Victoria Schofield has written extensively on subjects related to South Asia. She has an MA (Hons) degree in History from Lady Margaret Hall, Oxford. Her previous publications include *Old Roads, New Highways: fifty years of Pakistan* (ed.) (1997), *Kashmir in the Crossfire* (1996), *Every Rock, Every Hill: the North-West Frontier and Afghanistan* (1987), *Bhutto Trial and Execution* (1990 & 1979), *The United Nations* (1985). She reviews regularly for *Asian Affairs, the Asiatic Journal* and other publications.

Kashmir
IN CONFLICT

India, Pakistan and the Unfinished War

VICTORIA SCHOFIELD

I.B.Tauris *Publishers*
LONDON • NEW YORK

Published in 2000 by I.B.Tauris & Co Ltd
Victoria House, Bloomsbury Square, London WC1B 4DZ
175 Fifth Avenue, New York NY 10010
website: http://www.ibtauris.com

In the United States of America and in Canada distributed by
St Martins Press, 175 Fifth Avenue, New York NY 10010

Copyright © Victoria Schofield, 2000

The right of Victoria Schofield to be identified as the author of this work has been asserted by the author in accordance with the Copyright, Designs and Patents Act 1988.

All rights reserved. Except for brief quotations in a review, this book, or any part thereof, may not be reproduced, stored in or introduced into a retrieval system, or transmitted, in any form or by any means, electronic, mechanical, photocopying, recording or otherwise, without the prior written permission of the publisher

ISBN 1 86064 545 3

A full CIP record for this book is available from the British Library
A full CIP record for this book is available from the Library of Congress

Library of Congress catalog card: available

Typeset in Monotype Garamond by Wyvern 21 Ltd, Bristol
Printed and bound in Great Britain by WBC Ltd, Bridgend

DS
485
.K25
S385
2000

GRAD
32595074
SASIA
4-17-00

For my children, Alexandra, Anthony, Olivia

Contents

	Maps	ix
	Acknowledgements	xi
	Preface	xiii
CHAPTER 1:	Introducing Kashmir	1
CHAPTER 2:	Independence	27
CHAPTER 3:	Accession	49
CHAPTER 4:	Special Status?	73
CHAPTER 5:	Diplomacy and War	99
CHAPTER 6:	Bravado and Despair	127
CHAPTER 7:	Vale of Tears	143
CHAPTER 8:	Hearts and Minds	163
CHAPTER 9:	Conflict or Consensus?	189
	Conclusion	225
	Glossary	239
	Notes	241
	Bibliography & Sources	267
	Index	277

Maps

1. The valley of Kashmir xviii
2. The creation of the state of Jammu and Kashmir 8
3. The Gilgit Agency 20
4. Kashmir and its neighbours 26
5. Gurdaspur district and access to the State of Jammu and Kashmir 34
6. Partition boundaries in the Punjab 36
7. The Azad State of Jammu and Kashmir 88
8. An Independent State of Jammu and Kashmir? 161
9. Jammu and Kashmir today 162

Acknowledgements

'A country of such striking natural beauty must, surely, at some period of its history have produced refined and noble people,' writes Sir Francis Younghusband in his *History of Kashmir*. So indeed, and during my own journey through Kashmir's contemporary history, I have been privileged to make contact with some of them. In the present day, I am grateful to the three main protagonists in the current struggle: the Indians, Pakistanis and the Kashmiris and, by this, I include all the inhabitants of the once princely state. My thanks also go to the Governments of India and Pakistan, whose representatives have always received me openly, as well as their respective High Commissions in London; in addition, I should like to thank the members of the Government of the state of Jammu and Kashmir, the members of the All Parties Hurriyat Conference, the 'Azad' Government of Jammu and Kashmir and numerous officials and private individuals.

No book is written single-handedly. All those I interviewed, often at short notice, could not have been more willing to open their hearts and homes to me in order for me to understand their story. Where they have not been able to resolve their differences at the negotiating table, I have attempted to sit with them independently, listen to their grievances and share their dreams. They, too, are contributors to this book. I am also grateful for permission to quote from numerous works listed in the bibliography; I have done so with special attention to those first-hand accounts which capture an event far better than it is sometimes possible to do with the wisdom of hindsight. In quoting the views and opinions of others, I have also wanted to give the reader the benefit of their analyses as well as my own.

I am grateful to all those who assisted me during my long years of research on Kashmir, especially: Rahul Bedi, who travelled with me to the valley of Kashmir, Gulam Butt and family on whose houseboats I stayed in Srinagar, Alastair Lamb, Rashmi Shankar, who gave me a home in New Delhi and travelled with me to Ladakh, Leslie Wolf-Phillips, Malcolm Yapp. I am especially grateful to David Page, who gave me invaluable advice. For additional assistance, I should like to thank Lord Ahmed, Lynne Ali, Lord Avebury, Brian Cloughley, Alexander Evans, M.J. Gohel and Margot Norman. I should also like to express my thanks to Benazir Bhutto, former Prime Minister of Pakistan, a personal friend since we were students at Oxford, and who first aroused my interest in South Asia 25 years ago.

My thanks go to the staff of the British Library and the Oriental and India Office Collection for the many hours I have spent researching in these libraries. I am grateful for permission to quote from the books and

manuscripts I have used from their collections. I am also grateful to the London Library for its liberal lending policy, the United Nations Library and the Royal Geographical Society, whose collection of maps I have consulted. Finally, I should like to thank my agent, Sara Menguc, my publisher, Iradj Bagherzade, and his colleagues at I.B.Tauris, my husband, Stephen Willis, my children, Alexandra, Anthony and Olivia and my friends, all of whom have supported me emotionally and practically while I have been trying to understand the complexities of Kashmir. Unless otherwise stated, all views and conclusions expressed in this book are my own.

Preface

> Who has not heard of the Vale of Cashmere,
> With its roses the brightest that earth ever gave,
> Its temples and grottos, and fountains as clear
> As the love-lightened eyes that hang over the wave?[1]

I first saw the valley of Kashmir in 1981. Like so many other visitors, I stood by Dal lake in Srinagar, admiring the lofty snow-capped Himalayan mountains, which seem to determine the end of the world. The beauty and tranquillity of the valley was almost tangible but it hides an inner pain. For centuries, the valley of Kashmir has been a battleground for emperors and kings who have wanted to include it amongst their dominions. At times courting outside interference, at others rejecting it, in modern times, the peoples of the valley have been conquered by Mughals, Afghans and Sikhs. Today the rule of modern India is being challenged. So often, during my travels in the valley, I asked: 'What are you fighting for?' 'Freedom,' came the reply. 'We want our freedom and then we will think what to do with it.' It was an echo which resounded through the centuries.

In 1846, under the terms of the Treaty of Amristar, the British sold the valley of Kashmir to the Hindu Dogra ruler, Gulab Singh. As Maharajah of Jammu and Kashmir, he was able to include Kashmir as the 'jewel' in the 'casket' of his other territorial possessions, which included Jammu, Ladakh, Baltistan and numerous hill states, through which flowed the river Indus and its tributaries to the east. Thus, people of different linguistic, religious and cultural origin were all brought under the jurisdiction of one ruler. The inclusion of the predominantly Muslim and more densely populated valley meant that Hindus and Buddhists were in the minority.

When, a century later, the sub-continent was partitioned at independence in 1947, Maharaja Hari Singh, Gulab Singh's great-grandson, could not decide whether to join the new dominion of Pakistan or India. For over two months, his state remained 'independent'. In October, after large numbers of tribesmen from Pakistan's North-West Frontier invaded the state, he finally agreed to join India. His decision was immediately contested by Pakistan on the basis of the state's majority Muslim population. War between India and Pakistan was finally halted in 1949 by a ceasefire supervised by the United Nations.

For over fifty years, India and Pakistan have fought over Jammu and Kashmir both on the battlefield and at the negotiating table; both countries wanted to absorb it within their borders, neither of them has succeeded in doing so entirely. An uneasy peace exists along the 500 mile ceasefire line where the two sides stopped fighting in 1949. One-third of the former princely state is administered by Pakistan, known as 'Azad' (Free) Jammu and Kashmir

and the Northern Areas; two-thirds, known as the state of Jammu and Kashmir, are controlled by India; this area includes the regions of Ladakh, Jammu and the prized valley of Kashmir. Since 1949, the line has been manned by a small force of the United Nations Military Observer Group in India and Pakistan (UNMOGIP) – the second oldest peacekeeping mission in the UN's history.[2] Although hostilities broke out again in 1965, the ceasefire line remained as the de facto border. Following the 1971 war, when East Pakistan seceded to become independent Bangladesh, under the terms of the 1972 Simla[3] agreement between Pakistan and India, the ceasefire line was renamed the line of control (LOC). Subsequently India requested the withdrawal of UNMOGIP from the Indian side of the LOC on the grounds that its mandate had lapsed. Border shellings and deaths on both sides of the line are routine.

In the north-east, China lays claims to a section of uninhabited land, the Aksai Chin, through which it has constructed a road linking Tibet to Sinkiang (Xinjiang). The boundary – called the 'line of actual control' (LAC) – between Indian and Chinese-held territories has never been delimited. To complicate the issue further, the ceasefire line between Indian and Pakistani-administered Jammu and Kashmir, also stopped short at the Siachen glacier which extends for a 40 mile expanse northwards to the de facto border with China. In 1984 Indian troops took control of part of the glacier and since then Indian and Pakistani forces have confronted each other in what is regarded as the world's highest war zone.

What distinguishes the Kashmiri conflict from other regional disputes is that, in order to effect a ceasefire, in 1948 the Indian government made a formal complaint to the Security Council of the United Nations against Pakistan's 'aggression'. The complaint against Pakistan in an international forum turned a dispute between two countries into an issue which invoked international opinion. The recommendations of the United Nations, formulated into three resolutions, introduced a third party into the debate: the wishes of the people who lived in the land over which India and Pakistan were fighting. From that moment the Kashmiri conflict became an issue involving not two but three protagonists: India, Pakistan and the inhabitants of the state of Jammu and Kashmir. All three resolutions passed by the United Nations' Security Council in 1948 and 1949 recommended that a plebiscite should be held in order for the people themselves to decide their future.

That the plebiscite was never held should perhaps be no surprise. Firstly, as a prerequisite, Pakistan was required to withdraw its forces from the territory which they had occupied. Secondly, it was also clear that India was not anxious to determine what the will of the people might be, lest the numerically superior Muslims might vote in favour of Pakistan. In the event, Pakistan's reluctance to vacate the territory it had occupied gave India the excuse to renege on its commitment to hold a plebiscite; the de facto division of the state which India and Pakistan had achieved militarily was therefore neither

reversed nor confirmed. But although successive Indian governments may have regretted the fact that an international body was ever involved in discussing the future of the state of Jammu and Kashmir, the Security Council's recommendations for a plebiscite remain on the agenda of the UN. Whatever India or Pakistan may have subsequently agreed between themselves at later summits – Tashkent in 1965, Simla in 1972 and Lahore in 1999 – the tripartite nature of the Kashmiri conflict, with the plebiscite as a means of determining the future of the inhabitants of the state, was already established by the United Nations in 1948.

Yet, as Sir Owen Dixon, UN representative for India and Pakistan, noted in 1950, the difficulty of resolving the future of the state was compounded by the fact that it was 'not really a unit geographically, demographically or economically' but 'an agglomeration of territories brought under the political power of One Maharaja.' According to a 1981 census, over 95 per cent of the valley's 3 million people were Muslim, and only 4 per cent Hindu. In Jammu the ratio was reversed: of a population of just over 2.7 million, 66 per cent were Hindus and nearly 30 per cent were Muslim, living primarily in the Doda and Rajauri areas. Ladakh is sparsely populated with 134,000 inhabitants, of which over half are Buddhist, 46 per cent Shia Muslim and less than 3 per cent Hindu. On the Pakistani-administered side of the ceasefire line, the peoples of the Northern Areas, which include the former kingdoms of Hunza, Nagar, Gilgit and Balistan, numbering just over half a million in 1981, are also culturally distinct. So too are the two million inhabitants of the former hill states, centred on the districts of Kotli, Poonch, Mirpur and Muzaffarabad.[4] Whereas Shia Muslims predominate in the Northern Areas, Sunnis are in the majority in AJK.[5]

In 1989 a significant number of the Muslim inhabitants of the valley began a movement of protest, which was both an armed struggle and a political rejection of their continuing allegiance to the Indian Union. The difficulty which the Kashmiri activists[6] faced, and which was always inherent in any debate about their collective will was the lack of obvious unanimity of objective in their movement. Some were still fighting for the plebiscite to be held so that the valley could join Pakistan; others wanted a plebiscite which would include a 'third option' – independence of the entire state, as it existed in 1947, including the area controlled by Pakistan. The pro-independence activists found legal justification in the UN Security Council resolution adopted on 13 August 1948 which recommended that a final decision on the status of Jammu and Kashmir 'shall be determined in accordance with the will of the people' without reference to a choice between either India or Pakistan. Other inhabitants of the state – the Buddhist Ladakhis and the Shia Muslims of the Kargil area – did not support the movement of protest. Nor did the formerly nomadic Gujar and Bakherwal Muslims. The Hindus and Sikhs of the Jammu region have also traditionally regarded themselves as part of the Indian Union and resented the dominant will of the numerically superior Muslims of the valley.

Ever since 1947, the international community has watched the situation in Jammu and Kashmir with foreboding, lest the conflict escalate into another war. The contribution which the international community has been able to make has, however, been limited. Ever since the UN resolutions in 1948 and 1949, India has distanced itself from any attempts at international mediation, either by the UN or any other body or individual country. The 1972 Simla agreement with Pakistan provided the opportunity for India to claim that the issue was no longer an 'international' but a bilateral one. But even bilateral talks with Pakistan over Jammu and Kashmir led to a stalemate of rhetoric because neither country was prepared to resile from the position it had adopted in 1947. Whenever, in an attempt to break the deadlock, Pakistan called for third party mediation, India reacted against the 'internationalisation' of the issue.

To an outside observer, Pakistan's deliberate encouragement of the Kashmiris to fight for their self-determination may appear inconsistent with its own national objective to include the state of Jammu and Kashmir as part of Pakistan. Reading between the lines of Pakistani rhetoric, however, it is clear that Pakistan has never accepted a definition of 'self-determination' to be anything other than a choice between India and Pakistan. This view is contrary to the wishes of many Kashmiri activists who interpret 'self-determination' as independence from both India and Pakistan. When, during the height of the insurgency, I asked a young girl in Sopore whether, as a Muslim, she was fighting to become part of Pakistan, she looked at me incredulously: 'Why should I want to exchange one set of masters for another?' she replied.[7] In order not to 'sabotage' their movement, the Kashmiri activists have, however, also agreed not to resolve the dilemma of their dual – and what would eventually be competing – objectives.

On Thursday, 27 May 1999, an Indian airforce MiG-27 reportedly strayed into Pakistani airspace near the line of control. Within minutes the plane was shot down by a French missile fired by Pakistani troops. About twenty minutes later, another Indian plane came down. The Indian airforce was targeting insurgents, who had taken over key positions threatening Indian lines of communication in the mountains north of Kargil. Although Pakistan denied any involvement in the activities of the militants, the Indian government blamed the Government of Pakistan for permitting and assisting the 'infiltrators' to cross the line of control. Yet again, India and Pakistan appeared to be dangerously close to hostilities which could lead to a full-scale war between the two countries. This time the prospect appeared even more deadly; in May the previous year, both countries had conducted several nuclear tests; they had also test-fired missiles capable of taking nuclear warheads. The news of the aerial bombardments made headlines all over the world. Once more the Kashmiri issue returned into the realm of international consideration. Why did the unresolved status of Jammu and Kashmir keep two countries – separated in 1947 so that their peoples could live in peace – always on the brink of war? Why did the conflict defy resolution?

To date, no consensus has been reached between India and Pakistan on the future of the state, merely an unacknowledged status quo. India insists that the state of Jammu and Kashmir is an integral part of India and that the UN resolutions are no longer relevant; Pakistan maintains that its future should be resolved with reference to the United Nations' resolutions without the 'third option' of independence. Although the voice of the pro-independence lobby is loud, there is still no obvious 'collective will' amongst the heterogeneous inhabitants of the entire state of Jammu and Kashmir. Spanning the history of the past fifty years are the lives, and sadly often violent deaths, of innocent men, women and children who have been caught up in a war which seems unending. After half a century, the conflict remains both a struggle for land as well as about the rights of people to determine their future. As I was often told during my research on Kashmir: 'You cannot talk about Kashmir as a dispute between two nations. It is a conflict because we – the Kashmiris – are in the middle.'

Notes

1. Thomas Moore, *Lalla Rookh*, London, 1986, p. 256. Moore never visited the valley of Kashmir but his narrative poem, written in the 19th century, captured the imagination of all who read it.

2. The first peacekeeping mission, UNTSO (UN Truce Supervision Operation), has been deployed in the Middle East since 1948. Since the 1972 Simla agreement, no UN observers have been permitted as monitors along the Indian-held side of the LOC, although an office remains in Srinagar.

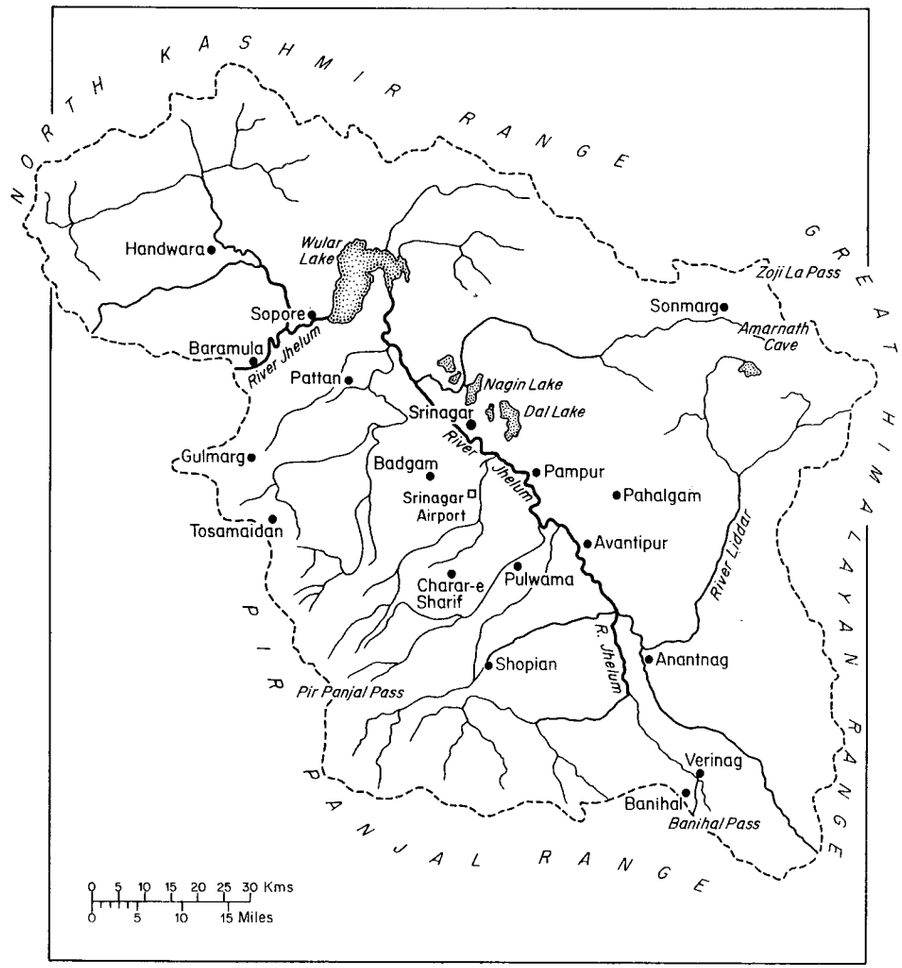
3. Indians now refer to Simla as Shimla. For purposes of consistency, I have retained the original name, Simla, as it was used in 1972.

4. Robert G. Wirsing, *Boundary & Territory Briefing*, Vol. 2, Number 5, International Boundaries Research Unit, 1998; Azad Kashmir at a Glance, 1993, Planning & Development Dept, Azad govt of the State of Jammu and Kashmir. Figures for AJK were estimated at 2.7 million in 1993. According to a 1991 census of Indian J & K the total population numbers approximately 7.72 million.

5. Shia Muslims believe that the Prophet chose his son-in-law and cousin, Ali, as his successor. Sunnis believe that the Prophet's role in revealing God's laws and guiding the people ended with him. The differences of belief are fundamental and have caused major strife between the two communities.

6. I have used the term 'activist' to denote those Kashmiris who were challenging Indian authority, in general, through non-violent means. It must be noted that there were also always Kashmiris who did not challenge Indian authority.

7. Interview, Sopore, April 1994.



1. The Valley of Kashmir
(Source: Raghubir Singh, *Kashmir: Garden of the Himalayas*, London, 1983)

CHAPTER 1

Introducing Kashmir

> Small indeed the country may seem by the side of the great plains that extend in the south, and confined the history of which it was the scene. And yet, just as the natural attractions of the valley have won it fame beyond the frontiers of India, thus too the interest attaching to its history far exceeds the narrow geographical limits.
>
> Sir Aurel Stein, 1900[1]

The valley of Kashmir, an irregular oval of land, is one of the most beautiful places in the world. On a map the valley appears remote and landlocked, extending for no more than ninety miles, isolated by successive ranges of the Himalayan mountains high above the plains of the sub-continent. Its apparently impregnability is, however, illusory. Over twenty passes provide points of entry, making the valley both a crossroads and a place of refuge. A unique record of the history of Kashmir, the *Rajatarangini* (Chronicle of Kings), written in the 12th century by the poet Kalhana, describes how, since legendary times, the valley's rulers came into contact and conflict with their neighbours.[2] Sometimes the valley formed part of a great empire, at others it comprised a kingdom in its own right. At all times, its peoples have retained a strong attachment to their Kashmiriyat – their cultural identity – which transcends religion. The Kashmiri language is also distinct from the Hindi or Urdu spoken by the inhabitants of the plains.[3]

Ancient Kashmir

Kashmir's first period of 'imperial' history begins in the third century BC with the rule of Asoka, whose empire extended from Bengal to the Deccan, Afghanistan to the Punjab, and included Kashmir. Originally a devout Hindu. Asoka turned to Buddhism and sent Buddhist missionaries to the valley. When he died, Kashmir once more regained its independence. In the first century AD, the valley was invaded by the Kushans from north-west China who had succeeded in conquering the whole of northern India. King Kanishka, who converted to Buddhism, also loved Kashmir and often held his court in the valley. The Kushan kings were renowned for their love of art, architecture and learning and the period was marked by intellectual resurgence. Traders, who traversed the famed Silk route, brought not only merchandise but also literary

and artistic ideas. In the decades which followed, Kashmir is remembered as enjoying a 'golden age'. The economic life of the people was simple. They worked the land, and were expected to pay a proportion of what they cultivated to the ruler. Kashmiris became famous throughout Asia as learned, cultured and humane and the intellectual contribution of writers, poets, musicians, scientists to the rest of India was comparable to that of ancient Greece to European civilisation.

Lalitaditya, who ruled in the early 8th century, is still regarded as one of the most celebrated Hindu kings. A predecessor of the European emperor, Charlemagne, he epitomised the type of conquering hero upon which Kashmiri pride in their ancient rulers is founded. He also made a significant contribution as an administrator. Avantivarman, who lived in the 9th century, is another of the great Hindu kings after whom the town of Avantipur is named, and who earned praise from Kalhana for his internal consolidation of the state. From the 10th century onwards, however, struggles for power in Kashmir intensified. The isolationist policy adopted by the later Hindu kings to counter emergent Islam in north India meant that the resources of the kingdom were insufficient to sustain the population.

The first great king of the Muslim period was Shahab-ud Din who came to the throne in 1354. With peace restored after the devastation of the Mongols, Shahab-ud Din devoted his attention to foreign expeditions, conquering Baltistan, Ladakh, Kishtwar and Jammu. Shahab-ud Din also loved learning and patronised art and architecture. He was married to a Hindu, Laxmi, and had great regard for the religious feelings of all his subjects. During the reign of his successor, Qutb-ud Din, the pace of conversion to Islam increased. Hinduism persisted, however, and the administration remained in the hands of learned men, the Brahmins[4], who were recognised as the traditional official class; Sanskrit also remained the official court language. In 1420 another great king, popularly called Bud Shah (meaning 'great king') came to the throne. The grandson of Qutb-ud-Din, he took the name Sultan Zain-ul Abidin. During his long reign, which lasted until 1470, the valley prospered. Bud Shah's court was full of poets and musicians. He also patronised scholars and intellectuals. He was tolerant towards the Brahmins and rebuilt the temples, which had been destroyed during his father's reign. Many Hindus, who had left, returned. Persian became the new official language and those who learnt it were offered government appointments. Bud Shah also introduced the art of weaving and papier mâché making, which have made Kashmiri handicrafts famous to this day. His reign, however, was not free from the usual power struggles. For the last eighteen years of his life, a war over the succession raged between his three sons.

In the years to come, the fame of Kashmir attracted the Mughals but they failed in their early attempts to dominate the valley. It was, however, only a matter of time before the Mughal emperor, Akbar, who had succeeded to the throne of Delhi in 1558, sought to take advantage of yet another power

struggle. In 1586 he sent an expedition to conquer the valley. Kashmir's last king died in exile. With the incorporation of Kashmir into the Mughal Empire, the valley of Kashmir's long history as a kingdom in its own right came to an end. When Kashmiris point to their political heritage, they remember with pride the Hindu dynasties and the Muslim Sultanates. Most importantly, although the lives of the people were undeniably harsh, none of their rulers was answerable to some alien power in Kabul, Lahore or Delhi; accordingly, their actions form part of a history which Kashmiris regard as undeniably their own.

Mughals and Afghans 1586–1819

The conquest of the valley by the Mughals is generally regarded as marking the beginning of Kashmir's modern history. For nearly two centuries, Kashmir was the northernmost point of an empire whose power base was situated in Delhi. Once master of Kashmir, Akbar, adopted a policy of conciliation and entered into marriage alliances with the Kashmiri nobility. His rule, both throughout India and in the valley, was known for its liberalism. Of all the rulers of Kashmir, Akbar's son and successor, Jehangir, who ascended the throne in 1605, is perhaps best remembered for his love of the valley. During his reign Jehangir beautified Kashmir with over 700 gardens. On his deathbed, he was reportedly asked if there was anything he wanted, to which he replied: 'Nothing but Kashmir.' His son, Shah Jehan, who succeeded him in 1624, also loved Kashmir and the valley became a popular place of refuge for the Mughal nobility away from the plains of India during the hot summers.

With Mughal rule, a pattern of government began, which was to become only too familiar to the Kashmiri people. A governor was sent to administer the province and demand taxes. Yet even though Kashmir was dominated by an outside power and once more comprised part of a great empire, early Mughal rule is generally remembered as a period of relative stability and prosperity. Poets and scholars came to Kashmir. Land reforms were also undertaken. Those who visited Kashmir in later years retained the belief that Mughal rule was also a golden age.

Aurangzeb, who came to the throne in 1658, was the last of the Mughal Emperors to make any impact on Kashmir's history. When he made his first and only visit to Kashmir in 1665, he was accompanied by the French doctor, François Bernier, whose enthusiasm for Kashmir undoubtedly influenced future travellers. 'I am charmed with Kachemire. In truth, the kingdom surpasses in beauty all that my warm imagination had anticipated.' Bernier wrote favourably of people who 'are celebrated for wit, and considered much more intelligent and ingenious than the Indians.'[5] By this time the shawl industry, begun by Bud Shah, was coming into its own and Bernier took note of the great number of shawls which the local people manufactured.

Towards the end of Aurangzeb's reign, an event occurred which had special significance for later generations of Kashmiri Muslims. In 1700 a strand of the beard of the Prophet Muhammad, the Mo-i Muqaddas, was brought by the servant of a wealthy Kashmiri merchant to Kashmir. It was originally displayed in a mosque in Srinagar, but the mosque was too small for the crowds who came to see it. The relic was therefore taken to another mosque on the banks of Upper Dal lake, which was known first as Asar-e-Sharif – shrine of the relic – and then Hazratbal – the lake of the Hazrat, or the Prophet. It has remained there ever since, with one brief interlude in 1963 when it mysteriously disappeared. Unlike Akbar, Aurangzeb was intolerant of other religions and the memory of his reign is tarnished by his persecution of Hindus and Shias Muslims. Brahmins were, however, still retained within the administration and opportunities existed for both Muslims and Hindus to prosper on merit and learning. The end of Aurangzeb's rule and the war of succession between his three sons after his death in 1707 led to a steady decline of Mughal rule in Kashmir.

In the early 18th century, the number of Hindus leaving the valley increased. Although it was believed this was due to persecution, it is also possible that the Brahmins left because of the opportunities presented by contacts made while Kashmir was part of the Mughal empire.[6] When the Persian king, Nadir Shah, invaded Delhi in 1738, the Mughal hold on Kashmir was weakened still further. This in turn left Kashmir to the mercy of further invaders. In 1751, the Afghans, ruled by Ahmed Shah Durrani, absorbed Kashmir into their expanding empire. The names of the Afghan governors who ruled Kashmir are all but forgotten but not their cruelty, which was directed mainly towards the Hindus. Oppression took the form of extortion of money from the local people and brutality in the face of opposition. Both Kashmiri men and women lived in fear of their lives. Many were captured and sent as slaves to Afghanistan. After Ahmed Shah Duranni's death in 1772, the Afghan kingdom never again reached the heights to which it had risen under his leadership but Afghan control of the valley of Kashmir lasted another 47 years. During Afghan dominance, the shawl industry declined, probably due to heavy taxes. By the 1780s there were 16,000 shawl looms in use compared with 40,000 in the time of the Mughals; by the beginning of the 19th century the demand for shawls in Europe meant that the number of looms rose to 24,000 by 1813.[7] Despite the religious oppression, to which many Hindus were subjected, they were, however, useful to the Afghans because of their administrative experience. Kashmiri Pandits were not prevented from entering into government service and there were some families whose names consistently appear in public service – the Dhars, Kauls, Tikkus and Saprus.[8]

To the south of Kashmir, the Sikh ruler, Ranjit Singh, son of Mahan Singh, head of one of the twelve Sikh confederacies, known as 'misls', was extending his empire in the Punjab at the expense of the declining Afghan

empire. In 1799 he had acquired Lahore and the title of maharaja from Zaman Shah, King of Afghanistan. In 1802 Ranjit conquered Amritsar. In 1809, the British and Sikhs concluded a treaty of 'Amity and Concord' by which the Sikhs acknowledged British supremacy in Sindh and the British agreed that their territory would stop at the river Sutlej. In 1819, the 'Lion of the Punjab', as Ranjit Singh became known, finally succeeded in taking Kashmir, initially to the relief of the local people who had suffered under the Afghans.

Sikh rule

As was customary practice under the Mughals and Afghans, control of Kashmir was carried out by a series of governors. Several measures, which demonstrated the assertion of Hindu belief over that of the Muslims, were enacted. Cow slaughter was made punishable by death. The picture painted by the Europeans who began to visit the valley more frequently was one of deprivation and starvation. In 1823 William Moorcroft travelled throughout Kashmir on his way to Bokhara. His objective was to locate a better breed of horse from amongst the Turkman steeds for the East India Company's military stud. Before becoming a veterinary surgeon, he had trained as a doctor and while in Srinagar, he treated the local people:

> Everywhere the people were in the most abject condition, exorbitantly taxed by the Sikh Government and subjected to every kind of extortion and oppression by its officers. The consequences of this system are the gradual depopulation of the country.[9]

Moorcroft estimated that no more than one-sixteenth of the cultivable land surface was under cultivation; as a result, the starving people had fled in great numbers to India. Moorcroft's mission was never completed because he died of fever in 1825 but his journals, edited by H.H. Wilson, provide a valuable insight into the condition of the people in the early years of Sikh rule. The Kashmiris, he said, were treated as 'little better than cattle'.[10] In 1831 Victor Jacquemont, a French botanist, arrived in the valley. The appearance of Srinagar, he said, was the 'most miserable in the world ... nowhere else in India are the masses as poor and denuded as they are in Kashmir.'[11] Godfrey Vigne who travelled throughout Kashmir in the late 1830s had a similar story to tell. 'Not a day passed whilst I was on the path to Kashmir, and even when travelling in the valley, that I did not see the bleached remains of some unfortunate wretch who had fallen a victim either to sickness or starvation.'[12] There were, however, some benefits arising from the contact with Europeans: detailed studies were made of the area and Captain Wade's map, presented to Ranjit Singh, was the first up-to-date map of Kashmir. A rudimentary postal system was also set up.

Ranjit Singh never visited the valley of Kashmir; but there is a well-known

story which relates how he once wrote to one of his governors, Colonel Mian Singh: 'Would that I could only once in my life enjoy the delight of wandering through the gardens of Kashmir, fragrant with almond-blossoms, and sitting on the fresh green turf!' To please the maharaja, the governor ordered a special Kashmiri carpet to be woven with a green background, dotted with little pink spots and interspersed with tiny little pearl-like dots. When he received it, Ranjit was delighted and rolled himself on it as though he were rolling in Kashmiri grass.[13] A shawl was also prepared for Ranjit Singh depicting a map of the Kashmir valley; but by the time it was completed thirty-seven years later, the Lion of the Punjab was dead.

On the sidelines of Kashmir, in the neighbouring plains of Jammu, the Dogra Rajputs were keenly interested in events in the valley. They had settled around the lakes of Mansar and Siroinsar in the tract of land rising from the plains of the Punjab to the mountains in the north and they took their name from Dogirath, which, in Sanskrit, means 'two lakes'. In the 1820s, the ruler of Jammu, a feudatory of Ranjit Singh, was Raja Gulab Singh, born in 1792. With his two younger brothers, Dhyan and Suchet, Gulab had succeeded in making himself indispensable at the court of the Sikh ruler. As Ranjit Singh's vassals, the three brothers succeeded in amassing land and wealth both in the plains and hill states to the north of the Punjab. Created Raja of Jammu by Ranjit Singh in 1822,[14] Gulab Singh also expanded his lands in the name of the Sikh kingdom still further to include Ladakh which bordered China. When Ranjit Singh died in 1838, in the chaos of the Sikh succession, Gulab Singh was well-placed to control events not only in the heart of the Sikh empire in Lahore but also in Kashmir and its neighbouring states.

Until Ranjit Singh's death, the East India Company had maintained cordial relations with the Sikhs; they in turn did not wish to upset the British. After his death, the relationship fell apart. On 11 December 1845, in the First Anglo-Sikh war, the Sikh army moved across the river Sutlej. Two encounters – at Mudki and Firuzshar – left the Sikhs defeated although not conclusively. The following year, on 10 February 1846, the Sikhs once more engaged the British in battle at Sobraon, a small village on the banks of the Sutlej. Gulab Singh remained on the sidelines, offering to help his overlords but failing to give it, at the same time as keeping in regular contact with the British. Without his support, Sikh defeat was inevitable. Representatives from both sides met at Kasur, where the two armies had halted, about thirty miles from Lahore. The British, recognising that Gulab Singh's neutrality had tipped the balance of the war in their favour, treated him as a welcome ambassador.

The terms of the settlement embodied in the Treaty of Peace, ratified at Lahore on 9 March 1846, between the young Sikh Maharaja, Dulip Singh, and the British, were designed to reward Gulab Singh. Instead of paying an indemnity of one crore of rupees, the Sikhs were required to cede to the East India Company the provinces of Kashmir and Hazara. The Sikhs were also

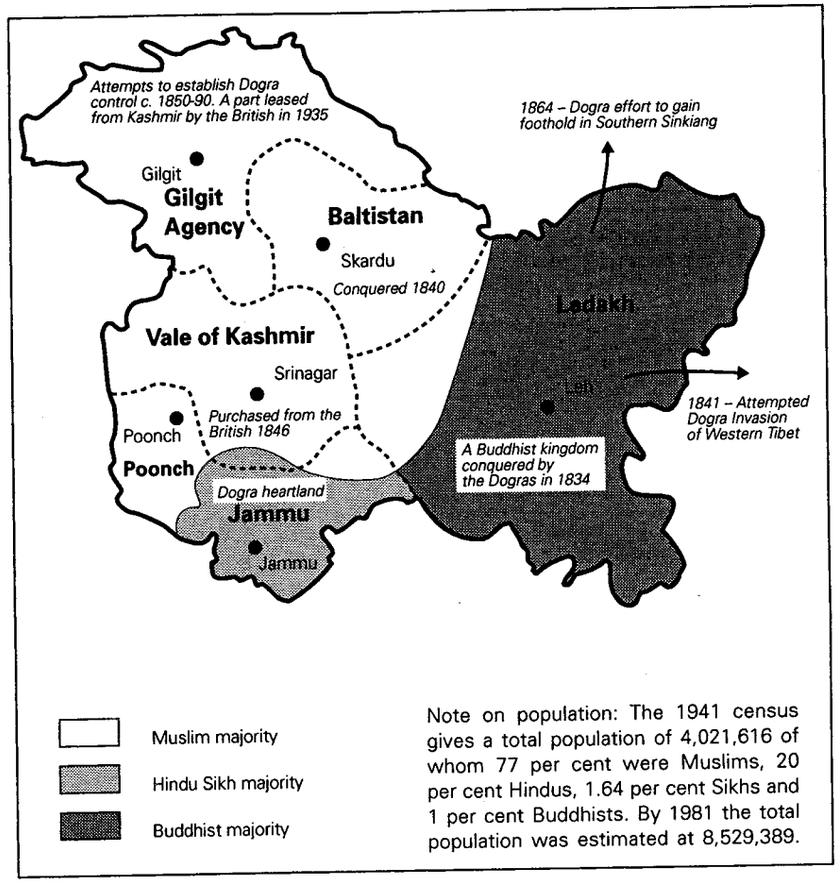
obliged to recognise the independent sovereignty of Gulab Singh in territories which were to be made over to him by a separate agreement. A week later, on 16 March, the British signed the Treaty of Amritsar with Gulab Singh. He was to pay the exact sum in lieu of which the British had taken possession of Kashmir one week earlier: one crore of rupees towards the indemnity. Twenty-five lakhs were later waived because the British retained some territory across the river Beas.[15] By the terms of the Treaty of Amristar, Gulab Singh was able to sever his allegiance from the Sikhs; henceforward, he was no longer their feudatory but, as Maharaja of Jammu and Kashmir, a counterpoise against them. Gulab Singh's estate included not only his native Jammu but also the Himalayan kingdom of Kashmir, Ladakh and Baltistan, which Gulab Singh's famous general, Zorawar Singh, had conquered on behalf of the Sikhs in 1840.[16]

Dogras

Despite Gulab Singh's status as a maharaja, he still came under suspicion when, once again the Sikhs confronted the British in 1848, in the second Anglo-Sikh war. Gulab Singh, however, did not turn on his new overlords, as the British feared he might. Instead, when the British demanded his support, as they were entitled to do under the terms of the Treaty of Amritsar, he gave it. Sikh defeat at the battle of Gujrat on 21 February 1848 led to the total dismemberment of the Sikh empire and the annexation by the British of the Punjab.

Although the valley of Kashmir had been added to the Dogras' possessions, the Kashmiris always felt that the Dogras considered Jammu as their home and the valley as a conquered territory. The British, who came under severe criticism for the sale of the valley, could not do much to improve the lot of the Kashmiris, since they had no mandate to interfere in the conduct of the state. They were concerned, however, to pressurise Gulab Singh to dispense with suttee, female infanticide and the killing of illegitimate children. Gulab Singh also continued to allow universal freedom of worship and, although he did not approve of Hindu-Muslim marriages, he did not prevent them. In 1856, after ten years as maharaja, Gulab Singh's health began to fail. He had had diabetes since 1851 and was also suffering from dropsy. In order to smooth the succession and prevent rival claims to the throne from the sons of his brothers, Dhyan and Suchet, he asked the Governor-General to install his third son, Ranbir Singh, as maharaja on 8 February 1856. Although Gulab Singh had formally abdicated, he became governor of the province and retained full sovereignty until his death on 7 August 1857.

The general uprising of sepoys, the local troops used in the army of the East India Company – known by the British as 'the Indian Mutiny' and by the Indians as 'the war of independence' – started in Meerut, near Delhi, on



2. The Creation of the State of Jammu and Kashmir with Communal Groupings (Source: Alastair Lamb, *Crisis in Kashmir*, London, 1966)

10 May 1857. It soon spread to other towns and hundreds of Europeans were massacred. The titular head of the former Mughal empire, Bahadur Shah II, supported the mutineers. The rebellion, which lasted for over a year, not only undermined British confidence in their rule in India, but it also called for loyal allies. The state of Jammu and Kashmir, under the joint leadership of the ailing Gulab Singh and his son, Ranbir, responded favourably to British appeals for help. They sent a large amount of money to the Punjab for the troops whose pay was in arrears. The mutineers were also forbidden to seek asylum in Kashmir which, after British annexation of the Punjab, now bordered British India. Shelter in the valley was also provided to English women and children, seeking refuge from the plains. Most importantly, the Dogras agreed to send a Kashmiri force to assist the British in the siege of Delhi, although continuing doubts about their loyalty to the British kept the soldiers inactive for several months. Only after Gulab Singh's death in August 1857, was the force allowed to depart. It saw only limited action, but the psychological significance of the decision to commit Kashmiri troops on the side of the British outweighed their possible contribution in the fighting.[17] After the mutiny, the Governor-General became the Queen's representative, the Viceroy, and the administration was no longer enacted through the East India Company but through the Government of India.

By amending the terms of the Treaty of Amritsar, in 1860 His Highness Maharaja Sir Ranbir Singh, Indar Mahindar, Sipar-i-Saltanat, General, Asakir-i-Inglishia, Mushir-i-Khas-i-Qaisara-i-Hind, Grand Commander of the Star of India, Grand Commander of the Indian Empire was rewarded for his loyalty and assistance during the Indian mutiny by being allowed to adopt an heir from a collateral branch of the family. This was confirmed by George Canning in 1862 that 'on failure of natural heirs, the adoption of an heir into your Highness' House, according to its usage and traditions will be willingly recognised ... so long as your House is loyal to the Crown.'[18] This would secure the succession of the Dogras in perpetuity, in the event he or his successors did not have an heir. Queen Victoria conferred on Maharaja Ranbir Singh the title of the Most Exalted Order of the Star of India and his gun-salute was raised from 19 to 21. Rather more popular – and less formidable – than his father, Ranbir was not, however, able to improve conditions for the people. The country remained in the hands of officials, who were neither motivated nor intellectually equipped to undertake any reforms.

Colonel Ralph Young visited Kashmir in 1867. As he travelled along the road to Srinagar he found 'that it had all been once under cultivation but it is now desolate. Certainly the country is not now flourishing.' During his travels he met Frederick Drew, who had come to work for Ranbir Singh in the forestry department, exploring the geology of the mountains and later became Governor of Ladakh. From Drew, Young formed the impression that all ranks were 'discontented with the Jummoo rule, and that they would rebel but for

the belief that the English would interfere to put down the rebellion.'[19] Robert Thorp, who openly expressed his outrage at the sale of Kashmir to the Dogras in 1846, believed that the British had some responsibility to 'the people whom it sold into the slavery of Gulab Singh.' He described a people 'whose characteristics (both intellectual and moral) give evidence of former greatness, trampled upon by a race in every way inferior to themselves and steadily deteriorating under the influence of an oppressive despotism, which bars the way to all improvement, whether social, intellectual or religious.' Death or migration was the only escape from this form of servitude. The shawl makers worked for a pittance. 'Of almost everything produced by the soil, the Government takes a large proportion and the numerous officials who are employed in collecting it are paid by an award of so much grain from the share of the landlords.'[20]

Ranbir Singh's twenty-eight year reign was marked by a combination of indifference to local government and a series of natural disasters. In 1884 Lord Kimberley, Secretary of State for India, wrote to the Government of India: 'As to the urgent need for reforms in the administration of the State of Jammu and Kashmir, there is, unfortunately, no room for doubt.' He went on to say that, given the circumstances under which the Dogras came to rule over Kashmir, 'the intervention of the British government on behalf of the Mohammedan population has already been too long delayed.'[21] But, concerned as the British were by the internal situation in the state, there was a more important reason why the Government of India chose to intervene more assertively in Kashmiri affairs. The state of Jammu and Kashmir effectively constituted the northern frontier of Imperial India.

Kashmir: the frontier state

British imperial policy towards the state of Jammu and Kashmir in the late 19th century was guided primarily by fear of a Russian advance towards India through the Pamir mountains, as well as by events in the expanse of land north of the Hindu Kush and Himalayas, known as Turkestan, the eastern part of which was under the nominal rule of China. In addition, the British were continually troubled by the independent policy adopted by the Amir of Afghanistan, whose lands also extended as far as the north-western frontier of the sub-continent. On account of its strategic location, the state of Jammu and Kashmir appeared to be an ideal buffer against potential incursions from Russia, Afghanistan and China into the sub-continent. Provided the British could maintain a workable alliance with the maharaja they would not be obliged to incur the expense of fortifying the northern frontier themselves.

Such a policy, however, implied a degree of control over the maharaja which the British did not have. The Treaty of Amritsar made no provision for a British representative at Gulab Singh's court. Although technically a

feudatory of the British, there was no clause preventing the maharaja from conducting his own independent diplomatic relations. Since the Treaty of Amritsar was vague regarding the boundary of the state west of the Indus in the area known as Dardistan, the maharaja was interested in bringing the neighbouring border states under his control. Chilas, on the route to Gilgit, already paid nominal tribute to Kashmir. Just before Gulab Singh's death, the Dogras had been obliged to give up the strategically placed area of Gilgit, bordering the independent kingdoms of Hunza and Nagar. In 1860 Ranbir Singh had sent a force which recaptured Gilgit and it was annexed to the state of Jammu and Kashmir. By the end of the decade Hunza and Nagar, traditional rivals, both paid tribute to the maharaja, in return for which they received an annual subsidy.

In view of these developments, the late 19th century saw a period of intense British interest in the sub-continent's northern frontier. Lord Mayo, who became viceroy in 1869 directed his policy towards Kashmir with Britain's imperial considerations firmly in mind. His successor, Lord Northbrook, did not object to permitting the maharaja to extend Kashmiri influence if, at the same time, it served British interests; Northbrook's thinking was accepted by Lord Lytton who took over as viceroy in 1876. Ranbir Singh, however, was most alarmed when the British proposed to station an Officer on Special Duty (OSD) in Gilgit, who would report directly to the British Government on border developments. When the viceroy and the maharaja met at Madophur in November 1876, their discussions nearly broke down. Only when Lord Lytton assured Ranbir Singh that the British would not interfere in the domestic management of the state, did he agree. Colonel John Bidduph was sent to Gilgit as the first British OSD in 1877.

Lytton had, however, also been exploring the possibility of redefining British relations with Afghanistan. He believed that the obvious estrangement of Sher Ali, the Amir of Afghanistan, from the British was due to their own neglect of him. Lytton proffered friendship and, in 1877, the British and Afghans met in Peshawar. Had their negotiations been successful, Britain's perceived need to rely on the maharaja of Jammu and Kashmir to safeguard the northern frontier might have diminished. As relations deteriorated with Sher Ali, however, leading to war in 1878, British reliance on the maharaja became more significant. Ranbir Singh was also playing his own game. Biddulph was not welcomed in Gilgit and the maharaja never fully co-operated with him. The ruler of Chitral, the Mehtar, who was obliged to accept Kashmiri suzerainty in 1878, was also an unwilling partner in the relationship. He was far more disposed to treat with his fellow Muslims in Afghanistan than with Hindus and 'Kafirs' on his eastern borders. In 1881 the Gilgit Agency was withdrawn. It had not proved to be a particularly valuable listening post and the maharaja was left to guard the northern frontier on his own. The premise of Lytton's policy was also that Kashmir was completely

loyal to the British Government in preference to both Russia and Afghanistan. The maharaja, however, was found to have had dealings with both.

The significance of Kashmir, as the guardian of India's northern frontier, lay not only in its western border areas of Gilgit and Hunza, but also in the east because of Ladakh, which Gulab Singh had acquired in 1834. From Srinagar access to Leh led onwards to Khotan, Yarkand, and Kashgar in Turkestan. After the creation of the state of Jammu and Kashmir, one of the Boundary Commission's tasks was to define the borders of the new state, which was the first time Britain became officially aware of a route through Ladakh to China. As the Russian empire moved ever closer to the north-west frontier, the British became concerned that Russian interests might extend still further to Chinese Turkestan, which would deprive Britain of the opportunity of expanding their own commercial links in the region. The Manchu dynasty was in decline and Chinese rule over its Muslim subjects in Central Asia was greatly weakened after Chinese Muslims in Gansu had rebelled in 1861.

Ranbir Singh was not oblivious to the fluid situation on his northern frontier and attempted to take advantage of it to expand his trading links with eastern Turkestan. The maharaja's independent initiatives were, however, watched with concern by the British, who were still making up their minds as to the extent to which they would permit him to conduct an independent foreign policy. But, although in the decades to come, Central Asia became the arena for intense rivalry, Ladakh remained outside the field of immediate conflict for the rest of the century. Subsequent British attempts to define the border in the Aksai Chin were not reciprocated by the Chinese.[22] Thus the border and the area still under dispute between India and China was left ill-defined at the Kunlun range of mountains.

In 1882, Ranbir Singh had considered nominating his youngest son, Amar Singh, as his successor, since he was considered to be 'wiser' than his brothers Pratap or Ram. The maharaja repeated the request to the British again in 1884, but, when he died on 15 September 1885, the British chose to let his eldest son, Pratap Singh, ascend the throne; they stipulated, however, that a Resident Political Officer would be appointed, who would act as his adviser in the reform of the administration. On the same day Pratap Singh was installed as maharaja, Colonel O. St John was appointed resident. At the Darbar in 1885, the maharaja announced a series of reforms, which included abolition of state monopolies, reorganisation of the financial administration of the state, rationalisation of taxes, construction of roads and the removal of restrictions on emigration. But the reforms envisaged were, as later commentators observed, beyond the ability of the maharaja, whose officials were incapable and corrupt.[23]

The view expressed by St John after four months as resident, that the maharaja was unfit to rule, persisted throughout Pratap Singh's long reign. In 1886 the Government of India obliged the maharaja to appoint a new council which included his younger brothers Amar and Ram Singh. In 1887 a land

settlement was instituted in order to redress the inequities which had existed in land tenure since the time of the Afghans and Sikhs. Walter Lawrence came to Kashmir in 1889 and was appointed settlement commissioner. He described the position of the people as worse than that of the Third Estate in France before the French Revolution.[24]

At the end of 1888 the residency disclosed that it had discovered over thirty letters of a treasonable nature from the maharaja to the Tsar. Although the maharaja denied having written them and it was subsequently proved they were forgeries, the episode was sufficient to undermine the last vestiges of confidence which the British had in the maharaja. On 1 April 1889, Pratap Singh was divested of all but nominal powers. The Council was comprised of his two brothers, two ministers and an English member 'specifically selected by the Government of India.' Amar Singh became prime minister, then president of the Council and executive head of the administration; the real power, however, lay with the British resident.

For the rest of the century, the major concern of the British was the possibility of a Russian invasion into the sub-continent. In 1888 Colonel Algernon Durand went to Gilgit to work out a defensive strategy which would utilise the recently formed Kashmir Imperial Service Troops. The viceroy, Lord Dufferin, had decided to make all the rulers of the princely states share in the defence of the Empire by contributing both men and money. When Durand returned from Gilgit, he reported to his brother, the foreign secretary of the Government of India, Sir Mortimer Durand, that he had heard that a Russian officer, Captain Grombchevsky, had been in Hunza. This news added to British fears that the Russians could pass through the Pamir mountains and that India was within range of their forces. The following year, in July 1889, Durand was sent back to Gilgit to re-establish the Gilgit Agency.

No sooner, however, had the British established themselves at Gilgit, than their position was once more threatened by the activities of the rulers of Hunza and Nagar, who made a temporary alliance and challenged the authority of the British. In one of the most famous actions of British imperial history, at the end of 1889, British troops succeeded in breaching the defences of the heavily fortified Hunza-Nagar forces along the Hunza river. Hunza and Nagar then became absorbed into the Gilgit Agency, over which the British subsequently obtained direct control. In peace time, the Gilgit garrison was manned by about 2000 Jammu and Kashmir state troops, paid for mostly by the Jammu and Kashmir State Treasury. It was not until 1913 that local troops were found to man the garrison with the foundation of the Corps of Gilgit Scouts.

In the late 19th century, Kashmir was already becoming famous for the rest and relaxation which it afforded European visitors from the heat of the plains. One of Srinagar's great attractions was the beautiful lake, Dal lake, on which people used to stay in boats, which developed into the houseboats of today. A

century later, there were estimated to be fifteen hundred houseboats on Dal lake. Makers of shawls, embroidery, carpets, papier mâché boxes all benefited from the influx of holidaymakers, officers, with their wives and children, who arrived in the valley every summer. The presence of light-hearted holidaymakers was, however, in total contrast to the harshness of the lives of the local people, most of whom lived in abject poverty. Only a small minority, centred around the Dogra rulers, enjoyed unparalleled affluence. Europeans also made their presence felt as doctors and teachers. As in other parts of the Empire, under the direction of the Church Missionary Society, the British founded mission schools and hospitals. Canon Tyndale Biscoe, who arrived in Srinagar in 1890, took over as headmaster of the Mission School, founded by the Reverend Doxey in 1882. He remained in Kashmir for fifty years and made himself famous by sending the boys onto the streets to put out fires, which occurred regularly. He also insisted that the boys learn to swim, which had been considered improper, so that they could help save lives during frequent flooding.

Ever since his deposition, Pratap Singh held his brother, Amar Singh, responsible for all his problems. In 1889 he wrote to the viceroy, Lord Lansdowne, begging to be reinstated and if that was not possible, for the viceroy to shoot him 'through the heart with your Excellency's hands, and thus at once relieve an unfortunate prince from unbearable misery, contempt and disgrace for ever.'[25] Although the viceroy declined to reinstate Pratap Singh or to shoot him, other Indian princes were not happy with the unprecedented British interference in Kashmir. The Indian press had also taken up the cause of Pratap Singh and had requested Charles Bradlaugh, a well-known exponent of free speech, to attend the recently formed Indian National Congress in 1889 in order to focus attention on the deposition of Pratap Singh. Although Bradlaugh was criticised for pleading the cause of a Hindu 'despot', rather than focusing on the plight of the poor Muslims, the maharaja was gradually rehabilitated. Successive residents and viceroys did not, however, have any faith in his administrative ability. When, in 1891 the council was reconstituted and the maharaja was offered the presidency, Amar remained as prime minister. Only when Amar Singh died in 1909, did the long feud between the brothers finally end. In 1905 the viceroy, Lord Curzon, abolished the council and nominal power was restored to the Maharaja. The Government of India retained control over the finances of the state, the armed forces, tax, appointments to administrative services and foreign relations. The maharaja also had to follow the advice of the British resident whenever it was offered to him.

In order to improve the administration of the Kashmiri government, the Government of India had prescribed the appointment of 'respectable' officials amongst the principal measures of reform. The lack of educated or trained Kashmiris to fulfil these positions meant that Bengalis and Punjabis from British India were introduced into the administration, which upset the local Kashmiris. While the poor people were burdened with taxes, the middle

classes felt resentful. When the Kashmiri Pandits benefited from better education, the Muslims, although numerically superior, remained excluded. As Canon Tyndale Biscoe had noted: 'the Mohammedan did not send their sons to school as all government service was closed to them.'[26] The All India Muslim Kashmiri Conference, formed in 1896 and supported by many Muslim Kashmiris who had settled mainly in the Punjab, was, however, beginning to support Kashmiris in the state, both morally and financially, by offering scholarships for them to study in British India. In 1905 the Mirwaiz, the religious leader of the Muslims of the valley, formed an association, the Anjuman-i Nusrat-ul Islam, whose objective was to improve the condition of the Muslims, especially in education.

Initially, political awareness in the state of Jammu and Kashmir was not linked to the movement for 'responsible' government which was making itself increasingly evident to the British in the opening decades of the 20th century, spearheaded by the activities of the Indian National Congress, founded in 1885, and the Muslim League, which was established in 1906. The 1906 reforms, sponsored by the Earl of Morley, as secretary of state, and Lord Minto, the viceroy, were designed to give the people of British India wider opportunities of expressing their views on how they should be governed, but this did not apply to the 565 states, some of which were no larger than a landed estate, others of which, like Jammu and Kashmir, were as large as some European countries.[27]

During the 1914–1918 World War, the Indians from both British India and the princely states had demonstrated their loyalty to the British Crown by their willing support of the war effort. 'They have shown that our quarrel is their quarrel ... they were a profound surprise and disappointment to the enemy; and a cause of delight and pride to those who knew beforehand the Princes' devotion to the Crown.'[28] Throughout the war, Pratap Singh placed all the forces of the state of Jammu and Kashmir at the disposal of the British. Contingents of Kashmiri forces fought in East Africa, Egypt, Mesopotamia and France. They also took part in operations which led to the defeat of the Turks in Palestine. While the Indians fought on behalf of the British Empire overseas, within British India, the Indian politicians were exerting pressure to increase the pace of change. In response, on 20 August 1917, the secretary of state for India announced in the House of Commons that the policy of the government was for 'increasing association of Indians in every branch of the administration and the gradual development of self-governing institutions with a view to the progressive realisation of responsible government in India as an integral part of the British Empire'.[29]

The implementation of this declaration was subsequently embodied in the Montagu-Chelmsford reforms, effected by an Act of 1919. In their report the secretary of state and the viceroy recognised that the rulers of the princely states would undoubtedly want a share in any control, 'if control of matters common to India as a whole is shared with some popular element in the

government.' They also pointed to 'a stronger reason why the present stir in British India cannot be a matter of indifference to the Princes. Hopes and aspirations may overleap frontier lines like sparks across a street ... No one would be surprised if constitutional changes in British India quickened the pace in the native states as well.'[30] The Montagu-Chelmsford recommendation was for all the important states, of which Jammu and Kashmir was one, to have direct political relations with the Government of India since 'the trend of events' would inevitably draw the princely states still closer into the 'orbit of empire'. The recommendation was to set up a consultative body, the Chamber of Princes.

Within Jammu and Kashmir, Pratap Singh was trying to reassert full power over his state. In October 1918 he made another request and, the following year, a few procedural changes were agreed. In 1920 he appealed again, pointing out that it was 'high time' – after nearly thirty years – that the restrictions were removed. On 4 February 1921 the maharaja was restored full powers, on condition only that the resident's advice would be accepted by the maharaja whenever it was offered. A new executive council was established, of which Hari Singh, his nephew and heir, the son of Amar Singh, became a member. Yet another scheme for reform was introduced. Amongst those who also gave vocal support to the Kashmiri Muslims was the influential and widely respected poet, Allama Sir Muhammad Iqbal. He first visited Kashmir in 1921 and put to verse his distress at the poverty of the people:

> 'In the bitter chill of winter shivers his naked body
> Whose skill wraps the rich in royal shawls.'[31]

Leading Muslim newspapers in India continued to point to the progress of the Kashmiri Pandits at the expense of the Muslims. In the Spring of 1924 the predominantly Muslim workers of the state-owned silk factory demanded an increase in wages and the transfer of a Hindu clerk, whom they alleged was extorting bribes. Although the workers were given a minimal wage increase, some of their leaders were arrested, which led to a strike. As later reported in a representation to the viceroy, Lord Reading: 'Military was sent for and most inhuman treatment was meted out to the poor, helpless, unarmed peace-loving labourers who were assaulted with spears, lances and other implements of warfare.' The representation, signed by the two chief religious leaders, and submitted to the viceroy, also referred to other grievances:

> 'The Mussulmans of Kashmir are in a miserable plight today. Their education needs are woefully neglected. Though forming 96 per cent of the population, the percentage of literacy amongst them is only 0.8 per cent.... So far we have patiently borne the State's indifference towards our grievances and our claims and its high-handedness towards our rights, but patience has its limit and resignation its end.... the Hindus of the state, forming merely 4 per cent of the whole population are the undisputed masters of all departments.'[32]

When the viceroy, Lord Reading, forwarded the representation to Pratap Singh, an enquiry was made, but the conclusion of the Kashmir Darbar was that the protesters were 'sedition mongers'. The signatories of the representation were reprimanded; some were banished from the state, while others apologised. For its part, the Government of India saw no reason to interfere with the discretion of the Kashmir Darbar or the resident.[33]

The last Maharaja

By the time Pratap Singh died on 25 September 1925, he was 'a courteous tho' opium sodden old gentleman.'[34] When Lieutenant-General His Highness Inder Mahander Rajrajeshwar Maharajadhiraj Sir Hari Singh succeeded to the throne, there was cautious optimism that he would prove a more effective ruler than his uncle. The peoples' enthusiasm for the new ruler, however, was at once dampened by his lavish coronation costing millions of rupees. The alienation of the Kashmiris to Hari Singh was heightened by the continuing presence of 'outsiders' in government service, which led to a movement known as 'Kashmir for the Kashmiris', sponsored by the more educated Kashmiri Pandits. In 1927 a law defining a 'Hereditary State Subject' was passed forbidding the employment of non-state subjects in the public services; they were also not allowed to purchase land (hence the attraction of the houseboats to British holidaymakers). But, to the disappointment of the Kashmiris, the top positions were invariably filled by people from Jammu, especially the ruling class of the Dogra Rajputs. When the Pandits also began to improve their status in government service, this aggravated the Muslims still further. No Muslim in the valley was allowed to carry a firearm and they were not allowed in the army. The only Muslims who were recruited, normally under the command of a Dogra officer, were the Suddhans of Poonch and the Sandans from Mirpur; culturally and linguistically distinct from the Kashmiris of the valley, the maharaja believed he could depend on them to suppress whatever trouble might arise in the valley.

Soon after Hari Singh became maharaja, a campaign against his autocratic rule was orchestrated by both the Hindus and Muslims. The Lahore Muslim press had been consistently highlighting the condition of the Muslim Kashmiris and newspapers critical of the maharaja were sent into the state. At the same time, small groups joined together to discuss their grievances. In 1929 Ghulam Abbas, a Muslim from Jammu, who had obtained a law degree in Lahore, reorganised the Anjuman-i Islam into the Young Men's Muslim Association of Jammu, to work for the betterment of Muslims. In Srinagar the Reading Room Party, comprising a number of graduates from Aligarh Muslim University[35] in British India, rose to prominence. Prem Nath Bazaz, Ghulam Abbas, Muhammad Yusuf Shah were all active in discussing their grievances. In 1931 Yusuf Shah succeeded his uncle as Mirwaiz in Srinagar. He used his position in the mosque to organise a series of meetings, which protested

against the maharaja's government. After being educated at Aligarh, another rising political activist, Sheikh Mohammad Abdullah, returned to the valley in 1930, just as the political turmoil in Kashmir was beginning. He too became a member of the Reading Room Party and rose to prominence as the 'Lion of Kashmir'.

Kashmir was already like the proverbial powder keg. The spark was provided by a butler in the service of a European, Abdul Qadir, who, in July 1931, made a fiery speech calling for the people to fight against oppression.[36] When he was arrested, crowds mobbed the jail, and several others were also arrested. There were further protests at which point the police fired on the crowd. Twenty-one people died. Their bodies were carried in procession to the centre of the town. Hindu shops were broken into and looted. The government retaliated with further arrests. 'Our Dogra rulers unleashed a reign of terror,' recalled Abdullah, who was amongst the many hundreds of young protesters arrested after what became known as the 'Abdul Qadir incident'.[37] Under pressure from the British resident, Hari Singh appointed a commission, headed by Sir Bertrand Glancy, a senior officer in the political department of the Government of India, to inquire into the complaints of the people. In April 1932 Glancy presented his report which recommended reforms for the development of education, the appointment of government servants and the establishment of industries to create employment opportunities. Glancy's recommendations were later supplemented by the Reform Conference, which proposed that a legislative assembly should be set up. Known as the Praja Sabha, it was to have seventy-five members, but, of its sixty non-official representatives, only thirty-three were to be elected, leaving the maharaja with the majority vote.

While Sheikh Abdullah and the other political leaders were detained in Srinagar Central Jail, they discussed the formation of a political party, which they decided to call the 'Muslim Conference.' Released from prison in June 1932, Abdullah became President and Ghulam Abbas the first General Secretary. A hallmark of Abdullah's political struggle was his insistence that the fight was against the oppression of both the Muslim and Hindu poorer classes. His continuing emphasis on secularism, however, eventually led to an internal disagreement, which also had some foundation in religious differences amongst the Muslims. Several of the prominent Muslim leaders, including Mirwaiz Muhammad Yusuf Shah, broke away.

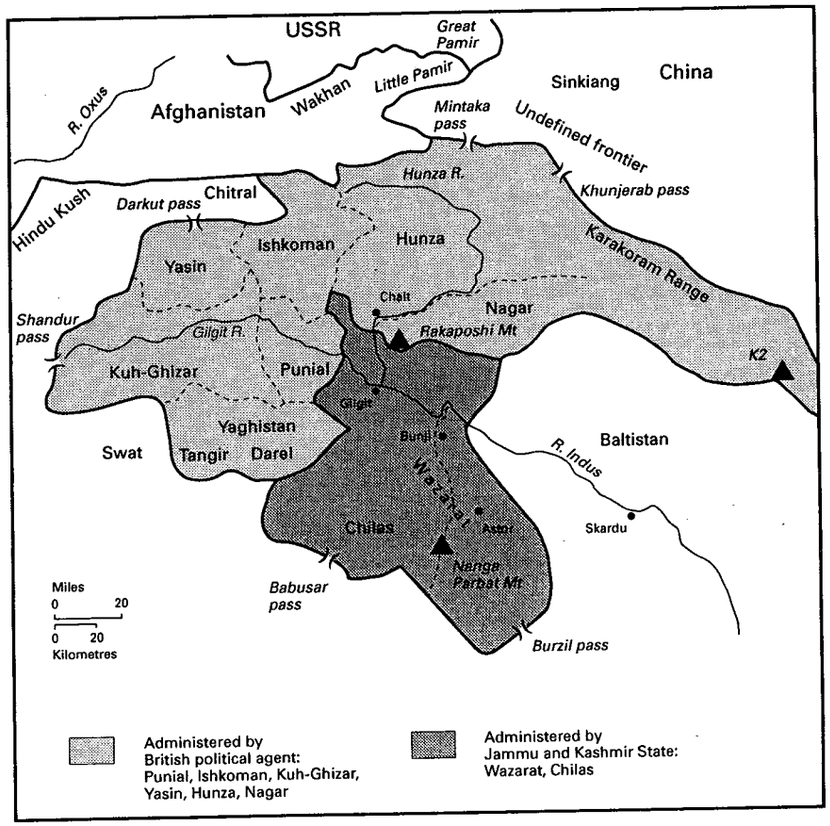
While Maharaja Hari Singh was being made increasingly aware of a new more vociferous discontent within his state, he was also actively participating in the discussions which the British had instigated to determine how best to answer the clamour for 'responsible' government throughout India. Following the Montagu-Chelmsford recommendation for a consultative body to be set up, the Chamber of Princes was instituted, which included 108 rulers in their own right and 12 representatives of 127 smaller States. When the first Round Table Conference met in the House of Lords in London from November

1930 to January 1931 to discuss the future of the sub-continent, all the princes, including Hari Singh endorsed the statement of the Maharaja of Bikaner for an all-India federation. The starting point for their future relationship, he said, 'must be sought, not in the dead land of an impossible uniformity, but in an associated diversity.' A unitary state would be impossible and would 'crack under its own ponderability.'[38] Two further Round Table Conferences elaborated on the scheme for federation.

By the early 1930s the British had once more become alarmed at the activities of the Soviet Union in Sinkiang, which they perceived threatened Gilgit directly. Even though much of their anxiety was without foundation, certain British officials, among them Olaf Caroe, the deputy secretary in the Indian foreign department, argued forcefully for resuming direct control over Gilgit. There was also the belief that, so long as the British had maintained exclusive control over the maharaja's foreign affairs, as they had during the reign of Pratap Singh, they could be sure that the Jammu and Kashmir forces could be relied upon to act on behalf of the Government of India in an emergency over the northern frontier. Since the maharaja was now conducting his own foreign policy and did not appear to regard the frontier as 'sacrosanct' as the British, the time seemed right for a reassessment both of the costs of maintaining the agency and its direction. After over two years of discussion, the maharaja suggested that he would either take over responsibility for the defence of Gilgit, provided he did not have to share administration with the political agent; alternatively, he was prepared to hand over all responsibility to the Government of India. Despite their concerns of the financial costs, the British favoured the second alternative. The result of subsequent negotiations was the lease by the British of the Gilgit Agency north of the Indus for a period of sixty years from 26 March 1935.

In 1935 the suggestion made at the Round Table Conferences for an all-India federation was formulated into the Government of India Act. The legislation provided for autonomous legislative bodies in the eleven provinces of British India, as well as the creation of a central Government which would represent the provinces and the princely states. It also stipulated that Muslim minorities would be protected. The following year, elections to the legislative bodies were held. The Congress Party was able to form governments in seven of the eleven provinces. The Muslim League was not in a position, however, to form a government in any province and coalition governments were therefore formed in the remaining provinces. Although the princely states represented only a quarter of the population, they were given over a third of the seats in the federal legislature. The viceroy, Lord Linlithgow, invited the rulers of the Indian princely states to join the federation as provinces of British India. Despite their earlier support for an all-India federation, however, they raised various objections and all refused to enter it.

The Government of India Act marked the beginning of the next stage in Britain's deliberations over how India should become self-governing. Amidst



3. The Gilgit Agency, 1930
(Source: Charles Chenevix-Trench, *The Frontier Scouts*, London, 1985)

the changing proposals, and the shifting attitude of the Congress Party and Muslim League leaders, the idea of some sort of a federation remained a constant feature. As the largest and most northerly princely state, strategically located on the borders of China and the Soviet Union, the state of Jammu and Kashmir could have played a key role in future negotiations. Hari Singh, however, never seemed to have given the future of his state nor indeed the sub-continent the consideration it deserved. At the end of August 1938 the Kashmiri political leaders once more took to the streets to protest against unemployment, high taxes, revenue demands and lack of medical facilities. Muslims, Hindus, Sikhs made common cause and went to jail together. As soon as they emerged from prison at the beginning of March 1939, they once more reiterated their commitment to secularism. On 11 June 1939, the Muslim

Conference finally changed its name to the 'National Conference'. Abdullah's adherence to secularism brought him closer to the rising Congress Party leader, Jawaharlal Nehru, who promised a secular and socialist India.

Any movement towards self-government was, however, halted by Britain's – and consequently British India's – involvement in World War II. On 3rd September 1939, the viceroy, Lord Linlithgow, issued a proclamation that war had broken out between Britain and Germany and that there was a state of 'war emergency' in India. The divergent responses of the Congress Party and the Muslim League to the war demonstrated the growing rift between them. Congress politicians objected to their involvement in the war without prior consultation with their representatives and used the issue of their cooperation in order to bargain for immediate independence. Mohammad Ali Jinnah, leader of the Muslim League, used Muslim support of the war effort to demand representation in any decisions regarding the Muslims of India. As an expression of their dissatisfaction, the seven Congress ministries, which had formed governments after the 1936 elections in British India, resigned. In March 1940 Nehru condemned a war 'for imperialist ends' to which the Congress could not in any way be party.'[39]

Nehru's response to Britain's war effort coincided with a dramatic change in the Muslim League's strategy to secure the interests of the Muslims of the sub-continent. On 23 March 1940 the Muslim League adopted its 'Pakistan resolution' at Lahore, which declared 'that the areas in which the Muslims are numerically in a majority, as in the north-western and eastern zones of India, should be grouped to constitute "independent states" in which the constituent units shall be autonomous and sovereign.'[40] As President of the Muslim League, Mohammad Ali Jinnah, endorsed the resolution: 'To yoke together two such nations (as the Hindus and Muslims) under a single state, one as a numerical minority and the other as a majority, must lead to growing discontent.'

Although it was not clear how such a proposal would be formalised, the demand for a separate homeland for the Muslims of the sub-continent – on the basis that there were two nations – Muslims and Hindus – had its origin in a plan, first proposed by a student, Chaudhuri Rahmat Ali in Cambridge in 1933: that the Muslims living in Punjab, North-West Frontier Province (Afghan Province) Kashmir, Sindh and Balochistan, should be recognised as a distinct nation, PAKSTAN, later called 'Pakistan'. The scheme had been drawn up for the Muslim delegates of the Round Table Conference, but since it involved a massive transfer of people, it was dismissed by the delegates as 'a student's scheme' which was 'chimerical' and 'impractical'.[41] The inclusion of the predominantly Muslim state of Jammu and Kashmir, however, was an early indication that there was already a body of opinion which believed that the princely state should become part of Pakistan, if and when it could be achieved. After alternative avenues for a federation of British India and the princely states had been exhausted, and partition of the sub-continent took place, this opinion held fast.

As the war continued, both the Congress Party and the Muslim League continued to press for a plan for independence which would suit their varying objectives within a nominally united India. The entry of Japan into the war in 1941 and the threat of a Japanese invasion of the sub-continent did not inspire any of the political leaders to consider a compromise either with the British or amongst themselves. On 11 March 1942, four days after Rangoon fell to the Japanese, the British Prime Minister, Winston Churchill, announced that Sir Stafford Cripps, a member of the British war cabinet, would visit India with a 'draft declaration' on eventual independence after the war was over. Faced with the possibility, however, that Japan might be successful in invading India, there was little inclination amongst the political leaders to take Cripps' mission seriously. Churchill was also not inclined to give the political situation in India sufficient attention. The culmination of the Congress Party's civil disobedience movement was Gandhi's Quit India movement in August 1942 which led to the arrest of the main Congress Party leaders. By the end of 1943, India was comparatively calm and the acts of sabotage had decreased. The new viceroy, Field-Marshal Lord Wavell, who replaced Lord Linlithgow in October 1943, was committed to bringing the war to a successful conclusion against the Japanese. Politics initially had to come second; but, as British victory both in Europe and the Far East became assured, Wavell became increasingly drawn into the difficult task of working out how the sub-continent could become independent.

In the state of Jammu and Kashmir, Hari Singh, one of the two Indian representatives of the Imperial War Cabinet, lent assistance in World War II. In 1941 he went on a tour of the Middle East to meet the Kashmiri troops who were on active service there. Political activity in his state was not, however, in abeyance. Those Muslims who were discontented with Abdullah's pro-Congress stance, especially the non-Kashmiri speakers, became staunch supporters of the Muslim League. In 1941 Ghulam Abbas broke with Abdullah and joined with Mirwaiz Yusuf Shah in reviving the Muslim Conference, which eventually came out in support of the movement for Pakistan. In Jammu, the Muslims did not have the same majority status which they enjoyed in the valley. They were therefore liable to feel more threatened by the prospect of being governed by a Hindu-majority.

Sheikh Abdullah meanwhile busied himself with his plans for a 'New Kashmir' in what was one of the most advanced socialist programmes of its time. As Abdullah admitted, initially 'New Kashmir' was opposed by 'reactionary' elements from amongst both the Hindus and Muslims, but eventually the Indian National Congress Party approved the manifesto. Abdullah's own position as the most dominant of the Muslim leaders in the valley, as well as the strength of his friendship with Jawaharlal Nehru, who he is recorded as having first met in 1937, was a key factor in determining the future course of events. Had Abdullah ever developed any understanding with Mohammad Ali Jinnah, or had, for example, Ghulam Abbas or another

political figure taken Abdullah's place as a popular leader, the future of Kashmir could have been very different.[42] But Abbas, born in Jullundur, was not a 'State Subject' and, since he came from Jammu, he did not speak Kashmiri. His appeal amongst the valley Kashmiris was therefore reduced. When Mohammad Ali Jinnah visited the valley of Kashmir in 1944 he also recognised the absence of a 'presentable' Kashmiri speaking leader. Attempts to find a leader who could challenge Sheikh Abdullah, including the suggestion that Ghulam Abbas learn Kashmiri, failed.

The stand which both the Congress Party and the Muslim League adopted towards the princely states was also an important factor in determining future events. Jawaharlal Nehru and the Congress Party had defined their position on the Indian states in August 1935: 'The Indian National Congress recognises that the people in the Indian states have an inherent right of Swaraj (independence) no less than the people of British India. It has accordingly declared itself in favour of establishment of representative responsible Government in the States.'[43] On the other hand, Jinnah and the Muslim League made it clear that they did not wish to interfere with the internal affairs of the princely states. Despite Rahmat Ali's 1933 description of Kashmir as forming part of Pakistan, Jinnah's main focus of attention remained with British India: 'We do not wish to interfere with the internal affairs of any State, for that is a matter primarily to be resolved between the rulers and the peoples of the States.'[44]

Once the war was over, the new British Labour Government under Prime Minister Clement Attlee, elected in March 1945, initiated further steps towards giving independence to British India. In March 1946 Sir Stafford Cripps returned to India, as part of a three-man team, in order to propose a new Cabinet Mission plan. The objective was to try and reach agreement on the establishment of a constituent assembly, which would draft the constitution of a self-governing but united India. The Cabinet Mission also proposed creating an interim government composed of Indian politicians, who would assume control of important departments of state. As the Congress Party and the Muslim League argued over acceptance of the Cabinet Mission plan (which they both finally rejected), Wavell moved ahead with the formation of the interim government. Initially Jinnah refused to join it because he was not permitted to nominate all the Muslim members of the government from the Muslim League. On 2 October 1946, the members of the new interim government were sworn into office without the Muslim League's participation. Nehru assumed control of the foreign affairs portfolio as well as becoming vice-president of the executive council. Sardar Patel took over the home department. When Jinnah finally agreed to participate in the interim government, these important ministries were already in the hands of the Congress Party. After the decision was taken to partition the sub-continent in 1946, the interim government, effectively controlled by the Congress Party, set up a States ministry. Its specific task was to encourage the princely states to join India or the new dominion of Pakistan either by acts of accession or

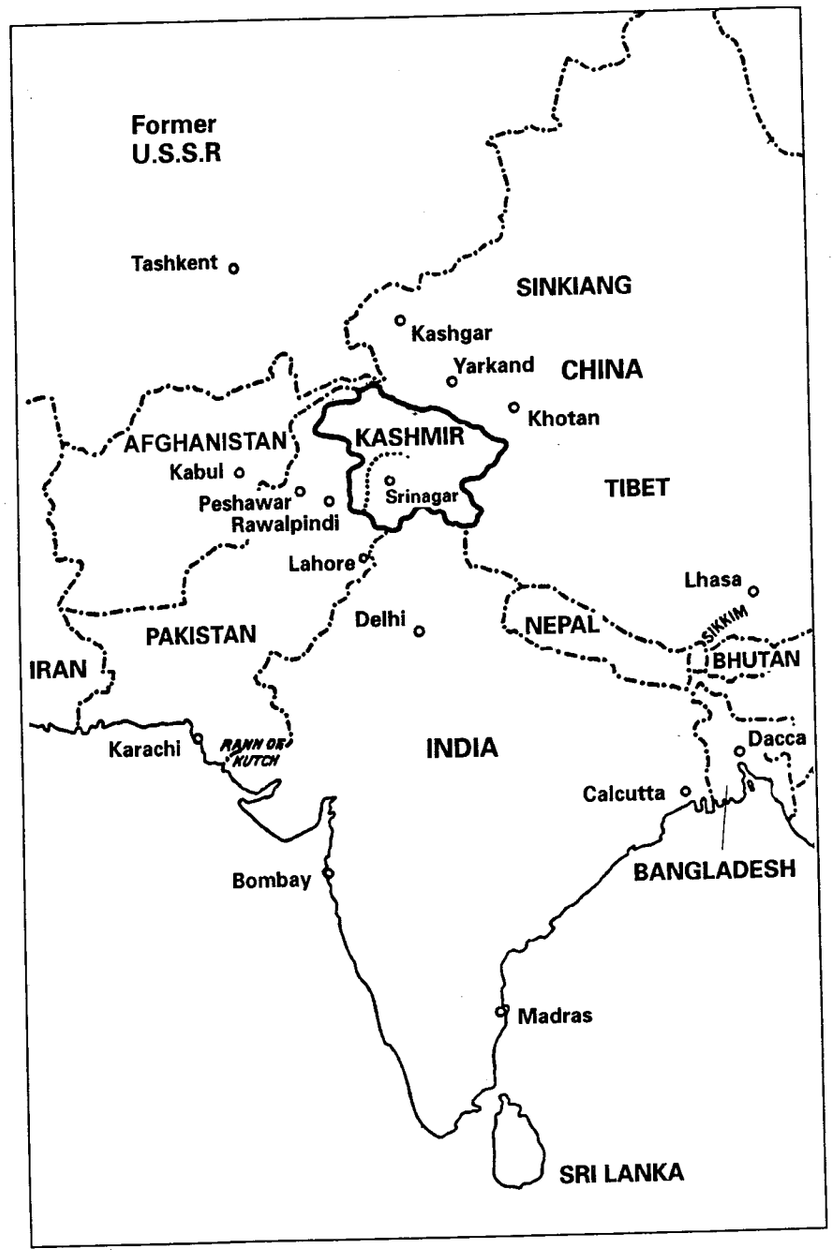
'standstill' agreements. In retrospect, that the Muslim League did not join the interim government at the outset meant that it lost the opportunity to attain parity with the Congress Party at 'the most important moment in the demission of British authority'.[45]

The announcement that full ruling powers would be returned to the rulers of the princely states left each of the 565 maharajas and nawabs with the responsibility of determining their own future. Only twenty were of sufficient size for their rulers to be in a position to make serious decisions about their future, of which one was the state of Jammu and Kashmir. Sheikh Abdullah objected to leaving the decision to the maharaja, who he maintained did not enjoy support from the majority of the people. Mirroring Gandhi's Quit India movement in 1942, Sheikh Abdullah launched a Quit Kashmir Movement, describing how 'the tyranny of the Dogras' had lacerated their souls. Abdullah's activities were, however, once more trying the patience of the authorities and when he attempted to visit Nehru in Delhi, he was arrested and put in prison. The prime minister, Ram Chandra Kak, placed the state under martial law. Other political activists, G.M.Sadiq, D.P.Dhar and Bakshi Ghulam Muhammad, escaped to Lahore, where they remained until after independence. Abdullah's Quit Kashmir movement had also come under criticism from his political opponents in the Muslim League, who charged that he had begun the agitation in order to boost his popularity, which he was losing because of his pro-India stance. In 1946, the leaders of the Muslim League were also taken into custody after Ghulam Abbas led a 'campaign of action' similar to Jinnah's in British India. Abbas and Abdullah were held in the same jail, where they discussed in night-long conversations the possibility of a reconciliation and resumption of the common struggle, which, as subsequent events showed, never materialised.

In a dramatic gesture, Nehru attempted to visit Kashmir in July 1946 with the intention of defending Abdullah at his trial. Although he was refused entry, he stood at the border for five hours until finally he was allowed in, only to be taken into protective custody, before being released. Karan Singh, the maharaja's son, believed that this episode marked a turning point in relations between his father's government and the future prime minister of India: instead of welcoming him and seeking his cooperation, they had arrested him! After the intercession of the viceroy, Lord Wavell, Nehru was subsequently permitted to enter the state and attend part of Abdullah's trial. The maharaja, however, refused to meet him on the grounds of ill health. In January 1947, even though the main political leaders of both parties remained in jail, Hari Singh called for fresh elections to the legislative assembly. The National Conference boycotted the elections, with the result that the Muslim Conference claimed victory. The National Conference, however, said that the low poll demonstrated the success of their boycott; the Muslim Conference attributed the low turnout because of the snows and claimed that the boycott was virtually ignored.

In the months preceding independence, Hari Singh appeared as a helpless figure caught up in a changing world, with which he was unable to keep pace. 'It has always seemed to me tragic that a man as intelligent as my father, and in many ways as constitutional and progressive, should have, in those last years, so grievously misjudged the political situation in the country,' writes Karan Singh. But, 'being a progressive ruler was one thing; coping with a once-in-a-millennium historical phenomenon was another.'[46] As Karan Singh also admits, his father was too much of a feudalist to be able to come to any real accommodation with the key protagonists in the changing order. He was also 'too much of a patriot to strike any sort of surreptitious deal' with the British. He was hostile to the Congress Party, dominated by Gandhi, Nehru and Patel, partly because of Nehru's close friendship with Abdullah. He was not able either to come to terms with the National Conference, because of the threat it posed to the Dogra dynasty. Although the Muslim League supported the rulers' right to determine the future of their states, Hari Singh opposed the communalism inherent in the League's two-nation theory. Thus, says Karan Singh, 'when the crucial moment came ... he found himself alone and friendless'.[47] Joining Pakistan would leave a substantial number of Hindus in Jammu as a minority, as well as Buddhists in Ladakh; joining India would be contrary to the advice given by the British that due consideration should be given to numerical majority and geographical contiguity. In retrospect, Karan Singh concluded that the only rational solution would have been to have initiated a peaceful partition of his state between India and Pakistan. 'But that would have needed clear political vision and careful planning over many years.'[48]

As ruler of the largest princely state, independence was also an attractive option. For this utopian dream, Karan Singh partly blamed the influence of a religious figure, Swami Sant Dev, who returned to Kashmir in 1946. The Swami encouraged the maharaja's feudal ambitions 'planting in my father's mind visions of an extended kingdom sweeping down to Lahore itself, where our ancestor Maharaja Gulab Singh and his brothers Raja Dhyan Singh and Raja Suchet Singh had played such a crucial role a century earlier.'[49] It also meant that when critical decisions had to be made, the maharaja did nothing. In hindsight, it also seems extraordinary how comparatively little influence the British assumed in assisting the maharaja with his decision. For over forty years, at the end of the 19th and the beginning of the 20th centuries, Britain had maintained virtual control over the state of Jammu and Kashmir. Yet, with the future peace and stability of the sub-continent hanging in the balance, the British government let the maharaja of Jammu and Kashmir pursue his destiny alone.



4. The State of Jammu and Kashmir and its Neighbours

CHAPTER 2

Independence

> History seems sometimes to move with the infinite slowness of a glacier and sometimes to rush forward in a torrent. Lord Mountbatten[1]

By 1947 the independence of the sub-continent was assured. How and when still remained to be determined. On 20 February the British government announced 'its definite intention to take necessary steps to effect the transference of power to responsible Indian hands by a date not later than June 1948.' The last attempt to keep the sub-continent together as a federation had ended with the failure of the Cabinet Mission plan of 1946. Attempts to bring together the political leaders of the Congress Party and Muslim League were not successful. The concept of Pakistan, 'the dream, the chimera, the students' scheme', was to become reality.[2]

An indication of the shape which might constitute 'Pakistan' was provided by the viceroy, Field-Marshal Lord Wavell, in 1946. Known as the 'Breakdown Plan', his suggestion had been to give independence to the more homogeneous areas of central and southern India whilst maintaining a British presence in the Muslim majority areas in the north-west and north-east. Once agreement had been reached on final boundaries, the British would withdraw. Part of the inspiration behind the plan was to demonstrate how, by creating a country on the basis of Muslim majority areas only, Mohammad Ali Jinnah would be left with a 'husk', whereas he stood to gain much more by keeping the Muslims together in a loose union within a united India, as proposed by the Cabinet Mission plan.[3] Although the 'Breakdown' plan was finally rejected by the British government in January 1947, it had been the subject of serious consideration in the Cabinet in London, by the governors and in the viceroy's house, both before and after the failure of the Cabinet Mission plan. The significance of the plan in the context of future events is that, long before the British conceded that partition along communal lines was inevitable, there was already a plan in existence showing the geographical effect such a partition would have on the sub-continent.

In March 1947, Lord Wavell was replaced as viceroy by Rear-Admiral Lord Louis Mountbatten, whose brief from Prime Minister Attlee was 'to obtain a unitary government for British India and the Indian States, if possible.'[4] Soon after his arrival, Mountbatten made a gloomy assessment of trying to revive the Cabinet Mission plan: 'The scene here is one of unrelieved

gloom . . . at this early stage I can see little common ground on which to build any agreed solution for the future of India.'[5] Although his initial discussions were not supposed to convey to the Indian political leaders that partition was inevitable, by the end of April, Mountbatten had concluded that unity was 'a very pious hope.'[6]

On 3 June the British government finally published a plan for the partition of the sub-continent. On 18 July the Indian Independence Act was passed, stating that independence would be effected on an earlier date than previously anticipated: 15 August 1947. As Mountbatten's press secretary was to note: 'Negotiations had been going on for five years; from the moment the leaders agreed to a plan, we had to get on with it.'[7] The sense of urgency was heightened by civil disturbances and riots between the communities, which were to reach frightening proportions in several areas, particularly in Punjab, which bordered the state of Jammu and Kashmir.

Lobbying for accession

Although the Cabinet Mission plan was rejected, the recommendations for the future of the 565 princely states, covering over two-fifths of the sub-continent, with a population of 99 million, became the basis for their future settlement. In a 'Memorandum on States' Treaties and Paramountcy' it was stated that the paramountcy which the princely states had enjoyed with the British Crown would lapse at independence because the existing treaty relations could not be transferred to any successor. The 'void' which would be created would have to be filled, either by a federal relationship or by 'particular political arrangements' with the successor government or governments, whereby the states would accede to one or other dominion.[8]

The state of Jammu and Kashmir had unique features not shared by other princely states. Ruled by a Hindu, with its large Muslim majority, it was geographically contiguous to both India and the future Pakistan. In view of a potential conflict of interest, there was 'pre-eminently a case for the same referendum treatment that the Frontier received,' writes W. H. Morris-Jones, constitutional adviser to Mountbatten. The North-West Frontier Province, with its strong Congress lobby, led by Khan Abdul Ghaffar Khan, opposed partition and favoured India. The decision was therefore put to the people in a referendum. (The Congress Party boycotted the referendum since the option of an independent 'Pashtunistan' was not included, and the Muslim League won an overwhelming majority.) A referendum in the state of Jammu and Kashmir would, says Morris-Jones, have been 'a carefully considered option – if only the States problem had been where it should have been in June, high on the Mountbatten agenda' – which it was not. By the time Mountbatten put forward the idea of a reference to the people in October, it was too late. 'He was no longer Viceroy and so no longer in a position to see it through as an integral part of the partition operation.'[9]

In hindsight, Sir Conrad Corfield, who was political adviser to the viceroy from 1945–47 also believed that, instead of listening to the advice of the Indian Political Department, Mountbatten preferred to take that of the Congress Party leaders. Corfield had suggested that if Hyderabad, second largest of the princely states, with its Hindu majority and Muslim ruler, and Kashmir, with its Hindu ruler and Muslim majority, were left to bargain after independence, India and Pakistan might well come to an agreement. 'The two cases balanced each other ... but Mountbatten did not listen to me ... Anything that I said carried no weight against the long-standing determination of Nehru to keep it [Kashmir] in India.'[10]

Although Jawaharlal Nehru's family had emigrated from the valley at the beginning of the eighteenth century, he had retained an emotional attachment to the land of his ancestors. This was reinforced by his friendship with Abdullah and the impending changes in the sub-continent. In the summer of 1947 Nehru planned to visit the valley in order to see Abdullah in prison. But, given the troubled situation, Mountbatten was reluctant for either him or Gandhi to go there and decided to take up a long-standing invitation from Hari Singh to visit Kashmir himself.

On 18 June the viceroy flew to Srinagar. He had with him a long note prepared by Nehru, which, on the basis of Sheikh Abdullah's popularity in the valley, made out a strong case for the state's accession to India:

> Of all the people's movements in the various States in India, the Kashmir National Conference was far the most widespread and popular . . . Kashmir has become during this past year an all-India question of great importance ... It is true that Sheikh Abdullah's long absence in prison has produced a certain confusion in people's minds as to what they should do. The National Conference has stood for and still stands for Kashmir joining the Constituent Assembly of India.

Nehru also pointed to the influence which the maharaja's prime minister, Ram Chandra Kak, had over him. Nehru held Kak responsible for the maharaja distancing himself from the National Conference and the possibility of joining the dominion of India. Most significantly, he made it clear to Mountbatten that what happened in Kashmir was:

> ... of the first importance to India as a whole not only because of the past year's occurrences there, which have drawn attention to it, but also because of the great strategic importance of that frontier State. There is every element present there for rapid and peaceful progress in co-operation with India.

He concluded by reaffirming Congress's deep interest in the matter and advising Mountbatten that, but for his other commitments, he would himself have been in Kashmir long ago.[11]

Although Pakistani accounts suggest that, from the outset, Mountbatten favoured Kashmir's accession to India, in view of his close association with Nehru, Mountbatten contended that he just wanted the maharaja to make up

his mind. 'My chief concern was to persuade the Maharaja that he should decide which Dominion Kashmir should join, after consulting the wishes of his people and without undue pressure from either side, especially the Congress Leaders.'[12] He also brought the message from the Congress leaders that, if the maharaja were to decide in favour of Pakistan because of his Muslim majority population, they would not take it 'amiss'.[13]

During Mountbatten's short stay in Kashmir, the maharaja gave the viceroy very little opportunity to discuss the accession. As noted by his son, Karan Singh: 'Indecisive by nature, he merely played for time.'[14] Instead of taking advantage of Mountbatten's visit to discuss the future of the state, he sent Mountbatten on a fishing trip. Captain Dewan Singh, the maharaja's ADC, confirmed that Hari Singh had no intention of succumbing to any pressure: 'He told Mountbatten that he would consult with his people and meet with him the next day. The meeting was scheduled for 11 o'clock, but ten minutes before, the Viceroy was informed that the Maharaja was not feeling well. In fact the Maharaja did not want to meet Mountbatten again.'[15] On Mountbatten's return, his press secretary, Alan Campbell Johnson, noted that: 'Mountbatten had seen for himself the paralysis of Princely uncertainty.' The maharaja was 'politically very elusive'.[16]

Mountbatten believed, however, that he had succeeded in giving the maharaja some sound advice, which he hoped he would follow in due course. He suggested that the maharaja was not to join either of the constituent assemblies until the Pakistan Constituent Assembly had been set up and the situation was a bit clearer. He also advised that the maharaja should sign 'standstill' agreements with both India and Pakistan. Nehru was not pleased by the results. 'There was considerable disappointment at the lack of results of your visit,' he later wrote to the viceroy.[17]

When Lord Hastings Ismay, Mountbatten's chief of staff, visited Kashmir soon afterwards he received the same treatment as the viceroy: 'Each time that I tried to broach the question, the Maharaja changed the subject. Did I remember our polo match at Cheltenham in 1935? He had a colt which he thought might win the Indian Derby! Whenever I tried to talk serious business, he abruptly left me for one of his other guests.'[18] 'The Maharaja was in a Micawberish frame of mind, hoping for the best while continuing to do nothing,' observed former constitutional adviser V. P. Menon. 'Besides he was toying with the notion of an "independent Jammu & Kashmir"'.[19]

Despite the assurances given by Mountbatten to Hari Singh that the Congress leaders would not regard it as 'an unfriendly act',[20] if, given his Muslim majority population, he eventually acceded to Pakistan, it is clear that Nehru in particular had strong reasons for wanting the state of Jammu and Kashmir to accede to India. Furthermore, if the Muslim majority of the state of Jammu and Kashmir, under the popular leadership of Sheikh Abdullah, were to accede to India it would disprove the validity of Mohammad Ali Jinnah's two-nation theory.

Nehru was also supported by the formidable presence of Sardar Patel, who wrote to the maharaja on 3 July: 'I wish to assure you that the interest of Kashmir lies in joining the Indian Union without any delay. Its past history and traditions demand it, and all India looks up to you and expects you to take this decision.'[21] Sardar Patel's position in charge of the States Ministry in India, which he assumed on 5 July, gave him a unique platform from which to guide India's policy towards the states. He was to be assisted by V. P. Menon who already had intimate knowledge of the workings of the Government of India. Patel and Menon's influence persuaded Mountbatten to ensure adherence of the States before the lapse of British paramountcy, rather than leave them free to negotiate their future relationships with the successor states in what might potentially become turbulent conditions afterwards. Sardar Abdur Rab Nishtar and Mr Ikramullah were in charge of the States Ministry for Pakistan.

On 25 July, Mountbatten informed the Chamber of Princes that although their states would 'technically and legally' become independent, there were 'certain geographical compulsions' which could not be avoided. He therefore urged the princes to enter into 'standstill' agreements with the future authorities of India and Pakistan in order to make their own arrangements.[22] Although most of the states were too small to consider surviving on their own and geography determined their allegiance, three out of the 565 held back from taking any decision: Hyderabad, Junagadh and the state of Jammu and Kashmir.

When, at the end of July, Mountbatten heard that Nehru was once more planning to go to Kashmir he was not pleased: 'I called upon him as a matter of duty not to go running off to Kashmir until his new Government was firmly in the saddle and could spare his services.'[23] Mountbatten was obviously irritated by Nehru's insistence that he go to Kashmir and considered that a visit by Gandhi would be preferable, provided he did not make any inflammatory political speeches. In a confidential note to Colonel Wilfred Webb, the resident, Mountbatten had written: '[Nehru] is under very great strain and I consider that a visit by him to Kashmir at this moment could only produce a most explosive situation; whereas if His Highness can be persuaded to handle Gandhi tactfully, I believe there is a good chance that his visit could be passed off without any serious incident.'[24]

As Nehru persisted in attempting to visit Kashmir, Mountbatten continued to try and dissuade him. He noted that both the maharaja and his prime minister, Ram Chandra Kak, 'hate Nehru with a bitter hatred and I had visions of the Maharaja declaring adherence to Pakistan just before Nehru arrived and Kak provoking an incident which would end up by Nehru being arrested just about the time he should be taking over power from me in Delhi.' Mountbatten had also heard how, during a meeting with Patel, 'Nehru had broken down and wept, explaining that Kashmir meant more to him at the time than anything else.' After considerable correspondence between the

Congress leaders and the viceroy over whether Nehru or Gandhi would visit Kashmir the issue was finally resolved by Sardar Patel, who believed that neither should go but that in view of Pandit Nehru's great mental distress if his mission in Kashmir were to remain unfulfilled, he agreed that one of them must go. Mountbatten noted that Patel bluntly remarked: 'It is a choice between two evils and I consider that Gandhiji's visit would be the lesser evil.'[25]

The Congress leaders' interest in Kashmir evidently disturbed the future leaders of Pakistan. The sub-continent was in the midst of a deep communal and political crisis. Yet both Nehru and Gandhi had insisted on visiting Kashmir. No Muslim leader visited the princely states of Hyderabad or Junagadh, nor did they visit Kashmir. Nehru and Gandhi were both known to be opposed to the maharaja making any declaration of independence. In addition the princes of Patiala, Kapurthala, and Faridkot from east Punjab visited Hari Singh in the summer, as well as the president of the Indian National Congress, Acharya J. B. Kripalani. Why so many visitors, all of whom must surely have had a vested interest in the advice they gave?

Gandhi finally left for Srinagar on 1 August. Muhammad Saraf was amongst those who protested at his arrival in Baramula. 'The biggest, noisiest demonstration was organised by me against Gandhi. Even some glass panes of his car were broken by the demonstrators.' In the event, Gandhi's visit passed off without any serious incident. But Saraf believed that during his meeting with the maharaja and the maharani, he persuaded the maharaja to accede to India.[26] 'Before his departure from Delhi the "Apostle of Truth" announced that his tour was absolutely non-political,' writes Shahid Hamid, private secretary to Field-Marshal Auchinleck. 'In reality it was to pressurise the Maharaja to accede to India and to remove Kak.'[27]

The Muslim Conference in Srinagar, whose leaders remained in prison after their 1946 agitation, was also perturbed by the potential impact of the pro-India lobby in Kashmir. 'The trouble was that whereas the Congress said that the people of the States will decide the future, the Muslim League was continuing to stress that the rulers will decide,' says Mir Abdul Aziz.[28] In a state like Hyderabad, ruled by the Muslim nizam there was a clear political advantage in supporting the ruler, despite its location in the heart of India, but with Jammu and Kashmir, the Muslim League was obliged to rely on the wisdom of Hari Singh. 'I have no doubt that the Maharaja and the Kashmir Government will give their closest attention and consideration to this matter and realise the interests not only of the Ruler but also of his people,' Jinnah had declared in July 1947. 'Wisdom demands that the feelings and sentiments of the Muslims who form 80 per cent of the population should not be ignored, much less hurt.'[29]

Unlike the Congress leaders, Jinnah had also endorsed the right of the princely states to remain independent: 'If they wish to remain independent and wish to negotiate or adjust any political or any other relationship such as commercial or economic relations with Pakistan, we shall be glad to discuss with them.'[30] He was not alone in this view. Sir Walter Monckton, adviser to the government of Hyderabad, believed that provided the princely states were 'fairly treated' they had 'a sounder hope of survival than the brittle political structure of the Congress Party after they have attained independence.'[31]

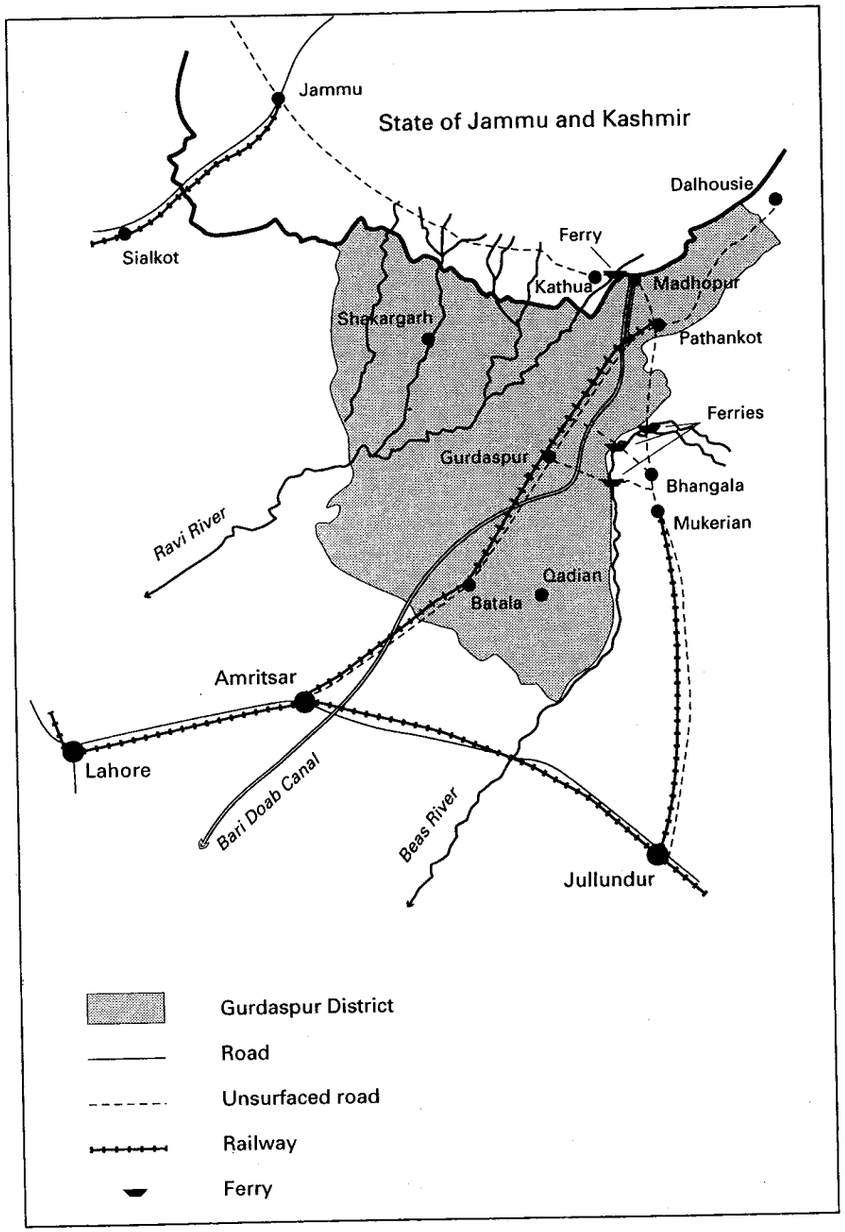
The Boundary Commission

An extraordinary feature of the partition of the sub-continent, which was effected on the day of its independence from British rule, is that the details were not officially revealed in advance. Lord Ismay explained that, in his opinion, the announcement was 'likely to confuse and worsen an already dangerous situation.'[32] There were, however, enough areas of concern in the border districts to arouse the interest of Hindus, Muslims and Sikhs as to where exactly the partition would be effected.

The Partition Plan of 3 June 1947, established under the Indian Independence Act, envisaged two Boundary Commissions, consisting of four High Court judges each, two nominated by Congress and two by the Muslim League. The chairman was to hold the casting vote. The man entrusted with that post was a British lawyer, Sir Cyril Radcliffe, who arrived in India for the first time on 8 July 1947. The objective of what came to be known as the Radcliffe Award was to divide the provinces of Punjab in the west and Bengal in the east, leaving those Muslim majority areas in Pakistan and those with Hindu majorities in India. There was, however, a loose provision that 'other factors' should be taken into account, without specifying what they might be. Radcliffe had just five weeks to accomplish the task.

Since the state of Jammu and Kashmir adjoined British India, the partition of the sub-continent was relevant insofar as where the existing lines of communication would fall. Of the main routes by which Kashmir could be reached, two roads passed through areas which could be expected to be allocated to Pakistan: the first via Rawalpindi, Murree, Muzaffarabad, Baramula and thence to Srinagar – the route so treacherously undertaken in winter by Sher Singh, when he was governor of Kashmir in the 1840s; the other route went via Sialkot, Jammu and the Banihal pass. A third route, which was no more than a dirt track, existed via the district of Gurdaspur, which comprised the four tehsils of Shakargarh, Batala, Gurdaspur and Pathankot. A railway line from Amritsar passed through Gurdaspur tehsil and on to Pathankot. Another railway line went from Jullundur as far as Mukerian; from there the journey could be continued directly to Pathankot on another unsurfaced track via Bhangala by crossing the Beas river by ferry. From Pathankot the route carried on to Madophur, across the Ravi river to Kathua in the state of Jammu and Kashmir.

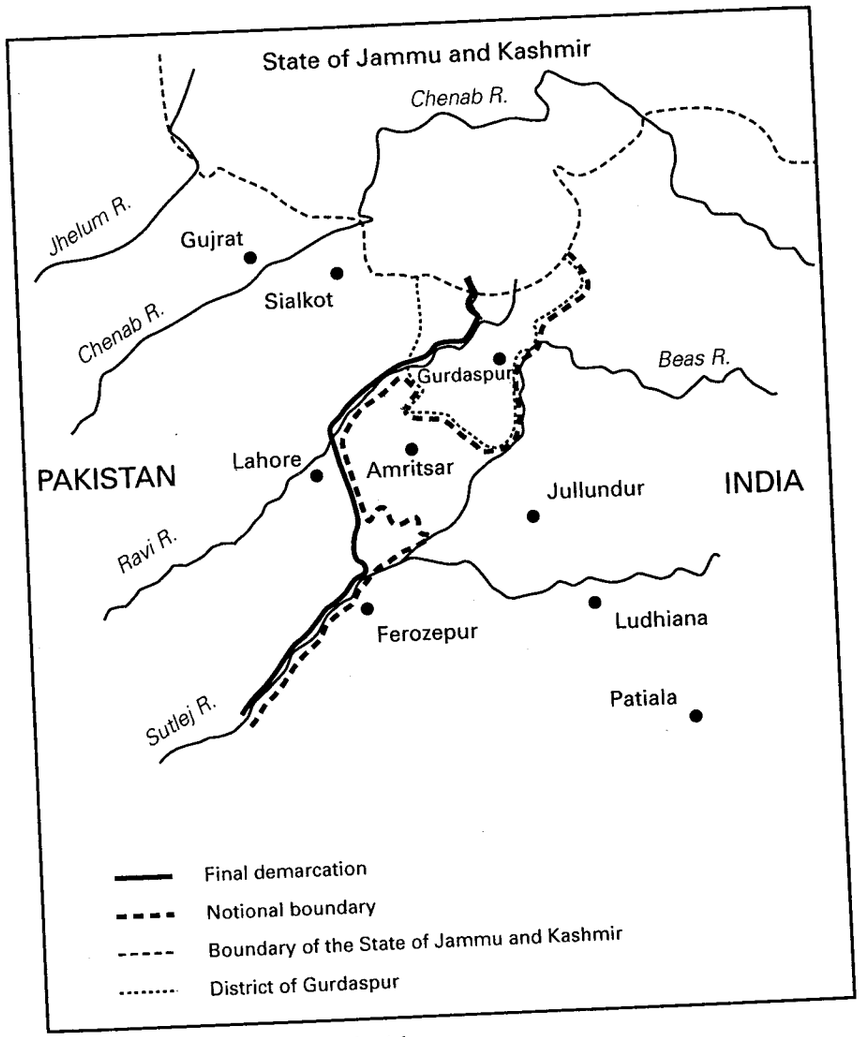
Under the 'notional' award provided in the first Schedule of the Indian



5. Gurdaspur District and Access to the State of Jammu and Kashmir (Source: Royal Geographical Society Collection. Published under the direction of the Surveyor-General of India, revised 1937)

Independence Act, all of the Gurdaspur district, with a 51.14 per cent Muslim majority had been assigned to Pakistan, which meant that all these routes would have fallen under the control of Pakistan. At his press conference on 4 June, in answer to a question regarding provisional and final demarcations, Mountbatten, however, suggested that the Boundary Commission would be unlikely 'to throw' the whole of the Gurdaspur district into the Muslim majority areas.[33] Of Gurdaspur district's four tehsils, one, Pathankot, was predominantly Hindu. Subsequently, the revised Mountbatten plan referred to the basis for partition by area rather than by district. The future Pakistanis soon became concerned by the prospect of a departure from the 'notional' award giving all of Gurdaspur district to Pakistan to one where part of Gurdaspur would be allocated to India. Chaudhri Muhammad Ali, one of the two joint secretaries on the Partition Council, suggested that it was 'highly improper' for Mountbatten to be commenting on the likely award. According to his account, his suspicions were confirmed when, upon instructions from Jinnah, he visited Mountbatten's chief of staff, Lord Ismay, on 9 August to talk about Gurdaspur. At first Ismay did not appear to understand Chaudhri Muhammad's concern. 'There was a map hanging in the room and I beckoned him to the map so that I could explain the position to him with its help. There was a pencil line drawn across the map of the Punjab.' The line followed the boundary along the Ravi river, which Jinnah had heard was to be drawn, allocating three of the four tehsils in Gurdaspur district to India. 'Ismay turned pale and asked in confusion who had been fooling with his map.'[34] Ismay, however, does not refer to this incident in his memoirs.

In the final award the three tehsils of Batala, Gurdaspur and Pathankot went to India. A memorandum prepared by the minister of state, which included Radcliffe's observations after he returned to England, reported that the reason for changing the 'notional' award regarding Gurdaspur was because 'the headwaters of the canals which irrigate the Amritsar District lie in the Gurdaspur District and it is important to keep as much as possible of these canals under one [i.e. Indian] administration.'[35] Wavell, however, had made a more significant political judgement in his plan, submitted to the secretary of state, Lord Pethick-Lawrence, in February 1946: 'Gurdaspur must go with Amritsar for geographical reasons and Amritsar being sacred city of Sikhs must stay out of Pakistan ... Fact that much of Lahore district is irrigated from upper Bari Doab canal with headworks in Gurdaspur district is awkward but there is no solution that avoids all such difficulties.' Wavell had also noted the problem this would create by leaving Qadian, the holy city of the Ahmadiyyas, in India, but the interests of the Sikhs were considered to be paramount. 'The greatest difficulty is position of Sikhs with their homelands and sacred places on both sides of the border. This problem is one which no version of Pakistan can solve.'[36] The Boundary Commission was supposed to be working in absolute secrecy and Radcliffe's award has always been presented as entirely original, even though in its final form, apart from the



6. Partition Boundaries in the Punjab
(Source: Nicholas Mansbergh, (ed.) *The Transfer of Power*, 1942–47, Vol XII, London, (1983)

award of the Chittagong Hills in Bengal, which Wavell gave to India and Radcliffe awarded to Pakistan, the two plans are remarkably similar. Wavell, however, emphasised more strongly the British fear of upsetting the Sikhs as a key factor in determining the award of Gurdaspur to India.

It is also clear from correspondence emanating from the viceroy's house that the element of secrecy was selective. Mountbatten had chosen not to

announce the partition plan until after independence in order not to 'mar' the celebrations, but this did not mean that advance information could not be given to the governors 'so that the best dispositions might be made of military forces and police.'[37] On 8 August Sir George Abell, Mountbatten's private secretary, who had also worked under Wavell and had been in London to present the 'Breakdown Plan' to the Cabinet in January 1947, wrote to Stuart Abbott, secretary to Sir Evan Jenkins, the governor of the Punjab, a 'top secret' letter: 'I enclose a map showing roughly the boundary which Sir Cyril Radcliffe proposes to demarcate in his award.'[38] Lord Ismay also asked for 'such advance information as could be given me of the award, so that the military and civil authorities directly concerned with law and order might make their plans, and if necessary redistribute their forces.' He did not address his request to the Boundary Commission 'with whose proceedings I had nothing whatever to do, but to the Viceroy's house.'[39] When this letter became public a few months later, it merely increased Pakistani suspicions that the viceroy and his staff were well aware of the disposition of the award. And if they were aware of it, might they also, for their own reasons, seek to alter it?

The suspicions created in the minds of the Pakistanis by the award of three tehsils of Gurdaspur to India were compounded by the issue of the 'salient' of the Ferozepur and Zira tehsils. In the map of the Radcliffe award, which Abell sent to Abbot, the salient, which protruded beyond the notional boundary into the Sikh heartland, was marked as part of Pakistan and, for once, did not accord with Radcliffe's preference for keeping Pakistan to the west of the Sutlej, but was theoretically designed to give a more equitable share of control over the canal headworks. A day after Abell sent his letter to Abbott, together with the map, the first serious massacre by Sikhs of prominent Muslim bureaucrats on the 'first Pakistan special' train which was shifting members of the government from Delhi to Karachi on 9 August occurred. Sometime after this date the boundary was finalised with the salient as part of India. Although the reason for its eventual inclusion in India was most probably in order to take into account the interests of the militant Sikhs rather than to deprive Pakistan of territory, sensitive as the Pakistanis were, it was not easy for them to rationalise the logic of draft awards which went in their favour, on the basis of Muslim majorities, only to be removed because of 'other factors.' 'It is very strange that other factors should have worked consistently in favour of India and against Pakistan,' commented Chaudhri Muhammad Ali.[40] Ironically, Wavell had not awarded the salient to Pakistan in the first place, probably because, as with the award of Gurdaspur, he was more concerned about the Sikhs.

The departure from the 'notional' award to Radcliffe's division of Gurdaspur between the two Dominions has created considerable bitterness, not only because of the loss of territory, but because of the growing realisation that India was thereby assured of access to the state of Jammu

and Kashmir. Although the future of the princely states was a separate issue from the division of the Punjab and Bengal, for which purpose the Boundary Commission was instituted, Mountbatten himself had made the connection between Jammu and Kashmir and the award of the Boundary Commission. Kashmir, he said, 'was so placed geographically that it could join either Dominion, provided part of Gurdaspur were put into East Punjab by the Boundary Commission.[41] V. P. Menon, whom Wavell had described as the 'mouthpiece' of Sardar Patel,[42] was thinking along the same lines: Kashmir 'does not lie in the bosom of Pakistan, and it can claim an exit to India, especially if a portion of the Gurdaspur district goes to East Punjab.[43]

Had the whole of Gurdaspur District been awarded to Pakistan, according to Lord Birdwood, 'India could certainly never have fought a war in Kashmir.'[44] Birdwood maintained that even if only the three Muslim tehsils had gone to Pakistan 'the maintenance of Indian forces within Kashmir would still have presented a grave problem for the Indian commanders, for their railhead at Pathankot is fed through the middle of the Gurdaspur tehsil.' 'Batala and Gurdaspur to the south,' said Chaudhri Muhammad Ali 'would have blocked the way'.[45] The fourth route which passed through Hindu Pathankot tehsil, would have been much more difficult to traverse. Although it did provide geographical access, the railway at the time extended only as far as Mukerian and it required an extra ferry coming across the river Beas.

The Indian journalist, M. J. Akbar, interprets the award as a simple piece of political expediency on the part of Nehru. 'Could Kashmir remain safe unless India was able to defend it? Nehru could hardly take the risk. And so, during private meetings, he persuaded Mountbatten to leave this Gurdaspur link in Indian hands.'[46] This seems an over-simplification, given the other issues at stake, especially concern for the Sikhs. But in view of inadequate explanations and selective secrecy surrounding the Radcliffe award, the belief amongst Pakistanis that there was a conspiracy between Mountbatten and Nehru to deprive Pakistan of Gurdaspur has held fast. Mountbatten and his apologists repeatedly denied any prior knowledge of the award or any discussions with Sir Cyril Radcliffe. Christopher Beaumont, secretary to Radcliffe, asserts, however, that in the case of Ferozepur (although not over Gurdaspur) Radcliffe was persuaded to give the Ferozepur salient to India.[47] Alan Campbell-Johnson, however, maintains that Beaumont based this allegation on the proceedings of a meeting at which he was not present and about which he was not briefed.[48] When Professor Zaidi questioned Radcliffe in 1967, he said that he had destroyed his papers, in order 'to keep the validity of the award.'[49]

Stories of bad relations between Mountbatten and Mohammad Ali Jinnah also added fuel to the Pakistani argument that Mountbatten was not well disposed towards Pakistan and hence not willing to see Kashmir go to the new Dominion. 'He talked about mad, mad, mad Pakistan,' says Professor Zaidi.[50] As Morris-Jones relates, Mountbatten had assumed that he would

continue as governor-general of the two dominions. 'When Jinnah, after long consideration, told him in July that the first governor-general of Pakistan would be Jinnah himself, the hope of a common Head of State was blasted and Mountbatten took it as a shattering blow to his own pride. As far as I can see from the records, that was the only moment in all the months of frustrating negotiations when the Viceroy lost his temper; on his own account he exploded in fury at Jinnah and stormed out of the room.'[51]

Pakistani apprehension about the intentions of both the Indians and the British arose from their long-standing feeling that neither Britain nor India wanted nor expected Pakistan to survive. They therefore wanted Kashmir in order to gain a strategic advantage over Pakistan and put pressure on Pakistan's north-eastern border. Possession of Kashmir would also give control of the headwaters of the important rivers which watered the plains of the Indus valley. 'The object of grabbing Kashmir was to encircle Pakistan militarily and strangle it economically,' writes Suhrawardy. 'India would have, through Gilgit, a common border with Afghanistan, then openly hostile to Pakistan and the only country in the world which opposed Pakistan's admission as member of the UN. Pakistan would get sandwiched and with the active support of India and Afghanistan, the Pukhtoonistan stunt backed by the Frontier Gandhi, Abdul Ghaffar Khan, would be used for military intervention.'[52] Anti-Pakistani feeling stemmed, believed Suhrawardy, from India's contention expressed in the Congress Resolution of 5 June 1947: 'Geography and mountains and the sea fashioned India as she is, and no human agency can change that shape or come in the way of her final destiny. 'The resolution went on to say that once 'present passions' had subsided 'the false doctrine of two nations will be discredited and discarded by all.'[53] Every move on the part of India was therefore interpreted by the future Pakistanis as being part of this long-term strategy.

Standstill?

In 1947, only the maharaja and a few close associates may have entertained the idea of remaining independent. Mountbatten was most unreceptive to this third possibility. In a long letter to the Earl of Listowel, dated 8 August, he wrote:

> The Indian Dominion, consisting nearly of three-quarters of India, and with its immense resources and its important strategic position in the Indian Ocean, is a Dominion which we cannot afford to estrange for the fate of the so-called independence of the States. I have no doubt that you will agree with me that we should leave no stone unturned to convince the Indian Dominion that although we had to agree to the plan of partition, we had no intention to leave it balkanised or to weaken it both internally and externally.

In addition, he did not want the reputation of Britain to suffer because the situation regarding the states was not fully resolved at independence:

> If we leave the States without association with one or the other of the two Dominions, there will be plenty of justification for the allegations against us that while we unilaterally terminated all treaties and agreements, we took no steps for the safety and security of the States from either internal troubles or external aggression.[54]

But the maharaja's prime minister, Ram Chandra Kak, a Kashmiri Brahmin described by Karan Singh as 'the one man who had the intellectual capacity to make some coherent effort towards an acceptable settlement',[55] was also believed to be the main force behind the maharaja's reluctance to join India.[56] On the eve of independence, with obvious pressure from Delhi, the maharaja replaced his prime minister with a retired army officer. Mountbatten saw this as a sign that the main obstacle against accession to one or other dominion was now out of the way. He was pleased to note on 16 August, after the 'sacking' of Kak, that the maharaja '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.' Mountbatten went on to observe with obvious, but misplaced, relief: 'it appears therefore as if this great problem of the States has been satisfactorily solved within the last three weeks of British rule.'[57]

Mountbatten was, however, precipitate in his analysis. When the sub-continent became independent from British rule on 14–15 August, for the first time since Yaqub Shah Chak submitted to Akbar in 1589, the state of Jammu and Kashmir was independent. It remained so for seventy-three days. On 12 August, in an exchange of telegrams, Hari Singh made a 'standstill' agreement with Pakistan. The objective was to ensure that those services which existed for trade, travel and communication would carry on in the same way as they had with British India. Pakistan therefore retained control of the rail and river links, which were used to float timber down the Jhelum river to the plains. India did not, however, sign a standstill agreement. V. P. Menon's explanation is revealing given the interest Congress had shown in Kashmir in the months preceding independence: 'We wanted to examine its implications. We left the State alone ... moreover, our hands were already full and if truth be told, I for one had simply no time to think of Kashmir.'[58] That India did not sign a standstill agreement with the state of Jammu and Kashmir has merely added to the suspicion amongst Pakistanis that the Indian government was already engaged in making its own arrangements for Kashmir's future and did not consider a standstill agreement to be a necessary part of those plans. The standstill agreement signed with Pakistan, says Abdul Suhrawardy, was really 'a camouflage to hide the real designs and lull Pakistan and her supporters into a false sleep of satisfaction.'[59]

In the state of Jammu and Kashmir there were staunch Muslim League supporters who believed they would become part of Pakistan at independence and when freedom came at midnight on 14 August they rejoiced. The Pakistani flag was hoisted on most of the post offices until the government

of the maharaja ordered that they should be taken down. All pro-Pakistani newspapers were closed. Muhammad Saraf was in Baramula, where the flag remained flying until dusk: 'It was a spectacle to watch streams of people from all directions in the town and its suburbs swarming towards the Post Office in order to have a glimpse of the flag of their hopes and dreams.'[60] Those whose hopes were dashed at not becoming part of Pakistan set in train a sequence of events which was rooted in their past disappointment.

Revolt in Poonch

Of the 71,667 citizens of the state of Jammu and Kashmir who served in the British Indian forces during World War II, 60,402 were Muslims from the traditional recruiting ground of Poonch and Mirpur.[61] After the war, the maharaja, alarmed at the increasing agitation against his government, refused to accept them into the army. When they returned to their farms, they found 'not a land fit for heroes, but fresh taxes, more onerous than ever,' writes the British Quaker, Horace Alexander. 'If the Maharaja's government chastised the people of the Kashmir valley with whips, the Poonchis were chastised with scorpions'[62] Throughout his reign, Hari Singh had been working to regain control of Poonch. As a jagir of Gulab Singh's brother, Dhyan, although a fief of the maharaja, Poonch had retained a degree of autonomy. Friction between the maharaja and the Raja of Poonch had remained ever since Pratap's adoption of the raja in 1907 as his spiritual heir. After the raja's death in 1940, Hari Singh had succeeded in dispossessing his young son and bringing the administration of Poonch in line with the rest of the state of Jammu and Kashmir. This move was not welcomed by the local people. 'There was a tax on every hearth and every window,' writes Richard Symonds, a social worker with a group of British Quakers working in the Punjab: 'Every cow, buffalo and sheep was taxed, and even every wife.' An additional tax was introduced to pay for the cost of taxation. 'Dogra troops were billeted on the Poonchis to enforce the collection.'[63]

In the Spring of 1947, the Poonchis had mounted a 'no-tax' campaign. The maharaja responded by strengthening his garrisons in Poonch with Sikhs and Hindus. In July he ordered all Muslims in the district to hand over their weapons to the authorities. But, as communal tension spread, the Muslims were angered when the same weapons appeared in the hands of Hindus and Sikhs. They therefore sought fresh weapons from the tribes of the North-West Frontier who were well known for their manufacture of arms. This laid the basis for direct contact between the members of the Poonch resistance and the tribesmen who lived in the strip of mountainous 'tribal' territory bordering Pakistan and Afghanistan. In the belief that the maharaja had passed an order to massacre the Muslims, a thirty-two year-old Suddhan, Sardar Mohammed Ibrahim Khan, collected together the ex-soldiers amongst the Suddhans. 'We got arms from here and there and then we started fighting

the Maharaja's army.' In about two months he says he had organised an army of about 50,000.[64]

The transfer of power by the British to the new Dominions of Pakistan and India on 14–15 August brought no respite to the troubled situation which the maharaja now faced as an independent ruler. Unrest in Poonch had turned into an organised revolt against the Dogras, which was reminiscent of the rebellion led by Shams-ud Din, governor of Poonch, in 1837. Amongst the activists was Sardar Abdul Qayum Khan, a landowner from Rawalakot:

> Unlike many other people who believed that the partition plan would be implemented with all sincerity of purpose, I thought that perhaps India would like to obtain Kashmir and that is why the armed revolt took place. Against the declared standstill agreement, the maharaja had started moving his troops along the river Jhelum. It was an unusual movement which had never happened before and I could see that it had a purpose of sealing off the border with Pakistan. In order to thwart that plan, we rose up in arms.[65]

Qayum Khan withdrew to the forests outside Rawalakot, from where the message of rebellion was spread throughout Poonch and south to Mirpur. The close links with their neighbours on the western side of the Jhelum river meant that the border was impossible to seal and the maharaja's government attributed the trouble in Poonch to infiltration from Pakistan. 'Intelligence reports from the frontier areas of Poonch and Mirpur as well as the Sialkot sector started coming in which spoke of large-scale massacre, loot and rape of our villagers by aggressive hordes from across the borders,' writes Karan Singh. 'I recall the grim atmosphere that began to engulf us as it gradually became clear that we were losing control of the outer areas.' He records how his father handed him some reports in order to translate them into Dogri for his mother. 'I still recall my embarrassment in dealing with the word "rape" for which I could find no acceptable equivalent.'[66]

The Pakistani government, however, believed the uprising in Poonch was a legitimate rebellion against the maharaja's rule, which was gaining increasing sympathy from the tribesmen of the North-West Frontier, who were also sympathetic to the troubles in the Punjab. On 23 September, George Cunningham, governor of the North-West Frontier Province noted: 'I have offers from practically every tribe along the Frontier to be allowed to go and kill Sikhs in eastern Punjab and I think I would only have to hold up my little finger to get a lashkar of 40,000 to 50,000.'[67]

Poonch was also undoubtedly affected by events in neighbouring Jammu. Whereas the valley of Kashmir was protected by its mountain ranges from the communal massacres which devastated so many families in the weeks following partition, Jammu had immediate contact with the plains of India and, as a result, was subject to the same communalist hatred which swept throughout the Punjab and Bengal. According to Pakistani sympathisers, whilst deliberating over accession, the maharaja was undertaking a systematic purge of Muslims. 'Certain it is that the Maharaja's government was using its Dogra troops to terrorise many Muslim villages in the neighbourhood of Jammu,' wrote Horace Alexander. 'Later in the year, I myself saw villages near Jammu that had been completely gutted.'[68]

Ian Stephens, editor of *The Statesman* (Calcutta), noted the situation in Jammu: 'Unlike every part of the state, Hindus and Sikhs slightly outnumbered Muslims, and within a period of about 11 weeks, starting in August, systematic savageries ... practically eliminated the entire Muslim element in the population, amounting to 500,000 people. About 200,000 just disappeared, remaining untraceable, having presumably been butchered or died from epidemic or exposure. The rest fled to West Punjab.'[69] There 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.'[70] In September, the outgoing chief of staff of the Jammu and Kashmir State Forces, Major-General Scott, had informed the maharaja that the situation was becoming difficult for his army to control on its own.

Manoeuvres

In the weeks following independence, despite the signature of the standstill agreement with Pakistan, political manoeuvring was taking place on all sides. Both Pakistan and India were actively trying to determine events so that Kashmir would accede to their respective Dominions. India retained the upper hand and despite the maharaja's dislike for Nehru, he communicated more regularly and amicably with the Indian leaders than with those in Pakistan. Although he had rejected Mountbatten's suggestion of retaining military links with either India or Pakistan, on 13 September he requested the Government of India for the loan of an Indian army officer to replace Major-General Scott as his commander-in-chief.

Prime Minister Nehru and Sardar Patel, who had become minister for Home Affairs, corresponded regularly in order to determine how Kashmir could be secured for India. 'One of the most interesting revelations of the Patel papers when they began to be published in 1971,' writes Alastair Lamb 'was the extent to which this powerful Congress politician had directly involved himself in all planning directed towards an eventual Indian acquisition of the State of Jammu and Kashmir.'[71]

Clear steps were being taken to improve communications with India, by telegraph, telephone, wireless and roads. On 27 September *The Pakistan Times* reported: 'the metalling of the road from Jammu to Kathua is also proceeding at top speed. The idea is to keep up some sort of communication between the State and the Indian Union, so that essential supplies and troops could be rushed to Kashmir without having to transport them through Pakistani territory.'[72] A boat bridge was also being constructed over the Ravi river near Pathankot, which would improve the access from Gurdaspur. In addition,

there were reports that the Kashmir government was constructing an all weather road linking the valley of Kashmir with Jammu via Poonch instead of the Banihal road which was impassable in winter. In Pakistan it was widely believed that India was preparing to announce Kashmir's accession to India in the autumn. The Pakistani government alleged that India had violated the standstill agreement, because they had included Kashmir within the Indian postal system. As evidence, they produced a memorandum, dated 1 September 1947, signed by the director-general of Postal Telegraph, New Delhi, in which towns in the State of Jammu and Kashmir were listed as part of India.[73]

The Indian leaders were equally anxious about Pakistani moves. The armed raids from Pakistani territory into the state and disturbances in Poonch led the Indians to believe that there would be a full-scale Pakistani incursion before winter.: 'I understand that the Pakistan strategy is to infiltrate into Kashmir now and to take some big action as soon as Kashmir is more or less isolated because of the coming winter,' Nehru wrote to Patel on 27 September.[74] Nehru therefore suggested to Patel that the maharaja should 'make friends' with the National Conference, 'so that there might be this popular support against Pakistan.' Nehru had hoped that the maharaja could be persuaded to accede to India before any invasion took place and he realised that accession would only be more easily accepted if Abdullah, as a popular leader, were brought into the picture.

Two days after this letter, on 29 September, Abdullah, who had been in prison since his Quit Kashmir movement in 1946, was released from jail. His letter pledging allegiance to the maharaja was widely publicised. But he also repeated his pre-independence rhetoric: 'When I went into prison, I took a last look at undivided India. Today it has been broken into two fragments. We the people of Kashmir must now see to it that our long-cherished dream is fulfilled. The dream of freedom, welfare and progress.'[75] At the beginning of October Dwarkanath Kachru, the secretary of the All-India States Peoples' Conference, visited Srinagar with the objective of convincing Abdullah of the merits of joining India. He reported back to Nehru that 'Sheikh Abdullah and his close associates have decided for the Indian Union.' The decision, however, was not to be announced. The objective of the Kashmir National Conference 'is the attainment of people's sovereignty with the Maharaja enjoying a constitutional position.' This, explained Kachru:

> ... would be the main factor determining the position of the Conference in the matter of accession ... The threat to Kashmir is real and unless the Congress takes up a strong stand and forces the Maharaja to come to some agreement with the National Conference, Kashmir is doomed and there will be nothing to prevent the conquest of Kashmir by the Muslim League leaders and private armies.[76]

A copy of this report was passed on to Sardar Patel and he responded to Nehru: 'We are giving the Kashmir government as much assistance as possible within the limited resources available. There are all sorts of difficulties in our going all out to assist the State.'[77]

The Pakistani leaders were also actively trying to turn the situation in their favour, at the same time as being criticised by the Kashmiri government for the armed raids and a 'blockade' of the border. Immediately after Abdullah's release, he was visited by Dr Muhammad Din Taseer, a friend of Abdullah's and former principal of Sri Pratap College in Srinagar but now a Pakistani citizen. He was accompanied by Anwar-ul Haq, district magistrate, Rawalpindi, who was deputed to find out why essential supplies, including sugar, salt, petrol, kerosene, oil and cloth were being held up at Sialkot and Rawalpindi. The allegation from the Kashmiri side was that because they were not being transported into Kashmir, the Pakistanis were not honouring the terms of the standstill agreement and that it was tantamount to a blockade to force the state to accede to Pakistan.

The Pakistani government, however, maintained that this arose because of the troubled situation within Kashmir. Haq concluded that the lorry drivers were too frightened to make the journey because Sikhs and Hindus were attacking Muslims. After some investigation, the British High Commission concluded that there may have been obstructions which were overlooked, perhaps even encouraged, by some low grade officials.[78] But, from the Indian perspective, the allegations of the blockade were evidence of Pakistan's intended 'aggression' towards Kashmir and added fuel to the argument that an invasion was imminent.

While Anwar-ul Haq, was holding discussions with the concerned authorities about the supplies, Taseer met with Sheikh Abdullah. 'When Taseer returned in the evening, he told me he had a very fruitful discussions with Sheikh Abdullah and he had agreed to meet Quaid-i Azam.' But the Sheikh was also playing for time. The Punjab was on fire. 'So I felt I had to be very careful about taking any decision concerning Kashmir,' he told Bilqees Taseer, recalling his earlier conversation with her husband in 1947. 'I also believed that any decision made had to be that of the Kashmiri people themselves, i.e. as regards joining Pakistan, because not merely those of the present generation would be affected by such a decision but also generations to follow.'[79] In his memoirs Abdullah noted: 'I firmly told him that the time to decide had not yet arrived. Both countries are caught in a vortex.'[80] He agreed, however, to meet Mohammad Ali Jinnah in Lahore after he had first visited Delhi.

In the meantime, Abdullah sent his 'trusted lieutenant', G. M. Sadiq back to Lahore with Dr Taseer for further discussions. Bakshi Ghulam Muhammad was already there. Ghulam Muhammad Sadiq was anxious to ensure acceptance of the condition that no non-state subject would be allowed to purchase property in Kashmir (as was the case in pre-independence times). On the assumption that Kashmir would eventually go to Pakistan there were stories of wealthy Pakistani feudals making enquiries about buying land.

The Pakistani government was also pursuing diplomatic channels with the maharaja and his government. Liaquat Ali Khan, the prime minister of Pakistan, had sent a representative to Srinagar 'to try and lead the Kashmir Prime Minister towards accession to Pakistan. He said that for three or four days he was succeeding, but that then the new prime minister arrived and told him to clear out.'[81] The new prime minister, who had arrived in Srinagar on 15 October, when the state was 'on the chessboard of power politics', was Mehr Chand Mahajan.[82] An Indian judge, he had been one of the Hindu representatives on the Boundary Commission. In an exchange of telegrams, the Kashmir Government offered an impartial inquiry into the allegations made against Pakistan; otherwise, Prime Minister Mahajan stated that the Government of Kashmir would be obliged to ask for 'friendly assistance' from the state's other neighbour, India. The Pakistani government accepted the idea for an impartial inquiry, but on 18 October Mahajan sent another telegram to Mohammad Ali Jinnah again threatening to ask for 'friendly' assistance unless the Pakistanis acceded to their request to stop the alleged armed infiltration into Poonch, the blockade of the border, as well as continuing propaganda against the maharaja. This time, however, there was no mention of the impartial inquiry.

Jinnah responded to Mahajan's telegram, by sending a telegraphic message to Hari Singh deploring the 'tone and language' adopted by Mahajan. He also outlined numerous complaints against the maharaja's government. He noticed the more favourable treatment given to Sheikh Abdullah since his release at the end of September, and to the National Conference, compared with the Muslim Conference whose leaders, including Ghulam Abbas, remained in detention:

> The real aim of your Government's policy is to seek an opportunity to join the Indian Dominion through a coup d'état by securing the intervention and assistance of that Dominion ... I suggest that the way to smooth out the difficulties and adjust matters in a friendly way is for your Prime Minister to come to Karachi and discuss the developments that have taken place, instead of carrying on acrimonious and bitter telegrams and correspondence.[83]

At the same time Sardar Patel continued to correspond with the Kashmiri government. Mahajan had already requested arms and ammunition from India to deal with the growing unrest within the state. On 21 October, Patel once again encouraged Mahajan to enlist the support of Sheikh Abdullah: 'It is obvious that in your dealings with the external dangers and internal commotion with which you are faced, mere brute force is not enough ... It is my sincere and earnest advice to you to make a substantial gesture to win Sheikh Abdullah's support.'[84] Mahajan noted Patel's views but replied that 'the situation in the state at the present moment is such that one cannot get a single moment to think of politics.'[85] He urged Patel to send arms and ammunition at once to assist with the worsening situation which the Kashmiri government insisted was aided by Pakistan. 'No raids could take place if the Pakistani authorities wished to stop them.'[86]

As both India and Pakistan continued to court the old rulers of the state of Jammu and Kashmir and the new, such diplomatic initiatives were brought to an immediate halt when news was received that a large number of raiders from the tribal territory of Pakistan's North-West Frontier province had crossed the borders and were heading for Kashmir. G. M. Sadiq returned from Lahore to Delhi. According to Faiz Ahmed Faiz, chief editor of *The Pakistan Times* and an old friend of Sadiq's, when news of the tribal invasion reached Lahore, 'we could see that everything was lost.'[87] The 'jihad' of the tribesmen came in the wake of two months of nominal standstill, when, behind the scenes amidst a deteriorating law and order situation, India and Pakistan were both independently planning for the state of Jammu and Kashmir to accede to their respective dominions. 'There ended the opportunity of Kashmir's accession to Pakistan,' said Faiz. 'The rest is history.'[88]

CHAPTER 3

Accession

> Death and destruction were fast approaching Srinagar, our smug world had collapsed around us, the wheels of destiny had turned full circle. Karan Singh, October 1947[1]

For over two months after the independence of the sub-continent from British rule, the maharaja had attempted to remain independent. While the Government of Pakistan and the state of Jammu and Kashmir were engaged in their war of words over the deteriorating law and order situation, India's rulers were offering moral and the promise of material support to the beleaguered maharaja. The invasion of large numbers of tribesmen from the North-West Frontier of Pakistan into Kashmir forced a decision on him. In order to receive military assistance from India, Hari Singh was obliged to accede to the Indian Dominion. But would he have eventually done so anyway? Under what circumstances might he have acceded to Pakistan? Could he have ever remained independent? In addition, was the 'holy war' into Kashmir instigated by Pakistan or was it an extension of the internal troubles already existing in the maharaja's state?

The road to war

Claims and counterclaims of aggression within the state of Jammu and Kashmir persisted throughout September. Whereas the maharaja and his government stated that the attacks came from armed raiders across the border in Punjab, the Pakistanis insisted that there was an indigenous rebellion within the state which was an extension of the political opposition to the maharaja which had been going on since the 1930s. Predictably, the discontented Poonchis had crossed the border to Pakistan for help. 'One day someone introduced me to Sardar Ibrahim,' writes Akbar Khan, a junior army officer who was in Murree in September 1947. 'As yet he [Ibrahim] was not prominent enough to be known in Pakistan. Most of the recognised leaders of the pro-Pakistan Muslim Conference were still in jail in Kashmir. Ibrahim, like many others passionately stirred, had come across the border in search of help for his people.'[2] 'I was almost the only person left to take decisions,' recalls Ibrahim. 'You can imagine the precarious position of a young man.'[3]

Ibrahim Khan had requested 500 rifles 'if they were to liberate themselves.'

Akbar Khan describes how the commander-in-chief of the fledgling Pakistani army and other senior officers, who were British, were not to be taken into confidence regarding any plan to assist the rebels. Through an indirect source, Ibrahim Khan succeeded in getting 4,000 rifles. 'Further weapons, Frontier made or from abroad, could be obtained depending on the money available.' Akbar Khan subsequently wrote out a plan, called 'Armed Revolt in Kashmir'. The main objective was to focus on strengthening the Kashmiris themselves internally. Discussions with the prime minister, Liaquat Ali Khan, who was clearly aware of their plans were so 'informal' that Akbar Khan deduced 'there was complete ignorance about the business of anything in the nature of military operations.'[4] It was also known to George Cunningham, the governor of the North-West Frontier, that a Punjabi called Khurshid Anwar, 'something in the Muslim National Guard' had been in Hazara district 'organising what they call a three-pronged drive on Kashmir.'[5]

As the politicians deliberated, a large contingent of tribes from the North-West Frontier headed for Kashmir. 'I am afraid the Kashmir situation is going to be a serious crisis,' noted George Cunningham in his diary on 20 October. 'Heard this morning that 900 Mahsuds had left Tank in lorries for the Kashmir front ... about 200 Mohmands are also reported to have gone.'[6] They were soon to be joined by Wazirs, Daurs, Bhittanis, Khattaks, Turis and some Afridis from Tirah as well as Swatis and men of Dir. At dawn on 22 October 1947, they crossed the Jhelum river into Kashmir. 'My own position is not too easy, ' wrote Cunningham. 'If I give my support to the movement, thousands more will flock to it and there may be a big invasion; if I resist it, I have to bear the brunt if the movement fails through lack of support.'[7] Prior to independence, the British had only succeeded in maintaining an uneasy peace with the tribesmen by paying subsidies to the chiefs and keeping frontier posts at their various 'forward' positions along the North-West Frontier. But after the British withdrew in August 1947, in Pakistan's 'new-born, unorganised state,' writes Ian Stephens, in the midst of the Kashmir imbroglio, the government was still formulating its relationship with the tribes.[8]

The general belief amongst Pakistanis is that the tribesmen were incited to a 'holy war' by the stories of atrocities which fleeing Muslims brought with them to the market places of Peshawar. 'I was assured by a man in authority in Peshawar that the corpses of Muslims killed by the Dogras had been paraded through the Peshawar streets by men who called on the people to support a "jihad" against the infidels in power in Kashmir and in India,' recalled Horace Alexander after his visit to the North-West Frontier in 1947.[9] A number of Kashmiri Muslim families from Poonch were also settled in the Rawalpindi and Jhelum districts of the Punjab. In addition, the chief minister of the North-West Frontier Province, Khan Abdul Qayum Khan was a Kashmiri from Poonch. In the weeks to come, his officials assisted with the supply of petrol, which was scarce, as well as the provision of grain and transportation to tribal volunteers.[10]

Although Liaquat Ali Khan knew of the plan for tribesmen to invade Kashmir, to date there is no evidence that Mohammad Ali Jinnah was involved in the discussions. 'So far I have not come across that evidence,' says Professor Zaidi, editor of the Jinnah papers:

> I promise and I declare that the moment such evidence comes to light, it shall not be suppressed. The Pathan tribesmen moved against the wishes of the then Federal government. I personally know that for sure and there was nobody to stop them. When they went there, they went without any proper planning and co-ordination. It was all a confusion and the blame on Pakistan that they had deployed them on a defined objective is baseless.[11]

Muhammad Saraf, who had come to Lahore after leaving Baramula in August 1947 states, however, that the tribal invasion was undertaken with the knowledge of the Pakistani leaders in order to enhance the efforts of the local Kashmiris. 'It may be stated emphatically that it took place with the blessings of the Quaid-i Azam, Mohammad Ali Jinnah, and Mr Liaquat Ali Khan.'[12]

K. H. Khurshid, Jinnah's private secretary disagrees:

> I left Karachi on October 1, 1947. My last meeting with the Quaid-e Azam was on September 30, 1947. We discussed Kashmir for two hours. We discussed everything and the Quaid-e Azam told me: "Please convey to our leaders in Kashmir that I do not want to create any trouble for the maharaja at the moment. I want them to remain calm and we shall deal with the situation later on as it arises.[13]

According to George Cunningham, on the basis of information given to him by the defence secretary, Iskander Mirza, on 26 October: 'Apparently Jinnah himself first heard of what was going on about 15 days ago, but said "Don't tell me anything about it. My conscience must be clear."' Cunningham does not, however, refer to Jinnah either ordering or having any knowledge of a specific invasion plan. All British Officers, he said, were kept out of the discussions 'simply not to embarrass them.'[14]

Indian accounts maintain that the whole operation into Kashmir was instigated at the highest level in Pakistan. Code named 'Gulmarg', they believed that it was masterminded by Akbar Khan, who used the pseudonym General Tariq in memory of the Berber general who crossed the straits of Gibraltar to invade Spain in the eighth century.[15] The raiders, said V. P. Menon, 'have free transit through Pakistani territory. They are operating against Kashmir from bases in Pakistan. Their modern military equipment could only have been obtained from Pakistani sources; mortars, artillery and mark V mines are not normally the kind of armament which tribesmen possess.'[16] Menon estimated that about 5,000 tribesmen, travelling in two to three hundred lorries, crossed into Kashmir.

The first real opposition the tribesmen encountered was at Muzaffarabad, where a battalion of Dogra troops was stationed. They succeeded in capturing the bridge between Muzaffarabad and Domel and, on the evening of 23

October, they captured Domel. Over the next two days they took Garhi and Chinari. Their main column proceeded on towards Uri, where according to their 'commander' Khurshid Anwar, they encountered 'the first Sikh Regiment of Patiala State.'[17] No one has confirmed when the Patiala state forces arrived, but Alastair Lamb considers the presence of such 'exotic forces' as a covert operation, which, since the Maharaja of Patiala's accession to India, meant they were in fact forces which came under the control of the Indian Union.[18] At Uri, Brigadier Rajinder Singh, who had succeeded Scott as chief of staff of the state forces, was killed. 'He and his colleagues will live in history,' writes V. P. Menon 'like the gallant Leonidas and his three hundred men who held the Persian invaders at Thermopylae.'[19]

The tribesmen carried on along the Jhelum river road, the traditional route traversed by their forbears, the Afghans, towards Baramula, the entry point into the valley, where the road led directly to Srinagar. At Mahura there was a large power house and a power failure temporarily plunged Srinagar into darkness, creating a sense of impending doom.[20] Sheikh Abdullah returned to the limelight by organising the defence of the city. His heroic efforts, however, became tarnished with allegations that Hindu and Sikh refugees were being armed by the Kashmiri government and encouraged to kill those whose loyalty to Abdullah and the National Conference was dubious.[21]

The flight of Hari Singh

On October 24, Maharaja Hari Singh made an urgent appeal for help to the Government of India. As he waited for the Indian response he attempted to carry on his duties. 'Incredibly enough,' writes his son, Karan Singh, 'the annual Darbar was held in Srinagar as usual ... in the beautiful hall of the city palace on the Jhelum with its richly decorated papier mâché ceiling.'[22] Although the maharaja had wanted to cancel it, Prime Minister Mahajan said that to do so would create panic amongst the people.

In Delhi, Lord Mountbatten, governor-general of India, was attending a buffet dinner in honour of the foreign minister of Thailand, when Prime Minister Nehru informed him that Kashmir was being invaded by large numbers of Pathan tribesmen. Although the Indian government had been talking about an incursion from Pakistan, the actual invasion took them by surprise. The following day, 25 October, the Defence Committee of the Cabinet met, chaired by Lord Mountbatten. 'The most immediate necessity,' writes Alan Campbell-Johnson, Mountbatten's press secretary, 'was to rush in arms and ammunition already requested by the Kashmir Government ... .' Mountbatten contended, however, 'that it would be the height of folly to send troops into a neutral State, where we had no right to send them, since Pakistan could do exactly the same thing, which could only result in a clash of armed forces and in war.' He urged therefore that the legal formalities

regarding accession should be completed but that it should only be temporary, prior to 'a referendum, plebiscite, election or even, if these methods were impracticable, by representative public meetings.'[23] As a first step towards popular government, Nehru wanted provision to be made for Sheikh Abdullah in the maharaja's government. According to Nehru's biographer, Sarvepalli Gopal, at the meeting, neither Nehru nor Patel 'attached any importance' to Mountbatten's insistence on temporary accession.[24]

The sequence of events from the moment the maharaja requested help from the Government of India on 24 October to the time when Indian troops arrived on 27 October has been a subject of debate ever since. The official account relies heavily on the memoirs of V. P. Menon who, at the Defence Committee meeting, was instructed to 'fly to Srinagar immediately in order to study the situation on the spot and to report to the Government of India.' When he reached Srinagar airfield on 25 October Menon recorded: 'I was oppressed by the stillness as of a graveyard all around. Over everything hung an atmosphere of impending calamity ... The Maharaja was completely unnerved by the turn of events and by his sense of lone helplessness. There were practically no State forces left and the raiders had almost reached the outskirts of Baramula.'[25] Menon first met prime minister Mahajan, and then went to the maharaja's palace. Menon gives no details of their discussions, but merely states that their first priority was to get the maharaja and his family out of Srinagar. Captain Dewan Singh, the maharaja's ADC, recalls: 'Menon said to the maharaja: "It would be foolhardy for you to stay in Srinagar when the raiders are so near. They could capture you and get any statement from you." So, on the advice of Menon, he left Srinagar and came to Jammu.'[26]

Karan Singh was with his parents as they fled from Srinagar:

> The subsequent events are a jumble in my mind – the servants frantically rushing around ... It was bitterly cold as the convoy pulled out of the palace in the early hours of the morning. The raiders were pouring in from across the border, pillaging, looting and raping as they came, and there were rumours that the road to Jammu had been cut and that we were likely to be ambushed on the way ... All through that dreadful night we drove, slowly, haltingly, as if reluctant to leave the beautiful valley that our ancestors had ruled for generations. Our convoy crawled over the 9,000 ft Banihal Pass just as first light was beginning to break.

According to Victor Rosenthal, Hari Singh's friend and confidant, the departing maharaja did not speak at all throughout the journey. Only as he arrived at his palace in Jammu that evening, he said: 'We have lost Kashmir.'[27] In the years to come, Hari Singh's flight from Srinagar was used by his critics as a reason for stating that he had no right to take the decision to accede to India because he was no longer in control of his state.

As the maharaja departed from Srinagar on the treacherous journey to Jammu, V. P. Menon went to the State Guest House to have 'a little rest'.

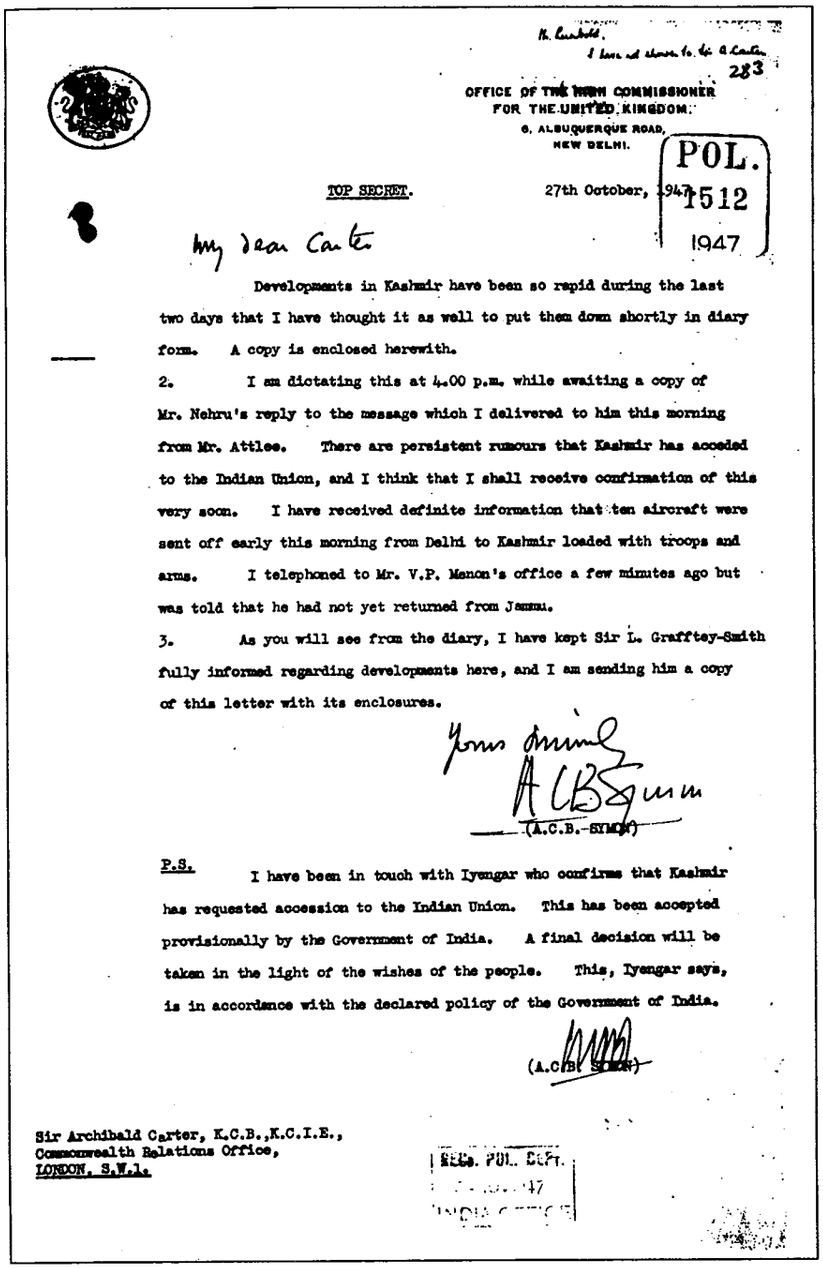
But he did not sleep because, as he relates, 'just as I was going to sleep,' the prime minister telephoned to say that it was unsafe to stay any longer in the city. Both Mahajan and Menon went to Delhi 'at first light' on the morning of 26 October, arriving at Safdarjung airport at about 8 a.m. Menon went straight to a meeting of the Defence Committee, which, according to Mahajan began at 10 a.m.[28] Mahajan went to rest at the house of Baldev Singh, the defence minister. At 12.45, Baldev Singh came to say that the decision had been taken to send two companies of Indian troops to Srinagar. As related by Menon, 'soon after the meeting', in the company of prime minister Mahajan, he took a plane to Jammu.

The Instrument of Accession

On arrival in Jammu, Menon found the palace 'in a state of utter turmoil with valuable articles strewn all over the place.' The maharaja was still asleep. 'I woke him up and told him what had taken place at the Defence Committee Meeting. He was ready to accede at once.' He then composed a long letter to the governor-general describing 'the pitiable plight of the State and reiterating his request for military help.' His letter requesting accession is full of regret. 'I wanted to take time to decide to which Dominion I should accede ... whether it is not in the best interest of both the Dominions and my State to stay independent, of course with cordial relations with both.' But the tribal invasion had forced a decision upon him. And Mountbatten's insistence on accession before assistance had pushed him a step further than he may necessarily have wanted to go. Menon's meeting in Srinagar on the evening of 25 October had made Hari Singh understand the logic of accession which had not been present in his earlier requests for 'friendly assistance'. 'Naturally, they cannot send the help asked for by me without my state acceding to the Dominion of India. I have accordingly decided to do so and I attach the Instrument of Accession for acceptance by your government.' The maharaja further stated that it was his intention 'to set up an Interim Government and ask Sheikh Abdullah to carry the responsibilities in this emergency with my Prime Minister.'[29]

Menon is also amused to note that at the end of their meeting the maharaja told him that 'he had left instructions with his ADC that if I came back from Delhi, he was not to be disturbed as it would mean that the Government of India had decided to come to his rescue and he should therefore be allowed to sleep in peace; but if I failed to return, it meant everything was lost and, in that case, his ADC was to shoot him in his sleep.'[30] Captain Dewan Singh recalls the atmosphere at the time as: 'Very gloomy. Jammu was on fire'.[31]

With both the letter and the Instrument of Accession, Menon returned 'at once' to Delhi. Sardar Patel was at the airport and they both went to a meeting of the Defence Committee that evening. 'There was a long discussion



OFFICE OF THE HIGH COMMISSIONER
FOR THE UNITED KINGDOM.
6, ALBUQUERQUE ROAD,
NEW DELHI.

POL. 1512 1947

TOP SECRET. 27th October, 1947

My dear Carter

Developments in Kashmir have been so rapid during the last two days that I have thought it as well to put them down shortly in diary form. A copy is enclosed herewith.

2. I am dictating this at 4.00 p.m. while awaiting a copy of Mr. Nehru's reply to the message which I delivered to him this morning from Mr. Attlee. There are persistent rumours that Kashmir has acceded to the Indian Union, and I think that I shall receive confirmation of this very soon. I have received definite information that ten aircraft were sent off early this morning from Delhi to Kashmir loaded with troops and arms. I telephoned to Mr. V.P. Menon's office a few minutes ago but was told that he had not yet returned from Jammu.

3. As you will see from the diary, I have kept Sir L. Grafftey-Smith fully informed regarding developments here, and I am sending him a copy of this letter with its enclosures.

Yours sincerely
A C B Symon
(A.C.B. SYMON)

P.S. I have been in touch with Iyengar who confirms that Kashmir has requested accession to the Indian Union. This has been accepted provisionally by the Government of India. A final decision will be taken in the light of the wishes of the people. This, Iyengar says, is in accordance with the declared policy of the Government of India.

(A.C.B. SYMON)

Sir Archibald Carter, K.C.B., K.C.I.E.,
Commonwealth Relations Office,
LONDON, S.W.1.

SECS. POL. DEPT. 47 INDIA OFFICE

Alexander Symon's Letter to Sir Archibald Carter. (A note at the top indicates that Carter may not have seen this letter.)

at the end of which it was decided that the accession of Jammu and Kashmir should be accepted, subject to the provision that a plebiscite would be held in the state when the law and order situation allowed.[32] The precedent was Junagadh, which was Kashmir in reverse: a Muslim ruler, whose accession to Pakistan the Indians were disputing on the grounds that the majority of the people were Hindu.

In his letter dated 27 October accepting the maharaja's accession to India, Mountbatten once more stated that the accession should be confirmed by a reference to the people 'consistently (sic) 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.'[33] Future commentators, however, point out that the strength of this recommendation was reduced by the fact that he did not indicate the holding of a plebiscite was itself a condition of aid. 'One must ask,' wrote Josef Korbel, who was a member of the first United Nations Commission which visited the sub-continent in 1948, 'whether Mountbatten was not at this point more interested in the principle of accession than in the final determination of the will of the Kashmiri people by plebiscite.'[34] On the morning of 27 October, 300 troops of the First Sikh Battalion were airlifted to Srinagar. Prime Minister Mahajan describes how, after he had heard that the army had landed, he flew with Menon to Jammu to get the maharaja's signature on certain supplementary documents about the accession.[35] 'As we landed at Jammu, the brigadier of the state forces met me. He felt considerably relieved by the arrival of the Indian army in Srinagar.'[36]

The official version of events leading up to the signing of the Instrument of Accession does not, however, always correspond with individual accounts. In numerous publications it has been maintained that Menon first reached Jammu on 26 October but, writes Alastair Lamb, 'it is at this point that the hitherto established narrative diverges dramatically from the facts.'[37] Menon intended to return to Jammu on 26 October, but it appears he was not able to do so. And would Hari Singh have been there to receive him?

The maharaja left Srinagar 'in the early hours of the morning' of 26 October or, as Mahajan confirms, at 2 a.m. The journey at night in winter by road from Srinagar to Jammu could be expected to take at least sixteen hours.[38] The convoy of cars only reached the Banihal pass 'as first light was beginning to break'. They also made a stop at Kud, a small settlement 60 miles from Jammu. The maharaja finally reached Jammu 'the next evening' recalls his son, Karan Singh,[39] and had already gone to sleep before Menon arrived. But Menon states that on the evening of 26 October he was back in Delhi meeting with the Defence Committee. When, therefore, could he have met the maharaja on 26 October? Menon also says that Mahajan accompanied him to Jammu on 26 October but Mahajan makes no mention of this visit and, in fact, states that he was not prepared to go to Jammu 'till I got news from my aerodrome officer at Srinagar that the Indian forces had landed there.' Mahajan also recollects that 'around dinner time' on the evening of 26 October Nehru sent a message that the following day 'with Mr V. P. Menon, I should fly to Jammu to inform the Maharaja' of the decision of the Cabinet meeting that military aid was to be given.[40] Menon does not mention this visit. Mahajan describes how the deputy prime minister left for Delhi on 24 October with a letter of accession, but Menon does not refer to this.[41] Nor, as the key witness does he corroborate Mahajan's statement that an Instrument of Accession was in fact signed in Srinagar. If the Instrument of Accession had been signed before the maharaja left Srinagar,[42] why was it necessary for Menon to relate that it was signed the following day when he returned to Jammu?

And what of the meeting between Alexander Symon, acting British high commissioner in Delhi, and Menon on the evening of 26 October? In a much quoted passage, Lapierre and Collins relate how as Symon and Menon sat down to have a drink, 'an enormous smile' spread across Menon's face. 'Then he pulled a piece of paper from his jacket pocket and waved it gaily towards the Englishman. "Here it is," he said. "We have Kashmir. The bastard signed the Act of Accession. And now that we've got it, we'll never let it go."'[43] Symon's diary of events for 26 October, as reported in a 'top secret' letter to Sir Archibald Carter at the Commonwealth Relations Office in London, tells a different story:

> 3.30 p.m. In view of the importance of establishing contact [with Mr V. P. Menon] without delay, I went to the Willingdon aerodrome at once to try and see him before the aeroplane took off [for Jammu]. I was told that the aeroplane was leaving from Palam aerodrome to which place I went at once. I found Mr Menon on the point of returning to Delhi because he had left it too late for the aeroplane to reach Kashmir before nightfall. I arranged with Mr Menon to see him at his house about 5 p.m.

When Symon went to meet Menon, Menon told him that

> ... he would leave next morning for Jammu and would be returning by lunch-time next day ... In reply to my enquiry as to the form of aid which the Government of India were considering affording to Kashmir, he said that he could not tell me anything definite except that the Government of India were determined "at all costs" to prevent the raiders from spreading East and South.

In his covering letter to Carter, dictated at 4 p.m. on 27 October, Symon says that he 'telephoned to Mr V. P. Menon's office a few minutes ago but was told that he had not yet returned from Jammu.'[44] In a letter dated 27 October Nehru wrote to the maharaja stating that V. P. Menon 'returned from Jammu this evening and informed me of the talks there. He gave me the Instrument of Accession and the Standstill Agreement which you had signed, and I also saw your letter to the Governor General of India'[45] In defence of the Indian position that the Instrument of Accession was signed on 26 October, B. G. Verghese states that 'there is no contradiction between what V. P. Menon

stated and Mahajan subsequently wrote in his memoirs,' but a careful study of the relevant sources does not inspire such a confident dismissal.[46]

What is significant about this sequence of events is not so much that Menon may not have been able to reach Jammu on 26 October, but that the Indian government found it necessary to maintain in official accounts that he did in order to support their argument that the maharaja acceded to India before Indian troops were sent to Srinagar. 'By early 1948 the place of the 26 October Instrument of Accession in the armoury of Indian advocacy had been well established,' writes Alastair Lamb. Had the maharaja in fact acceded in Srinagar before he left for Jammu, it would not have been necessary to maintain that Menon returned to Jammu on 26 October. But the absence of a signed Instrument of Accession prior to the official arrival of Indian troops on 27 October would have reduced the strength of the Indian claim to be assisting a state which had acceded to India. Accession before intervention gave the Indians the legal right to be in Kashmir, including the ability to control the circumstances for the holding of a plebiscite. It also 'enabled India to reject any Pakistani proposal for simultaneous withdrawals on both sides.'[47] Why also was the Instrument of Accession not published in the 1948 White Paper? 'It would certainly have been the documentary jewel in India's Kashmiri crown,' writes Lamb, who doubts the authenticity of the 'Instrument', dated and signed by both the maharaja and Mountbatten, which appears in Sardar Patel's edited correspondence, published in 1971. 'There the matter must rest until fresh documents surface to justify a firmer verdict one way or another.'[48]

At the time, the belief that the state of Jammu and Kashmir had acceded to India before Indian troops were sent prevailed. Whether or not the Instrument of Accession was signed before or after Indian troops landed, the maharaja had agreed to accession in principle upon the terms outlined by Mountbatten. Unhappy as Hari Singh sometimes became with the state's accession to India, he never suggested that he had not signed an Instrument of Accession before Indian troops landed nor that he had never signed one. Alexander Symon went on to become high commissioner in Pakistan and subsequently in India, but he never published his diary of events of 26 and 27 October. Despite Pakistan's protestations, India maintained that from 26 October 1947 the state of Jammu and Kashmir was a part of Indian territory, and therefore that their action in sending in troops to assist in the defence of the state against the Pathan raiders was legitimate.

Mountbatten's insistence on accession before assistance has, however, also been questioned. As Joseph Korbel noted, the Indian government had already promised arms and weapons to counter the spreading rebellion in Poonch; although, these had not arrived, there was no demand then for accession to be a condition upon receiving assistance. Despite Mountbatten's fear of a full-scale war, involving British officers on opposing sides, how could he have reasoned that it was necessary for Jammu and Kashmir – technically an

independent country – to accede first before receiving military assistance? Why was no appeal made to the United Nations for assistance at that time? And why did no one suggest getting in touch with the Pakistani government in Karachi for consultation?[49] No convincing explanation has been offered: 'It is hard to understand why Mountbatten attached such importance to immediate accession,' concludes Philip Ziegler, Mountbatten's official biographer. 'If there had been no accession, the Indian presence in Kashmir would have been more evidently temporary, the possibility of a properly constituted referendum have become more real. By exaggerated legalism the Governor-General helped bring about the result he most feared: the protracted occupation of Kashmir by India with no attempt to show that it enjoyed popular support.'[50]

As the politicians deliberated in Delhi the tribesmen continued their attack. On 27 October they reached Baramula, which they ransacked, killing a large number of the local people. They also attacked St Joseph's Franciscan convent killing five people of which three were Europeans in addition to one nun. Father Shanks, one of the survivors, described how 'the tribesmen – great, wild, black beasts they were – came shooting their way down from the hills on both sides of the town.'[51] The traditional view suggests that, had they moved on quickly, they could have reached Srinagar and taken possession of the airfield, which could have prevented Indian troops from landing.

From Major Khurshid Anwar's account, as narrated in *Dawn* newspaper, it appears, however, that the tribesmen were never in a position to take the airport. They only reached Baramula the day the Indian troops landed and, before proceeding to Srinagar, they had first to take Pattan, by which time the Indian air force had arrived. 'Here they encountered air bombing by Indian Union planes and machine-gunning by fighters. The tribesmen lost heavily in transport, vehicles and ammunition.' On 31 October they captured Pattan, but it was considered 'absolutely impossible to proceed on the straight road to Srinagar.' Although Anwar and a small group of men detoured round to reconnoitre the airport they found that at Achhgam, about a mile from the airfield, three battalions of the Kumaon Regiment were stationed there. 'Major Anwar and his men, acting on the principle "discretion is the better part of valour" withdrew.' In early November there were skirmishes on the outskirts of Srinagar but by this time the Indian air offensive was launched in full strength. On 10 November, Anwar was seriously wounded.[52] 'In the last two days there has been a considerable withdrawal of tribesmen from Kashmir,' noted Cunningham on the same day. 'They seem to have taken a knock on the outskirts of Srinagar on the night of 7th and came right back to Uri the next day.'[53] Although the tribesmen continued to operate on the Poonch front, Cunningham estimated that they numbered, at most, about 7,000.

Of all the actions of the first Kashmir war the invasion of the tribesmen, especially the ransacking of Baramula, has been most widely condemned. Brigadier L. P. Sen, veteran of the Burma Campaign in World War II, who

was commanding the 161th Infantry Brigade, recalled his arrival in Baramula: 'Everywhere one looked ... there were signs of pillage, arson or wanton destruction ... out of a population of 14,000 at least 3,000 had been slain.'[54] Ian Stephens, known for his pro-Pakistani sympathies, however, described the murders at St Joseph's convent as 'a bad but secondary episode, soon inflated out of all proportion by Indian propaganda aimed at countries of the Christian West'.[55] Muhammad Saraf, a recent graduate from St Joseph's, applauded the tribal invasion, even though, because of it, India persisted in condemning Pakistan for its 'aggression': 'I believe the tribal attack wasn't wrong. It led to the liberation of Azad Kashmir and the Northern Areas, over 32,000 square miles of territory.'[56] Prem Nath Bazaz, a Kashmiri Pandit disillusioned with Sheikh Abdullah and still opposed to the autocracy of the maharaja, believed the motives of the tribesmen should be considered. 'They wanted to liberate Kashmir from the tyranny of the Maharaja and nationalist renegades. And we should not forget that some members of the Indian army did no less of looting and molesting.'[57] A note of the Commonwealth Relations Office concluded: 'whatever errors have been committed by both sides since the trouble started, the basic cause was the action of the Hindu ruler in suppressing popular agitation in favour of Pakistan.'[58]

Attempting dialogue

The maharaja lost no time in thanking Mountbatten for sending the troops: 'It was the most momentous and quick decision ever taken by politicians in India,' wrote Mahajan.[59] Mountbatten's major concern, however, was to prevent an inter-Dominion war. British officers were still on active duty in both the Pakistani and Indian armies. Field-Marshal Auchinleck was supreme commander-in-chief of both forces, theoretically to assist with the division of the former Indian army. When, after the accession, Jinnah summoned General Gracey, his acting commander-in-chief, and ordered Pakistani troops to be moved at once into Kashmir, after the Indian troops had landed Auchinleck prevailed upon him to withdraw the order. 'The Auk said that under the orders of His Majesty's Government he had no option but to withdraw the British officers if the border was violated,' recorded Shahid Hamid, his private secretary. 'He was enforcing the orders in the literal sense, without appreciating the extenuating circumstances. But then the Auk was no politician.'[60] George Cunningham met with Mohammad Ali Jinnah soon afterwards and noted:

> Jinnah said that Auchinleck had just told him that, in the event of war between the two Dominions, all B.Os [British Officers] in both armies would at once stand down. He held that he had a good moral and constitutional case for intervening by force, just as India had ... Kashmir had turned down every approach Pakistan had made to them, and the lives of Muslims in all Kashmir were at stake. But he realised the Pakistan army was weak at present.

Although Jinnah was not convinced that the decision was right, Cunningham concluded that 'in his own mind, he had really ruled out the possibility of sending troops in to fight.'[61] When Sir Frank Messervy, commander-in-chief of the Pakistani Army, came back from England he visited Delhi before returning to Rawalpindi. He was surprised 'to find Mountbatten directing the military operations in Kashmir,' writes Cunningham. 'M. B. is daily becoming more and more anathema to our Muslims, and it certainly seems as if he could see nothing except through Hindu eyes.'[62] 'The mantle of Governor-General fell from him and he assumed the garb of Supreme Commander,' commented a member of Mountbatten's staff to Chaudhri Muhammad Ali.[63]

On 1 November Mountbatten flew to Lahore to meet Jinnah and Liaquat Ali Khan. Nehru was 'indisposed' and declined to attend the meeting. Mountbatten related the outcome of his discussions with the Pakistani leaders in a long note to Nehru. Jinnah's 'principal complaint was that the Government of India had failed to give timely information to the Government of Pakistan about the action that they proposed to take in Kashmir.' The telegram, which he had received, informing him that Indian troops were being landed, arrived after the event and 'it did not contain any form of appeal for co-operation between the two Dominions in this matter.'

Pakistan's position was that the accession of the state of Jammu and Kashmir to India was based on 'fraud and violence' and therefore was not 'bona fide'. Mountbatten countered that the maharaja was 'perfectly entitled to accede to either Dominion; since the violence had come from the tribes for whom Pakistan was responsible, it was clear that he would have to accede to India to obtain help against the invader.' Jinnah however repeatedly asserted that it was India, who had committed the violence by sending troops to Srinagar. 'I countered as often with the above argument, thereby greatly enraging Mr Jinnah at my apparent denseness.' At this meeting, Mohammad Ali Jinnah did not respond enthusiastically to the suggestion of a plebiscite. When Mountbatten asked him what were his objections, he replied: 'With the troops of the Indian Dominion in military occupation of Kashmir and with the National Conference under Sheikh Abdullah in power, such propaganda and pressure could be brought to bear that the average Muslim would never have the courage to vote for Pakistan.' At this point, Mountbatten suggested inviting the UNO to send observers 'to ensure that the necessary atmosphere was created for a free and impartial plebiscite.' Jinnah, however, appeared despondent about the future, maintaining that India was out 'to throttle and choke the dominion of Pakistan at birth and that if they continued with their oppression there would be nothing for it but to face the consequences.'[64] His fears were later echoed in Liaquat Ali Khan's telegram to Nehru. 'India never wholeheartedly accepted the partition scheme but her leaders paid lip service to it merely in order to get the British troops out of the country.. India is out to destroy the state of Pakistan.'[65]

In a radio broadcast on 4 November the Prime Minister of Pakistan

asserted that it was a 'dishonest rewriting of history to present the rebellion of the enslaved people of Kashmir to the world as an invasion from outside just because some outsiders had shown active sympathy with it ... it was not Kashmir but a tottering despot that the Indian government and their camp followers were trying to save.'[66] The Indians, however, made much of Sheikh Abdullah's presence in Delhi at the time of the accession, stating that he 'had been pressing the Government of India on behalf of the All Jammu and Kashmir National Conference for immediate help to be sent to the state to resist the tribal invasion.[67]

Nehru and Patel were clearly sensitive to the repercussions which the developing situation in Junagadh would have in Kashmir. Unlike Kashmir, the small state of Junagadh was surrounded by Indian territory and had no geographical contiguity with either wing of Pakistan, other than a 300-mile sea link. When the Nawab of Junagadh, Sir Mahabatkhan Rasulkhanji, acceded to Pakistan, the Indian government resisted his decision, calling for a plebiscite to determine the will of the people. Indian troops had invaded Junagadh at the end of October, at the same time as the Kashmir crisis erupted. On 7 November Sir Shah Nawaz Khan Bhutto, the Prime Minister of Junagadh, resigned, effectively accepting the Indian position pending the outcome of a plebiscite. It was eventually held in February 1948, when the majority Hindu population voted overwhelmingly in favour of India. The same principle could therefore be applied to Kashmir in reverse; Nehru therefore insisted that Sheikh Abdullah, as a popular Kashmiri leader, should be publicly associated with the Indian action and brought into the state government.

Rebellion in Gilgit

On 5 June 1941 the resident of Gilgit, Lieutenant-Colonel D. de M. S. Frazer had been informed that, in the opinion of the secretary of state, although Hunza and Nagar were under the suzerainty of the Kashmir state, they were not part of it, nor were Chilas, Koh Ghizar, Ishkoman and Yasin. The British argument was based on the terms of the Treaty of Amritsar which stated that the limits of the territories 'shall not be at any time changed without concurrence of the British Government'. Although Gopalaswami Ayyangar, the prime minister, provided a detailed rebuttal to this assertion, it was rejected. In its deliberations, the Government of India conceded that their decision would be most 'unpalatable' to the maharaja and even admitted that it had not been officially announced earlier in order not to hinder Kashmir's war effort. When the figures for the 1941 census were compiled, the government purposely listed the populations for these areas separately from those of the state.[68] Nonetheless, when the partition plan was announced on 3 June 1947, the Gilgit Agency was returned to the maharaja's control. 'The retrocession of Gilgit was accepted by the Maharaja with jubilation', writes V. P. Menon.[69]

Brigadier Gansara Singh was sent by the maharaja to take control of the area. After independence, the Gilgit Scouts had remained under the command of a British officer, Major William Brown, whom Cunningham described as 'a quiet self-confident Scot'. His second-in-command, Captain Jock Mathieson, was based in Chilas. After Brown heard that the maharaja had acceded to India, he met with the governor and urged him to ascertain the wishes of the Muslim mirs and rajas regarding the accession to India. Gansara Singh appears not to have taken Brown's advice, whereupon Brown warned him that he may have to take his own measures to avoid bloodshed. 'With these words to his senior officer,' writes Charles Chenevix-Trench, 'Willie Brown crossed the Rubicon.'[70] On the night of 31 October, Brown put into operation a daring plan code-named 'Datta Khel'.

'Bright moonlight lit up the parade ground. The platoons moved out from the barrack rooms in single file and the men passed a Holy Koran lying on a table. In turn, they placed their right hands on the book and swore by Almighty God that they would be faithful to the cause of Pakistan,' recalled Willie Brown. A platoon of Scouts proceeded to the governor's house to take him into protective custody. Other platoons went to take over the key locations. 'Reports started coming in. The Post Office had been taken, the Gilgit Bridge held, the bazaar cleared and the curfew imposed. In the early hours of 1 November, after holding out through the night, Governor Gansara Singh surrendered. As Brown was to discover, amongst the rebels, whilst openly supporting Pakistan, there was a secret plan to set up an independent republic of Gilgit-Astor, which claimed the backing of 75 per cent of the Scouts. As the only non-Muslim, Brown was in no position to dissuade them and went along with their plans to set up a provisional government. He succeeded, however, in sending a telegram to the Chief Minister of the NWFP, Khan Abdul Qayum Khan: 'Revolution night 31st to 1st Gilgit Province. Entire pro Pakistan populace has overthrown Dogra regime. Owing imminent chaos and bloodshed Scouts and Muslim State Forces taken over law and order.'[71]

Whereas Pakistani commentators concur that the rebellion had the full support of the people, India still regards the operation as a coup by the Scouts which did not have popular support. 'Whatever the sentiments of the populace, the only person in authority who had unequivocally declared in favour of union with Pakistan was Willie Brown himself. Union with India had been repudiated, but except for shouting slogans, none of the Provisional Government had done anything to promote union with Pakistan,' writes Chenevix-Trench.[72] Brown himself realised the gravity of his position: 'I had contracted to serve the Maharaja faithfully. I had drawn his generous pay for three months. Now I had deserted. I had mutinied . . My actions appeared to possess all the ingredients of high treason. Yet I knew in my own mind that I had done what was right.' On 2 November, after outmanoeuvring the pro-independence group and securing the approval of the mirs and rajas for

accession to Pakistan, Brown relates how the Pakistani flag was raised on the old tower in the Gilgit Scout Lines. 'A great cheer went up. Allah o Akbar. Pakistan Zindabad.'[73]

Brown's action had taken the British government by surprise. 'The fate of Gilgit appears to rest with Major William Brown. Who is Major William Brown?' asked a Commonwealth Relations official. The only information they had managed immediately to discover was that he was twenty-four years old.[74] In 1994, Major Brown was given a posthumous award by the Government of Pakistan for the part he played in the rebellion, and his wife, Margaret Brown, travelled to Islamabad to accept the award on his behalf. The political future of the region, however, remains unresolved because Gilgit and its neighbouring states, which include the former kingdoms of Hunza and Nagar, who signed Instruments of Accession to Pakistan on 18 November 1947, have never been formally accepted as part of Pakistan pending a resolution of the future of the entire state. As part of the Northern Territories, together with Baltistan, they remain under Pakistani administration without the same rights and privileges as the other provinces enjoy under the Constitution of Pakistan. 'They liberated themselves,' commented Muhammad Saraf, 'but they don't enjoy the fruits of freedom.'[75]

Brown held Gilgit for over two weeks until, on 16 November, Muhammad Alam arrived to take control of Gilgit as political agent and, the following day, the Pakistani flag was raised over the Agent's house in Gilgit. On 12 January 1948, Brigadier Aslam Khan took over command of the Scouts from Brown. Under the pseudonym of 'Colonel Pasha' Aslam Khan also played a leading role in command of the local Azad forces, which comprised Kashmiris opposing the state's accession to India and Pathan tribesmen. Throughout the war, Brigadier Gansara Singh remained a prisoner of the Pakistanis. According to Aslam Khan's son, his father made special arrangements for Gansara Singh to receive tea and soap.[76] In 1949 Gansara Singh was exchanged for K. H. Khurshid, Jinnah's former private secretary, who had also become active in the 'Azad' Kashmir struggle against the Indian government and was later to become its president. Aslam Khan's father, Brigadier Rahmatullah Khan, who had been in the maharaja's service and placed under arrest during the war, was also given in exchange.

The fight continues

At the end of November Liaquat Ali Khan went to Delhi to meet Nehru, which Cunningham described as 'a hopeful sign'. 'We all felt at the time that there was every possibility of an amicable settlement' recorded V. P. Menon.[77] But hopes of an early peace were dashed when, soon after the meeting, the Defence Committee of the Indian Cabinet met. As Mountbatten noted: 'This was one of the most disastrous and distressing meetings it has ever been my lot to preside over. It appeared that all the efforts of the last few days

towards reaching an agreement on Kashmir were to come to naught.' The Indian leaders were informed that additional tribesmen were entering Kashmir and committing 'the most ghastly atrocities'.[78] In December, under pressure from Mountbatten, the two prime ministers met again in Lahore. Mountbatten subsequently reported how 'the conversation circled round the means of attaining the object on which both sides were agreed – namely the holding of a fair and impartial plebiscite ... what was to be the first step? ... The talk went on, round and round, on the whole very friendly, but with occasional outbursts, such as when Pandit Nehru flared up and declared that the only solution was with the sword.'[79] From a British perspective the stakes were high for both India and Pakistan. 'A severe tribal reversal might have repercussions on the North-West Frontier, as well as in Afghanistan since the whole Kashmir dispute had assumed a strong Islamic aspect.' A reversal for India would cause a 'loss of face'.[80]

Allegations that Pakistani soldiers were assisting the local forces from the start circulated widely. Pakistani officers, 'conveniently' on leave from the army were 'certainly fighting' alongside the Azad forces,' reported the British high commissioner in January 1948.[81] On 13 January 1948 *The Times* (London) reported: 'That Pakistan is unofficially involved in aiding the raiders is certain. Your correspondent has first hand evidence that arms, ammunition and supplies are being made available to the Azad Kashmiri forces. A few Pakistani officers are also helping to direct the operations. And however much the Pakistani government may disavow intervention, moral and material support is certainly forthcoming.'[82] 'It was desirable that some trained personnel should be available for the organisation and co-ordination of the whole effort,' writes Akbar Khan. 'No Army officers could be taken for this, but we had in Pakistan some of the senior ex-Army officers of the Indian National Army.'[83] With the Pakistan army barely in existence, whatever support was limited and the real importance was not so much in numbers but in terms of their expertise. Khurshid Anwar was said to be 'very bitter against the Pakistan government for not having rendered any assistance to the tribesmen in their heroic bid to capture Srinagar.'[84]

In May 1948, on General Gracey's advice, the regular Pakistani army was finally called upon to protect Pakistan's borders. Despite Indian denials there was sufficient concern that the intervention of the Indian army in Kashmir would not be limited to Kashmir and would ultimately be directed towards Pakistan. Gracey was also concerned about the tribesmen. 'An easy victory of the Indian army, particularly in the Muzaffarabad area, is almost certain to arouse the anger of tribesmen against Pakistan for its failure to render them more direct assistance and might well cause them to turn against Pakistan.' Technically, however, Pakistani forces should avoid 'until the last possible moment' a clash with the Indian army. They were to remain behind the local Azad forces and prevent a break through to the Pakistani borders by the Indians.[85] As future commentators were to observe, 'with the Army

HQ at Rawalpindi and the seat of the government at Karachi, there was hardly any politico-military cohesion in the war ... war direction was ding-dong at the least and many opportunities were missed.'[86]

In an effort to circumvent Indian defences in the valley, the Azad irregulars and Gilgit Scouts had moved towards Baltistan and Ladakh. Skardu was besieged and fell to their forces. Dras and Kargil, strategically located on the 200 mile track across the Zoji la pass between Srinagar and Leh were also captured in May. Central Ladakh was therefore cut off from the most easily accessible land route. The Ladakhis, who were not anxious to be 'liberated' by the Azad forces, sent an urgent appeal for help to the Indian General Thimmayya's headquarters in Srinagar. The Indian air force flew in Gurkha reinforcements and hastily constructed an airstrip at Leh which, at 11,500 feet, remains the world's highest civil landing strip. 'You follow the Indus river to the landing strip,' explained an Indian Airlines pilot in 1995. 'If you can't see the river, you can't land.'[87]

As the Azad forces converged on Leh, Nehru was writing to Patel: 'This is of no great military significance and we can recapture all the lost ground. But it is irritating that on the map, a huge province may be shown as under the enemy.' He also admitted that the maharaja's state forces in Ladakh and Skardu in Baltistan had behaved 'in a most cowardly and disgraceful manner. They had not only run away at the slightest provocation but have handed over our weapons and ammunition to the enemy.'[88] Throughout the summer, the Indian leaders were frustrated at their lack of progress in the war, despite pouring in men and money. 'Like Oliver Twist, the military commanders always ask for more and their estimates of requirements are constantly changing,' observed Sardar Patel. The extent of Indian military assistance also raised the question of what was to become of the maharaja's state forces. Patel was reluctant to merge them with the Indian army because 'if and when any question of withdrawal of these Indian forces comes about, this autonomous existence would enable us to maintain friendly forces on the spot.' If, however, they were merged with the Indian army, the Indian government risked being asked to withdraw them, when the time came for holding the plebiscite.[89] 'The prolonged fighting was also taking a more serious toll on the Indian resources than they had at first anticipated: 'The military position is none too good,' Patel confided, on 4 June, to the former prime minister of Jammu and Kashmir state, Gopalaswami Ayyangar, who was India's representative at the UN. 'I am afraid our military resources are strained to the uttermost. How long we are to carry on this unfortunate affair, it is difficult to foresee.'[90] At the same time, however, the Indian leaders were also focusing their attention on the state of Hyderabad in central India which, like Junagadh, with a Muslim ruler and a Hindu majority population, was Kashmir in reverse. On 11 September 1948 Indian troops invaded Hyderabad; the Muslim nizam was deposed and this large state became part of India. It was also the day Mohammad Ali Jinnah died.

While Kargil was out of their control, the Indians succeeded in making use of an alternative land route to Leh, from Marali in east Punjab through the 16,200 ft Barahacha pass. Thousands of porters and mule convoys brought up supplies. But the Indians believed that in order to safeguard the Ladakhis, they would have to recapture Kargil and re-open the much shorter land route. In October 1948, General Thimmayya launched a counter-offensive. Using tanks, unprecedented at such a height over the Zoji la pass, the Indian forces reoccupied Kargil and, on their third attempt, took the pass. Pakistan took pride in the fact that its 'irregular' militia, armed with nothing but their personal weapons, inflicted nearly 1,000 casualties and withstood the Indian attack for nearly two months.

Pakistani army movements on the Poonch front were in preparation for a push towards Jammu. 'The overall plan,' writes Major-General Sher Ali Pataudi, who was sent to the Kashmir front in mid-July, 'was to cut the Line of Communication of the Indian forces in the Mehndar Valley and Poonch area and then pose a threat towards Jammu. If the surprise created panic, as was expected, then I would move towards Jammu with my entire regular Army force reserve and Armour and then see what happened.'[91] During the fighting, Pataudi, like so many others, found that he encountered his former comrades in arms across the battle lines. 'The Indian commander, Atma Singh, was a buddy of mine. He said "For God's sake, let's stop. I said: "I can't until I get the orders." We were great friends and we had to fight each other. It was a tragedy.'[92] As it happened, the plan to strike at Jammu was never put into effect.

Enter the UNO

Lord Mountbatten's belief, and that of the British government, that the UN would be able to perform some useful role in resolving the Kashmir dispute made it one of the first major issues with which the newly founded world body was to deal. Mountbatten had first suggested the use of the UN during his 1 November 1947 meeting with Mohammad Ali Jinnah in Lahore. The talks between Nehru and Liaquat Ali Khan in Lahore in December 1947 reinforced his belief that an intermediary was necessary: 'I realised that the deadlock was complete and the only way out now was to bring in some third party in some capacity or other. For this purpose I suggested [not for the first time] that the United Nations Organisation be called in.'[93] Prime Minister Liaquat Ali Khan had agreed to refer the dispute to the UN, including measures to stop the fighting and arrange a programme for the withdrawal of troops. But India was not prepared to deal with Pakistan on an equal footing. When the two prime ministers met again in Delhi towards the end of December, Nehru informed Liaquat Ali Khan of his intention to refer the dispute to the UN under article 35 of the UN Charter, which provided for any member 'to bring to the attention of the Security Council a situation

whose continuance is likely to endanger the maintenance of international peace.' The Pakistani prime minister was unhappy with the accusatory tone of the reference 'but supposed he would have to accept it, since the earlier the UN was brought in the better it would be.'[94] On 31 December 1947 Nehru wrote to the UN secretary-general:

> To remove the misconception that the Indian government is using the prevailing situation in Jammu and Kashmir to reap political profits, the Government of India wants to make it very clear that as soon as the raiders are driven out and normalcy is restored, the people of the state will freely decide their fate and that decision will be taken according to the universally accepted democratic means of plebiscite or referendum.[95]

In January 1948 the Kashmir issue was debated in the Security Council of the United Nations, at Lake Success, New York, with representations from the Indian and Pakistani delegates. Much to the annoyance of the Indians, Sir Zafrullah Khan made a bold speech lasting five hours in favour of Pakistan's position and against the continuing rule of the Dogras over the Kashmiris: 'What is not fully known is the depths of misery to which they have been reduced by a century of unmitigated tyranny and oppression under Dogra rule until it is difficult to say which is the greater tragedy to a Kashmiri: his life or his death.'[96] The Indian government also believed that the Security Council, under the guidance of the British delegate, Philip Noel-Baker, was ignoring India's complaint and giving equal consideration to Pakistan's position.[97]

V. Shankar, private secretary to Sardar Patel, noted:

> The discussions in the Security Council on our complaint of aggression by Pakistan in Jammu and Kashmir have taken a very unfavourable turn. Zafrullah Khan had succeeded, with the support of the British and American members, in diverting the attention from that complaint to the problem of the dispute between India and Pakistan over the question of Jammu and Kashmir. Pakistan's aggression in the State was pushed into the background due to his aggressive tactics in the Council as against the somewhat meek and defensive posture we adopted to counter him.[98]

Sardar Patel believed that by referring the dispute to the UNO 'not only has the dispute been prolonged, but the merits of our case have been completely lost in the interaction of power politics.'[99] On 20 January, the Security Council passed a resolution which established a commission, to be known as the United Nations Commission for India and Pakistan (UNCIP), to investigate the facts of the dispute and carry out 'any mediatory influence likely to smooth away difficulties.'[100] Deliberations were temporarily halted with news of the assassination of Mahatma Gandhi on 30 January.

A further resolution was adopted on 21 April 1948 which called on the Government of Pakistan 'to secure the withdrawal from the State of Jammu and Kashmir of tribesmen and Pakistani nationals not normally resident

therein who have entered the State for the purposes of fighting'; the Government of India was requested to reduce its forces to the minimum strength, after which the circumstances for holding a plebiscite should be put into effect 'on the question of the accession of the State to India or Pakistan.'[101] The United Nations Commission for India and Pakistan, of which Josef Korbel was a member, was instructed to depart without delay for the sub-continent. On their return, a further resolution on 13 August 1948 adopted unanimously by UNCIP outlined arrangements for the cessation of hostilities and once more restated that a final decision on the future status of the Jammu and Kashmir 'shall be determined in accordance with the will of the people.'[102]

In October 1948 Nehru was in Paris as a member of the Indian delegation to the UN General Assembly. On the first anniversary of the arrival of Indian troops in Srinagar, he wrote to Patel:

> So far as Kashmir is concerned, I think it is generally recognised that our case is a good one; nevertheless this business of a plebiscite and the conditions governing it fills peoples' minds. Of course people cannot get rid of the idea that Kashmir is predominantly Muslim and therefore likely to side with Muslim Pakistan. They say that if it is agreed that there should be a plebiscite, why is there any difficulty in having a cease-fire and truce.

Nehru was already talking about partition of the state on lines 'previously talked about, i.e. Western Poonch, etc., Gilgit, Chitral, most of Baltistan etc. to go to Pakistan.' But this suggestion was not acceptable to Liaquat Ali Khan who, as prime minister, was the main Pakistani spokesman after Mohammad Ali Jinnah's death in September 1948.[103]

The ceasefire was finally imposed on 1 January 1949, signed by General Gracey on behalf of Pakistan and General Roy Bucher, who was shortly to hand over to General Cariappa, on behalf of India. It was the last document signed by two Englishman on behalf of the respective Dominions to whom the British had granted independence sixteen months earlier. The line was to be monitored by a United Nations Military Observer group (UNMOGIP). On 5 January 1949, UNCIP once more affirmed that, when the truce agreement had been signed, the question of the accession of the State of Jammu and Kashmir to India or Pakistan would be decided through 'the democratic method of a free and impartial plebiscite.'[104]

From a Pakistani perspective, the ceasefire came when the Indians were militarily in the ascendancy. 'We all knew that ceasefire had to come,' writes Akbar Khan 'but its acceptance a month earlier would have left Poonch in our hands as a hostage. Or, after the relief of Poonch, non-agreement to cease fire for another month or two would again have enabled us to counter balance the Indian advantage.'[105] 'The ceasefire was imposed on us at a time when it suited the enemy most,' writes Colonel Abdul Haq Mirza, who fought as a volunteer from October 1947. 'Four months of operational period was

allowed to the Indians to browbeat the ill-equipped Mujaheddin and to bring back vast tracts of liberated territories in their fold. Perhaps on signal from the enemy "high command," the UN protection was arranged to safeguard Indian interests. That was what people thought and said of the ceasefire in Kashmir.'[106] Major-General Pataudi admits that the justification for accepting the ceasefire was 'that in Lahore our troops were thin on the ground and the risk was too great.' He believed, however, that had the full plan been put into operation, he could have reached Jammu 'within 24 hours and into Pathankot and Gurdaspur in the next 24 hours and that would have created such a shock for the Indians that they would not have dared to move in strength against Lahore.'[107]

After General Atma Singh's action in Poonch and that of General Thimmayya in Ladakh the Indians were clearly in a better position than they had been earlier in the year and had also benefited from the use of air power, which advantage the Pakistanis did not have. But they too maintained that the decision to impose a ceasefire was taken without consulting their military commanders. They had not, for example, been able to recapture the Haji Pir pass on the Uri-Poonch road, which they believed gave the Pakistanis a strategic advantage. Baltistan and Gilgit remained under Pakistani control. From a political perspective, however, V. P. Menon believed that when the ceasefire came into force, 'the initiative was definitely in our favour along the entire front.'[108] Uppermost in British policy objectives was to secure a ceasefire while their own officers were still in charge and able to control the situation, lest the fighting escalate into full-scale war. The ceasefire line divided Poonch, leaving Poonch city on the Indian held side. Although the Indians had retaken Kargil, Skardu remained on the Pakistani side and the unofficial frontier extended north-east to the indeterminate frozen wastes of the Siachen glacier. Approximately one-third of the entire state was under the control of Pakistan.

India's 'truth'

'The roots of the Kashmir dispute are deep,' concluded the third and final report of UNCIP, which made three visits to the sub-continent between 1948 and 1949. 'Strong under currents, political, economic, religious – in both Dominions have acted, and do act, against an easy and prompt solution. It is imperative that a settlement of the Kashmir issue be reached.'[109] But the respective positions of India and Pakistan, which the Commission outlined, did not make for an easy solution and the terms of article 35, under which India had referred the issue to the UN, did not give the UN any mandate to impose a solution, only to make recommendations. Then as now, the Indian government considered itself to be in legal possession of the state of Jammu and Kashmir by virtue of the Instrument of Accession of October 1947 signed by the maharaja and the then governor-general, Lord Mountbatten. This basic premise constituted the legality of India's presence

in the state and of her control over it. The assistance which Pakistan gave to the tribesmen, who invaded the state, was, according to the Indians, therefore a hostile act and the involvement of the Pakistani regular army was an invasion of Indian territory. India maintained that her armies were in Kashmir as a matter of right; her control of the defence, communications and external affairs of the state was as a direct consequence of the act of accession.

Pakistan, accordingly, was regarded as having no *locus standi* in Kashmir. Since India was responsible for the security of the state, the problem of demilitarisation had to take into account the importance of leaving in the state sufficient Indian and state forces to safeguard the state's security. From an Indian perspective, the plebiscite, to which Nehru had agreed, would be to confirm the accession which was, in all respects, already complete. As the UN Commission reported: 'the cardinal feature of India's position is her contention that she is in Kashmir by right, and that Pakistan cannot aspire to equal footing with India in the contest.' Pakistan was illegally in Kashmir and had no rights in the matter. The Azad forces should be disbanded and disarmed because they constituted forces which were in revolt against the government of the state.

Pakistan's 'truth'

The Pakistani position was based on the contention that the accession of the state of Jammu and Kashmir to India was illegal and, therefore, there was no basis whatsoever for India's contention that the legality of the accession was 'in fact and law beyond question'. The state of Jammu and Kashmir had executed a Standstill Agreement with Pakistan on 15 August 1947 which debarred the state from entering into any kind of negotiation or agreement with any other country.

Furthermore, Pakistan maintained that the Maharaja of Jammu and Kashmir had no authority left to execute an Instrument of Accession on 26 October 1947 because the people had successfully revolted, had overthrown his government and had compelled him to flee from Srinagar, the capital. The act of accession was brought about by violence and fraud and as such it was invalid from the beginning. The maharaja's offer of accession was accepted by the Governor-General of India, Lord Mountbatten, on the condition that as soon as law and order had been restored, the question of the accession of the state would be decided by a reference to the people.

Pakistan also believed that the Azad movement was indigenous and spontaneous, as a result of repression and misrule by the maharaja's government. The tribal incursions were likewise spontaneous and arose as the result of reports of atrocities and cruelties perpetrated on the Muslim peoples of Kashmir and East Punjab. The entry of Pakistani forces into Kashmir was necessary in order to protect its own territory from invasion by Indian forces,

to stem the movement of large numbers of refugees driven before the Indian army into Pakistan, and in order to prevent the Government of India from presenting the world with a *fait accompli* by taking possession of the entire state by force. 'It is Pakistan's opinion that her action in lending assistance to the people of Kashmir is far less open to criticism than was India's intervention at the request of an autocratic ruler. Pakistan considers herself as having equal status with the Government of India and entitled as a party to the dispute, to equal rights and considerations.'[110]

CHAPTER 4

Special Status

> Kashmir has always been special. It came to India in 1947 in special circumstances and with special protection of its autonomy ... something that Indian political parties often forget. Tavleen Singh[1]

The Instrument of Accession, which formed the basis of Jammu and Kashmir's future relationship with India, accorded the state a special status which was not granted to other former princely states. Legally, India's jurisdiction only extended to external affairs, defence and communications. It was anticipated that the accession would be confirmed by reference to the people, under the auspices of the United Nations. In the years to come, the Indian government sought to integrate within the framework of India, what it controlled of the original princely state of Jammu and Kashmir, known also as the state of Jammu and Kashmir. The will of the people, however, was never ascertained in a such a manner as to make them feel that the issue was finalised. The history of what happened to the state's 'special status' partially explains events in the present day.

Demise of the Dogras

Hari Singh had demurred from acceding to India before partition because he wanted an assurance that he would retain authority within his state. 'Nehru wanted him to quit and hand over power to Sheikh Abdullah,' said the maharaja's former ADC, Captain Dewan Singh.[2] When, after the invasion of the tribesmen, Hari Singh finally acceded to India his bargaining power was greatly reduced. Nonetheless the Instrument of Accession specified a number of safeguards to his sovereignty:

> Nothing in this Instrument shall be deemed to commit me in any way to acceptance of any future constitution of India ... (Clause 7)
>
> Nothing in this Instrument affects the continuance of my sovereignty in and over this State ... ' (Clause 8)[3]

For Hari Singh the hardest part about the accession was having to deal not only with the prime minister of India, Jawaharlal Nehru, with whom he had little rapport, but also with the man who had so consistently opposed him for over twenty years, Sheikh Abdullah. Nehru believed that 'in the peculiar circumstances of Kashmir with its Muslim majority it was absolutely

essential both for national and international reasons for Sheikh Abdullah to be fully involved in the government of the State.'[4] On 13 November 1947, Nehru wrote to the maharaja: 'The only person who can deliver the goods in Kashmir is Sheikh Abdullah. He is obviously the leading popular personality in Kashmir ... Full confidence must be placed in him ... I would suggest to you to keep in close personal touch with him and deal with him directly and not through intermediaries.'[5] The maharaja did not always take kindly to Nehru's suggestions, especially regarding Sheikh Abdullah and, in general, he communicated more freely through Sardar Patel with whom he had a better understanding. Patel was less committed to Abdullah's socialist programmes than Nehru and he made it clear that the maharaja's rights and privileges should be respected.

Nehru, however, continued to attach importance to 'popular' leadership. On 1 December, he wrote to Mahajan, who remained as prime minister:

> From our point of view, that is India's, it is of the most vital importance that Kashmir should remain within the Indian Union ... But however much we may want this, it cannot be done ultimately except through the goodwill of the mass of the population. Even if military forces held Kashmir for a while, a later consequence might be a strong reaction against this.[6]

Sheikh Abdullah's first political role in the government of the state of Jammu and Kashmir was as head of the Emergency Administration. His long years in opposition to the maharaja meant he had neither the training nor the skills of an administrator. Communication between Hari Singh and Abdullah remained tense. 'My father,' wrote Karan Singh, 'belonged to the feudal order and, with all his intelligence and ability, was not able to accept the new dispensation and swallow the populist polices of Sheikh Abdullah. The Sheikh, on the other hand, while a charismatic mass leader and a superb orator in Kashmiri, was imbued with a bitterly anti-Dogra and anti-monarchical attitude.'[7] 'Practically in all matters,' complained Mahajan to Patel, Abdullah 'is ignoring and bypassing H. H. and is daily showing increasing communal tendencies.'[8]

Sheikh Abdullah's programme for the 'New Kashmir' envisaged that the maharaja would be no more than a figurehead. In explaining his revolutionary land reforms, he condemned the 'special rights and privileges of the Maharaja', who had been granted all cultivated land as his personal property when Kashmir was sold to Gulab Singh by the British in 1846. This meant that most of the 2,200,000 acres of cultivable Kashmiri land still belonged either to the maharaja or to jagirdars and small landlords called chakdars, who were Jammu Hindus. The Muslim peasants who tilled the land had no security of tenure and had, in the past, been obliged to migrate to India during the winter season or starve. Abdullah's land reforms put the maximum land holding at 22.75 acres; the rest was reserved for tenants. There was to be no compensation for the break-up of the huge landholdings of the rich.

Abdullah and Hari Singh also argued over the distribution of government departments and the appointment of Muslims to more senior positions. They disagreed on the creation of a Home Guard, which would mean providing the Muslims of the valley with weapons. Mahajan came under attack for diverting weapons destined for the Home Guard to the pro-Hindu RSS. The maharaja was also held responsible for financing the Praja Parishad, a Hindu nationalist organisation based in Jammu. The personal hostility which had existed between the two men in pre-independence days persisted. Sheikh Abdullah condemned Hari Singh openly for leaving for Jammu on the night of 25/26 October. He also charged him with being responsible for atrocities against Muslims and he was angry that his reforms were being obstructed.

Antipathy between Abdullah and Mahajan made their relationship almost unworkable, to the extent that by December 1947 Mahajan was threatening to resign if only the maharaja would let him go. 'The administration here is on Hitlerian methods and is getting a bad name and the sooner I am out the better, as I do not in the least wish to be associated with gangster rule. There is no rule of law at all,' he wrote to Sardar Patel on 11 December.[9]

On 31 January 1948, as the war continued and Kashmir was discussed in the Security Council at the UN, the maharaja wrote a long letter to Sardar Patel, outlining his grievances:

> Sometimes I feel that I should withdraw the accession that I made to the Indian Union. The Union only provisionally accepted the accession and if the Union cannot recover back the territory and is going eventually to agree to the decision of the Security Council which may result in handing us over to Pakistan then there is no point in sticking to the accession of the State to the Indian Union.

He even suggested leading his own troops into battle against the tribesmen, with the Indian forces as volunteers: 'I am tired of my present life and it is much better to die fighting than watch helplessly the heartbreaking misery of my people.'[10] Both Nehru and Patel were opposed to cancelling the accession and Patel wrote a short letter to Hari Singh saying that 'a counsel of despair is entirely out of place.'[11] But Hari Singh's position was to become weaker.

On 2 March 1948 Mahajan finally resigned as prime minister. Sheikh Abdullah was installed in his place and the rift with Hari Singh deepened. Nehru, who invariably took Abdullah's side, was worried about the effect a show of strength by the maharaja would have both locally and abroad. 'Any impression which the people or the Security Council may get that the Maharaja is still strong enough to obstruct or oppose the people's representatives will weaken our case very greatly and come in the way of our winning the people of Kashmir to our side.'[12] Nehru wrote to Patel how unpopular the maharaja was 'with almost everyone he meets, including foreigners'.[13] A particular embarassment was Hari Singh's refusal to let his stud farm outside Jammu be used for a relief camp for the 40,000 refugees.

'Meanwhile children are dying in the Jammu streets. You can imagine the public reaction to this.'[14]

Abdullah also conflicted with the maharaja over the future of the Jammu and Kashmir State Forces, of which Hari Singh remained commander-in-chief. Abdullah believed that as prime minister he should be the C in C. Alternatively, administrative control should be handed over to the Indian Army, (which ultimately it was). Hari Singh's continued absence from Srinagar was not only resented but meant that communication with Abdullah was minimal. As his prestige declined, the maharaja tried to retain the vestiges of his former glory by reminding Patel about the necessary gun salutes for Hindu festivals and his birthday, which was on 27 September: 'Therefore early instructions may very kindly be issued.'[15]

As relations continued to deteriorate between the maharaja and Sheikh Abdullah, with the Sheikh asking for Hari Singh's abdication, Sardar Patel was obliged to suggest to the maharaja that a holiday away from the state would be beneficial for all concerned and in May 1949 he invited the maharaja and maharani to come to Delhi. Their son, Karan Singh, relates: 'The Sardar told my father gently but firmly that although Sheikh Abdullah was pressing for his abdication, the Government of India felt that it would be sufficient if he and my mother absented themselves from the State for a few months.' Karan, who had just turned eighteen would be appointed regent.

> My father was stunned. Although rumours to the effect that he might be pushed out of the State had been in the air for some time, he never believed that even the Sardar would advise him to adopt this course. He emerged from the meeting ashen-faced ... my mother went to her room where she flung herself onto her bed and burst into tears.[16]

In less than two years after signing the Instrument of Accession, in which Hari Singh had asserted that he would continue to enjoy 'the exercise of any powers, authority and rights now enjoyed by me as Ruler of this State,' he was obliged to relinquish control. Initially he saw his absence as only temporary: 'I should like to be assured that this step is not a prelude to any idea of abdication. I should like to make it clear now that I cannot entertain the latter idea even for a moment.' he wrote to Patel on 6 May.[17] But only his ashes ever returned to Kashmir, brought by his old ADC, Captain Dewan Singh, who served him loyally to the end. According to Dewan Singh, the former maharaja did not miss the beauty of the valley nor the mountains: 'He was a person with a very great common sense and a very long vision, so once he'd been asked to go out, it was a bit too small a thing for him to think of these mountains.'[18] He died in Bombay in 1962. First as regent, then as sadar-i-riyasat, his son Karan Singh remained involved in Kashmiri affairs. But the Dogra dynasty, founded by Hari Singh's great-grandfather a century earlier, was gone.

Abdullah in charge

For the Lion of Kashmir, the years since 1947 had heralded his transformation from vehement political activist against Dogra rule in the princely state of Jammu and Kashmir to prime minister of that part of the state which India retained militarily after the tribal invasion. For over thirty years, until his death in 1982, whether in jail or in office, Sheikh Abdullah dominated the Kashmiri political scene. His immense popularity in the valley was founded on his long struggle against the Dogras. Although a religious man he was not communal and initially his progressive socialism was welcomed by both Hindus and Muslims. He appealed directly to the poor people and consequently was disliked by the upper classes of both communities. To supporters of the Muslim Conference who represented the interests of those Muslims favouring accession to Pakistan, his secular stance amounted to a betrayal of the Muslim community. To the Hindu aristocrats who were the inevitable victims of his sweeping land reforms his socialist policies had communist and communal overtones favouring Muslims.

The departure of both of his parents from the state left Karan Singh, on the threshold of his own political career, 'poised between the weight of the past and the burdens of the future.'[19] It was up to this eighteen-year-old, supported by Nehru, with whom, unlike his father, he had close relations, to create a harmonious relationship with Abdullah, now at the height of his power. 'In all my actions I had to try and steer a middle path between appearing subservient to the Sheikh on the one hand and offending him and Jawaharlal on the other.'[20]

The ceasefire with Pakistan had been in force since January and Sheikh Abdullah was intent upon pushing ahead speedily with his plans for his 'New Kashmir'. 'As soon as the boom of guns died down we set about putting our state in order.'[21] Encouraged by his stature as prime minister, Abdullah had been happy to profess his allegiance both to Nehru and India. 'We have decided to work with and die for India,' he had said at a press conference after he became prime minister in 1948.[22] His programme of land reforms was designed to benefit the peasants and 'further consolidated the peasantry's ties with India,' writes M. J. Akbar, 'because they understood – and Abdullah told them so – that such reform would never be possible in a Pakistan which protected feudalism and landlordism.'[23]

Although overtly Abdullah was loyal to India, he never lost sight of what has become known as the 'third option' – that of independence. When he visited the United States as one of India's representatives at the UN in January 1948, he spoke openly in favour of Kashmir's accession to India. But in private, he met Warren Austin, the US representative at the UN. According to a telegram sent to the US secretary of state, Austin reported that Abdullah had been anxious to point out 'that there is a third alternative, namely, independence ... he did not want his people torn by dissensions

between Pakistan and India. It would be much better if Kashmir were independent and could seek American and British aid for the development of the country.' Austin, however, assured the secretary of state: 'I, of course, gave Abdullah no encouragement on this line and am confident when he left he understood very well where we stand on this matter.'[24] Whatever conversations Abdullah had with various American individuals, official US policy favoured the incorporation of all the princely states in either India or Pakistan lest the subcontinent become 'balkanised', which might destabilise the area and work against US interests.

While the Sheikh was in the US he also met with part of the Pakistani delegation in a hotel in New York, including Dr Taseer, who was acting as an adviser to Sardar Muhammad Ibrahim Khan, the president of 'Azad' Jammu and Kashmir – that part of the former princely state, which lay to the west of the ceasefire line, under Pakistani control – and Chaudhri Muhammad Ali, now secretary-general of the Government of Pakistan. When they asked Abdullah what he saw as a solution for Kashmir, he replied:

> Only this, that Kashmir should be an independent state, free from both India and Pakistan. This should be a solution which should be acceptable to all, a face saving solution. Afterwards, if Kashmir has become an independent state, it will naturally be closer to Pakistan, firstly because of a common religion and secondly, because Lahore is near and Delhi is far off. Such a solution cannot be harmful to Pakistan.

When Chaudhri Muhammad Ali protested that India would plot against this scenario, Abdullah told him to 'put some trust in the Kashmiris, they will not join in conspiracies against Pakistan and be bought over.' His parting words were to warn them 'that the time will come when you will have to admit that Kashmir should be an independent country but by that time, it will not be possible. If you leave this problem hanging fire now, you will be the losers.'[25]

The restrictive nature of Hari Singh's accession to India meant that total integration with India could not take place without a new agreement and, until such time, Kashmir would retain its special status. Sheikh Abdullah was as insistent as Hari Singh had been that New Delhi had no right to extend its jurisdiction in Kashmir beyond the three areas agreed in the Instrument of Accession, namely, foreign affairs, defence and communications. This special status was now proposed as an article in the Indian Constitution, drafted first as article 306–A and then finalised as article 307. 'This article ' said N. Gopalaswami Ayyangar, who moved the article in India's Constituent Assembly in October 1949, 'proposes a special status for Kashmir because of its special circumstances. The State is not in a position to merge with India. We all hope that in future the State of Jammu and Kashmir will get over the hurdles and completely merge with the Union, like the rest of the states.'[26] In the final revised draft, the clause relating to the Fundamental Rights and Directive Principles was omitted. 'Little did the State leaders realise,' write Teng and Kaul, 'that they had vested the government in the State with unrestricted authority, and, whoever had the government in hand, would assume dictatorial powers and powers which could be operated absolutely.'[27] From an Indian perspective, another unsatisfactory feature of Kashmir's relations with the Union of India was its initial economic isolation, effected through tariff barriers which provided much needed revenue at the expense of economic progress.

At a political level, Sheikh Abdullah was also beginning to pursue his own course. 'He seems to act independently of us and is extremely critical of, if not hostile to, us,' Patel wrote to Nehru on 27 June 1950. Sheikh Abdullah had also remained in touch with his former associates, who were now based across the ceasefire line in Pakistani-controlled Azad Kashmir. 'In particular, Sheikh Sahib's manoeuvres to have a separate talk with Ghulam Abbas fill me with misgivings.'[28] Patel was particularly worried about 'the attitude of Sheikh Sahib, his failure to deal with the communist infiltration in the State and the dissensions within the National Conference. It appears that both the National Conference and Sheikh Sahib are losing their hold on the people of the valley and are becoming somewhat unpopular.'[29]

Included in Article 370 was the provision for a Constituent Assembly with 100 seats, a quarter of which were reserved for representatives from the part of the state retained by Pakistan. In 1951 Kashmir's first post-independence elections were held in which Sheikh Abdullah and the National Conference won seventy-five unopposed seats, mainly because the election was boycotted by the Praja Parishad. Pakistan protested that the holding of an election would prejudice the outcome of a plebiscite. Abdullah, however, was still publicly giving his support to eventual accession with India. In a memorable speech on 5 November 1951, at the first session of the Jammu and Kashmir Constituent Assembly, he examined the variables for Kashmir's future accession to India, Pakistan or independence. Eventually he came down on the side of India, because of what its secularism meant for Kashmiris:

> After centuries, we have reached the harbour of our freedom ... once again in the history of this State, our people have reached a peak of achievement through what I might call the classical Kashmiri genius for synthesis, born of toleration and mutual respect ... The Indian Constitution has set before the country the goal of a secular democracy based upon justice, freedom and modern democracy ... Pakistan is a feudal state in which a clique is trying to maintain itself in power ... from August 15 to October 22, 1947 our State was independent and the result was that our weakness was exploited by the neighbour with invasion.[30]

Abdullah's primary concern was that the Congress ideals of equality for all communities should not give way to religious intolerance. Yet, soon afterwards, in a speech in Jammu which disturbed the Hindus, he criticised India for its

communalism. 'No one can deny that the communal spirit still exists in India ... if there is a resurgence of communalism in India, how are we to convince the Muslims of Kashmir that India does not intend to swallow up Kashmir?'[31]

In July 1952 Abdullah succeeded in reaching a consensus with the government in New Delhi on a number of issues which came to be known as the Delhi agreement: Article 370 was accepted; Kashmir was to be allowed its own flag, but the Indian flag would be supreme; Kashmiris would be citizens of India; the President of India would be the head of state of the whole of India, including Kashmir; the governor of Jammu and Kashmir (sadar-i-riyasat) would be elected by the state legislature (as opposed to nominated from Delhi) but he could not assume office without the consent of the president of India. Suspicions, however, remained on both sides. 'Communal elements did not like the Delhi agreement,' writes Abdullah. 'Some newspapers went to the extent of writing that instead of Kashmir acceding to India, in fact, India had acceded to Kashmir.'[32] The people of Jammu were unhappy with their own obvious loss of political power. 'Accession of the state to India and the dawn of democracy for the people of Jammu,' writes Balraj Puri 'as such meant the transfer of power from a Jammu-based ruler to a Kashmiri-based leadership.'[33] Puri had personally written to Nehru on the eve of the Delhi agreement, warning of the growing deterioration of the internal relations between the different regions.

Discontent in Jammu and Ladakh

Throughout the early years of independence, the people of Jammu found it hard to reconcile themselves to government from Srinagar. 'Jammu and Kashmir, which were united in 1846, are not known to have been mutually well adjusted regions of the state they comprise,' writes Balraj Puri. 'The political and administrative set up after 1947 was as conducive to regional tensions as the one it had replaced.' Secessionist sentiments in the valley were fed by communalism in Jammu which in turn was provoked by the fears aroused by the secessionists.'[34] The numerical superiority of the valley over Jammu was nominal: 53 per cent of the population in the valley, compared with 45 per cent in Jammu. But the latter's share in the new power structure was marginal.[35]

When Abdullah had first addressed the Hindus of Jammu in November 1947, he surprised them by his tolerance. 'The man so far regarded as an enemy of Hindus almost hypnotised every soul in his audience, by calling for communal peace in the name of the Hindu Dharma, Lord Krishna and Gandhi.'[36] But in the years to come communal tensions were exacerbated by Sheikh Abdullah's reforms. His revolution was not only social but economic. Those who had been oppressed were mainly the Muslim peasants. Those who were affected by his revolutionary land reforms were Hindus. The Praja Parishad, based in Jammu, had influential supporters as well as links with

other pro-Hindu organisations throughout India. In Delhi Nehru also had to contend with extremist elements anxious to derail his secular policy. Politics at the centre were also passionately nationalistic and Kashmir's separate status was tolerated, at best, on sufferance. In October 1951 orthodox Hindus launched the Jana Sangh, led by Shyama Prasad Mookerjee, which aimed at abrogating article 370 and fully integrating Jammu and Kashmir into the Indian Union. The Praja Parishad saw the National Conference not only as a Muslim communal party, but also as 'a cover for the extension of communist ideology'.[37]

In February 1952 there was violence in the streets of Jammu and curfew was imposed for seventy-two hours. Alarmed by the significance of the Delhi agreement, the Praja Parishad used the slogan: 'One President, one Constitution, One Flag'. They disliked the use of the distinctive titles, sadar-i-riyasat and prime minister, as opposed to those of governor and chief minister used by the other states. Claiming that they could not tolerate Jammu and Ladakh 'going to the winds'[38] the Parishad leaders accused Sheikh Abdullah of preventing the merger of the state of Jammu and Kashmir with the Indian Union. In November the Praja Parishad leader, Prem Nath Dogra, and one of his associates were detained by Abdullah. In February 1953 Dr Shyama Prasad Mookerjee wrote to Abdullah: 'You are developing a three-nation theory, the third being Kashmiris. These are dangerous symptoms.'[39] When Dr Mookerjee attempted to go to Jammu, he was arrested at the border. His death in detention, from a heart attack, fuelled suspicions of foul play. Right-wing elements never forgave the Sheikh for crushing their movement.

The Ladakhi people, of Tibetan origin, who lived in virtual isolation, had escaped the trauma of communal riots and massacres at the time of partition. During the war, when the raiders captured Kargil and threatened Leh, relations between the two communities of Buddhists and Muslims became tense, although their long tradition of goodwill enabled them to withstand the strain.[40] When Sheikh Abdullah took over as prime minister, he too recognised the spiritual qualities of Ladakh's Buddhist community. 'Kashmir has always been the cradle of love, peace, humanism and tolerance, which was created by Buddhism and which flourished in the valley for about a thousand years.'[41] Yet the Buddhists of Ladakh resented Abdullah's centralising tendencies. They neither wanted to join with Pakistan nor did they want to be governed by Srinagar.

The Ladakhis soon came to realise that Sheikh Abdullah had little knowledge or understanding of their way of life. Jawaharlal Nehru had himself realised that, in depending on Sheikh Abdullah as a political leader in Jammu and Kashmir, it might be difficult to keep together the multi-racial empire created by Gulab Singh in the previous century. In 1949 the Buddhist Association of Ladakh had sent a memorandum to Nehru suggesting that Ladakh be integrated with Jammu in some way, either to become an Indian

state in its own right or as part of east Punjab totally separate from Sheikh Abdullah's administration in Kashmir. Although this plan was never put into practice, the Ladakhis remained restive under control from Srinagar. Before China's annexation of Tibet, the head Llama had suggested secession and union with Tibet; their spiritual allegiance was to the Dalai Llama in Lhasa, so too might be their political future. But after the communists took over Tibet in 1950, they lost the contact dating back seven centuries, which had influenced both their spiritual and cultural lives.

Abdullah's land reforms threatened the wealth of the Buddhist monasteries. In 1952 Kushak Bakula, the Abbot of Spituk Monastery, and regarded as the head Llama of Ladakh, declared that once power had been transferred from the maharaja to the National Conference 'the constitutional link, which tied us down to the state, was shattered and from that time we were morally and juridically free to choose our own course, independent of the rest of the state.'[42] There was still potential friction with the Muslim minority community in Kargil, who had traditionally controlled the Ladakhi economy, especially the supply of pashmina wool for weavers in Kashmir. Like Jammu, the people of Ladakh saw money poured into the valley at their expense. And, as Balraj Puri points out, 'the spectre of plebiscite' also haunted the people of Jammu and Ladakh. The fear of a pro-Pakistani verdict as well as the prevarication of the Kashmiri leaders over accession, made them suggest the possibility of a zonal plebiscite, which option Sheikh Abdullah refused to consider.[43]

The plebiscite and the United Nations

One of the reasons why Sardar Patel had impressed upon Hari Singh the need to absent himself from Srinagar for a 'few months' in 1949 was because of the 'complications arising from the plebiscite proposal then being actively pursued in the United Nations.'[44] UNCIP's visit to the sub-continent had laid the groundwork for demilitarisation and plebiscite, but as Joseph Korbel noted at the time, and their reports indicated, there was very little common ground other than the agreement in principle to hold a plebiscite. After their mission they recommended that the entire problem be turned over to one man, because the members of the commission were themselves divided. In 1949, General A. G. L. McNaughton, the Canadian president of the Security Council, was appointed as an 'informal mediator' in order to establish a plan for demilitarisation prior to the holding of a plebiscite. Although Pakistan agreed to his proposals, India did not. On 27 May 1950 the Australian jurist, Sir Owen Dixon, arrived in the sub-continent, as the one-man successor to UNCIP. Dixon's commitment in trying to resolve the problem was not lost on the Indians. Patel wrote to Nehru that Dixon was working to bring about an agreement on the question of demilitarisation. 'If we are not careful, we might land ourselves in difficulties because once demilitarisation is settled, a plebiscite would be, as it were, round the corner.'[45] Patel, however, did not live to see the outcome of the negotiations towards plebiscite. Regarded as the 'iron man' of the Indian government, who had so profoundly influenced India's policy towards the princely states, he died on 15 December 1950.

After three months of extensive discussions, Dixon made a number of suggestions, condemned by Nehru as an 'Alice in Wonderland business of vague proposals':[46] firstly, that there should be a zonal plebiscite region by region, and that the existing government should be replaced with an administrative body of UN officers; alternatively, that areas which would unquestionably vote for Pakistan or India would be allocated to the respective countries, with a plebiscite in the valley; that the state should be partitioned, with a plebiscite in the valley or, finally, that the country be divided along the ceasefire line. Yet again the question of demilitarisation was the sticking point, causing Dixon to conclude:

> I became convinced that India's agreement would never be obtained to demilitarise in any such form or to provisions governing the period of the plebiscite of any such character, which would in my opinion permit the plebiscite being conducted in conditions sufficiently guarding against intimidation and other forms of influence and abuse by which the freedom and fairness of the plebiscite might be imperilled.

Without such demilitarisation, the local 'Azad' and regular Pakistani forces were not prepared to withdraw from the territory they had retained. Dixon's final suggestion was to leave India and Pakistan to negotiate their own terms. 'So far the attitude of the parties has been to throw the whole responsibility upon the Security Council or its representatives of settling the dispute notwithstanding that except by agreement between them there was no means of settling it.' Dixon also noted the strange features of the problem:

> The parties have agreed that the fate of the state as a whole should be settled by a general plebiscite but over a considerable period of time, they have failed to agree on any of the preliminary measures which it was clearly necessary to take before it was possible to set up an organisation to take a plebiscite.[47]

The UN's decision to postpone further discussion of Kashmir unleashed a storm of protest in Pakistan.

The issue was briefly taken up by the Commonwealth, when, in January 1951, at a meeting of Commonwealth prime ministers, Robert Menzies, the Australian prime minister, suggested that Commonwealth troops should be stationed in Kashmir; that a joint Indo–Pakistani force should be stationed there, and to entitle the plebiscite administrator to raise local troops. Pakistan agreed to the suggestions, but India rejected them. In particular India was unhappy that Pakistan, whom India considered to be the aggressor, was placed on an equal footing. In March, the Security Council once again discussed Kashmir, and once more observed that India and Pakistan had accepted the resolutions of 13 August 1948 and 5 January 1949, affirming