

India, Pakistan, and the Kashmir Issue 1947 AND BEYOND

By Chitralkha Zutshi



Kashmir University Campus, with a view of the Hazratbal Mosque. Photo courtesy of Chitralkha Zutshi.

When I teach Kashmir in classrooms and lecture halls across the country, the questions I am most often asked are: What makes Kashmir special? Does it have natural resources that India and Pakistan covet? Both these and other related questions, of course, are designed to identify the underlying causes of the conflict between India and Pakistan over this region since the birth of the two countries in 1947. The answers to these questions, however, are complicated, not least because Kashmir does not, in fact, have any natural resources that India and Pakistan covet, although it is located strategically at the crossroads between South, Central, and East Asia. But even that does not satisfactorily answer the question of why the issue continues to simmer and bedevil relations between the two neighbors. Understanding the Kashmir issue requires a leap of the imagination, since the region holds a special place in the Indian and Pakistani nationalist imaginations, which is why a simple political solution to the problem has not been possible. Moreover, for the past two decades the Kashmir issue has been defined not merely by the conflict between India and Pakistan over the region, but quite as significantly, by an initially homegrown insurgency against the Indian government in the Indian state of Jammu and Kashmir.

Locating Kashmir

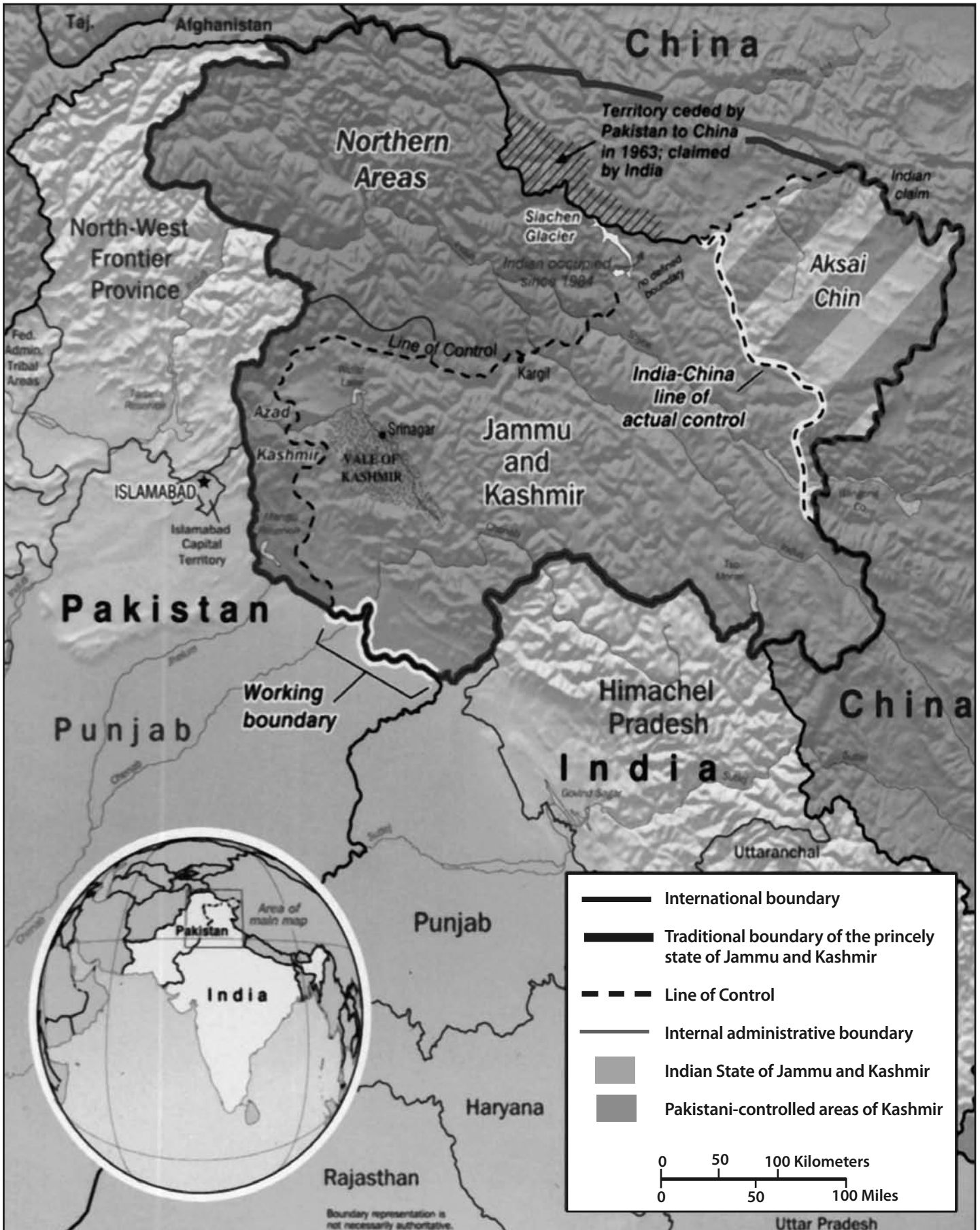
When we discuss the Kashmir issue, we are talking principally about three entities:

1. **Indian state of Jammu and Kashmir** (India's northernmost state), which has a population of about 10.1 million and an area of 56,665 square miles. Jammu and Kashmir is divided into three main districts: the Kashmir Valley (ninety percent Muslim and Kashmiri speaking; summer capital of the state at Srinagar is located in the Valley); Jammu (fifty-six percent Hindu, forty-four percent Muslim, majority Dogri-speaking; Jammu city, winter capital of the state, is located in this district); and Ladakh: (Tibetan Buddhist fifty percent, Muslim forty-nine percent, mostly Tibetan-speaking).
2. **Azad or Free Kashmir** (or Pakistan-occupied Kashmir, as it is known in India), located in Pakistan's northeast, with an area of 5,134 square miles and a majority Muslim, mostly Pahari, and Punjabi speaking population of about 3.2 million; its capital is Muzaffarabad.

3. **Northern Areas of Pakistan**, with an area of 27, 990 square miles with a very low-density majority Muslim, mostly Pashto and Urdu speaking population of about 1.8 million. This entire region (which includes these three major subdivisions), then, is disputed territory between India and Pakistan, as each side claims it in its entirety. To these three entities should be added **Aksai Chin**—a mostly mountainous, uninhabited high terrain in the Himalayas (northeastern portion of Kashmir)—that is occupied by China and claimed by both China and India.

History to 1947

The Kashmir Valley was a great center of Sanskrit and Buddhist learning and literary production in the ancient and medieval periods. By the thirteenth century, Muslims from Central Asia had begun to migrate to Kashmir, and the region came to be ruled by a Muslim dynasty. Most inhabitants of Kashmir had peacefully converted to Islam by the fourteenth century, usually because of the propagation of the mystical branch of Islam by Sufi preachers who came to Kashmir from Central



Kashmir: Disputed regions. Image source: http://www.lib.utexas.edu/maps/middle_east_and_asia/kashmir_disputed_2002.jpg.

... the emergence of the conflict had less to do with religious affiliations than with the internal politics of the state of Jammu and Kashmir and the mechanics of decolonization.

Asia and Persia. Kashmir became part of a larger Islamic space, even as it continued to have strong ties with the Indian subcontinent, as it was conquered by the Mughal Empire, with its capital in Delhi and Agra, in 1586. It remained part of the Mughal Empire until 1758, when the empire was weakening; Ahmed Shah Abdali conquered the region and made it a part of the Afghan empire. The Sikh kingdom, which was the main rival of the English East India Company in the Indian subcontinent, took control of the region from the Afghans in 1819, and the Valley remained under Sikh control until 1846.

Kashmir was clearly coveted by these imperial entities because of its location as a crossroads for trade and commerce between the Indian subcontinent and Central Asia, but also because it produced a globally coveted commodity in this period—Kashmiri shawls—which were significant items of world trade from the sixteenth through the nineteenth centuries. Kashmiris lived in relative harmony with their imperial overlords, whom they challenged and negotiated with to produce a unique political culture. While Persian was the language of administration and high culture, Kashmiri had developed as the lingua franca, with roots in Sanskrit and heavily influenced by Persian. The region was also coveted because it was beautiful and had a temperate climate very different from the northern Indian plains; it was likened to a paradise on earth time and time again by its inhabitants and its rulers, a land where the valleys and meadows were surrounded by the Himalayas on all sides and lakes and rivers crisscrossed the region.

The British coveted this region for its strategic location, products, climate, and natural beauty quite as much as any previous rulers of the subcontinent. When they defeated the Sikhs in the 1840s, they created what became the princely state of Jammu and Kashmir by cobbling together several regions that had been under the control of various rulers at different times. It was the East India Company, then, that put together the Kashmir Valley, Jammu, Ladakh, Gilgit (northern areas)—all the areas that are now contested—into one entity known as the princely state of Jammu and Kashmir in 1846. The company placed a petty chieftain from Jammu, who had assisted them in their wars in Afghanistan, on its throne. So the region was not ruled directly by the colonial state, but rather was indirectly controlled by the Company and later the British Crown, while the successive rulers enjoyed unlimited powers within the state. These rulers, who were Dogra (from the Jammu region), Hindu, and non-Kashmiri, had little legitimacy to rule in the Kashmir Valley or the Ladakh region, a fact that was exacerbated by policies that favored non-Kashmiris and Hindus over Kashmiris and Muslims. This led to a vociferous movement in the Kashmir Valley against their rule, which was demanding responsible government by the 1920s and 30s and representative government by the 1940s.

The main political organization in Kashmir demanding these rights was the All Jammu and Kashmir Muslim Conference that changed its name to the All Jammu and Kashmir National Conference

in the late 1930s. By the 1940s, its leader, Sheikh Abdullah, had developed strong ties with the Indian nationalist movement raging in British India under the leadership of the Indian National Congress. As the independence of India looked increasingly imminent and it became clear that British India would be partitioned, the question of what would happen to the 500-odd princely states, whose rulers recognized the paramountcy of the British crown while being autonomous within their states, became a matter of increasing concern. In short, the colonial state informed the princely rulers that they would have no protection from the British once the withdrawal had taken place and that they would have to make a choice between joining India or Pakistan. For most states, this was not an issue, since they simply chose India or Pakistan depending on their geographical location. But for a few states, this raised a variety of problems.

One such state was Jammu and Kashmir, which, because of its location, could theoretically choose either India or Pakistan; it also had a majority Muslim population. Several other factors complicated this choice for Kashmir—the ruler was Hindu, and had the legal authority to decide on the terms of accession; however, he harbored a dream of independence (which was not in the cards). The main political organization, the National Conference, had ties to the Indian National Congress and hence was inclined towards India, although its leader also suggested at various times the possibility of autonomy or some kind of arrangement between India and Pakistan to administer the region jointly. While most people in the Kashmir Valley followed his organization, Muslims of Jammu were more inclined toward Pakistan, while the Ladakhis and Hindus of Jammu wanted to cast their lot with India. As the next section illustrates, the emergence of the conflict had less to do with religious affiliations than with the internal politics of the state of Jammu and Kashmir and the mechanics of decolonization.

The Birth of the Kashmir Conflict: 1947–1949

Pakistan and India were born on August 14 and 15, 1947, respectively, amidst violence, confusion, and chaos. The ruler of Kashmir, Maharaja Hari Singh, continued to remain undecided on accession, entertained ideas of independence, and even, for a short time, courted Pakistan, which, unlike India, was promising a continuation of his royal privileges. In the meantime, a revolt against the ruler's authority had broken out in Poonch, a district in the western part of the state, and by October 1947, with the help of Pakistan, the rebels had declared the formation of "Azad Kashmir." To make matters worse for the ruler, on October 21, 1947, several thousand Pashtun tribesmen from the North West Frontier Province of Pakistan infiltrated the north and northwest region of the princely state, ostensibly to assist their ethnic brethren in Gilgit, who were also engaged in a popular rebellion against Maharaja Hari Singh. Although the Pakistani government claimed that this incursion was not supported by the Pakistani army, there is evidence to suggest that Pakistani regular forces accompanied and equipped the rebels. The ruler cabled Delhi to ask for India's military help, since it was becoming clear that the rebels were headed straight for Srinagar, the capital of Kashmir. Before India sent its forces to Srinagar, the beleaguered ruler was asked to make up his mind regarding accession; he signed the document of accession to India, which was accepted by Lord Mountbatten, the last Viceroy of British India and the Governor-General of the Dominion of India, on October 27, 1947.

The Indian army landed in Srinagar soon after, and with the help of the National Conference, headed by Sheikh Abdullah (who had been



Official map of Pakistan. Image source: http://media.photobucket.com/image/Pakistan%20official%20map/sic1223/map_pakistanUse.jpg.

sworn in as Prime Minister of Kashmir by India), regained the military initiative against the raiders. Jawaharlal Nehru, the Prime Minister of India, declared that his government pledged to hold a referendum in Kashmir once the combat was over to allow the people of Jammu and Kashmir to decide whether they wanted to join India or Pakistan. As the fighting between the two sides raged into 1948, the United Nations, at the request of India, which was hoping for an international condemnation of Pakistan's incursion into Kashmir, entered the picture to play a mediating role between the two countries. In August 1948, it adopted a resolution calling on both India and Pakistan to withdraw their troops from the region and to reach a ceasefire agreement in Kashmir, with the ultimate aim of holding a plebiscite in the region. The ceasefire finally came into effect on January 1, 1949, but a plebiscite was not held. While Pakistan accuses India of betraying the people of Kashmir by not holding the plebiscite, India counters by accusing Pakistan of not withdrawing its troops from the region, which it argues was a prerequisite of the UN resolution for the plebiscite to be held.

The ceasefire line (renamed the line of control in 1972) gave India sixty-three percent of the territory of the original princely state of Jammu and Kashmir, including the Kashmir Valley, Ladakh, and most of Jammu (now the Indian state of Jammu and Kashmir). Pakistan gained a part of Jammu (now Azad Kashmir in Pakistan) and the remote areas of Gilgit and Baltistan (now the Northern Areas of Pakistan). The contours of the Kashmir dispute between India and Pakistan had been laid out.

Indo-Pak Dispute over Kashmir since 1949

India and Pakistan have fought several wars over Kashmir since 1949—in 1965, 1971 (Kashmir was only an ancillary battlefield in this particular war), and most recently in 1999. These wars have brought about remarkably little change in the placement of the line of control (LOC). While India officially claims the entire territory of the erstwhile princely state of Jammu and Kashmir, it has made several attempts to make the LOC into a permanent border. Pakistan, on the other hand, not only rejects this idea, claiming the entire erstwhile princely state on the basis of its Muslim-majority population, but also accuses India

The Pakistani official map is without a northeastern border, literally unbounded. Instead, the words 'frontier undecided' curve around the map's northeastern edge...

of reneging on its promise of plebiscite. The positions of the two countries and the rhetoric accompanying them have remained unchanged over the decades.

Let us return to our original questions here: What are India's and Pakistan's implacable ideological positions over this region, and why do the countries continue to hold on to them? What is so special about Kashmir? For both countries, the main cause of disagreement is the Valley of Kashmir,

with its capital at Srinagar, and the Kashmiri-speaking, majority Muslim population. For the Pakistani state, particularly its military, Kashmir represents the unfinished business of partition, through which Pakistan itself as a home for the subcontinent's Muslims came into existence. Kashmir as a Muslim-majority state, contiguous to Pakistan, is critical to Pakistan's ideological *raison-d'être* and is therefore considered an integral part of Pakistan. This has allowed the Pakistani military to foment tensions with India over the region and by extension legitimize its claim over power and resources in Pakistan. For India, which adopted a constitution in 1950 and became a secular republic, the presence of Muslim-majority Kashmir within the union provided evidence of the country's secular credentials. While the Congress Party continues to hold to this credo, Hindu nationalist organizations have used Kashmir's unsettled status within the Indian union for their own political purposes by taking a more belligerent stance towards Kashmir's Muslim population, the insurgency, and Pakistan.

The official maps of India and Pakistan express the territorial anxieties of the two countries over the region. The Pakistani official map is without a northeastern border, literally unbounded. Instead, the words 'frontier undecided' curve around the map's northeastern edge, even as the words 'disputed territory' stamped across Jammu and Kashmir challenge India's claims to the region and proclaim the business of partition as unfinished. In the case of India, official maps simply claim the entire region of the erstwhile princely state as an integral part of India, thus belying Pakistan's claim of the region as disputed territory.

Insurgency in Jammu and Kashmir since 1989

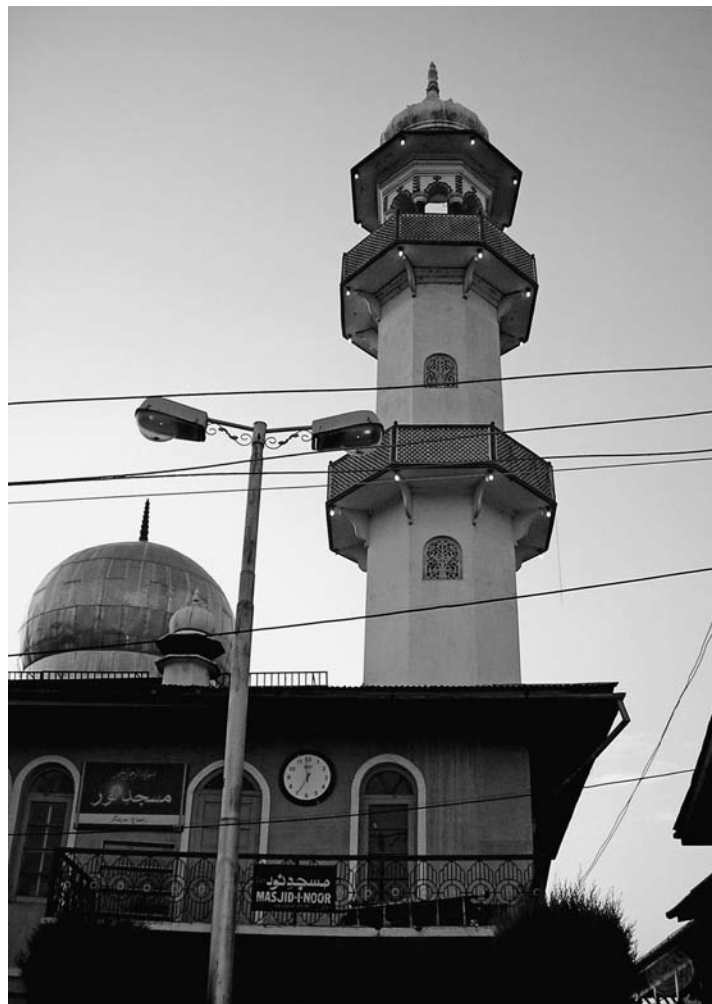
It is important to remember that the Kashmir issue is not simply a dispute over territory between India and Pakistan. Rather, this dispute is a far more complex and multidimensional problem due to the insurgency in Kashmir, raging since 1989, with which thousands of Indian security forces have been embroiled (several hundred thousand are stationed in Kashmir even today). Although begun as an indigenous movement against political repression and loss of democratic rights, the insurgency has grown into a ground for pan-Islamist groups such as Lashkar-i-Taiba (army of the pure) and Jaish-e-Mohammad (army of the prophet) as well as fighters from Pakistan and beyond, making the situation more dangerous and complicated for all sides.

In 1949, the Indian state of Jammu and Kashmir was headed by Sheikh Abdullah, the leader of the National Conference, who had been sworn in as Prime Minister of Jammu and Kashmir by the Indian government. He had helped the Indian army gain control of the region and condemned Pakistani actions in invading Kashmir. At the beginning of his tenure, Abdullah was immensely popular among the people in Kashmir as well as with the Indian administration. He instituted land reform measures, attempted to redistribute land to the peasants, and built roads and infrastructure in Kashmir. In the early 1950s, although still popular in his stronghold, the Kashmir Valley, Abdullah grew increasingly unpopular in the Jammu region as he began to emphasize the exceptional status of Kashmir within the Indian union. Not only had negotiations with Abdullah and other Kashmiri leaders led to the insertion of a clause in the Indian constitution that granted Kashmir special autonomy within the Indian union, but Abdullah made several speeches in the early 1950s in which he declared that Jammu and Kashmir (all of its parts) should become an independent entity whose sovereignty would be guaranteed by both India and Pakistan, since according to Abdullah, the status quo would simply mean a long-standing conflict in Kashmir.

In 1953, in what became the first in a series of interventions by the Indian state in the politics of Jammu and Kashmir, Abdullah was dismissed and incarcerated, much to the chagrin of the people. The feeling among the people of Kashmir, particularly the Valley Kashmiris, that they had no control over their own fate grew steadily in the 1950s and 60s, as Kashmir saw a series of corrupt and authoritarian regional governments and rigged and unfair elections. By the time the 1987 elections rolled around, a deep disillusionment with the Indian state had already set in. These elections were massively rigged to ensure the victory of the National Conference, which was by then recognized as a stooge of the central government. The National Conference's main rival, the Muslim United Front Coalition, despite its electoral victory, was forced to concede defeat, and its leaders were arrested. Two of these leaders, Mohammad Yasin Malik and Yusuf Shah (aka Syed Salahuddin), went on to found two of the most formidable Kashmiri separatist organizations in the coming decade.

In the early years of the insurgency against the Indian state, there was a groundswell of popular support for the movement, in particular by young men from the Kashmir Valley, who joined the movement in huge numbers. The Jammu and Kashmir Liberation Front (JKLF), headed by Yasin Malik, became the main separatist organization during this time, carrying out a number of political assassinations and organizing massive demonstrations demanding independence (*azaadi*) for Kashmir. The JKLF was soon joined by the Hizbul Mujahideen (party of freedom fighters), a Pakistani-supported guerilla organization led by Syed Salahuddin. India's response to these insurgent organizations and their supporters was brutal as security forces cracked down on the Valley, which only added more fuel to the insurgency.

It would be simplistic to regard this movement as a revolt of Muslim-majority Kashmir against Hindu-majority India, as it is often portrayed. The Kashmiris who joined this movement may have been Muslim, but for them, this was a regional revolt against the high-handedness of the Indian central government that could be resolved only through a separation from India. It is important to point out, however, that what *azaadi*, or freedom, meant for Kashmiris, and continues to mean for them today, is a complicated question. Some speak in terms of actual sovereignty for Kashmir (by which they mean the Kashmir



Masjid-i-Noor, a local mosque, Srinagar. Photo courtesy of Chitralekha Zutshi.

Valley). For others, it means more autonomy within the Indian union. And for still others, the term encapsulates a desire that the Indian state admit to its denial of democratic rights to Kashmiris and carry out a sustained effort to restore these freedoms to the people of Kashmir.

More recently, especially in the past decade, the insurgency in Kashmir has been hijacked to a significant degree by radical Islamic groups, some of which were funded by the Pakistani military and intelligence services as their intermediaries to foment unrest in Kashmir, and by extension, India. Two such groups are the Lashkar-i-Taiba and the Jaish-e-Mohammad. Both see Kashmir as one element in their larger goal of establishing a global Islamic state. As is evident, from, among other things, their non-Kashmiri leadership, neither of these groups is particularly interested in advancing the rights of Kashmiris, although they use them as symbols of the persecution of Muslims around the world. This aspect of the insurgency, which has led to the infiltration into Kashmir of fighters from Pakistan, Afghanistan, and Yemen, among other countries, has not only subverted the popular nature of the Kashmiri insurgency, but also made the India-Pakistan angle more difficult to settle.

In 2009, we might be entering a new and better phase of the situation in the Indian state of Jammu and Kashmir, since perhaps the most free and fair assembly elections since 1977 were held in Jammu and Kashmir at the end of 2008, and a new government headed by Chief Minister Omar Abdullah, grandson of Sheikh Abdullah, assumed

power. Much will depend on whether this government is able to break with the past and prove to the people that it is working for them, to not only bring about peace and restore law and order, but also to build infrastructure, schools, bridges, and the like, while not lining its own pockets. Kashmiris are weary of two decades of civil war, assassinations, disappearances, and related abuses. They are looking to the regional government to bring them peace.

The Future of Kashmir

The Kashmir issue is defined by a complex interplay between the internal political situation in the Kashmir Valley and the relationship between India and Pakistan, which is itself governed by the broader international situation as Pakistan continues to be drawn further into the war in Afghanistan that has spilled across its borders. While the Pakistani military battles the Taliban, it also wants to limit India's influence in Afghanistan, in part by fomenting Islamic militancy in Kashmir. The situation is further complicated by the fact that India, Pakistan, and Kashmiri political organizations hold what appear to be irreconcilable ideological positions regarding Kashmir: Kashmir rightfully belongs to India, Kashmir is Pakistani, and Kashmir should be free, respectively. As a result, any long-term resolution to the ongoing conflict in the region must involve the three main actors. They need to reconcile their positions and recognize that the Kashmir issue is not simply a conflict between Muslim-majority Pakistan and Hindu-majority India, but rather a multifaceted problem that lies at the intersection of internal, domestic, and international issues that should be addressed simultaneously. In other words, the prospects for peace in the region would multiply with a combination of demilitarization of the entire region; conversion of the line of control into a soft border through a decriminalization and normalization of border crossings; negotiations among India, Pakistan, and Kashmiri political organizations; and, the continuation of the democratic process in Jammu and Kashmir. ■

FURTHER READING

- Aggarwal, Ravina, *Beyond Lines of Control: Performance and Politics on the Disputed Borders of Ladakh, India* (Durham, NC: Duke University Press, 2004).
- Bose, Sumantra, *Kashmir: Roots of Conflict, Paths to Peace* (Cambridge, MA: Harvard University Press, 2003).
- Kabir, Ananya Jahanara, *Territory of Desire: Representing the Valley of Kashmir* (Minneapolis, MN: University of Minnesota Press, 2009).
- Lamb, A., *Incomplete Partition: Genesis of the Kashmir Dispute 1947–48* (Hertingfordbury: Roxford Books, 1997).
- Whitehead, Andrew, *A Mission in Kashmir* (New Delhi: Penguin, 2007).
- Zutshi, Chitralekha, *Languages of Belonging: Islam, Regional Identity and the Making of Kashmir* (New York: Oxford University Press, 2004).

CHITRALEKHA ZUTSHI is Associate Professor of History at the College of William and Mary and the author of *Languages of Belonging: Islam, Regional Identity, and the Making of Kashmir* (Oxford University Press, 2004). Her current research and writing explores the historical imagination in Kashmir and colonial India.

Editor's Note: Since the Kashmir controversy is continually changing, we are fortunate that the author of this article was doing research in the region in summer 2009 and that she was kind enough to send us an update of events surrounding the controversy.

Postscript

(filed by the author from Srinagar, Kashmir, July 2009)

The Kashmiri movement against the state seems to have entered a new phase. While militant activities have clearly declined and the capital city, Srinagar, even presents a look of normalcy, a few days in the Valley are enough to reveal the deep resentment and simmering anger of many people in Kashmir toward the governments of India and the state of Jammu and Kashmir. This was brought to the fore most recently in an incident involving the rape and murder of two young women. Police involvement was suspected, and the investigation was botched by state government agencies. Following the incident, the Valley completely shut down in protest. People took to the streets as demonstrations erupted, and in some cases, the demonstrators stone-pelted police and security forces. These men and women, young and old, poor and rich, shouted slogans for *azaadi* (freedom), as they cried out for freedom from India, but also for freedom from corruption, injustice, and bad government.

Several young men and women I spoke with at Kashmir University told me that they were tired of governments (Indian, Pakistani, or Kashmiri), and that they expected little of the local political organizations that claimed to represent Kashmiris. They were also quite cynical of Indo-Pakistani talks on the Kashmir issue. The only way forward, according to them, was to organize mass movements of civil disobedience against the high-handedness and utter disregard for human rights displayed by the government and security forces in Kashmir. One of them remarked that Kashmir would eventually win its freedom; after all, it took India several decades to oust the British from the subcontinent.

This massive involvement in the movement, and its localization as common people respond to specific incidents, no doubt makes the Indian state justifiably uncomfortable, since it is at its own peril that the Indian government ignores the voices and grievances of the Kashmiri people, which are now more apparent than ever before.



KUSU (Kashmir University Students Union) members demonstrating for Azaadi (freedom), July 2009. The slogan reads: Be Witness—It Is Not Done, It Has Begun. Photo courtesy of Chitralekha Zutshi.