CHAPTER ONE

Introduction: Emergence, Growth and Consolidation of Contemporary struggle in Kashmir

The human rights position in Jammu & Kashmir is highly pathetic and threatening on three accounts. First there is circumstantial and situational violation of human rights especially in view of the charter of Human Rights of the United Nations. Secondly the people of J&K are not able to draw fuller benefits of civil and political human rights in views of the limitations of civilian administration, civil society, election system as well as historic and present day drawbacks of the nature of politics in the state. Thirdly gross and widespread a stationing of military and Para-military forces in J&K is inherently akin to recurring human rights violation during combing and door to door search operations. Fourthly military/terrorists in the name of JIHAD further commit unparallel atrocities on the people of Jammu & Kashmir. Mutually crudities also occur between attacks and retaliation among terrorists, military and Para-military forces. In such mutual exchange of cruelties between military forces and terrorists common people also become in advent prey to this gargantuan violence against humanity.

Why this overall situation in J&K in general and Kashmir in particular is so bad despite the installation and functioning of so called popular and democratically elected government and people’s representatives? Is there any background and history of this continued blood bath? Is it really possible to find a conceptual and theoretical proposition for the solution of
the current context of the human rights in Kashmir? Will it be possible to find and then apply any theory concept a policy for stream lining human rights scenario in J& K state?

These are some such questions in context that need immediate attention. It is indeed difficult to find any study that may answer all the above mentioned queries. These are difficult one’s however, all above mentioned perspectives are greatly significant in different ways, while answering these queries we will also has to look into international political points such as 1st world war; 2nd world war; Cold war; multi -polarity of power; uni -polarity of power; Two –nation theory; India’s partition; united states; Russia; china; terrorism; accession of Kashmir to India; human rights violation in Kashmir; state terrorism; counter terrorism; human rights profile in Kashmir and diversified peace initiatives anent Kashmir issue including varied types of international pressures.

The International order envisaged and enshrined after World War II collapsed with disintegration of Soviet Union. The United State emerged as a unipolar power and its hegemony left its impact on the world politics following the demonstration of its hi-tech power during gulf war. The old international order was bipolar in character, which introduced the balance of terror or deterrence in international politics. This two –tier international power structure led to the emergence of an independent Afro-Asian group of nations. Notwithstanding this , the western block-possessed the strategic edge, following the war, which it demonstrated in Vietnam, the Middle East, Latin America and Africa.
The organized resistance evolved by some third world countries against western dominance was dubbed as terrorism by them. When these countries like Libya, Iraq, Iran, Vietnam, Cuba and North Korea asserted their nationalism, the west responded by treating them as terrorists and urged other countries for not negotiating with them. When some 200 (two hundred) Americans Marians were killed by a lone Shia fighter at Beirut Airport, the Western Countries evolved the second doctrine of treating terrorism as a form of warfare.

When soviet block disintegrated under the burden of its own contradictions, the nation-states in both the developed and developing countries were confronted with the problem of ethnic resurgence like Irish sub-nationalism in U.K., the ethnic struggle between French-speaking and English-speaking in Canada and the ethnic cleansing in Bosnia-Herzegovina, the nation-state responded to the ethnic challenge by resorting to the coercive apparatus and this gave birth to the state terrorism.

State terrorism breeds counter terrorism and the latter is bad seed of the farmer. This has been the empirical reality across the diverse countries. Thus human rights issue is on the top of the world agenda.

The independence act envisaged that the 534 princely states could either accede to India or to Pakistan or remain independent. All the princely states acceded either to India or to Pakistan by 15th August 1947, baring three states Hyderabad, Junagarh and J&K. The Nizam of Hyderabad declared independence for his state, the Nawab of Junagarh declared his merger with
Pakistan. Indian government invalidated the decision of both through what is known as “police operation”.

The Maharaja Hari Singh of J&K showed in decision and latter offered standstill agreement to both India and Pakistan. Pakistan accepted it and India puts condition on it. In the meanwhile anti-muslim riots in Jammu, Kathua and Poonch led to mass immigration of muslims to Pakistan. This provoked Afridi - Tribal warriors and they launched arms struggle for liberation and they were latter joined by Pakistan army. The maharaja sent distress signals to Indian government for sending military aid. The government of India sent V.P Menon to Srinagar along with the instrument of accession.

According to V.P Menon, the Maharaja put his signature on the accession instrument. Lord Mountbatten accepted the accession with the rider that as the law and order is restored and the soil cleared of intruders, the people’s opinion shall be sought for deciding the accession. Subsequently India took the decision to U. N Security Council, since then the people of J&K had been struggling for self-determination as pledged by Indian leaders on national and international forums.

The subsequent history of the state is a record of political, economic and social deprivation of the people of Kashmir. The legitimate political struggle culminated in armed resistance since 1989. The deprivation led to alienation of the people, which produced extremism and the armed resistance was offshoot of this extremism. The state terrorism produced human rights
abuse, which have been documented by Amnesty International Asia Watch, International Community of Jurists and Physicians.

**The survey of related literature:**

This research project is quite contemporary in character. It addresses the problem of human rights issues in Jammu and Kashmir. Hardly any systematic academic endeavor has been made towards examining the problems of the state terrorism or counter terrorism and its repercussions on human rights abuse. Whatever academic efforts has been made pertaining to the problem of terrorism or outlining of strategies to combat it are based in the west its fall-outs in the shape of human rights violations has not been given adequate academic attention in third world countries. Whatever material exists is either scattered or western biased.

**The research design of the present study:**

This research project purports to examine the origin, growth and consolidation of terrorism in the contemporary world. It aims to identify the reasons for the growth of state terrorism, and counter terrorism and study the repercussions of the human rights issue with special reference to Kashmir while human rights organizations attempt to document human rights violation as a strategy in itself, this study aims to examine the inter-action between state terrorism and counter terrorism and its impact upon human rights situation its hypothesis is based upon the premise that counter terrorism in the bad seed of state terrorism and the inter-action between the
two produces human rights violation. Secondly that status quo its powers like India and China resort to human rights violations as a weapon of war. Its thrust is to address the socio-economic and political factors that give rise to state terrorism and state terrorism leads to human rights violations.

**Resource base of the present study**

This study shall employ the primary sources of date by examining the various reports issued from time to time

- Amnesty international;
- Asia watch;
- Physician for human rights;

The reports of human rights organization based in the various countries including

- P.U.C.L.

The United Nations discussions on terrorism and the discussions by international human rights commission based in Geneva, books, press-cuttings and journal can also be studied as a secondary resource base for the present study.

**The methods of study**

This topic intends to employ inter-disciplinary approach for, the examination of the data. The analytical method shifting its material from various sources shall be studied in a comparative focus.


**Tentative chapter.ization**


Chapter II: State terrorism, counter terrorism and human rights violations in Kashmir.


Chapter IV: Peace initiative on Kashmir imbroglio International pressure.

**Aspects of approaches and concepts**

There are broadly two modes of historiography: Indigenous process; Exigency process. Marxist Sociology subscribes two Indigenous causation to change from a dialectical point of view. Marxists identifies internal contradictions as the super to social and political change. Max Weber also emphasizes indigenous nature of change working through innovation of new values. Tonybe, on the other hand highlights the exogenous factor for the causation of political change. He points out:

"Growth is achieved when an individual or a minority or a whole society replies to a challenge by a response which not only answers the particular challenge that evoked it, but also exposes the respondent to fresh response on his part. And the process of growth continues, if any given case, so long as this recurrent movement of disturbance of equilibrium is maintained. This
is the process of growth .......although the process may be uniform, the experience of the various parties that undergo the process are the same”.5

The people of Kashmir have retained their historical awareness and cultural individuality, which, through discrimination and deprivation has aggravated and articulated into an ongoing struggle for self-determent political status.

Three Projections of Kashmir studies: Three approaches can be discussed in the contemporary literature on Kashmir studies. The first projection is made by Paul or Brass on the basis of ethnic consciousness. The fundamental tenant of this approach is that ethnic identify formation is the essential independent variable that leads to political assertiveness and militant separatism regardless of the existence of inequality or dominance. It sponsors a process that articulates in ethnic identify formation. The central concern of ethnic identify formation pertains to cultural matters; symbols and values and with issues of self definitions that distinguish them from other types of self-associations. Ethno-nationalism has been the important sources of large scale conflict leading to destabilization of the state.

The ethnic formation is internal to the communities’ organization and it has the potential of developing into an open insurgences or self-deterent political status like the political contemporary struggle in Kashmir. Nathan Glazer pointedly refer to three characteristics of ethnic identity formation; 1) Decent (whether real or supposed); 2) Socially relevant characteristics of culture; and 3) the subjective awareness of objective marks of identification. When the ethnic consciousness sharpens to the extend that self exposed boundaries exist which excludes or includes A from B, Then ethnic groups
come into existence, but the telling point is the mobilization of one variable over other.

The second projection is the deliberate economic deprivation of a community, to what Heckter characterizes as internal colonialism, or the phenomenon of Dominating centre and weak periphery. The modern capitalist state is an upholder of a "culture division of labor" that distributes valued jobs and economic fruits unevenly, in such a way that core region of the country controls the best jobs, while peripheral region/ethnic group are depended on the core and ethnic groups that inhabit these deprived regions are confined to the least skilled and prestigious jobs. However, the consciousness of economic deprivation has not been pronounced in the articulate public or political opinion of Kashmir. It can at best assume a shape of independent variable. The Election manifestoes of 1977, 1983 and 1987 and the nature of canvassing and campaigning have really highlighted the deprivation syndrome. Even during the freedom struggle the demands for economic rights was not pervasive pronounced.

The third projection pertains to communalism in the subcontinent. The region of Kashmir people was co-terminus with composite cultural variable. It did not acquire fanatic or fundamentalist overtone until the on-going political movement. Even here Indian policies push the Kashmir youth on the path of alienation, where pan-Islamism grew up. The discrimination, deprivation, and disparity against Indian Muslims leave repercussions on the political behavior of the people of the valley and create fear Hindu domination in them.
Ethnic resurgence is the world wide phenomenon. Ethno-rationalism is found in two varieties. Phenomenon is closely linked with the politization of ethnic identities in the wake of the ongoing modernization and development. as such, this conflict has been pronounced in pluristic states. Secondly the “national” self awareness of ethnic groups concentrated in compact geographical areas, which have retained, or have developed or are in the process of developing self awareness. The vale of Kashmir constitutes the second category of this ethnic identity formation.

While scanning the pages of Kashmir history the readers gleans two variables, that have influence the evolution of its history. These are 1) composite variable, 2) religious urge-Pan-Islamism. However, the Kashmiri have struck a fine balance between the two variables religious and fine pan chauvinism. The equilibrium between the two variables has been disturbed by outside challenges to the determent of peace-loving Kashmir is and hence the essential distress of Kashmir against the outsiders. They have suffered terribly in the hands of invaders. in this context BalRaj Purl rightly pointed out that Kashmir leaders trace their freedom struggle to 1586 when Kashmir was colonized by mughals, succeeds by Sikhs, Pathans and Dogra’s and which continues till date. For them, the dividing line is not between Muslim and Hindu period but between Kashmir and non-Kashmir identity.

However, Kashmiri identity is neither the product of the ongoing process of modernization nor residue of the penetration of Indian political system. It possesses both functional viability as well as academic procession. It existed prior to the formation of Pan-Indian identity and over reached and overwhelmed. Kashmir identity has developed through silent process of
history, accumulating and accommodating various cultural stream. It has pre-existing bases for a composite culture.

The region and growth of consolidation of Kashmiri identity:
Kashmir is noted for its lush green forest and bubbling spring and wonderful water falls. The vale of Kashmir has attracted the attention of poets, painters and philosophers since ancient times. Kashmir is the largest valley in the lap of cup shaped mountains. Its mountainous ecology have nevertheless, helped in the protection and preservation, of its particular culture and the genetic pool. This flora and fauna has equally influenced the socio-psychology individuality of its people. The people of Kashmir, particularly Muslims, have demonstrated their identity and individuality on many critical occasions.

This factor of political geography led to the development of Kashmiriat, which distinguished from their co-religionist outside the valley. The political geography of Kashmir has been the product of the mountains. It developed in them ethnic proclaiminity and distinct culture. The influence of geography on the political and social life of Kashmir has been profound. The Kashmir identity is the product" territorial homogeneity" the cultural specificalities, the common heritage of Kashmir culture and its linguistic hieratary, the uniformity artistic, literary and aesthetic tradition and similarity in ethnical psychological makeup as well as food habits, extra based upon climatic geographical conditions and socio cultural mores evolved so far."

The Kashmir Muslim personality, although a part of the concentric circles of the greater traditions of the Muslims in India and the world, not only
distinguished features of its own but is, in some ways, in distinct. Inspite of being victims of operation particularly in the hands of Sikhs and the Dogra rulers of the Kashmir, they never allowed this to pass to rancor to blame their basic secular morence. The probable reason for this political and social orientation has been that beneath their religious paraphernalia, they retain the essential of their composite culture.

**Evolution of composite culture**

Kashmiri identity consists of two dimensions; i) composite cultural variable; ii) religious urge Pan-Islamic identity. The composite cultural variable emerges in bold relief after mopping the pages of Kashmir history. It represents all that eternal, human and universal in its application. The development of composite culture has evolved a tradition that is particularly free from dogmatism and obscurantism. History bears witness to the fact that Kashmir has produced great Seers and Saint the cult of the Buddha the teachings of Vedanta’s and mistism of Islam through Persian sources, have one after the other, found congenial home in Kashmir. All these strands of different religious philosophies have produced a confluence of culture which was ideal for meditation and this explains the meaning behind the dictum “orchard of holy men”, and some European writers erroneously characterized this trit as “covertly character of Kashmiris”.

The Vedic Brahmanism followed the caste ridden structure. This caste system led to degeneration in Brahmanism and gave birth to a first social
revolution of Buddhism. The perversion of character amongst the Brahman elite provoked intrigues rebellions.

The interaction between Brahmanism and Buddhism evolved a new compromise, know in Kashmir history as "shivism" or trickle a philosophy. The conflict between Brahmanism and Buddhism had been resolved by most important method of fusion of two cultures which followed in the Shivate philosophy, containing elements of both.

This influence of culture made Kashmir as a melting pot. The transition to Islam was peaceful, because it supplanted rather superseded the earlier cultural ways. However Islam, revolutionaries the social life of the people. Islam was essentially equalitarian and egalitarian in character. the spiritual rapport between Lala Ded and Nunda Reshi Kashmirized Islam. The religious humanism led to peaceful and enemas conversion to Islam, as practiced in valley, though it surely stands on the basis of cordial principles taught by Quran, has been deeply influenced by ancient kashmiri culture. Even after the islamiation of Kashmir, the locals did not altogether abandon the cultural traditions of their forefathers. A Kashmiri Muslim shares in common with the Hindu compatriot many inhibitions, superstitions and shrine going, which has been unknown to Islam. Like wise the Kashmiri Brahmans absorbed many practices that are contrary to orthodox Hindus.

The first votary and aparstism of the humanism of Kashmiri was the hermitess Lala Ded .She refused to confirm to establish tradition since her child hood. She refused to dogmas and rituals of Brahmanism. She assimilated the basic teaching of Shivism and Islam. Lala Dad formed vital
linked between Nand Reshi and Pre-Islamic tradition of Kashmir. The spiritual relationship between Lala Dad and Nand Reshi produced composed symbolism, and the articulations of the Kashmiri identity, the composite variable being its main spring. The Muslim rishis and Sufis did not intrude Islam as revolt against a destroyer of the tradition, as is the case in the rest of India, but as the preserver, consolidator, and perpetuator of traditions. Thus the Islamination of Kashmir was in fact the Kashmir of Islam. Islam made happy, compromise with other religo-cultural waves. The ringing of bells in mosque before the introduction of loudspeakers was the reinnant of the Brahman influences and recitation of “Druds” “hymns in the mosque” is the replication of chorus song of the Buddhist Gumpas. These attributes of cultural syntheses and amalgam of a rich cultural passed developed the fear of outsider. The looking fear lead Kashmir to fight and effect Mughal army then Akbar planed to grab by force. Later Akbar evolved a strategy and invited Usaf Shah the last Kashmir ruler, to Lahore and treachissly impersonate. This pave the way for the colonization of Kashmir which continue till date.

The Mughal annexation of Kashmir open and ominous chapter of subjection that made permanent in roads into the independent political status of Jammu and Kashmir. Kashmiri identity as symbolizes in its rich composite culture, suffered a gradual erosion during subsequent non- Kashmir rule. Thus Kashmir was pushed on the path of political alienation and the growth of passive resignation which allow the ruling class to exploit them. The mughal disbanded Kashmir army and killed their marshal spirits amongst them. Nevertheless one redeeming feature in mughal rule was the beautification of
Kashmir in the form of mughal gardens, which are standing testimonies of mughal grinders.

The Mughals were succeeded by Pathans of Kabul to inflicted unprecedented tyrannies on the people. They brought with them their pet vices of their national character and life, honor and property become the first target of their natural greed. Their rule saw rapid improvisation of masses, socially, politically and economically. However, despite the loss of Kashmir independence, its social structure was preserved to a large extent and landed estates and other enormous of property were leaved untouched, although Kashmir pundits amassed considerable well through unlawful means. The Pathan rule ended when Ranjit Singh, add the colonized Kashmir through Birbal Dhar conquered Kashmir following to defeat suffered by the Sikh Army in Kashmir.

The Sikhs opened a cruel chapter in Kashmir history. They destroyed desecrated the historical monuments and inflicted much atrocities upon the majority community. Entire Muslim family was executed when there was an elegy offence of cow slaughter. The entire land was confiscated in the name of Sikh saokhar and redistributed along chakdari -Jagiridari system. The Sikhs perpetrated religious persecution also and close Jamia Masjid for prayers and converted Masjid into a granary.

Lastly, the political destiny of Kashmir was usurped by a Hindu dynasty of Jammu. The autocratic Dogra rulers singled and the majority community as the target of coercion. The British Imperialist gifted away Kashmir to Gulab Singh as a reward for his services to them in destruction of Sikh power at
Lahore. The British fought Kashmir to Gulab Singh for 5.5 million of Rs 12 goats of approved bread, one horse and three Kashmiri shawls. This bargain was struck by a country that called itself “the mother of all democracies”.

The Dogras started serious human rights violation by introducing Beggar System. The able-bodied men were taken by force to carry loads for Dogra Army to Tibet and Ladak across treacherous terrains. Most of them died in the way. The Muslims of Kashmir suffered decadence in all walks of life and during one hundred years rules of Dogra Dynasty. The political, social and educational improvisational of the Muslims. The scrutiny of Kashmiri literature bears ample testimony of the suppression of Muslims. The Muslims have been vividly described by Sir Albien Bannerji, who was the foreign and political minister under Hari Singh for two years:

“The population of Jammu And Kashmir State is laboring under many disadvantages with a large Mohammedan population, absolutely illiterate, laboring under poverty and very low economic conditions of living in the villages and governed like dumb-driven cattle. There is no touch between the government and the people, no suitable opportunity for representing their grievances”.

Both pandits of Kashmir and Rajputs of Jammu were relatively well off because of their educational background and because of the jobs in the state services and state army went to them, with the consequent neglect of the majority community. The whole land was redistributed among a few Brahman families as the free gift from Dogras. Sir Lawrence has observed that villages after villages passed in ownership to total local pandits and Dogra rajputs. That appears to be the historical reason for comparative backwardness of the majority of the community and the traditional
cleverness of kashmiri pandits who for ever a century enjoyed privileges and patronage of the dominant power and flourished in all walks of life. All these incidents of Kashmiri’s history gradually undermined Kashmiri identity and therefore, the need for the reassertion of Kashmiri identity as put by Siser Gupta was a historical necessity, Sheikh Abdullah was the product of this historical juncture.

The Emergence of political awakening

The socio economic and political deprivation of the people led to recurring agitation, fluctuating between socio religious reforms in the beginning and political agitations at the later stages, culminating in the emergence of freedom struggle in 1931. The background to the uprising of 1931 was one-dimensional in character in as much as the Muslims, for long suppressed under Dogra rule, began to acquire in articulation which was the result of the repining of contradictions between the suppressed and unvoiced aspirations of the people and the despotism of the Dora rule. This movement synchronized with the formation of All Jammu & Kashmir Muslim Conference and the struggle for freedom took an organized shape.

The movement led by All J&K Muslim Conference initially aimed at getting political concessions, but later the scope of the movement soon widened to the extent that it caught the attention of the non-Muslims of the state also. The freedom struggle underwent a process of secularization in the course of late thirties, partly as the result of a liaison with Indian national Congress Leaders and partly as a realization on ether part of Muslim Conference that
the movement, in order to succeed, was to be thrown open to all religion, caste, color or sex. The nomenclature of Muslim Conference was accordingly changed into National Conference. Coincidently Sheikh A Abdullah's political ideas contributed much towards this transformation of Kashmir politics. His political ideas assumed secular and socialistic dialectics, because he was truly a secular minded leader.1

One tangible influence working on Sheikh Abdullah and other leader's liaison within Indian National Congress. Mr. Nehru cultivated Sheikh Abdullah by inviting him to the All States National Convention.

Another factor important in it is Mr. Jonah's visit to Kashmir in 1944. He was given rousing reception by both Muslim Conference and National Conference; later Sheikh Abdullah Conference showed cool response towards him. Still another important dimension of this period was the new Kashmir programmed as the blue print for establishing a secular and socialist state, its main principle was land to the tiller.

Indian freedom struggle had reached its zenith and sheikh Abdullah also started quote Kashmir movement. The British colonialists had been politically and military exhausted and economically ruined in course of world was II. Partly as a result of responding to these changes and partly due to the intensified struggle in India the British Government had no option but to arrange for the transfer of power. Therefore, the British parliament passed Indian Independence Act and created two dominance of India and Pakistan. Outside British Indian sphere of influence, there were 5 hundred odd princely states. India's Independence Act of 1948 had envisaged that the
princely states were illegally independent when the “sovereignty of his majesty over the Indian states lapses”. The states legally free to accede to India or to Pakistan or remain independent. The formula for delimiting the accession issue was that the ruler had to decide the accession of his state. However, the Indian National Congress has put a rider on it in as much as the people’s voice should be taken into consideration. In this context all the princely states were integrator either with India or to Pakistan without any major difficulty. Four states Juna Garh, Hyderbad, Jodhpur and Jammu & Kashmir declared either independence or accession to Pakistan. Nizam of Hyderabad declared independence for his state, the Nawab of Junagarh declared to Pakistan. The Maharaja (Hindu) of Jodhpur announced merger with Pakistan and the maharaja of J&K offered standstill agreement to both India and Pakistan. India launched police operation against the first three states and thus was merged with India through the use of the force.

The state of J&K became independent on 15th August with the lapse of paramountancy. The maharaja demonstrated indecisiveness towards accessions issue. Instead he offered standstill agreement to both the states. India rejected it; Pakistan accepted it under the terms with effects from August 15, 1947 for ‘continuing to run the communication, postal and telegraphic services”. In the meanwhile Jammu witnessed anti-Muslim riots. These anti-Muslim programs led to massive exodus of the Muslims towards Pakistan. Lord Birdwood writes in his monumental work, “two nations and Kashmir” that in August 15, 1947 anti Muslim movement within the state was initiated with all the appearance a systematic persuasion- before partition about seven thousand mughal rifles from Ferozpur were unearthed and made serviceable. These rifles, with gunpowder made in Jammu,
were stored in ancient fort in the city. They were subsequently distributed exclusively among the Hindu population in the Jammu province. The affect of such measures was to place every Muslim at the mercy of Hindu population. Thus these rifles appeared in Poonch, Kathua, Jammu and hundreds of Muslim families were killed and rendered homeless and they were seeking refuge with their core religionists in Pakistan.\(^5\)

The exodus of refugees in Pakistan fast ably provoked Afridi triple worriers to launch liberation struggle against dogra subjugation. While the triple warriors were advancing towards Srinagar, Maharaja sent a request to India for military help. The Indian defense council meets under the chairmanship of Lord Mountbatten and decided to send Mr. V. P. Menon, the secretary of states to Srinagar to monitor the situation spot and also persuade the Maharaja to sign the instrument of accession. V.P. Menon was flown to Srinagar and he went straight to Maharaja's Prime Minister, Prem Chand Maharaja. Both of them found Maharaja in shambles. He signed the instrument of accession at the prompting of V.P. Menon and fled from Srinagar. However, the renounced writer Aluster lamb questioned the validity of the date and venue when the maharaja appended his signatures on the instrument of accession. He points that the two documents, vise namely the instrument of accession and a letter from maharaja asking for military aid were in effects signed in the after noon of October 1926 and not 27\(^{th}\) of Oct he holds that the two documents drafted by Indians dominion were signed after induction by Indian troops on 27\(^{t}\) of Oct at 9am. The Maharaja already left Srinagar by roads. The signing of the document is simply the falsification of dates communicated by V.P. Menon at the behest of Nehru and Patil.
Anyway the Indian troops were airlifted to Srinagar. Nevertheless the instrument of accession were covered by acceptance of the instrument of accession by the governor general Lord Mount Baton on 27th of oct 1947 plus letter of Lord Mount Baton to the Maharaja on 27th of oct, 1947 acknowledging that “once the affairs of the state were settled and law and order is restored, the question of state’s accession should be settled by reference to the people”. Later Nehru in a Radio Broadcast on 2nd Nov. 1947 reiterated commitment to determine the will of Kashmiri people after the Kashmir is cleared of invaders. Even the mahatma Gandhi hold the hope that “kashmiri”s future would be decided by the people themselves, as I believe that sovereignty belongs to the people”. These commitments are an eloquintestmony that Indian leaders made repeated commitment to hold plebiscite in Kashmir. Indian troops succeeded in pushing the tribal warriors back from the main valley. By the end of the 1947 there was stalemate conflict. India exercised control over 2/3 of Jammu & Kashmir and the rest went into Pakistan control. India took the case to the Security Council for the vacation of Pakistani aggression from the vacation of Pakistani aggression from Kashmir.

While India concentrated on the issue of Pakistan’s aggression in the hope of securing Security Council support of steady withdrawal of Pakistan; Mohd Zaffur-ullah Khan of then foreign minister of Pakistan, used all his skills as a lawyer and turned the tables on India. In his speech which lasted over five hours, he not only regretted the charge of aggression but also project India as expansionist power by stating that “India has secured accession through force and fraud”. The essence tribal invasion proved cat logic agents in
brining about overthrow maharaja's rule. In any way, maharaja had no authority whatsoever to execute an instrument of accession after he flowed from Srinagar with bag and baggage. The accession thus tacks legal validity because of two factors, the instrument of accession was signed after the induction of Indian troops in Kashmir and secondly the will of the people, as per Indian commitment has never been ascertained.

The political uprising of 1931 was conditioned by the politico-economic and social deprivation of Kashmir and thus the organization, which emerged was all Jammu & Kashmir Muslim conference. The composite variable of Kashmir history was gradually and systematically eroded when the Muslims of the valley were subjected untold miseries and committed by Sikhs and the Dogra. Thus Kashmiri nationalism was based upon two variables of composite culture and regions awakening brushed out in the shape of Muslim uprising.

Despite this articulations of Muslim uprising, sheikh Abdullah gradually veered around the secular dimension and changed the nomenclature of all J&K Muslim conference into all J&K national conference, Mr. Nehru was instrumental in this process of secularization and the building liaison with Indian national congress. National conference subsequently acquired secular and socialistic dimensions. Even there was a conscious move towards leftist and the new Kashmir programmed was the concrete expression of the leftist conference in the national conference.15

The new Kashmir programmed was a blue print of political, social and economic development of the state. later the two line struggle between
national conference and Muslim conference during 40’s, with national conference possessing the mass base. The conditional accession reached between Indian govt and the maharaja anti lined defence foreign policy and currency to central govt and the rest to state govt. however, Indian leader’s game commitment at national and international forums to holding plebiscite in Kashmir.

Nehru and Dogra reached the agreement for conducting regional plebiscite. However, India later backed out of his commitment to the people of Kashmir under the pretext that sheikh Abdullah had been hobnobbing with the American diplomat Stevenson and secondly on the pretext that Pakistan had entered into western sponsored military alliances. Mr. buggier, on the other hand could not get adornment of his government. When sheikh Abdullah refused to walk fully into Indian Union, he was arrested on 9th August, 1953 and puppet regime of Bakshi Ghulam Mohdmmad was installed.

Subsequently India followed two pronged strategy of having bogged down Kashmir at international level through the operation of cold war rivalry and the starting erosion of special status. The industrialization process started with the merger of J&K Malaysia into Indian army, the infringement of same fundamental rights like --- under the legal despotism of presidential orders, the extension of jurisdiction of the Supreme Court, auditor comptroller general and election commission. The process was completed with the conversion of prime minister into chief minister and Sadari Riyasat into Governor.*

23
From 1954 onwards the Soviet Union became partisan on Kashmir issue, mainly due to establishment of US military basis against Soviet and Pakistan. Following this stand, the Soviet Union gave moral/political and diplomatic support to India on Kashmir and exercised vetoes on Kashmir issue in the Security Council from 1957-1964.

**The formation of plebiscite front**

The All J&K Plebiscite Front was formed in August, 1995 by Mirza Muhammed Afzal Beigh and his associates at Anantnag. The association adopted a constitution which, internalia laid down the following aims objectives of front:

Jammu & Kashmir plebiscite front was established, “with a view to bring about early termination of the political uncertainty in the state and help lasting peace in sub-continent.”

Bukkshi Ghulam Mohd initiated policy which gradually watered down special status of Kashmir and eroded Article 370 of the India. The plebiscite Front was obviously organized on objective of attempting all peaceful and constructive means to bring about early settlement of the states accession, in accordance with the will of the people, freely expression with fear and impartial plebiscite under the United Nations auspices”.

The organizational structure of plebiscite Front mushroomed in every district, Tehsil with pyramid type of hierarchy. The plebiscite front party
structure was based upon sister hierarchical pattern 1) Basic Committee, 2) Halque Committee, 3) Block Committees 4) Zonal Committees.

The era of plebiscite front signaled a phase of withdrawn from Indian system and the emergence of formidable challenge to the accession of the J&K state to the Indian union. The commitment of Indian leaders, attended with an accession issue, that the plebiscite would be held in the state as soon as law and order restored and invaders cleared of the said became the standard of the plebiscite front. A series of events sent in motion political moves which served to widen the chasm between the state and Indian government. There Praja Prashad in Jammu aroused the dormant of fears of Kashmiri elite and the support given to precede to agitation by Indian amounted to violation of all mutual agreement.

The plebiscite front leaders were arrested and Kashmir conspiracy case was fabricated against them although this case was withdrawn and the front leaders were released. The process of indianization did not stop with ouster of Bakshi regime. In fact Sadiq Ghulam Muhammed not brought Indian National Congress to the state but even removed the last block in eroding Article 370. The conversion of Prime Minister into Chief Minister and Sardari Riyasat into governor considerably aroused the autonomy of the state.

At the international level when China attacked India in the fall of 1962, India approached the then American President, John Kennedy to prevail upon Pakistan not to start any divisional move against India. Kennedy was able to procure Indo-Pak negotiations on Kashmir. In its wake Sourn Singh-
Bhutto talks were held. In these talks India took the dogmatic position of converting cease fire line into a defect line. Mr. Z.A.Bhattoo walked out in protest. This is the typical example of Indian duplicity. India stand subsequently regained its fundamental attitude. However, with the displacement of holy relic from Hazaratbal Shrine in December, 1963, grave crises gripped Indian and Kashmir after the recovery of holy relic. Indian government released plebiscite leaders along with Sheikh Abdullah. The tremendous welcome to Sheikh Abdullah and other plebiscite Front leaders was an eye opener to Indian leaders including Pandit Nehru. Pandit Nehru sent Sheikh Abdullah and other PF stalwarts to Pakistan to explore the chance for, what Ayub Khan subsequently wrote in his autobiography as the proposal of confederation between India and Pakistan. In the meanwhile Nehru died on 27th May, 1964. Sheikh Abdullah and his supporters had to return their journey from Pakistan. Indo-Pak war of 1965 broke out when the relation between two countries deteriorating between India and Pakistan. The cease fire was agreed up to on at the instance of former Soviet Union. Thus one phase to plebiscite Front came to an end. The first phase started with the formation of PF in 1955 and ended in 1964. The first phase can be reasonably called as the Kashmir conspiracy case. The second phase started with the withdrawal of Kashmir conspiracy case and subsequently negotiations between Nehru and Sheikh Abdullah reach same political settlement over Kashmir. The changed Indian approach to Kashmir necessitated a dialogue with Sheikh Abdullah. Pandit Nehru realized the need for a new approach towards Kashmir. However, Pandit Nehru survives to give concrete sha to this retaliation. The climax reached when an open Indo-Pak in August1965 Pakistani attempts to liberate Kashmir by force and die in smoke and this started a new process of re-thinking among PF leaders.
The second phase started with an out brake of Indo-Pak war the PF levers realized the need of reaching far an alternative. Although PF slogan was not given up, yet a realization and on PF leaders to explore new approach of widening the areas of agreement between state and Indian union. Mr. Sadiq was a strewed man and his matters were subtle. He released Sheikh Abdullah and restore law and order. As a result of party Pakistan’s inability to liberate Kashmir by force and partly G.M.Sadiq’s strategy usured in a new realization of political struggle based upon Gandian Method of agitation. The state people convention by Sheikh Abdullah and attended to by Indian leaders. Jay Prakash Narain was clear of this manifestation of this changed stage.

The restoration of pre-war position on a Tashand agreement did not solve Kashmir dispute, which have participated the war. The clause 9 of Tashand agreement addressing the Kashmir problems proved fruitless due to divergent interpretation of Tashkand agreement. In the meanwhile struggle for Bangladesh started and assumed the character of liberation struggle. India exploited the situation and its cumulative results were Indo-Pak war of 1971. The war dismembered the Pakistan and led to the emergence of Bangladesh. The war was followed by Shimla treaty which, internalia stressed for conversion of Cease Fire Line into Line of Actual Control and retationalization of Border to suite to India’s security concerns in Kashmir. It was obviously a dictated peace and its far reaching consequences was rethinking in PF leaders. The division of Pakistan into two sovereign states had its impact upon political situation in Jammu & Kashmir a process of rethinking was set into motion which culminated in Begh-Partasarta talks. The Indira- Abdullah accord was signed in 1975. Sheikh Abdullah grabbed
power in March 1975. Modest widespread protests of the youth. The majority of congress members of Legislative Assembly supported Sheikh at the dictation of Indian Union. Then India was plugged into midterm pole and the congress was routed into Hastings. True to their traditional character congress members of legislative assembly passed a vote of no-confidence against Abdullah and Abdullah the Gen. B.K. Nehru to dissolve the assembly.

The assembly stood dissolved and fresh elections were ordered by the governor. These elections were held in 1977 and proved landslide victory for Sheikh Abdullah. The main election issue was Article 370. The realization by elite and masses in Kashmir, Basing youth, was to build up a strong wall against India’s encroachments. Article 370 was already aroused. The Janta Government at the centre made all out efforts to build an anti-Sheikh front but they were defeated because people were against Central Government. The fear of Hindu domination was the motivating factor in peoples voting behavior. The subsequent history of central state relation is full of tension areas. Apart from the ego clash between Sheikh and Indira Gandhi’s and there were irritants like withholding financial assistants to the state and weakening her economy by dissuading the tourist in flow to Kashmir when Sheikh Abdullah died, Indian government Indianized his funeral procession by declaring state mourning. Farooq Abdullah assumed power after Sheikh’s demise.

The assumption of Chief Minister’s grid by Farooq Abdullah renewed the centre-state tensions further, when Farooq Abdullah hobnobbed with opposition conclaves. Indira Gandhi took it as an insult and the relations
went downwards. The people particularly youth continued to murse anti Indian feelings and the election of 1983 became the focus of centre-state contradictions. Indira Gandhi communalized the situation by provoking the Jammu Dogra voters against the mainstream political opinion of the valley. Despite the huge resources invested in the election campaign, Farooq Abdullah played upon insecurities of Kashmir Muslims and he won the outstanding victory. This was the last mail in the centre-state rift. The central government forged a strategy of toppling Farooq Abdullah’s Government. They appointed Mr. Jag Mohan as the governor of the state. A break away group of MLA’s Farooq’s relative Mr.G.M.Shah with the active connivance of Jag Mohan.

The youth of Kashmir had never comprised with Indian reality. They have formed Student League in 60’s Alfata in early 70’s and subsequently Jammu & Kashmir Liberation Front. Immediately after Farooq’s toppling the first batch of JKLF went to Pakistan for training. This disillusioned amongst Muslim youth was manifest at various levels. The discrimination against them with centre services in political, economic. Social and cultural deprivations cumulatively produced anti Indian sentiments. These bruised sentiments of muslim youth found expression in agitations. However Farooq’s problem with central governments were not the part of struggle of the youth –regime-Farooq accord was the last nail ceiling links with India. Subsequently here was two line struggles between Farooq Abdullah’s NC and anti-status quits Forces, which ultimately emerged in the shape of Muslim United Front (MUF).
The formation of MUF through up a formidable change of pro-Indian forces. The galvanizing of MUF was the combination anti-Indian sentiments and the congress and national conference made a common platform of using all resources in defeating MUF. The governmental machinery was used along with money and muscle power, the elections were rigged and MUF followers along with leaders arrested and beaten and even some were killed during elections. These anti-Farooq sentiments turned into anti-centre and anti-Indian sentiments. In course of 1987-1988 a large number of Kashmiri youth crossed the LOC and got training and weapons to fight against Indian forces. In the beginning there were bomb blasts followed by widespread agitations.

The activity of bomb blast agitation and terrorism kept on widening of its parhematia all over the J&K state with special stress in Kashmir region while concluding this chapter it will be appropriate to recapped briefly various factors reasons behind this rise of terrorism in J&K and in Kashmir especially. The history of so called two-nation theory, India’s partition forced division of pre-1947-kashmir, dominance of central government of Indian side of Kashmir, negligence of the so called Azad-Kashmir by the Pakistani rulers, estrange sense of Kashmir self respect and pride, increasing poverty in Kashmir, increasing unemployment in Kashmir, continued political insatiability in both India and Pakistan side of Kashmir, strategic significance of Kashmir in international policies, Kashmir’s territorial and ethnic contiguity to west Asia and central Asia and south west Asia, Dogra rulers atrocities on the people of Kashmir etc appear to be major reasons behind expansions and continued consolidation of terrorism in J&K state.
It is with in the aforesaid logic of things that India and Pakistan have engaged themselves into quite a few dreading warfare 1947, 1965, 1971 and 1999...
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