CHAPTER THREE

CONTESTING HISTORY OF KASHMIR: TRACING ROOTS OF THE POLITICAL TURMOIL IN KASHMIR

Introduction:

Hindus will keep the helm and the Muslims play the oars;
Let us together row ashore the boat of the country.

(Ghulam Ahmad Mahjoor who popularized the concept of Kashmiri nation’ in his patriotic songs)

In this chapter we will look the history of Kashmir and contextualize the present problem of Kashmir. We shall trace the history of Kashmir from the ancient times, beginning around 250 B.C and end with the present situation. Most of the knowledge on ancient history of Kashmir is based on Kalhana’s Rajatarangini. That Kashmir was ruled by Hindu rulers till the coming of the Sultanate rule in the 12th century is the accepted view of most scholars. It is not easy to document history as it is the narration of events and people by individuals far removed in space and time from the actual occurrences. Therefore, the Kashmir Pandits and Muslims have very different views on the history of Kashmir especially with regard to the coming of Islam in Kashmir. An attempt will be made here to look the various views: the Pandits, Kashmiri Muslims, the Pakistani scholars, Indian scholars and international scholars on some important events. Historians have created subjective meta-narratives which tend to rationalize, glorify and legitimize historical events from their own perspectives. The same event may be presented in such completely different perspectives that the reader may wonder whether it is the same event under discussion. The main purpose of this chapter is to show that the rise of terrorism and the subsequent forced migration of the Pandits
was not a sudden occurrence; things had been brewing for long and what happened in 1989 was the culmination of all these events. The trend in history writing will also reveal the root causes of the differences between the Hindus and Muslims in Kashmir.

In this chapter we shall see first the history of Kashmir, secondly the main events after the partition in 1947 which escalated the crisis of Kashmir, thirdly the stand of India and Pakistan on Kashmir and finally the forced migration of Pandits in 1989 from Kashmir.

Thomas in his edited work on the various perspectives on the problems Kashmir analyzing the situation writes that:

In general, the perspectives of the analysts of the Kashmir problem tend to lean towards the perspectives of the three main political actors or claimants in the region: India, Pakistan and Kashmiri nationalists. The Indian claim to Kashmir is based on the secular character of the Indian state and its resistance to the "principle" of partition that proposed separate Hindu and Muslim states. The Indian case on Kashmir involves a complex set of arguments that include historical and legal antecedents, secular concepts of a multi-ethnic India, and the Hindu view of Indian unity. The counterpart Pakistani claim to Kashmir rides on the successful creation of an Islamic state based on what its leaders claim to be the "Two-Nation theory" of Hindu and Muslim separatism. The Pakistani claim is relatively more simple and straightforward than that of India, and is more easily presented and understood. And even more direct and simple is the Kashmiri nationalist claim to independence.
from both India and Pakistan which is based on the conception of distinct Kashmiri identity (the "Kashmiriyat") and the right of self determination. (Thomas; 4: 1992)

Thomas writes that both the Indians and Pakistanis are united in their stand in blaming the British for the Kashmir problem. The Kashmir problem may be perceived as one of the legacies of British rule in India and the partition of the subcontinent in 1947 into the new independent states of India and Pakistan. This is not to suggest that British rule was entirely responsible for the partition of India or, more specifically, for the Kashmir problem. However many Indians have argued that the British policy of "divide and rule" was one of the major contributing factors to the partition of India, while many Pakistanis have alleged the complicity of Lord Mountbatten in favouring India generating the Kashmir problem at the time of partition. (Thomas; 5; 1992)

Let us now move on to the origin of the state of Kashmir and its history. In this section an attempt has been made to incorporate the different versions of this disputed history of Kashmir; of Pandits, Kashmiri Muslims and Pakistani scholars.

**The mythological origin of Kashmir:**

There are many theories regarding how the state of Kashmir got it's name. Some say that Kashmir originates from "Kash" a semitic tribe, while others say that it is a Prakrit word, "Kas" meaning channel and "mar" meaning mountain. Kashmir is said to have emerged when the vast mountain- girt lake was drained through the gorge below Baramulla. This mountain lake was called Satisar, the lake of Sati. Sage Kashyapa is believed to have led the people from the banks of the river Saraswati to this land. He then drained the lake and the land
reclaimed was called *Kashyapamar* now known as Kashmir He can be seen as the first traditional colonizer of this land. These original inhabitants are said to be the Kashmiri Hindus or Kashmiri Pandits as they are called.

According to Chaman Lal Gadoo, a Kashmiri Pandit, “Kashmiri pandits are the offspring of *rishis* and belong to the highest order of Brahmins, the *saraswats*, highly educated and hundred percent literate. The *saraswat* Brahmins are mentioned in the Vedas, the Ramayana, the Mahabharata, the Bhagawata and even the Bhavisyttata Purana. They are descendents of great the sage *Saraswat Muni* who lived on the bank of the river *Saraswati.*” (2001:35). While another Pandit writes that “Kashmir has a tradition of synthesis and harmony. Kashmir’s cultural heritage comprises of high philosophical doctrines which are compatible with modern scientific thought, respect and tolerance to spiritual and cultural ways of life”. (Bhatt, 1981: 511).

**ANCIENT KASHMIR:**
The early Kashmir history can be subdivided into the various dynasties of the:

1. Kushans
2. Huns
3. Karakota
4. Sultanate
5. Mughal rule
6. Afghan
7. Sikh
8. Dogra

We will take a brief look at the politics in Kashmir during each of these
dynasties and the controversies which emerged during this period and how the perspectives evolved from the various historical interpretations. This is essentially drawn from a book by Ishaq Khan, a Kashmir Muslim author. Kashmir Muslims accept the fact that Kashmir was a Hindu state before the sultanate rule was established. Pakistani scholars tend to document Kashmir history from the rise of sultanate rule.

EARLIEST RECORD:
The earliest record of Kashmir history Rajatatarangini was written by Kalhana in 1149. He writes that Kashmir was known for its learning and architecture. He also wrote that Kashmir was originally inhabited by the Nagas among whom snake worship was a common practice. This continued till the sixteenth century and was mentioned by Abul Fazl who accompanied Akbar. Hence the suffix nag to many places in Kashmir- Nilnag, Verinag, Anantanag.

HINDU RULERS
In this section we shall look at the ancient history of Kashmir (250 B.C-1000 A.D). The main source of information will be the works of a Kashmir Muslim author- Ishaq Khan and that of a few Pandit scholars. This has been done to bring about a balance in the representation of the different views and opinions.

Coming back to the ancient times it is recorded in history that Asoka founded Srinagar in 250 B.C. which is now the present village of Pandrethan, and which remained the capital of Kashmir till about the middle of the sixth century A.D. According to the records of the Chinese pilgrims, Ashoka built many monasteries and stupas and Saivite shrines in the Valley. Pandit Kalhana in Rajatarangini writes that Jaluka who ruled in the region after Ashoka is said to have driven away
the Greeks from Kashmir. He is also believed to have settled Brahmans of Kanauj in Kashmir. Bazaz, who has been closely associated with the political movement in Kashmir, writes that:

It is obvious that the lives led by the Hindu kings were generally speaking simple. Their wants were few and their economic and social lives were not far removed from those of ordinary men. Hiuen tsiang, the Chinese traveler who visited Kashmir during the reign of Durlabh Vardhan (617-53) found the people prosperous and peaceful. In the discharge of public duties the Kashmir queens have distinguished themselves as well as the kings. Seclusion or veiling of women was unknown even among the upper class and royalty in ancient Kashmir. The queens had their own councilors and treasurers. They took active part in the governance of the country side by side with the kings. Some of them ruled independently and with firmness. Queen sugandha ruled Kashmir just at the beginning of the 10th century. A notable queen was Suryamati who made the rule of her husband Ananta (1028-63) a success when the rebellion of the feudal lords has all but deposed him. Kalhana's Rajatarangini' mentions scores of women, including queens who played by no means insignificant roles in the politics of Kashmir. (Bazaz; 20-21, 1954)

Bazaz also writes that Kashmiri women too were known for their learning and that they spoke Sanskrit which many women in other parts of the country were denied. As queens they were not merely figure heads. They took active part in the administration. Some of the famous queens are Vakpushta (2nd century A.D), Ananglekha (519-544 A.D) wife of
Kshemagupta also known as Didda. Didda has been credited with restoring the kingdom with her administrative and diplomatic abilities. Queen Suryamati is said to be the first to raise a standing army. King Jaya Simha had two wives, both of whom were known for carrying out successful negotiations with rebels and enemies. They also advised the king on various issues. The last Hindu queen was Kotadevi who entered into marriage alliances to continue Hindu rule in the valley. The queens also took part in warfare which was not very common. They were also said to have religious inclinations and were instrumental in building many monasteries, viharas and temples.

RELIGION IN ANCIENT KASHMIR:
From the very beginning a lot of importance was attached to mysticism and spiritualism. Sanskrit was widely spoken and written. Shaivism was followed as it was believed that Kashmir was the abode of lord Shiva and his consort. Many rulers like Abhinava Gupta, Somananda and Utpandeva propagated Shaivism. However, Hinduism was not the only religion. Buddhism spread into the valley especially during the time of emperor Ashoka. Initially, like everywhere else, Buddhism faced opposition from the Brahmins in Kashmir. But it was around the 9th century that a fusion took place - that of Shaivism and Buddhism. Many scholars traveled to China and Southeast Asia to spread the message of Buddhism. The Mahayana school of Buddhism was stated under Vasumitra and Nagarjuna in Kashmir. It is believed that Emperor Kanishka convened the third Buddhist international council in Kashmir. "The most important contribution of Kashmiri Pandits has been the exposition of trikha philosophy of Kashmir shaivism which synthesizes the diverse currents of thought and wisdom found in all systems of ancient Indian philosophy. Kashmiri Pandits acted as the vanguard of intellectual, cultural, and spiritual movements which lent a distinct
identity to this ethno-religious minority of Kashmir." (Warikoo, 2001:224)

KUSHANS
The Kushans - Hushka, Jushka and Kanishka were the rulers of northwestern India. Kanishka the most well known Kushan ruler is said to have organized the Fourth Buddhist Council in Kashmir. The famous Chinese traveler Hiuen Tsiang says that the decisions arrived at this council were engraved on sheets of red copper and "enclosed in a stone receptacle over which a stupa was built. There is a controversy among the scholars as to whether the Council was held in Kashmir or not. The Mahayanist doctrine of Buddhism was born and developed in Kashmir in the time of Kanishka. “The greatest Mahayanist preacher was Nagarjuna who lived in Kashmir in the first century A.D. Kalhana says that he resided at the University of Sharadar-dwan (modern Harwan). He further notes that- Buddhism progressed in Kashmir under Nagarjuna's care and guidance.” (Khan, 1982:33)

“In 178 A.D. the Kushan rule was replaced by the Gonanda dynasty, under which Buddhism declined owing to the policy of persecution followed by some of its rulers. The founder of the new dynasty was Gondana, who was a great patron of the Naga cult which flourished under him." (Khan, 1982:34)

HUNS
The initial religious conflict was between the Brahmins and the Buddhists as it was in the other parts of the country. “Kashmir came under the rule of Mihirakula, the White Hun ruler in 528 A.D. According to the tradition preserved by Hiuen Tsiang, Mihirkula encouraged Brahmanism and persecuted the Buddhists. Kalhana describes the king as a 'man of violent acts', a 'scourge of God, on earth',

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who killed people without compassion or discrimination’.” (Khan: 1982:34)

The three famous Hun kings are Gopaditya, Matrigupta and Pravarasena II. Gopaditya founded the area of Gupkar in Srinagar and built the temple of Jyesthesvara (Takht i-Sulaiman or Shankaracharya hill). Matrigupta acknowledged the sovereignty of Harsha Vlkrmadtitya of Ujjain. Pravarasena laid out the city of Pravarapura

**KARKOTA DYNASTY**

The reign of the Karkota dynasty was marked by the visit of Hiuen Tsang. Khan gives a brief overview of this dynasty:

In 627 AD the foundation of the Karkota dynasty was laid by Durlabhavardhana. During his reign Hiuen Tsiang visited Kashmir. He stayed here for two years (631-33) and found the king hospitable and tolerant towards the Buddhists. However, the traveler says that Buddhism was on decline. The kingdom of Durlabhavardhana was vast and it included Taxila, Hazara, the Salt Range and the hill-states of Rajaurj and Poonch. The country was peaceful and prosperous. The greatest ruler of the Karkota dynasty was Lalitaditya Muktapida, Kalhana's account of his conquest of Kanauj seems to be legendary. He is also said to have marched against Balkh and Bukhara. In 733 Lalitaditya sent an embassy to the Chinese Emperor Husan-tsuang (713-55). He sought help from him against the Arabs who were pressing from the south and the Tibetans and Turkish tribes from the north. But the Chinese Emperor does not seem to have helped the Kash-mirian ruler as he was himself faced with
Lalitaditya is said to be was a great builder and is known for the temple of Martand, which owes a great deal to the Gandhara School and which served as a model to all subsequent temples in the valley. Lalitaditya's grandson, Jayapida, founded the town of Indarkot (also known as Safapur). He was also a patron of art and learning. But when he grew old, he unleashed a reign of terror. He imposed oppressive taxes and extorted extra stocks from the cultivators. But an important measure carried out by Jayapida was that he confiscated the land grants of Brahmans. This resulted in the revolt of Brahmans who resorted to hunger-strikes. Later we see that revolt was an integral part of Kashmir's history and any dissatisfaction on part of the subject meant revolt against the ruler or nobles as the case may be.

A new dynastic rule under the name Utpala was founded by Avantivarman (855-83), grandson of Utpala, who was related by marriage with the Karakotas. He regulated the course of the River Jhelum whose waters always caused floods in Kashmir. Lands were reclaimed and a net work of canals were constructed to irrigate lands. Avantivarman's son and successor Sankaravarman (883-902) was an oppressor of his subjects. He levied heavy taxes, robbed the temples of their wealth and introduced the system of forced labour (bagar) which remained, until recent times, the most pronounced feature of Kashmir administration. The successors of Sankaravarman were weak and inefficient. They were puppets in the hands of Tantrins, the feudal chiefs. In 950 A. D. Kshemagupta ascended the throne. He married Didda, the daughter of Simharaja, chief of Lohara. Didda is one of
the most prominent queens of Kashmir.

Since Kshemagupta was weak, the real authority was exercised by his wife. On her husband's death, Didda ascended the throne in 981 after destroying her son and her grandson one after another. The queen's rule extended from 981 to 1003 A.D. Her reign of 23 years was marked by political conspiracies 'murders, banishment and denunciation'. Before her death in 1003, Didda had appointed Samgramaraja, her nephew, as her successor. Thus the crown quietly passed to the new dynasty, the house of Lohara. (Khan, 1982:37)

MEDIEVAL HISTORY (1003 A.D- 1300 A.D)

Till now the history of Kashmir consisted of mainly court intrigues and the usual politics of the throne. It is in the medieval period that with the entry of Muslim rulers that history writing becomes problematic. Let us now first trace the events which led to the end of the Hindu rule in Kashmir and the establishment of Muslim rule.

The Lohara kings were mostly inefficient. Under them the social and political conditions in Kashmir worsened. Forced labour was resorted to and all kinds of vexatious taxes were extorted from the people. The political influence of the Dammaras increased considerably and their constant rebellions plunged the country into chaos and confusion. King Harsha (1089-1109) destroyed temples and filled his treasury with the gold and wealth of temples and religious endowments. So we see that temple destroying did not start with Muslim invasions as is commonly believed. But the most important event that occurred in the time of Loharas was the invasion of Kashmir by Sultan Mahmud of Ghazni. He
invaded Kashmir twice from the Punjab. He marched from the Jhelam along the valley of the Poonch Tawi first in 1015 and then in 1021 so as to penetrate into Kashmir from the Tosamaidan pass.

The last ruler of the Lohara dynasty was Ramadeva (1250-73). As he had no issue he adopted Lakshmanadeva, the son of a Brahman, as heir-apparent. Lakshmanadeva ruled Kashmir from 1273 to 1286 A.D. From 1286 onwards till the accession of Suhadeva (1301 -1320) there was a good deal of confusion in Kashmir. It was during the period of Suhadeva that the Mongols, led by Zulju, invaded Kashmir in 1320. The origin of Zulju is not known, but it is presumed that he was a Mongol from Turkistan. He entered Kashmir by the Jhelum valley route. Suhadeva, instead of fighting the invaders fled to Kishtwar. The Mongols caused a great deal of destruction during their stay of eight months in Kashmir and withdrew before winter. But the anarchy that reigned supreme after the invasion of the Mongols paved the way for the establishment of the Sultanate in Kashmir. This also marked the end of the Hindu rule in Kashmir.

THE SULTANATE
Kashmir was ruled by Hindus till 1319 A.D. The establishment of the Muslim rule and its effect on the politics and religious life of Kashmir is what is under constant debate. In the following pages we will pick up certain instances in the history of Kashmir which is most controversial and discuss the various view points.

Kashmir was known to the Muslims even before the establishment of the Sultanate in 1320. It was in the 8th century that Kashmir came for the first time in contact with the Muslims. Two governors of Sindh, Junnud and Hisham Amr al-Taghlibi, attempted to invade the frontiers of
Kashmir but they could not proceed beyond the southern slopes of the Himalayas.

Mahmud of Ghazni had already made two unsuccessful attempts to conquer Kashmir. "Muslim rule' was established in Kashmir, not as a result of a foreign invasion, it is the internal chaos that fed to the decline of the 'Hindu rule'. *Due to the chaotic conditions prevailing in Kashmir after the withdrawal of Zulju, Rinchan the son of a Ladakhi chief, who had taken shelter in Kashmir, become the ruler of Kashmir.* He embraced Islam under the influence of Sayyid Sharaf-ud-Din, a Sufi saint belonging to the Suharwardi order, popularly known as Bulbui Shah. Soon after converting to Islam, Rinchan adopted the name of Sadr-ud-Din. He was the first Muslim Sultan of Kashmir. He founded a quarter in Srinagar known as Rinchanapura. It was here that he built the first mosque in Kashmir on the site of a Buddhist temple. After the death of Rinchan, his widow Kota Rani, on the advice of the nobles, married Udayanadava, the brother of Suhadeva and raised him to the throne. With death of Udayanadeva, Kota Rani herself became ruler. (Khan, 1982: 40)(Italics mine)

Turkish adventurers were employed by Hindu Kings, Kalhana calls them Turukshahs. Shah Mir, was one such Turk who had been employed by Suhadeva. His origin is known, but it is believed that he was a Turk. He gained influence and power to such an extent that when Udayanadeva died, he defeated Kota Rani. He ascended the throne under the title of Sultan Shams-ud-Din and laid the foundation of his dynasty which ruled Kashmir 1339 to 1561. Shah Mir ruled Kashmir for three years and five days and during his brief reign he restored law and
order. Very little is known about his successors Jamshed and Alisher (Ala-ud-din). Alauddin was succeeded by his son Shirashamak in 1356 who assumed the title of Shihab-ud-din on becoming the Sultan. He was an able ruler and a good administrator. After strengthening his position at home, he was able to subdue the rulers of Jammu, Poonch, Rajauri, Baltistan and Ladakh.

This event of a Muslim ruler coming to power has been understood by the Pandits in a different fashion. Kaul writes:

The Saraswats of Kashmir, with a glorious history of thousands of years at their back, have been at the receiving end now for over six and a half centuries. Their decline in Kashmir began in 1339 A.D. when a Muslim courtier in the court of the last Hindu king of Kashmir, usurped the throne treacherously. The full impact of the treachery became visible with the advent of Sultan Sikander Butkistan (destroyer of idols) forty years later. The full fury of fanaticism was unleashed on the largely peaceful Hindus of Kashmir during the next forty years. This was the time (1379-1420) when most of the Saraswats of Kashmir were either killed or had to flee from their millennia-old homeland. Tradition has it that only eleven Saraswat families could survive the catastrophe. The next fifty years (1420-1470) of King Zain-ul-Abidin saw reversal of the process of persecution of Saraswats. They were recalled, their temples and shrines rebuilt and they were allowed freedom of faith. (Kaul, 35:2001). (Bold, Italics Mine)
One thing to note is that with the coming of Islam, Persian language became as important as Sanskrit. Persian was used in courts and its knowledge was essential for those holding government posts. Kashmir also had its own script called Sharada which has found written even on trees.

Prof S.L. Pandit writes that decay of the Hindu rule in Kashmir began in 1324-1327 A.D:

In 1327, Shahmir, a clever adventurer from Swat, having first secured a leading position in the steadily weakening Hindu administration, captured power by a coup... Possibly in its earlier phase, Shahmir and his immediate successors, were somewhat wild in their attitude towards the Hindu community and the bureaucracy manned mainly by the learned Brahmins... Then came the fanatical and tyrannical rule of Sultan Sikander, the iconoclast (1398-1420), let loose a sort of hell against the non-Muslims through forced conversions and widespread destruction of their holy religious shrines all over the Valley. Possibly by this time the lower Hindu castes had got converted to Islam, both by use of brute force and passionate zeal of the Islamic missionaries moving freely among the socially backward and rigid Hindu caste hierarchies... the surviving Brahmins migrated to Jammu, Poonch, Rajouri. Then came the benign and the most tolerant rule of Zain-ul-Abidin (1422-1472)... he persuaded the migrant refugees to return to the valley and took advantage of their learning, experience and talents in pursuing his unprecedented nation-building projects.(27:2001) (Bold, Italics Mine)
Dr. S.S. Toshkhan expresses his opinion on the spread of Islam in Kashmir, which is in variance with what is written by Muslim scholars and which we shall see in the following pages.

The first and most malignant of these myths is that Islam was propagated in a peaceful manner in Kashmir. Turn the pages of Rajatarangini, Baharistan-i-shahi to have a glimpse of the truth. The history of Kashmir you will find is dripping with the blood of its Hindus and Buddhists. .. also read what Syed Mir Ali Hamadani, who with his long retinue of Islamic clerics scripted the victory of Islam over the infidels of Kashmir has written in his book ‘Zakhirat-ul-Mulk’. .. the humiliating conditions he had put before non-Muslims to be allowed to live under a Muslim ruler and you will forget about all the talk about Islam’s face having been more liberal and humane in Kashmir. .. his son had no compunction in calling for the use of brute force and compulsion to make the Hindus of Kashmir accept Islam. (163-164: 2001) (Bold, Italics Mine)

Jaffar, a Pakistani scholar on the rise and spread of Islam writes, “when Kashmir saw the entry of Islam many Hindu rulers got themselves converted to the new faith and a new era of history began with the famous sultans of Kashmir who ruled from 1320-1555 a long period of 235 years. Most of the credit in this connection goes to the preaching and piety of scholars and savants such as Sayyad Ali Hamadani. (83: 1966) (Bold, Italics Mine)
Sultan Qutbuddin (1374-89) succeeded Shihabuddin. Religious activities reached its peak during this period. This was mainly due to the presence of Mir Sayyid Ali Hamadani, who visited Kashmir during this period and spread the teachings of Islam.

Continuing the debate of the conversion and destruction Khan writes:

Sultan Sikandar (1398-1413) built the Khanqah-i-Mualla mosque and the Jama Masjid. During his reign Mir Sayyid Muhammad, the son of Sayyid Ali Hamadani, attempted to enforce the Islamic law (Shariat). Dr. Parmu says that Mir Sayyid Muhammad began to persecute the Hindus by forcibly converting them to Islam and destroying their temples. But it should be borne in mind that the Sanskrit and Persian chronicles, on whom Dr. Parmu has based his opinion, have grossly exaggerated the destruction of temples in Sikandar's reign. There was no wholesale destruction of temples as chroniclers would make us believe, for there is evidence to suggest that massive temples of Martand and Avantipur were destroyed by earthquakes and not by Sikandar, for gunpowder, which alone could have destroyed these massive structures, was unknown in Kashmir in the 14th century. (Khan; 40, 1982) (Bold, Italics Mine)

Islam's success in Kashmir as social force has not been accepted by the pandit historians. Most of them tend to perpetuate the false notion, on the basis of stray references in the chronicles, that Islam spread as a result of the 'fanatical zeal' of mir sayyid hamadani and batch of his sayid followers. We are told that only the Brahmins resisted long and in consequence were tormented and tortured with the result that
only a couple of thousands were left behind to preserve and maintain ancient religion and traditional culture. Even if one agrees that the Hindus suffered the trauma of dislocation, forced conversion and violence in the times of Sikander, one cannot be blind to the fact that such a policy had only a nullifying effect since Zain-ul-abidin completely reversed the policy of his father. Unfortunately, the Pandit historians tend to gloss over the fact that the conversion of Hindus to Islam in the sultanate period was actually the revolt of socially oppressed people against the domination of high-caste brahmans. Lalla (lal ded) rejection of idolatry and her tirade against the brahmanical supremacy in popular language instead of reforming the corrupt Brahman society actually served the cause of Islam in Kashmir. (11-14, 1982)

Islam's triumph in Kashmir can also be explained in terms of acculturation. There is a strong reason to believe that the culture of the masses in the sultanate and mughal periods was undergoing an imperceptible change of which they themselves were not aware. Intermarriages were common in the early phase of Islam in Kashmir. Even after their conversion to Islam the converts did not part with their old habits and customs, nor did they sever connections with their relatives. The close contacts of the neo-converts and their kith and kin leading to the intermingling of two different cultures might have accelerated the process of acculturation. Rinchana, a Buddhist prince of Ladakh was the first to embrace Islam under the influence of Sayyid Sharaf-ud-din, he became the first ruler of Kashmir adopted the name Sadr-ud-din. The triumph of Islam was in essence a
revolt of human heart against the cold formalism of ritualistic Brahmin priests. Though geography has played an important role in preserving the distinct identity of Kashmir, a still powerful force which explains the continuity of Kashmir is the love and devotion which kashmiris have for their motherland (mouj kashir). (11-18, 1982)

Both Pandits and the Kashmiri Muslims are united in their praise for the the ruler Zain-ul-Abidin and he is known as the Budshah or the great ruler. The policy of religious persecution followed by Sikandar was reversed by his son Zain-ul-Abidin (1420-70). He persuaded all those who had been forcibly converted to Islam to return to their old faith. He abolished the jizya and tax and banned cow-slaughter. He repaired Hindu temples and he built some new ones. He also participated in Hindu festivals and himself visited some Hindu shrines as a pilgrim. The Sultan also took delight in performing havans and in practising yoga. He is said to have studied the Nilamatapurana, Vasishta and Gita Govinda. He was a religious minded person, the Sultan offered prayers five times a day and observed the Ramzan fasts. He had great respect for the Sufis, learned men and Brahman scholars, who were granted lands.

Zain-ul-Abidin established a translation bureau in which Persian works were rendered into Sanskrit and Sanskrit works into Persian. Mulla Ahmad, who was a scholar in both Persian and Sanskrit, translated the Mahabharata and Kalhana's Rajatarangini into Persian at the instance of the Sultan. Srivara translated Yusuf-u-Zulaikha of Jami into Sanskrit. All this made knowledge accessible to those who knew either Persian or Sanskrit.

Tradition and history say that Zain-ul-Abidin introduced various arts
and crafts for which Kashmir has become world-famous. He invited craftsmen from Iran and Turkistan to instruct his people in various skills and also sent Kashmiris to these countries to learn the art of book-binding, wood carving and paper Mache, and those of making shawls, carpets and paper. Besides, he also introduced stone-polishing, stone-cutting, glass-blowing, window-cutting, gold and silver leaf making and book-binding. Today Kashmir is known for its shawls and paper mache products all over the world.

S.S. Toshkhani, a Kashmir Pandit has slightly different views on the cultural impact of the rule of the Budshah:

Budshah bought hundreds of theologians, artisans, musicians and others from west Asia, as well as Central Asia, and settled them in Kashmir giving them all the royal patronage. He seemed to have no consideration for the devastating effect it had on indigenous artistic and cultural traditions...Persian was made the court language, stopping the development of the Kashmiri language. With the arrival of Persian artisans, indigenous crafts suffered a natural death, the sharada script also began to count it’s days...when the Afghans overran the valley, almost all vestiges of the original Kashmiri culture were done away with. Somewhere in the process the phelan in it’s present form was smuggled in from some Arab land. Along with it came the tumbknari from morocco and became an essential feature of Kashmiri folk music. The afghans completed this cultural colonization with the introduction of gay culture represented by the Bachas or boy dancers of the ‘bacha nagma’ and this came to be celebrated as the most representative Kashmir dance
Under Zain-ul-Abidin, the Shah Mir dynasty reached the climax of its power and glory. But there was chaos after his death and as a result Kashmir became an easy prey to foreign invasions. In November 1540, Mirza Haidar Dughlat, a cousin of Babur, who was in Humayun's service, invaded Kashmir and easily occupied it. His short reign was productive of rich cultural activities. It was during this period that the Kashmiris imitated that Mughal style of dress and diet. Jahangir in his Tuzuk-i-Jahangiri is very appreciative of the cultural excellence acquired by the people of Kashmir under Mirza Haidar.

The Mughal occupation of Kashmir in 1586 took place due to the internal feuds of the ruling Chak dynasty (1555-1586) at that time. The Mughals had invaded Kashmir a number of times before 1586. First they invaded Kashmir in the reigns of Babur and Humayun. Akbar claimed Kashmir because Mirza Haidar had conquered it on behalf of Humayun. So in 1551 he attempted its conquest, but his army was defeated by Sultan Ghazi Shah Chak. In 1585 Akbar once again launched an offensive against Kashmir and finally gained control in 1586.

THE MUGHAL RULE IN KASHMIR. (1586-1757)
The mughal is important for many reasons especially since it saw the introduction of Christianity in the valley. Akbar first entered Srinagar in 1589 and then again in 1592. Akbar's third visit to Kashmir on June 6, 1597 was important. This time he was accompanied by Father Jerome Xavier and Bendict Goez, who are the first known European travellers to visit Kashmir. Father Xavier's description of the famine of 1597 gives an idea of the devastation caused by it. He records that famine forced mothers to expose their children for sale in public places in the city. Most
of them were baptized by the visiting Portuguese fathers with the hope that by so doing they would attain salvation and bliss.

It was during Shah Jahan's reign that the conquest of Ladakh and Baltistan (1634) was completed. The most important historical event of Aurangzeb's rule in Kashmir was the arrival of Mui Mubarak (sacred hair) of Prophet Muhammad in Srinagar in 1699. The holy relic was brought to the city by a rich Kashmiri merchant Khawaja Nur-ud-Din Ishbari from Bijapur. This event was to have repercussions in the future which are discussed later.

Shia-Sunni conflicts had become prevalent during the Mughal rule. The Mughals treated Shias, Sunnis and Hindus equally. Trade industry flourished during this time. But there is another side to the picture. As a result of Akbar's invasion, Kashmir lost her separate entity and became an integral part of the Mughal Empire. Kashmir, which had culturally progressed under the independent Sultans, was now intellectually impoverished because of the absence of local patronage. Poets, painters and scholars were thus compelled to leave the Valley and seek employment at the Mughal court. Another effect of the Mughal occupation of Kashmir was that the Kashmiri ruling families of the Chaks, Magres and Rainas were replaced by a hierarchy of Mughal officers who were responsible for the administration of the country. "In addition to this, Mughal rulers did not recruit the Kashmiris in the army. In consequence, the Kashmiris gradually became ease-loving and lost their martial qualities." (Khan, 47, 1982)

**Fall of the Mughal Power**

The Mughal rule had different implications for the Muslims and Hindus of Kashmir. Let us see what the various scholars have to say about the
effects of Mughal rule in Kashmir.

“The successors of Aurangzeb were weak and inefficient. With the decline of central authority, the outlying parts of the Mughal empire began to declare their independence. This happened also in Kashmir, but the disturbed conditions in the Valley did not allow the Mughal Governor to enjoy their Independence for long. Hence in 1747, some of the Kashmiri nobles, Mir Muqim Kanth and Khawaja Zahir-ud-Din Diddamari, wrote to Ahmad Shah Abdali Durrani inviting him to invade Kashmir and annex it to his kingdom. The Afghan ruler made best of the opportunity and accordingly sent a large force in 1757. The Mughals suffered a defeat and Kashmir passed under the rule of the Afghans.” (khan, 1982: 48)

The Mughal rule benefited the Kashmiri Pandits to a certain extent. D.N.Kaul writes that “we have to be thankful to the last Mughal king in whose court a savvy Kashmiri Pandit named Ved lal Bhan has acquired the status of a senior courtier by dint of his wit that he had came to be called by the king “the Kashmiri Pandit. We would otherwise have had to content with being an unknown part of the vast brahmanical order.” (, 2001:132)

According to Ishaq Khan “It was the Mughal conquest of Kashmir in 1586 that ultimately brought about the decline of a high standard of culture that Kashmir had achieved under the sultans of Kashmir. One of the main results of the Mughal invasion of Kashmir, however, seems to have been the gradual rise of the Kashmiri Pandits to key posts in administration. The revenue collectors of the Mughals were mainly the Kashmiri Pandits. (1982:50)

Chaman Lal Gadoo, a Kashmiri Pandit writes “the decline of the
Mughals after Aurangzeb led the Kashmir Saraswats to another calamitous period of about 67 years (1753-1820) of brutal Afghan rule. This was broken after the Sikh ruler, Maharaja Ranjit Singh annexed Kashmir in 1818 AD. This was followed by Dogra monarchy (1864-1947). The 128 year rule of Sikhs and Dogras saw the flowering of Kashmiri Saraswats both in Kashmir and other parts of the country. The Saraswats in Kashmir took to modern education in English and produced brilliant administrators, educationists, doctors, engineers, advocates, judges and the like.” (2001:37)

We shall see that the Muslims of Kashmir do not share the same views on the rise of the Pandits during the Dogra and Afghan rule.

**AFGHAN RULE:**

The Afghan rule bought in bad times for the people of Kashmir but the Pandits seem to have benefited from the Afghan rule as we shall observe in the following quote. This is how Muslims viewed the increasing power of the Pandits:

During the Afghan rule once again the Pandits rose to very high positions. The consequence of this development was that from this period onwards the Kashmiri Pandits began to play a crucial role in the political affairs of Kashmir. Pandit Birbal Dhar was instrumental in bringing about the downfall of his Afghan patrons and the eventual establishment of the Sikh rule in Kashmir 1819. The Afghans did not take any interest in the welfare of the people. Since the Governors sent from Kabul were always uncertain about their tenure of office owing to the intrigues at Kabul, this explains why they robbed Kashmir of its wealth. The Afghan governors of
Kashmir and their officers caused harassment to the people of Kashmir by various devices. The people were not allowed to wear arms and a strict vigil was kept on them by a good number of spies employed for the purpose. The local chiefs were suppressed and a strong force of the Afghans kept within the city walls was always ready to put down any revolt. The administrative machinery went into pieces during the Afghan period. The land was leased out for the purpose of revenue collection. It was thus the highest bidder who collected land revenue. As the lessee (ljaradar) was merely interested in filling his own coffers, there took place decrease in both the land revenue and the produce. The natural consequence of such a policy was that the famines became recurrent visitors to Kashmir which in turn also resulted in the decrease of population." (Khan, 1982: 49)

While both Hindus and Muslims of Kashmir became victims of the tyranny of the Afghan Governors, it is interesting to note that the Afghan rule in Kashmir saw the rise of some Kashmiri Pandits to highest posts in administration, as for example, Peshkars, Diwans and Sahibkars. Mahanand Pandit, Kailash Pandit Dhar, Dila Ram Pandit, Pandit Sukh Ram, Pandit Sahaz Ram Sapru, Pandit Birbal Dhar, Munshi Bhawani Das, Vasa Kak Dhar etc. are some prominent Pandits who formed the main support of the Afghan government in Kashmir.

Throughout the Afghan period different groups and classes vied with each other for political power in Kashmir. This was due to the weak control exercised by the Afghan rulers over their Governors in Kashmir. Thus it was the conflict of interests which ultimately resulted in the establishment of the Sikh rule in Kashmir in 1819. Birbal Dhar, a
Kashmiri Pandit asked the Sikhs to invade Kashmir and free it from Afghan rule.

Khan does not agree with the vision Pandits share about Birbal Dhar. He writes "Curiously enough, Dr. R. K. Parmu calls him a hero, a patriot, and a saviour for having appealed to Ranjit Singh to invade Kashmir. (History of Muslim Rule in Kashmir. pp, 352-353). (Italics Mine)

SIKH RULE: (1819-1846)
The Sikh rule was characterized by religious persecution especially the Muslims, though the Hindus were not spared either.

Maharaja Ranjit Singh ruled Kashmir through his Governors. Moti Ram, the first Governor, put a ban on the killing of cows, and sentenced many people to death who were found guilty of this practice. Jama Masjid was also closed and the Muslims were forbidden to say aza'n or the call to prayer. Several mosques, like Pather Masjid, were declared as the property of the State. The next Governor-Sardar Hari Singh Nalwa deprived a number of Muslim families and individuals of the jagirs and hereditary allowances, they had been holding from the time of the Mughals. He introduced a new rupee of base coinage in Kashmir, known as Hari Singhi rupee. Throughout the second half the nineteenth century Hari Singhi rupee continued to be in circulation.

There was increasing competition for power and the gap started increasing not only between Hindus and Muslims but also within the Hindu community as is evident from the quote below:

Thus, when the maharaja Pratap Singh began to shower favours on the Punjabis, the Pandits raised the issue of
mulki and non-mulki. The Pandit agitation started over this question resulted in the appointment of the state subjects definition committee soon after the accession of maharaja Hari Singh in 1925. The Pandits succeeded in showing exit to the Punjabis in the state service and thereby continued their monopoly of the services. The Pandits were the pampered subjects of the dogra rulers and therefore they formed the main prop of the government. The emergence of an extensive class of the Pandit landed aristocracy after 1846 contributed a great deal to the miseries of the bulk of peasant's who were almost hundred percent Muslims. It is no surprise, therefore, that when in the 1930s the peasants and other working people of the Muslim population of kashmir rose in rebellion against some extreme forms of exploitation and oppression, they were dubbed as communalists by the pandits. Nothing indeed is more central to kashmir’s contemporary history than the upsurge of the formerly long – subordinated kashmiri culture of the mass of the population against the age –long domination of the brahmans. The consequences were immediately apparent the emerging problems of regional identity and culture personality in the thirties and the subsequent politicization of the question offer interesting insights into the dynamics of the Muslim politics of Kashmir (Khan, 1982: 3-5).

It was during this period that the differences between the Pandits and the Muslims became pronounced and it snowballed into events which too place after 1947.

The Sikh regime was like that of the Afghan Government autocratic in its
nature. Both the Afghans and the Sikhs were conquerors who owed their authority purely to their military strength and were interested only in reaping the fruits of their conquest. They did take any interest in settling the administration of the conquered provinces as the Mughal rulers before them had done. Under the Sikhs, in particular, the condition of the people worsened. They looked down upon the Kashmiris and if one was killed by a Sikh, the compensation allowed to his family was four rupees if a Hindu and two if a Muslim. Thus a Sikh soldier was given a free hand to kill the local people. The ancient practice of forced labour (begar) was continued by the Sikhs to such an extent that even an ordinary soldier could command the Kashmiri to do any work for him. Moorcroft and Hugel have given a horrid account of how the local people were forced to do unpaid labour for the Sikh. Moorcroft says that some of the Kashmiris accompanying him were seized by the Sikh soldiers to act as unpaid porters. They were tied together by a cord fastening their arms and driven along the road, and at night, their legs were bound with ropes so as to prevent their escape.

The death of Ranjit Singh in 1839 was followed by the death of his two legitimate successors, Kharrak Singh and Naonihal Singh. This brought rival claimants to the throne. A compromise was agreed upon by which Sher Singh, the son of Ranjit Singh, became the ruler. Meanwhile Gulab Singh had become a strong force and the Sikhs supported him to fight the British. This was followed by the battle of Sobraon in February 1846 in which the Sikhs were defeated. Gulab Singh who was keen to reach a settlement with the British started negotiations with them. In the treaty that followed, the British recognized a Sikh Government at Lahore and certain Sikh territory together with an indemnity of crore and a half of rupees (fifteen million rupees) was ceded to the British. A week later the British made a separate treaty with Gulab Singh at Amritsar by which
the hilly or mountainous country east of the River Indus and west of the River Ravi was transferred to him and his heirs, and in consideration of the transfer, Gulab Singh paid to the British a sum of seventy-five lakhs of rupees.

This event of the sale of Kashmir has been condemned by both the Pandits and Muslims alike. The latter feel that the Pandits benefited the most from the Dogra rule. The rise of the Pandits in political and bureaucratic circles was the main cause of dissent. We shall look at this in greater detail in the following paragraphs.

**DOGRA RULE:**

Thus Gulab Singh became the master of Kashmir, in addition to Jammu and the other territories which he already, possessed. The treaty of Amritsar did not definitely fix the boundaries of the newly created territory. However, the limits of the Jammu and Kashmir State were fixed by a boundary commission and later by re-arrangements and transfers. It was on 9th November, 1846 that Gulab Singh entered Srinagar as its ruler. This was not welcomed by the Muslims as is evident in the following quote by Ishaq Khan:

"The Pandits extended a warm welcome to the Dogras when they spread their tentacles in Kashmir after the ousting the Sikhs from power in 1846. During the Dogra rule the Kashmiri Pandits acted as prime ministers, governors, secretaries most of the 90% of the posts in the revenue, educational and other departments of the state were monopolized by the Kashmiri Pandits. They were so well entrenched in the administration that the Dogra rulers found it impossible to displace them." (Ishaq Khan, 1982: 4)
Some of the problems which the Kashmiris faced during the Dogra rule were that rice production was under a state monopoly was sold to the people of Srinagar at fixed price. The high price of rice and the corrupt practices of the officials added to the sufferings of the people. The Muslims, who formed over 90% of the population of Kashmir, had to pay a tax for the Dharmarth, a Hindu religious trust, established by the Maharaja. The Muslim scholars have only negative things to write about the Dogra rule and the policy of the Pandits during this phase.

There can be no denying that during the last five decades or more the Pandit leadership has always been in the look out for an opportunity to strike a blow against the centuries old secular traditions of Kashmir. Thus, as early as the beginning of political awakening in Kashmir the Pandits not only drew closer to the policies and ideals of the mahasabha but they even sought the support of other Hindu communal organizations of northern India from time to time. The radical land reforms introduced by the national conference government in 1950 were interpreted in communal terms by the Pandits and their supporters in Jammu and New Delhi. True that the politics of the pandits is the politics of certain vested interests. It has nevertheless stood in the way of the emergence of the Kashmiris as a monolithic political group. The Pandits phobia regarding their property, life and religion have only served to strengthen the revivalist and the separatist forces in the Kashmir politics. The Kashmir Pandits conception of themselves as a distinct political, religious and cultural group also seems to receive an added support from the historical literature produced by them in
the modern period.

Among the Sanskrit chronicles of the period like Jonaraja and Srivara, for example, one finds a good deal of concern for the preservation of the brahman’s identity against the onslaught of cultural forces which come in the wake of Islam in Kashmir. Did the Kashmiri Brahmans succeed in preserving their identity? Our answer to this question is a big yes. It is true that there is a remarkable affinity between Hindus and Muslims of Kashmir in their social life in some respects, yet, in many aspects of their cultural life there exists fundamental divergences between the two communities. In the domain of politics the Pandits have always acted as a closed group. This is why their political role has remained reactionary from the July uprising of 1931. So long as Muslims remained in back water the Pandits did not raise the Hindu Muslim question; but with the growing political consciousness among the Muslims of Kashmir, the Pandits felt a great challenge to their age-old supremacy. They feared that any change in the status-quo might bring about ‘Muslim rule’ in Kashmir. Consequently, the Pandits who formed the only middle-class intelligentsia of the Kashmir society, directed all their energies towards their class interests. (Khan, 1982: 6-8)

Thus the Hindu Dogra rule which till the 1930’s. Gulab Singh controlled Kashmir, Jammu, Ladakh and Baltistan. The British sold Kashmir to Gulab Singh for about 7,50,000. The British still had to settle the issue of the border of Kashmir especially the Tibet
border. The conflict of Indo-China border also arose around this time. In 1949 Kashmir could be divided into four political units:

- Ladakh and Jammu, Kashmir valley
- Azad Kashmir (POK)
- Northern area (Pakistan administered)
- Aksai Chin (China administered)

CONFLICT IN THE VALLEY

The Dogra rule was an anti-Muslim period. It was in 1916 that the Muslims made demands for better educational facilities. Petitions were placed before the viceroy during his visit in 1924 yet nothing was done. The last king was raja Hari Singh, the situation in Kashmir further deteriorated during this period. The Muslim population was largely illiterate with no proper means of livelihood. A representation was made before the raja but was of no avail. Muslims were excluded from civil services due to lack of education. With no change in sight the educated Muslims decided to do something. This group was led by Sheikh Abdullah who was a school teacher. In 1931, the movement intensified with Sheikh Abdullah organizing a public meeting. It was initially an all Muslim movement. The speeches by Abdullah and many others inspired the Muslim community to revolt against the maharaja.

Open Revolt: Down With Dogra Raj.

Jaffer, a Pakistani scholar writes about the condition of Muslims during the Dogra rule:

"Bought and sold like a commodity, the Muslims of Kashmir were deprived of all the pleasures of life and liberty under Dogra domination. In 1931 they rose in 'open protest against the Dogra Rule.' After a mass
meeting held on June 21, the same year, when their leader was arrested, they gathered outside the prison on July 31, the same year and were fired at with the result that 21 persons were killed and 100 wounded. Once the martyrs' blood had flowed in the streets of Srinagar, it is stated, 'the movement gathered momentum,' and the campaign for civic rights and liberities commenced and continued."(Jaffer,1966:21)

Quit Kashmir Movement.

In 1946 when the voice of 'Quit India' was raised by the Indians against the British in the Sub-Continent, Shaikh Muhammad Abdullah, the leader of the Kashmiris, organized a parallel movement called "Quit Kashmir" against the Dogra domination. The 'seditious speeches', alleged to have been made by him, contained such statements as: 'Revolt is the right of a slave.' - 'Down with Dogra Raj' - 'Quit-Kashmir.' - 'I ask for a plebiscite on this question.' - 'We 30 lac people of the country were sold along with our property etc. for 50 lacs of rupees. We have since been treated like cattle.' - 'The sale deed has destroyed us.' - etc. The following extracts from the historic defence statement made by him in the Court of Sessions' Judge, Srinagar, speaks volumes for his heroic and historic stand:

"The Fundamental rights of men and women to live and act as free human beings, make laws and fashion their political, social and economic fabric so that they may advance the cause of human freedom and progress, are inherent and cannot be denied though they may be suppressed for a while. I hold that sovereignty resides in the people, and all relationships - political, social and economic - derive authority from the collective will of the people." (Rahman, 1996:22-23)

The Maharaja, in turn, used brute force to suppress the movement. Finally a committee was set up by the British to resolve
the situation. The Muslim committee also realized that not all Hindus supported the maharaja. In fact the Glancy commission was headed by a Pandit Prem Nath Bazaz. Abdullah and Bazaz worked together against the Maharaja for a decade till they became opponents. The committee report suggested that the Maharaja should grant freedom of speech and association and create a legislative assembly with “42 nominated, 35 elected members, 21- Muslims, 10-Hindus, 2- Sikhs” (Rahman, 1996: 141). Following this a new party “All Jammu and Kashmir Muslim Conference” was formed.

It was soon realized that the Maharaja was not going to really implement the changes recommended by the commission. According to Blinkenberg, Abdullah realized that for any concrete action to take place Muslims and non-Muslims have to come together under a single banner. The Muslim Conference passed a resolution that the organization was open to all irrespective of caste, creed or religion (Blinkenberg, 2000:59). Thus on June 11, 1939, Muslim Conference came to be known as the National Conference. We must remember that all this was happening simultaneously with the larger freedom struggle. Abdullah and Nehru became great friends and the former was influenced by the latter’s socialist ideas. The reason Abdullah’s secularism was that “he had nothing to fear from Hindus (he was living in a Muslim majority area) and on the other hand he wanted to secure the Hindu population of about 25%.” (ibid, told to Blinkenberg in an interview).

All this obviously meant that the Maharaja had to do something to assert his authority. When his repressive methods did not work he had to bring in political changes. The number of elected representatives was increased to 40. This did not mean that everybody
in Kashmir was happy with this turn towards secularism. In fact when Nehru, Maulana Abul Kalam Azad, Khan Abdul Gaffer Khan, Indira Gandhi visited the valley they were met with angry demonstrations against congress and secularism. Ghulam Abbas revived the Muslim conference in 1941. Meanwhile Jinnah was espousing the cause of Pakistan and was trying to bring all the Muslims together. The National Conference did not want to get identified with either the Congress or the Muslim League, instead was hoping that both the parties would support them in their struggle for freedom. Jinnah visited Kashmir in the hope of convincing the national conference to join the fight for Pakistan, but he was unsuccessful in his efforts.

Blinkenberg writes that (2000:61) In 1944 the national conference presented a program called New Kashmir. This stated that Kashmir should have a socialist form of government with the maharaja as the constitutional head. The program spoke of a secular, liberal Kashmir. In 1945 a conference was held which was attended by many congress leaders, this affirmed the National conference’s inclination towards the Congress.

Meanwhile the Indian political movement was gathering momentum. The British Cabinet Mission came to India to discuss the matter of independence of India. it was decided that the princely states would get only partial independence. Thus, Abdullah launched the Quit Kashmir movement. It was demanded that the Dogra dynasty leave Kashmir immediately as the sale of Kashmir to Gulab Singh was invalid. (Rahman, 1996:43). The maharaja got the main leaders arrested as the agitation spread. Nehru visited the state during this period and was also arrested. The Muslim Conference saw this support from Nehru (indirectly the Congress) as an attempt to
gain foothold in Kashmir. By 1946 the National Conference and the Muslim Conference had set out on two different paths.

Thomas summaries the causes which led to the Kashmir problem:

"The root causes of the Kashmir problem are to be found in events leading to the partition of British India and the opposing ideological perspectives of the All-India Muslim League (AIML) and the Indian National Congress (INC). The AIML stood for Muslim separatism and the creation of a Muslim homeland which was declared a theocratic state after its creation. The INC stood for Indian unity and the "secular basis of the new independent state. The leader of the AIML, Mohammed Ali Jinnah, demanded the partition of British India on the grounds that Hindus and Muslims constituted two separate nations. According to Jinnah, the beliefs and customs of Hindus and Muslims were incompatible as to make it difficult for them to coexist peacefully in a single state. In its strict interpretation, Jinnah's two-Nation theory" claimed that every Muslim in the subcontinent by virtue of being a Muslim, belonged to the nation of Pakistan and every Hindu, by virtue of being a Hindu, belonged to the nation of Hindustan. Moreover, Jinnah argued that in a united and democratic India, Hindus would vote mainly for Hindus, and Muslims for Muslims, thereby resulting in Hindus ruling the Muslims in a post-independent India. A "Hindu Raj" will have replaced the "British Raj."
Jinnah, therefore, demanded the creation of "Pakistan" (the "Land of the Pure"), an independent homeland for the Muslims of India. The main leader of the INC, Jawaharlal Nehru (who, significantly, was a Kashmiri Hindu Pandit), claimed that the people of the Indian subcontinent, despite a variety of religions, languages, castes and races, shared an overarching historical and cultural experience, and had common racial roots in the different regions, that made them all uniquely Indian. Where religion may separate them, language, race and culture also united them. Thus, Muslims from Punjab, Bengal, Sind, Assam, Gujarat and the United and Central Provinces had more in common with their Hindu counterparts than with each other's co-religionists across regional linguistic and cultural boundaries. Moreover, Hindu and Muslim elites had interacted with each other for centuries, especially under British rule, setting the basis for a common social and political ruling culture. Nehru, therefore, resisted the creation of a separate state based on religion, and insisted on a united and secular India instead."

(Thomas, 1996:11-12)

The Maharaja announced elections in January 1947. This was the time when most of the political leaders were in jail and the weather was not very encouraging either. The Muslim Conference won most of the seats (16 out of 21). In 1947 a resolution was passed by the J&K Muslim conference which asserted that since Kashmir had a majority of Muslim population it was necessary to maintain links with Pakistan, due to common religious, cultural, economic considerations. The congress president, Acharya Kripalini tried to meet the maharaja to secure the release of Abdullah, but the
maharaja did not agree. Meanwhile the issue of the princely states after independence also came up. Mountbatten visited the maharaja in order to impress that the will of the people of the people had to be taken into account before accession to either Pakistan or India. Gandhi too visited Kashmir and reiterated that the question of Kashmir joining either of the states depended on the outcome of discussion held between maharaja, representatives of Kashmir and that of India and Pakistan.

Jaffer, a Pakistani scholar documenting the events during partition writes that:

On August 14, 1947 the Maharaja entered into and signed an agreement with Pakistan. According to its terms, Pakistan would assume with effect from August 15, 1947 'the responsibilities it now held as a part of British India and would continue to run the communications, postal and telegraph services. This gave the impression that the State of Jammu and Kashmir would accede to Pakistan. The Maharaja was temporizing his position and was bent upon 'the extermination of all Muslims in his State.' To quote Lord Birdwood: "In August (1947) an anti-Muslim movement within the State was initiated with all the appearance of a systematic persecution. . . . Before partition about 7,000 old muzzle-loader rifles from Ferozepore Arsenal were unearthed and made serviceable. "These with the gun-powder made in Jammu, were stored in the ancient forts around the city. They were subsequently distributed exclusively to the Hindu population in the Jammu Province." The effect of such measures, according to him, was 'such as to place Muslims at the mercy of the Hindu population.' When the Muslims celebrated the Pakistan Day on the 15th August the trouble
Kashmir was not the only issue at this time. The larger issue of partition of the country was looming large. Punjab especially was going through a period of crisis as it was being divided into two parts. Some of the major shrines were going to Pakistan which enraged the Sikhs. Thus communal killings began and the refugees going towards Pakistan were attacked. Mountbatten’s initial plans had been to give power to the provinces or group of provinces which had been denounced by Nehru and Menon. It was Menon who drew up another plan with the help of Sardar Patel. Menon spoke of transfer of power on the basis of dominion status to two India’s and to provinces. Initially the British cabinet did not accept the plan but after Mountbatten’s threat of resignation they did. Back in India a meeting of leaders - Nehru, Patel, Kripalini, Jinnah, Liaquat Ali, Abdur Rab Nishtar, Baldev Singh was called. The plan received approval from all quarters, though Gandhi was still against partition. Punjab and Bengal were divided into two parts on the basis of Muslim majority areas. The princely states could join either dominion which would be based on geographical considerations and mandate of people.

**Partition of the Subcontinent**

Cyril Radcliffe fixed the boundaries in about five weeks. The final boundaries were announced by Mountbatten on 17th August 1947. As a result many did not know whether they were in India or Pakistan. In fact, Gurdaspur which was a part of India hoisted the
Pakistan flag and with the announced of boundaries confusion reigned. The importance of Gurdaspur lay in the fact that it created a passage between India and Jammu and Kashmir which had implications on the situation in Kashmir.

Sardesai explains the procedure of partition and it's after effects on the two countries in question. He writes:

Under the Indian Independence Act of the British Parliament, the political map of the Indian subcontinent was redrawn in 1947. It provided, firstly, for the partition of British India into the two dominions of India and Pakistan; and secondly, for the lapse of the doctrine of “paramountry” which had governed the relations between the British crown and the Indian princely states since 1858.

The partition of British India involved the creation of the new state of Pakistan out of the Muslim-majority provinces, and the division of the provinces of Bengal and the Punjab between the two dominions in accordance with the recommendations of two Boundary Commissions, both under the chairmanship of Sir Cyril Radcliffe. It may be noted that geographical contiguity of Muslim-majority areas was not necessarily the rationale for inclusion in Pakistan, witness, East Bengal separated from the large territorial part of Pakistan by a thousand miles of Indian Territory.

Contrary to misconceptions, the partition of the subcontinent was not based on an all-around acceptance of the "Two-Nation theory" which propounded the creation of two states, one Hindu and one Muslim, on the supposition that neither
Srinagar
PAKISTAN
Jammu
and
Kashmir
INDIA
Admin. by
Aksai Chin
Shaksam Valley
Azad Kashmir
Northern Areas
Siachen Glacier
Jammu & Kashmir
Claimed by
China
India
Pakistan
India
India
India
Pakistan
India
Pakistan
India
community could hope to get justice in a state dominated by the other. The Indian National Congress, the majority political party of the dominion of India to whom power was transferred in 1947, did not accept the theory; the All-India Muslim League which over 500 states, covering 40 percent of the subcontinent's area with a population of 90 million, was left outside the scope of such parleys. The British Cabinet Mission's memorandum of May 12, 1946, assured the Princes that Britain could not and would not, under any circumstances, transfer paramountcy to a successor government. Arguing that after the transfer of power it would be impossible for Britain to station troops on the subcontinent in order to fulfill its obligations of paramountcy, the memorandum stated: "This means that the rights of the States which flow from their relationship to the Crown will no longer exist and that all the right surrendered by the states to the Paramount Power will return to the States.

The Indian National Congress did not challenge the legal aspects of the Cabinet Mission's Memo of May 12th. It, however, emphasized that a Ruler's exercise of the right of accession should conform to the wishes of the people of the state concerned. It may be noted here, that neither the Indian Independence Act of 1947, nor any of the acts of the Indian Constituent Assembly, or any of the provisions of the Indian Constitution, or any of the acts of the Indian Parliament, made any of the Instrument of Accession signed by the Rulers of Princely states subject to a plebiscite or any other vote in the form of ratification of the accession. In fact, both India and Pakistan accepted the accession of over 500 Princely States without a plebiscite or a ratificatory vote. A Ruler's
signature on the Instrument of Accession completed the legal part of the accession of the state concerned.

Thus, Britain made it clear to the Princes that since the Rulers had signed the original treaties with the Paramount Power, the Rulers were now legally empowered to use any of the three options, namely, to accede to India, or to Pakistan, or to remain independent. Such a position was totally acceptable to Mohammed Ali Jinnah. His statement of June 17, 1947, which would contradict Pakistan's later reaction to the Kashmir Ruler's accession to India, is worth noting at some length:

Constitutionally and legally, the Indian States will be independent sovereign States on the termination of paramountcy and they will be free to decide for themselves and to adopt any course they like; it is open to them to join the Hindustan Constituent Assembly or the Pakistan Constituent Assembly, or to decide to remain independent. In the last case, they enter into such agreement or relationship with Hindustan or Pakistan as they may choose. The policy of the All-India Muslim League has been dear from the very beginning; we do not wish to interfere with the internal affairs of any States, for that is a matter primarily to be resolved between the rulers and the peoples of the States. (Sardesai, 1992:80-82)

THE STATUS OF KASHMIR

In this situation, the scenario in Kashmir will now be discussed. The maharaja of Kashmir was keenly observing the chaos in Punjab.
Many refugees had also entered Kashmir at this point of time. We must remember that most of the important and prominent leaders were in jail and many had gone to Pakistan. The Muslims in Kashmir celebrated Pakistan day and hoisted the flag. By the time of partition and independence the issue of 564 princely states. Three states were undecided - Junagadh, Hyderabad, J&K. Junagadh and Hyderabad had Muslim rulers but had a majority of non-Muslim population. The situation was the reverse in J&K. Here we will discuss the details of the accession of Jammu and Kashmir. Both India and Pakistan leaders were trying to convince the maharaja to join their respective states. Pakistan put an economic blockade on Kashmir to further pressurize the maharaja. Mountbatten asked the maharaja to make up his mind as the delay was making the situation volatile. Nehru believed that Kashmir should accede to India and release Abdullah. At the same time, the villages near Jammu faced armed raiders from Pakistan. Abdullah who was released from jail in October, 1947 asserted that the future of Kashmir as a state would depend on the mandate of the people.

What was India’s stand on Kashmir? What was happening on the Indian front regarding Kashmir? Mehr Chand Mahajan was made the prime minister of Kashmir. He had close contacts with Patel, Nehru, Gandhi, Mountbatten and obviously felt that Kashmir should accede to India. Some of the reasons for India’s desire for Kashmir were - the legacy of the Kashmiri Pandits and the many religious places in Kashmir which were of significance for Hindus. The maharaja himself had leanings towards India. Tribesmen from Pakistan started a full-fledged invasion. This news reached Indian circles and Mountbatten insisted that before any military assistance is given to the maharaja the issue of accession had to be resolved. After discussions and consultations it was decided that the maharaja
would accede to India and would get Indian assistance in return. Mountbatten suggested that after law and order was established a plebiscite would be held to decide Kashmir's future. The letter given by the maharaja to this effect was not seen as "the letter" of accession. This formed the basis of the Indo-Pak conflict. Pakistan is the of the view that the instrument of accession signed by the governor-general on October 27, 1947 was based on fraud and violence. (Blinkenberg, 80, 2000). The agreement was seen as a political declaration. Jinnah wanted to retaliate to India's military help by sending troops to support the raiders. Mountbatten tried to settle the issue peacefully by suggesting that plebiscite should be held under the gaze of the United Nations (U.N), but Jinnah did not agree to this.

The two countries publicly accused each other and blamed the other for the situation in Kashmir. The Junagadh episode further strained the relationship. Pakistan wanted the matter to be referred to the U.N which India refused. Then Mountbatten a month later asked that the issue to be taken to the security council. As Pakistan's help to the raiders continued, India sought the help of U.N.

"The Kashmir situation was referred by India to the United Nations in January, 1948. For the next sixteen years, it remained in the words of Michael Brecher, "the subject of exhaustive deliberation, investigation, and mediation by the United nations." It has persisted as a live issue despite the three wars between India and Pakistan who's Prime Ministers agreed under the Shimla Agreement (see appendix) of 1972-to resolve all outstanding disputes on a bilateral basis thereby ending a role in Kashmir for external powers and agencies including the United Nations." (Desai, 1992:81)
Nehru was hoping for a repeat of the Northwestern Frontier Province episode in Kashmir. He was dependent on Sheikh Abdullah and consequently National Conference for ensuring a plebiscite in favour of India. Abdullah was a secular nationalist, but the resurgence of communalism both in India and in Jammu itself undermined his confidence about the future of Kashmir within India. Nehru it is said offered plebiscite to the Prime Minister of Pakistan in 1953, despite opposition from his colleagues back home:

Sardesai sums the situation as viewed by both Pakistan and India and the role of the U.N in this dispute:

But by now the Kashmir dispute had become enmeshed in the struggle for power in Pakistan. Ayub Khan who had been conspiring to oust the civilian government saw an alliance with the US as essential to strengthen the armed forces. But since a pro-Western alliance was extremely unpopular, it was presented to the public as a measure designed to strengthen Pakistan against India. Nehru, who had repeatedly warned Pakistan, withdrew his offer of a plebiscite since Pakistan's alliance with the USA.

A long diplomatic battle then ensued in the U.N. with Pakistan's of rejoinder completely denying any role in the tribal invasion of Kashmir. Pakistan charged India with obtaining the accession of the State of Jammu and Kashmir "by fraud and violence." It further alleged that large scale looting and attacks on the Muslims of Jammu and Kashmir State have been perpetrated by the armed forces of the Maharaja of Jammu and Kashmir and the Indian union and by the non-Muslim subjects of the Maharaja and of the Indian Unions.
The Pakistan Government, therefore, requested the Security Council "to appoint a Commission or Commissions," "to arrange for the cessation of fighting in the State of Jammu and Kashmir: the withdrawal of all outsiders whether belonging to Pakistan or of the Indian Union including members of the armed forces of the Indian Union,...and thereafter to hold a plebiscite of the people of Jammu and Kashmir State as to whether the State shall accede to Pakistan or India Pakistan gave her own version of the events: "It is not surprising if independent tribesmen and persons from Pakistan, in particular, the Muslim refugees (who it must be remembered are nationals of the Indian Union) from East Punjab are taking part in the struggle for the liberation of Kashmir as part of the forces of the Azad Kashmir government." Thus, Pakistan introduced a new party into the dispute namely, the "Azad Kashmir" Government, which was being established in the territory occupied by the invaders. Officially, Pakistan disclaimed any part in the invasion, or in training or arming of the invaders. This contradicts an account of a meeting between Mountbatten and Jinnah immediately after the invasion began. According to the account, Jinnah told Mountbatten, the first Governor-General of independent India, that "both sides should withdraw at once and simultaneously." When Mountbatten asked him to explain how the tribesmen could be induced to remove themselves, his reply was: "If you do this, I will call the whole thing off."

The Security Council appointed the United Nations Commission India and Pakistan [UNCIP], which collected considerable testimony and passed numerous resolutions of
which three are important to the understanding of the Kashmir impasse; those on January 17, 1948, August 13, 1948, and January 5, 1949. The first of these asking both the parties to refrain from the use of force and to "inform the council immediately of any material change in the situation, was based on Pakistan's genial that any to its troops were in Kashmir. However, before the actual resolution of August 13 was passed, the UNCIP received a surprisingly contradictory testimony from the Foreign Minister of Pakistan, Sir Zafrullah Khan. According to the U.N. records Sir Zafrullah Khan told the UNCIP in the course of an interview on July 7, 1948, that 'The Pakistan Army had at the time three brigades of regular troops in Kashmir and that troops had been sent into the State during the first half of May.' A member of the UNCIP, Josef Korbel, describes such a flagrant, contradictory admission by Pakistan's Foreign Minister as a "bombshell" because it completely vitiated the basis of the UNCIP's thinking up to that point in time. After Sir Zafrullah's interview, a confounded UNCIP noted:

The situation that confronted the Commission upon its arrival was different from that which had been envisaged by the Security Council during the deliberations which preceded the formulation of the resolutions, in as much regular Pakistani troops were within the frontiers of the state of Jammu and Kashmir participating in the fighting. The UNCIP's August 13 Resolution therefore, made any further action conditional on Pakistan's complete withdrawal of its regular troops as well as the invader tribesmen. (Sardesai, 1996: 85-87)
India feels that the despite the presence of representatives like McNaughton, Dixon, Graham due to disagreement on both sides on:

- The procedure to be adopted for the plebiscite
- Extent of demilitarization of the state for holding the plebiscite
- Degree of government control needed for holding the plebiscite

Pakistan refused to remove its troops and since the plebiscite was conditional on such compliance, it has not been possible for the Nations to move any further in the matter. The legal aspects of the accession of a princely state to either dominion, India or Pakistan, were not subject to a plebiscite or a referendum under the provisions of the Indian Independence Act, 1947. The Indian Government held that its offer to ascertain the wishes of the people of Jammu and Kashmir on that question was an extra-legal offer, which could not be held valid for all times and under all situations. It was made to the people of Kashmir, not to the Government of Pakistan.

**The Pakistani view on the issue of Kashmir**

It is important to see the view of Pakistan on the issue of Kashmir. In the following pages we shall discuss the Pakistani view on accession of Kashmir, the Indian stand and actions.

The Hindus had hastened to the United Nations on appeal against Pakistan on account of alleged 'intervention.' A United Nations Commission for India and Pakistan (UNCIP) was constituted and after an on-the-spot investigation the Security Council adopted two resolutions on August 31, 1948 and January 5, 1949, according to which: (1) 'ceasefire' was to be ordered immediately in Kashmir by both India and Pakistan' and (2) both the countries were
required to 'withdraw their forces' in order to ensure for a free and impartial plebiscite under the auspices of the United Nations to decide the question of Kashmir's accession to Pakistan or India.' Both the countries accepted the resolutions 'but India with mental reservations.' after the ceasefire Pakistan withdrew its forces from Kashmir, but India did not, despite Nehru's assurance to the Prime Minister of Pakistan, the people of Kashmir and the world at large in his letter dated October 31, 1948 and the acceptance of the two resolutions 1) regarding ceasefire and (2) about withdrawal of forces. (Daily Tribune (Amabala), 22.10.65 quoted by Pakistan Times).

M.A. Aziz a scholar from Pakistan in his book "Struggle for the Liberation of Kashmir" writes on the same issue in a similar vein:

How Indian States under Muslim rulers were forcibly occupied by Indian forces and how the issues are still awaiting decision. Of all the States forcibly occupied by India, only that of Jammu and Kashmir has held out and held out most heroically because its population, preponderantly Muslim, has had an extremely bitter experience of the Ram Raj, first under the Dogras and Sikhs and then under the Congress. In this chapter the tale of terror and treachery, aggression and intransigence continues and culminates in the memorable 17-days armed conflict between the two neighbouring States on the issue of Kashmir, which is synonymous with the right of self-determination. The passage of time has failed to heal the wounds inflicted by India on the innocent people. On the other hand, it has aggravated the situation and added immensely to the intensity of the fight for
freedom and exposed India's unrestrained aggression and unparalleled intransigence.

Against the aggressive policy of India toward Kashmir and the arrest of Sheikh Muhammad Abdullah and his colleague on August 9, 1953 there was a strong wave of popular resentment and uproar, in the course of which a large number of people were arrested, 'over 1,500 Kashmiris were killed' and 'thousands were wounded and imprisoned.' The struggle for plebiscite continued. Sheikh Abdullah was released, but there was no change in his attitude: He was emphatically insistent on plebiscite.

A hand-picked Constituent Assembly, contrived by the congress, drew up a constitution for Kashmir with the clause: "Kashmir is and shall be an integral part of the Union of India." The 26th of June, 1957 was fixed for the formal accession of the State of Jammu and Kashmir to Bharat, but the timely intervention of the Security Council and the directive for the maintenance of status quo till the disposal of the dispute by means of a free and fair plebiscite put an end to the plan. Referring to the 'iron curtain over the Valley the 'tales of misery of Kashmir and 'the seething sea of its resentment against the Brahmin's imperialism in 1963, Aziz anticipated the 'armed conflict' in these words: "With passage of time, the temper of the aggressor is growing fiercer and aimed conflict now appeal as the only alternative which can relieve Kashmir from the crushing grasp of the Brahmin (Aziz, 1965: 7-8)

Open Revolt.
Two important events in 1958 and 1963 caused uproar against Indian authorities in Kashmir, one was the arrest and the second was the theft of a sacred relic from Hazratbal shrine. On his release in 1965 Sheikh Abdullah in a meeting at Hazratbal said that:

'The intentions of the ruling party of India are not good and freedom cannot be achieved by imploring anybody and thus in view of India's present attitude you will have to think of some other means.' But whichever course they adopt, it will be an honourable course. They will not be driven like cattle." (Jaffer, 1966: 80)

Professor Mir Abdul Aziz spokesman of the Jammu and Kashmir Revolutionary Council has voiced the feelings of Pakistanis:

India has applied the term 'infiltrators' to the freedom-fighters from Occupied Kashmir, Azad Kashmir and frontiers of Pakistan and condemned them as criminals. There can be no more malicious and mischievous misrepresentation of facts than this. Occupied Kashmir and Azad Kashmir, forming the combined State of Jammu and Kashmir, are one unit and the Kashmiris are one People, speaking the same language, subscribing to the same faith and leading the same way of life. Those joining the Jihad or liberation movement from the Frontiers of Pakistan are refugees from Kashmir pulled out and pushed into Pakistan by Indian forces. They are the sons of the soil, divided by the ceasefire line, which is a temporary stop-gap arrangement, Occupied Kashmir and Azad Kashmir will have to be united in the interest of peace in Asia and in the whole world. They are rightly regarded as one unit by the Security Council and as
'disputed territory' by the rest of the world. The Kashmiris have a recognized right to fight for the right of self-determination. They are fighting for their right. Delay and denial on the part of India will aggravate the offence she has perpetrated. She has created a record of outrages against humanity. Legally, morally and humanly she stands guilty as a criminal. She cannot sit in judgment in a case against herself. She has followed Kautilyan logic in blaming others before she is blamed for the offence she has committed. She believes in offensive as the best part of defense. (selected reports from Urdu media)

**First Indo-Pak Encounter at Lahore – 1965**

One of the events that need to be discussed is the Indo-Pak war that took place in 1965. The Pakistani position can be made clear from the following a speech of the president of Pakistan Ayub Khan on radio on eve of war:

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My dear countrymen: Assalamo alaikum!
The hour of trial for a hundred million people of Pakistan has struck. The Indian army attacked Pakistan territory in the early hours this morning on the Lahore front. In a cowardly fashion they also struck from the air a stationary passenger train in Wazirabad. This is a grim sequel to the chain of willful acts of aggression which the Indian rulers have been committing for the last five months. It started with their violation of the cease-fire line in May when they occupied three posts on our side in Kargil sector. At the intervention of the United Nations the Indians temporarily vacated these posts and then re-occupied them in August. ....it was clear that the restraint which we had exercised in the face of all
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these provocations was misunderstood by the Indians. To contain the Indian aggression the Azad Kashmir forces were obliged to move in the Bhimber sector. The Indians recklessly swung their air force into action thus precipitating a grave crisis. By then it had become clear to the whole world that Indian aggression in Kashmir was only a preparation for an attack on Pakistan.

Today they have given final proof of this and the evil intentions which India has always harboured against Pakistan since its inception. The Indian rulers were never reconciled to the establishment of an independent Pakistan where Muslims could build a homeland of their own. All their military preparations during the last 18 years have been directed against us. They exploited the Chinese bogey to secure massive arms assistance from some of our friends in the West who never understood the mind of the Indian rulers and permitted themselves to be taken in by India's profession that once they were fully armed they will fight the Chinese. We always knew that these arms will be raised against us. Time has proved this so.

Now that the Indian rulers, with their customary cowardice and hypocrisy, have ordered their armies to march into the sacred territory of Pakistan, without a formal declaration of war, the time has come for us to give them a crushing reply which will put an end to India's adventure in imperialism.

The brave people of Lahore have been chosen as the first to confront the enemy. They will remain in history as the people who delivered the last blow to destroy the enemy. The 100 million people of Pakistan whose hearts beat with the sound of
"La Elaha IUallah Mohammadur Rasullul-lah" will not rest till India's guns are silenced for ever. The Indian rulers do not yet realise what people they have taken on. Dedicated to their faith and convinced of the justice of their cause, they will fight as one man in the name of God whose promise to mankind is that right shall triumph......

The Government of Pakistan is fully prepared and all its resources will be employed to deal with the situation. In our struggle against the aggressor we will no doubt have the sympathy and support of all those who believe in peace and freedom. We are invoking the United Nations Charter to exercise our inherent right of individual and collective self defense recognized in Chapter VII of the Charter.

My dear countrymen: in this hour of trial you have to remain absolutely calm. You must know that each one of you has to perform a supreme duty which demands complete dedication and devotion, god in his infinite mercy will grant you success as he has always granted success to those who are engaged in a just cause. Be prepared to strike hard, for the evil which has raised its head against your borders is doomed to destruction. Go forward and meet the enemy. God is with you. Pakistan zindabad.(Aziz, 1965:15)

Pakistan is seen as the aggressor by the Indian authorities. It is said that the communal tension which spread due the theft of the stolen relic from the Hazratbal shrine in 1963 made Pakistan take advantage of the situation. They felt the time was ripe to attack India in guise of sympathy for the Kashmiris. Thus the "Operation Gibraltar" was launched. Mujahahiddins and commandos were sent across the border
but the result was different from what was expected. The Kashmiris handed over the Pakistani mujahahiddins to Indian authorities. Another blow to Pakistani plan was India's move on crossing the international border which was totally unexpected. The war which began on September 5th, ground to a halt 12 days later as the USA placed an embargo on arms to the subcontinent. (Aziz, 1965: 2-3) The result of the war was the Tashkent declaration bought about by the Soviet Prime Minister Alexei Kosygin. The main points of the Tashkent declaration (10th January, 1966) were:

- The political leaders of India and Pakistan were to restore normal and peaceful relations and create good neighborly relations.
- Disputes were to be settled by peaceful means.
- Armed troops were to be withdrawn and attempts will made to restore economic, cultural and trade relations.
- Prisoners of war were to be returned.

As usual, there are two schools of thought on the Tashkent Declaration - one in favour and the other against. There are those who have hailed the Declaration as a symbol of peace and goodwill between India and Pakistan and there are those who declare that the Tashkent talks had ended in a deadlock and the Declaration was designed to serve as a cloak to cover the failure.

M.A Aziz, writes that this agreement was not welcomed in either of the countries. While in Pakistan it meant a dispute between the president and the foreign minister (Bhutto), Shastri died soon after signing the declaration and so his move could not be criticized in India. But the countries all over the world praised the declaration. The repercussions in
Pakistan were more severe as the people and the political leaders were totally against the declaration and the latter incited unrest in the country.

The economic consequences of the war were disastrous for both countries. Defense expenditures in both the countries soared higher than ever before. The GNP dropped by 52 per cent in 1965-66, rising by a modest 1.1 percent in 1966-67. The poor economic growth was compounded by the droughts of 1965-66 and the massive increase in expenditure to replenish the loss of weapons and aircraft. For Pakistan the economic crisis was far more damaging. The suspension of U.S. economic and military assistance hurt Pakistan's growth rate and enormously increased the burden on foreign exchange resources to purchase arms. (Aziz, 1965:78)

"The long-term consequences for Pakistan were even more disastrous. The 1971 Indo-Pakistan War and the loss of Bangladesh was a direct consequence of the 1965 war. During the 1965 War, East Pakistan was virtually defenseless and lay at the mercy of India. But India, in what proved to be a most adroit move, left East Pakistan alone, thereby driving home the point that the conflict was with West Pakistan and its military leaders and, by implication, that the Bengalis had nothing to fear from India." (Aziz, 1965: 79)

**THE 1971 WAR**

Another defeat for Pakistan was in 1971 as a result of which it lost out on East Pakistan. The war ended with the surrender of the Pakistani army in December 1971 following which the Shimla Agreement was signed by the Indian Prime Minister Mrs. Indira Gandhi and the Pakistani President Zulfikar Bhutto, 2nd July 1972. The Shimla Agreement (see appendix for details) contained many of the features of
the Tashkent Declaration in respect to maintaining cordial relationship, no warfare and settling of disputes through peaceful means. The two countries agreed that:

- The troops of both the countries would withdraw and the international border would be maintained.
- The line of control was recognized as the line beyond which the two parties were not to move.

The treaty has been the basis of all subsequent bilateral talks between India and Pakistan, though it has not prevented the relationship between the two countries from deteriorating to the point of armed conflict (most recently in the Kargil War). Bhutto recognized that Kashmir was a lost cause but could not accept Indira Gandhi’s suggestion that the cease-fire line (CFL) be converted into a line of actual control (LAC). Bhutto advocated leaving Kashmir as it was with a soft border along the CFL to allow the Kashmiris free access to the whole of Kashmir. Bhutto probably envisaged that a united Kashmir which would be autonomous and on friendly terms with both the countries would emerge in a few years. Sheikh Abdullah’s ban on entry to Kashmir was revoked in 1972 and he was again elected the leader. He negotiated a new financial and political status for Kashmir with New Delhi.

**RISE OF TERRORISM and THE PANDITS - 1988**

There wasn’t any change on the Kashmir front except for a change in government in 1985. However, by 1988 terrorism reached its peak in Kashmir. As per Colonel Nanda of India (80:1999) the terrorists who had been trained in Azad Kashmir had been slowly crossing the border for years and by now a large number and managed to infiltrate into the state. A large number of local Muslims also supported the extremists and
boycotted the elections in 1989. The main group indulging in such activities was the Hizb-ul-Mujahideen. Needless to say the law and order situation had deteriorated in the state and there was a rebellion of sorts by the people against the State machinery. Another very important development taking place around this time was the campaign against the Kashmiri Pandits. The Kashmiri Pandits are a religious and numerical minority in the state of Kashmir. Zia-ul-Haq's aggressive policy on Kashmir meant the Hindu minority community had to bear the brunt. The Pandits were seen as sympathizers of the Indian government and thus obviously against the jehadi movement on Kashmir. Posters were put up in mosques and other public places denouncing the Pandit. The Pandits had strong presence in the bureaucracy and judiciary, which was resented by the Muslims who were now rebelling against the state machinery. A declaration was made that the Pandits had to change their religion or face the consequences. This was not taken very seriously by the Pandits who believed that the state would protect them and put an end to this problem. But on the contrary as the number of militant outfits increased so did the atrocities. Hindu temples were attacked and destroyed and this was then extended to the homes of the Pandits. They were threatened with dire consequences if they did not listen to the militants.

According to Colonel Nanda,(1999) Zia-ul-Haq saw it an opportune moment to launch what he called the 'Operation Topac', to liberate Kashmir. The first step was to alienate the people of Kashmir from the Indian Government, put in their men in key government positions, attack the military forces and finally cut off communication between Jammu and Kashmir. This was to intensify over the months with concentrated attacks on army depots all over Kashmir. Further more Afghan mujahideens were to be trained and deployed in various parts of Kashmir. This meant that the nature of violence also changed with the militants having access to sophisticated weapons. Pakistan was
depending on the fact that a large section of the Indian troops would be deployed in Srilanka and in the Indo-China border.

Zia's death in 1988 did not stop the operations and the next President Benazir Bhutto continued them. The activities were not centered to Kashmir only; Muslims in Bihar, Uttar Pradesh, and Madhya Pradesh were incited in the name of religion. The number of militant outfits had also increased - the JKLF, Harkat-Ul-Ansar also gained prominence through their activities. The militants killed many civilians along with army personnel. It was in 1990 that the militants made it clear that they believed that Kashmir was only for the Muslims and the Pandits had no place in it. The loud speakers in the mosques proclaimed that anybody with pro-India feelings would no be tolerated and the obvious victims were the Pandits. The Pandits found themselves left in the lurch by the state and also by their Muslim friends and neighbours. Many Muslims who wanted to help could not do so out of fear and many joined in with the militants to give information about the various Pandit families. To induce fear the prominent Pandits were targeted and killed. Initially it was in offices and schools and then with nobody to control them the Pandits were killed on the streets. Women were kidnapped, raped and killed and many went missing. The brutality of the militants knew no bounds - men and women were butchered, crucified and body parts carved out. The Muslims who spoke out against this were also targeted. With no help insight the Pandits started moving out of the valley. Many moved out at night while many families left in batches so as not to attract attention. The government finally woke up to their plight and the homeless Pandits found themselves in refugee camps.

Soon the militants gained so much of control that they established a parallel government of their own. The All Party Hurriyat Conference was established in 1993 and included about 30 religious, political and
fundamentalist outfits. Its main demand was that the army should stop its operations to create a congenial atmosphere for talks. Of course this did not happen and the situation continued as before. The militants made sure that the civilians did not take part in the elections of 1996 and the anti-India feeling among the latter was on the rise.

**THE KARGIL WAR**

The Lahore Declaration (see appendix for details) was signed at Lahore on the 21st day of February 1999 by Prime Ministers A.B. Vajpayee and Nawaz Sharif but was of no consequence due to the outbreak of the Kargil war. The Kargil war was a setback for Indo-Pak relations.

The 1999 Kargil War took place between May 8, when Pakistani forces and Kashmiri militants were detected atop the Kargil ridges and July 14 when both sides had essentially ceased their military operations. It is believed that the planning for the operation, by Pakistan, may have occurred about as early as the autumn of 1998. However, elements in the Military of Pakistan covertly trained and sent troops and paramilitary forces, some allegedly in the guise of mujahideen, into the Indian territory. The aim was to sever the link between Kashmir and Ladakh, and cause Indian forces to withdraw from the Siachen Glacier, thus forcing India to negotiate a settlement of the broader Kashmir dispute. Pakistan also believed that any tension in the region would internationalise the Kashmir issue, helping it to secure a speedy resolution.

Pakistan blamed the fighting entirely on independent Kashmiri insurgents; however, documents left behind by casualties and later statements by Pakistan's Prime Minister and Chief of Army Staff showed
China

Pakistan

Occupied Kashmir

Pakistan

Jammu & Kashmir

Himachal Pradesh

Illegally Occupied by China

Kargil

Karakoram Pass

Skardu

Gilgit

Muzaffarabad

Jammu

Poonch

Amritsar

Hunza

Afghanistan
involvement of Pakistani paramilitary forces. The Indian Army, supported by the Indian Air Force, attacked the Pakistani positions and, with international diplomatic support, eventually forced a Pakistani withdrawal across the Line of Control (LoC).

The Time Magazine (1999: 53-63) showed clearly the soldiers fighting at Kargil were Pakistani soldiers and the Pakistani government after the war refused to acknowledge this. With the withdrawal of the troops the war came to an end and so did Nawaz Sharif’s regime. On October 12, 1999, General Musharraf staged a bloodless coup d'état, ousting Nawaz Sharif. The magazine further said:

The Indians will say that insurgency is entirely Kargil has proved their point. Yet reports in the Western press about the fervor of the Kashmiris and the in Azad Kashmir and the frustration of villagers in Indian occupied Kashmir give a different picture. Some analysts discard the comparisons with Kosovo because Kashmir is in Asia, not in Europe. Perhaps so. But there can be no diminution of attention when there is a problem in a newly nuclearised South Asia. When concerns about global peace and security combine with concerns about gross violations of human rights, they demand attention.

AFTER KARGIL:
We shall look at the after math of the Kargil war and its repercussion in very brief.

- Pakistan got exposed in the international arena as a sole sponsor of militancy in Kashmir.
- India on the other hand has not only scored a moral and
diplomatic victory over Pakistan on domestic as well as international front

- Kashmir has been internationalized, with favourable repercussions to India. The international community wants the LOC to be converted as the international border. Pakistan is against the idea and India has always been against foreign mediation.

A report in Daily Times (April 2, 2006), sums up the situation and policy in Kashmir, the perspectives of India, Pakistan and most importantly the Kashmiris themselves. In the entire debate about Kashmir, the people of Kashmir have been forgotten—be it the Muslims or the Hindus. The numbers of Hindus are negligible now and the Muslims are a target for both the militants and the Indian army.

India's Kashmir policy did not exhibit any consistency, coverage and commitment, expected of a mature political leadership. Nehru lost courage when he failed to clear up the Pakistan-backed invaders in 1947-48 for the sake of transient goals and ill-timed international commitments. The commitment of Nehru turned out to be a great liability and subsequently a misadventure of Indian diplomacy. India really fumbled in the UN not only on Kashmir's accession with India, but on the accession of other princely states like Junagad and Hyderabad. The commitment on plebiscite was even more disastrous and the promise of a 'reference' to the people was not kept beyond 1954 because of the 'altered conditions' and geo-political realities. Meanwhile, the second phase of India's betrayal started almost parallel to this. The promise of autonomy to sustain the political sanctity of the state did not
bear any fruit because of the internal tensions between New Delhi and Srinagar. Consequently, Article 370 of the Indian Constitution remained a dead letter after 1954, and whatever was offered to the people in the early phase was taken away without any consideration and political honesty. This was done through a series of constitutional amendments and presidential orders. Even though 'autonomy' became defunct in Kashmir, a belief was deliberately borne upon us that the problem of Kashmir emanated from this special privilege enjoyed by them. Even today many people attribute the cause of current militancy to the original 'sin' of granting autonomy to the people. Hence, the demand for abrogation of Article 370 without knowing, if not deliberately concealing, the fact that Article 370 has virtually become irrelevant since 1954.

This has been accompanied by a long spell of political manipulations carried on by the Indian National Congress (INC) and the National Conference (NC). Elections in J and K were a mere farce, and almost all general elections saw extensive rigging and institutional corruption. That way, both the INC and the NC were responsible for alienating the people from the mainstream. The situation worsened when the state was completely neglected by the centre and the economy was ruined by successive governments in Srinagar and New Delhi. Unemployment increased phenomenally, industrial backwardness reached its peak, and agriculture showed no significant improvement. The objective situation in J and K was such that the people lost all faith in the Indian state. Popular discontent began to surface for the first time in the late 1980s against this background of economic
backwardness, institutional corruption and people's alienation. The militant organisations who never had any mass backing in J and K found this to be a golden opportunity to make inroads into the society. Pakistan capitalised this situation and began to interpret this as a renewed case for self-determination and unleashed its sinister campaign.

The third phase of the Kashmir question started at this stage when India began deploying army and paramilitary forces in the state. The Indian military operation in Kashmir since 1989-90 amounted to widespread human rights violations marked by instances of repression and torture on an extensive scale. The encounters between the militants and the army took a heavy toll over the years and there were innumerable cases of arbitrary killings and torture by both the militants and the Indian army. Thousands of Pandits were also forced to flee the valley and attempts were made to communalise the society. The very identity of the Kashmiris has been deliberately divided between Hindus and Muslims who at no point in history ever displayed any religious sectarianism in their social living. The Kashmiri alienation certainly weakened India, but strengthened Pakistan's hands.

The fourth betrayal is by the Islamic militants who drew sustenance from various regional and international sources. A major blow on the secular fabric of Kashmiri society came when they officially championed the cause of their brand of Islam in Kashmir with Pakistan's connivance and imperialist support. Cross-border terrorism and militancy grew when popular discontent in the valley ran high. Islamic militants'
appropriation of the cause of the Kashmiris virtually alienated the latter, leading to further militarisation and repression by the Indian state. Thus the plight of Kashmiris became more pathetic over the years. Their secular credentials have been destroyed, and cultural roots and identity distorted with the frequent interferences and manipulation by India and Pakistan, on the one side, and imperialism and Islamic militancy, on the other. (Daily Times: 2006)

In this chapter we have looked at the Hindu-Muslim relationship in Kashmir through the ages. The wars and militancy has helped anybody and the people of Kashmir have been caught in the cross fire and are the worst sufferers. The Pandits have moved out of the valley and are in camps in various parts of the country. The following chapters will look at the condition of the Pandits in the camps and the changes their cultural and social life has undergone.