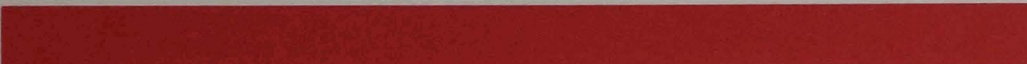




The Kashmir Issue

**Kashmir
An
Introduction**

International Institute of Kashmir Studies



Dedicated
to
The Great Soul of
Shihab-ud-Din Shahmiri

*For ages the rose (coming and going) packed and unpacked its apparel
But our soil failed to produce another Shihab-ud-Din.*

Poet IQBAL

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FOREWORD

Living nations maintain a meaningful relationship with their past. They derive inspiration from its brighter aspects to build their present and future. They avoid pitfalls by learning from its mistakes. In short, time for them is an organic unity where past, present and future are integrally related to one another.

Anyone conversant with the present-day Kashmir and its history would realize that, as ill luck would have it, Kashmiris have lost touch with their past. Their past is glorious and enviable and they have every reason to be proud of it. They were brave and intrepid. They made an original and a significant contribution to arts, crafts and letters. For centuries they not only preserved their independence but ruled over large parts of Asia. So abjectly miserable is Kashmir now that these things seem to be the figments of a dream.

Side by side with their glorious achievements, Kashmiris have also committed some disastrous mistakes in the past, some of which are largely responsible for the current plight of Kashmir. Instead of overthrowing the tyrannical Chak dynasty in 1587, they invited external interference. In 1752 one of their rulers betrayed Kashmir to Ahmad Shah Abdali and finally in 1947 they failed to put up sufficient resistance against their Hindu ruler's decision to accede to India.

The need of the hour is that Kashmiris should derive inspiration and encouragement from their glorious past to undo the effects of their past blunders, particularly the disastrous misadventure of 1947. There is no doubt that their struggle against Indian imperialism has been going on for the last four decades. Every now and then there are protests, lock-outs and demonstrations in which people are killed in large numbers. The sensitive Kashmiris react violently to every injustice done to any people anywhere in the world and make it an occasion to reiterate their demand for freedom from India. But their struggle has to be properly planned and consistently carried on. They need to define their objectives very clearly and then launch a systematic and continuous struggle to achieve them. Time and the Law of Nature are on their side as they ever are on the side of an unoppressed people fighting against injustice. If this universal truth needed any fresh illustration, Vietnam and Afghanistan are there to supply it.

It is a pity that the tragic plight of Kashmiris does not receive proper international sympathy and support. One of the factors responsible for this is the lack of awareness about the Kashmir problem in the world. This brief introduction is an attempt to create such awareness as well as to arouse Kashmiris to their supreme duty of freeing their homeland and restoring it to its grandeur and glory.

Dr. Ayyub Thukar

Chairman

International Institute of Kashmir Studies, London.

May, 1992.

PREFACE

Kashmir has always enjoyed tremendous fame as a region of extraordinary natural beauty and crucially strategic location. When the British left the Indian subcontinent in 1947 after dividing it into India and Pakistan, various circumstances conspired to deprive Kashmir of its independence and make it a colony of the new-born Indian imperialism. The Kashmiris resisted their colonization which led to a long-drawn out dispute between India and Pakistan and generated permanent tension in the area. Three bloody wars have already been fought between the two countries and there have been several debates about the Kashmir dispute in the United Nations Organization. All this has brought Kashmir into further limelight. But notwithstanding all this there is an amazing lack of awareness and concern about Kashmir even among those who are largely responsible for the current impasse of this unhappy region. This monograph is meant to fulfil this need to a certain extent.

In the course of drafting this tract, I have acutely realized the all-important need of the rewriting of the history of Kashmir. Unfortunately most of the history books of Kashmir have been written from tendentious and prejudiced points of view. There has been a lot of distortion, suppression and misrepresentation of facts. The task of rewriting the Kashmir history is a tremendous task and awaits a capable historian. If this monograph proves to be a blueprint or just an inspiration for such a work I shall feel immensely rewarded.

The monograph owes its origin to the suggestion and inspiration of my honoured friend, Dr. Ayyub Thukar, who is a dedicated servant of the Kashmir cause. Allah has gifted him with the right kind of vision and the determination to translate that vision into reality. I wish I could do something more worthy of him which he richly deserves.

Warith Munawar
Cambridge
May, 1992

Geographical Determinants

A brief description of some salient geographical features particularly those which have played a crucial role in determining the character of the Kashmiri people and the political fate of the unhappy Valley, would perhaps be an appropriate beginning of this essay. Over a century ago William Wakefield wrote an interesting book on Kashmir entitled "The Happy Valley." The title he chose was quite suitable in that it signified not only the natural beauty of Kashmir, which it still retains, but also the psychological ease and contentment of her people notwithstanding their manifold social and economic problems and the political oppression of the despots. Within a century the change has come full circle. The happy valley is now one of the unhappiest regions upon the surface of the earth. What befell Kashmir in 1947 was also partly (perhaps largely) due to its irresistible charm, its bewitching scenery and its peculiar geographical location.

Two important geographical features are particularly noteworthy in this regard; its strategic location and its extraordinarily charming, almost mesmerizing beauty.

The state of Jammu and Kashmir – to name it properly – shares its borders with India, Pakistan, China and Afghanistan. A small strip of Wakhan in Afghanistan separates it from the Commonwealth of Independent States (former USSR). Because of this highly strategic placement, the state has always been the centre of attraction for superpowers and the consideration of this crucial position played no mean part in determining the attitude of the superpowers during the U.N. Security Council debates and other international moves to settle the dispute of Kashmir. The problem is one of the most effective examples to explode the myth of the independence of any of the Third World countries. Many a time the USSR vetoed several just U.N. Security Council resolutions asking for the settlement of the Kashmir dispute through plebiscite because it thought that the strategic region would become available to the U.S. via Pakistan while the same advantage would be available to it through its ally, India, if Kashmir remains under the Indian occupation.

The area of Jammu and Kashmir is 84,494 square miles. That is to say, it is larger than Bangladesh in Asia and in Europe larger than the areas of Albania, Austria, Belgium, Denmark and Holland put together. About 80% of its

population consists of Muslims and rest Hindus, Sikhs, Christians and others who have been forcibly yoked together with the so-called secular India.

A Paradise on Earth

Dilating on Kashmir's beauties would be labouring the obvious. For centuries now it has been celebrated as the most enchanting spot on the earth, the Shangrila, the paradise on earth.

*Agar firdaus ber roye zaminast
Hamin asto, hamin asto, hamin asto*

If there could ever be a Paradise on the surface of the earth,
It is this, it is this, it is this.

sang the Persian poet of the Moghul age and the sentiment has been echoed since by countless millions. Even a brief description of Kashmir's natural beauties would require a thick volume. Couched in the lap of snow-clad mountains, the valley of Kashmir looks like a chaste and lovely bride decorated by Nature herself. The crystal clear streams that tumble down from their mountain heights murmuring as they gently glide over the pebbles glittering like gems in the bright sunshine, the numerous lakes that intersperse the valley like bright ornaments, the breathtakingly beautiful hill-stations with lush green pine forests and cool and clear waters, make it a virtual heaven. Pahalgam, Gulmarg, Daksum, Kokernag, Achchabal, Verinag, Sonamarg and Yusmarg are some of the well-known hill-stations of the Valley. Each of them has a peculiar charm or beauty of its own.

Ninety six kilometers from Iqbalabad (Srinagar), the summer capital of the state, Phalagam is the most favourite haunt of visitors, local as well as non-local. Set in a charming little valley, it is surrounded by pine-covered mountains from whose lap rushes down the sparkling stream of Lisher whose beauty is indescribable. It is also the starting-point for the annual pilgrimage of Hindus to one of their innumerable temples built on a cave called Amarnath. The cave is frequented by wild pigeons whom the idol-worshippers take to be the symbol of one of their gods, called Shiva. Pahalgam's natural beauty is unfortunately being unduly interfered with as it is fast growing into a township. An imaginative and patriotic government would have preserved its pristine beauty and wild aspect which would draw visitors from all parts of the world.

Gulmarg, literally the valley of flowers, is about 56km from Iqbalabad (Srinagar). Situated on a plateau reached through thick pine forests covering

steep hills, the delightful vale of Gulmarg is famous for the winter-sports like skiing and skating. Apart from this it is, like Pahalgam, a favourite haunt of visitors.

Daksum, Kokernag, Achchabal and Verinag are all situated in the southern part of the valley which is the loveliest region of this earthly heaven. Daksum is so quiet and silent that one feels inspired here with thoughts of peace and tranquility. Kokernag is well-known for its health-giving waters gushing forth from the foot of a towering hill. The stream that flows is surrounded by beautiful rose-gardens. Achchabal is one of the famed Moghul gardens built around a beautiful and powerful spring issuing from a mountain. The waters of the spring are made to flow in streams into several ponds where fountains play all day and soothe the beholder's eye. Verinag is yet another lovely garden built around one of the most famous and placid springs, named Verinag. Sonamarg and Yusmarg are two of the most secluded hill-stations of Kashmir where quiet and silence seem ever to reign.

Among the various lakes specially noteworthy are Dal lake, the Wular and Manasbal lake. The Dal lake is the chief beauty of Iqbalabad (Srinagar). On its eastern side it is bordered by the famous Moghul gardens – Shalimar, Nishat and Chashma Shahi, and on the western side by the Naseem Bagh and the charming white-marble shrine of Hazratbal which, according to the legend, enshrines the holy hair of the Prophet Muhammad (sallallahu alihi wasallam). Near the Hazratbal shrine also stands the University of Kashmir which possesses one of the loveliest campuses in the world. At different points in the Dal lake there are three beautiful islands – the Sona Lank, the Char Chinari and a park built after 1947 and named after the first Indian Prime Minister, Jawaharlal Nehru. A shikara-ride through the Dal lake is one of the most enjoyable experiences both for the native and non-Kashmiri visitor. Parts of the Dal lake like Gagribal and Nagin are used for water-skiing and other water sports.

The Wular lake is the greatest sweet-water lake in Asia. Situated in the northern Kashmir, the Wular contains, on an island within it, the remains of certain edifices built by one of the great ancient Sultans of Kashmir, Zain-ul-Abidin, Badshah. It is a reservoir of water-nuts and lotus-roots which are not only lovable articles of food but also serve as a means of livelihood for a considerable number of people. Manasbal is one of the most charming smaller lakes of the valley surrounded on all sides by snow-capped mountains and delighting the beholder with a wild and unravished beauty. This list does not, by any means, exhaust the beauty-spots of Kashmir which are so numerous as to fill up a volume

on their own.

Although the other two regions of Jammu and Kashmir – Jammu and Ladakh – are not as beautiful as the Valley, yet they are not devoid of it. Jammu has its lovely hill-stations and Ladakh is known for its rich historical heritage.

This all-embracing beauty, which makes Kashmir what it is, has also another side to it. It has generated certain characteristics in the inhabitants of the Valley in particular, which militate against their natural demeanour. This situation has been exacerbated by certain peculiarities of dress which the Kashmiris adopted at a particular stage in their history in order to combat the vagaries of weather. December, January and February are extremely cold in Kashmir and Kashmiris, having no sophisticated devices to fight the cold, wear a loose, long-sleeved garment, **pheran** which Lawrence aptly characterised as ‘the effeminate gown’ ⁽¹⁾, and carry within it a portable kind of stove, filled with live coal, called **kangri**. The two things together constitute a complete recipe of indolence. The character generated by all these geophysical and climatic compulsions could perhaps have been saved with the help of a vital and life-giving ideology but Kashmir, before the advent of Islam, never had the benefit of such a social ideology.

(1) Walter Lawrence, *The Valley of Kashmir* (London 1895)

A Brief Historical Survey

For purpose of convenience the history of Kashmir can be divided into seven distinct periods.

- (i) The Hindu period (from the beginning of Kashmir's history to 1339).
- (ii) The period of Muslim Sultans (1339-1587).
- (iii) The Moghul rule (1587-1752).
- (iv) The Afghan rule (1752-1819).
- (v) The Sikh rule (1819-1846).
- (vi) The Dogra monarchy (1846-1947).
- (vii) Kashmir after 1947.

This chapter attempts a brief survey of the history of Kashmir upto 1846 to serve as a background to the main discourse which follows in the remaining chapters. About the ancient Hindu kings, with whom Kashmir's history begins, very little authentic information is available. Kashmir is said to have originally been a large lake which, according to legend, was drained by a mystic called Kashap Rishi. This myth sets the tone of Kashmiri history and culture which had long been dominated by superstition and supernaturalism. What was the probable time of this legendary desiccation is shrouded in mystery. Kalhana's **Rajtarangni** would place it around 2450 BC when, according to Kalhana, Gonanda I ascended the throne and established the monarchial system of government. Other historians place the time of desiccation much later in 266 BC. The accounts of most of the kings who ruled Kashmir until 1339, mostly Hindus and a few Tartars, have not been properly preserved. Throughout this period, with the exception of two brief intervals, Kashmir was free and there were times when its kings ruled over large parts of India and Afghanistan. Kashmir's conquest by Ashoka in the middle of the third century BC and the Kushan conquest in the first century AD were both short-lived and at both times Kashmir quickly regained its independence.

The Hindu period came to a close with the last king of the Lohar dynasty, Sahdeva, who was an incompetent and tyrannical ruler. His reign ended with Zulchu's invasion of Kashmir. Zulchu was a Mongol freebooter and a descendant of the dreaded Halaku. He caused large-scale devastation during his invasion of Kashmir leaving it in a state of chaos and anarchy after his departure.

Making capital of these chaotic conditions, a West-Tibetan prince named Renchan, who had already occupied a part of Kashmir, conquered the whole territory and became its monarch. Renchan was a very inquisitive person and studied various religions to find the truth for himself and ultimately accepted Islam at the hands of Syed Sharf-ud-Din, popularly known as Bulbul Shah, and became the first Muslim ruler of the state. Some historians believe that he expressed an inclination towards embracing the Sivaite faith but the orthodox Brahmins refused to admit him into their fold whereas Islam, with its message of equality and brotherhood, welcomed him. Renchan assumed the Islamic name, Sadr-ud-Din and ruled Kashmir for a brief period (1320-1322). With his death Kashmir witnessed another period of chaos which ended in 1339 when Shah Mir, a minister and nobleman originally hailing from Swat, assumed the reins of the government.

The accession to the throne of Sultan Shams-ud-Din Shahmiri (1339-1342) inaugurated the most glorious chapter of Kashmir's history – its golden age of independence, freedom, peace and prosperity. Sultan Shams-ud-Din's brief reign was followed by 12 years of peaceful rule by his sons, Jamshid and Ala-ud-Din.

It was Shams-ud-Din's grandson, Sultan Shihab-ud-Din Shahmiri (1354-73) who made Kashmir a power to reckon with. After repairing the damages caused by foreign invasions and consolidating his internal position Shihab-ud-Din embarked on a glorious career of expanding the borders of Kashmir. Within two years of his succession, Tibet, Khasgar and Kabul were added to the kingdom of Kashmir. Shihab-ud-Din's reign was characterised by peace, prosperity and rule of law and justice.

It was during Shihab-ud-Din's reign that the first regular '**dawah**' work in Kashmir was inaugurated by Mir Syed Ali Hamadani. Before this the work of '**dawah**' was carried on by certain dedicated individuals but was not properly organized and institutionalized. Syed Ali gave it the form of a movement sustained by certain well-established institutions. He first visited Kashmir in 1372 and went back after a stay of four months. He visited Kashmir for the second time during the reign of Qutb-ud-Din (1373-89), the younger brother of Shihab-ud-Din, and stayed on for two and a half years. His third and final visit was in 1383 and lasted for one year.

Syed Ali started the great task of Islamic education on two levels. On the one

hand he influenced the court through personal visits and long epistles instructing the king and his courtiers to become truly Islamic. On the other hand, he established seminaries of instructions called '**khanqahs**' at the central places of Kashmir to educate the masses on Islamic lines. Three of those **khanqas** – the Khanqah Moalla in Srinagar, the Khanqah Ala at Tral and Khanqah Wala at Watchi were well known and are still revered by people. His missionary work was successfully carried on by his successors led by illustrious son, Mir Muhammad Hamadani.

The finest flower of the '**dawah**' work was Sultan Sikander (1389-1413). The Sultan was a benign and just ruler and gave Kashmir the taste of ideal rule of justice and peace.

Zain-ud-Abidin (1420-1470) was the last great ruler of the Shahmir dynasty and the longest to rule. For his reign of over a half century and his great achievements in almost all fields of life he came to be known as Badshah (the great king) among Kashmiris. There is no corner of the Valley which does not bear to this day one or the other of his memorials. He built various towns, bridges and forts, established a sophisticated system of irrigation, patronized art and letters and introduced various arts and crafts in Kashmir. He brought wool from Tibet and weavers from Turkistan and developed such crafts such as book-binding, glass-making, paper-making and papier-mache. Kashmir enjoyed peace and contentment during his long reign. His descendants, however, proved unworthy of him and lost their kingdom to the Chaks through mutual bickering and infighting.

The Chak rule, bedevilled by continuous fighting against Moghul expeditions and internal anarchy and instability, continued from 1536 to 1587. By this time the Chak tyranny had reached its extreme. Yaqub Shah Chak, the son of Yousuf Shah Chak, was the worst of all the Chak rulers. In his day a reign of terror was let loose. In these circumstances the religious leaders, led by Shaikh Hamzah Makhdoom, decided to invite the Moghul emperor, Akbar to annex Kashmir on certain terms and conditions. The delegation which waited upon Akbar to represent the case of Kashmir was led by luminaries like Shaikh Yaqoob Sarfi and Baba Daud Khaki. Akbar, who had failed on several occasions to annex Kashmir by force, at once seized the opportunity and sent a huge army which defeated the Chak army after some resistance. Thus in 1587 Kashmir became a part of the Moghul empire and lost its independence for the first time in its known history.

A measure of peace and stability returned to Kashmir during the time of Moghul rulers who governed the state through their subedars. The Moghuls contributed solidly to the beautification of Kashmir and the enrichment of its cultural tradition. Arts and letters thrived in the Valley under their tutelage. The famous Moghul gardens, the baths at Achchabal and Manasbal and various pleasure-houses at different places are mute witnesses of this significant contribution. Most of the Moghul emperors including Akbar, Jehangir, Shahjahan and Aurangzeb paid long visits to Kashmir during its delightful summer months. Aurangzeb's son and successor, Bahadur Shah, married a Kashmiri girl who became the mother of Farrukh Siyar who ascended the throne after Bahadur Shah. After Aurangzeb's death the Moghul empire fell into the hands of his incompetent descendants. Most of the provinces started asserting their independence. Kashmir was no exception. Its governors started ruling as independent monarchs until one of them betrayed Kashmir to Ahmad Shah Abdali who annexed it to the kingdom of Afghanistan.

A Spate of Relentless Tyranny

Kashmir passed into the hands of Ahmad Shah Abdali in 1752. The Afghans ruled Kashmir through their governors, who after a brief period, became semi-independent and retained a nominal relationship with Kabul. In 1809 Muhammad Azim Khan, the then governor of the state, threw off the Afghan yoke altogether and declared his independence. It was during Azim Khan's reign that Maharaja Ranjit Singh, after many unsuccessful attempts to take Kashmir, launched a massive attack led by himself. A fierce battle took place at Shupian between the Sikh army and forces of Kashmir which ended with the humiliating defeat of Ranjit Singh who fled with his life to Lahore, setting fire to several towns on his way back including Poonch. Back in Lahore he engaged himself in elaborate preparations to take over Kashmir. In 1819, when Jabbar Khan was the governor of Kashmir and the whole Valley was simmering with discontent due to the tyranny of the Afghan rule, a huge Sikh army invaded Kashmir. Jabbar Khan could not muster support from the masses and defended with a feeble army of five thousand demoralised men. In consequence he was defeated and Kashmir became a part of the Sikh kingdom for twenty-seven years.

Both the Afghan and Sikh rules of Kashmir were a period of relentless tyranny and ruthless economic exploitation of the masses by the ruling class. No section of the masses could escape the inhuman brutality of the Afghans and Sikhs with the exception of the Hindus during the Sikh reign. No one could breathe freely in these reigns of terror. Even foreign visitors were persecuted. George Foster who visited Kashmir in disguise during this period was stunned by what he saw. He presents Haji Karim Dad Khan as terror 'notorious for his wanton cruelties and insatiable avarice' and about his son, Azad Khan, he says that 'the casual mention of his name produced an instant horror and involuntary supplication of the aid of their (that of the Muslims) prophet'⁽¹⁾. It is very difficult for a student of history to decide between the Afghan and the Sikh rule as to which was the worse. When, however, the Sikhs replaced the Afghans, the tyrannised Kashmiris heaved a sigh of relief. As Lawrence puts it:

It must have been an intense relief to all classes in Kashmir to see the downfall of the evil rule of the Pathans, and to none was the relief greater than to the peasants who had been cruelly fleeced by the rapacious Sardars of Kabul. I do not mean

to suggest that the Sikh rule was benign or good, but it was at any rate better than that of the Pathans.⁽²⁾

'At any rate better'; here, in my view, Lawrence for once has erred. The Sikh rule was in no wise better than the Pathan rule. If anything, it was worse with the exception of the attitude of the Sikhs towards the Hindus of the Valley. Muslims were persecuted in the extreme. One of the Sikh governors banned the 'adhan' (the Islamic call for prayer) and the gathering of Muslims in the Jama Masjid of Srinagar. It was a law during the Sikh reign that if a Sikh killed a native he had just to pay a paltry ransom of Rs. 16.00. Of this, one-fourth would go to the family of the deceased if the deceased was a Hindu; and one-eighth if he was a Muslim and the remaining amount would go to the state exchequer. It was during the Sikh rule in 1831 that Kashmir experienced its worst famine which was caused by a heavy and untimely snowfall in early October. Vigne who visited the Valley four years after the famine describes the terrible aftermath caused by the mass scale migration of large population as a result of the famine:

The villages were fallen in decay. The rice-ground was not cultivated for want of labour and irrigation. Shupain was a miserable place, and Islamabad was a shadow of its former self.⁽³⁾

The all-pervading tyranny which the Kashmiris experienced during the Afghan and the Sikh rules ultimately broke their nerve and led to a moral degradation from whose ill effects they took long to recover. The people who had once jealously safeguarded their independence and had wielded power over large parts of the surrounding areas became, with the passage of time, shadows of their former selves.

The Kashmiris have been severely censured, particularly by historians from outside the Valley, for certain failings. Lying, cheating, prevarication and cowardice are singled out for special criticism. It will be unjust to brush aside these charges but it is equally unjust to ignore the historical compulsions which led very naturally to this kind of behaviour. Lawrence, the keenest observer of

the Kashmiri character, imputed most of these failings to the relentless tyranny to which Kashmiris were subjected by successive regimes and many historians agree with this estimate.

- (1) G.M.D. Sufi, *Islamic Culture in Kashmir* (New Delhi: Light and Life Publishers, 1979), pp. 293-294.
- (2) Walter Lawrence, *The Valley of Kashmir*, p. 158.
- (3) Quoted in *Islamic Culture in Kashmir*, p. 294.

The Sale of a People

In 1845 when the Sikhs were still in control of Kashmir, something very fateful happened. War broke out in November 1845 between the Sikhs and the British. An important individual during this war, and its aftermath, was a person from Jammu known as Gulab Singh.

A grand-nephew of a hill-chieftan, Gulab Singh had joined the service of the Sikh Darbar at Lahore along with his two brothers some years back. He distinguished himself by his intelligence and bravery. During Ranjit Singh's conquest of Kashmir he captured for him the Muslim Raja of Rajouri, Agar Khan. As its reward Jammu was conferred on him as a Jagir to which he annexed Ladakh and Baltistan by conquest during 1834 and 1842.

During the British-Sikh war of 1845, Gulab Singh played a dubious role and managed ultimately to represent the Sikh side in the peace talks with the British that followed the war in which the British had an upper hand. The talks concluded on the 1st Treaty of Lahore (signed on 9 March, 1846) whose main features were the British recognition of the Sikh government of Lahore, the cession of the areas between Beas and Sutlej and Beas and Indus to the British by the kingdom of Lahore and the personal rise of Gulab Singh. Within week of this treaty, the British signed another treaty at Amritsar with Gulab Singh on 16 March, 1846 under which Kashmir and Hazara also became part of his dominion. The two most crucial articles of the notorious Treaty of Amritsar read:

Article 1: The British government transfers and makes over for ever, in independent possession, to Maharaja Gulab Singh and the heirs male of his body, all the hilly or mountainous country, with its dependencies, situated to the eastward of the river Indus, and westward of the river Ravi, including Chamba and excluding Lahul, being part of the territories ceded to the British government by the Lahore state, according to the provisions of Article 4 of the Treaty of Lahore, dated 9th March 1846.

Article 3: In consideration of the transfer made to him and his heirs by the provisions of the foregoing articles, Maharaja Gulab Singh will pay to the British government the sum of 75 lacs (7.5 million): Rs. (Nanak Shahi); 50 lacs (5 million) to be paid on the ratification of this treaty and 25 lacs (2.5 million) on or before the first of October of the current year A.D. 1846.⁽¹⁾

Thus was concluded the most ignominious sale-deed of human history through which a whole nation was sold out for a price cheaper than that of potatoes. Looking back at this humiliating treaty, poet Iqbal mourned:

*Bade saba agar be Geneva guzer kuni
Harfe ze ma be Majlise Aqwam baz goy
Dehqanu kishtu bagu khayaban farookhtend
Qoume farookhtendu che arzan farookhtend.*

O morning breeze if you chance to pass through Geneva
Convey this message of ours to the League of Nations there
They have sold away the tillers, the fields and the gardens
They have sold away a people and, for what a cheap price!

Gulab Singh's take-over of Kashmir was not an easy and smooth walk-over as has often been supposed. Resistance was put up by Imam-ud-Din who governed Kashmir at that time on behalf of the Sikh government. Whatever his own motives, he mustered support among Kashmiris because he appealed to their love of freedom. The Raja of Rajouri also lent him support. With the active support of the British government and the Sikh kingdom; Gulab Singh, however, succeeded in suppressing the revolt, and by the end of the year 1846, was firmly in control of the situation.

Gulab Singh and his descendants ruled Kashmir for a whole century (1846-1947). The Dogra rule as it was called henceforth, was utterly despotic and subsisted on an oppressive feudal order. The Dogras of Jammu and the small Hindu minority in Kashmir became the privileged classes and feudal lords while all others were used as vassals. The Kashmiri Muslims, in particular, received a

rough deal. Legislation was passed to authorise and justify discrimination against them. On conversion to Islam a Hindu was deprived of all his property by law but a Muslim, if he would embrace Hinduism, would suffer no loss. Cow-slaughter was declared a capital offence (and is even now a crime punishable with three years' imprisonment under the Indian occupied state law). What is most surprising is that in no part of India today is cow-slaughter banned and regarded as a punishable offence. During the Dogra rule, avenues of government employment were practically closed to the Muslims even though they constituted over 80% of the population of Kashmir. In short, their position was that of hewers of wood and drawers of water. This oppression was fortified by stringent laws banning all freedom of speech, expression and association.

When the Dogra oppression reached its extreme the simmering popular discontent found an outlet in a small group for discussion and exchange of ideas called the 'Reading Room party'. Similar groups sprang up in Jammu also. Religion served as the rallying and galvanizing force for these groups both in Jammu and Kashmir. The awakening received a great boost from the publicity campaign launched in the Punjab in favour of the Kashmir cause by Ahrars, a very zealous Islamic party of the time. The first public statements against the Dogra oppression were made in after-prayer meetings in the mosques of Kashmir. The most crucial meeting in this connection took place on 21 June, 1931 at Khanqah Mualla, Iqbalabad (Srinagar). A non-Kashmiri Abdul Qadir, accompanying a European as a butler, electrified the audience by a scathing attack against the despotic rule on subjects of the state. The speech was delivered against the background of the desecration of the Qur'an in Jammu and had a magic effect upon the listeners. Abdul Qadir was immediately arrested and July 13 was fixed for his trial in the Central Jail. Crowds stormed the Central Jail on the appointed date. The authorities responded by opening fire and killing over 20 people. This set up a wave of agitation in the whole Valley. In September the government proclaimed martial law but could not stem the rising tide of resentment. Huge processions were taken in defiance of the martial law regulations. The government opened fire, on the processionists killing three people in Iqbalabad (Srinagar) and 21 in Islamabad (Ananatnag).

In 1932, the struggle took a concrete form when the All Jammu and Kashmir Muslim Conference was founded with Shaikh Muhammad Abdullah as its President and Choudhry Ghulam Abbas as the General Secretary. The party continued the struggle, and within two years of its formation forced the state government to recognise its demand for a legislative assembly whose members

were elected on the basis of adult franchise. In 1938, the Working Committee of the Muslim Conference adopted a resolution to change the name of the party from Muslim Conference to National Conference, resolving at the same time that the party will align itself neither with Indian National Congress nor with the Muslim League. The resolution was ratified by the General Council of the party in 1939. Soon after Shaikh Abdullah and some of his associates started openly aligning with the Indian National Congress. Resolutions were passed in favour of Congress resolutions against the war effort and in favour of recognizing Hindustani (in Devnagari and Persian scripts) as the official language of the state. Nehru became the presiding genius of the party and was invited to Kashmir and given a rousing reception. This naturally led to a split in the party. Choudhry Ghulam Abbas and some of his associates left the party and revived the Muslim Conference in 1941 with Mir Waiz Yousuf Shah as their main support in the Valley. This was the turning point in the history of Kashmir's freedom struggle and had far-reaching consequences which the myopic leadership failed to see at the time.

It was not a mere change of nomenclature but a change of direction, almost a U-turn. What happened in 1947 was a natural offshoot of this tragic turn-about.

In 1946 Kashmir, like the rest of the subcontinent, was in turmoil. The Valley was bedevilled by frequent skirmishes between the workers of the National Conference and those of the Muslim Conference. Choudhury Ghulam Abbas was banned from entering the Valley. From across the border, as he would recall later in his autobiography, '**Kashmakash**' he watched with anguish how the simple Kashmiri Muslims were being led into a trap. Defying the ban orders, he tried to enter the Valley via Poonch in order to tour the country and explain the issues at stake to the common people. The Maharaja's government, however, promptly arrested him. In May, 1946 Shaikh Abdullah gave the call of 'Quit Kashmir' to the Dogra ruler who, it should be remembered, was a permanent resident of a part of the state, Jammu. The government replied with mass arrest of the National Conference workers. Bakhshi Ghulam Muhammad and G. M. Sadiq managed to escape to Lahore where they colluded with socialists and communists to solve the Kashmir problem. This was the state of affairs when the fateful midnight hour arrived – the hour of partition and the creation of independent India and Pakistan.

- (1) P. L. Lakhanpal, Essential Documents and Notes on Kashmir Dispute (International Books, Delhi-6; 1965); p.31.

1947 and After

When the British decided to quit India in August 1947, the subcontinent consisted of two types of territories – British India which was directly ruled by the British and 584 Princely states including the state of Jammu and Kashmir. These states had contractual relationship with the British government in India and with the departure of the British the pacts came to an end and the states became independent. The Indian Independence Act 1947, however, advised the states that should they choose to accede to either of the two dominions – India and Pakistan – instead of remaining independent, the decision should be made in accordance with the will of the majority of the people. Since the country had been divided on communal basis it was expected that the Hindu majority states will accede to India and Muslim majority states to Pakistan. This is what happened in effect in case of all the states except two, Hyderabad and Jammu and Kashmir, who were denied the right to exercise the option of either remaining independent or acceding to one of the two dominions. In case of other states India not only upheld the right of self-determination of the people but used force to see it implemented. Thus when the Muslim rulers of the states of Junagarh, Manavadar and Mangrol executed instruments of accession with Pakistan, India rejected the action on the ground that the majority of the people of these states consisted of Hindus. Indian troops marched into these states and annexed them by force. Hyderabad opted for independence to which it was entitled under the Indian Independence Act but India occupied the state on the plea that the majority of the people were Hindus and therefore the Muslim ruler had no right to remain independent. According to this principle the state of Jammu and Kashmir, being a Muslim majority state, should have acceded to Pakistan or remained independent. India, however, found it convenient to reverse its principles in this case. Sensing the aggressive designs of the Government of India, people in certain parts of the state, particularly in Poonch and certain parts of the state now in Azad Kashmir, raised the banner of revolt against the Maharaja and inflicted crushing defeats on the state forces. These freedom fighters were aided by certain tribals also. The Maharaja appealed to India for help. India, which was busy driving out the Muslim rulers of Junagarh, Manavadar and Mangrol and contemplating an end to the rule of Nizam in Hyderabad, should have brushed aside this appeal and let the will of the majority prevail in this case also. On the contrary, it exploited the situation to the maximum and extorted an Instrument of Accession from the Maharaja. On 29 October, 1947 when V. P. Menon returned from Jammu to Delhi with the

Instrument of Accession signed by the Maharaja on 26 October, 1947, he found Shaikh Abdullah waiting at the residence of Jawaharlal Nehru where he was staying as Nehru's personal guest. Shaikh Abdullah backed the accession on the ground that it was conditional and had to be ratified by the will of the Kashmiri people ascertained through a fair and impartial plebiscite. This was natural as the Instrument of Accession had been executed by the Hindu ruler of a Muslim majority state at a time when his people had rejected him and were in open revolt against him.

The Indian leaders not only accepted this principle but committed themselves to it in all possible ways and overstressed it time and again in their public statements. Thus in his cable to the British Prime Minister, Mr. Attlee, Nehru said:

I should like to make it clear that question of aiding Kashmir in this emergency is not designed in any way to influence the state to accede to India. Our view which we have repeatedly made public is that the question of accession in any disputed territory or state must be decided in accordance with wishes of people and we adhere to this view. It is quite clear, however, that no free expression of will of Kashmir is possible if external aggression succeeds in imperilling integrity of its territory.⁽¹⁾

Apart from the fact that this implies a severe criticism of Nehru's own action of forcibly annexing certain states to India, it is noteworthy that he disregarded Attlee's appeal, in answer to his cable, to refrain from armed intervention in Kashmir.

As was expected Pakistan rejected the accession of Kashmir to India and told Attlee in its cable of 29 October, 1947 that it had been achieved by fraud and violence. Allaying (ostensibly) Pakistan's fears Nehru assured the Prime Minister of Pakistan in his telegram, dated 31 October, 1947, that:

Our assurance that we shall withdraw our troops from Kashmir as soon as peace and order are restored and leave the decision regarding the future of this state to the people of the state is not merely a pledge to your government but also to the people of Kashmir and to the world.⁽²⁾

Following this up with his historic broadcast from All India Radio on 2 November, 1947, Nehru pledged:

We have declared that the fate of Kashmir is ultimately to be decided by the people. That pledge we have given, and the Maharajah has supported it, not only to the people of Kashmir but to the world. We will not, and cannot backout of it. We are prepared when peace and law and order have been established to have a referendum held under international auspices like the United Nations. We want it to be a fair and just reference to the people, and we shall accept their verdict.⁽³⁾

Deluded by these unequivocal assurances, Shaikh Abdullah securely took over the administration of the state and became its first Prime Minister. Meanwhile India referred the Kashmir Question to the United Nations Security Council on 1 January, 1948. Later events proved that it was a clever move by India to kill time and consolidate its hold on Kashmir. The U.N. is, by the nature of its constitution, inherently handicapped and, as its history has now made it clear, can either not have a resolution passed at all if one of the veto powers is opposed to it or, even if a resolution is somehow passed it has not the power to have it implemented. Being conscious of this inherent U.N. handicap India flouted all the U.N. resolutions and recommendations one after the other with complete impunity.

After its early resolutions calling for the creation of an atmosphere conducive to the settlement of the Kashmir question, the U.N. through its resolution of 21 April, 1948 recommended the holding of ... “a free and impartial plebiscite to decide whether the State of Jammu and Kashmir is to accede to India or Pakistan.⁽⁴⁾ To ensure the implementation of this resolution a Commission, called UNCIP was appointed. The Commission visited the subcontinent and after protracted deliberations passed a resolution on 13 August, 1948 which laid down among other things, that:

The Government of India and the Government of Pakistan reaffirm their wish that the future status of the state of Jammu and Kashmir shall be determined in accordance with the will of the people.⁽⁵⁾

This was reiterated again in the UNCIP resolution of 5 January, 1949. India, after committing itself to these resolutions; would back out by resorting to prevarication, verbal quibbling, misinterpretation and finally downright rejection. The U.N. then tried to secure a settlement through mediators like McNaughton, Owen Dixon, Frank P. Graham and Gunnar Jarring but their efforts failed in the face of relentless Indian intransigence. Ultimately the U.N.O. cooled off and gave up.

Meanwhile the Kashmiris began to wake up to the colossal blunder that their leaders had committed in conditionally accepting the Maharaja's accession of the state to India. Shaikh Abdullah himself watched with horror Nehru's subtle moves to back out of his pledge of plebiscite and merge the state with India. He was also alarmed at the worsening communal situation in India where no day passed (and no day ever passes) without some loss to the life and property of minority communities. His grumblings became audible in early fifties. In July, 1953, the Working Committee of the National Conference asked Nehru in writing to honour his pledge of plebiscite in the state as law and order had been restored.

Shaikh Abdullah again voiced his demand in a letter to Maulana Abul Kalam Azad written on 16 July, 1953. Nehru realised that Abdullah's role for him and for India was over. Within a few days Shaikh Abdullah who was the elected Prime Minister of Jammu and Kashmir was unconstitutionally dismissed and arrested along with some of his lieutenants like Mirza Muhammad Afzal Beg. Thus the so-called largest democracy of the world raped democracy in Kashmir on 9 August, 1953.

This led to an unprecedented upheaval in the history of Kashmir. The whole life was paralysed. Men, women and children, all came out on the streets demanding the freedom of their motherland and braving the Indian bullets. Over 1,100 people were butchered in a few days but the storm did not subside. Alarmed at the situation, Nehru threw another bait to stem the rising storm. He started making overtures to Pakistan and went over to Karachi to meet the Pakistan Prime Minister, Muhammad Ali, and invited the latter for talks to Delhi. After the Delhi meeting of the two Prime Ministers a communique was issued which said:

The Kashmir dispute was specially discussed at some length.
It was their firm opinion that this should be settled

in accordance with the wishes of the people of that state ... and the next step would be the appointment of a Plebiscite Administrator.⁽⁶⁾

The bait succeeded. The Kashmiris and the Pakistanis felt that Nehru genuinely wanted a settlement of the dispute. Calm descended on the Valley temporarily and Nehru soon found a way to back out of this latest pledge alleging that since Pakistan had received American military assistance, the Kashmir dispute could not be settled. On the other hand he instructed the puppet regime of Bakshi Ghulam Muhammad to pass legislation to make the state an integral part of India. It was in these circumstances that Mirza Afzal Beg, released on a brief parole on account of his illness, founded the All Jammu and Kashmir Plebiscite Front on 9 August, 1955, which was to become, in coming years, the state's largest and most powerful organization.

The puppet regime of Bakshi Ghulam Muhammad had a constitution passed by a nominated and unelected assembly which declared Kashmir to be an integral part of India. Shaikh Abdullah lodged a protest against this from the prison and the people of Kashmir unanimously rejected this constitutional provision, and so did the U.N. Security Council in its resolution of 24 January, 1957. India responded by hardening its attitude and instituting a false case against Shaikh Abdullah and his associates known as the Kashmir Conspiracy Case.

In 1962, China invaded India and Nehru, who had occupied Hyderabad exactly on the occasion of the death of Muhammad Ali Jinnah, felt that Pakistan may use the occasion to seek a military solution to the problem of Kashmir. Once again he made overtures and once again Pakistan responded generously but had to wait for a whole decade when India responded by dismembering it through armed intervention in East Pakistan. The India-China War was followed by six rounds of Bhutto-Swaran Singh negotiations which expectedly failed to produce a result.

On 27 December, 1963 the holy relic at the Hazratbal Mosque mysteriously disappeared. This led to yet another upheaval, perhaps the greatest, after the upheavals of 1931 and 1953. The whole population of Kashkor rose as one man demanding not only the restoration of the holy relic but also the withdrawal of Indian occupation forces from the state. Scores of young men were brutally shot dead but so strong was the wave of enthusiasm that nothing could control the storm. Ultimately the relic was restored but not before it had turned the whole

set-up upside down. The puppet Prime Minister Shams-ud-Din who had replaced Bakshi Ghulam Muhammad was overthrown and replaced by another puppet, G. M. Sadiq. Shaikh Abdullah was released and the notorious Kashmir Conspiracy Case unilaterally withdrawn. Nehru and President Ayub Khan of Pakistan both invited Shaikh Abdullah for talks. After his talks with Nehru, the Shaikh flew to Pakistan to meet President Ayub. On May 26, 1964, after his talks with the Pakistani leader, the Shaikh declared in a press conference that the solution of the Kashmir dispute was in sight and that President Ayub and Premier Nehru were going to meet in Delhi in June. The very next day, 27 May, Nehru died, backing out of all commitments once for all.

After Nehru's death the Indian attitude towards the Kashmir dispute became more and more inflexible. In 1965 a guerrilla-type armed insurrection began in the Valley against the occupation army of India. The insurrection had its mainspring in the other part of the state and India promptly blamed it on Pakistan. A bloody war ensued which was stopped by Russian diplomatic intervention. As was expected the war was followed by a conference of the Indian Prime Minister Lal Bahadur Shastri and the Pakistan President Ayub Khan under the auspices of the Soviet leaders at Tashkent. In the communique that followed the Tashkent Conference, the two leaders committed themselves to bilateralism in relation to the outstanding problems between them. About the problem of Kashmir, the two leaders reaffirmed their determination to solve it through negotiations. But before Shastri could come back to India, he died in sleep in mysterious circumstances. In fact, as his wife, Lalita Shastri, alleged in a press statement, he had been poisoned to death. Shastri's death was followed by the installation of Indira Gandhi as the Prime Minister of India. Recklessly authoritarian both at the domestic and the foreign fronts, Mrs. Gandhi adopted an uncompromising stance vis-a-vis the Kashmir question. Meanwhile the liberation movement continued in Kashmir under the leadership of Shaikh Abdullah and the Plebiscite Front. But now side by side with the Front, new and more organized forces were emerging. The revivalist Islamic movement, Jamati Islami, which had been working patiently but surely during the preceding two decades had come of age and appeared on the scene as a force to reckon with. Its stance on Kashmir was clear and unambiguous; that it has been occupied by fraud and brute force and its people had yet to exercise their right to self-determination. The other important liberation force 'Awami Action Committee', was led by Mir Waiz Maulvi Muhammad Farooq who played an important role but ceased to be effective after the break-up of Pakistan in 1971.

In the late 1960's India, under Mrs. Gandhi's leadership, started becoming more and more belligerent towards its neighbours and set out finally to wreck Pakistan, the main champion of the Kashmiri people. During this period Pakistan's internal problems went on multiplying and India exploited the situation to the maximum until it openly invaded Pakistan in 1971, when it was facing its severest internal crisis, and dismembered it.

This brought about a radical change in Shaikh Abdullah's thinking who now entered into a dialogue with Mrs. Gandhi to acquire power on India's terms. The ignominious Indira-Shaikh accord brought Shaikh Abdullah back to power in 1975 but he was now just like any other Chief Minister of an Indian state. The Plebiscite Front was wound up and Shaikh Abdullah revived his National Conference. The people of the state rubbed their eyes to ascertain whether it was a dream or a reality. The youth turned violently against Shaikh Abdullah and there was an uproar throughout the state against this criminal breach of trust by the Shaikh.

The stage of the liberation struggle, however, did not remain vacant. The vacuum was soon filled by the Jamati Islami and its sister organizations, People's League, Mahaz Azadi and Jamiate Talaba. Shaikh Abdullah came down heavily upon the Jamiat. Its activities were banned and its two leading lights – Shaikh Tajamul Islam and Dr. Ayyub Thukar were persecuted. The latter who has a doctorate in nuclear physics was dismissed from lecturership which he held in the University of Kashmir. Thus by an ironical turn of events Shaikh Abdullah took over the role of his erstwhile persecutors and the struggle was taken over by the liberation forces. It was in his changed role that the Shaikh died on 8 September, 1982.

- (1) P. L. Lakhanpal Essential Documents and Notes on Kashmir Dispute, (International Books, Delhi-6; 1965) p. 65.
- (2) Ibid, p. 72.
- (3) Ibid, p. 72.
- (4) Ibid, p. 138.
- (5) Ibid, p. 154.
- (6) Ibid, p. 273.

The Present Situation

Kashmir today stands at cross-roads. The Indian imperialism is using all the known tactics to tighten its grip upon a people for whom the very name of India is an anathema.

A concerted and well-planned campaign is on to destroy the vestiges of Muslim culture in Kashmir. The media is being exploited to the maximum for this purpose. The programmes on the All India Radio, Iqbalabad (Srinagar) and the Television are designed in a way to serve this purpose. The Kashmiri language used in these programmes and news broadcasts is systematically being purged and words are being replaced by unfamiliar Sanskrit and Hindi words which even the literate can hardly understand. Urdu, although on paper the official language of the state, is receiving a step-motherly treatment at the cost of the promotion of Hindi, India's official language. Roads, parks, bridges, new colonies and other landmarks are being renamed in order to Indianise the whole ambience. A student of history who reads the European travelogues written a century ago searches for such places as Takht-i-Suliman and Islamabad and finds them converted into Shankaracharya and Anantnag respectively. The NCERT (National Council of Education Research and Training) syllabi which have been made compulsory for all the schools, government as well as private, are heavily loaded in favour of Hinduism. Pseudo-intellectuals who offer their services for this nefarious campaign of cultural aggression are projected as intellectuals. They are given awards and honours and the official media bolster up their image in every possible way.

The most insidious of Indian imperialist tactics is the subtle change that is being brought about by immoral and unconstitutional methods in the population ratio of Muslims and Hindus in the state. According to the 1941 census the Muslims constituted 77% of the total population of Jammu and Kashmir and about 95% of the Valley. In 1961 they were shown to be 74% in the whole state and the latest census figures say that they constitute only 64% of the total population although in the Valley and the Muslim majority areas of Jammu province their number is still between 90 to 95%. The cases of eight hundred thousand Hindu migrants are being considered for grant of state subject rights in flagrant disregard of the people's wishes and the state constitution which lays down that in order to safeguard the identity and special position of the state no non-state subject shall be allowed to become a permanent resident of the state. What happens

clandestinely is still more alarming. False state subject certificates are issued to Hindus from outside in order to destroy the Muslim identity of the state.

Added to this is the suppression of democratic rights of the people of the state and brutal gagging of all voices of dissent. India is never tired of boasting of being the largest democracy of the world and, there is no doubt, that at home it does practise democracy but in its colony, Kashmir, it has never allowed democratic institutions to thrive. Except once during the Janata regime in India, free and fair elections have never been held in Kashmir. The last general elections (1987) surpassed all records of fraud and high-handedness. India's official combine, the National Congress/Congress-I alliance was defeated in almost all constituencies by the Muslim United Front but the Indian Election Commission shamelessly declared the defeated candidates as having won and the winning candidates as having lost.

At the moment the political scene is characterised by polarization which is becoming sharper and sharper day by day. The latest developments have lent an extremely angular turn to this polarization. Broadly speaking there is a struggle between two contending forces. On one hand there is the alignment of pro-Indian forces. Pitted against these, on the other hand, is the freedom movement working in different ways at different levels through several organizations which are united by one ideology and the similar long-term objectives.

National Conference and Congress-I are in the vanguard of pro-Indian forces and this combine is facing a tough resistance from the liberation forces such as Jamati Islami, People's League, Jamiate Talaba, Mahazi Azadi and several other smaller groups working in different fields for freedom struggle.

The leading light of the freedom movement is Syed Ali Shah Gilani. Gifted with almost all the main attributes of a genuine, popular leadership – sincerity, steadfastness, determination, vision and above all, an unshakable faith in the cause – Syed Ali Shah Gilani is a thorn in the eyes of Indian imperialism. In recent years he has been in and out of prison several times but his persecution has made him the only leader trusted and loved by all sections of people in Kashmir.

In between these two main contending forces there is a small group of power-hungry political turn-coats who delude the people of Kashmir in the name of internal autonomy – a mirage which wrecked Shaikh Abdullah's dream in 1953. The people of the state have, however, grown wise enough to see that it is the

freedom movement alone which genuinely stands for the cause of the oppressed Kashmiris not only at home but also abroad. Recent events have unmasked the real face of these counterfeit leaders who have split the Muslim United Front just to play safe and be in the good books of the repositories of power at Delhi. Muslim United Front divorced from the freedom movement is a contradiction in terms and shall die its own death as all such movements die which have no cause to serve and no ideology to inspire.

Meanwhile the struggle for liberation goes on. The Indian imperialism knows where the real threat lies for it and is using all methods of oppression against the freedom-loving forces. Workers of the freedom movement are frequently imprisoned. Government employees sympathetic to it are illegally dismissed from service. Students whose large majority supports freedom struggle are persecuted and discriminated against. There are frequent demonstrations against Indian imperialism in which fire is opened without any compunction and innocent Kashmiris killed every year in their hundreds.

INTERNATIONAL INSTITUTE OF KASHMIR STUDIES

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To disseminate information on Kashmir and her people, the Institute conducts seminars, symposia and conferences highlighting realities of overall life in the present day Kashmir vis-a-vis Indian exploitation of her people and resources. It promotes and supports publication of books, journals, periodicals, newspapers, pamphlets and audio/visual materials that provide objective insight into the current situation in Kashmir and the denial of freedom to Kashmiris since the partition of the subcontinent.

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