250 tanks and up to 50 aircraft; India, 4,000 to 6,000 men, up to 300 tanks and about 50 aircraft.

3. For the history of this great engineering project, see: Ispahani, *Roads*, *op. cit.*, pp. 185-192; Hamid, *Karakuram Hunza*, *op. cit.*, Appendix VII; *Weekly Pakistan News*, 24 June 1978.
   For Indian suspicions as to the purpose behind the project, see, for example: T.S. Murty, *India China Boundary. India's Options*, New Delhi 1987, pp. 108-114.

4. Quoted in: *Keesing's Contemporary Archives*, 1969, p. 23652.

5. B.M. Kaul, *Confrontation with Pakistan*, New Delhi 1971, p. 18.

6. Kaul, *Confrontation*, *op. cit.*, p. 15.

7. Of course, Sheikh Abdullah could not be blamed for this; and in later years Tariq Abdullah, who was by no means the easiest of persons with whom to get on, broke with Pakistan.

8. *White Paper*, 1977, *op. cit.*, p. 117.

9. For admirable surveys of the Yahya Khan era, see: H. Feldman, *The End & the Beginning. Pakistan 1969-71*, London 1975; G.W. Choudhury, *The Last Days of United Pakistan*, London 1974.

10. The key clandestine meeting was alleged to have taken place on 12 July 1967 in the Indian town of Agartala in Tripura, that salient of Indian territory which thrusts into the eastern side of what was then East Pakistan, today Bangladesh.

11. While in Pakistan in 1972-73 the author had the opportunity to see a large number of police files relating to the Agartala affair which were made available to him by the late Zulfikar Ali Bhutto. As historical sources they were not without their problems; but they left the author in no doubt of two points. First: something along the general lines of discussions, if not an actual conspiracy, had taken place. Second: the crucial point about overflights had been noted by the Pakistani military; and there was no reason to assume that the same point had not struck their opposite numbers on the Indian side. There is a great deal of interest on Agartala in: Choudhury, *Last Days*, *op. cit.*

12. A technical legal term deriving from the British period meaning to ban a person from a particular Indian region.

13. An Indian diplomat, B.L. Joshi, was declared *persona non grata* in Pakistan in retaliation.

14. It is interesting that those prosecutions arising out of these arrests which were still in progress in 1977 (the mills of Indian justice indeed ground slow) were dropped by Sheikh Abdullah's Government of Jammu and Kashmir on the grounds that they had been "politically motivated" to discredit the Plebiscite Front.

15. The Pakistan High Commission in New Delhi on the morning of 31 January gave permission for an Indian aircraft to fly in to Lahore to pick up the passengers and crew; but this was almost at once withdrawn on the grounds, in fact reasonable enough, that Lahore airport was so filled with spectators that it was effectively closed to air traffic.

16. This, of course, set the seal of approval, as it were, on the affair of the hijacking of "Ganga". The general impression has persisted that the whole affair was in some way sponsored either by Bhutto himself or by the Government of Pakistan. See, for example: R. Sisson & L.E. Rose, *War and Secession: Pakistan, India and the Creation of Bangladesh*, Berkeley, California, 1990. The two American authors dismiss the "Ganga" hijacking in a few lines as a Pakistani ploy of no significance whatsoever for the momentous events of 1971.

17. Unless stated otherwise, all information about the hijacking affair and its consequences is based on work in the archives of the Ministry of Foreign Affairs of the Government of Pakistan which the author was able to carry out in 1972-73.

18. See, for example: L. Blinkenberg, *India-Pakistan. The History of Unsolved Conflicts*, Copenhagen 1972, p. 306.

19. A Commission of Enquiry, presided over by Justice Noor-ul-Arfin, of the High Court of Sind and Baluchistan, with R.S. Chhatari, Col. T.D.K. Ghazi and Lt.-Col. (Retd.) Zia-ul-Hassan as members, assembled on 22 March 1971; and it reported on 14 April 1971. There is no reason to suppose that it intended to do anything other than try to arrive at the truth. Its main conclusions were published in *Dawn* on 21 April 1971.

    Most Western writers on this period of subcontinental history have been very dubious about claims that the "Ganga" hijacking was an Indian-sponsored venture, partly because of the failure of the Pakistan Government to make available all the evidence in a comprehensible form, and partly because of a reluctance to believe that well behaved Indians could do such a thing. In Pakistan, despite all that the authorities knew, the general public believed, and probably still believes, that the hijacking was a rather gallant Robin Hood-like adventure by opponents to Indian domination in Kashmir. In India there were a number of theories current, which still circulate. Either the hijacking was just what the two hijackers maintained, a genuine gesture by anti-Indian "freedom fighters" in Kashmir, thus demonstrating the connection between Pakistan and terrorism, or it was something devised by the Pakistan Intelligence people to distract attention at home and abroad from the growing crisis in East Pakistan: this last was certainly the view most widely held in East Pakistan, soon to be Bangladesh.

    For an Indian interpretation of the affair, see: B.L. Sharma, *Kashmir Awakes*, Delhi 1971, Chapter XVI, 'What was behind the hijacking?. For a less partisan discussion of the hijacking incident, see: Blinkenberg, *op. cit.*, pp. 304-308.

20. This was the conclusion of the Special Court in Lahore which went into the whole matter in 1973.

21. The information here is mainly derived from the report of the Noor-ul-Arfin Tribunal and various police sources which the author was able to examine while in Pakistan in 1972-73. As a measure of the obscurity of the early history of this "Plebiscite Front" it is instructive to see what Muhammad Yusuf Saraf has to say about it in the second volume of his *Kashmiris Fight*, *op. cit.*, Chapter XXXVIII.

22. See: *Dawn*, 21 May 1973 for a detailed report of the verdict of the Special Court.

23. There are many accounts of the great crisis of 1971. See, for example: Robert Jackson, *South Asian Crisis. India-Pakistan-Bangla Desh*, London 1975; Choudhury, *Last Days, op. cit.*; Feldman, *The End & the Beginning, op. cit.*; Major-General D.K. Palit, *The Lightening Campaign. The Indo-Pakistan War 1971*, Salisbury 1972; Siddiq Salik, *Witness to Surrender*, Karachi 1977; Kalim Siddiqui, *Conflict, Crisis & War in Pakistan*, London 1972.

24. For Kissinger's view of 1971, see: Henry Kissinger, *The White House Years*, London 1979, Chapters XVIII, XIX & XXI. While Kissinger was actually on his way to Peking, the Pakistan authorities arranged for publicity to be given for a series of social engagements in which he was supposed to be taking part in Pakistan.

25. Jackson's account is a useful summary. See: Jackson, *South Asia Crisis, op. cit.*, Chapter 5.

26. For an account of the Chhamb offensive, see: Lt.-Colonel Ahmad Saeed, *The Battle of Chhamb (1971)*, Rawalpindi 1973.

27. 1977 *White Paper, op. cit.*, p. 119.

28. Among Indira Gandhi's advisers on all problems relating to Kashmir and Pakistan at this time was her Principal Secretary, P.N. Haksar, by descent a Kashmiri Pandit, and possessed of a mind of exceptional subtlety. He powerfully reinforced the influence of D.P. Dhar.

29. The text of the Simla Agreement is reproduced in many places. See, for example: Government of Pakistan, Ministry of Information and Broadcasting, Department of Films and Publications, *Peace With Honour. Step-by-Step Approach to Resolve Indo-Pakistani Disputes*, Islamabad 1972, pp. 24-26.

30. *Peace With Honour, op. cit.*, p. 28.

XIV

SHEIKH ABDULLAH 1972 TO 1982

After the Indian victories of 1971 and the Simla Agreement of 1972 there were two main directions in which India could move with respect to the State of Jammu and Kashmir.[1] In that neither Indira Gandhi nor any other members of that small group who held the office of Prime Minister of India between 1972 and 1990 had the slightest intention of allowing a plebiscite in the State which could possibly result in any part of it then in Indian hands passing away either to independence or to Pakistan, the option was definitely excluded of some settlement along the general lines of those United Nations proposals which had emerged from time to time, and in various versions, since 1948. What remained, therefore, were essentially the following. First: India could allow the State of Jammu and Kashmir to go to a certain extent its own way, at least within those limits laid down in what remained of Article 370 of the Indian Constitution. This could even mean granting the State something very like "dominion" status as that was understood in the early days of the presence of that concept in British constitutional theory. India would look after the defence and foreign policy of the State of Jammu and Kashmir, and maintain its major communications by land and air with the rest of India. In all other matters the State would be autonomous. Second: India could do away with Article 370 altogether and incorporate the State into the Indian Union where it would be just one more State, or group of States, among many.

India faced two main problems in the implementation of either basic policy.

First: what we have indicated as the "dominion" solution, the development of the possibilities inherent in the remnants of Article 370, still meant that within the State of Jammu and Kashmir as it was then constituted certain parts would be dominated by others. By 1972, indeed effectively since October 1947, as we have already seen, the Indian controlled portion of the State consisted of three quite distinct regions, Buddhist Ladakh, Hindu (and Sikh) Jammu and the Muslim Vale of Kashmir. For demographic reasons this combination

was inevitably dominated by the Vale of Kashmir. Even in the opening stages of the story, in the 1950s, there were political forces in Jammu, later to be joined by voices in Ladakh, which doubted the desirability of a too close union with the Vale of Kashmir; and arguments were not wanting that these regions be split off and incorporated into India in some way outside the structure of the State of Jammu and Kashmir. The exploitation of Article 370, in other words, might solve problems in the Vale of Kashmir only to create secessionist (even if pro-Indian rather than latently pro-Pakistani) forces in Jammu and Ladakh.

Second: the abolition of Article 370, which might be quite well received in Jammu and Ladakh, would be certain to be resented in the Vale of Kashmir where it could well lead to disturbances of the peace and a general increase in the difficulties of government. It might also, of course, produce protests in the United Nations. These India could deal with easily enough; but no government likes to be condemned in public if it can possibly avoid it. The end of Article 370, of course, would also lead to great Pakistani outcry. Again, why risk this if it were not necessary to do so?

There was another objection to the "dominion" solution arising from considerations quite external to the established parameters of the Kashmir dispute. If the State of Jammu and Kashmir were permitted such a degree of internal freedom, would not the same be sought by others within the Indian Republic? India did not lack for secessionists and separatists in 1972; and with the growth of the Sikh problem in the 1980s the conservation of the Indian Union became, perhaps, the major preoccupation of policy makers in New Delhi. The State of Jammu and Kashmir could not be permitted to become a precedent for others to follow. This consideration made the "dominion" solution extremely difficult to implement, had there been the will to do so; and it quite ruled out anything further, such as some form of plebiscitary exercise.

Indira Gandhi's inclination, one suspects, was to go along with an emasculated Article 370 as far as she could provided that it did not threaten India's major interests, of which the following two were dominant. First: it was essential that nothing be permitted to occur in the State of Jammu and Kashmir which challenged the basic Indian claim that the State had legally acceded to India and was, therefore, now and forever more part of India. Second: in that the Srinagar-Leh road (by way of Kargil), the major line of communication between India and Ladakh (that key access to the eastern end of the Northern Frontier about which a great deal has already been said in previous Chapters), which was one of the front line areas of that Sino-Indian confrontation which showed no sign of abating in the 1970s, ran through the heart of the Vale of Kashmir, no political process in the State could be allowed to flourish which threatened to sever this

vital route.[2] An undiminished Article 370 on these terms was not so easy to achieve, as we shall see.

Indira Gandhi appreciated, as had her father, that the Indian position in the State of Jammu and Kashmir depended greatly upon the character, personality, flexibility of outlook and, above all, credibility to the Muslims of the Vale of Kashmir, of the person who was chosen to preside over the State Government. When Sheikh Abdullah had been found wanting in 1953, his place was taken in succession by two men who were politically agile while at the same time could be relied upon not to deviate too far from the direction sought or recommended in New Delhi, Bakshi Ghulam Mohammed and then, after a brief interregnum, G.M. Sadiq. On the whole they had served India well. G.M. Sadiq had seen that part of the State of Jammu and Kashmir which India controlled survive the stresses of the 1965 War; and, in the midst of the "Fourteen Days' War" of 1971, on 12 December 1971, he died in office with India's position in its part of the State under no serious internal challenge. His place was taken by Syed Mir Qasim, President of the State (Pradesh) Congress Party, as the State's ruling faction was now known. Syed Mir Qasim, while apparently loyal to Indira Gandhi, was no man of steel.

In the State elections of March 1972 the Syed Mir Qasim administration won a comfortable majority for the Congress of fifty-seven seats out of the total of seventy-five, there being no longer any pretence that the ruling party, which had descended through a process of name changes and splits from Sheikh Abdullah's original Muslim Conference of 1931, was anything more than the State of Jammu and Kashmir branch of that party presided over by Indira Gandhi throughout the rest of India. A Muslim group believed to be pro-Pakistan, the Jamaat-i-Islami, won five seats, and the Hindu Jana Sangh won three seats in Jammu. The Syed Mir Qasim Government now felt sufficiently secure to reverse many of the repressive measures taken in the previous year. In April 1972 Begum Abdullah was permitted to enter once more the State; and a number of political prisoners and detainees were released, including Maulana Mohammed Syeed Masoodi and Ghulam Mohiuddin Karra and some 160 others. In June the "externment" order on Sheikh Abdullah was lifted, followed by the removal of such orders on Mirza Afzal Beg and G.M. Shah (Sheikh Abdullah's son-in-law) in July. As a final step, the ban on the Plebiscite Front was not yet again renewed when it expired on 12 January 1973. Sheikh Abdullah and Mirza Afzal Beg once more had a vehicle through which they could participate fully in the politics of the State.

If Syed Mir Qasim, and Indira Gandhi, believed that Sheikh Abdullah was now a reformed character, they were quickly shown otherwise. On his return to Srinagar on 19 June 1972 he lost no time in declaring that the people of the State of Jammu and Kashmir still

enjoyed the right to self-determination; and, on hearing of the Simla Agreement of 2 July, he pointed out that neither India nor Pakistan were entitled to decide the fate of the State of Jammu and Kashmir over the heads of its people. As usual, however, Sheikh Abdullah retained a measure of ambiguity in his utterances. He chided Pakistan, for example, for talking about self-determination in the Indian held part of the State of Jammu and Kashmir while denying the people of Azad Kashmir the same right (by which, it must be presumed, he meant the right to vote to unite with Kashmiris on the other side of the cease-fire line in a joint destiny free of Pakistani control). What he did appear to be saying in a variety of ways was that the accession of the State to India in October 1947 was *not*, despite anything that Indira Gandhi might say, or he himself had said in varying ways at various times, final. The consequences in his own mind of this conclusion, however, were obscure.

The Syed Mir Qasim Government found that Jammu and Kashmir was not an easy State to administer. Apart from abundant evidence of support, particularly in the Vale of Kashmir, for Sheikh Abdullah, there was a continuing undertone of communal tension, both between Hindu Jammu and the Muslim Vale of Kashmir and among the Muslims themselves. Jammu and Kashmir was the only State in the Indian Union where Muslims were in the majority; and their religious susceptibilities simply could not be ignored, as a crisis which erupted in the Vale of Kashmir in May 1973 demonstrated beyond all doubt.

A publication, Arthur Mee's *Book of Knowledge – Children's Encyclopædia*, was discovered in a college library in Anantnag in the Vale of Kashmir shortly before 17 May 1973. It was a work of monumental blandness, which did, however, contain a drawing of the Prophet Mohammed to whom the Archangel Gabriel was dictating portions of the Holy Koran. Somehow this came to the notice of the Islamic establishment who were not slow to point out that such representation constituted blasphemy. Students in Anantnag started demonstrating on 17 May in protest against the authorities permitting this obnoxious publication to see the light of day. The State Government lost no time in declaring the book banned; but they were too late. By 20 May the trouble had spread to Srinagar where there broke out a wave of strikes, student marches (in which were carried placards demanding "hang the author") and other expressions of public outrage directed against both India (which was alleged to have permitted the import of the publication) and the British (who were considered to be responsible for its existence in the first place). All shops were closed, by force if not voluntarily. Public transport was brought to a halt. An attempt was made to burn down a bank believed to be British owned. Christian churches were threatened. The police opened fire on demonstrators and there were a number of deaths. The car carrying

Mirwaiz Mohammed Farooq and Mirza Afzal Beg, on the way to the Jama Masjid (Friday Mosque) where two of the victims were lying in state, was attacked and its windscreen shattered. By 27 May over 100 persons had been arrested and at least four killed in Srinagar alone.

The Government of India promptly banned the book throughout the Indian Republic; and the riots did not spread beyond the limits of the State of Jammu and Kashmir. The episode, however, must have given Indira Gandhi a great deal of food for thought. The crisis had emerged from within the Vale of Kashmir, apparently spontaneously: at least, there was no suggestion by Indian officials that there was any Pakistani inspiration behind it. What was particularly odd was that the book in question was by no means new: a copy had been acquired by a mission school in Anantnag as long ago as 1911 which then had found its way to the college library where it had mouldered unobserved for decades. It is probable, indeed, that this was the only specimen of this offensive volume to be found anywhere in the State of Jammu and Kashmir. It was clearly not the cause of the disturbances, merely the trigger. There was, it was evident, a profound sense of malaise in the Vale of Kashmir which could have produced an explosion at any moment. The affair could only remind people of the *Moe-i-Muqaddas* crisis of the end of 1963.

The Prime Minister of Pakistan, Zulfikar Ali Bhutto, certainly appreciated the significance of the protests in Kashmir against Arthur Mee's *Encyclopædia* as an indication of the state of public opinion. During a visit to Muzaffarabad in Azad Kashmir on 6 November he was extremely critical of the Indian failure to permit a plebiscite in its part of the State. On 7 November, perhaps coincidentally but perhaps not, there were riots in Srinagar where students objected to the renaming of a women's college in Kashmir University after Jawaharlal Nehru. On 8 November, and again on 10 November, Z.A. Bhutto called for a *hartal* (peaceful strike) on the Indian side of the cease-fire line as a demonstration of where the people stood on the question of self-determination. Further student protests in Srinagar and elsewhere in the Vale of Kashmir followed, continuing for two weeks or so. There were also, in reaction to all this, anti-Pakistan demonstrations in Jammu, where Z.A. Bhutto was burnt in effigy.

Z.A. Bhutto's verbal intervention received public support from Mirwaiz Mohammed Farooq. It was, however, and this was perhaps the most important consequence of this episode and all that had led up to it, roundly condemned by Sheikh Abdullah who reminded the Pakistani Prime Minister of the dangers of meddling in the internal affairs of the State of Jammu and Kashmir, a demonstration of a state of mind which persuaded Indira Gandhi, who had been extremely calm (as had Syed Mir Qasim's administration) throughout these various disturbances, that it might be as well to mend her fences with Sheikh Abdullah: he could yet prove to be the best man to serve

India's interests in this troubled State. Sheikh Abdullah, at the same time, appears to have concluded that Indira Gandhi alone held the key to his return to power.

From the beginning of 1974 a series of discussions began between Sheikh Abdullah and his associate Mirza Afzal Beg on the one hand and various members of the Indian Government, including Indira Gandhi, on the other, over the terms on which the administration of the State of Jammu and Kashmir might be entrusted to a Government headed by Sheikh Abdullah. The talks took place at two distinct levels.

At one level there were rather dramatic encounters between Sheikh Abdullah and Indira Gandhi and Cabinet Ministers like the Minister of External Affairs, Swaran Singh: there were highly publicised Sheikh Abdullah-Swaran Singh meetings in June 1974, for example. Sheikh Abdullah indicated that he would resume office only if the clock were turned back to 1953 (before his dismissal by Indira Gandhi's father), and if all the subsequent increases in Indian power in the State of Jammu and Kashmir were abandoned. He also explored the scheme which he had already advanced in 1970 for what amounted to a kind of federal structure for the State of Jammu and Kashmir. Some of his ideas were sufficiently extreme as to cast doubts whether anything useful could possibly emerge from such discussions. Behind the scenes, however, there were others at work who were determined that the outcome would be successful: they evidently believed that at the end of the day Sheikh Abdullah would agree to the minimum Indian requirements. The Governor of Jammu and Kashmir, L.K. Jha (who had taken over from Bhawan Sahay after Wazir when Karan Singh's full term as Sadar-i-Riyasat finally expired), was certainly of this view as was also the Chief Minister, Syed Mir Qasim. Among Indira Gandhi's Cabinet colleagues Dr. Karan Singh, now Health Minister, and D.P. Dhar, who after his triumphs in 1971 had advanced to the position of Planning Minister, were of the same opinion.

At quite another level there was a prolonged series of detailed negotiations between Mirza Afzal Beg and Indira Gandhi's special representative G. Parthasarathi (a former Indian High Commissioner in Pakistan, with enormous experience of Indo-Pakistani negotiations over the Kashmir question, and soon to be Chairman of the Policy Planning Committee of the Ministry of External Affairs, a position once held by D.P. Dhar). Here the nuts and bolts of the matter were identified and sorted out. Agreement between Mirza Afzal Beg and G. Parthasarathi was consummated on 13 November 1974; and its contents, formally accepted by Sheikh Abdullah on 12 February 1975, were made public by Indira Gandhi on 24 February 1975 as the "Kashmir Accord".

While these talks were going on, there were those in the State of Jammu and Kashmir who were not at all happy about what seemed

to be in prospect. Mirwaiz Mohammed Farooq, for one, was particularly distressed by what seemed to be an impending settlement of the future of the State of Jammu and Kashmir by his rival Sheikh Abdullah such as to preclude forever the prospect of anything like a free plebiscite. He considered that Sheikh Abdullah had sold out to India in general and Indira Gandhi in particular. Sheikh Abdullah's followers, on the other hand, maintained that Mirwaiz Mohammed Farooq was now showing his true colours as an agent of Pakistani interests. 13 July 1974, the day when the 1931 martyrs were commemorated, produced serious clashed between members of the two factions, the Awami Action Committee and the Plebiscite Front. There were further angry encounters from time to time as the reconciliation between Sheikh Abdullah and New Delhi appeared ever closer, in September, for example, and again in October. It was evident that whatever policy Sheikh Abdullah eventually came up with, it would not be unopposed in his home State.

In the Accord, as published on 24 February 1975, Sheikh Abdullah did not achieve his ambition for a return to the exact position as it had been prior to his dismissal in August 1953. It made clear by implication that the accession of the State of Jammu and Kashmir to India was final, along with much else which India had decided for the State; and in public statements at this time Sheikh Abdullah confirmed his acknowledgement of this state of affairs.

The key provision of the Accord was this. "The State of Jammu and Kashmir, which is a constituent unit of the Union of India shall in its relations with the Union, continue to be governed by Article 370 of the Constitution of India": however, while residuary powers of legislation would remain with the State, the Union Parliament

> will continue to have power to make laws relating to the prevention of activities directed towards disclaiming, questioning or disrupting the sovereignty and territorial integrity of India or secession of a part of the territory from the Union.[3]

In other words, any act on the part of the Jammu and Kashmir Legislative Assembly which could possibly be construed to imply a progression of the State towards independence, let alone union with Pakistan, could be overruled by the Union Parliament, a qualification which took away a great deal of the remaining strength from Article 370. As a sop in the face of such a major concession to full Indian sovereignty, provision was made for the State to have the right to legislate on a variety of matters where Union legislation since 1953 was currently in force relating to such topics as welfare, social security, culture, personal law and the like; but it would only operate after going through appropriate (and carefully described) Constitutional procedures which would culminate in the request for the consent of the President of India (which might, of course, be

withheld). Moreover, Indian Presidential assent would be required for legislation in the State relating both to the "appointment, powers, functions, duties, privileges and immunities of the Governor" of the State, and to electoral matters. The State Legislative Assembly, for example, could not alter the franchise without referring back through elaborate Indian Consitutional procedures culminating once more at the desk of the President of India. Finally, the Accord noted that Mirza Afzal Beg and G. Parthasarathi had failed to agree "on the question of nomenclature of the Governor and Chief Minister": in other words, Mirza Afzal Beg had been unable to obtain confirmation of those two cherished symbols of the State of Jammu and Kashmir's special status, the title of the Governor as Sadar-i-Riyasat, and the right to refer to the head of the State's Government as Prime Minister rather than Chief Minister, the term used in all the other States in the Indian Union.

The publication of the Accord was accompanied by prompt political action. On 23 February 1975, the day before the Accord's announcement, Syed Mir Qasim resigned as Chief Minister of the State of Jammu and Kashmir. Two days later the Congress Party in the State Legislature, which controlled it, unanimously elected Sheikh Abdullah its leader and Mirza Afzal Beg as a Cabinet Minister. On 4 March in New Delhi the Accord received the approval of the *Lok Sabha* by a massive majority; and the Upper House, the *Rajya Sabha*, agreed to it on 13 March.

In Pakistan, not surprisingly, the Accord was denounced as a "sell-out". Z.A. Bhutto had particularly strong words for Sheikh Abdullah's perfidy when he observed that this man who had set himself up as the champion of democracy was now about to become Head of a Government dominated by a party, Congress, to which he did not belong, in an Assembly of which he was not even a member. There was an impressive *hartal* throughout Pakistan (on 28 February 1975); and overseas Pakistanis and Kashmiris in the United Kingdom and elsewhere held demonstrations. On 1 March Pakistan protested to the United Nations: the Accord, it was argued, violated both the 1972 Simla Agreement and the United Nations requirements for a Kashmir plebiscite. On 12 March China, Pakistan's ally, joined in the chorus of disapproval. These, however, were gestures only: had something like the Accord happened in earlier times the result could well have been the prelude to another Indo-Pakistani armed conflict.

On learning of the Accord, Mirwaiz Mohammed Farooq in Srinagar reiterated his charge that Sheikh Abdullah had given away his people's right to self-determination. In Jammu, Jana Sangh (Hindu) supporters demonstrated violently against the Accord and had to be restrained with considerable police force: more than fifty policemen were hurt. The Jana Sangh in New Delhi was also vocal in its opposition to the Accord: it urged that Article 370 of the Indian

Constitution be abrogated and the whole of the State of Jammu and Kashmir incorporated into the Indian Union just like any other State.

All in all, Indira Gandhi's coup, for that is what it really was, went off quite smoothly by the accepted standards of politics in the State of Jammu and Kashmir.

Sheikh Abdullah, however, did not take long to reveal that his character had not changed. Just as he had soon departed from the terms of his Delhi Agreement of 1952 with Jawaharlal Nehru, so now in a matter of a few weeks he was drifting away from the spirit of the Accord which Mirza Afzal Beg had negotiated on his behalf. In April 1975 he was already talking about a possible merger of his State with Azad Kashmir, over which he declared that Pakistan had no rights, an idea which, ironically, had been made theoretically easier by the new Azad Kashmir Constitution which Z.A. Bhutto had caused to be introduced in August 1974: this emphasised the separateness of Azad Kashmir from Pakistan by giving it a Parliamentary system of government in place of the previous Presidential structure, and by abolishing the old Government of Pakistan Ministry of Kashmir Affairs (so that, in theory, Azad Kashmir too acquired a kind of "dominion" status from which it could hypothetically evolve in a variety of directions). In May 1975, Sheikh Abdullah made it abundantly clear that he had no intention of joining the Congress Party: instead he declared that Congress members in the State of Jammu and Kashmir would be welcomed as members of his old party, the Plebiscite Front, which could now, after the two former parties had been wound up, be reincarnated as the National Conference. Congress rejected the invitation. In July the new National Conference formally came into existence.

In October 1975 Indira Gandhi made a State Visit to Srinagar. Accompanied by her two sons Rajiv and Sanjay and their wives, she was treated to a traditional boat procession through the waterways of the Kashmiri summer capital along with Sheikh Abdullah and the Governor, L.K. Jha, also with their wives. The occasion reminded observers both of the welcome given to Bulganin and Khrushchev in 1955 and of Indira Gandhi's own visit to Srinagar in 1945 as a companion to her father Jawaharlal Nehru. Unlike 1945, however, in 1975 nobody threw stones at the gaudily painted boat in which the Indian Prime Minister was being conveyed, propelled majestically by thirty-two red turbanned oarsmen. Many thousands of people lined the banks; and as Indira Gandhi floated by they shouted her praises as a worthy daughter of Kashmir. This was an occasion which was never to be repeated.

Despite all the pageantry, however, the growing rift between Sheikh Abdullah and the Congress was in no way healed; and with Indira Gandhi's return to New Delhi it grew steadily wider.

The political situation in the State of Jammu and Kashmir was now,

indeed, rather odd. The Legislative Assembly was controlled by members of the Congress. The Administration, however, was under Sheikh Abdullah's thumb. Yet his own party, the National Conference, was not represented in the Assembly at all. Both Sheikh Abdullah and Mirza Afzal Beg had been insinuated into the Assembly through carefully staged by-elections in July 1975 at which the two men stood as independents. What Sheikh Abdullah was pressing for, of course, was a premature dissolution of the State Legislative Assembly and fresh State elections which would be interpreted as a referendum for the new Sheikh Abdullah regime. This was something which Indira Gandhi was not going to allow if she possibly could prevent it. Hence the squabbles between the Congress representatives in the State Legislative Assembly and Sheikh Abdullah's largely unrepresented National Conference continued right through 1976 into early 1977 when, as we shall see, a solution of sorts to the problem emerged.

The State of Jammu and Kashmir in 1975 was indeed very different from that to which Sheikh Abdullah had returned from Aligarh some four and a half decades ago. In 1931, when Sheikh Abdullah's Muslim Conference first saw the light of day, the State possessed a handful of university graduates whose potential prestige was, accordingly, very great indeed. Men like Sheikh Abdullah, G.M. Sadiq, Chaudhuri Ghulam Abbas and Mirza Afzal Beg were members of a very small elite. Leadership came naturally to such men. By 1975 university graduates in Jammu and Kashmir had long ceased to be rare phenomena. What was becoming relatively scarce, however, was the suitably employed (and adequately remunerated) graduate. Advances in education, as has happened in many another developing country, had not been accompanied by a corresponding expansion of opportunity. There had been considerable economic progress: the Indian Government, indeed, had at times gone out of its way to push money towards the State for obvious political reasons (in the first decade of Indian control, for example, it had spent over $100,000,000 in the State). However, as usual, the rich got richer and the not so rich became ever more disgruntled. Discontented qualified youth had become increasingly a feature of the State's political activity. One obvious consequence was the increasing ease with which public disturbances arose, often from trifling causes. This situation was present more or less equally in Jammu and in the Vale, the only difference being that the Jammu youth were predominantly Hindu.[4]

In earlier times such possessors of unfulfilled expectations would have turned to the left, to Marxism in one form or another, (as, indeed, many of them did in the Vale of Kashmir in the 1930s). Now they were more inclined to seek security in their communal roots. Among the Muslims the fundamentals of Islam became increasingly

the basis for political identification; and a similar process took place among Hindus, Sikhs and, even, the Buddhist of Ladakh. Politicians were expected not only to serve their own community but also to conform to its theological and moral precepts. Something like this, of course, had been going on all over India. Fortunately it is not necessary to explore the theme further than to note that the Indian secular state, which has been used so often to justify the morality of the Maharaja of Jammu and Kashmir's accession to India in October 1947, was by 1975 already withering away.[5]

To what extent Sheikh Abdullah understood such changes it is not clear. The former secularist who had so attracted Jawaharlal Nehru on the eve of the Transfer of Power had a message which was outdated; and, indeed, Sheikh Abdullah did not go out of his way to propagate it. Islamic forces in the Vale of Kashmir were far too strong to provoke needlessly; and Mirwaiz Mohammed Farooq was always waiting in the wings for the slightest opportunity to preach and protest against Sheikh Abdullah, outbursts which more often than not resulted in riots and police *lathi* charges. In Jammu the Hindu politicians who had been opposed to him in the early days, and had produced the Praja Parishad (Jana Sangh) with its support in India from what might be described as Hindu fundamentalists like Dr. S.P. Mookerjee, were looking for signs of a pro-Muslim bias against which they could agitate.

The policy which Sheikh Abdullah adopted in 1975 to cope with these internal contradictions was, as one would expect, not without contradictions of its own. While not disavowing secularism, he explored, albeit with a certain lack of conviction, the possibilities of granting a measure of explicit autonomy to the three regions of the State, the Vale of Kashmir, Jammu and Ladakh, so as to permit the various categories of communal politics to flourish in their separate habitats. At the same time, he tried to control the State on what could only be described as a unitary basis under a form of autocracy. This last was possible in that his real power base, the Vale of Kashmir (even though he was challenged here by Mirwaiz Mohammed Farooq and other Muslim leaders), was demographically dominant. Kashmiris would in the ballot box support Sheikh Abdullah's faction in preference to any group based on Hindu Jammu. The prestige of Sheikh Abdullah, which quite rightly was indeed formidable, enabled him to float over the waves created by such contradictions; and his position in the State of Jammu and Kashmir was not to be challenged seriously until the end of his life on 8 September 1982. After him, however, came the deluge.

From the outset of his administration in 1975 Sheikh Abdullah, with no party majority in the Legislative Assembly, was obliged to rely on his own resources. He made extensive use of his family. He gave great responsibility to his wife, Begum Akbar Jehan Abdullah (who

had been perhaps his greatest ally since the 1930s and who had occupied one of the State of Jammu and Kashmir seats in the Indian Union *Lok Sabha)*, to his sons Tariq (who had for a time gone over to the cause of Pakistan and served both in its Embassy in London and its Delegation to the United Nations) and Farooq (a Doctor of Medicine, who had spent many years in the United Kingdom, some of it as a General Practitioner in Bolton, and had an Irish wife), and to his son-in-law G.M. Shah (who was deemed to have a particularly good relationship with the State's small Shia community). He supported and promoted those officials whom he considered had been loyal to him during his various periods in the political wilderness; and some of these men were notoriously corrupt. He rooted out those whom he deemed had at one time opposed him or supported his numerous enemies. He even started to challenge those restrictions on the acquisition of land in the State by those who were not its citizens (one of the pillars of the 1952 Delhi Agreement) so as to acquire greater patronage over land rights: but here he wisely had second thoughts. Prem Nath Bazaz, the distinguished Kashmiri Pandit intellectual who had been one of his supporters (albeit not without reservations) in the early days of the struggle against the Maharaja in the 1930s, was extremely critical of the behaviour of his old friend. He had turned away many qualified young people seeking his help. He had spent enormous sums of money on pomp and ceremony while showing an extraordinary reluctance to devote resources given to him by New Delhi for Kashmiri economic development. He was, indeed, presiding over what, in the language of the title of Prem Nath Bazaz's book on this subject, was *Democracy Through Intimidation and Terror*.[6]

Other observers, it must in all fairness be noted, were far more sympathetic. None disagreed, however, that Sheikh Abdullah was running what amounted to a personal dictatorship in the State of Jammu and Kashmir and governing much as his old rival Maharaja Sir Hari Singh would once have liked too had circumstances permitted.

In India, of course, in these years Indira Gandhi was doing much the same with the declaration of a state of emergency (26 June 1975). Relations between the National Conference and the Congress grew no closer. Indeed, when Indira Gandhi made Syed Mir Qasim a member of the Indian Union Cabinet in the middle of 1976 it looked as if she was contemplating the creation of some counterpoise of Sheikh Abdullah which might, in time, provide the foundations for a reversal of the 1975 Accord and its replacement by an arrangement more amenable to the wishes of New Delhi. The need was emphasised in August when ten Congress members of the Jammu and Kashmir Legislative Assembly made public their intention of defecting to Sheikh Abdullah's National Conference (where the fountains of

patronage were to be tapped). In September 1976 Sheikh Abdullah announced that he intended to bring about some form of alliance with the Awami Action Committee (whose leader, Mirwaiz Mohammed Farooq, had been arrested and held for a short time in June after an anti-Sheikh Abdullah demonstration in Srinagar): this was, however, an initiative with a very short life. Matters came to a head in March 1977 when the members of Congress in the Jammu and Kashmir Legislative Assembly withdrew their support from Sheikh Abdullah's administration.

By this time there had been a dramatic change in the political situation in India. Indira Gandhi had in January 1977 called for a general election which was duly held between 16 and 20 March. She was, evidently to her surprise, defeated by a newly-formed coalition which went to the polls as the Janata Party headed by Morarji Desai. The state of emergency was at once lifted. Sheikh Abdullah resolved to exploit the possibilities offered by the new dispensation. When the Congress members of the Jammu and Kashmir Legislative Assembly withdrew their support from him, and their leader, Mufti Mohammad Sayeed, claimed that he should now replace Sheikh Abdullah as Chief Minister, Sheikh Abdullah persuaded the State Governor, L.K. Jha, to dissolve the Assembly on 27 March and order fresh elections. Meanwhile the State would, technically, be under the rule of the Governor to whom fell the task of supervising the electoral process. The Janata Government in New Delhi gave its approval to these measures. The elections were held over the period 30 June to 3 July 1977.

The election campaign in the State of Jammu and Kashmir was fought with great energy. Some observers, like Prem Nath Bazaz, maintained that the elections were far from fair, the campaign accompanied by a great deal of brutality and intimidation presided over by a Governor who leaned strongly towards Sheikh Abdullah.[7] That there was widespread violence cannot be denied. Others, however, have argued that the 1977 contest produced the only really free and fair elections in the entire history of the State of Jammu and Kashmir.

In many respects the whole affair was run as if it were a referendum for Sheikh Abdullah; and the results were extremely significant. Out of the now seventy-six seats in the Assembly, Sheikh Abdullah's National Conference won forty-seven, Janata thirteen, Congress eleven, Jana Sangh three, Jamaat-i-Islami one, and the remaining seats went to independents. It was the distribution of these seats which was of particular importance. Of the forty-two seats in the Vale of Kashmir, only two went to Janata (despite a sometimes uneasy alliance during the campaign with Mirwaiz Mohammed Farooq and the Awami Action Committee): here the National Conference secured a landslide. Not one Congress member was

elected in the Vale of Kashmir. In Jammu, on the other hand, the National Conference only won seven seats. It was from here that all the Congress members were returned and eleven of those belonging to Janata. The two Ladakh seats went to Ladakhis whose politics were peculiar to that region of Tibetan Buddhism. Electorally, Hindu-majority Jammu had become a dependency of Muslim-majority Kashmir ruled by Sheikh Abdullah. This was a situation which did not augur well for the future. The poor showing of Janata was widely interpreted to indicate a rejection of the implications of the 1975 Kashmir Accord with whoever might hold power in New Delhi, particularly as the Janata leadership had worked hard in the State during the campaign: it had been visited by the Prime Minister, Morarji Desai, the Home Minister, Charan Singh, and the Minister for External Affairs, Atal Behari Vajpayee.

We can now argue, with the benefit of hindsight, that the 1977 elections in the State of Jammu and Kashmir marked a turning point in that State's troubled history. The 1975 Kashmir Accord, by which it was hoped that New Delhi could use Sheikh Abdullah as its chosen instrument in keeping the State within the Indian Union, even with the reservations implied by Article 370 of the Indian Constitution, had now been shown up for what it was, an illusion. Sheikh Abdullah was the chosen instrument of nobody except Sheikh Abdullah. The rift in opinion between the Vale of Kashmir and Jammu was bound to lead to communal tensions so long as Hindu Jammu felt it was ruled by Muslims, and Muslim Kashmir believed that Jammu Hindus were trying to break up the State. Sheikh Abdullah had been endorsed by what can only be described as the Muslim vote; yet in no way could he be seen to be the voice of Islam in the State of Jammu and Kashmir. In this respect he could not rival the influence of Mirwaiz Mohammed Farooq despite the ineffectiveness of the latter's political organisation. Sheikh Abdullah might just possible hold things together; but he was getting on in years (he was now 72) and his health was by no means good (he had suffered a mild heart attack in June 1977). What after Sheikh Abdullah?

What, moreover, did Sheikh Abdullah now stand for? It was clear that whatever he might say from time to time about the finality of the State of Jammu and Kashmir's accession to India, he had never accepted the proposition that in the course of time the State would evolve into just one among many States which constituted the Indian Union. Article 370, for the preservation of which the 1977 electoral outcome was seen to be a mandate, meant that the State was something special; and it would, he believed, evolve in its own special way towards ever greater autonomy. If Sheikh Abdullah needed additional powers to accelerate this process, then such powers he would assume. This was certainly not what Indira Gandhi had intended to bring about with the 1975 Kashmir Accord.

The direction in which Sheikh Abdullah intended to move was revealed not in a single manifesto but, rather, in isolated actions which, when taken together, pointed one way rather than another. In September 1977, for example, the State Government took measures which could only indicate the beginnings of some form of press censorship. In November the State Government assumed certain powers of detention (Jammu and Kashmir Public Safety Ordinance 1977) for up to two years without right of appeal: Sheikh Abdullah explained that he needed a stronger hand in order to deal with undesirable "infiltration" from Pakistan. By the beginning of 1978 these various Draconian ordinances were giving rise to demonstrations, particularly in Jammu, which were opposed with some force by the State police. In March 1978 a new Public Safety Bill was introduced in the State Legislative Assembly to refine the provisions of the Ordinance of the previous year. The Opposition, apart from the Congress members, now Congress (I) following the split in the Congress Party in India, walked out of the Chamber in protest, but to no avail: the Bill became law on 1 April.

In September 1978, suspecting that some of his colleagues were not wholeheartedly behind the direction his general policy was now taking, Sheikh Abdullah ordered all members of his Cabinet to swear a personal oath of loyalty to him. Mirza Afzal Beg, the Deputy Chief Minister, who had stood unflinchingly beside Sheikh Abdullah for well over four decades, now broke with his old friend. He was duly expelled from the National Conference. He declared that he would set up his own party, the Inquilabi (Revolutionary) National Conference; but this never really got off the ground (it had been wound up by the end of 1981), and Mirza Afzal Beg's political career faded away.

As he grew more authoritarian, so Sheikh Abdullah seems to have depended increasingly on the support of the State Governor, L.K. Jha, whose five year term was extended in stages from July 1978 until January 1981 (when his place was taken by Braj Kumar Nehru). Jha's continued tenure was generally welcomed in New Delhi where he was seen as one of the few restraining factors in what was increasingly becoming an alarming situation. Having put Sheikh Abdullah where he was in the first place, the Government of India (even though the original action was Indira Gandhi's not that of Janata) was clearly reluctant to intervene directly: to do so would be tantamount to an admission of the failure of its policy towards the State in the face of revived pressure from Pakistan (which we will examine in the next Chapter).

Mirza Afzal Beg was not the only person in the State to find the political trend disturbing. There were declarations of opposition by Mirwaiz Mohammed Farooq who tried to build up some kind of coalition to stop the growth of what he described as the increasingly

"despotic and dictatorial rule" of the Lion of Kashmir, Sheikh Abdullah, whose fangs and claws grew sharper day by day. In December 1978, continuing through January, February and early March 1979, there were riots in Poonch City close to the Azad Kashmir border: these were dominated by unemployed graduates who complained that they were being denied the jobs they deserved (especially as teachers) in favour of people from the Vale of Kashmir who enjoyed the patronage of the National Conference. The police opened fire and there were at least ten deaths. The violence was only halted when Sheikh Abdullah agreed to institute an enquiry presided over by a retired Justice of distinction. In parallel with the Poonch disturbances were riots in Jammu which started in December 1978 and continued, sporadically, until March 1979. Added to the problem of graduate unemployment there was here an expression of protest against "regional imbalances", that is to say the general neglect of Jammu in preference for the Vale. Again, the police reacted with great force and at least eight protestors were killed. As in Poonch, some kind of calm was only restored after Sheikh Abdullah had agreed to appoint a Commission to look into grievances and examine the whole question of "regional imbalances". Violent protest was, however, from this time onwards endemic in the State.

In June 1979 a serious attempt was made within the State of Jammu and Kashmir to oppose Sheikh Abdullah in the shape of a rather strange alliance between Mirza Afzal Beg's new party, the Inquilabi National Conference, the Awami Action Committee, the Congress and the Janata Party.[8] The main concern which brought together such a group of ill-matched and otherwise hostile elements was the impending passage through the State Legislative Assembly of the Representation of the People (Amendment) Bill which decreed that any party member who resigned his party whip or abstained from voting according to his party whip would automatically lose his seat in the Assembly.[9] The Bill, which became law on 29 September 1979, was rightly seen as a measure leading towards the permanent establishment of a one-party regime in the State of Jammu and Kashmir.

In January 1980 Indira Gandhi's Congress (I) Party won the Indian general elections following the decision of Charan Singh, who had succeeded Morarji Desai as Janata Prime Minister, to dissolve Parliament. Indira Gandhi, therefore, now had to face the consequences of the Kashmir Accord which she had engineered five years earlier. She had to consider what action her Government would take, if any, in the light of continuing communal disturbances (notably a violent outbreak of anti-Hindu riots in Srinagar in August 1980).

There was also the question, to which reference has already been made, of "regional imbalances". The problem of "regional imbalances" was during the first half of 1980 used as a vehicle to attack

Sheikh Abdullah by Dr. Karan Singh, who now sat in the *Lok Sabha* as a member (for a Jammu constituency) of that section of Congress which had broken away from Indira Gandhi;[10] and Indira Gandhi's Congress (I) could not afford to ignore the issue.

There was nothing new about "regional imbalances". As we have already seen in Chapter 10, the problem of the perceived domination of predominantly Hindu Jammu by the politicians of the Muslim Vale of Kashmir had been present from the moment that, immediately following accession in 1947, the administration of the State of Jammu and Kashmir was placed in the hands of Sheikh Abdullah. In the 1960s the question had been the subject of considerable political agitation in Jammu; and in 1965 Dr. Karan Singh had proposed that the State of Jammu and Kashmir be reorganised on a linguistic (a euphemism for communal or religious) basis with Jammu, perhaps, being merged with the adjoining State of Himachal Pradesh. The suggestion was considered at that particular time to be rather extreme: the vast majority of political voices in the State favoured its continued unity. However, pressure for administrative change in Jammu persisted.

In 1967, in an attempt to calm down the Jammu activists, G.M. Sadiq appointed (after due consultation with New Delhi) a Commission of Enquiry headed by P.B. Gajendragadakar, recently retired as Chief Justice of India, to investigate what could be done to improve the conditions of Jammu within the constitutional framework of the State. The Gajendragadakar Commission reported in November 1968. It made a simple, but important, point that

> although Jammu and Kashmir state has been a single political entity for over a hundred years, it cannot be denied that geographically, culturally and historically, it is composed of three separate homogeneous regions, namely Jammu, Kashmir and Ladakh.

This observation, which Sir Owen Dixon had also made nearly two decades earlier, did not persuade the Commission that the State of Jammu and Kashmir ought to be broken up into its three component parts. Instead, it advocated the improvement of conditions in what might be termed the "minority" areas by means of special administrative arrangements and devices, Regional Development Boards and the like. The Sadiq administration paid lip service to the Commission's report; but in reality very little was changed. Sheikh Abdullah during his Jammu and Kashmir People's Conventions of 1968 and 1970 expressed an awareness of the regional problem in language which representatives from Jammu found most encouraging; but once in power he showed no greater enthusiasm for the implementation of the spirit of the Gajendragadakar Commission's Report than had G.M. Sadiq.

The disturbances in Jammu in early 1979, however, had sufficiently

alarmed Sheikh Abdullah that he resorted, as had Sadiq a decade earlier, to the expedient of a Commission of Enquiry (surely one of the oddest, and perhaps most pernicious, of all the legacies of British rule in the subcontinent). This was headed by yet another retired Chief Justice, S.M. Sikri. It must be admitted that the Sikri Commission, when it reported on 25 August 1980, did not advance much beyond the parameters set out by the Gajendragadakar Commission: it put its major emphasis on the establishment of a State Development Board chaired by the Chief Minister, that is to say Sheikh Abdullah.

It was evident that the problem of "regional imbalances" would not disappear. Indeed, increasingly the complaints of the people of Jammu were being reinforced by declarations of dissatisfaction from Ladakh, where the two leading politicians, P.P. Namgial (recently elected to the *Lok Sabha*) and Kushok Bakula, were both declared supporters of Indira Gandhi's faction of the Congress. By the first days of January 1981 it was evident that the kind of protest already experienced in Jammu was also breaking out in Ladakh, requiring the active intervention of agencies of Indian security in the State, the Border Security Force (BSF) and the Central Reserve Police (CRP). There were, inevitably, local factors at work here. The Ladakhi Buddhists, who were in the majority in the region, resented the decision during 1980 to revise Ladakh's *tehsil* structure so as to increase the importance of Kargil *tehsil*, with a largely Muslim population (both Twelver Shias from Baltistan and Sunni traders from the Vale of Kashmir). There was resentment, moreover, at the Muslim hold over most of the commerce in Ladakh, the result, it was believed, of Ladakh's position as an integral part of the State of Jammu and Kashmir. Kushok Bakula, who had been the spokesman for Ladakhi Buddhists for many decades, made no secret of his preference for the separate incorporation of Ladakh into the Indian Union (as some Ladakhi leaders had proposed as early as 1949); but, of course, this could not take place until Jammu, too, had been so incorporated as Dr. Karan Singh had advocated from time to time. Ladakhi agitation resulted in one gain for the region: the State Government agreed to some Ladakhis being declared members of "scheduled tribes" which entitled them to special assistance from New Delhi.

All this in one way or another implied an attack on Article 370. There was a clear threat to the unity of the State with the possibility that if Article 370 survived at all, it would only apply to the Vale of Kashmir; and there were abundant signs of an increasing inclination on the part of New Delhi to involve itself directly in the internal affairs of the State of Jammu and Kashmir, Article 370 or no Article 370.

Sheikh Abdullah during the course of 1980 made it abundantly

plain that this was not his vision of the future constitutional development of his State. In an address on 13 July 1980, that special day in Kashmiri political life, he declared that "no one would be allowed to enslave us again, whether it is India or Pakistan". He had not, it seemed, abandoned his dream of an independent State of Jammu and Kashmir, the Switzerland of South Asia, such as he believed he had worked for since at least the "Quit Kashmir" agitation of 1946. Indira Gandhi was extremely annoyed; and at a meeting with Sheikh Abdullah in New Delhi on 22 July she evidently made her feelings plain. Sheikh Abdullah backed down a bit, as he had so often done in the past, and said that he had been misunderstood. Indira Gandhi, however, was not convinced. One result was, it is probable, her decision to appoint her kinsman B.K. Nehru as the next Governor of Jammu and Kashmir. He would surely be more loyal to what she considered the essential interests of India than L.K. Jha had proved to be.

It was in an atmosphere of mutual distrust between New Delhi and Srinagar that the final episode in the political career of Sheikh Abdullah was acted out. During the course of 1981 Sheikh Abdullah resolved to loosen his grip on the reins of power and hand over to his son Dr. Farooq Abdullah, who became in August 1981 the President of the National Conference. Dr. Farooq Abdullah was now the heir apparent to his father. His views were by no means clear at this juncture; but such evidence as there was pointed to his advocacy of no less a degree of autonomy, at least a return to the pre-1953 position, for the State of Jammu and Kashmir than that championed by his father. He was, it would seem, more extreme in this respect than his brother-in-law G.M. Shah, who had apparently been passed over as Sheikh Abdullah's political successor. With Dr. Farooq Abdullah acting as his father's executive arm, the State embarked upon yet another confrontation, and in some ways the most serious since 1953, with New Delhi.

The issue arose over the status of refugees who had made their way into the State of Jammu and Kashmir as a consequence the various trials and tribulations of the history of the subcontinent since 1947. Some had come from what was now Azad Kashmir. Others had migrated from that territory which had become the Pakistani Punjab. Most of such people were now citizens of India. Were they also citizens of the State of Jammu and Kashmir? New Delhi argued that most of them were. Sheikh Abdullah disagreed. In any case, he made it plain, the question of who was or was not a citizen of the State of Jammu and Kashmir was a matter for the State to decide and not for the Government of the Indian Union. This complex matter was of great symbolic importance; and as such it related to other causes of friction between the Government of the State of Jammu and Kashmir and New Delhi which emerged during the course of 1981, like the

right of Indian Income Tax inspectors to mount raids on suspected defaulters and evaders in State territory.

The refugee issue came to a head during the course of 1982; and in its way it presented the greatest challenge yet by Sheikh Abdullah to the authority of New Delhi in his State. What seemed to have happened was that Sheikh Abdullah, on reflection, had detected in this question an interesting loophole through which much wider issues could be approached. What about refugees from the old State of Jammu and Kashmir who were now in Pakistan or Azad Kashmir? Would they too be citizens of the State, or, at least, have the automatic right to return there to live? If so, and if the decision on this point were a matter for the State and not New Delhi, then in effect the State could exploit it to establish a very real measure of autonomy. Not only could it decide on citizenship but also on entry to its territory by those from outside the Indian Union, and, perhaps, even grant its own visas. If this right were applied liberally towards the residents of Azad Kashmir, might not the cease-fire line (as was so dramatically seen with the Berlin Wall during the latter part of 1989) simply disappear? This was latent in the Resettlement Bill which Sheikh Abdullah adopted in March 1982, and which was in the process of being passed by the State Legislative Assembly when Sheikh Abdullah died on 8 September 1982. In its way it was as near to a formal declaration of the virtual independence of the State of Jammu and Kashmir as Sheikh Abdullah ever got since Maharaja Sir Hari Singh let him out of prison in late September 1947.

Dr. Farooq Abdullah, who succeeded his father as Chief Minister after a brief power struggle in which the claims of his brother-in-law G.M. Shah were once more rejected, had to cope with the consequences. The Governor, B.K. Nehru, referred the Bill back to the Legislative Assembly for reconsideration on 21 September 1982 on technical legal grounds. The Legislative Assembly passed it once again on 4 October. There was now a constitutional conflict between the majority in the Legislative Assembly and the Governor. Rather than make it the central issue of a major struggle with New Delhi (whose man the Governor was) at the outset of his administration, Dr. Farooq Abdullah allowed the Bill (technically, now, probably an Act) to be referred to the Indian Supreme Court. It did, after all, involve the State in matters of foreign policy, such as the admission into the territory of the Indian Republic of foreign citizens, which could be argued to be covered by the Union reserved powers provided for in Article 370. Dr. Farooq Abdullah agreed to be bound by the Supreme Court's decision, if and when it emerged. The Bill had yet to find its way through the labyrinthine corridors Supreme Court procedure when events so changed the nature of government in the State of Jammu and Kashmir as to make it quite irrelevant.

What Indira Gandhi and the President of India, Zail Singh,

thought while they attended Sheikh Abdullah's funeral on 10 September 1982 is not recorded. One thing was certain: there was scant probability that they would ever see the likes of Sheikh Abdullah again. From now on the politics of the State of Jammu and Kashmir would be very different.

1. I have relied greatly in this Chapter on the Chatham House Press Library. I have refrained from references to specific newspaper items.

2. India developed other motorable routes to Ladakh including one by way of Kulu and the upper Chandra valley in Lahul; but the Srinagar-Kargil-Leh road never lost its importance.

3. The text of the Accord is reproduced in many places. See, for example: Manzoor Fazli, *Kashmir Government and Politics*, Srinagar 1982, Appendix IV.

4. On the other hand, Muslim graduates found it much harder than Hindus with the same qualifications to get jobs in Jammu, so they, too, has good cause for discontent.

5. At the moment of writing, in October 1991, the Indian secular state appears to be on its deathbed. Perhaps, Lazarus-like, it will rise again: perhaps not. It seems more than probable that the Indian crisis in Hindu-Muslim relations of late 1990 will in one way or another have a significant impact on the future history of the State of Jammu and Kashmir.

6. See: Prem Nath Bazaz, *Democracy Through Intimidation and Terror. The Untold Story of Kashmir Politics*, New Delhi 1978, p. 26.

7. See: Bazaz, *Democracy*, *op. cit.*; Abdul Jabbar Ganai, *Kashmir and National Conference Politics (1975-1980)*, Srinagar 1984.

8. This marked the virtual end of the political career of Mirza Afzal Beg, who was already a sick man. He died on 11 June 1982 at the age of 74.

9. A similar measure had been defeated in the Indian *Lok Sabha*, but later became law in India.

10. He later returned to the Congress (I).

XV

INDIA'S FAILURE IN JAMMU AND KASHMIR 1977 TO 1990

After 1977 the position of India in the State of Jammu and Kashmir began to deteriorate despite the advantages it appeared to have acquired by the Simla Agreement of 1972 and the Kashmir Accord on 1975.[1] By 1991 (at the moment of writing) it has become apparent that the Indian Republic is faced with, at least in that part of the Vale of Kashmir which it occupies, what can only be described as a terminal colonial situation. It can hold its own solely by the application of force: the population does not welcome its presence and would not vote for the continuation of its control in any electoral process which was remotely free. At the same time, the old State of Jammu and Kashmir, uniting the Vale with Jammu and Ladakh in a special relationship with the rest of India under Article 370 of the Indian Constitution, has to all intents and purposes disappeared. Jammu and Ladakh have effectively been incorporated into the body of the Indian Union; and in this way the problem of the "regional imbalances" has been solved. How this state of affairs came about is the question which this Chapter must attempt to answer.

From the viewpoint of 1991, even though the story is by no means over and there is surely a great deal of evidence yet to come in, still it can be argued that the current Indian dilemma in the State of Jammu and Kashmir after 1977 derives from four major factors.

First: Pakistan, which seemed to have been removed from the Kashmir equation at Simla in 1972, became once more a major element in the situation. Pakistan could not be expected to go on for ever ignoring events next door which touched so deeply upon its own sense of national identity; and the participants in the political processes in the State of Jammu and Kashmir, at all levels of society, inevitably took note of Pakistan's interest.

Second: the increasing instability of the regime in the State of Jammu and Kashmir which became apparent after the death of Sheikh Abdullah obliged India to revise its own policy towards that State; and each modification of policy only served to unsettle an

already precarious balance of forces. The fact that there emerged no adequate substitute for Sheikh Abdullah was a serious blow for India. Sheikh Abdullah may not, to put it mildly, have always seen eye to eye with the powers that be in New Delhi; but he was *strong*. What came in his place had many of the qualities of a vacuum.

Third: the effectiveness of the central government of India was at the time of Sheikh Abdullah's death visibly in decline, not least because of the growing crisis of Sikh radicalism in the Punjab (in which Pakistan was to be accused by some Indians of playing a mischievous part). What seemed initially to be a sign of strength, the storming in June 1984 of the main Sikh shrine, the Golden Temple in Amritsar, soon turned into disaster: its direct consequence was the assassination of Indira Gandhi on 31 October 1984. With her went, we can now see, much of the political will at the heart of the Indian Republic. There was no immediate replacement of her calibre (her son Rajiv was certainly not such a one); and it may be that her place will not be taken at the helm of Indian affairs for a long time to come. At all events, this dramatic weakening at the centre, combined with the lessons suggested by the rise of Sikh separatism, undoubtedly both encouraged dissent in the State of Jammu and Kashmir and made it infinitely more difficult for New Delhi to cope with it. All this, of course, developed at a period when Pakistan, too, was showing signs of internal regional discord.

Fourth: by the time of Sheikh Abdullah's death, following the onset of the Iranian Revolution and the reactions to the Soviet invasion of Afghanistan, Muslim sentiment in South Asia was beginning to undergo a profound transformation. A new Islamic militancy, even among people who were traditionally regarded as being as docile as the Kashmiris were once thought to be, emerged. Such an altered pattern of attitudes posed security problems of extreme difficulty, a discovery which India and Israel were not alone in sharing with the Soviet Union. Repression, it now seemed, could only palliate: it could never cure. The countervailing rise of Hindu extremism in India, moreover, certainly has done nothing to calm and reassure the Muslims of the subcontinent.

Soon after Sheikh Abdullah won his election victory in 1977, the regime in Pakistan presided over by Zulfikar Ali Bhutto came to an abrupt end in a military coup on 5 July 1977. The Chief of Staff of the Pakistan Army, General Mohammad Zia-ul-Haq took control of the country under Martial Law, and Z.A. Bhutto was placed under arrest. Military control was also extended to Azad Kashmir where on 10 August the Assembly was dissolved and General Abdur Rehman Khan was put in command of the government until matters could in due course be sorted out following fresh elections.

There can be no doubt that many observers on the Indian side believed that the advent of the Zia military administration would

bring in its wake a revival of operations of the "mujahidin" pattern across the cease-fire line. It is probably significant in this context that from 1978 there were an increasing number of reports in the Indian press of Pakistani "infiltrators" making their way over into the Vale of Kashmir from Azad Kashmir. In August 1978 there was a lively debate in the Indian *Lok Sabha* on the border security in the State of Jammu and Kashmir after the Defence Minister, Jagjivan Ram, had revealed that 138 armed "Pakistani infiltrators" had recently been arrested while attempting to cross the cease-fire line. Was another Operation Gibraltar starting up?

The evidence, which (as perhaps is inevitable in such matters) is defective, rather suggests not. It is probable, however, that the fall of the Bhutto government had resulted in some temporary relaxation of controls on the Pakistani (and Azad Kashmiri) side of the cease-fire line. Z.A. Bhutto, ever since Simla in 1972, had been extremely careful to avoid accusations from New Delhi that he had *Tariq* (Operation Gibraltar) ambitions that could possibly be interpreted as a violation of his agreement with Indira Gandhi. There was always a certain amount of traffic, some of it by smugglers (carrying, among other wares, drugs), over the cease-fire line which could never be made absolutely impenetrable. No doubt the Indian border guards, now more on the alert as a result of events in Pakistan, were trawling in their nets larger catches of illegal frontier crossers than hitherto had been normal. The process continued in the following year, 1979, when Indian security also turned its attention to "spies", particularly in the Indian Army serving in the State of Jammu and Kashmir: by December at least seventy-four soldiers had been charged with espionage on behalf of Pakistan. Here again the truth is impossible to determine. The 1978 scare, at all events, seems to have been connected in some way with the announced completion by Pakistan and China of the Karakoram Highway; and it could well be that New Delhi was trying to make a propaganda point that this particular feat of engineering posed a military threat to India. What is certain is that troops on both sides of the cease-fire line were becoming more nervous, with increasingly itchy trigger fingers: from 1980 on, reports of minor clashes between patrols and sporadic outbreaks of firing become frequent.

The Zia administration, it is evident, had no desire to escalate the Kashmir dispute at this stage. Indeed, it seems to have concluded that the best way forward was to build on the Simla Agreement of 1972 and explore the concept of bilateral discussions upon which such emphasis had then been placed. It attached much importance to the negotiation of some kind of mutual Indo-Pakistani non-aggression agreement, another version of the old "No War Pact", in which joint machinery might by established to settle such local problems as might arise from the *de facto* situation in the State of Jammu and Kashmir.

During the course of 1982 Indo-Pakistani meetings at various levels explored this approach; but, it must be admitted, the results were meagre. The Indian side did not welcome the proposition, which one senior Pakistani diplomat was said to have advanced, that the position of the population in the State of Jammu and Kashmir on the Indian side of the cease-fire line was analogous to that of the native inhabitants of Namibia or the Palestinians in the West Bank and Gaza. The Indian side was also concerned at the level of military aid which Pakistan was receiving from the United States: what was it for? Could it all be explained just by the situation in Afghanistan? Further, India continued to be unhappy about the Karakoram Highway, in its eyes the supreme symbol of the Sino-Pakistani alliance: was it a military line of communication aimed at Indian territory, a way to outflank the Indian position in Ladakh?[2]

During this period, perhaps starting as early as 1978, what seemed to be a loophole in the 1972 Simla Agreement began to be exploited by both India and Pakistan. It had been, as we have seen, resolved at Simla that henceforth both sides would respect the cease-fire line (Line of Control or Actual Control) as of 17 December 1971, and "neither side shall seek to alter it unilaterally". Where exactly, however, was the line? The 1972 Agreement did not define it verbally. Along those stretches where Indian and Pakistani troops had actually been facing each other its position was not in serious doubt (and in practice its restoration was implemented very smoothly after the 1971 cease-fire took place, with one small exception). At its extreme northern end, however, the 1971 cease-fire line just faded away where it penetrated deep into the massifs of the Karakoram mountains amidst those high glaciers whence rose the Nubra River, a tributary of the Shyok which in turn joined the Indus. Here, in what came to be known as the Siachen (after the Siachen glacier), possibilities for initiative undoubtedly existed.

The undefined terminus of the cease-fire line was located somewhere in the high mountains to the south of a point which lay roughly half way between the Karakoram Pass, on the Sino-Indian border in Ladakh (which at this Pass was not, it would seem, disputed), and Mount K2 (the world's second highest peak, which used to called Mount Godwin Austen) on the Sino-Pakistani border as agreed in 1963. The cease-fire line did not run all the way up to this point on the borders of Chinese territory in Sinkiang for two reasons. First: nobody had ever been fighting in such inhospitable country. Second: this was where the cease-fire line approached a zone of particularly controversial international boundary definition. As we have seen, China and Pakistan had agreed in 1963 as to where their border in this region ought to be. India, however, had refused to accept the Sino-Pakistani alignment, arguing that it involved the cession by Pakistan to China of an extensive tract (more than 2,000 square miles)

of Indian territory in the Indian State of Jammu and Kashmir.[3] A joint Indo-Pakistani definition of the cease-fire line all the way to the Chinese border, in other words, would have posed considerable diplomatic difficulties. To meet Indian arguments, the line would have to be shown to extend into territory which Pakistan accepted was part of China. On the other hand, any acknowledgement by India of a line stopping at the Chinese border as defined by Pakistan would have profound implications since it would not only undermine India's own border claims *vis à vis* China but would also suggest that there existed some significant measure of agreement by India to Pakistan's right to have a border with China at all, which also, of course, meant Pakistan's right to be in occupation of tracts territory which had once been part of the State of Jammu and Kashmir.

The origins of the Siachen confrontation are mysterious. At some moment after 1978 either the Indians or the Pakistanis appreciated that this glacier region offered a route by which the cease-fire line could be outflanked without a technical violation of the 1972 Simla Agreement. Communications on the Pakistan side leading this way were certainly improved in the late 1970s when the K2 region was opened up to mountaineers; and the more adventurous climbers inevitably began to plan the conquest of those peaks to the east of K2 which lay in this virtual no man's land. Expeditions from the direction of Pakistan were soon opposed by what can only be called counter-expeditions from India mounted by the Indian High Altitude Warfare School. It was appreciated by policy makers in both India and Pakistan that the Siachen was of both symbolic and practical importance in the context of the Northern Areas. For India to dominate here beyond the accepted limits of the cease-fire line would be a first step (and one which, perhaps, did not violate the letter of the 1972 Simla Agreement) towards the eventual recovery of the old Gilgit Agency of the British Raj, the importance of which had never been forgotten by geopolitical thinkers in New Delhi as the key to the western end of the Northern Frontier. For Pakistan to pull back in the Siachen would be to admit the unthinkable, that the Northern Areas could yet be lost and the psychologically crucial land link with China might be severed. Hence in 1982 the Pakistan Army did not hesitate to send patrols to keep Indian parties off the Siachen. In 1984, in reply, the Indian Army turned up in brigade strength to try to secure the glacier for India. Pakistan replied by moving up its own forces. Thereafter followed a spasmodic history of patrol clashes and artillery competitions which are still in progress at the time of writing (1991).

The Siachen patrols and shelling did nothing to promote fruitful bilateral Indo-Pakistani discussions over the future of the State of Jammu and Kashmir. While in some ways a useful substitute for more serious armed conflict elsewhere, yet they served to inflame public

opinion. In 1984, when the Siachen skirmishes began to be widely reported internationally, Rajiv Gandhi (who was before the year was out to take over from his assassinated mother as Prime Minister of India) was talking about 'impending Indo-Pakistani war over Kashmir; and Indian sources were openly drawing attention to a linkage between the Siachen contest and the alleged Pakistani assistance to the Sikh separatists in the Punjab. The possibility of war was probably then still remote, unlike in 1990; but talking about it in this way certainly helped to distract Indian public opinion from what was actually happening to India's control over the political affairs of its part of the State of Jammu and Kashmir.

It did not take long for Dr. Farooq Abdullah to reveal that in essential ideas about the nature of the State of Jammu and Kashmir he was not far removed from the position adopted by his father in his final days. While assisting in calming down the furore over the Resettlement Bill by not opposing too strenuously its migration to the Indian Supreme Court, yet he reacted strongly to the public opposition which the Bill had produced among Hindus in Jammu, whom he described as "extremists". In Jammu the Resettlement Bill was seen as a proposal to put the Hindus (and Sikhs) even more in the minority in the State of Jammu and Kashmir than they had ever been before by admitting into the State large numbers of Muslim refugees, most of whom had fled their homes in 1947, from Azad Kashmir and Pakistan: it was not even clear whether among these refugees would be included Muslims who had never had any connection at all with the State. Dr. Farooq Abdullah's reaction to such Hindu protestors, above all members of the militant Hindu RSS, was to propose to ban all their political activities (and he applied this prohibition as well to those whom he considered Muslim extremists). An inevitable consequence was an increase in the volume of demands from Jammu that it be detached from the State of Jammu and Kashmir and integrated in some way into the Indian Union. It was difficult for Indira Gandhi, for electoral reasons elsewhere in India, to ignore entirely either the Hindu voices from Jammu or the growing evidence of the dictatorial tendencies of Sheikh Abdullah's son.

1983 was a year for elections in the Indian States. Indira Gandhi had originally hoped that in the State of Jammu and Kashmir the National Conference, under Dr. Farooq Abdullah, would join with the Congress (I) to campaign as an alliance in which the Congress (I) would have been allocated twenty-three out of the total of seventy-six elective seats. By April 1983 it had become apparent that this was but a dream. Relations between Dr. Farooq Abdullah and New Delhi were rapidly deteriorating; and the National Conference now announced that it had no option but to contest all seventy-six elective seats in the State. The Congress (I) replied that it, too, would fight all seats.

Hence the 1983 elections, which were held on 5 June, turned into a straight fight between the National Conference and the Congress (I), the latter party being presided over in the State by Mufti Mohammed Sayeed.

The 1983 State elections were remarkable for their violence. At one point, on 19 May, the offices of the Congress (I) in Srinagar were attacked by a band of demonstrators and set on fire. The Congress (I) blamed the National Conference for this outrage: the National Conference denied all responsibility. It was clear, however, that the Congress (I) had powerful enemies in the Vale of Kashmir. When the election results were in, it was apparent that, as in 1977, the National Conference had swept the Vale of Kashmir and had won forty-six seats in the Assembly (one less than 1977). The Congress (I), on the other hand, had enjoyed a landslide in Jammu: it ended up with twenty-six seats in the Assembly. The various Hindu parties such as the BJP and Janata made a very poor showing.

It had been Indira Gandhi's intention, as has already been noted, to fight this election in alliance with Dr. Farooq Abdullah in the hope that such a display of unity would permit the issue of the actual status of the State of Jammu and Kashmir within the Indian Union to be given the minimum publicity. In the event, this was the central issue of the campaign.

Dr. Farooq Abdullah, while careful not to challenge explicitly the finality of the State of Jammu and Kashmir's accession to India, yet maintained that Article 370, despite the massive erosion it had suffered over the years, still had very real meaning; and he demanded that the State should not be frustrated in exercising all its existing rights under that Article (and regaining lost ones, too).

Indira Gandhi's Congress (I), while it did not go out of its way to challenge in public the significance of Article 370, yet, because its only real strength lay in Jammu, found itself willy nilly the champion of adjusting "regional imbalances" by, it was certainly implied, strengthening the links between Jammu and the Indian Union the better to protect Jammu's largely non-Muslim inhabitants from the oppressive policies of the men in Srinagar. Thus in 1983 Indira Gandhi, who at the beginning had set out to conciliate Dr. Farooq Abdullah and bring about an effective National Conference-Congress (I) collaboration which would take the spotlight off the problem of the constitutional status of the State of Jammu and Kashmir, now found that the whole issue had been so polarised that she and Dr. Farooq Abdullah stood facing each other like boxers in the ring after the first round of what promised to be a long and bloody contest. It was as if Sheikh Abdullah were still alive and this was a repeat of what had happened after the Delhi Agreement of 1952 and the Kashmir Accord of 1975. Would Dr. Farooq Abdullah meet the same fate as had his father in 1953?

Violence in the State of Jammu and Kashmir was now endemic.

Immediately after the 1983 election, which supporters of the Congress (I) maintained had been rigged against them, there were severe riots in Srinagar which resulted in the imposition of a 24 hour curfew after several hundred people had been injured in clashes between supporters of the National Conference and any who seemed to oppose them. In October 1983 a cricket match in Srinagar between India and the West Indies touring side had to be abandoned when rubbish was hurled on to the pitch and a section of the crowd, evidently representing powerful Muslim feelings, chanted anti-Indian slogans. A feature of this increasing disorder was the degree to which "Muslim fundamentalism" contributed to it. In other words, this was more than a clash of parties on a specific occasion or over a specific issue. There was being injected into the Vale of Kashmir what can only be described as the first phase of a general Islamic rebellion against the Hindu domination of New Delhi.

In January 1984 the Congress (I) in the State of Jammu and Kashmir launched a new initiative by holding mass meetings and mounting demonstrations in the Vale of Kashmir, the object being to show that it was still a force to be reckoned with in this Muslim stronghold of the National Conference. The inevitable outcome was a fresh round of rioting and an increase of tension between the Congress (I) and not only the supporters of Dr. Farooq Abdullah but also Kashmiri separatist factions of a far more violent character. Dr. Farooq Abdullah called a most effective general strike in protest against the activities of the Congress (I) which, he said, had been responsible for all the trouble. Public disorder continued, apparently with no prospect of ever coming to a natural halt.

In 1984, moreover, the "terrorist" dimension in the law and order situation in the State of Jammu and Kashmir, which the Indian authorities had tried to exploit in 1971 with their emphasis on "Al Fatah", really did become a serious factor. Ironically, as we shall see, the 1971 "Al Fatah" returned, not as announcements to the press by senior policeman but as real men with real guns carrying out real assassinations. By March 1984 Indira Gandhi concluded that something was happening in the State of Jammu and Kashmir which promised to replicate the Sikh crisis in the Punjab. One such trouble spot was enough. On 26 March she dismissed her kinsman B.K. Nehru as Governor of Jammu and Kashmir and replaced him by Jagmohan Malhotra, a man of great determination whose abilities in suppressing communal disorders had been well displayed as Lieutenant-Governor of Delhi. It was a step which was certainly a violation of both the Kashmir Accord of 1975 and the Delhi Agreement of 1952. It put the very survival of Article 370 in doubt. It was the prelude to a revolution in India's relations with the State of Jammu and Kashmir and the beginning of what can only be described as a disaster.

Governor Jagmohan launched a subtle attack against Dr. Farooq Abdullah through the organisation of his own party, the National Conference. A split in the National Conference was carefully exploited so that, on 23 May 1984, a faction in the party resolved to expel Dr. Farooq Abdullah and replace him as President by his sister, Khalida Shah (married to G.M. Shah). On 2 July twelve National Conference members of the Legislative Assembly (supported by an independent) deserted Dr. Farooq Abdullah and declared for his brother-in-law (and longtime rival) G.M. Shah ("Gulshah"). Joined by the twenty-six members representing the Congress (I), there was just a majority for the rebels among the seventy-six elected members. Governor Jagmohan lost no time in declaring Dr. Farooq Abdullah dismissed and in asking G.M. Shah to head an administration in his place.

There was, inevitably, considerable tension in the Vale of Kashmir at this development; but the worst was avoided by pre-emptive measures taken by Jagmohan including the imposition of a curfew for 13 July, that special day in Kashmiri political life. Indira Gandhi shrugged off protests against these proceedings, perceived to be high handed in the extreme, from the Chief Ministers of a number of Indian States, West Bengal, Karnataka, Andhra Pradesh and Tripura, as well as by a group of opposition members in the *Lok Sabha*. On 31 July 1984 the Jammu and Kashmir Legislative Assembly was convened by Jagmohan; and it duly conferred a mandate on G.M. Shah by forty-three votes to nil. The proceedings were disorderly in the extreme, with the Dr. Farooq Abdullah faction walking out of the chamber shouting loud insults and the G.M. Shah faction physically ejecting the Speaker so that his place could be taken by a suitably tractable substitute.

This coup really marked the end of Article 370. Whatever the theory, the reality was that the G.M. Shah administration was the puppet of New Delhi ruling through the Governor. It completely failed to control the rising tide of violence which by early 1986 had attained a new intensity in a series of highly structured clashes between Hindu militants and any who chose to oppose them, not only in Jammu but also in Srinagar and other towns in the Vale. The Congress (I) representatives in the Legislative Assembly on 6 March 1986 withdrew their support for G.M. Shah, largely because of his inability to control the communal situation; and on 7 March G.M. Shah resigned. Governor Jagmohan thereupon announced the imposition of Governor's rule in the State and the suspension of the Legislative Assembly. In September Governor's rule gave way to direct rule of the State from New Delhi.

Rajiv Gandhi was evidently not prepared to abandon all hope of retaining at least the facade of democratic government in the State of Jammu and Kashmir. Prolonged direct rule could only exacerbate

relations with Pakistan, already tense, and it would certainly not strengthen his hand against the Sikhs in the Punjab. Accordingly, Rajiv Gandhi made overtures to Dr. Farooq Abdullah which resulted in some kind of *rapprochement* between Sheikh Abdullah's heir and the Congress (I) leader in the State, Mufti Mohammed Sayeed. In October Rajiv Gandhi met Dr. Farooq Abdullah and held several discussions with him, the precise nature of which are still not entirely clear (but there was certainly some kind of accord, the third between the Nehru dynasty and that founded by Sheikh Abdullah). In November 1986 direct rule was brought to an end, the suspension of the Legislative Assembly lifted, and Dr. Farooq Abdullah brought back as the head of the Government of Jammu and Kashmir in coalition with the Congress (I). The Legislative Assembly was immediately dissolved and fresh elections scheduled for March 1987.

The 1987 elections on the face of it restored the position more or less to what it had been before Jagmohan's coup of 1984. The National Conference under Dr. Farooq Abdullah won thirty-eight seats (a few less than had been won in the 1983 election), again concentrated in the Vale of Kashmir, the Congress (I) secured twenty-four seats with their power base in Jammu. A Hindu party new to the Legislative Assembly, the Bharatiya Janata Party (BJP) obtained two seats. On 27 March 1987 Dr. Farooq Abdullah was sworn in at the head of a National Conference-Congress (I) coalition administration (which was not supported by all National Conference members); and it could be at least argued that democracy had once more been restored to the State of Jammu and Kashmir. The evidence suggests that the 1987 elections were as unfree and unfair as any others held in the history of the State, with the arguable exception of those of 1977.

On 19 January 1990 the Governor, Jagmohan, confronted with a rapidly deteriorating security situation, and supported by the new coalition administration in New Delhi headed by V.P. Singh, which at the end of 1989 had been voted into power by the Indian electorate in place of Rajiv Gandhi, declared once more Governor's rule; and a month later the Legislative Assembly was dissolved.[4] On 25 May 1990 Jagmohan resigned as Governor of Jammu and Kashmir: Girish Saxena, who had been a security adviser to both Rajiv Gandhi and V.P. Singh, was appointed in his place. His daunting task was to restore order and maintain Indian control, come what may. This is as good a point as any at which to terminate our survey of the formal politics of the State of Jammu and Kashmir.

In India it has been convenient to blame the collapse of all vestiges of democratic government in the State of Jammu and Kashmir on the meddling of Pakistan. During the first half of 1990 there arose a constant outpouring of complaints by Indian official spokesmen that a new version of Operation Gibraltar was in progress, inspired, it may

be, by Benazir Bhutto in memory of her father; and at one moment the Prime Minister of India, V.P. Singh, warned the Indian people that they must morally prepare for war with Pakistan. The fall of the Bhutto administration in August 1990 removed any visible force from this particular charge; but undoubtedly the Indian side will still be inclined to detect Pakistani intrigues at work to destabilise Indian control in this territory so long disputed between the two nations. In fact, however, though the growing crisis in the internal stability of the State of Jammu and Kashmir since the late 1970s has been accompanied by its share of Indo-Pakistani friction, the causes of the current crisis have very little indeed to do with any Pakistani initiative.

There would seem to be two, albeit related, factors at work.

First: the Islamic component of Kashmiri politics, which to some degree was kept under control by Sheikh Abdullah, has now assumed such proportions that it cannot be contained by any non-Muslim administration, certainly not by the kind of direct control from New Delhi (which in the eyes of the Muslims of the Vale of Kashmir is a Hindu metropolis) such as been in force since the beginning of 1990. This Islamic component, of course, has a history which can be traced back easily enough to the crisis of 1931 (or, even, to the establishment of Islam in Kashmir centuries ago). Sheikh Abdullah's apparent secularism masked it; and the rift in Kashmiri politics of the 1930s weakened its impact. At times even Sheikh Abdullah, during his two periods of power, from 1947-53 and 1975-82, seemed to see his real power base as Islamic. There can be no doubt of the powerful presence of the Islamic factor; and, as has been suggested, perhaps the major fault of the British at the time of the Transfer of Power was to ignore it, seduced by the secular attractions of Sheikh Abdullah as expounded to Mountbatten by Jawaharlal Nehru, in devising their scheme for the Partition of their Indian Empire.

Second: in the 1960s a new element appeared which can only be described as "revolutionary" or "terrorist" (though, of course, one man's "terrorist" is another's "freedom fighter"). Its origins have already been touched upon in Chapter 13. It was greatly influenced by the interaction of Indian Intelligence with the consequences of Operation Gibraltar; and it made its first major appearance on the stage of the history of the subcontinent with the strange episode of the hijacking of the airliner "Ganga" in January 1971. It then went deep underground for a while, only to resurface in the 1980s, by which time it had turned into a movement, or series of movements, neither controlled (nor, perhaps, even influenced) by any Government. Even if a Muslim solution were found for our first category of Islamic activity, this violent element would probably remain like some deep seated cancer (as students of the modern history of Ireland will surely appreciate).

Both factors were enormously influenced by the Iranian Revolution

and the Soviet invasion of Afghanistan. The emergence of Ayatollah Khomeini on the world stage has affected Islamic politics as much in the Sunni world as in the relatively restricted area of Shia dominance in that it has demonstrated that powerful modern regimes, equipped with tanks and aircraft and all the arsenal of late 20th century warfare, can be overthrown by men armed, at least at the outset, with little more than faith in Islam. Kashmir, on any conventional scheme of classification, is not predominantly Shia in its outlook; but Khomeini's ancestors did, it would seem, live there for a while before settling in Khomein in Iran.[5] Khomeini in his own poetic compositions always referred to himself as "Hindi", the one from India, a name that his family also used. All this was certainly well known by the mass of Kashmiri Muslims. There was a rumour, widely believed, in Srinagar in early 1979, just after Khomeini had established his presence once more in Iran to assume personal direction of the Revolution, that he would shortly be coming to Kashmir to visit his ancestral home.

Among Muslim youth, particularly those with reason to feel oppressed or discriminated against such as existed in abundance in the State of Jammu and Kashmir by 1979, the inspiration was surely powerful. This was the background to the increasing importance of the Jaamat-i-Islami faction in the Vale of Kashmir.[6] The Jaamat-i-Islami was, in fact, closely associated with the Muslim fundamentalist movement in Pakistan of the same name.[7] Immediately following the execution of Z.A. Bhutto, the Jaamat-i-Islami was widely perceived in the Vale of Kashmir as being in some way involved with the Zia regime. Supporters of Bhutto blamed it for what they regarded as an outrage: hence, in the riots which broke out in Srinagar in April 1979 when news of the execution was received, the Jaamat-i-Islami was an object of attack; and the Sheikh Abdullah administration made no attempt to protect it.

This, however, was a temporary phenomenon. By the summer of 1980 the Jaamat-i-Islami, which was organised as a political party, had given rise to a youth movement, the Jamiat-i-Tulba, a body containing individuals who declared that they would bring an Iranian style solution to the problem of Indian dominion over Kashmir. In August 1980 Sheikh Abdullah, who was no more enamoured of Iranian solutions than Indira Gandhi, had leaders of the Jaamat-i-Islami arrested and a proposed convention of the Jamiat-i-Tulba in Srinagar banned. He declared that these bodies were getting money from certain oil rich Middle Eastern states (which he did not name). By 1983 the Iranian parallels were probably of little significance; and the Jaamat-i-Islami remained closely associated with similar Muslim fundamentalist movements in Pakistan. One of its leaders, Maulana Sa'aduddin, on a visit to Pakistan in 1983, however, stressed that the aim of the party was not so much to bring about union between the State of Jammu and Kashmir and Pakistan (which it neither

disapproved nor approved) but to secure the implementation of the will of the Islamic Kashmiri people: in other words, some form of plebiscite. By the middle of 1984 the energies of the party appear to have greatly declined: but a proliferation of small Muslim political organisations sprung up to take over where it had left off.[8] Thereafter there seem to have been various transient Muslim political alliances, such as the Muslim United Front which in 1987 combined no less than thirteen distinct parties under the leadership of such figures as Qazi Nisar Ahmad (a medical practitioner who was sometimes called the Mirwaiz of Southern Kashmir), Sayyed Ali Gailani (of the Jaamat-i-Islami), Professor Abdul Ghani, Abdul Ghani Lone and Ghulam Qadir Wani.[9] Formal party politics, it would seem however, did not offer much promise in face of the domination of the State by the National Conference and the Congress (I) with their proven skills in manipulating the electoral system.

An interesting feature of this period was the relative quiescence of Mirwaiz Mohammed Farooq and his Awami Action Committee which, while constantly critical of Dr. Farooq Abdullah and his apparent support for India, appears to have played a relatively minor part in active politics. The Awami Action Committee, of course, had never been a conventional political party which contested elections: it was (as we have seen in Chapter 10) a pressure group with its origins in the Kashmiri outrage at the disappearance of the *Moe-i-Muqaddas* in 1963. It would appear, however, that Mirwaiz Mohammed Farooq was growing increasingly disturbed by the rising level of violence in the State, particularly by the activities of the "terrorist" element that emerged in the 1980s; and he made no secret of his views. It may be that alone of the specifically Islamic actors on the Kashmiri political stage Mirwaiz Mohammed Farooq might have offered, had New Delhi wished to make use of him, some nucleus for a stable alternative to the National Conference. He represented the only other political tradition in the State which, like the National Conference and the Abdullah family, could be traced directly back to the great days of the early 1930s when the Maharaja's absolutism was so fiercely challenged: his Awami Action Committee, in the language of political genetics as it were, was certainly the closest surviving relative to the old Muslim Conference. India, however, showed no signs of willingness to take any step which would inevitably have raised, once more, the plebiscite issue (to which Mirwaiz Mohammed Farooq attached great importance) and thereby questioned the finality of the State of Jammu and Kashmir's accession to Pakistan. The assassination on 21 May 1990 in his Srinagar home of Mirwaiz Mohammed Farooq by persons unknown (who may have been Indian agents, or been acting on behalf of Hindu extremists, or could even have been those very "terrorists" of whom the Mirwaiz disapproved) ended for good this particular possibility.[10]

The rise of "terrorism" in the context of the State of Jammu and Kashmir has yet to be explained satisfactorily. Up to the 1980s the problems of the State had produced often enough violent demonstrations of one kind or another; but they tended (with one or two exceptions which we have noted) to be highly structured and limited both in space and time. The absence of violence against individuals was remarkable. Political leaders in the State of Jammu and Kashmir were not murdered (despite rumours from time to time of assassination plots), and neither they nor their families were kidnapped. The Vale of Kashmir which V.S. Naipaul visited in the early 1960s, more or less on the eve, indeed, of the *Moe-i-Muqaddas* crisis, was a calmish sort of place not all that different from that which E.M. Forster had described some thirty years before in his *A Passage to India*.[11] And so it remained, superficially, for another decade or so. It was quite possible to be a tourist in the Vale of Kashmir without becoming particularly aware of the underlying political tensions. Nor did the activists on behalf of the various political factions in the State of Jammu and Kashmir commit atrocities abroad, either in India or further afield. In the 1980s all this changed.

Perhaps a decisive moment in the transformation of the State of Jammu and Kashmir into the disaster area that it is today was the trial by an Indian Court in New Delhi of Maqbool Butt. He had been arrested in 1976 for an offence committed in 1966, and for which he had already been sentenced to death. His retrial only took place in 1981. The reasons for the delay are far from clear, and it would be futile to speculate about them. The previous sentence of death was confirmed, though execution was postponed for two years because of a temporary suspension of capital punishment in India. When, in early 1984, an execution date was finally fixed, numerous pleas of clemency from throughout the world were ignored. On 9 February 1984 the President of India turned down his final appeal; and on 11 February 1984 he was duly hanged in Tihar Prison, a high security establishment in New Delhi.

By 1984, it would seem, some of Maqbool Butt's former associates, including men whose names came to light in connection with the "Ganga" hijacking in 1971, had moved to England where, no doubt, they disappeared within the large Kashmiri Muslim community there. On 3 February 1984 a small group in some way associated with, or sympathetic to, these people, now calling themselves the Kashmir Liberation Army, kidnapped a senior Indian diplomat (Assistant High Commissioner), Ravindra Mahtre, in Birmingham, and demanded for his release a ransom of £1,000,000 and the freeing of a number of prisoners held in India including Maqbool Butt. Without waiting until the final Indian reply, however, on 6 February the kidnappers killed their victim and left his body in a wood near Leicester.

Those behind this killing declared that they were members of the Kashmir Liberation Army, an organisation which, so the British press reported, was related in some way to a body known as the Jammu and Kashmir Liberation Front which was just beginning to be talked about in the Vale of Kashmir as an force of some possible future significance. The leadership in the United Kingdom included ex-Major Amanullah Khan and one of the two hijackers of the "Ganga" in 1971; and in Rawalpindi Dr. Farooq Haider was still around to speak for the movement. More about all this came to light in England in 1985 during the course of the trial of two youths, Mohammed Riaz and Abdul Raja, for Mahtre's murder. It seemed that the present Jammu and Kashmir Liberation Front had been founded in the United Kingdom in 1977 after the original body from which it sprang had been rounded up by Indian security authorities in the State of Jammu and Kashmir (perhaps an event not unconnected with Maqbool Butt's capture). Its headquarters were in Luton; and there in September 1985 Amanullah Khan was arrested on a firearms charge. Five of his colleagues were deported. By this time the Jammu and Kashmir Liberation Front had obtained for itself a great deal of publicity by claiming, surely falsely, that it was responsible for the destruction of the Air India Flight 003 with the loss of all on board. In July 1986 Amanullah Khan was cleared in St. Albans Crown Court of the firearms charges because of the inability of the jury to reach a verdict. The Home Secretary, Douglas Hurd, thereupon, deported him despite appeals on his behalf by several Labour Members of Parliament and the support of the *Guardian* newspaper.

It was not until late 1988 or early 1989 that Amanullah Khan and his associates really began to affect the course of political life in the State of Jammu and Kashmir. They represented by no means the only organisation involved in the deterioration in the security situation the State: resistance factions, as is so often the case in such circumstances, had proliferated under a bewildering array of names, like, for example, "Hizballah", the "Tigers of Allah" and the "Al-Omar Mujahidin", and with mysterious affiliations.

Members of Amanullah Khan's group, however, were singled out as the main culprits by the Indian authorities to explain the change in the pattern of Kashmiri internal disorders. The by now traditional demonstrations and marches were being replaced by displays (sometimes carefully posed for foreign journalists) by youths armed with Kalashnikov assault rifles looking for all the world, and perhaps through no accident, like guerrillas in Afghanistan. The ending of the Soviet attempt to occupy Afghanistan had, no doubt, released a great deal of militant energy as well as supplies of weapons; and some of both probably found their way across the cease-fire line into the Vale of Kashmir.

To judge from press reports, by March or April 1989 the Vale of

Kashmir had been transformed from a trouble spot with a distinct character of its own into yet another of those Islamic confrontations with infidel overlords to which the world through its television screens had already grown accustomed by the reporting of the Palestinian *intifada*.

From the second half of 1989, and here perhaps one may detect the hand of Amanullah Khan's group, or at least its influence, politicians and prominent persons in the life of the State began to be attacked in a way which, though hitherto virtually unknown in Srinagar, would have seemed common enough in Beirut. The following are but a sample of what by the middle of 1990 had become a feature of daily life in the Vale of Kashmir.

On 15 September 1989 one of the leaders of the Bharatiya Janata Party (BJP) in the State, T.L. Taploo, was killed in his Srinagar home by two gunmen. As was to become habitual, the Indian authorities blamed "militant Muslim separatists" for the murder.

In December the daughter of Mufti Mahommed Sayeed, once leader of the Congress (I) in the State and now Home Minister in the Union Government, was kidnapped. Amanullah Khan from Rawalpindi claimed responsibility on behalf of the Jammu and Kashmir Liberation Front (JKLF), which had demanded the release by India of five Front members in exchange for the safe return of the young woman, Rubiya. The captives were promptly freed and Rubiya Sayeed was released unharmed: indeed, she had been treated by her captors with considerable kindness, so she said.

On 13 February 1990 the head of the State television service, L. Koul, was abducted. On 25 March a local politician, Ghulam Mustafa, also believed to be police informer, was found hanged (an Islamic faction claimed responsibility); and on the same day a veteran Kashmiri Communist, as well as notable poet, Abdul Satar Ranjoor, was killed.

On 6 April H.L. Khera, general manager of the Hindustan Machine Tools factory in Srinagar, was taken hostage along with Professor Mushir-ul-Haq, Vice-Chancellor of Kashmir University and his secretary, Abdul Ghani. The freeing of three Indian captives was demanded by a group which claimed to speak for the Jammu and Kashmir Students Liberation Front. When this was not forthcoming, on 10 April Khera was shot; and on the following day the bodies of Mushir-ul-Haq and Abdul Ghani were found.

On 10 April 1990 bombs exploded at two police stations in New Delhi to initiate a campaign of violence outside the limits of the State: a body calling itself "Mujahidin Kashmir" maintained that it had been responsible.

Within the State of Jammu and Kashmir the effects of the violence which so intensified in the latter part of 1989 was not confined to the Vale of Kashmir. In Ladakh, that land where usually tranquil

Buddhism prevailed, in July 1989 there began a series of communal riots in which Buddhists fought with Muslims as a consequence of a campaign for greater Ladakhi autonomy ("regional imbalances" again); and *en passant* a number of western tourists were attacked while making their escape from Leh. Into Jammu a trickle of Hindu refugees from the Vale turned into a flood: by the beginning of 1990 this part of the State had to cope with hundreds of thousands of displaced persons.

The Indian reaction to all this was predictable. The imposition of Governor's rule has already been noted. The State was closed to foreign journalists. In the Vale of Kashmir the Indian Army reinforced the existing security police, notably the Central Reserve Police Force (CRPF), in imposing an increasingly severe regime of curfews and the usual measures of house searches, arbitrary arrests and retaliatory punishment of the civil population in the Vale of Kashmir, accompanied by rapes and looting common in such situations, as well as the punitive destruction of houses, indeed of entire neighbourhoods. The process continues at the moment of writing in 1991; and it would serve no useful purpose to attempt to catalogue each episode in what was now to all intents and purposes an Indian military occupation of a conquered land. The number of killed now runs into the thousands, perhaps tens of thousands; and it rises daily. The political structure of the State of Jammu and Kashmir has evolved a long way indeed from the spirit of Article 370 of the Indian Constitution.

Inevitably, as the state of law and order in the State of Jammu and Kashmir, and particularly in the Vale, deteriorated, so did the authorities in New Delhi blame Pakistan as the *fons et origo* of all the trouble.

The worsening of Indo-Pakistani relations since 1982, when General Zia-ul-Haq still hoped for useful bilateral negotiations, was accentuated by three factors which we must now briefly examine.

First: the contest for title to the Siachen glacier, which had evolved into a regular military operation in 1984, never ceased. During 1985 conflict, albeit on a fairly small scale, accompanied by artillery exchanges, was almost continuous with over a hundred fatal casualties reported. In January 1986 discussions in Islamabad between S.K. Bhatnagar, Secretary of the Indian Defence Ministry, and the Pakistan Defence Secretary, Ijlal Haider Zaidi, at least established some ground rules and a reduction in the intensity of clashes. However, in 1987 there were further sporadic outbreaks of fighting; and in the beginning of 1988 the Indians introduced high altitude heavy-lift helicopters into a fray which had hitherto been dominated by artillery. In late early 1988 and early 1989, with the arrival of the Benazir Bhutto administration, another attempt was made to reduce tension in the Siachen by direct high level Indo-Pakistani negotiation.

It was generally agreed that it would be desirable for both sides to adhere to the Line of Control referred to in the Simla Agreement of 1972; but the question as to where that was exactly in the Siachen was no nearer to an answer. Rajiv Gandhi's public claim that all of the Siachen was part of India, which he first made in early 1988 and continued to reiterate, was hardly helpful to a lasting solution. In August 1989 Prime Minister Benazir Bhutto visited the Siachen front, thus confirming the importance that this issue had for her Government. The contest still goes on.[12]

The Siachen fighting had a tendency to overflow on to other sectors of the cease-fire line where its precise whereabouts, in the sense of the 1972 Simla Agreement, were not in doubt. While in one way, therefore, the Siachen contest could be described as having a high symbolic content, and serving almost as a substitute for more serious fighting elsewhere, yet it still increased tension to a degree that defeated that purpose. In any case, and this leads to the second factor, from the early 1980s the Indian Government was not too sure that it did, in fact, wish to improve its public relationship with Pakistan. A foreign enemy proved an extremely useful scapegoat upon which to lay blame for a wide range of troubles, notably the continuing Sikh problem in the Punjab.

A foreign enemy called for military preparations. In these years the Indian Army was only too ready to carry out exercises, such as the much heralded Operation Brasstacks, along the Indo-Pakistani border, the line which had been so profoundly influenced by Sir Cyril Radcliffe in 1947. One object, of course, was to try to seal off that border to the inevitable trans-frontier traffic, some perhaps directed towards assisting the Sikh separatists and some merely the product of an active smuggling trade in narcotics. It was very easy, moreover, to extend such measures into the State of Jammu and Kashmir. The logic of sealing the border to isolate the Sikhs applied equally well to those who were deemed to be opposing the Indian position in Kashmir. In 1988, for example, considerable Indian military effort was expended on the construction of a formidable barrier along the Jammu-West Punjab border and the Kashmir cease-fire line, a sort of Kashmir Wall. From the Pakistan side such activity could well seem threatening; and standard military prudence called for some contingency counter preparation. Here again was a situation in which tensions could only increase.

Finally: even without military displays along the Pakistan borders, the constant reiteration by Indian politicians that all the trouble was the result of Pakistan's interference in India's internal affairs, both in the Punjab and in the State of Jammu and Kashmir, stimulated a climate of public opinion which at the best of times was never inclined to give Pakistan the benefit of the doubt. In the run up to the 1989 election Rajiv Gandhi could not afford to appear weak on this issue;

and the government which V.P. Singh headed at the end of 1989 inherited what can only be described as a mandate for strong measures against Pakistan.

In all this Pakistan was in great measure an innocent victim. While it is quite possible that Sikh separatists did receive a measure of unofficial assistance by way of Pakistan, and there can be little doubt that there were individuals established on the Pakistan side of the Kashmir cease-fire line who felt it their duty to aid and assist the opposition to Indian rule that was in progress on the other side; yet in neither case was it the policy of Pakistan to destabilise India. The central issues both in the Punjab and in the State of Jammu and Kashmir derived from Indian policy and Indian actions of which Pakistan was in the main a spectator. Nothing that Islamabad could do would alter fundamentally the attitude of either the Sikh extremists or the Muslims of the Vale of Kashmir towards New Delhi. Pakistan, to meet Indian demands implicit or explicit, would have to accept some form of public humiliation, admit to a non-existent guilt, promise to remedy a fault the presence of which was not accepted.

In these circumstances it was unlikely that direct Indo-Pakistani negotiations at any level could produce results of significant value. The meetings between Rajiv Gandhi and Benazir Bhutto which took place in Islamabad in July 1989 resulted, not surprisingly, in no agreement. Benazir Bhutto favoured, as had all her predecessors, a plebiscite, such as had repeatedly been called for by the United Nations, as a solution to the Kashmir question. Rajiv Gandhi made it clear that this was quite impossible: the State of Jammu and Kashmir was an inalienable part of the Indian Union, and what went on there was a purely internal Indian matter in which Pakistan had no legitimate interest. After the arrival of V.P. Singh at the Indian helm, meetings between senior Indian and Pakistani diplomats, and at a higher level between Ministers of Foreign Affairs, were no more productive. In this respect neither the dismissal of the Benazir Bhutto Government in August 1990 and its replacement, following elections, by a new administration in October, nor the fall of the V.P. Singh administration in India, nor the end of its successor and its replacement by whatever may emerge following a fresh General Election (still in the future at the moment of writing in 1991) is likely to make any difference.

1. As in the previous Chapter, I have relied greatly here on the resources of the Chatham House Press Library; and I have omitted specific references.

2. The Karakoram Highway has already been referred to in Chapter 13.

3. Here was another consequence of the Indian decision to distort the implications of the 1899 Line as modified by Lord Curzon in 1905, which has already been discussed in Chapter 4.

4. Rajiv Gandhi has caused Jagmohan to be replaced by General (Retired) K.V. Krishna Rao as Governor of the State of Jammu and Kashmir in July 1989. On 18 January 1990, because of the growing crisis in the Vale of Kashmir, the new V.P. Singh Government brought Jagmohan back as State Governor to introduce stronger security measures. At the same time V.P. Singh gave his Minister of Railways, George Fernandes, special responsibility for Kashmir affairs with the brief to try and negotiate with the various separatist faction leaders. This policy of stick and carrot combined proved to be a total failure; and immediately after Jagmohan's dismissal in late May 1990 George Fernandes was stripped of his Kashmir duties.

5. See, for example: Amir Taheri, *The Spirit of Allah. Khomeini and the Islamic Revolution*, London 1985, p. 28.

6. The Jaamat-i-Islami party had won five seats in the Jammu and Kashmir Legislative Assembly in 1972 and one seat in 1977. It has been claimed that in 1977 it was supported by over 30% of the electorate.

7. The Jaamat-i-Islami movement was founded in 1941 by Maulana Abul Maudoodi. Originally opposed on theological grounds to the idea of Pakistan, after 1947 it became the advocate of the conversion of Pakistan into an Islamic State governed under the Sharia law. It was never an orthodox kind of political party, more a moral movement; and, as such, it survived martial law regimes in Pakistan rather better than other political groups. President Ayub Khan tried unavailingly to suppress it in 1963-64.

   It is interesting that a delegation from the Jaamat-i-Islami in Pakistan visited Teheran shortly after the outbreak of the Iranian Revolution to meet some of the leaders, including very briefly Khomeini, and to see what Islamic Revolution in practice was all about. Their conclusion, probably, was that in essence this could well be a pointer to the future; but in practice the Iranian Revolution was too Iranian to be a useful model elsewhere. Less sophisticated people, however, may not have appreciated these subtleties. See, for example: Munir D. Ahmad, "The Shi'is of Pakistan", in M. Kramer, ed., *Shi'ism, Resistance, and Revolution*, Boulder, Colorado, 1987, p. 285.

8. The Jaamat-i-Islami decided not to contest the 1983 State elections on the ground that to do so would be to endorse the State's accession to India. Most of its leaders were arrested in March 1985, including Syed Ali Shah and G.M. Shaffi.

9. Nearly all detained by Dr. Farooq Abdullah in 1987.

10. He was immediately succeeded as Mirwaiz by his teenage son Omar.

11. See: V.S. Naipaul, *Area of Darkness*, London 1964. The Srinagar that Naipaul described was no Beirut; and it would be a very different place today.

12. An interesting incidental consequence of the Siachen fighting was the Indian decision to purchase improved artillery suitable for this kind of fighting from the Swedish firm Bofors. Accusations of financial impropriety connected with this particular arms transaction undoubtedly contributed to the electoral defeat of Rajiv Gandhi in November 1989.

XVI
A FINAL WORD

In 1991 the future of the State of Jammu and Kashmir remains uncertain. There is no obvious solution in sight to the problem which has bedevilled Indo-Pakistani relations since 1947; and it would be foolish to make any predictions.

What is beyond doubt is that the State has now effectively been broken up into fragments which do not differ fundamentally from the various components examined by Sir Own Dixon when he devised his regional plebiscite proposals in 1950. Jammu is a Hindu tract bearing the added burden of Hindu refugees from the Vale of Kashmir. Ladakh, for all the visible signs of its Tibetan Buddhist tradition, is the Indian rear echelon to the great Sino-Indian confrontation along the Western Sector of the disputed border between the world's two most populous nations: not all Ladakhis may enjoy this position but there is very little that they can do about it. The bulk of Poonch (but less Poonch City), the heart of Azad Kashmir, along with Mirpur and Muzaffarabad, is wedded in its close alliance to Pakistan: only external force could lead to divorce. The Northern Areas, the old Gilgit Agency and its dependencies plus the conquests in Baltistan of 1947-48, has to all intents and purposes been integrated into Pakistan to which it provides the strategically vital road link with China. The real area of conflict (if we exclude the somewhat contrived battle-ground of the Siachen glacier) is confined to the Vale of Kashmir on the Indian side of the cease-fire line.

In 1991 this part of the Vale of Kashmir, now under the openly acknowledged direct rule of New Delhi, is occupied by a massive Indian force, perhaps 300,000 strong, which cannot be dislodged but which, at the same time, is extremely unlikely ever to persuade the Muslim inhabitants of the region to look upon India as anything but an oppressor. The Kashmiri opposition, what India calls the "Muslim separatists", seems to be divided. One faction, presided over by the Jammu and Kashmir Liberation Front, that organisation which we first encountered in this book in connection with the "Ganga" hijacking in 1971 and still led by Amanullah Khan and Dr. Farooq Haider, advocates total independence for a Kashmir State, free from both India and Pakistan. Other groups, including one now calling itself the "Hizbul Mujahidin", seem to favour some form of close association with Pakistan. The followers of neither tendency have much prospect at present of driving the Indians out. They can, however, continue to damage the Kashmiri economy, particularly the tourist industry; and the cost to India of security measures in Kashmir is considerable. India's violent reaction, moreover, inevitably tarnishes its international image as a state claiming to be dedicated to the moral precepts of Mahatma Gandhi. Indian repressive measures in the Vale of Kashmir, including curfews, pillage, random killings, rapes and the destruction on a large scale of civilian habitation, have not received a good press (even in India).

What can India do? There is always the possibility of an attack on Pakistan following the argument, for which the evidence is ambiguous, that it is here

that the inspiration for "separatism" is to be found. Previous Indo-Pakistani conflicts, as we have seen, have been remarkable in their failure to produce a satisfactory solution in Kashmir. It is unlikely that a further war will do better; and it could well do much worse. There are, of course, other possibilities. It would, in theory at least, be possible to swamp the Muslim population of the Vale of Kashmir by importing Hindu settlers. Article 370 of the Indian Constitution prohibits such a policy; but Article 370 is now little more than an historical curiosity. It would even be possible, again in theory, to get rid of the Muslims altogether. As some Hindu fundamentalists have been remarking of late, the Indian Muslims were once Hindus. Why not give them the choice of either reconverting or going to join their fellow Muslims somewhere else? In practice all these possibilities are fraught with difficulties, tempting though they may be to some politicians in the India of today. Any objective analysis of the present Indian policy in the Vale of Kashmir will surely lead to the conclusion that there is no achievable objective beyond the maintenance of the far from happy *status quo*. India, following in the footsteps of its former British rulers, has created for itself its own giant version of Ulster.

The absurdity of the present situation is that, really, it is quite pointless. Whatever geopolitical advantages there might have once been in theory for the Indian control of the line of access to the eastern end of the Northern Frontier in Ladakh, they no longer have the slightest relevance. The Chinese are not going to be dislodged from the Aksai Chin. Moreover, from the Aksai Chin, they are not going to invade the subcontinent as once did various Turks and Afghans across the North-West Frontier: they pose no danger to Indian security. Nor is the rate of disintegration of the Indian Union, a process which is probably now inevitable, going to be altered significantly for the worse by adopting less proprietorial policies towards Jammu and Kashmir of the kind which ought to have been applied at the time of the Transfer of Power in 1947. Kashmir is a special case, with its own unique history; and it creates no precedents for other special cases such as the Sikhs or Assam or the peoples of the Dravidian south.

Without the geopolitical arguments one is left with the legal ones. The Vale of Kashmir belongs, it is declared, to India by right and, accordingly, India has the moral duty to defend it. But, as we have seen in the first Part of this book, the legal position is far from clear: indeed, a good case can be made that India has no business at all to be in the Vale of Kashmir. Be that as it may, there can be no moral justification for the actual policy of repression currently pursued there by the Government of India.

There are powerful arguments, indeed, for a return to basics, to the situation as it existed at the time of the Transfer of Power in India in 1947, and to the exploration of fresh approaches to the problem of the future of the State of Jammu and Kashmir. In a real sense this was what Sir Own Dixon tried to do in 1950 when he analysed the structure of the State and demonstrated that it consisted of a variety of components, each capable of being dealt with in a different way. Whether sufficient objectivity on the part of the politicians of the subcontinent is today practicable remains to be seen. Perhaps not. Without it, however, one can be sure that the unhappy Kashmir saga will continue to the benefit of none and the detriment of all.

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INDEX

Abbottabad, 275.

Abdali Afgahans. See: Durrani Afghans.

Abdul Ghani, 334.

Abdul Ghani, Secretary to Mushir-ul-Haq, 337.

Abdul Ghani Lone, 334.

Abdul Hamid Khan, 254.

Abdul Qadeer, 89, 90, 91.

Abdul Raja, 336.

Abdul Satar Ranjoor, 337.

Abdullah, Begum Akbar Jehan, 93, 108, 109, 119, 203, 282, 303, 311, 312.

Abdullah, Dr. Farooq, 195, 312, 319, 320, 327, 328, 329, 330, 331, 341.

Abdullah, Khalida. See: Khalida Shah.

Abdullah, Sheikh M., 15, 17, 89, 90, 91, 93, 108, 109, 110, 111, 115, 116, 117, 129, 130, 132, 135, 136, 137, 138, 139, 144, 151, 153, 154, 157, 159, 160, 165, 166, 169, 170, 172, 173, 175, 176, 178, 183, 184, 185, 186, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 203, 206, 207, 208, 209, 210, 213, 215, 221, 224, 225, 257, 258, 280, 281, 282, 283, 285, 286, 287, 290, 292, 301-320, 323, 327, 328, 331, 332, 333, 334. Political views of, 93, 94, 95, 100, 167, 185, 186, 187, 188, 190, 193, 195, 197, 198, 199, 210, 212, 303, 304, 311, 314, 319, 332. Arrest, 1953, 201. Arrest 1958, 202, 203. Arrest 1965, 202, 209, 257. Release 1958, 203. Release 1964, 207, 208, 209, 248, 271. Release 1968, 282. Dismissal of 1953, 174, 176, 186, 189, 198, 199, 200, 201, 209, 214, 224, 225, 247, 307. Externment 1971, 286. Death, 320, 321, 323.

Abdullah, Tariq, 283, 298, 312.

Abdur Rahman, Amir of Afghanistan, 32.

Abdur Rehman Khan, General, 323.

Abell, Sir G., 112, 139.

Abul Kalam Azad. See: Maulana Abul Kalam Azad.

Accession, Instrument of, 5, 126, 136, 137, 138, 142, 145, 151.

Accession, Jammu and Kashmir, 2, 6, 7, 83, 108, 110, 111, 115, 127 ,131, 134, 135, 136, 150, 151, 156, 165, 167, 170, 173,174, 193, 200, 217, 231, 232, 250, 258, 285, 304, 307, 311, 334.

Accession, Junagadh, 127.

Accession, Mysore, 191.

Accession, Patiala, 131.

Action Committee, 206.

Addis, Sir John, 81.

Afghanistan, 7, 8, 9, 16, 18, 19, 20, 27, 28, 29, 32, 33, 36, 39, 40, 41, 46, 58, 70, 77, 107, 123, 148, 149, 238, 245, 260, 323, 325, 330, 333, 336.

Afridis, 148.

Afro-Asian, 230, 254, 264, 265, 269.

Afro-Asian Conference, Algiers, 209.

Aga Khan, 10, 48.

Agartala Conspiracy, 284, 285, 290, 298.

Agha Shahi, 180, 287.

Agnew, Vans, 20, 45.

Agreements. See: Treaties.

Ahmad Ullah Hamadani, Mirwaiz, 92.

Ahmadiya, 10, 86, 90, 92, 93.

Ahmedabad, 282.

Air Transport, 60, 77, 140, 284, 285, 289, 290.

Aitchison's *Treaties*, 74, 81.

Akali Sikhs, 123.

Akbar, Emperor, 9.

Akbar Khan, Ex-Major-General, 124, 132, 163, 259, 262.

Akhnur, 262.

Akhtar Hussain Malik, Lt.-General, 272.

Aksai Chin, 15, 19, 23, 24, 25, 26, 37, 41, 42, 46, 47, 51, 56, 66, 67, 70, 72, 73, 75, 76, 81, 163, 196, 216, 229, 233, 244.

Aksu River, 32.

"Al Fatah", 286, 287, 329. See also: "Mujahidin".

Algiers, 209, 257.

Aligarh Muslim University, 88, 90, 91, 310.

All India Radio, 138.

All-India States' People's Conference. See: States' People's Conference.

"Al-Omar" Mujahidin", 336.

Altai Mountains, 21.

Amanullah, King of Afghanistan, 77.

Amanullah Khan, Ex-Major, 291, 292, 336, 337.

Amb, 6.

Ambans, 21.

America, 17, 138, 150, 162, 175, 180, 181, 189, 190, 200, 201, 211, 212, 226, 227, 228, 229, 230, 231, 237, 238, 240, 241, 263, 264, 267, 269, 275, 278, 291, 294, 295, 325. See also: Arms to Pakistan, 240, 241, 256; Arms to India, 241, 242.

Amritsar, 111, 112, 119, 288, 223.

Amritsar, Treaty of, 1846. See: Treaties.

Anantnag, 282, 304, 305.

Andhra Pradesh, 330.

Angle, Brig. H., 169.

Anjuman-i-Hamdard Islam, 86.

Anjuman-i-Islamia, 86.

Anjuman-i-Tahffuz-i-Namaz-wa-Satri-Masturat, 86.

Anjuman-Nusrat-ul-Islam, 85, 86.

Arabs, 101.

Aral Sea, 20.

Ardagh, Sir John, 27, 34, 35, 36, 40, 43, 47, 70, 77.

Argentina, 180.

Article 370, 190, 191, 192, 193, 197, 198, 208, 212, 247, 248, 251, 258, 301, 302, 303, 307, 308, 309, 314, 318, 320, 322, 328, 329, 330, 338.

Arya Samaj, 85.

Asghar Khan, Air Marshal, 260.

Assam, 244, 245.

Assam Himalayas, 41, 58, 68, 73, 234, 238, 240, 245.

Astor, 10, 27, 61.

Attlee, Clement, 101, 148, 170, 220, 232.

Auchinleck, Sir C., 121, 141, 152, 159, 180.

Arungzeb, Emperor, 205.

Austin, G., 212.

Australia, 170, 171, 220.

Australian National University, 157.

Awami Action Committee, 206, 257, 285, 307, 313, 316, 334.

Awami League, 284, 294.

Ayatollah Khomeini. See: Khomeini, Ayatollah.

Ayub Khan, President M., 188, 208, 234, 235, 236, 237, 238, 240, 241, 242, 244, 245, 246, 247, 250, 251, 252, 254, 256, 257, 258, 260, 264, 266, 268, 269, 270, 274, 277, 278, 283, 292, 341. Proposes rapprochement with India, 236, 237, 247. Visits China, 254.

Ayyengar, Sir Gopalaswami, 144, 145, 161, 165, 191, 213.

Azad Kashmir, 10, 124, 135, 139, 151, 154, 155, 160, 161, 162, 163, 166, 170, 171, 172, 174, 176, 178, 179, 188, 189, 192, 193, 200, 206, 208, 211, 214, 215, 218, 221, 226, 227, 239, 254, 258, 259, 260, 261, 262, 271, 285, 293, 304, 305, 309, 316, 320, 323, 324, 327. Constitution of, 309.

Azghar, 34, 35, 37, 39, 40, 41, 78.

Babusar Pass, 56, 60, 61, 275.

Bagge, A., 244.

Bagrote Nullah, 62.

Bahawalpur, 6.

Bajpai, Sir G.S., 218.

Bakras, 93, 206.

Bakshi Ghulam Mohammed, 92, 94, 144, 184, 194, 198, 199, 200, 201, 202, 204, 205, 206, 207, 208, 209, 210, 211, 213, 247, 248, 248, 303. Early history, 201.

Bakula, Kushok, 196, 197, 318.

Baldev Singh, 130, 131, 135, 136, 142, 161.

Balkan, Plan, 102.

Baltistan, 3, 10, 79, 89, 162, 163, 170, 172, 180, 188, 189, 196, 200, 214, 218, 318.

Baltit, 27.

Baluchistan, 50, 107, 266, 299.

Bandung, 230, 243.

Bangladesh, 1, 2, 221, 244, 296, 299.

Banihal Pass, 11, 15, 16, 186, 262.

Bannerji, Sir Albion, 88.

Bar Council, 103.

Baralacha Pass, 15.

Baramula, 143, 145.

Bari Doab Canal, 245.

Bash Andijan, 34, 35, 39, 40, 41, 78.

Basic Democracy, 188.

Batala, 103.

Batra, R.L., 129, 134, 135, 136, 142.

Battenberg Family, 120.

Bazaz, Prem Nath, 89, 92, 93, 98, 312, 313.

Beas River, 235.

Beaumont, C., 112.
Bebler, A., 257.
Begar, 49, 83, 84.
Beijing. See: Peking.
Beirut, 337, 341.
Belgium, 180.
Bell, Sir C., 50.
Bengal, 103, 218, 219, 221, 235, 243, 244, 245, 254, 284, 295, 330.
Berubari, 235, 245.
Beyik Pass, 51.
Bhatnagar, S.K., 338.
Bhopal, Nawab of, 111.
Bhutan, 223.
Bhutto, Benazir, 127, 332, 338, 339, 340.
Bhutto, Sir Shah Nawaz, 127, 128, 271.
Bhutto, Zulfikar Ali, 127, 188, 237, 252, 253, 258, 259, 266, 268, 270, 271, 272, 274, 277, 283, 288, 289, 296, 297, 298, 305, 308, 309, 323, 324, 333.
Biddulph, J., 29.
Binaghi, W., 288.
Birdwood, Lord, 12, 145.
Birmingham, 335.
BJP (Bharatiya Janata Party), 328, 331, 337.
Bofors, 341.
Bokhara, 20.
Bolton, 312.
Bombay, 90.
Book of Knowledge – Children's Encyclopaedia, 304, 305.
Bott, Major, 90.
Boxer Rising, 38.
Brahmaputra Valley, 241.
Braldu River, 34.
Brecher, M., 105, 120.
Britain. Arms for India, 273. Arms for Pakistan, 264, 269, 273, 275. Cabinet, 101, 102, 148. Competition with Russia in Central Asia, 29, 32, 40, 41, 59, 64. Embassies to Eastern Turkistan, 24, 25. Fear of German and Turkish influence in Sinkiang, 40. Foreign Office, 71, 150. House of Commons, 74. House of Lords, 74. Mediation, Rann of Kutch, 256.
Brown, Major W., 57, 118, 161, 179.
BSF (Border Security Force), 291, 318.
Bucher, Sir F.R.R., 141, 164.
Buddhists, 9, 10, 156, 174, 175, 196, 217, 224, 279, 301, 311, 314, 318.
Budh Singh, Sardar, 211, 213.
Bulganin, Nikolai, 230, 278, 309.
Bunji, 28, 30, 56.
Buriats, 78.
Burma, 52, 58, 72, 223, 237, 242, 245.
Butler, R.A., 59, 77.
Butt, Maqbool Ahmed, 290, 291, 292, 293, 335, 336.
Buzurg Khan, 21.

Cabinet Mission to India, 1946, 5, 7, 15, 94, 100.
Calcutta, 24, 29, 66, 69, 90, 207, 239, 243, 271.
Calphate. See: Khilafat.
Campbell-Johnson, A., 145.
Canada, 169, 170.
Canals, 219, 234, 235, 245.
Canberra, 157.
Caroe, Sir O., 58, 59, 67, 69, 71, 73, 74, 76, 78, 80, 81, 82.
Caribbean, 281.
Cayley, Dr. H., 24.
Cease-fire Line, 162, 163, 170, 175, 179, 185, 192, 221, 228, 231, 238, 239, 242, 250, 252, 258, 262, 281, 294, 297, 320, 324, 325, 339.
CENTO (Central Treaty Organization), 227, 228, 263, 266.
Ceylon, 223.
Chalt, 30.
Chamdo, 244.
Chandra River, 15, 321.
Changchenmo, 25, 26, 27, 47, 66, 70.
Chaprot, 30.
Charan Singh, 314, 316.
Chatham House, 321, 340.
Chaudhri Ghulam Abbas, 92, 93, 95, 99, 109, 116, 130, 188, 189, 211, 271, 310.
Chaudhri Hamidullah Khan, 95.
Chaudhri Muhammad Ali, 119, 120, 230.
Chelmsford, Lord, 42.
Chen Yi, Marshal, 268.
Chenab River, 11, 12, 234, 235, 239.
Chhadbet, 272.
Chhamb, 262, 295, 296.
Chhewang Rigzin, 196.
Chiang, General in Kashgar, 65.
Chiang Kai-shek, 43, 76.
Ch'ien Lung, Emperor, 21.
Chilas, 10, 27, 56, 61, 275.
Chillianwalla, Battle of, 44.
Chin Shu-jen, 43, 53, 54, 61, 76.

China, 7, 8, 11, 15, 18, 19, 20, 21, 22, 23, 26, 27, 28, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 53, 58, 59, 65, 66, 67, 68, 69, 70, 73, 75, 102, 142, 148, 149, 181, 196. 1899 British Note to China (and 1905 modifications), 37, 39, 40, 41, 42, 43, 50, 51, 56, 62, 64, 65, 66, 67, 69, 70, 71, 73, 74, 75, 78, 79, 82, 142, 146, 340. Muslim revolt in Central Asia, 20, 21, 43, 54, 66. "Peaceful Liberation of Tibet", 197, 244. People's Republic of, 26, 39, 69, 70, 71, 72, 73, 81, 197, 209, 223, 229, 230, 233, 234, 236, 238, 240, 241, 244, 249, 251, 253, 254, 257, 264, 266, 267, 268, 269, 275, 276, 278, 294, 295, 308, 324, 325, 326. Ultimatum to India 1965, 267, 268. See also: Manchu Dynasty; Sinkiang; Sino-Indian Boundary Dispute.

Chinese Communists Long March, 58.

Chinese Republic, flag of, 68.

Chinese Revolution 1911, 40, 51.

Chinese Turkistan. See: Sinkiang.

Chitral, 6, 27, 28, 29, 31, 48, 50, 56.

Chou En-lai, 72, 73, 81, 209, 257.

Christianity, 49, 88, 143, 145, 304.

Chu, Mr., Chinese surveyor, 68.

Chumbi Valley, 50, 267.

Chundrigar, I.I., 234.

Chungking, 68.

Churchill, Lord Randolph, 16, 30.

Churchill, Winston, 220.

Cold War, 179, 200, 228, 230, 233, 258, 263.

Columbia, 180.

Columbo, 294.

Colvin, Colonel E.J.D., 60, 91.

Commonwealth, British, 221, 264.

Commonwealth Prime Ministers, 220, 221, 225. 1951 London Conference, 220. 1953 London Conference, 225.

Communists, 185, 207, 227, 228.

Congress, 93, 95, 96, 102, 110, 119, 153, 201, 203, 204, 208, 251, 281, 282, 308, 309, 310, 312, 313, 314, 317,

Congress (I), 315, 316, 317, 318, 321, 328, 330, 331, 334, 337.

Congress, Pradesh, 282, 303.

Constantinople, 52.

Constituent Assembly, 184, 186, 191, 192, 194, 195, 196, 197, 199, 200, 202, 204, 212, 221, 279. Elections for, 192.

Cossacks, 32, 40, 242.

Cricket Match, 329.

Crown Representative, 4.

CRP or CRPF (Central Reserve Police), 318, 338.

Curzon, Lord, 13, 38, 39, 40, 54, 62, 64, 69, 70, 71, 78, 242, 243, 340.

Czechoslovakia, 169, 180.

Dakota Aircraft, 140.

Dalai Lama, 78, 233.

Dalip Singh, 29, 49.

Darband. See: Darwaza.

Dardanelles, 42.

Dardic Languages, 10.

Dardistan, 9, 10, 20, 27, 28, 29, 31.

Darwaza, 34, 37, 39, 54, 64, 70, 79.

Dave, P.K., 286.

Deccan, 6.

Deedar (Verification), 205, 206, 207.

Defence Committee, Indian. See: Indian Defence Committee.

Delhi, 58, 70, 71, 72, 73, 90, 96, 97, 108, 110, 112, 122, 129, 130, 132, 134, 149, 153, 161, 166, 174, 180, 187, 189, 191, 193, 196, 199, 201, 207, 209, 210, 215, 219, 223, 225, 226, 230, 233, 234, 235, 239, 240, 244, 247, 251, 253, 254, 261, 263, 269, 271, 278, 279, 281, 282, 286, 287, 289, 291, 293, 295, 302, 303, 307, 308, 309, 312, 313, 314, 317, 318, 319, 320, 323, 324, 326, 329, 330, 332, 334, 335, 337, 338.

Delhi Agreement 1953, 167, 194, 198, 309, 312, 328, 329.

Democracy Through Intimidation and Terror, 312.

Desai, Morarji, 313, 314, 316.

Dhar, D.P., 130, 194, 198, 203, 281, 294, 306.

Dharbani, 272.

Dhyan Singh, 8, 14.

Din Mohammed, 104.

Dipalpur Canal, 245.

Dir, 6, 31, 50.

Disraeli, B., 29.

Dixon, Sir Owen, 12, 171, 173, 174, 175, 176, 180, 181, 197, 199, 200, 215, 219, 220, 225, 226, 283, 317. Report to UN, 12, 171, 172, 173.

Dogra, G.L., 211, 213.

Dogra, Prem Nath, 198.

Dogra Sabha, 85.

Dogras, 7, 9, 10, 12, 14, 20, 25, 28, 30, 49, 57, 58, 74, 84, 94, 97, 115, 129, 134, 161, 167, 186, 187, 217.

Domel, 133, 134, 154, 155.

Dorjiev, Agvan, 78.

Downing Street, No. 10, 220.
Drug Smuggling, 324, 339.
Dulles, John Foster, 228.
Durand, Algenon, 30.
Durand, Sir M., 32.
Durand Line, 32,
Durrani, Ahmad Shah, 9.
Durrani Afghans, 16.
Dyarchy in Jammu and Kashmir, 57, 94, 184.
Dwarka, 263.
Dykes, Colonel and Mrs., 145.
Dzungaria, 21.

East India Company, 6, 8, 15, 19.
Eastern Turkistan. See: Sinkiang.
Eastern Turkistan Republic, 69.
Economist, 268.
Egypt, 34, 50.
Elgin, Lord, 33, 36, 38.
Elias, Ney, 30.
Elmhirst, Air Marshal Sir T., 140.
Enclaves, 4, 235, 245.
Engels, F., 89.
Entezam, Nasrollah, 257.
Evacuee Assets, 219.

Farooq Haider, Dr. See: Haider, Dr. Farooq.
Fateh Kadal Reading Room, 91.
Faridkot, 119.
Ferghana, 32.
Fernandes, George, 341.
Ferozepore, 112, 113, 115, 119, 295.
Firyubin, N.P., 278.
Fleming, Ian, 76.
Fleming, Peter, 58, 59, 76, 78.
Fokker Friendship Aircraft, 287. See also: "Ganga".
Foreign Affairs, 237.
Forster, E.M., 335.
Forsyth, Sir T.D., 24.
France, 181. Arms for India, 273.
"Frontier Gandhi", 95.

Gabriel, Archangel, 304.
Gadra, 263.
Gajendradakar, Justice P.B., 317, 318.
Gandhi, Indira, 100, 195, 278, 281, 282, 285, 294, 295, 296, 297, 301, 302, 303, 305, 306, 309, 312, 313, 314, 316, 317, 318, 319, 320, 321, 323, 324, 328, 329. State of Emergency 1975, 312. State visit to Srinagar, 309. Assassination, 323, 327.
Gandhi, Mahatma, 87, 110, 119, 129, 201.
Gandhi, Rajiv, 195, 208, 323, 327, 330, 331, 339, 340, 341.
"Ganga", 287, 288, 290, 291, 293, 299, 333, 335, 336. Hijackers of, 291, 293, 335, 336.
Gansara Singh, Brig., 118.
Gaza, 325.
Geneva, 256.
George VI, King, 120.
Germany, 40, 68, 185.
Ghazan Khan, Mir of Hunza, 79.
Ghazi, Col. T.D.K., 299.
Ghulam Abbas. See: Chaudhri Ghulam Abbas.
Ghulam Mohammed, 125.
Ghulam Mustafa, 337.
Ghulam Qadir Wani, 334.
Gibraltar, 125, 259. See also: Operation Gibraltar,
Gilgit, 9, 10, 11, 17, 18, 19, 20, 27, 28, 29, 30, 45, 55, 60, 66, 67, 68, 80, 107, 132, 149, 161, 162, 170, 214, 218, 275, 276, 285. Airfield at, 60.
Gilgit Agency, 17, 18, 27, 29, 30, 31, 34, 41, 47, 56, 57, 58, 59, 60, 61, 62, 63, 68, 69, 76, 78, 79, 90, 107, 111, 122, 123, 149, 151, 166, 172, 179, 188, 189, 196, 200, 215, 276, 326.
Gilgit Lease, 1935, 48, 59-61, 67, 74, 75, 77, 106, 107, 118, 119, 122.
Gilgit Scouts, 40, 51, 57, 59, 60, 64, 118, 122, 161, 162.
Gilgit Wazarat, 28, 58, 60, 61, 89.
Gillett, M.C. (Sir M.), 65, 79.
Gladstone, W.E., 19.
Glancy, B.J. (Sir Bertram), 60, 77, 91.
Glancy Commission, 77, 91.
Goa, 178, 181, 241, 272.
Godwin Austen, Mount (K2), 10, 325, 326.
Golan Heights, 71.
Golden Temple, Amritsar, 223.
Gould Mission to Lhasa, 58.
Gracey, Lt.-General Sir Douglas, 140, 141, 159, 162, 164.
Graham, Dr. Frank P., 175, 176, 177, 178, 181, 225.
Grand Trunk Road, 263, 275.
Great Trigonometrical Survey of India, 23, 80, 233.
Greece, 101.
Griffiths, Sir P., 241.
Gromchevsky, Count, 32.
Gromyko, Andrei, 295.
Guardian Newspaper, 336.

Gujarat, Battle of, 44.
Gujrat State, 255, 263, 282.
Gulab Singh, Maharaja of Jammu and Kashmir, 7, 8, 15, 19, 20, 22, 28, 84, 94, 106, 149, 167, 187.
Gulmarg. See: Operation Gulmarg.
Gundevia, Y.D., 245.
Gupta, Karunakar, 71, 80, 81.
Gurdaspur, 7, 11, 75, 103, 105, 111, 112, 113, 114, 115, 116, 120, 122, 128, 152, 153.

Habibullah Khan, Haji, Amir of Khotan, 22, 23, 25.
Haider, Dr. Farooq, 290, 291, 192, 336.
Haight, Sgt., 162.
Haji Langar, 25, 26, 66.
Hall, Admiral J.T.S., 140.
Hamadan, Shah-i-, (Mir Syed Ali Hamadani), 9, 98.
Hamadani, A.U. See: Ahmad Ullah Hamadani, Mirwaiz.
Hamidullah Khan. See: Chaudhri Hamidullah Khan.
Hardinge, Sir H. (Lord), 8, 15, 18.
Hardinge, Lord (Viceroy), 40, 41, 42, 43, 77.
Hari Singh, Maharaja Sir, of Jammu and Kashmir, 7, 14, 17, 57, 59, 60, 61, 83, 84, 89, 90, 92, 106, 107, 108, 109, 111, 114, 115, 119, 122, 123, 125, 126, 128, 129, 130, 132, 133, 134, 135, 136, 137, 142, 148, 150, 151, 153, 154, 155, 156, 162, 167, 184, 185, 186, 188, 191, 192, 200, 204, 211, 218, 219, 231, 250, 312, 320, 334.
Harriman, Averell, 238.
Hartal, 305, 308.
Haryana, 279.
Hassan Abdal, 275.
Havelian, 275.
Hayward, G., 24.
Hazara District, 14.
Hazratbal Shrine, 178, 205, 206, 207, 210, 248.
Hedin, Sven, 56.
Henderson, Ambassador L., 189, 190.
Hijacking, 281, 287, 294, 299. See also: "Ganga".
Himachal Pradesh, 279, 317.
Himalayas, 7, 10, 11, 18, 41, 223, 236, 240, 241, 257, 295.
Hindi, 253.
Hindu Kush, 10, 18.
Hindus, 9, 84, 85, 89, 92, 94, 122, 123, 134, 139, 151, 156, 159, 174, 175, 187, 192, 197, 199, 200, 204, 205, 207, 210, 217, 220, 224, 225, 226, 227, 243, 251, 271, 279, 189, 301, 303, 304, 310, 311, 314, 316, 317, 323, 327, 328, 329, 330, 332.
Hindustan Machine Tools, 337.
Hindustan Times, 249, 286.
"Hizballah", 336.
Hodson, H.V., 120, 127.
Hong Kong, 71.
Hotan. See: Khotan.
Hpimaw, 52.
Hui, 21, 54.
Humphreys, Sir F., 77.
Hunza, 9, 10, 16, 18, 26, 27, 28, 29, 30, 31, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 47, 48, 50, 53, 54, 57, 58, 61, 62, 63, 64, 66, 67, 70, 71, 74, 75, 78, 79, 118, 149, 166, 214, 237, 242, 275. Tribute to China, 33, 38, 48, 50, 53, 62, 66. Relations with Jammu and Kashmir, 28, 48, 74, 75, 246. Chinese claim to rights in, 30, 31, 33, 38, 43, 48, 53, 54, 62, 63, 64, 236, 242. Interests in Sinkiang, 33, 24, 35, 38, 41, 42, 43, 61, 242. See also: Raskam.
Hunza War 1891-92, 31.
Hurd, Douglas, 336.
Hyderabad, 5, 6, 107, 125.
Hyderabad (Sind), 263.

IAC, 287, 290, 291.
Ianov, Colonel, 32.
Ibrahim Khan. See: Mohammed Ibrahim Khan, Sardar.
Ijlal Haider Zaidi, 338.
Ili, 21.
Imphal, 125.
India. Air Force, 263. Army, 122, 130, 131, 136, 140, 141, 144, 152, 154, 155, 158, 159, 160, 161, 162, 163, 164, 170, 182, 209, 215, 221, 223, 224, 238, 241, 256, 258, 259, 267, 275, 278, 324, 326, 338. British, Political Department, 77, 88, 90, 91, 118. British, Foreign Department, 42, 58, 67, 69, 71, 76. Constituent Assembly, 190, 212. Constitution, 183, 190, 191, 192, 203, 208, 212, 247, 251, 322. See also: Article 370. Defence Committee, 135, 136, 144. Elections, 285, 287, 313, 316, 327, 339, 340. External Affairs Ministry, 74, 149, 232, 306, 340. Government of, Act of 1935, 1, 5. General Election 1991, 340. "Green Revolution", 229. High Altitude Warfare School, 326. Income Tax Inspectors, 320. Independence Act,

18 July 1947, 111, 121. Intelligence Service, 190, 198, 203, 261, 280, 281, 284, 290, 291, 292, 293. Intervention in Junagadh, 128. Maintenance of Public Order Act, 286. President of, 194, 195, 208, 212,307, 308, 320, 335. Non-Alignment, 229, 230, 236. Princely States in, 4, 5, 6, 83, 95, 104, 106, 142, 191, 212, 129. Relations with the Soviet Union, 278, 281, 295. Subsidy to Jammu and Kashmir, 310. Successor to the British Raj, 150. Supreme Court, 195, 203, 245, 320, 327, 332. See also: Great Trigonometrical Survey of India; Sino-Indian Border; Sino-Indian Boundary Dispute.

India Office, 59, 68.

India Office Library and Records, 73.

Indian Mutiny 1857, 6, 30, 143.

Indian National Army, 124, 125.

Indian National Congress. See: Congress.

Indian Ocean, 18.

Indonesia, 226, 230, 253, 264, 269.

Indo-Pakistani War 1947-49, 161, 179, 215, 258,

Indo-Pakistani War 1965, 163, 164, 179, 209, 215, 218, 247-273, 274, 275, 277, 278, 279, 282, 283, 284, 285, 288, 294, 295, 298, 303.

Indo-Pakistani War 1971, 243, 244, 245, 277, 278, 281, 283, 294, 295, 296, 301, 303.

Indore, Maharaja of, 100, 111.

Indus River, 11, 12, 18, 25, 27, 56, 60, 61, 162, 235, 236, 275.

Inquilabi National Conference, 315, 316.

International Civil Aviation Organization (ICAO), 288, 290.

Intifada, 337.

Iqbal, Sir Muhammad, 90, 97.

Iran, 40, 41, 257, 266, 333, 341.

Iranian Revolution, 323, 332, 341.

Iraq, 181.

Ireland, 178, 312, 332.

Ishkuman, 10, 16, 27, 61.

Islam. See: Muslims.

Islamabad, 180, 189, 338, 340.

Islamia High School, 85.

Ismaili Islam, 10, 48.

Ismay, Lord, 108, 114, 120, 139, 159.

Israel, 323.

Iyengar. See: Ayyengar.

Jaamat-i-Islami, 303, 313, 333, 334, 341.

Jagjivan Ram, 324.

Jaglot, 275.

Jagmohan Malhotra, 329, 330, 331, 341.

Jalipur, 275.

Jama Mosque, Srinagar, 98, 305.

Jamiat-i-Tulba, 333.

Jammu, 3, 7, 8, 11, 29, 85, 86, 89, 90, 98, 134, 135, 136, 139, 144, 151, 153, 163, 170, 172, 187, 188, 191, 192, 196, 197, 199, 200, 204, 205, 210, 213, 217, 224, 225, 226, 227, 239, 253, 262, 282, 285, 287, 295, 301, 302, 304, 310, 314, 316, 317, 318, 322, 328, 331, 338.

Jammu and Kashmir, State of. Area of, 14, 15. British Resident in, 12, 13, 26, 30, 31, 60, 106, 108. British intervention in, 13, 14, 17, 29, 30, 83. Constitution 1934, 92, 97, 98, 99, 100. Constitution 1939, 93, 94, 97, 98, 100, 184, 192, 204. Constitution, 1957, 184, 191, 192, 193, 202, 203, 204, 205, 231, 247. Council of State, 13, 30, 88. Direct rule from New Delhi, 330, 331. Emergency Government, 191, 211. Flag, 194. "Freedom Fighters", 258, 259, 260, 262, 262, 272, 279, 280, 281, 292, 295, 299, 324, 332, 334, 335, 336, 337. Governor of, 282, 308, 329, 330, 338, 341. See also: Sadar-i-Riyasat; Wazir, J.N.; Jha, L.K.; Jagmohan, M.; Krishna Rao, General; Saxena, G. Governor's rule, 330, 331, 38. High Court, 287. Interim Government, 184, 185, 190. Land reform, 186, 192, 196, 211. Legislative Assembly, 87, 92, 95, 97, 124, 154, 157, 186, 190, 204, 208, 307, 308, 310, 311, 313, 315, 316, 320, 331. Elections for, 1957, 204, 209. Elections for, 1962, 204, 109. Elections for, 1967, 282. Elections for, 1972, 303, 341. Elections for, 1977, 310, 313, 314, 323, 328, 341. Elections for, 1983, 328, 341. Elections for, 1987, 331. Speaker of, 330. Partition of proposed, 173, 174, 231, 239, 250. Police, 88. Population of, 10. Public Works, 88. Public Safety Ordinance 1977, 315. Public Safety Bill 1978, 315. Railway, 11, 15, 126. Refugees, 319, 320, 327. Regional Development Boards, 317, 318. Relations with India, crisis of 1982, 189. Representation of the People (Amendment) Bill 1979, 316. Resettlement Bill 1982, 320, 327. Roads, 11, 16, 25, 49, 56, 60, 186. State Army, 124, 129, 130, 134. State People's Convention, 282, 285, 317. State Silk Factory, 87. "Switzerland of Asia", 132, 187, 201, 319. Unemployed graduates in, 310, 316, 321. See also: National Conference; Muslim Conference.

Jammu and Kashmir (National) Liberation Front, 292, 336, 337. See also: Kashmir Liberation Army; Kashmir National Liberation Front; Kashmir Students Liberation Front.

Jammu Young Men's Association, 99.

Jana Sangh, 192, 197, 198, 224, 282, 289, 303, 308, 311, 313.

Janak Singh, Major-General, 114, 121.

Janata Party, 313, 314, 316, 328.

Japan, 68, 101, 125, 293.

Jarring, G., 176, 181.

Jaurian, 262.

Jayaprakash Narayan. See: Narayan, Jayaprakash.

Jenkins, Sir E., 112, 113, 120.

Jessore, 271.

Jews, 101.

Jha, C.S., 178.

Jha, L.K., 306, 313, 315, 319.

Jhelum River, 8, 9, 11, 12, 14, 15, 16, 124, 132, 155, 162, 235.

Jinnah, Fatima, 202, 251.

Jinnah, M.A., 15, 93, 97, 102, 106, 107, 108, 110, 111, 113, 116, 117, 121, 122, 125, 127, 131, 132, 139, 140, 149, 150, 155, 158, 159, 160, 164, 166, 167, 169, 184, 187.

Johnson, W.H., 23, 24, 25, 27, 46, 70.

Joint Defence Council, 161, 179, 180.

Jordan, 118.

Joshi, B.L., 298.

Junagadh, 6, 125, 127, 128, 129, 137, 141, 151, 159, 165, 219, 271.

K2. See: Godwin Austen, Mt.

Kabul, 28, 46, 60, 77, 238.

Kafiristan, 28.

Kagan Valley, 56, 61.

Kak, Pandit R.C., 94, 95, 96, 106, 108, 109, 110, 114, 119, 121.

Kalat, 6, 7.

Kalhana, 9.

Kalmuks, 78.

Kamaraj Plan, 204.

Kangra, 7.

Kanjutis. See: Hunza.

Kansu, 21, 22, 54.

Kapurthala, 119.

Karachi, 163, 175, 189, 218, 233, 239, 250, 255, 256, 268.

Karachukur River, 36.

Karakash River, 23, 25, 26, 51, 56, 66, 70.

Karakoram Highway, 19, 275, 276, 324, 325.

Karakoram Pass, 18, 20, 22, 23, 24, 26, 30, 37, 46, 56, 66, 71, 72, 79, 80, 325.

Karakoram Range, 10, 11, 18, 20, 33, 34, 36, 37, 38, 39, 43, 55, 65, 66, 67, 70, 236, 237, 242, 245, 275, 325.

Karan Singh, Dr. Yuvraj, 100, 186, 197, 198, 199, 282, 306, 317, 318.

Kargil, 75, 162, 163, 196, 227, 239, 261, 262, 272, 295, 302, 318, 321.

Karnataka, 330.

Karra, G.M., 303.

Kashgar (Kasha), 18, 21, 22, 25, 30, 32, 35, 36, 38, 39, 40, 42, 49, 53, 54, 59, 61, 63, 64, 65, 66, 67, 68, 71, 276. British Consulate and Consulate-General in, 39, 40, 43, 50, 54, 63,65, 68, 75. Russian Consulate and Consulate-General in, 30, 32, 35, 38, 39, 40, 43, 49, 52.

Kashgaria, 21, 25, 35, 41, 53, 56.

Kashmir, Lion of, 185, 316.

Kashmir, Vale of, 8, 9, 12, 13, 14, 18, 19, 57, 74, 85, 86, 134, 151, 163, 169, 170, 172, 173, 178, 187, 188, 199, 200, 204, 206, 207, 209, 217, 225, 227, 239, 253, 258, 281, 282, 283, 284, 292, 293, 301, 302, 303, 304, 305, 310, 311, 313, 314, 316, 317, 318, 322, 324, 328, 329, 330, 331, 332, 335, 336, 337, 338, 340.

Kashmir Accord 1975, 306-309, 312, 314, 316, 322, 328, 329.

Kashmir Boundary Commission 1846-47, 20.

Kashmir Day, 90, 123.

Kashmir Famine 1877-78, 9, 12, 13.

Kashmir Language, 10, 95.

Kashmir Liberation Army, 292, 335, 336.

Kashmir (National) Liberation Front, 288, 291, 292, 293.

Kashmir Students Liberation Front, 337.

Kashmir University, 305, 337.

Kashmir Singh Katoch, Lt.-Colonel, 130, 131.

Kathiawar, 6, 127.

Kathua, 187.

Kaul, Lt.-General B.M., 278, 281.

Kaul, Sir Hari Kishen, 90.

Kemal, Mustafa, 98.

Keng Piao, 276.

Kidwai, R.A., 142.

Khairapur, 6.

Khalida Shah, 330.

Kaulbars, Baron, 25.

Khan Abdul Ghaffar Khan, 95, 96.

Khan Abdul Qayyum Khan, 133, 142.

Khanqah-i-Mualla, 92, 98.

Kharan, 6.
Khera, H.L., 337.
Khilafat Movement, 86, 87, 98.
Khiva, 20.
Khomeini, Ayatollah, 333, 341.
Khosla, A.N., 112, 113, 115.
Khotan, 18, 22, 23, 54, 55, 66, 70, 76.
Khotan, Amir of, 22, 76.
Khruschev, Nikita, 230, 269, 278, 309.
Khulna, 271.
Khunjerab Pass, 18, 33, 61, 242, 275, 276.
Khurshid, K.H., 132, 142.
Khurshid Anwar, 132, 133, 141.
Khwaja Shamsuddin. See: Shamsuddin, Khwaja.
Kilik Pass, 33, 61.
Kimberley, Lord, 13.
Kirghiz, 26, 56, 61, 67, 69.
Kirkbride, Major G., 61, 62, 78.
Kishenganga River, 162.
Kissinger, Dr. H., 294, 300.
Kokand, 20, 21.
Koktash, 34, 39, 40, 41, 78.
Kolokolov, Russian Consul in Kashgar, 49.
Koran, Holy, 89, 91, 304.
Korbel, J., 169, 180, 185.
Korea, 168, 252.
Kosygin, Aleksei, 269, 270, 278.
Koul, L., 337.
Kripalani, Acharya, 103, 119.
Krishna Rao, General K.V., 341.
Kulu, 15, 321.
Kunlun Mountains, 18, 42, 70, 71, 72, 73, 80.
Kuomintang, 43, 53, 58, 68, 69, 70, 76, 80, 236.
Kutch, Rann of, 254, 255, 256, 261, 272. Arbitration, 256, 257, 272.
Kutch State, 255.
Kuwait, 181.

Labour Party (British), 336.
Ladakh, 3, 7, 10, 11, 15, 18, 19, 23, 24, 25, 26, 27, 29, 32, 37, 46, 55, 56, 66, 67, 70, 72, 73, 75, 89, 139, 151, 162, 163, 187, 195, 196, 197, 200, 210, 217, 224, 227, 234, 238, 240, 241, 261, 276, 279, 285, 301, 302, 310, 314, 317, 318, 321, 322, 325, 337, 338. Buddhist Association of, 196.
Lagergren, G., 257.
Lahore, 7, 56, 97, 112, 119, 135, 161, 163, 179, 180, 235, 256, 262, 263, 268, 274, 287, 288, 290, 291, 293, 299.
Lahul, 20, 321.
Lake Success, 167.
Lanak Pass, 37.
Lang, Lt.-Colonel, 60.
Lansdowne, Lord, 27.
Las Bela, 6.
Lashkars, 142.
Lawrence, Sir W., 16, 84, 98.
League of Nations, 101.
Lee-Enfield Rifles, 125.
Leh, 18, 19, 22, 23, 24, 25, 26, 27, 46, 56, 66, 67, 68, 70, 75, 80, 162, 196, 197, 227, 239, 261, 302, 321. British Joint Commissioner at, 24, 25, 27.
Leicester, 335.
Leitner, G.W., 45.
Lhasa, 38, 39, 58, 196.
Liaquat Ali Khan, 113, 114, 117, 122, 124, 126, 128, 133, 153, 159, 160, 161, 164, 171, 172, 173, 174, 180, 182, 218, 219, 220, 222, 223. Discussions with Nehru 1951, 221-224.
Liberal Party (British), 41.
Line of Control or Line of Actual Control (LOC or LOAC). See: Cease-fire Line.
Lingzitang, 25, 26, 37, 47, 56, 70.
Linlithgow, Lord, 68.
Listowel, Lord, 106.
Lockhart, Lt.General Sir Rob, 140, 141.
Lockhart, Sir W., 31, 49, 59.
Lok Sabha, 190, 205, 208, 235, 243, 247, 248, 251, 256, 261, 282, 285, 308, 317, 318, 321, 324. Jammu and Kashmir Representatives in, 247.
London, 35, 57, 71, 73, 209, 220, 225, 268, 283.
Long March, 58.
Loqzung Range, 25, 37, 56, 70, 71, 72, 73, 80.
Luton, 336.
Lytton, Lord, 28, 29.

Ma Chung-yin, 54, 76.
Ma Hu-shan, 54, 55, 66, 67, 70, 80.
Ma, Shao-wu, 53.
Macartney, Sir George, 32, 34, 36, 39, 40, 49, 50, 59.
MacDonald, Sir C., 37, 38, 65.
Mackinder, Sir H., 75, 82.
McMahon, Sir H., 34, 36, 40, 41, 42, 43.
McMahon Line, 41, 50, 58, 68, 73, 74, 81, 233, 234, 240, 241, 245.
McNaughton, General A.G.L., 170, 171, 181.
Madhok, Bal Raj, 197.

Madhopur, 29, 130.
Madras, 253.
Magdalen College, Oxford, 76.
Mahajan, M.C., 104, 126, 128, 132, 133, 136, 137, 144, 145, 151, 153, 154, 155, 156, 157, 184, 185, 187, 188, 190.
Mahmud Muhiti, 66, 67, 70, 80.
Mahtre, Ravindra, 335, 336.
Mahura Power Station, 135.
Maillart, Ella, 78.
Makran, 6.
Malakand Political Agency, 31, 50.
Malaysia, 264, 268, 269.
Malik Feroz Khan Noon, 176, 234, 235, 244, 245.
Malta. See: Operation Malta.
Mamdot, Nawab of, 125.
Manali, 15.
Manchu Dynasty, 8, 19, 20, 21, 28, 35, 40.
Mangla Dam, 16, 188.
Mangrol, 127, 128.
Mansehra, 275.
Manzur Qadir, 237.
Maqbool Ahmed Butt. See: Butt, Maqbool Ahmed.
Martial Law. See; Pakistan, Martial Law.
Martyr's Day, 13 July 1931, 89-91, 92, 189, 206, 307.
Marxism, 89, 185, 310.
Mastuj, 28, 48.
Matheson, Captain, 118.
Maulana Abul Kalam Azad, 96, 100, 198.
Maulana Mahommed Sayeed Masoodi, 194, 205, 206, 213, 281, 282, 303.
Maulana Sa'aduddin, 333.
Maulvi Ahmad U'llah Shah, Mirwaiz, 85, 86.
Maulvi Ataqullah, Mirwaiz, 206, 213.
Maulvi Mohammed Farooq, Mirwaiz, 206, 257, 280, 281, 285, 305, 307, 308, 311, 313, 315, 316, 334.
Maulvi Mohammed Yusuf Shah, Mirwaiz, 87, 90, 91, 92, 93, 95, 97, 98, 109, 116, 135, 188, 189, 206, 213.
Maulvi Rasool Shah, Mirwaiz, 85.
Maxwell, N., 74.
Mecca, 66, 209, 257.
Mediterranean, 101.
Mee, Arthur, 304, 305.
Memorandum 1924, 87.
Menon, K.P.S., 81, 82, 102, 142.
Menon, Krishna, 108, 118.
Menon, V.P., 102, 103, 118, 129, 132, 135, 136, 137, 142, 157.
Menzies, Sir R., 220, 221, 226.
Mesopotamia, 118.
Messervy, Lt.-General Sir F., 140, 141.
Mestcherski, Prince, Russian Consul-General, Kashgar, 49.
Metcalfe, Sir A., 58, 59, 60.
Mian Ahmad Yar, 94.
Mian Iftikharuddin, 124.
Mintaka Karaul, 67, 78.
Mintaka Pass, 18, 33, 36, 61, 64, 65, 67, 68, 78, 275.
Mir Izzat Ullah, 19.
Mir Qasim, Syed, 194, 303, 304, 305, 306, 312.
Mirpur, 123, 124, 133, 162, 163, 188, 226.
Mirwaiz, 85, 86, 87, 89, 90, 95, 97, 98, 109, 116, 135, 188, 189, 206, 213, 257, 280, 281, 285, 307, 311, 313, 315, 334, 341.
Mirza Afzal Beg, 89, 92, 94, 144, 201, 202, 203, 204, 206, 207, 208, 209, 211, 213, 257, 281, 282, 286, 292, 303, 305, 306, 308, 309, 310, 315, 321.
Mirza Bashir Ahmed, 90.
Mirza Ghulam Ahmed, 86.
Mirza Kamal-ud-Din, 86.
Moe-i-Muqaddas. See: Prophet Mahommed, Hair Relic.
Moghul Dynasty, 9, 16, 205.
Mohammed Abdul Qayyum Khan, 124.
Mohammed Ali Bogra, 224, 225, 228, 245, 271. Correspondence with Nehru 1953-54, 224, 225, 226, 228.
Mohammed Ibrahim Khan, Sardar, 124, 135, 154, 211.
Mohammed Ismail, 218.
Mohammed Munir, 104.
Mohammed Nazim Khan. See: Nazim Khan.
Mohammed Riaz, 336.
Mohammed Zaman Kiani, 125.
Mongolia, 21.
Mongolian People's Republic, 237, 245.
Mongols, 21.
Mookerjee, Dr. Syama Prasad, 197, 198, 213, 224, 311.
Moorcroft, W., 19.
Morozov, Platon, 178.
Moscow, 55, 269, 270.
Mountbatten, Lady, 108, 109.
Mountbatten, Lord, 17, 18, 75, 101, 103, 106, 107, 108, 109, 110, 111, 112, 113, 114, 116, 117, 118, 119, 120, 121, 122, 128, 129, 131, 136, 137, 139, 140, 144, 151, 152, 153, 156, 158, 159, 160, 161, 166, 179, 180, 183, 223, 224, 236, 240, 247, 332.

Views on Jammu and Kashmir, 106-111, 116, 117, 118; and Radcliffe Commission, 111-116, 120. Accession, 136, 137.
Mountbatten Plan, 3 June 1947, 103, 105, 106, 107.
Mudie, Sir F.,120.
Mufti Mahommed Sayeed, 313, 328, 331, 337.
Muhammad Ali. See: Chaudhri Muhammad Ali.
Muhammad Amin, Amir of Khotan, 76.
"Mujahidin", 258, 259, 260, 279, 280, 281, 283, 292, 295, 299, 324, 329, 334, 336, 337.
"Mujahidin Kashmir", 337.
Mujibur Rahman, Sheikh, 284, 288, 290, 294.
Mukti Bahini, 295.
Mullik, B.N., 198, 203, 204, 206, 213, 280.
Murghab River, 32.
Murree, 124.
Mushir-ul-Haq, 337.
Muslim Conference, 92, 93, 94, 95, 97, 100, 108, 116, 124, 132, 142, 185, 188, 192, 205, 271, 310.
Muslim League, 93, 97, 102, 103, 109, 110, 124, 131, 141, 159, 160, 173.
Muslim United Front, 334.
Muslims, 9, 10, 12, 85, 86, 87, 89, 91, 97, 98, 100, 108, 122, 123, 126, 139, 149, 150, 152, 156, 159, 165, 173, 175, 187, 188, 197, 200, 205, 206, 207, 210, 216, 217, 220, 225, 226, 227, 243, 271, 279, 301, 303, 304, 310, 311, 317, 318, 323, 329, 332, 333, 334, 340, 341.
Muzaffarabad, 133, 143, 162, 172, 188, 208, 271, 305.
Muztagh Range. See: Karakoram Range.
Muztagh River, 34, 39.
Mysore, 5, 7, 191.

Nagar, 9, 10, 16, 27, 28, 30, 31, 48, 50, 58, 61, 166.
Nagar Parkar, 272.
Naipaul, V.S., 335, 341.
Namgial, P.P., 318.
Namibia, 325.
Nanking, 142.
Narain Singh, Lt.-Colonel, 134.
Narayan, Jayaprakash, 236, 248, 249, 250, 251, 283.
Nasir Khan, Khan Sahib M., 64.
Nathu La, 267.
National Conference, 93, 94, 95, 96, 97, 100, 108, 111, 116, 130, 137,175, 185, 186, 187, 190, 193, 194, 197, 203, 204, 205, 207, 208, 224, 271, 282, 309, 310, 312, 313, 314, 315, 316, 319, 327, 328, 329, 330, 331, 334.
NATO (North Atlantic Treaty Organization), 228.
Nazi Germany, 185.
Nazim Khan, Mir of Hunza, 33, 48, 63, 79.
Nedou, H., 93.
Nedou's Hotel, 93.
Nehru, B.K., 315, 319, 320, 329.
Nehru, Jawaharlal, 10, 16, 72, 73, 81, 93, 95, 96, 97, 100, 102, 103, 106, 108, 109, 110, 112, 113, 116, 117, 121, 129, 132, 134, 135, 136, 137, 138, 139, 140, 142, 144, 148, 151, 153, 158, 159, 160, 161, 162, 164, 166, 171, 173, 174, 178, 180, 182, 183, 184, 185, 190, 193, 194, 195, 197, 198, 199, 200, 201, 203, 204, 206, 207, 215, 216, 220, 221, 222, 223, 224, 225, 226, 227, 228, 230, 232, 235, 236, 237, 240, 241, 244, 245, 248, 263, 272, 285, 305, 309, 311, 332. Visits Srinagar, 110. Discussions with Liaquat Ali Khan 1951, 221-224. Correspondence with Mohammed Ali Bogra 1953-54, 224, 225, 226, 227, 228. Relations with Sheikh Abdullah, 95, 96, 132, 135, 139, 153. Views on Kashmir, 106, 108, 109, 110, 116. Views on Pakistan, 102, 103. Death of, 206, 208, 215, 247, 250, 271.
Nehru, Motilal, 87.
Nepal, 223, 237, 245.
New Delhi. See: Delhi.
New Dominion. See: Sinkiang.
New Kashmir, 185, 187.
New York, 265.
New York Times, 143, 228.
Nilang, 80.
Nilgri Hills, 209.
Nimitz, Fleet Admiral Chester W., 170, 226.
Nimmo, Lt.General R., 169.
Nisbet, Colonel R. Parry, 13.
Niti Pass, 80.
Nixon, President R.M., 294.
"No War", 219, 220, 283, 324.
Noon, Malik Feroz Khan. See: Malik Feroz Khan Noon.
Noor-ul-Arfin, Justice, 290, 299.
North Carolina, 175.
Northbrook, Lord, 16.
Northern Areas, 9, 27, 167, 170, 172, 174, 179, 218, 227, 239, 276, 285, 294, 326.

Northern Frontier, 16, 18, 19, 20, 21, 29, 30, 32, 35, 37, 38, 40, 41, 43, 53, 55, 58, 59, 63, 67, 68, 69, 70, 71, 74, 75, 78, 81, 82, 107, 111, 139, 149, 162, 163, 167, 201, 215, 225, 229, 240, 242, 261, 275, 276, 296, 302, 326.

North-West Frontier, 16, 28, 89, 123, 132, 133, 148, 223.

North-West Frontier Province, 14, 76, 107, 133, 137, 145, 165.

Nubra River, 325.

Ojha, P.N., 284.

Omar, Mirwaiz, 341.

Ootacamund, 209.

Operation Brasstacks, 339.

Operation Gibraltar, 259, 260, 261, 262, 263, 266, 272, 275, 279, 280, 283, 284, 285, 286, 288, 292, 293, 294, 295, 324, 331, 332.

Operation Gulmarg, 133.

Operation Malta, 259, 260.

Ottoman Empire. See: Turkey.

Overflights, Pakistan flights over India, 284, 285, 289, 290, 293, 294, 298.

Oxford, 76, 124, 180.

Oxus River, 32.

Packman, K.C., 79.

"Pakhtunistan", 260.

Pakistan. Air Force, 260, 263. Army, 125, 140, 141, 152, 158, 159, 162, 163, 164, 170, 209, 221, 223, 224, 228, 258, 260, 261, 277, 284, 294, 326. Constitution, 277. Defence Ministry, 338. Economic Sanctions in Jammu and Kashmir, 125, 126, 127, 131. Elections, 251, 252, 283, 284. External Affairs Ministry, 126, 289, 294, 340. High Commission, New Delhi, 218, 282, 286, 287, 289, 290, 291, 299. Intelligence Service, 253. Kashmir "Aggression", 155, 157, 160, 164, 165, 169, 174, 176, 181, 217, 221, 222, 223, 227, 236, 239, 250. Martial Law, 188, 283, 323, 341. Navy, 263. Nuclear Programme, 277. Relations with China, 236, 237, 238, 242, 243, 244, 245, 246, 251, 253, 254, 257, 263, 266, 267, 268, 275, 278. Relations with the Soviet Union, 263, 266, 269, 278. Significance of name, 97, 107, 126.

Pakistan, East, 218, 235, 243, 244, 245, 248, 252, 254, 260, 271, 283, 284, 286, 290, 294, 295, 296, 299. Cyclone, 1970, 286. See also: Bangladesh; Bengal.

Pakistan Day, 123, 202.

Pakistan People's Party (PPP), 188, 284.

Pakistan Times, 124.

Palam Airport, 158, 235.

Palestine, 101, 325, 336.

Pamirs, 10, 18, 32, 39, 51, 54, 55.

Pandits (Kashmiri Brahmins), 10, 16, 84, 85, 87, 89, 91, 97, 130, 187, 198, 281, 312.

Panggong Lake, 20.

Paramountcy, 4, 5, 61, 75, 106, 107, 108.

Parthasarathi, G., 306, 308.

Pashm (Shawl Wool), 8, 9, 19, 91, 196.

Patel, Sardar Vallabhbhai, 103, 121, 129, 130, 131, 134, 136, 137, 138, 140, 141, 142, 144, 148, 150, 151, 153, 159, 183, 185, 186, 216, 225, 243, 244.

Pathankot, 7, 11, 15, 103, 120, 130, 239, 262.

Passage to India, 335.

Pathans, 16, 107, 132, 133, 134, 136, 139, 143, 144, 148, 154, 155, 159, 160, 162, 165, 169, 232, 258,260. Number of invaders, 134, 143, 162.

Patiala, 5, 119, 131, 133, 142, 143, 154, 155, 162. Troops in Kashmir, 131, 133, 143, 154, 155, 157, 162.

Patton Tanks, 256.

Pavalo-Schveikhovski Peak, 32, 36, 39, 51.

Pearl Harbour, 154.

Peking, 19, 35, 39, 42, 58, 229, 233, 236, 237, 242, 254, 268, 294, 300.

PEPSU (Patiala and East Punjab States Union), 5, 131.

Persia. See: Iran.

Peshawar, 95, 292.

Petrovski, M., 30, 35, 37, 39, 49.

Pillai, P.P., 164.

Pir Mahommed Khan, 211.

Pir Panjal Range, 8, 11, 14, 15, 188.

"Pivot of Asia", 75, 82, 201.

Plebiscite, Jammu and Kashmir, 127, 137, 138, 159, 160, 166, 168, 169, 171, 172, 173, 175, 179, 182, 183, 194, 197, 199, 200, 203, 208, 210, 215, 216, 220, 221, 222, 224, 225, 227, 229, 239, 252, 266, 269, 281, 283, 301, 304, 305, 334, 340. Junagadh, 127, 128, 137, 141. North-West Frontier Province, 137, 141, 145. See also: Regional Plebiscites.

Plebiscite Administrator, 168, 169, 170, 173, 180, 221, 226, 227, 231.

Plebiscite Front Party, 203, 204, 206, 257, 282, 285, 286, 287, 292, 298, 307, 309.

"Plebiscite Front", 292, 293, 299.

Poonch, 8, 11, 14, 15, 16, 84, 89, 122, 123, 124, 125, 126, 130, 132, 133, 134, 135, 139, 154, 155, 162, 163, 170, 172, 174, 188, 226, 227, 239, 258, 262.

Poonch City, 154, 163, 296, 316.

Poonch Rising, 16, 123, 124, 125, 126, 130, 132, 133, 134, 135, 151, 154, 162, 188.

Praja Parishad, 192, 197, 198, 199, 204, 205, 224, 311.

Praja Sabha, 95.

Pratab Singh, Maharaja of Jammu and Kashmir, 13, 14, 29, 30, 49, 57.

Prophet Mahommed, 86, 178, 304. Hair Relic, 178, 205, 206, 207, 210, 248, 253, 257, 259, 305, 334, 335.

Punial, 27, 61.

Punjab, 7, 11, 13, 75, 86, 88, 94, 103, 105, 107, 111, 112, 120, 122, 123, 125, 128, 129, 132, 133, 162, 163, 188, 196, 219, 235, 238, 245, 259, 262, 279, 295, 319, 323, 329, 331, 339.

Qazi Nisar Ahmad, 334.

Queen Elizabeth House, Oxford, 180.

Quisling, 160, 202.

"Quit Kashmir" Movement, 94, 95, 96, 108, 119, 186, 201, 319.

RSS. See: Rashtriya Swayam Sevak Sangh.

Radcliffe, Sir C., 103, 104, 105, 112, 113, 114, 116, 119, 120, 238, 262, 339.

Radcliffe Commission, 103, 104, 105, 111, 112, 113, 114, 115, 116, 120, 122, 128, 132, 255. Award of, 104, 105, 112, 113, 114, 115, 119, 122, 152, 244. Provisional map, 8 August 1941, 112, 113, 114, 119, 120, 152. In Bengal, 244.

Rahim Ki Bazar, 272.

Rajasthan, 263.

Rajatarangini, 9.

Rajinder Singh, Brigadier, 129.

Rajputs, 7, 10, 84.

Rajya Sabha, 308.

Ramani, Mr., 268.

Ramnagar, Battle of, 44.

Ranbir Singh, Maharaja of Jammu and Kashmir, 22, 23, 24, 25, 27, 28, 29, 46, 48, 49.

Ranbirsinghpura, 213.

Ranjit Singh, 7, 8, 9, 19, 44.

Rann of Kutch. See: Kutch, Rann of.

Rashtriya Swayam Sevak Sangh (RSS), 123, 197, 243.

Raskam, 33, 34, 35, 36, 37, 38, 40, 41, 42, 43, 53, 54, 61, 63, 78, 237, 246.

Raskam River, 34, 37.

Rathore, Z.I., 287.

Ravi River, 11, 112, 234, 235.

Rawalpindi, 11, 15, 56, 125, 169, 189, 208, 239, 250, 257, 264, 268, 269, 271, 272, 290, 336.

Razvi, M., 244.

Reading, Lord, 87.

"Regional Imbalances", 199, 217, 316, 317, 318.

Regional Plebiscites, 171, 172, 173, 180, 197, 199, 200, 219, 220, 225, 226, 227, 283.

Riasi, 89.

Ripon, Lord, 29.

Roberts, Sir F., 46,

Robertson, Sir G., 50.

Rohtang Pass, 15.

Rose, Archibald, 52.

Round Table Conference 1930, 57, 90.

Royal Air Force, 60, 77.

Rubiya Sayeed, 337.

Rusk, Dean, 240.

Russell, Sir Dudley, 144, 145.

Russia, 7, 18, 19, 20, 21, 25, 27, 28, 29, 31, 32, 35, 36, 37, 39, 40, 41, 42, 43, 46, 49, 51, 52, 54, 55, 57, 59, 61, 63, 64, 68, 70, 76, 78, 79, 106, 148, 149, 176, 181, 186, 201, 230, 233, 237, 263, 278, 281, 295, 323, 333, 336. Advances in Central Asia, 20, 21, 25, 29, 32, 33, 45. Mediation 1965-66, 269, 270. Soviet interest in Sinkiang, 52, 55, 58, 59, 61, 62, 64, 66, 68, 69, 70. Soviet relations with India, 230, 3231, 269. Veto in the United Nations, 178, 179, 181, 231, 238, 252, 269.

Sache. See: Yarkand.

Sadar-i-Riyasat, 186, 195, 197, 198, 199, 204, 282, 306, 308.

Sadiq, G.M., 89, 92, 94, 184, 185, 194, 207, 208, 209, 211, 213, 281, 282, 287, 290, 293, 303, 310, 217, 318.

Sadozai, 16.

Safdar Ali, Mir of Hunza, 30, 31.

St. Albans, 336.

St. Petersburg, 35.

Sandys, Duncan, 238, 239, 240.

Sapru, Sir Tej Bahadur, 10, 87, 100.

Sarabhai, Mridula, 202, 281, 282.

Saraf, Justice M.Y., 211, 299.

Saraf, S.L., 211, 213.

Sarikol, 25, 32, 35, 69.

Satow, Sir E., 39.

Satygraha, 198, 258.

Saxena, G., 331.

Saxena, H.L., 17, 18.
Sayyed Ali Galani, 334.
Sayyid Ahmad Khan, Sir, 99.
"Scheduled Tribes", 318.
Schlagintweit, H., A. & R. von, 45.
Schomberg, R.C.F., 78.
Scott, Major-General H.L., 129, 130.
SEATO (Southeast Asia Treaty Organization), 228, 263, 266.
Secularism, 93, 96, 103, 311, 332.
Security Council. See: United Nations Security Council.
Sehjra, 295.
Selkirk, Lord, 240.
Shaffi, G.M., 341.
Shah, Colonel A.S.B., 126.
Shah, G.M., 286, 303, 312, 319, 320, 330.
Shah Mir, 9.
Shahidulla, 22, 24, 25, 26, 30, 41, 46, 47, 51, 53.
Shakargarh, 295.
Shaksgam River, 34, 39.
Shamsuddin, Khwaja, 204, 207.
Shamsuddin, Sultan, 9.
Shanghai, 22.
Sharia Law, 341.
Sharma, Sham Lal, 198.
Shastri, Lal Bahadur, 206, 207, 208, 250, 251, 253, 254, 256, 257, 261, 264, 269, 270, 271, 277. Meets Ayrub Khan, 251. Death, 270.
Shaukat Hyat Khan, Sardar, 125.
Shaw, R., 24.
Shawcross, Sir H., 150.
Shawl Industry, 9, 13, 19.
Sheikh, Lt.-General K.M., 235.
Sheikh, meaning of term in Jammu and Kashmir, 99.
Sheikh Abdullah. See: Abdullah, Sheikh M.
Sheng Shih-ts'ai, 54, 55, 56, 58, 66, 67, 68, 70, 75, 76, 80.
Shensi, 22.
Sherriff, G., 54.
Shers, 93, 206.
Shia Islam (Twelver), 10, 48, 196, 312, 318, 333, 341.
Shimshal, 33, 34, 36, 39, 47, 54, 62, 64, 65, 70, 79, 242.
Shipki Pass, 80.
Shyok River, 25, 46, 325.
Siachen Glacier, 325, 326, 327, 338, 339, 341.
Sialkot, 11, 15, 126, 262, 263, 295.
Sikh Empire, 7, 8, 9, 15, 19, 28, 29, 44, 49.
Sikhs, 15, 18, 19, 29, 44, 49, 89, 104, 112, 115, 119, 122, 123, 139, 144, 156, 175, 278, 279, 301, 311, 323, 327, 329, 331, 339.
Sikkim, 50, 267.
Sikri, Justice S.M., 318.
Simla, 90, 296, 297.
Silk, 87, 99.
Simla Conference 1913-14, 41, 42, 52, 73. Map to, 42, 52. See also: Treaties, Simla Convention 1914.
Sind, 11, 107, 255, 271, 295, 299.
Singh, V.P., 331, 332, 340, 341.
Sinkiang, 7, 9, 18, 20, 21, 22, 26, 27, 28, 31, 33, 36, 38, 40, 41, 42, 43, 52, 53, 55, 56, 57, 58, 59, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 78, 79, 80, 196, 201, 229, 233, 242, 275, 276, 325. See also: Kashgaria; Dzungaria.
Sino-Indian Border, 36, 37, 38, 39, 41, 42, 65, 68, 69, 70, 71, 72, 73, 74, 80, 81, 163, 196, 233, 241, 245, 246, 266, 267, 325, 326.
Sino-Indian Boundary Dispute, 19, 24, 29, 47, 71, 72, 73, 74, 80, 81, 74, 75, 163, 196, 204, 223, 229, 233, 234, 236, 238, 240, 241, 242, 244, 245, 246, 266, 267, 325, 326. See also: Aksai Chin; China, 1899 Note to; McMahon Line; Northern Frontier.
Sino-Indian War 1962, 204, 238, 240, 241, 242, 250, 251, 252, 257, 259.
Sino-Swedish Expedition to Sinkiang, 56, 76.
Skardu, 10, 162.
Sobraon, Battle of, 18, 44.
Sokov, Russian Consul in Kashgar, 49.
Sopur, 96.
Sorah, 91.
Soviet Union. See: Russia.
Spain, 125.
Spituk Monastery, 196.
Sri Lanka. See: Ceylon.
Srinagar, 10, 11, 15, 16, 18, 30, 49, 56, 66, 75, 80, 85, 87, 88, 89, 90, 91, 93, 96, 97, 100, 108, 109, 110, 124, 125, 130, 131, 133, 134, 135, 153, 155, 158, 161, 162, 178, 186, 189, 191, 197, 198, 201, 202, 203, 205, 206, 207, 208, 210, 227, 230, 239, 251, 257, 260, 262, 280, 281, 293, 285, 287, 291, 193, 295, 302, 303, 305, 309, 313, 316, 321, 329, 330, 333, 337, 341. Airfield, 130, 134, 136, 144, 154, 252. Central Gaol, 89, 90. Indian airlift to, 136, 144, 154, 155, 158, 162, 252. Sessions Court, 89. Women's Prison, 292.
Stalin, 54, 68.
Stalingrad, 163.

Standstill Agreement, 5, 14, 110, 121, 122, 138, 150.
Star of India, Order of, 31, 63.
State High School, 91.
States' People's Conference, 95, 96.
Stephens, Ian, 145.
Sterling Balances, 219.
Stevenson, Adlai, 181, 190, 201.
Sudhans, 16, 122, 188.
Sudhnuti *tehsil*, Poonch, 16, 122.
Suez Canal Zone, 118.
Suez Crisis 1956, 176.
Suget, 26, 46.
Suhrawardy, H.S., 234.
Sukarno, President, 253.
Sunni Islam, 10, 318.
Sutlej River, 112, 119, 234, 235.
Swaran Singh, Sardar, 235, 239, 295, 306.
Swat, 6, 31, 50, 278.
Sweden, 56, 76, 176, 244, 257.
Syed Ali Shah, 341.

Tadzhikistan, 18.
Taghdumbash Pamir, 7, 25, 33, 36, 37, 38, 39, 41, 51, 53, 54, 61, 62, 63, 66, 71, 237, 245.
Taiping Rebellion, 21, 49.
Taiwan, 76, 80, 211.
Tajiks, 33, 50.
Tamil, 253.
Tamilnadu, 253.
Tangtse, 25.
Taploo, T.L., 337.
Tarim, 18, 32, 36, 54, 66.
"Tariq", 125, 259, 324.
Tashkent, 270, 271, 273, 274, 278, 283, 285, 288, 292.
Tashkent Declaration 1966, 271, 273, 276.
Tashkurghan, 35, 36, 38, 40, 41, 61, 62, 64, 67, 69. Russian post at, 38, 40, 41, 51, 61.
Tawang, 42, 52, 81.
Taxila, 275.
Taxkorgan Tajik. See: Tashkurghan.
Teheran, 341.
Teichman, Sir Eric, 58, 59, 78.
Teja Singh, 104.
Teng, M.K., 202.
"Terrorism". See: Jammu and Kashmir, "Freedom Fighters"; "Mujahidin".
Thakot, 275, 276.
Thar Desert, 255.
Thomson, Dr. T., 20.
Tibet, 7, 8, 9, 10, 11, 15, 18, 19, 20, 25, 26, 37, 38, 39, 40, 41, 42, 50, 56, 58, 68, 71, 72, 73, 74, 78, 81, 91, 196, 197, 233, 234, 244, 245, 266, 267, 276, 314.
"Tigers of Allah", 336.
Tihar Prison, 293, 335.
Tihua. See: Urumchi.
Times Newspaper, 58.
Times of India, 286.
Tithwal, 262, 296.
Transfer of Power, British documents, 117, 153.
Travancore, 7.
Treaties. Amritsar Treaty of 1846, 8, 13, 15, 20, 24, 27, 28, 45, 46, 149, 196. Anglo-Kashmir Agreement 1863, 24. Anglo-Kashmir Treaty 1870, 25, 26. Russo-Yakub Beg Treaty 1872, 25. Anglo-Yakub Beg Commercial Treaty 1874, 24, 25. St. Petersburg Treaty 1881, 51. Anglo-Chinese Convention on Sikkim 1890, 267. Anglo-Afghan Agreement 1893, 32. Anglo-Russian Pamirs Agreement 1895, 32, 36, 39, 55. Lhasa Convention 1904, 39. Anglo-Russian Convention 1907, 40, 41, 42, 52. Mastuj (Anglo-Chitrali) Agreement of 1914, 48. Simla Convention 1914, 73, 74, 81. Sino-Soviet Agreement 1924, 52. Karachi Agreement of July 1949, 163, 170, 175, 218. Nehru-Liaquat Agreement 1950, 218, 219. Baghdad Pact, 227, 228. Pakistan-Turkish Agreement 1954, 227. Pakistan-United States Mutual Defence Assistance Agreement 1954, 227, 228. Nehru-Noon Agreement 1958, 235, 244. Swaran Singh-Sheik Agreement 1959, 235. Indus Waters Agreement 1960, 235, 236. Sino-Burmese Boundary Agreement 1960, 245. Sino-Nepalese Boundary Treaty 1961, 245. Sino-Mongolian Border Agreements, 1962 and 1964, 245. Sino-Afghan Agreement 1963, 245. Sino-Pakistani Boundary Agreement 1963, 40, 51, 70, 242, 243, 325. Indo-Soviet Treaty 1971, 195. Simla Agreement 1972, 296, 297, 300, 301, 304, 308, 322, 324, 325, 326, 339. See also: Gilgit Lease 1935; Delhi Agreement 1953; Kashmir Accord 1975.
"Treaty Road", 25, 26, 55, 56, 66.
Tribal Areas, 4.
Tripura, 298, 330.
Truman, President, 170.
Trumbull, R., 143.
Tso Tsung-t'ang, 22.

Tsungli Yamen, 37.
"Tunganistan", 54.
Tungans, 21, 54, 55, 66, 76, 80.
Tunku Abdul Rahman, 268.
Turkey, 25, 40, 46, 98, 101, 227, 228, 266.
Turkmenistan, 19.
"Two Nation Theory", 102, 132, 139, 149, 152, 217, 232, 249, 251, 279.

U Thant, 264, 265.
Udhampur, 187.
Uighur, 66.
United Nations, 138, 156, 159, 161, 164, 165, 167, 169, 170, 171, 174, 176, 178, 179, 182, 183, 195, 215, 216, 217, 219, 220, 221, 222, 229, 230, 232, 233, 252, 264, 268, 269, 283, 296, 297, 301, 302, 308, 312, 340.
United Nations Charter, 164, 165, 265.
United Nations Commission for India and Pakistan (UNCIP), 168, 169, 170, 171, 177, 180.
United Nations Observers, 169, 175.
United Nations Representative in India and Pakistan, 171, 175.
United Nations Secretary General, 256, 264.
United Nations Security Council, 12, 161, 164, 165, 166, 167, 168, 170, 175, 176, 178, 181, 182, 183, 193, 203, 210, 238, 252, 265, 267, 268, 270, 287.
United Nations Security Council Resolutions, 181, 234. In 1948, 168, 169, 177, 183, 222. In 1957, 176, 177, 178. In 1962 abortive, 178, 231, 269. In 1964 abortive, 178. In 1965, 265, 266.
United States of America. See: America.
Uprang Jilga, 39.
Urdu, 107.
Uri, 96, 262, 296.
Urumchi, 21.

Vajpayee, A.B., 314.
Viceroy's House, New Delhi, 105, 112, 113, 120.
Vickers Valentia Aircraft, 60.
Vickers Victoria Aircraft, 77.
Vickers Vimy Aircraft, 77.
Victoria, Queen, 15, 49.
Victoria Cross, 31.
Vietnam, 252.
"Voice of Kashmir" Radio, 261.

Wakefield, G.E.C., 88, 90.
Wakhan, 7, 32, 39, 40, 78, 245.
Wakhjir Pass, 40.
Washington, 275.
Wavell, Lord, 96, 106.
Wazir Ganga Ram, 94.
Wazir, J.N., 282, 306.
West Bank, 325.
West Indies Cricket Team, 329.
White Paper (Pakistan) 1977, 283, 296.
Williamson Mission to Lhasa, 58.
Willingdon, Lord, 77.
Wilson, Harold, 256.
Winchester, 76.
Wolpert, S., 157.
World Bank, 235.
World War I, 42, 55, 101.
World War II, 69, 122, 164.
Wright, A.G.P., 157.

Xaidulla. See: Shahidulla.
Xinjiang. See: Sinkiang.

Yadavindra Singh, Maharaja of Patiala, 131, 142.
Yahya Khan, General, 283, 294, 295.
Yaks, 267, 268.
Yakub Beg, 21, 22, 24, 25, 26, 46, 53.
Yang Tseng-hsin, 42, 43, 54.
Yarkand, 18, 25, 30, 31, 35, 54, 63.
Yarkand River, 33, 34, 53.
Yasin, 10, 16, 27, 28, 61.
Young, Lt., 20.
Younghusband, Sir F., 32, 34, 38, 39, 50.
Younghusband Expedition to Tibet, 38, 39, 78.
Yugslavia, 257.
Yuvak Sabha, 85.

Zafrullah Khan, Sir M., 165, 178.
Zahedan, 266.
Zail Singh, 320, 321.
Zamir, Soviet "Agent", 61, 62, 63, 64, 65, 66, 67, 78.
Zia-ul-Haq, General, 276, 323, 324, 333, 338.
Zia-ul-Hassan, Lt.-General, 299.
Ziegler, P., 105, 120.
Zira, 112, 113.
Zoji La, 75, 162, 196.