

# **INCOMPLETE PARTITION**

**The Genesis of the Kashmir Dispute  
1947-1948**

**ALASTAIR LAMB**

Also by Alastair Lamb and available from Roxford Books

**TIBET, CHINA & INDIA 1914-1950**  
A History of Imperial Diplomacy

**KASHMIR**  
A Disputed Legacy  
1846-1990

**BIRTH OF A TRAGEDY**  
Kashmir 1947

**INCOMPLETE PARTITION**  
**The Genesis of the Kashmir Dispute**  
**1947-1948**

by

**ALASTAIR LAMB**

**ROXFORD BOOKS**  
**Hertingfordbury**  
**1997**

© Alastair Lamb, 1997

The right of Alastair Lamb to be identified as the Author of the Work  
has been asserted in accordance with the  
Copyright, Designs and Patents Act 1986.

First published in 1997 by Roxford Books,  
Hertingfordbury, Hertfordshire, U.K.

All rights reserved. No part of this publication may be  
reproduced, stored in a retrieval system or transmitted  
in any form or by any means, electronic,  
mechanical, photocopying, recording or otherwise,  
without the prior permission in writing of the publishers.

ISBN 0 907129 08 0

Printed in England by Redwood Books, Trowbridge, Wiltshire.

# CONTENTS

<b>Acknowledgements and Sources</b>		<b>iii</b>
<b>Maps</b>		
I	Kashmir and its Neighbours	v
II	The State of Jammu & Kashmir	vi
III	Stages in the Evolution of the State of Jammu & Kashmir	vii
IV	Partition Lines in the Punjab, 1947	viii
V	Gurdaspur District showing <i>tehsils</i> , canals and lines of communication	ix
VI	The Vale of Kashmir and the scene of the First Kashmir War, 1947-1949	x
VII	Facsimile of map of the provisional Radcliffe Award provided by Christopher Beaumont to George Abell on 8 August 1947 and sent on to Sir Evan Jenkins in Lahore.	52
CHAPTER I	Introductory	1
CHAPTER II	The Birth of Pakistan	20
CHAPTER III	The Radcliffe Commission: July-August 1947	43
CHAPTER IV	Jammu & Kashmir and the Lapse of Paramountcy	94
CHAPTER V	The Poonch Revolt	115
CHAPTER VI	The Accession Crisis	140

<b>CHAPTER VII</b>	<b>The First Phase of the Kashmir War</b>	<b>179</b>
<b>CHAPTER VIII</b>	<b>To the United Nations: October 1947 to 1 January 1948</b>	<b>199</b>
<b>CHAPTER IX</b>	<b>Operation STAND DOWN and Direct British Involvement in the First Kashmir War, 1947 and 1948</b>	<b>232</b>
<b>CHAPTER X</b>	<b>At the United Nations in 1948</b>	<b>249</b>
<b>CHAPTER XI</b>	<b>The United Nations Resolutions: January 1948 to January 1949</b>	<b>278</b>
<b>CHAPTER XII</b>	<b>Fifty Years On: some reflections</b>	<b>298</b>
<b>INDEX</b>		<b>355</b>

## ACKNOWLEDGEMENTS AND SOURCES

Without the help of a large number of people this book would not have been possible. The staffs of the British Library, the Public Record Office, the Library of the School of Oriental and African Studies in the University of London, the Library of the University of Cambridge, and the London Library were unfailingly helpful. Among individuals I would particularly like to thank David Blake who, while remaining strictly non-partisan, clarified a number of points relating to the monumental *Transfer of Power* documents which he had helped edit and drew my attention to other documentary sources; also Dr. Z.H. Zaidi for pointing out to me the remarkable revelations contained in the appendices in the second Part of Volume I of his *Jinnah Papers*; and, finally, Nazir Ahmad, until recently Joint Secretary of the National Documentation Centre, Islamabad, for letting me have a copy of *Disturbances in the Punjab 1947*, which contains some extremely interesting material concerning the genesis of the Punjabi holocaust which accompanied Partition. Finally, I must thank my wife, Venice, for drawing the maps and in countless other ways assisting in the production of this work. Crown copyright material, published, or unpublished in the British Library and the Public Record Office, is reproduced with the permission of the Controller of Her Majesty's Stationary Office.

I have in the main depended in this book on three main categories of source material.

First: there are several published collections of documents which throw an enormous amount of light on events in and concerning the Indian Subcontinent in 1947. Apart from the monumental *Transfer of Power* series, the last of the twelve volumes of which appeared in 1983, there are major documentary series from Pakistan (including the four volumes now out of *Jinnah Papers* and the four volumes of *The Partition of the Punjab* which appeared in 1983), from India (notably the Patel and Nehru papers, volumes of the latter still appearing, as well as a number of less official publications), and from the United States in the truly admirable State Department documentary series. Specific reference to all members of this category of source are made where appropriate in the text.

Second: in the archives of the India Office, the Commonwealth Relations Office, the Foreign Office and the Ministry of Defence, there is an enormous

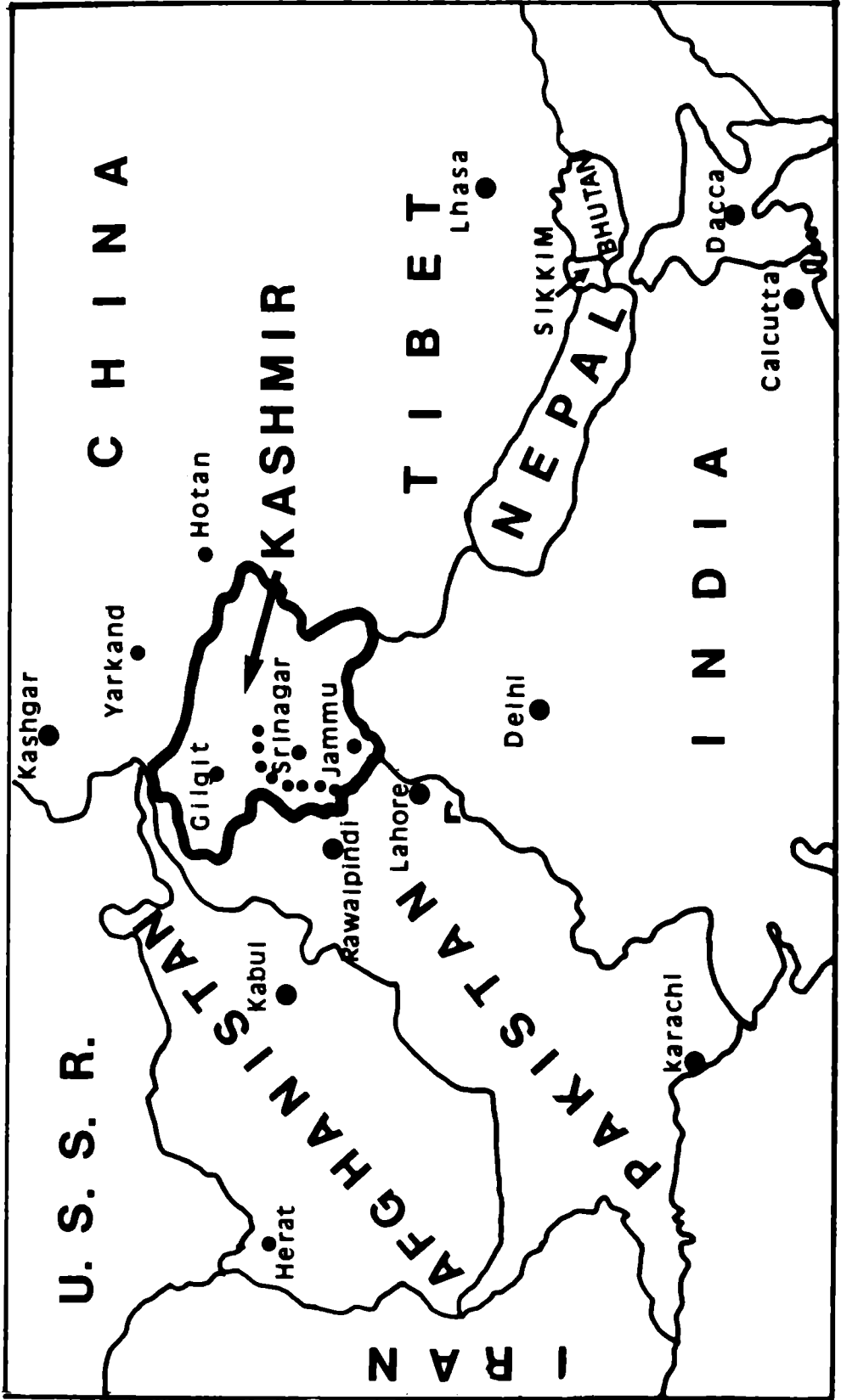
amount of material illuminating the problem of Kashmir and related matters for 1947 and 1948. All these documents are to be found either in the British Library (India Office Records) or the Public Record Office, Kew. While I have not made specific references for these documents when used I have always given their dates and made it clear that they are to be found in the British archives and broadly where. In that these archives are adequately indexed, any researcher applying due diligence will have no difficulty in running them to earth. I make no apology, therefore, for this typological liberation from a proliferation of notes.

Third: there are a number of secondary works which have to varying degrees a documentary value. Where I have made use of these I have included a reference within the body of the text.

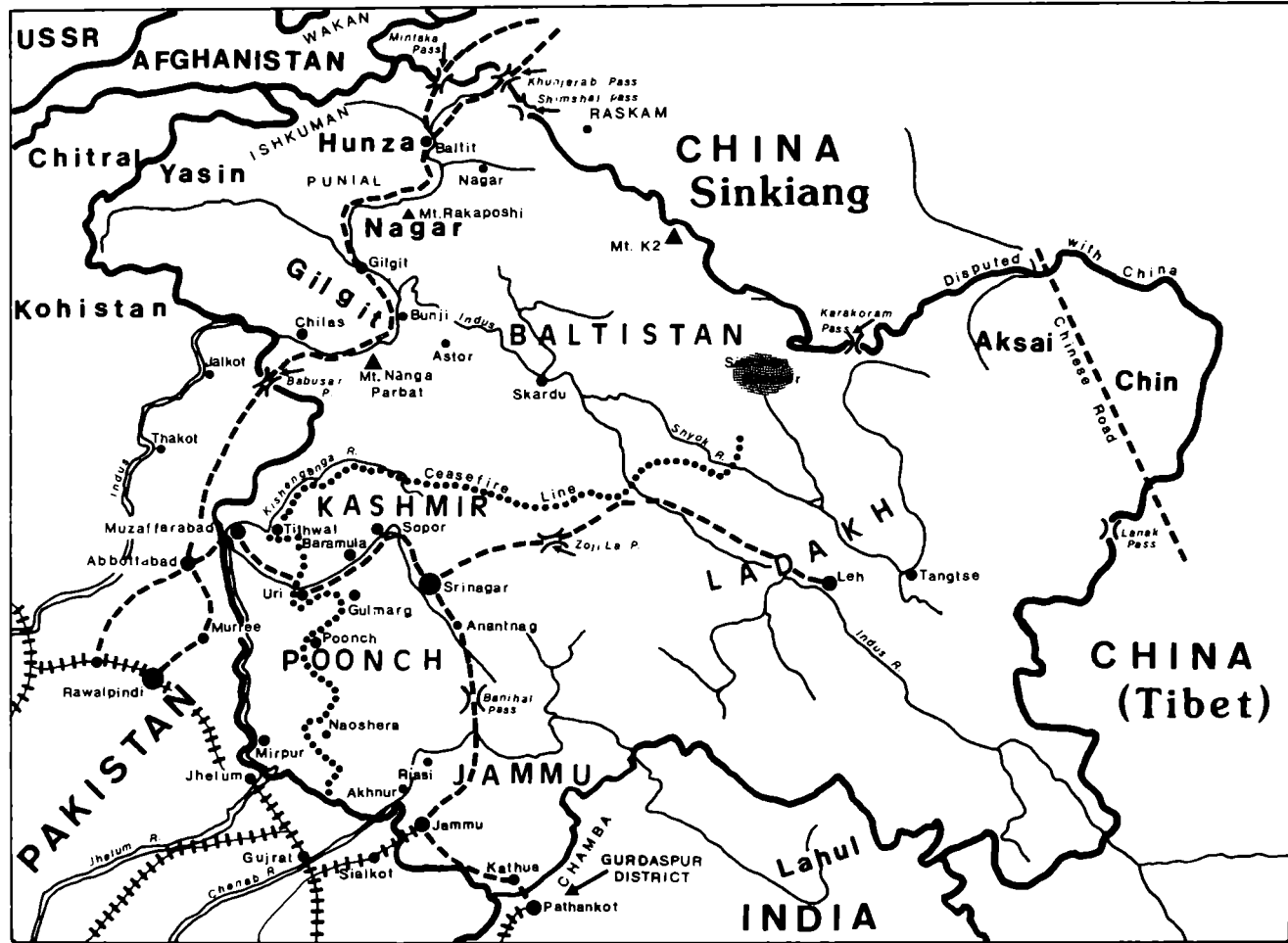
The quantity of books on Kashmir is now truly daunting. In my own library I possess well over 500 titles, and I have consulted at least as many again. Some are of great interest, some, indeed, important, but the majority, it is to be regretted, tend to the polemical and the repetition of views which are all too often based upon prejudice rather than fact. I hope I may be forgiven for not making detailed references here to all but a few members of this formidable array.

Alastair Lamb,  
Hertford and St. Andéol de Clerguemort,  
August 1997.

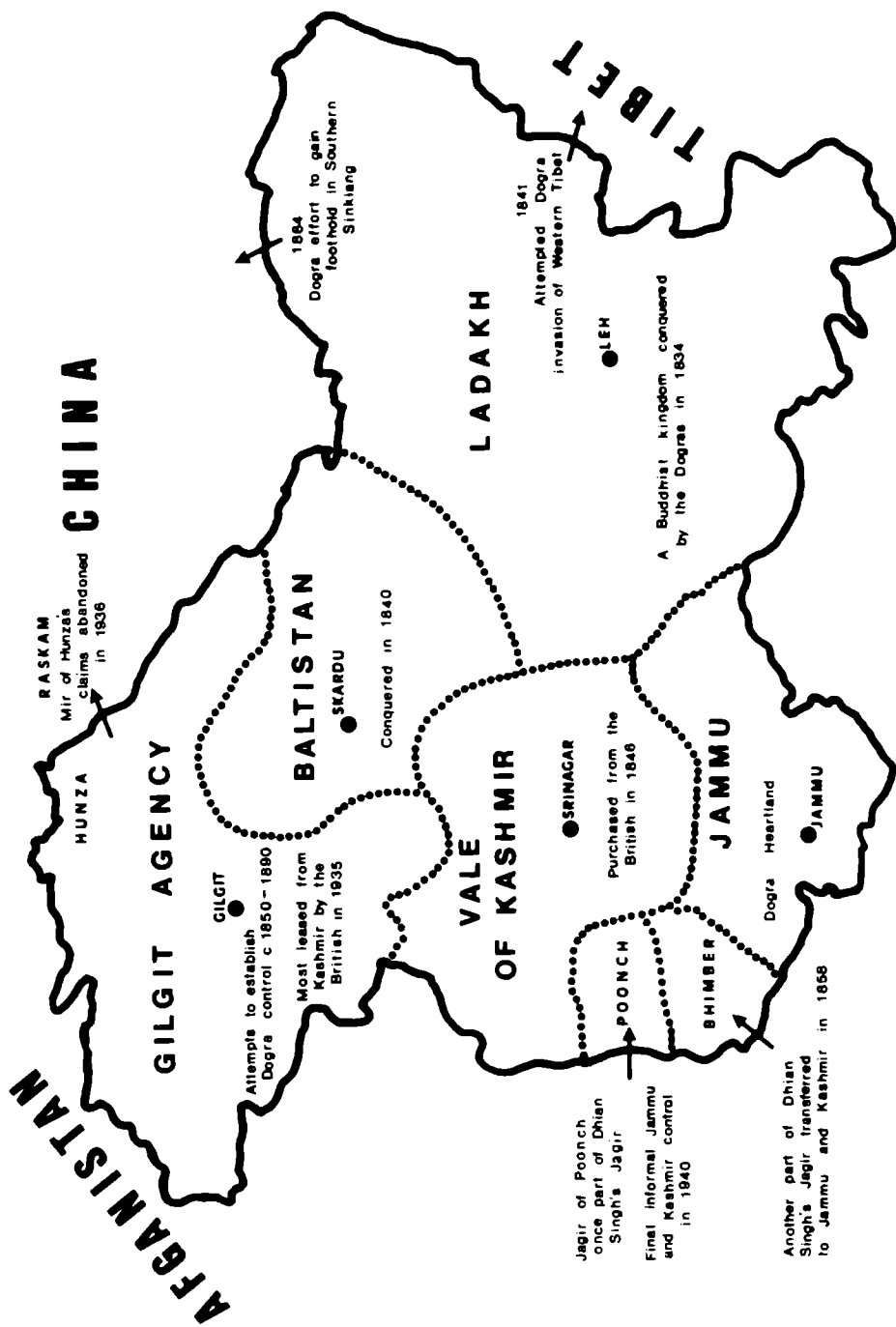




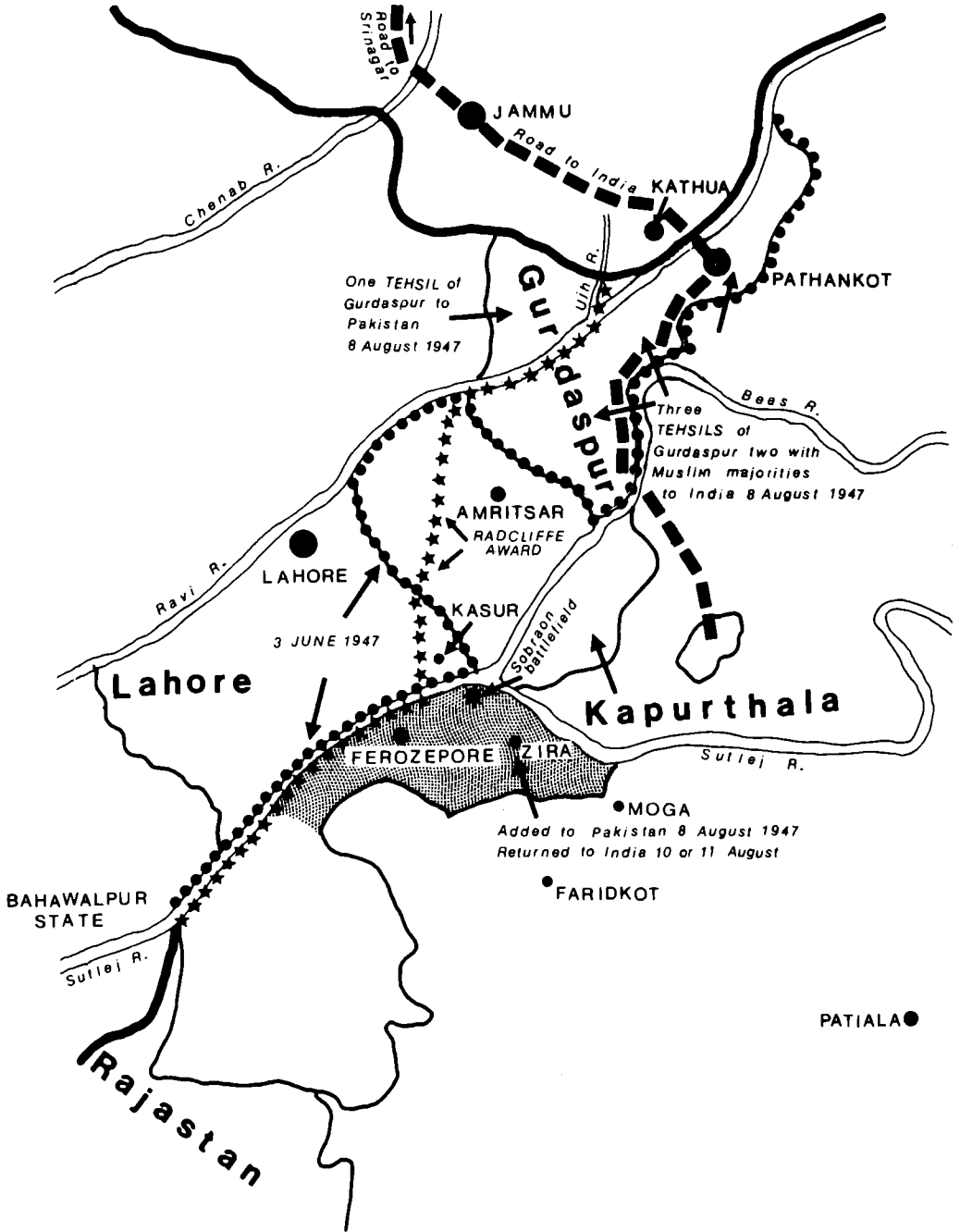
Map I. Kashmir and its neighbours.



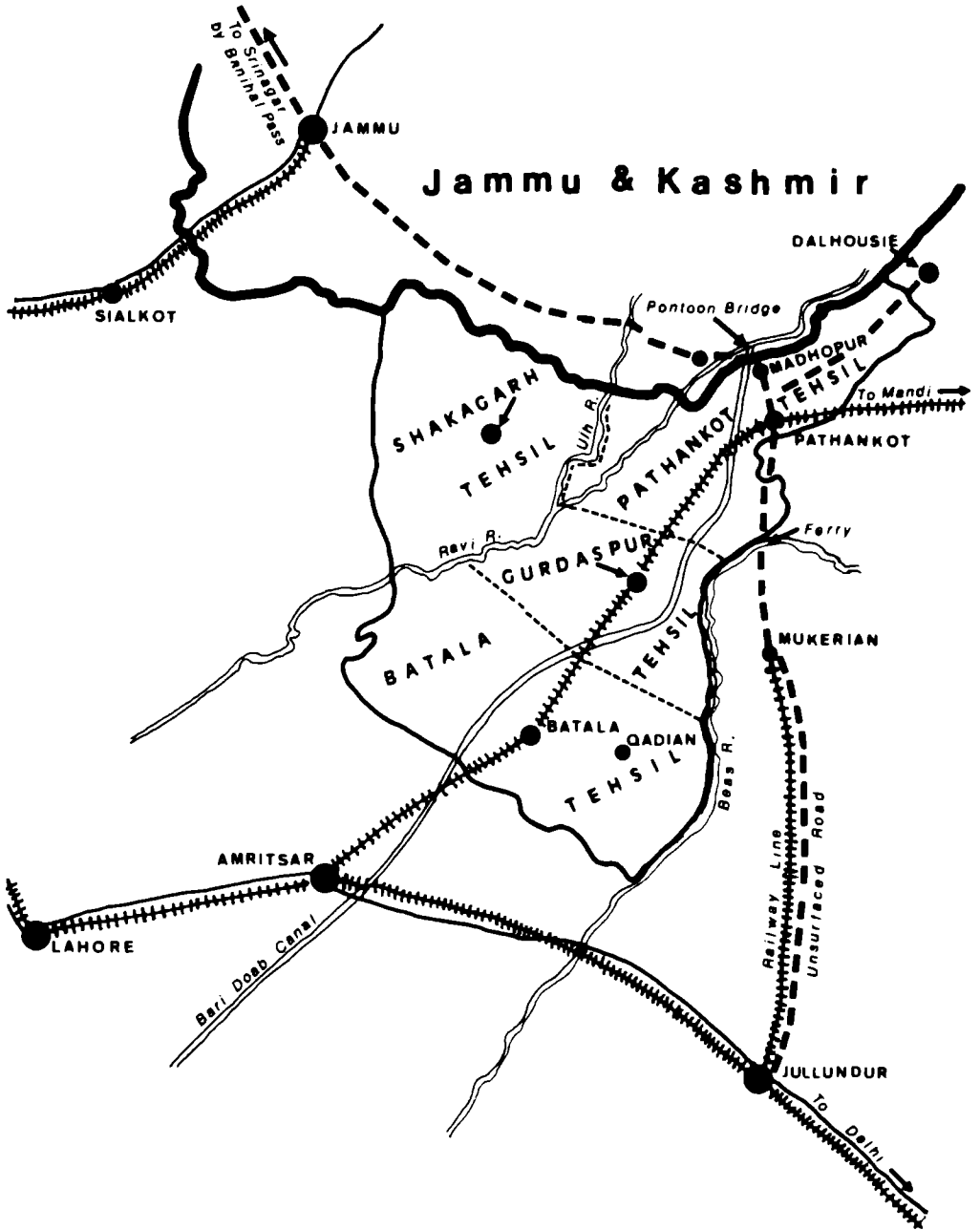
Map II. The State of Jammu & Kashmir



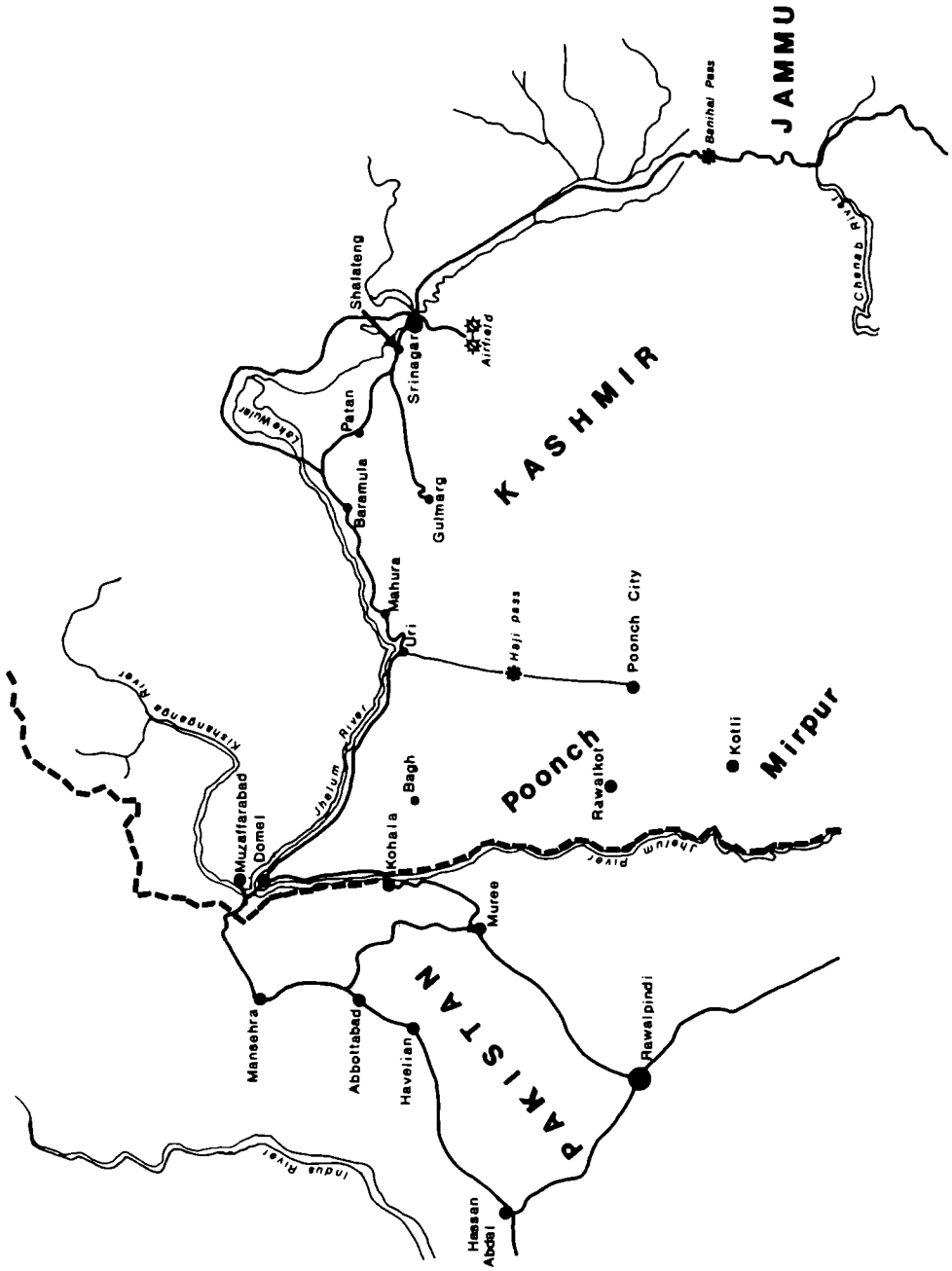
Map III. Stages in the evolution of the State of Jammu & Kashmir.



Map IV. Partition Lines in the Punjab, 1947.



Map V. Gurdaspur District showing tehsils, canals and lines of communication.



Map VI. The Vale of Kashmir and the scene of the First Kashmir War.

# CHAPTER I

## Introductory

[The following document collections are frequently referred to below in this and subsequent Chapters: Z.H. Zaidi, ed., *Jinnah Papers*, 1st Series, so far three volumes (Vol. I in 2 parts), Islamabad 1993-96, hereafter *JP*; Mian Muhammed Sadullah, ed., *The Partition of the Punjab 1947. A Compilation of Official Documents*, 4 vols., Lahore 1983, hereafter *PP*; N. Mansergh, ed., *The Transfer of Power 1942-7*, 12 vols., London 1970-83, hereafter *TP*. See also: Kirpal Singh, ed., *The Partition of Punjab 1947*, New Delhi 1991; Rukhsana Zafar, ed., *Disturbances in the Punjab 1947*, Islamabad 1995.]

The Kashmir dispute has now (1997) bedevilled Indo-Pakistani relations for half a century. It has brought about two major wars in the Subcontinent (1947-49 and 1965) and contributed to a third (1971). It has helped turn what was once, under British rule, a united polity into, in the post-colonial age, two opposing armed camps, both equipped, or capable of being equipped, with nuclear weapons.

The question of Kashmir is far from simple: it has many causes and many effects. At its root, however, lies one dominant element deriving from the defective geopolitical process of Partition by which, in 1947, the old British Indian Empire was split up between two successor Dominions, India and Pakistan. Recent Prime Ministers of Pakistan have been quite right when in 1993 and subsequently they have emphasised this crucial feature of a problem in international relations which has for so long vexed their nation. The consequences of this particular aspect of an incomplete Partition in 1947 have so far not only defeated the skills of Indian and Pakistani diplomatists in bilateral negotiations but also defied the best mediatory endeavours of the Security Council of the United Nations. If at least some of the more important of these faults arising from the unsatisfactory mechanics of decolonisation in 1947 could today be rectified in ways acceptable to India, to Pakistan, and to the various (and fluctuating) internal components of the Kashmiri political equation, then, and perhaps only then, would an enduring solution to the Kashmir problem be in sight.

Indian statesmen, many of whom still question the rationale behind the 1947 Great Divide of Britain's imperial achievement in India (which, if I understand him aright, is what the distinguished Indian diplomatist J.N. Dixit refers to (1995) as creating a "flawed inheritance"), have on the whole been less willing than some of their Pakistani opposite numbers to detect in the 1947 Partition a major structural cause of the Kashmir problem. They would much prefer to see the matter in the light of the violation of Indian territorial rights by Pakistani acts of "aggression". They have to date generally been disinclined to accept that the State of Jammu & Kashmir is a disputed territory at all: India, so many of its international lawyers and diplomats have maintained for half a century, is the residual legatee of any territory, including the State of Jammu & Kashmir, which the 1947 Partition process did not specifically assign to Pakistan. If Partition did indeed have anything to do with Kashmir, which they insist is doubtful, then it could only have been in relation to what they maintain are the entirely proper procedures by which the State duly, and legally, acceded to India. The merits of this particular proposition will be examined in detail in later Chapters in this book.

Most, if not indeed all, the great empires of which the historical record has retained any trace have ended either (albeit rarely) in voluntary dismemberment or (more commonly) in involuntary dissolution through internal political and cultural decay or external military attack. The British Indian Empire was just that, an empire like other empires, an assemblage of diverse territories and peoples joined together through British military might, diplomacy and duplicity over many years and then maintained in being by means of the continued forcible application of British control over non-British peoples. It was terminated voluntarily by the British in 1947 because the cost of the alternative, to hang on and face economic collapse at home, was unacceptable in the United Kingdom to its politicians and voters alike after the traumatic, and exhausting, survival of their nation during the Second World War. Had a Conservative administration been returned to power in 1945 it would probably have done with India just what the Attlee Labour administration did (though it might possibly have retained Wavell as Viceroy to do it).

The specific shape of the British Empire in India was not dictated by the precise outline of any one of the Indian empires which had preceded it. There never had been a single state within the Indian Subcontinent before the British which coincided in all respects with the British imperial boundaries. Neither Asoka nor the Moghuls (nor, for that matter, anyone else) provides a precedent for exactly what the British created, merely for the concept of some kind of imperial structure within the general region of the Indian Subcontinent.

Even the British, in the process of constructing their Indian imperial edifice, were not averse to a bit of partitioning, formal or informal and by omission or



commission, here and there. Ceylon (now Sri Lanka) ought by virtue of the logic of geography to have been included within the British Indian Empire. For reasons of British history, political, military and administrative, it never was: it eventually fell into the sphere of the Colonial Office, not the India Office. Likewise numerous British settlements and commercial establishments in Southeast Asia and on the China coast which had at one time formed part of the East India Company's possessions had, by the middle of the 19th century, been hived off to other departments within the British administrative structure. Burma, the British conquest of which started early in the 19th century and was completed in 1885-86, was indeed originally incorporated into the British Indian Empire. In the Government of India Act, 1935, however, a piece of legislation which in many ways established the pattern for 1947, Burma was declared a polity in its own right, and so it has remained ever since. Here was an important precedent for Partition, and one which doubtless did not escape the notice of the formulators of the final stages of British imperial policy.

The territory which remained within the British Indian Empire after the 1935 Act did not, in fact, constitute the homogeneous basis for a single nation state. It was made up of a dozen or so Provinces, various Tribal Areas and special regions, and a large number of Princely States. Within this administrative miscellany there were, so conventional wisdom accepted, some fourteen major language groups and dialects almost too numerous to list, not to mention several major world religions and countless castes, tribes and other ethnic categories. All these were held together by a British imperial government either exercised directly in the Provinces or, with varying degrees of obliquity, through treaties and other arrangements with the Princes, the Rulers of the States. The hope of the British, and the aim of the largest indigenous Indian political grouping, the Indian National Congress, was somehow to devise a post-imperial structure which would retain at least the bulk of the area of this complex assemblage, not as an empire but as a democratic (and ostensibly secular) union freely constituted out of linguistic, religious and ethnic diversity.

In the event, a unitary solution proved impossible. Yet, miraculously, instead of instant fragmentation as some contemporary observers anticipated, the post-1935 British Indian Empire was divided in 1947 into but two (in 1971, with the transformation of East Pakistan into Bangladesh, to become three) successor regimes. This outcome was achieved by substituting a bipartite communal classification, Muslim and non-Muslim (which last term, in practice, meant Hindu) for all the multitude of possible local ethnic and linguistic criteria for separate statehood. The "Two Nation" scheme, which is usually seen as the realisation of the vision of M.A. Jinnah, preserved a great deal indeed of the political integrity of the Indian Subcontinent which had emerged under British rule: it is thus foolish, as many Indian politicians still do, to deride it. The

alternative, it is more than probable, would have been a Gadarene rush towards "Balkanisation".

Had it not been for the Kashmir problem, it is not difficult to argue, the achievement of the "Two Nation" concept might well have been even greater, the creation out of the British Raj not so much of two new discrete Dominions as a pair of twin Dominions evolving towards each other instead of in increasingly separate directions. Kashmir guaranteed post-British inter-dominion hostility of a kind which could only produce the most baleful consequences.

A scheme for the partition of the British Indian Empire on communal lines (at least once the decision had been taken to base the process upon the identification of contiguous Muslim-majority areas in both North-western and North-eastern India) proved in the event to be surprisingly easy to devise in theory for those regions which had been under direct British administration, about two thirds of the total area of the old Raj (and it is quite possible that with a little bit of care and attention it might have been achieved rather more smoothly in practice as well, with far less shedding of blood and displacement of persons). There was, again in theory at least, a far greater problem in the remaining third of the former Imperial territory, that composed of the Princely States. In the event, however, in nearly every case the problem was in fact solved in 1947 and the first years of independence (though by no means always to the satisfaction of all parties), so its inherent difficulty can all too easily be over-emphasised. But in one important instance, that of the State of Jammu & Kashmir to which reference has already been made, the problem was not solved at this time and has yet to be solved fifty years on. Since from this particular failure emerged that dispute which has so disturbed the tranquillity of the Subcontinent since 1947, it is essential as an introduction to the history of the genesis of that epic argument to look more closely at the peculiar constitutional structure of the British Indian Princely States and the nature, real or perceived, of their relationships with the British Imperial Government presided over in India by the Viceroy. It should be emphasised once more, however, that the problem of Jammu & Kashmir was very much the exception, a fact which in no way excuses the failure of the British (and others) to solve it in 1947 while they still had the power to do so.

The survival until 1947 of the Princely States, about 560 of them it was estimated at the time of the end of the British Raj (there remained some uncertainty as to the precise number - a leading British authority on Indian constitutional affairs, Sir William Lee-Warner, writing in 1910, referred to as many as 680 States in all, "principalities" he called them), can largely be attributed to two major factors in British imperial history.

First: the British Indian Empire was acquired, if not always in the proverbial "fit of absence of mind," at least usually without coherent plan. From the

middle of the 18th century the British territorial expansion in the Subcontinent was in the main the consequence of pragmatic decisions arising from specific crises, the collapse of the Moghuls, the conflict with the French, the activities of the Marathas, the rise of the Sikhs, anticipation of Tsarist Russian (and, in its final years, Soviet) expansionist projects, and so on. In every case, from the early days of the time of Clive in the middle of the 18th century, the declared British aim was, once the immediate crisis had been met and dealt with, to avoid further territorial expansion and to limit the acquisition of fresh political commitments. In such a geopolitical climate it was often far easier not to annex outright territory which had fallen into the British sphere but rather to leave it in some degree under the local control of its traditional rulers, usually preserving for the British the right to a final say over matters of defence, communications and foreign policy. Thus were born the Princely States, usually what amounted to British protectorates, in place of an expansion of directly administered territory.

Second: however, the logic of sound government would have, willy nilly, directed the British towards a steady reduction in the degree of autonomy of these Princely States had it not been for the great crisis of 1857 when that bastion of the authority of the East India Company, the Bengal Army, rebelled against its British masters. Some Rulers of Princely States took part in the rebellion (or, as the British preferred to put it, "mutiny"), but others (among whom, incidentally, must be numbered the Maharaja of Jammu & Kashmir), whose defection might have seriously threatened the British tenure of the Subcontinent, did not, a lesson which was noted in both London and Calcutta: it was appreciated that some at least of the States could well be very useful to the British. When the British Crown formally replaced the East India Company in 1858, the Princely States were effectively reprieved. Their Rulers were not, so policy now had it, to be alienated by a too strict supervision of their activities within their own State boundaries. As indigenous Indian political developments proceeded apace in directly administered British territory during the second half of the 19th century, some of them directed towards the eventual termination of British rule, this policy was reinforced. The Rulers of the States were increasingly seen as allies, potential or actual, of the British Imperial Government against Indian nationalist sentiment.

Thus, the States survived to 1947 as a result of British pragmatism. Since their existence was the product of no elaborate underlying theory of colonial government, it is not surprising that there should be a great deal of ambiguity as to precisely what their constitutional nature was. No two States were quite alike. There existed no standard form of contractual relationship between Ruler and the British. Some Rulers possessed treaties specifically with the British Crown (or through the Viceroy acting as Crown Representative). Other Rulers based their position upon some written arrangement with the pre-1858 East

India Company. Many Rulers depended solely upon usage and custom to define what they were and what they could or could not do.

Some of the Indian Princely States owed their existence in the first place to the Moghul Empire (which had dominated the Indian Subcontinent from the early 16th century) to which they had been feudally subordinate. As the power of the Emperor in Delhi rapidly declined following the death of Aurungzeb in 1707, so many of the Moghul dependencies acquired the trappings of independence and entered into treaty relationships with each other without any reference to the Moghul capital. The English East India Company, which by the second half of the 18th century had itself acquired a position within the Moghul imperial structure, also took part in this process. Until the effective ending of the Moghul Empire in 1858, however, arrangements between the English East India Company and local Indian Rulers continued to take place under, as it were, a Moghul umbrella (albeit a highly theoretical one), and could perhaps be considered to have been made within the single feudal structure of the old Moghul Empire.

With the deposition of the last of the Moghuls in 1858 the British Crown, now standing in the place of the East India Company, explicitly accepted its role as the ultimate reservoir of sovereignty in the Subcontinent. On 1 January 1877 the British Indian possessions were formally described as an Empire, with the monarch as Queen-Empress. Until then the whole had been, to all intents and purposes, a vast Crown Colony with dependent territories of one kind or another. Whatever its technical description, its administration on behalf of the British Crown had specifically assumed responsibility for relations between the Princely States and the old East India Company. As Queen Victoria stated in her proclamation of 1 November 1858 (announcing the new dispensation after the crisis of the "Mutiny"):

We hereby announce to the native princes of India, that all treaties and engagements made with them by or under the authority of the East India Company are by us accepted, and will be scrupulously maintained, and we look for a like observance on their part.

This doctrine applied as much to arrangement made with Rulers outside or on the fringes of the Moghul world, in which group one might perhaps include some of the Maratha States (once formidable adversaries to the British) as well as some States in the extreme south of the Subcontinent and in the mountain fastnesses of the Himalayas, as to those central Moghul feudatories.

Between 1818, when the warrior federation of the Marathas were brought to heel, and 1858, the East India Company did not feel itself unduly limited in its freedom of action towards the States by any theories of prior or overriding

sovereignties. As far as the British were concerned, the States were subjects of the East India Company. If their rulers misbehaved, they could, and usually would, be disciplined, even to the extent of having their territory taken under direct British administration. The distinction between directly administered British territory and that of the States, which was to assume such theoretical importance in 1947 (at least in the context of Jammu & Kashmir) was before 1858 considered by the East India Company as artificial in the extreme. *All* British territory in India had at one time *not* been British, had been the territory, in other words, of a local Indian power: by implication, any territory of a surviving Indian Ruler in treaty relationship with the East India Company *could* one day become directly administered British territory. In the years immediately before the 1857 crisis the East India Company, so at least it seemed to many of the Princes, indicated that the States *should* all in time fall under direct British rule. A major issue was emergence of the so-called policy of "lapse", essentially that when a State failed to produce a male heir then the East India Company should be deemed to have inherited that State.

After 1858, as with everything else in the British Indian Empire, the mechanism of relationships between the British Crown and the Princely States was subject to constant review and rationalisation. In place of the haphazard arrangements that had existed in Company days, largely the product of temporary exigencies and the accidents of history, a system of States' supervision was created, with its own British service, the Indian Political Service, and its own officers including British representatives to, and supervisors of, the States, the Residents. As part of the new dispensation, and as a measure to increase the Rulers' confidence in British benevolence, in the early 1860s the major States were individually assured that the policy of "lapse" was ended. Rulers (including that of Jammu & Kashmir) who might find themselves without male heirs of the body were formally permitted to create heirs by adoption. The Rulers' anxieties were further calmed when it also became clear at this time that there were limits to what political changes the British would impose on the States, notably in matters of ensuring constitutional liberties for their States' subjects.

There were also established, of course, clear limits as to what the Rulers of the States could do. They ought not, for example, conduct in any way their own foreign policy (that is to say establish relations with entities beyond the territorial limits of the British Indian Empire, a point of particular significance to Jammu & Kashmir, one of a relatively small category of States with frontiers eternal to the British Indian Empire). The Rulers also had other obligations, notably to assist the Imperial power in the defence of the realm, and not to hinder the construction of (or the consequent traffic over) roads, railways and telegraph lines linking one part of British India with another.

After 1858 the supreme head of the British administration in India, since the

days of Warren Hastings known as the Governor-General, evolved, in effect, into a kind of Trinity. He remained, as he had been since the latter part of the 18th century, Governor-General, that is to say the chief executive of the administration of the British Government in Provincial British India, now directly responsible to the Cabinet in London by way of a special Ministry, the India Office. He was also from 1858 onwards the Viceroy, that is to say the representative of the person of the Monarch (Queen-Empress or King-Emperor from 1877) to all the subjects of the Indian Empire. Finally, he had turned into the Crown Representative, the person responsible for the conduct of treaty relations between the British Imperial Crown and the Rulers of the Princely States in a more methodical manner than had been the practice in the days of the East India Company.

This apparent tripartite structure, of course, did not conceal the real nature of the British Indian Empire at its height. There were two main divisions, Provincial India, presided over by the Governor-General, and Princely India, watched over by the Crown Representative. Together these, plus assorted Tribal Areas and the like, made up the Indian Empire, at the head of which as the surrogate Empress or Emperor, at least on Indian soil, stood the Viceroy. Within this framework the States were just as much part of the British Indian Empire as were the Provinces even though they were administered differently. Of this conclusion none of the great imperial Viceroys, Lord Curzon at the beginning of the 20th century being a good example, were in any doubt. What the Princely States were *not*, Curzon and his ilk would have agreed, were sovereign polities even though they enjoyed special treaty relations with the British. There was no reason to suppose, moreover, that in the unlikely (as it must have seemed c. 1905) event of a total British withdrawal from the Sub-continent the States would (or could) ever turn into such sovereign polities.

The Princely States, for all that, were definitely administrative anomalies presenting major structural problems, some at least of which were admitted by Government on the eve of an era which was indeed to see the attempts by the British to find a way to extricate themselves from all their Indian commitments. Some of the Princely States were very large in area: Jammu & Kashmir, for example, with some 80,000 square miles, was comparable in size as the island of Britain (England, Scotland and Wales). Some Princely States possessed populations of many millions: Hyderabad contained over 14,000,000 people. The Princely States, great and small, were all to a great extent autocracies, and, unless subjected to enormous pressure by the British, autocracies the vast majority of them would remain.

One problem with the whole question of the Princely States lay in the fact that the category as a whole lacked a single unifying feature. There were States with Muslim Rulers, some of them with populations with a non-Muslim

majority (like Hyderabad), and States with Hindu Rulers, with the possibility of a Muslim-majority population (as in Jammu & Kashmir). There were some States, Hyderabad provides the most important instance, which maintained that they possessed a status peculiar to themselves, allies to rather than subjects of the British Crown. There were States, like those of Maratha origin, which enjoyed a kind of imperial structure of their own which one might almost call "federal". Some States, as we have already noted, were extensive and populous. Others, however, were very small indeed. The territory of some States was compact or consolidated: other States consisted of pockets of land scattered all over the place rather like peasant holdings in the classic picture of the medieval English three-field system of agriculture (or, for that matter, as was the case with some States in 18th century Germany).

In practice, by the opening of the 20th century the British Government of India had already accepted that the States could not, and should not, all be treated alike. Small States were quaint feudal relics which were tolerated because they did no harm: but, should the need arise, they could be disposed of easily enough. There were a number of large States, however, which had to be handled with considerable care because they could, so the British increasingly came to feel, affect the balance of power in the Subcontinent between the British and indigenous Indian political movements directed towards some form of self rule, notably the Indian National Congress (which first met in 1885) and the Muslim League (founded in 1906). Neither of these bodies had made much progress in the Princely States by the end of the First World War, a moment which marks the true beginning (if we are permitted for the purposes of our present argument to ignore the Morley-Minto Reforms of 1909) of serious British attempts to establish the basis in the Subcontinent for some form of self rule comparable to that secured by the old British colonies of European settlement in North America and the Pacific. The major States, almost up to the final act of the British Indian drama, were seen by British and Indians alike to be important counterpoises to the kind of political activity which was developing in Provincial India.

In the Montagu-Chelmsford Reforms which were offered to India by the British Parliament in 1919, immediately after the First World War, it was proposed that some special assembly for the Princes, a Chamber of Princes, be established as a forum where the collective opinion of the Rulers could be sought by the Viceroy or expressed by them to him. The Chamber of Princes came into being in the early 1920s, presided over by one of its members who was elected to the post of Chancellor of the Chamber. Not all the Princes were prepared to join, and the Chamber was only designed to represent a minority of the Princely States.

The creation of the Chamber emphasised differences between the various

Princely States. There were some States which, in their treaty relationships with the British Crown, had retained virtually full legislative and jurisdictional power over their internal affairs. A second class consisted of States with powers significantly circumscribed by a British right to intervention in certain circumstances. A third class possessed so limited a degree of internal authority that its members were often referred to as estates, or *jagirs*, and scant heed was paid by the British, or indeed anyone else, to the opinions of their Rulers. Of the first class of State there were 109 represented by Rulers on their own behalf in the Chamber of Princes (though by no means all of these ever attended a meeting of the Chamber). For some 127 States of the second class, 12 Princes were chosen as representatives. No particular provisions seem to have been made for the third class.

Two facts emerge clearly from even the most superficial examination of the history of the Chamber of Princes.

First: only members of the first class of States, and by no means all of them, really mattered. There may have been some 560 (or even 600 or more) States in all, but only a score or so of them carried much weight with the ultimate authorities in the British Indian Empire.

Second: from the opening of the Chamber of Princes in the early 1920s to the time of the Government of India Act, 1935, there was no question but that, even in the 109 acknowledged States of the first class, ultimate sovereignty lay with the British Crown.

The Princely States only began to pose serious problems to British constitutional theorists when it was becoming evident, as it did after the First World War, that the future of India lay in the direction of Dominion status. In such circumstances, some form of federal structure would have to be devised in which the highly developed political lives of the Provinces, where democratic (in the British sense) institutions were making rapid advances, could be reconciled with the often constitutionally stagnant autocratic polities of the States in which such institutions were either totally absent or of the most rudimentary nature. The States, because of their past history and their special relationships with the British Crown, could not (so, at least, British received wisdom had it) simply be incorporated into British India. Their Rulers had somehow to be persuaded to collaborate with whatever kind of polity was developing in those regions directly administered by the British. This would be no easy task. Some, if not all, of the Princes would see themselves being requested to accept, for no apparent good reason, a serious diminution of that degree of autonomy to which they had long been accustomed.

The 1935 Government of India Act marked a major stage in British thinking about Indian independence in which a serious attempt was made to devise a constitutional framework combining directly British administered Provincial



India with the Princely States. Most of the details of the proposed 1935 constitution need not concern us here. It was a complex federal structure in which Indian indigenous local self-government (with provisions for communal representation) was combined with the concept of "Dyarchy", a term by which the British understood the retention by the Crown through the Viceroy of considerable reserve powers, notably those dealing with defence and foreign relations.

At the centre of this system was the British Crown, represented by the Viceroy, presiding over two bodies, a Council of State and a Federal Assembly. States which decided to accede voluntarily to the new dispensation were to be granted well over a third of the seats in the Council of State (up to 104 as opposed to 156 for British India) and exactly a third of the representation in the Federal Assembly (with 125 seats as opposed to 250 from British India). The allocation of States' seats in the Council of State was complicated. Hyderabad was given five seats, and three each were assigned to Mysore, Jammu & Kashmir, Gwalior and Baroda. In other cases seats were to be granted either to smaller States or groups of States on a rotating basis. In the States' representation in the Federal Assembly considerable emphasis was placed on population. Thus Hyderabad, by far the most populous of the States, had the biggest State delegation.

The 1935 constitution represented an interesting British experiment which failed in many respects. It certainly did not solve the problem of the States. In the context of the position of the Princely States as it was to be perceived in 1947, however, it raised two issues of the greatest importance.

First: it paved the way for a closer integration of State and centrally administered India by means of an Instrument of Accession, a document which was designed to spell out exactly what were the powers of the Rulers and what were their responsibilities to the provincial and central authorities. In place of a haphazard collection of treaties and other engagements there would now be some kind of rationalisation of the position of the States within a self-governing Indian polity.

Second: it raised the possibility of a State deciding not to join the proposed Federation by declining to sign the appropriate Instrument of Accession. What then would its status be? A number of Rulers, and the constitutional lawyers they retained, had been considering this problem for some time, indeed ever since the end of the First World War, and had begun to develop a doctrine of "Paramountcy", which maintained that the sole link between any State (by which, of course, one had to understand in practice generally States of the first class) and the British Crown lay in a special treaty relationship. Such a State had no direct connection with British India or the rest of the Indian Empire other than the accident of its geographical location and the fact that it acknowledged

the ultimate supremacy in certain specified matters of the British Crown, in other words the Crown's "Paramountcy" exercised if need be by the Viceroy, but only in his capacity as Crown Representative acting directly on behalf of the Monarch.

If a State decided not to join the proposed 1935 Federation, would it become a discrete entity within the British Colonial and Commonwealth system? Would it, one day, even be able to leave that system entirely and turn into a fully sovereign state among the community of nations? While not frequently expressed in 1935 (though, perhaps, more often thought about by individual Rulers), here was a concept of a possible "lapse of Paramountcy" which might at some future date have profound consequences for the unity of India (as, indeed, it did in the case of Jammu & Kashmir, as we shall see).

In the late 1930s the concept of "Paramountcy" implied to most observers no more than a special relationship between Crown and Ruler which was quite beyond the reach of the indigenous politicians of British India, notably those of the Indian National Congress and the Muslim League. Congress and League politicians (and others) could operate freely enough in the Provinces: they had no place in the States.

With the coming of the Second World War, and, above all, after the Japanese achieved their victories in Malaya culminating in early 1942 in their capture of the British Imperial bastion of Singapore, the position of the States became rather less clear. On the one hand, many of Rulers had rallied to the British cause in a manner not followed by some Indian politicians (notably in the Congress), and their loyalty to the British Crown seemed truly admirable (and extremely welcome at a time of great difficulties and anxieties for the British authorities both in India and in London). On the other hand, the British Crown, in the face of an apparently interminable series of military disasters, might not continue to find itself in a position to fulfil those obligations of defence which were so much of its part in the bargain implied in the concept of "Paramountcy".

What then? This question must have been in many minds when, on 26 March 1942, Sir Stafford Cripps (of the Labour Party), then Lord Privy Seal in the Churchill Coalition Government, on his mission to India to explore its postwar future, held talks with representatives of the Chamber of Princes [TP II, 227].

Cripps pointed out that any States that acceded to a future, post-British, Indian Union, whatever the Union's constitution might be, would have to accept that as a consequence of so doing "the Crown will cease to exercise paramountcy over them." However, Cripps had this to say for States which decided not accede to any Indian Union:

His Majesty's Government will make the necessary provision to implement their treaty obligations to non-adhering States - not excluding the possible use of force in the last resort. ... Non-acceding States need have no fear that their treaties, so far as these are concerned with their relations with the Crown, will be revised without their consent.

Sir Stafford Cripps still saw the Indian Princely States as very much part of the British Imperial structure, and he acknowledged British responsibility to defend them (in the context of 1942, one would imagine, the Japanese were the most obvious threat).

But could the British deliver? And what would be the position of the States if the British decided that they no longer wished to be burdened with the weight of obsolete treaties and other engagements, some indeed both ancient and quaint?

In 1946 Sir Stafford Cripps (then President of the Board of Trade), on this occasion accompanied by two of his colleagues in the Labour Government which came to power in Britain in 1945, Lord Pethick-Lawrence (Secretary of State for India) and A.V. Alexander (Secretary of State for Defence), was once more in India attempting to persuade the major indigenous political parties to accept some British scheme for Indian self-rule which would preserve at least the appearance of political unity in the Subcontinent. The British position in the world, at first sight very powerful following the victory over the Axis Powers, was, since the time of the Government of India Act of 1935 (and, indeed, of Cripps' 1942 Indian visit), much diminished both in reality and in British perceptions. There could now no longer be any question of the use of British force in the "last resort" in defence of treaty relations with the States. The Rulers could no longer rely on the British at all. This point Cripps and his colleagues made abundantly clear when, on 12 May 1946, they presented the Chancellor of the Chamber of Princes, the Nawab of Bhopal, with a memorandum containing the following declaration:

when a new fully self-governing or independent Government or Governments come into being in British India ...[following the British Transfer of Power]... , His Majesty's Government's influence with those Governments will not be such as to enable them to carry out the obligations of paramountcy. Moreover, they cannot contemplate that British troops would be retained in India for this purpose. Thus, as a logical sequence and in view of the desires expressed to them on behalf of the Indian States, His Majesty's Government will cease to exercise the powers of paramountcy. This means that the rights of the States which flow from their relationship to the Crown will no longer exist and that all the rights surrendered by the States to the paramount power will return to the States. Political arrangements between the States on the one side and the British Crown and British India on the other will thus be brought to an end. The void will have to be filled either by the States entering into a federal relationship with the successor

Government or Governments in British India, or failing this, entering into particular political arrangements with it or them. [TP VII, 262.]

The Cabinet Mission had already made it clear that "the British Government could not and will not in any circumstances transfer paramountcy to an Indian Government." The Rulers would have to make up their own minds.

This doctrine of Paramountcy which the Cabinet Mission communicated to the Princes on 12 May 1946 was a quantum leap removed from anything which the British had ever indicated before. The States, by which it must generally be understood the first class States (or States acting in concert with first class States), were now seen as potentially something outside not only British India (which was probably coming to an end) but also any successor regime or regimes to British India. In other words, the old British Indian Empire, unless the States should choose to the contrary, could well fragment into two distinct categories of successor regime, India (or India and Pakistan) on the one hand, and some of the States, perhaps many of them, on the other. The Cabinet Mission memorandum did not, it is true, declare that the States could, if they wanted, become fully sovereign independent entities, perhaps enjoying Commonwealth membership: indeed, the Cabinet Mission implied that in the end the States would have to line up in some way with the successors to the British in British India, whoever they might turn out to be. However, having given the States the right of choice whether to join such successor regimes or not, the theoretical possibility of independence could not be avoided.

What was urgently called for in these circumstances was a new definition of the constitutional nature of the States, their rights, and the directions in which they might move under the new order which was being put in place in the Subcontinent. None of the States, not even Hyderabad, had ever been in the past a fully sovereign entity. Either they had owed allegiance to the long defunct Moghul Empire or they had belonged to a State system containing a hierarchy of allegiances which it would be virtually impossible to disentangle. If any State or group of States now became fully sovereign, the result would be not the revival of ancient nationhood but the creation of something entirely new. There was nothing inherently wrong in such a creation: it merely required thought and planning by the British while the structure of Paramountcy was still in place. The British could still to a great measure dictate terms to the States and persuade the Rulers to accept them: the successor regimes might not have this ability.

During the life of the British Indian Empire, Governors-General and Viceroys or their agents had carried out a great deal of manipulation of the States. Territories had been taken away from States by annexation or lease, and territories had been granted to States. States had been merged. States had been divided. In the climate of 1946 the States were probably weaker than they had

ever been. The British were going and no longer needed their support. The potential leaders of the successor regimes, Jawaharlal Nehru and M.A. Jinnah held no special brief for these anachronistic autocracies, and they, or their supporters in the Indian National Congress and the Muslim League, would be quite happy to see the collapse of the Princely system (as, indeed, took place after 1947 with astounding rapidity). Leaving India was certainly a risky business for the British in many ways, but probably one of the least risky fields of activity arising from this process would have been the reorganisation of the States.

This having been said, it must be admitted that in the vast majority of instances the British in the final days of their Indian Empire managed to find some sort of answer to the States problem. The States within the Pakistani catchment area were all in due course absorbed into the new Dominion without major crisis (though there were problems which still have not entirely disappeared and may, perhaps, again one day become serious). In the Indian zone all but three States had been coaxed into acceding before the actual Transfer of Power on 14-15 August 1947: only Jammu & Kashmir, Junagadh and Hyderabad remained. The State of Junagadh, where a Muslim Ruler (who at the very last moment declared, quite unrealistically it was to transpire, for Pakistan) presided over a Hindu-majority population, presented no real problem to India, which soon took it over by a clever combination of force and electoral manipulation (which probably coincided, in any case, with the majority will). Hyderabad, a very large State with, like Junagadh, a Muslim Ruler and a non-Muslim majority population, was a little more difficult. Its Ruler, the Nizam, seemed to wish for full independence (despite a number of technical difficulties such as lack of access to the sea except by way of territory under the control of the Indian Union). In the end, in 1948, India, using military force, effectively annexed it. Neither Junagadh nor Hyderabad was in territorial contact with Pakistan, which was in practice powerless to intervene.

There was then, in fact, but one great State problem, that relating to Jammu & Kashmir where a Hindu Maharaja, as we have already seen, ruled an overwhelmingly Muslim population. Jammu & Kashmir was contiguous to both India and Pakistan, and the Governments of both Dominions were, therefore, in a position to influence its future by direct action or inaction. Had Jammu & Kashmir not existed, it would have been perfectly reasonable to congratulate those who presided over the Transfer of Power in India on the way in which they had handled the States problem. The existence of Jammu & Kashmir, however, resulted in one monumental failure which overshadowed all the other successes. The problems posed by Jammu & Kashmir were not difficult to foresee once the idea of Partition had been accepted. Their threat to the stability of post-British South Asia would certainly have justified a British policy of

major reorganisation of the States and a revision of their constitutional position prior to the actual Transfer of Power.

In the context of the 1947 Partition the State of Jammu & Kashmir occupied a unique position. There existed across the Punjab Province a kind of communal fault (if we may use the geological expression) running from south to north. To the west there was a majority Muslim population: to the east a population with a majority of Hindus and Sikhs. The fault occupied a substantial zone rather than was traced out by a clearly defined line. Partition between Muslim-majority Pakistan and non Muslim-majority India here involved some manipulation and the risk of population disturbance. The general alignment of the fault zone, however, was not in doubt (and had it not been for the unfortunate presence of a potential third party - the Sikhs - in this very region, its conversion into a satisfactory international border might not have proved too difficult in practice). The Sikhs are another story, though we will have to refer to them again in this book. Sikhs apart, the Punjab communal fault zone presented two major problems.

First: it cut across an elaborate irrigation system, based on the Punjab rivers, which had been developed in the British period to the enormous economic advantage of the Punjab. It was to transpire that there was no simple way to draw a Partition line without irrigation consequences. The solution of the problem of the Indus waters, which it can be argued is as yet incomplete, was to take many years after 1947 and to cost enormous sums of money (including a massive contribution from the World Bank). The bulk of the Indus waters flowed into the Punjab from or through the Princely State of Jammu & Kashmir, a fact which, alone, ought to have alerted any deviser of new borders in this part of the world to the probability that the Punjab could not satisfactorily be cut into two without giving serious thought to the future of Jammu & Kashmir as well.

This leads to the second point. The communal fault zone across the Punjab continued northwards right through the State of Jammu and Kashmir up to the crest of the Karakoram range and the border with Chinese Sinkiang. Parts of Jammu, the Vale of Kashmir with its capital at Srinagar, and the Karakoram tracts including Gilgit, Hunza, Nagar, Ishkuman, Yasin, Baltistan and the like, possessed Muslim-majority populations, in some places approaching 100%. All this was on the western side of the fault zone. To the east lay parts of Jammu which were Hindu-majority areas, and the bulk of Ladakh (excluding Kargil) which was inhabited by Buddhists of the Tibetan variety (who in the taxonomy of Partition fell into the Hindu sphere). This fault zone, left untouched at the time of the Transfer of Power because of an application of the doctrine of Paramountcy to the Jammu & Kashmir Princely State, guaranteed future trouble of some kind. Here was the region of incomplete Partition.

There is a vast literature dedicated to the proposition that the doctrine of Paramountcy was absolute and, hence, that there was no way that in 1947 the process of Partition could have been applied to the State of Jammu & Kashmir. In that the rest of this book in one way or another explores the implications of this particular proposition, only five points need be made here, and briefly.

First: the State of Jammu & Kashmir was, in the general context of the Princely States of British India, a rather strange entity for which it would be hard indeed to find a close parallel. Most Princely States lost territory in the British era: Jammu & Kashmir expanded rapidly.

The State had been built up during the course of the 19th century in several stages. Starting as the small hill state of Jammu, a tributary of the Sikh Empire of Lahore, in the 1830s its subtle, charismatic and ruthless Ruler, Gulab Singh, a Hindu Dogra (traditionally of hill Rajput ancestry), proceeded to conquer the old Tibetan Buddhist kingdom of Ladakh. He then went on in 1840 to take over the ancient Karakoram mountain state of Baltistan, whose population, while closely related ethnically to the Tibetan speaking Ladakhis, was Shia Muslim in religion. This adventure was immediately followed by an attempt to conquer Western Tibet which, while it ended in military disaster, yet left Jammu and Kashmir State in possession of a small enclave deep within Tibetan territory and a dominant position in the valuable Tibetan export trade in *pashmina*, the raw material for the famous and extremely valuable Kashmir shawls.

In 1846, by virtue of his wise neutrality in the first Anglo-Sikh War, Gulab Singh was permitted to acquire by purchase (followed by active British military assistance) from the East India Company the former Sikh possession in the Vale of Kashmir, which was then still separated by Sikh-controlled land from the British north-western border and, therefore, not considered capable of direct British administration. The State of Jammu & Kashmir, prudent during the Anglo-Sikh wars, also adopted a friendly stance towards the British during the great crisis of 1857. Thereafter, the Government of India used that State as an instrument in its defence of the Karakoram frontier against possible Russian infiltration. Thus the State was allowed, sometimes rather nominally, to penetrate the mountains towards Chinese Sinkiang and the extreme north-eastern corner of Afghanistan. Its Rulers, moreover, were permitted to acquire a number of tracts which had once been under other branches of the ruling Dogra family, notably Bhimber and, tacitly at the very end of the British period in the 20th century, Poonch. As a result of this process of expansion, the State of Jammu & Kashmir was in fact a small empire, a region where Jammu was to all intents and purposes a colonial power in its own right ruling a number of territories alien to the Dogras on ethnological, linguistic and religious criteria, Buddhists in Ladakh, Sunni Muslims in the Vale of Kashmir with its capital at Srinagar, in Poonch and in Bhimber, Shia Muslims in Baltistan and many of the

Karakoram polities in the Gilgit region, and Ismaili Muslims in Hunza (though the Dogra position in Hunza was never entirely clear). Those very arguments for the termination of the British Indian Empire could be (and, indeed, were to some extent by the likes of Sheikh Abdullah) applied with comparable validity to the Dogra Empire of Jammu & Kashmir. (For more on the early history of the State of Jammu & Kashmir, see Chapter V below).

Second: the British attitude towards the sovereignty (however limited by British Indian constitutional practice) of the State of Jammu & Kashmir was ambivalent, to say the least. The Anglo-Kashmiri Treaty of 1870, for example, gave the Government of India a real measure of direct control over significant aspects of the economy of Ladakh (which persisted until 1947 and hence, it could be argued, was a proper subject for consideration by the two successor regimes, India and Pakistan). In the late 19th century the Government of India to all intents and purposes took the entire State under its direct supervision. While this situation was formally terminated by 1925, British interest in the strategic significance of those north-western tracts actually or notionally under the State's control persisted to culminate in the Gilgit Lease of 1935 when they were brought under direct British administration (and so remained until the very eve of the Transfer of Power when, for reasons which have never been fully explained, as we shall see, Lord Mountbatten tried to return them to the Jammu & Kashmir State's rule).

Third: the State of Jammu & Kashmir, giving it the benefit of the doubt for its imperial pretensions at their maximum extent, occupied a unique geographical position in British India at the time of the Transfer of Power. Not only was it contiguous with both Dominions-to-be, India and Pakistan, but also it had borders with Afghanistan, China (Sinkiang) and Tibet (while technically Chinese, in 1947 was treated by the British Government of India as if it were *de facto* autonomous). There could be no doubt that this territory would play an important part in the future history of foreign relations in the Subcontinent, a history in which both India and Pakistan would possess a legitimate interest.

Fourth: it would have been quite possible, had the will been there on the part of the last British rulers of the Indian Empire, to have devised a scheme for the deconstruction of the State of Jammu & Kashmir such that the Punjab Partition line could indeed have been extended northwards through it while at the same time preserving some vestiges of respect for the concept of "Paramountcy". It is quite likely that Lord Wavell, had he continued as Viceroy, would have in the end done just this. Lord Mountbatten, the last Viceroy, made no attempt to do so. Indeed, as we have just noted, he compounded the problem, right at the outset of his term, by reinserting into the State of Jammu & Kashmir an extensive tract, the Gilgit Lease areas, which since 1935 had effectively been added to Provincial British India and could well have been kept there (just as



was a comparable leased area from Hyderabad, Berar). We will return yet again to all this later on.

Fifth: in fact, during the last months of 1947 the State of Jammu & Kashmir was to all intents and purposes partitioned between the Muslim and non-Muslim sides. If we exclude that part of Ladakh (according to India) which the Chinese occupied after 1950 (and from which they are unlikely ever to be dislodged), the 1947 *de facto* partition of Jammu & Kashmir split the State into two portions of roughly equal area. Indeed, had this line placed the city of Srinagar on the Muslim side, it would have represented a perfectly reasonable international border (following the communal criteria of the 1947 Partition of the Punjab) which could well in the course of time have acquired an entirely satisfactory *de jure* status.

The final British administration in India failed to pay adequate attention to those problems for the future of the Subcontinent inherent in nature of the State Jammu & Kashmir which we have indicated in the first four of the points outlined above. The consequences of this oversight were to cast a shadow over the entire process of decolonisation in the Subcontinent and to damage not only the two successors to the British, India and Pakistan, but also the future of the influence in Asia of Britain itself. The consequences of incomplete Partition, for that is what the history of Jammu & Kashmir in 1947 and 1948 implied, were indeed grave.

## CHAPTER II

### The Birth of Pakistan

There is a widely believed myth that had it not been for M.A. Jinnah's obsession with the idea of Pakistan, India would have emerged from under the British yoke as a united nation. For this Jinnah is praised by supporters of Pakistan who, rightly, regard him as the Father of the Nation. Those, however, who hold that the act of Partition of the old British Indian Empire was wanton vandalism, condemn him for perverting the course of Subcontinental history.

It has become clear in recent years that Jinnah was not initially looking for a totally divided India, merely one in which the Muslims enjoyed a degree of parity, at least at the highest levels of Government, with Hindus. Mahatma Gandhi understood this well enough which is why in early 1947 he came forward with a plan, regarded by many (including the last Viceroy, Lord Mountbatten) as characteristically eccentric and impractical, whereby power should be handed over by the British to the Government of a united India headed not by one of the majority leadership in the Indian National Congress but by M.A. Jinnah. Perhaps Gandhi here, as in so many other areas, alone perceived some vital truth unappreciated by lesser beings.

It can be argued that what Gandhi suspected was that, unless the forces leading to some form of Hindu-Muslim divide in post-British India were countered, the result could well be not the implementation of a "Two Nation" political structure for the Subcontinent but its fragmentation into many small entities, some of them viable perhaps, but some of them certainly not. The outcome could well be chaos. It would be best, therefore, to retain the overall appearance of unity by taking full account of the ambitions of what was the smaller of the two major political forces dominating the Indian independence movement in the last years of the British era, the Muslim League, by according to it a place in the new power structure considerably greater than its numerical support might strictly warrant. Failing that, it would be better to see the old British Empire divide in an orderly fashion than to see it explode into fragments. What could not be done was to suppress forcibly the Muslim League or oblige its constituency to go along with Congress come what may. It would appear

that it was for holding such views that in early 1948 Mahatma Gandhi was assassinated by the member of a Hindu extremist faction which can claim a share of the ancestry of the modern Indian BJP party.

This book is not a treatise on the history of Hindu-Muslim relations. One can only declare it as an axiom that by 1947 some form of Indian partition was probably inevitable, given the history, nature and distribution of Islam in the Subcontinent, and that it was highly improbable that any such idealistic solutions as that proposed by Mahatma Gandhi stood the slightest chance of success in the real world. The very large concentrated Muslim populations of the Punjab, Sind and along the edges of Afghanistan in the north-west, and of Bengal in the north-east, simply could not be ignored by practical politicians. What was not inevitable, however, was the particular plan which the last Viceroy of the British Indian Empire, Lord Mountbatten, adopted in May 1947. How did Mountbatten's own scheme of partition come about?

By 1946 the British Labour Cabinet in London, already totally committed to the idea of Indian independence, had accepted that there was no easy way to reconcile the two major players in the Indian political game, Congress (led by Jawaharlal Nehru and Vallabhbhai Patel and ostensibly secular although in the main representing Hindu interests) and the Muslim League (presided over by M.A. Jinnah), so that they would both accept a unitary independent Indian state operating on the basis of a simple one man one vote democracy. The Hindu side might opt for some arrangement along these lines, knowing that it would then be in a permanent majority: the Muslim side certainly would not. The communal structure of the Indian Subcontinent would have to be acknowledged and special measures devised to reassure the Muslims and, perhaps, as the only other minority which the British Government felt really merited special treatment, the Sikhs (of exceptional importance in the Punjab).

Such a recognition of the existence of the great Hindu-Muslim divide did not, of course, mean that in any scheme for a post-British India all Hindus would only be ruled by Hindus and all Muslims by Muslims; it was unavoidable, as a consequence of some twelve hundred years of history, that there would be substantial Muslim pockets all over the Subcontinent (in the United Provinces, for example). By the same token, even in those two major areas of Muslim majorities in the north-west and north-east there would be significant Hindu populations (not to mention other communities and ethno-cultural groups like Sikhs and various pagan hill tribes - the last, a surprisingly numerous category occupying extensive tracts throughout the Subcontinent, being accorded no explicit consideration in this plan) governed by a Muslim majority. The underlying principle, however, was clear. Any plan for an independent India would have to make specific provisions to deal at least with the two great Muslim concentrations, and would have to make a sporting effort to do something about

the Sikhs. A simple unitary constitution would not do. A federal arrangement of sorts was essential as the only hope for the preservation of any worthwhile measure of political unity.

This conclusion had already been accepted by Lord Wavell's Administration by the latter part of 1945. After the failure of a Conference at Simla (where an attempt was made to reconcile the aspirations of the major Indian political leaders as World War II drew to its close) in July 1945 it seemed obvious to Wavell that a single federal structure, even one which did no more than preserve the appearance of a united Indian polity (based on the 1935 Government of India Act and the Cripps offer to the indigenous Indian political leadership in 1942) to follow in the footsteps of the British Indian Empire was incapable of practical achievement. Congress insisted upon its secular nature and denied the need for special arrangements for Muslims *qua* Muslims. The Muslim League refused to budge from its position as the sole representative for the Subcontinent's Muslims. There was no obvious compromise between these two postures. From the time of the failure of the Simla Conference right up to his departure in March 1947 Wavell gave much thought to what would happen if this deadlock remained unbroken. He suspected that it was more than probable that the British would never stumble upon a single magic formula which would satisfy both the Indian National Congress and the Muslim League. He believed that in these circumstances, what came to be referred to in the language of the cor-respondence between Delhi and Whitehall of that period as a state of "Break-down", there were two basic options available to the British.

First: the British could do a separate deal with one or other of the two main parties on the Indian nationalist side, Congress and the Muslim League. It was far more likely, Wavell thought, that the Muslim League would prove helpful in such circumstances than Congress. The Muslim League, after all, had far more limited objectives than Congress: it merely wished for predominance in those parts of the old British Indian Empire where there were located large contiguous Muslim majorities. Congress, on the other hand, did not conceal its ambition to step into the British shoes as master of the entire Subcontinent. It may be that Wavell, like many another British soldier and official, had a certain distrust of, and, even, distaste for, Congress arising in part from the refusal in 1942 of so many of its leaders to support the British in their war against Japan. Wavell did not personally like M.A. Jinnah, but he saw that his Muslim League could in certain conditions help ease the British out of their Indian entanglements in a way that Congress might not. Thus he believed that Jinnah probably held the key in the event that Anglo-Indian negotiations reached a "Breakdown" point. The British could then simply announce that they were in effect abandoning that part of India controlled by the uncooperative party and withdrawing to the more amenable sector, which most probably meant the Muslim League sphere

of influence, in other words Pakistan. [See, for example: *TP VII*, 65].

Second: on the other hand, if "Breakdown" were not total, the British might be able to deal simultaneously with both parties on the basis of a separate independent existence for each. In other words, they could accept that the British Indian Empire would be followed by two regimes, a basically Hindu one controlled by Congress, Hindustan, and a basically Muslim one controlled by the Muslim League, Pakistan. In these circumstances the old British Indian Empire would have to be partitioned; and in a most important telegram (which has not hitherto received the attention which it merits despite its published presence since 1976 in Volume VI of the magisterial *Transfer of Power* documents) to the Secretary of State for India, Lord Pethick-Lawrence, of 6 February 1946 [*JP I*, Pt.2, Appx. XII, 53: also *TP VI*, 406, where it is, in a rare typographical error, dated 7 February 1947] Wavell spelled out exactly how this should be done. In a note of 13 February 1946 the Secretary of State and his chief officials in London made it clear beyond doubt that they understood completely what the Viceroy was getting at [*TP VI*, 428].

This is a subject to which we will return in the next Chapter. The Viceroy's telegram of 6 February 1946 was to all intents and purposes a blueprint for the work later attributed to the Radcliffe Commission in July and August 1947. It showed how and why both Bengal and the Punjab were to be partitioned. The India Office prepared boundary maps which are virtually indistinguishable (with the exception of the Chittagong Hill Tract) from those which emerged in August 1947. A number of controversial issues, notably that relating to the awarding to India (Hindustan) of the bulk of a particular Muslim-majority District in the Punjab, Gurdaspur, which happened to be contiguous to other Muslim-majority Districts in the North-Western corner of the British Indian Empire, were settled here just as they would be in 1947, ostensibly by Sir Cyril Radcliffe.

In view of subsequent controversy (which still persists) over the Gurdaspur question, it is interesting to note the "why" of this decision. It had nothing to do with the State of Jammu & Kashmir (and India's potential access to it) and everything to do with the future of the Sikh community in the Punjab and its likely reaction to a British withdrawal.

Wavell's gloomy thoughts about "Breakdown" thoroughly alarmed the Attlee Cabinet in London. Their immediate reaction to the series of arguments which Wavell presented them, from the end of the Simla Conference in July 1945 until his detailed Partition proposals of February 1946, was to resolve to make one more attempt to negotiate with the Indian political leadership, Congress and Muslim League (and, indeed, anyone else), some form of post-British unity, albeit of a federal structure, based as much as possible upon the ideas behind the Government of India Act of 1935. Negotiations would not be to be left to the

tender mercies of the Viceroy. A mission of senior Cabinet members would go out to India to see if they could do better than the men on the spot.

Thus was born the Cabinet Mission, which the Labour Government in London sent to India in the spring and early summer of 1946, headed by Lord Pethick-Lawrence (Secretary of State for India) and containing Sir Stafford Cripps (who had already covered some of this ground in India in 1942) and A.V. Alexander (Secretary of State for Defence). The hope in London was that these "three wise men" would show that Wavell's analysis was fundamentally flawed, and that some kind of unity, based on a federal structure which provided room for both Hindu and Muslim aspirations, could still be retained.

The Cabinet Mission's detailed plan, following its extensive exploration of the political ground in India, was announced on 16 May 1946 [*TP* VII, 303]. It set out, as indeed had been inevitable from the days of the 1935 Government of India Act, a form of federal structure rather than a complete partition of the Subcontinent between Hindus and Muslims. The Cabinet Mission believed such a partition "would not solve the communal minority problem." It was, for example, unlikely to provide satisfactorily for the aspirations of some factions at least among the Sikhs in the Punjab.

At the top of the structure proposed by the Cabinet Mission would be a Union of India, sometimes referred to as the Centre, which would embrace both British India (the Provinces) and the States (provided that their Rulers cooperated with the scheme) and which would control three subjects, Defence, Foreign Relations and Communications. The Centre would consist of an Executive and a Legislature constituted from representatives of both the Provinces and the States. The Centre would possess the powers necessary to raise finance for its three subjects.

Beneath the Centre, representing the Indian Union as a whole, would be three groups of Provinces, A, B and C. Group A would possess what was called a General (that is to say Hindu plus anyone else who was not a Muslim or a Sikh - it was deemed adequate to provide for only three communities in this plan, Hindus, Muslims and Sikhs) majority; Groups B and C would contain the great Muslim concentrations, on the one hand, in the Punjab, the North-West Frontier Province, Baluchistan and Sind (Group B) and, on the other, in Bengal and Assam (Group C), where the seats to the Provincial Assemblies would be assigned on an appropriate communal basis to ensure Muslim majorities (as well, in the case of the Punjab in Group B, as providing for some degree of Sikh representation).

In this plan the third tier, the individual Provinces, would possess considerable power. The Provinces could form, for example, their own regional associations (also, rather confusingly, referred to as Groups). Thus the Provinces in Groups B and C could make special arrangements for cooperation such that

they would acquire many of the properties of a separate Muslim-majority polity not unlike those which some Indian Muslim politicians hoped to discover in a sovereign Pakistan or, if Groups B and C decided to go their separate ways, two such bodies, one based on North-Western India and the other on Bengal (much as indeed transpired in tragic circumstances in 1971). The Provinces in Group A, those with a General (that is to say non-Muslim) majority and with no Sikhs, could also form Groups of their own. In theory, therefore, though the prospect was not explored at this time, some Group A Provinces in the Dravidian South, for example, could join together to assert an unspecified degree of individuality distinct from northern Groups. There was no question, however, of dividing up existing Provinces into smaller units on communal or any other grounds. All residual powers, that is to say those other than concerned with Foreign Policy, Defence and Communications, would be vested in the Provinces. If the members of a Group of Provinces so wished, these powers could be transferred from the Governments of individual Provinces to that of the Group.

In a most significant concluding clause, the Cabinet Mission proposed that

the constitutions of the Union and the Groups should contain a provision whereby any Province could, by a majority vote of its Legislative Assembly, call for a reconsideration of the terms of the constitution after an initial period of 10 years and at 10 yearly intervals thereafter. [*TP VII*, 303.]

Theoretically, therefore, if after 10 years the Group B and C Provinces, those with Muslim majorities, decided to opt out from a federal India, there was no reason stated in the Cabinet Mission Plan why they should not vote to form something not far removed from a fully fledged Pakistan. Partition was not eliminated by the Cabinet Mission Plan, therefore, its possibility merely being postponed, and the Pakistan that might eventually have emerged could (in theory at least) have been considerably larger than that which was brought into being in August 1947 - it might conceivably, for instance, have contained all Bengal, including the great city of Calcutta, and all Assam. Whether the Hindu majority in the Group A provinces would ever have allowed this to happen without armed opposition is a question which must inevitably remain unanswered.

It was anticipated that the Princely States would be brought into the plan. The Rulers were given the right, which the plan expected they would exercise, to choose the Provincial Group with which they wished to be associated in ways which had yet to be defined with any precision. The Princely States would retain all subjects and powers other than those ceded to the Centre (the Union) relating to Foreign Policy, Defence and Communications. In a memorandum of 12 May 1946 addressed to the Chancellor of the Chamber of Princes, the

Nawab of Bhopal, the Cabinet Mission assured the Princes that they would not be coerced into any decision. No consideration was given in this memorandum to what would happen to a Princely State which failed to opt for any form of association with the Union. Would it acquire full sovereignty?

It can be argued that this proposal of the Attlee Cabinet, albeit complex and cumbersome (it involved three distinct tiers, Central or Federal, Provincial Group and Provincial), had much in its favour. It provided a framework in which the desire of M.A. Jinnah and his Muslim League for some kind of Pakistan might eventually be satisfied through the operation of the B and C Groups of Provinces while also preserving for the time being the basic political unity of the Subcontinent. It was presumably for this reason that M.A. Jinnah initially accepted the Cabinet Mission Plan. No doubt the less than total enthusiasm for the Plan on the part of Congress derived from the same basic consideration, that the structure of Provincial groupings, while in the short term tending towards the preservation of a single Indian federation, contained within it the seeds for some process of dismemberment which many observers believed might go far beyond the creation of a Pakistan (or, even, Pakistan and Bengal) alongside India (Hindustan).

In the end it was clear that neither Congress nor the Muslim League could bring themselves to implement the Cabinet Mission plan for reasons which have been intensively investigated over the years; there is a vast literature on the subject. Of late much research, notably that of Ayesha Jalal [*Sole Spokesman. Jinnah, the Muslim League and the Demand for Pakistan*, Cambridge 1985], has shown that while the attribution of blame for failure of the Cabinet Mission plan is no simple matter, it is probable that the distaste for any form of power sharing by certain leading members of the Indian National Congress was a major factor.

After the departure from India of the Cabinet Mission on 29 June 1946, the communal situation in the Subcontinent began to deteriorate very rapidly. In August 1947 Hindu-Muslim tensions unexpectedly produced an explosion of communal hatred in Calcutta of extraordinary violence. This was followed, notably during October, by outbursts of killing elsewhere in Bengal in what is today Bangladesh. One conclusion was inescapable; it was unlikely that in a united Bengal, either as a Province or, even, as a separate nation, the Muslim majority would find it easy to establish an equitable symbiosis with the Hindu minority. Thus it was already becoming clear to the British Cabinet by the end of August 1946 that the logic of history pointed towards establishing some kind of permanent international barrier between the two Bengali communities (the Muslims with their majority in the east and the Hindus with theirs in the west) in the post-independence era such as was not provided for in the Cabinet Mission plan. This had been one half of the argument in Wavell's telegram of 6



February 1946. Events did not appear at this stage, however, to suggest that the other half of the conclusion to emerge from Wavell's reasoning, the division of the Punjab, was also unavoidable. This, as we shall see, only became evident in early 1947.

Wavell's reaction to the failure of the Cabinet Mission was to return once more to gloomy speculations about the probability of "Breakdown" and its consequences. The full implications of his reflections were manifested in his despatch to Lord Pethick-Lawrence, the Secretary of State for India, of 8 September 1946 [TP VIII, 286]. Wavell argued that in India "one must either rule firmly or not at all." As things were developing, the British were appearing more and more to be weak and unable to control internal security. Increasingly the British presence in India was being maintained by the Indian Army, the loyalty of which could not be depended upon for much longer. Wavell reasoned that, unless the British Government in London were prepared to change radically its underlying policy and plan for a further fifteen years or so of British rule in India, with all that that implied in men and money, then it would have to accept that it had no choice but to terminate the Indian Empire by the spring of 1948 at the latest. Wavell thought that it would be more realistic to plan for the actual political process leading to withdrawal to begin in March 1947. If by 1 January 1947 agreement had not been reached with the major Indian political parties, Congress and the Muslim League, then by 31 March 1947 at the latest the outline shape of British intentions should be announced.

What Wavell proposed was that on that day at the end of March 1947 it should be declared that a phased British withdrawal would now begin: it would be completed by the second quarter of 1948. "Breakdown" would involve, so Wavell believed, a step by step British abandonment of the Subcontinent. Bombay and Madras would go first. The final evacuation would take place through Calcutta (and, perhaps, Chittagong also) and, most importantly, Karachi, the last port being firmly within the Muslim sphere of Pakistan (as, less certainly, might be Calcutta as well).

On 3 December 1946 Wavell, now in London, handed over to Prime Minister Attlee, Lord Pethick-Lawrence and A.V. Alexander his latest version of "Breakdown" [TP IX, 142]. After going through the options, limited as they were and none of them very pleasant given the decline of British power in the Subcontinent combined with approaching British financial catastrophe at home, Wavell declared that in the hope (albeit slight) of maintaining Indian unity a final attempt must be made to work out some kind of compromise settlement with Congress and the Muslim League based upon the Cabinet Mission Plan. If this proved impossible, then Wavell saw but two possibilities. Either, first:

to attempt to negotiate a fresh settlement. This could only be some sort of Partition, and would at once bring us into conflict with Congress. It would imply our remaining in India to set up the Partition, it might be for some years.

Or, second (and this was, in fact, a prophetic echo of British policy in Palestine as it was to evolve, with all its baleful consequences, in 1947-48):

to announce that, having failed to bring about a settlement, we propose to withdraw from India in our own method and in our own time, and with due regard to our own interests; and that we will regard any attempt to interfere with our programme as an act of war which we will meet with all the resources at our command.

Other possibilities, such as the re-establishment of British authority over India so as to rule it for some years to come, or

to surrender to Congress as the Majority party, to acquiesce in all it does, while using the little influence which will remain to us for a little time to try and secure what fairness we can for the Minorities, the States and the Services,

did not seem to Wavell to be either sensible or honourable.

Of all the Governors-General of India from the days of Warren Hastings, Wavell, it can be argued, possessed one of the most powerful intellects. His major failing, however, lay in his serious lack of an ability to communicate with lesser minds. It is likely that the various "Breakdown" memoranda which he prepared during the course of 1946 did not mean quite what they appeared to. Appreciating both the desperate financial plight of immediate postwar Britain and the capability of endless argument and procrastination of Indian politicians of all persuasions, it may well be that what Wavell was really saying was that unless the British came up with some kind of ultimatum they would never manage to extricate themselves from those Indian entanglements which they could no longer afford: "Breakdown", on this analysis, was a device for concentrating minds in the hope that the end result would be far less drastic than the plan indicated.

If this was what Wavell had in mind, however, he failed to reveal it satisfactorily to the Cabinet who, on receipt of his paper on 3 December 1946, decided that the task of ending of the British Indian Empire had better be entrusted to someone else. It was now that Lord Mountbatten became the Cabinet's chosen instrument, though Wavell was not informed of this fact until his dismissal (not very courteously done, he noted in his journal) of which he learnt on 4 February 1947.

It is perhaps ironic that Mountbatten, entrusted by the Cabinet with the task of somehow getting the major Indian political factions to accept the essence of

the 1946 Cabinet Mission plan, after a few weeks in office produced a "Breakdown" scheme of his own which involved the virtual implementation of Wavell's Partition proposals of February 1946 on a timetable which was not too far removed from that indicated in Wavell's note presented to the Cabinet on 3 December 1946. It is possible that Wavell, had he been left in command, would have achieved at least this, and he might have done much better. Who knows?

Faced with the failure of the 1946 Cabinet Mission plan, and even though unhappy with the tone of Wavell's December "Breakdown" proposals, as we have seen, the Attlee Government was still sufficiently impressed by the Viceroy's line of reasoning to resolve speedily to free itself from its Indian responsibilities come what may. On 20 February 1947 the Cabinet announced that the British would be leaving India by the end of June 1948, at about the same time, indeed, as they would be giving up for good their old League of Nations Mandate in Palestine. No doubt the Indian decision, along with drastic changes of policy towards Palestine, Greece and Turkey, was to a great extent dictated by financial crisis in Britain, following the appalling winter of 1946-47 and with the impending convertibility of Sterling (and other facets of the great dollar shortage). It was in addition, one can be sure, a response to United States criticism of British imperialism; but it probably also reflected well enough the gut feeling of the British liberal classes, that, dollars or no dollars, the Indian Empire had gone on long enough. To implement the new policy there would be a new Viceroy. The last of a line of British proconsuls, whose office (at least as Governor-General) stretched back to Warren Hastings in the latter part of the eighteenth century, was to be Lord Mountbatten, apparently successful in war, possessing powerful royal connections and believed to be sympathetic to the post-imperial aims of the Labour Government (and able to combine considerable powers of communication with those both above and below with the ability to enchant them if he so chose). The new Viceroy arrived in India on 22 March 1947.

Lord Mountbatten's Viceroyalty presents the historian of the British Indian Empire with unique problems. It is possible, although sometimes with difficulty, to arrive on the basis of the archives at a fairly reliable assessment as to what the administration of British India was about from at least the days of Clive in the 18th century up to the arrival in India of Lord Mountbatten on 22 March 1947 (he was formally sworn in as Viceroy on 24 March). After that date the story becomes increasing clouded. In part this is due to deficiencies in the available archival record which, especially for the latter part of the story, is no longer under predominantly British control. In part, however, it is also due to the perplexing personality of the last Viceroy and the sometimes highly unreliable or misleading nature of his own pronouncements and recollections

which are indeed copious. For much that Mountbatten did in India there has been a tendency to rely on his own narrative (and his own archives) and those of his staff (for example, the famous diary of his public relations man, A. Campbell-Johnson, *Mission with Mountbatten*). Because Mountbatten was so inextricably involved with the British ruling House of Windsor, even some of those archives relating to his period in India which originated in the United Kingdom have either been weeded to remove material which bureaucrats at some time thought might embarrass the Throne or were actually created (as, for example, that fascinating India Office Records file L/P & J/10/119) as part of an official attempt to protect his reputation. There are many questions about Mountbatten's Viceroyalty for which a definitive answer may never be found.

By the time that Lord Mountbatten arrived in New Delhi the communal situation in the Subcontinent had taken a turn for the worse following an outbreak of violence in the Punjab between Hindus and Sikhs on the one side and Muslims on the other. On 2 March 1947, in the face of a variety of pressures including intense agitation by the Muslim League (to whom the Governor of the Punjab, Sir Evan Jenkins, assigned the major responsibility [see: *TP X*, 160]), the elected Provincial Government of the Punjab headed by Sir Khizar Hyat Khan Tiwana, a Coalition Ministry of Muslim, Hindu and Sikh interests, collapsed (for a recent account of this episode, see: Ian Talbot, *Khizr Tiwana. The Punjab Unionist Party and the Partition of India*, London 1996). There seemed no alternative to the Governor's intervention and the imposition of his direct rule, which was duly undertaken by Sir Evan Jenkins. A succession of communal riots then broke out in the cities of Lahore, Amritsar, Multan, Rawalpindi and elsewhere, and it was only by the extensive use of the military that law and order were restored. The episode was brief: the main violence was virtually all over within a week, time enough, however, so Sir Evan Jenkins believed, for some 3,500 persons to have been slaughtered (which seemed terrible at the time but was as nothing when compared to the great Punjab massacres which started in August 1947).

What these events appeared to indicate, apart from the extreme volatility of the Indian political climate, was that it would indeed be difficult to devise a form of government which would ensure tranquillity in a region where large Muslim, Hindu and Sikh populations coexisted. This, at any rate, was the fateful conclusion drawn by a Working Committee of the Indian National Congress which was then, in the context of the Attlee Cabinet's announcement of 20 February, considering the detailed constitutional shape of an India without the British.

On 8 March 1947 the Congress Working Committee produced a resolution, the final version drafted by Jawaharlal Nehru, the leader of Congress and the Prime Minister designate of any independent India (Hindustan) which might emerge, which argued as follows. Since the Calcutta riots of 1946 all attempts at

communal reconciliation in those key areas of the Cabinet Mission plan, Groups B and C Provinces, centred on the Punjab and Bengal, had failed. As far as the Punjab was concerned, in the light of what had just been happening there, the Congress view was that it would be better to excise the communal cancer than try to go on living with it. This meant the division of the old Province into two parts, one predominantly Muslim which would go one way, and one predominantly non-Muslim, which would go another. There was still a question mark over the North-West Frontier Province where a Congress Ministry held office even though, perhaps because, its population contained virtually no Hindus; but events were soon to show that in the final analysis the North-West Frontier Province was as unlikely to settle down in harness with a Hindu-majority Congress India as were Sind or the Muslim-majority parts of the Punjab. The actual words of the Congress Working Committee resolution of 8 March 1947 merit quotation:

during the past seven months India has witnessed many horrors and tragedies which have been enacted in the attempt to gain political ends by brutal violence, murder and coercion. These attempts have all failed, as all such attempts must fail, and have only led to greater violence and carnage.

The Punjab, which has so far escaped this contagion, became six weeks ago the scene of an agitation, supported by some people in high authority, to coerce and break a popular Ministry which could not be attacked by constitutional methods ... A measure of success attended this, and an attempt was made to form a Ministry dominated by the group that led the agitation. This was bitterly resented and has resulted in increased and widespread violence. There has been an orgy of murder and arson, and Amritsar and Multan have been scenes of horror and devastation.

These tragic events have demonstrated that there can be no settlement of the problem in the Punjab by violence and coercion, and that no arrangement based on coercion can last. Therefore it is necessary to find a way out which involves the least amount of compulsion. This would necessitate the division of the Punjab into two Provinces, so that the predominantly Muslim part may be separated from the predominantly non-Muslim part. [*PP*, Vol. I, Appendix IV].

Here was the immediate seed whence sprang the pattern of Partition as it was to come to pass in August 1947 (rather than another of many possible variants): but, as we shall see, the ground had been well prepared some time before.

The Congress Working Committee resolution of 8 March 1947 produced inescapable practical consequences. Once the Punjab was so divided into Muslim and non-Muslim parts, given the communal demography of the north-western corner of the Subcontinent there was really no alternative to the emergence side by side with India of a totally separate Muslim State free of the three-tier federal trappings of the Cabinet Mission Plan, in other words a sovereign Pakistan. The same logic applied to Bengal, but that is beyond our present scope: we do not need to consider here the possibility, which briefly seemed real enough in early

1947, that there might be two Muslim States, Pakistan and East Bengal. This crucial piece of realism emanated not from Jinnah's Muslim League but from Congress and its sympathisers, and it was to determine in many vital ways the subsequent course of events.

The Congress Working Committee resolution of 8 March 1947 raises one interesting question. It echoes very closely indeed Lord Wavell's analysis of 6 February 1946, which has already been noted and will be discussed again in the next Chapter. Did the Congress leadership know that the at least one section of the British establishment was seriously considering going further than the communal distribution of Provinces of the Cabinet Mission Plan and actually contemplating the partitioning of individual Provinces on a communal basis? There are grounds for supposing that they did.

Ever since 1942 a key official in the British Government of India in all matters relating to the Transfer of Power was V.P. (Vapal Pangunni) Menon, Reforms Commissioner, who was honoured by the British with the title Rao Bahadur. It is extremely unlikely that any British policy on this or any other constitutional question considered by the Viceroy's Administration over the last five years escaped his notice. It is interesting that Wavell's telegram to Lord Pethick-Lawrence of 6 February 1946 was not only known to Menon, it was in fact based upon a draft prepared by him.

The full story is revealed in *Jinnah Papers*, Volume I, Pt.2 (Appendix XII), which was published in Islamabad, under the editorship of Z.H. Zaidi, in 1993. In December 1944 the question began to be asked in British Indian ruling circles as to what exactly, in terms of territory, did "Pakistan" mean? During the course of 1945 a number of officials endeavoured to supply an answer. As Sir Evan Jenkins, the Viceroy's Private and Personal Secretary (and soon to be the Governor of the Punjab) observed in July 1945, there was indeed a problem in that the only current definition of Pakistan was that provided in the Muslim League's Lahore Resolution of 1940 which, Jenkins, thought, was not without its ambiguities [see Note at the end of this Chapter for the text of the Lahore Resolution as Jenkins understood it]. Since then, moreover, much water had passed under the bridge [*JP* I, Pt.2, Appx. XII, 4]. Did M.A. Jinnah intend to take over all of the Punjab as a unit, and ought he to be allowed to do so? Advice on all this was sought by the Viceroy.

On 10 October 1945 the Prime Minister of Bikaner State, Sardar K.M. Panikkar, an extremely wily politician with close Congress links (in 1948 to become Indian Ambassador to China, following in the footsteps of K.P.S. Menon), presented Wavell (by way of Guy Wint, a brilliant journalist then attached to the Foreign Department of the Government of India and whose part in all this is still not clear) with a memorandum in which he advocated that the Muslim League be allowed to get its Pakistan provided that its boundaries were

very carefully drawn by a commission "of impartial experts presided over by a judicial officer of the highest standing." Panikkar made it clear that this would involve a process of partition in both the Punjab and Bengal. The actual business of partition, Panikkar argued, must be so executed as to inflict the minimum of damage to Hindu and Sikh interests in the two main regions involved, Punjab and Bengal. Panikkar may well have been influenced by C. Rajagopalachari (a leading member of Congress who would succeed Mountbatten as Governor-General of independent India in 1948) who explored formulae for partition in April-July 1944 [see Note at the end of this Chapter]. Wavell promptly handed over Panikkar's paper to his Reforms Commissioner, V.P. Menon, who by 20 October 1945 was submitting to the Viceroy by way of Evan Jenkins his own gloss on the nature and mechanics of partition [*JP* I, Pt.2, Appx. XII, 23]. By 23 January 1946, in collaboration with yet another distinguished Indian official who also happened to be in sympathy with Congress, Sir Benegal Rau, one of Wavell's chief advisers on matters of constitutional law (and who would, in 1948, represent an independent India at the United Nations), V.P. Menon produced his outline plan for a Pakistan created by means of partition [*JP* I, Pt.2, Appx. XII, 37, also 44].

The Menon-Rau plan as it evolved deserves close examination since it is in many respects a blueprint for what actually took place in the summer of 1947. Both the Punjab and Bengal would be partitioned, generally on a District by District basis (actually Menon and Rau tended to think in terms of Divisions, that is to say groups of Districts: in practice the result was the same), but not always so. In Bengal, Calcutta would remain in India and so, also, would most of the Darjeeling District, thus ensuring contact between Indian West Bengal and Indian Assam. The Sylhet District of Assam would go to Pakistan in order to guarantee that the rest of Assam possessed a non-Muslim majority so that it would go to India. In the Punjab the Gurdaspur District, or at least the three eastern *tehsils* of it, would, despite the District's Muslim majority and its contiguity with other Muslim-majority Districts, remain in India. On this basis George Abell, who had now become Wavell's Private Secretary, prepared a draft telegram for the Secretary of State, Lord Pethick-Lawrence, on 5 February 1946, and this was duly sent under Wavell's signature on the following day having first been shown to V.P. Menon for his comments and approval [*JPI*, Pt.2, Appx. XII, 50, 52 & 53].

What we have here, really, is this. Wavell's outline of the implications of a Bengal and Punjab partition in order to create Pakistan was in fact initiated by Sardar K.M. Panikkar and worked out in detail by V.P. Menon and Sir Benegal Rau. All three men had links with Congress, those of V.P. Menon by way of Vallabhbhai Patel being particularly close. There can be no reasonable doubt, therefore, that the contents of Wavell's telegram to the Secretary of State of 6

February 1946 was known to Patel at least, and probably to Nehru as well. It was in the light of this knowledge, we can be sure, that the decision of the Congress Working Committee of 8 March 1947 was drafted. The documentary record makes it clear that M.A. Jinnah did not possess a comparable understanding of what ideas the British were developing about the ultimate shape of Pakistan.

The nature of Menon's loyalties was certainly appreciated by the top British officials in the Government of India. Wavell, for example, noted in his journal for 28 November 1946 that Menon had been presenting to the Viceroy what seemed to him to be essentially a Congress brief. He suspected that some of his officials, notably his Private Secretary, George Abell, had placed too much reliance on Menon's advice. V.P. Menon, Wavell concluded, was an honest and good "little" man, but for all that he was still Patel's mouthpiece. All the same, Wavell continued to rely greatly on V.P. Menon.

By 26 March 1947 George Abell (who had gone on to serve the new Viceroy in the same capacity as he had served Wavell) had evidently lost some measure of his earlier confidence in V.P. Menon. He then issued a note for Mountbatten's attention which declared that

up to recently ... [V.P. Menon] ... knew everything that was connected with high policy that was going on between the Viceroy and the India Office. Lately he has been rather less closely in confidence because he is a Hindu, and is inevitably under pressure from Congress to tell them what is going on. ... Thus, though he is an old friend of mine, and one of the people I like best in Delhi, I am convinced that it is not possible to take him into confidence as fully as has been done in the past. [TP X, 21].

Despite this warning, Mountbatten, perhaps because he had no alternative, also continued, as had Wavell before him, to rely upon V.P. Menon for virtually all his constitutional planning. It is reasonable to suppose, therefore, that reliable reports of both the general direction and the details of such planning never ceased to reach the Congress leadership as soon as schemes were devised in Viceroy's House while M.A. Jinnah and the Muslim League remained in relative ignorance.

On 24 March 1947, just over two weeks after the passage of the Congress Working Committee resolution of 8 March 1947, Mountbatten formally took over from Wavell as Viceroy. He maintained (or strongly implied) that he had been furnished by the Attlee Cabinet with what were to all intents and purposes plenary powers to hack through the Gordian knot of Hindu-Muslim politics. While this is doubtful - we find, for instance, Mountbatten throughout his Viceroyalty seeking Cabinet authority on a wide range of issues - yet he certainly enjoyed both unique access to the highest circles of the British



Government and an extraordinary authority based upon the Cabinet's reluctance to interfere in any way with the last Viceroy's task of extricating the British from their Indian Imperial responsibilities as rapidly as possible.

Mountbatten's first priority was to devise a practicable plan (to retain if possible, so his original brief from the Attlee Cabinet urged, the essentials of the 1946 Cabinet Mission proposals) which he could sell to both Congress and the Muslim League. As has already been suggested, in this task he relied (either willingly because of a mutual respect or perforce because there was no alternative) upon the experience and ingenuity of V.P. Menon. Mountbatten was a man who was happy with concepts delineated with the broadest of brush strokes: he had neither the patience nor the ability and training to master the small print. V.P. Menon was invaluable as the provider of the fine detail: while, unlike so many of his colleague, not a lawyer by training, his formidable experience and intelligence made him a master draftsman.

Mountbatten's (or V.P. Menon's) first step was to look closely at the cumbersome three-tiered structure of the Cabinet Mission Plan of 1946, to see if it could somehow be converted into the framework for a scheme of communal separation which went far beyond federal bounds. As the preamble to his own first draft plan put it:

they ... [the British Government] ... had hoped it would be possible to transfer power to Governments within a single Union. ... The Viceroy has however reported that leaders of main political parties in India have been unable to reach agreement on any form of united Government. His Majesty's Government have therefore decided ... that arrangements must now be made to ensure that power can be transferred by due date ... [June 1948] ... to more than one authority. [*TP*, X, No. 379].

The problem, of course, was to determine what bits of India went to which of the "more than one" authorities now under consideration.

Mountbatten's initial plan was ready on 2 May 1947, when his Chief-of-Staff, Lord Ismay, and his Private Secretary, George Abell, took it off by air to London. Drafted largely by V.P. Menon, it was a most complex arrangement for the convening of a number of Constituent Assemblies. The idea of the separate treatment of the Cabinet Mission Plan Group B and C Provinces was retained; but in the Constituent Assemblies for those Provinces there was provision for a further subdivision into Muslim and General (still the euphemism for Hindu) gatherings, with the implied possibility of some kind of partition. The whole process would involve a reference to the people in each Province; and here Mountbatten included those Group A Provinces with a General (Hindu) majority (who, too, could make decisions of potentially great constitutional significance). It was the best that could be done with the skeleton of the old

Cabinet Mission plan (largely, one suspects, thanks to the skills of V.P. Menon, who, however, surely had his private doubts about its viability).

The Attlee Cabinet was greatly impressed. The Indian problem, it thought had, if not been solved, at least moved onward to a more comfortable stage. A Cabinet Committee approved on 8 May what to all intents and purposes was a final revision of the first draft which, it was intended, would be presented to the full Cabinet on 13 May.

On 10-11 May the first Mountbatten plan met a sudden death. Its full text, of course, pending Cabinet approval, had not been shown to M.A. Jinnah or Jawaharlal Nehru (though it is extremely unlikely that Nehru from one source or another did not know what was afoot, and, naturally, Mountbatten or his Staff had discussed bits of it with the leadership of both the Congress and the Muslim League). Now, on 10 May, with Cabinet approval to hand, Mountbatten decided, at a moment when he and Nehru happened to be together in the congenial climate of Simla, to let the Congress leader privately have a good look at the plan as a whole.

As Jawaharlal Nehru admitted, this was an unusual step, to say the least. He told Mountbatten that:

you were good enough to speak to me frankly and in a very friendly manner last night and to give me an opportunity to see the tentative proposals. I need hardly tell you how much I appreciate your confidence in me or that I am convinced of your earnest desire to help India to achieve her freedom as soon as possible. It has been a privilege to get to know you better and I hope that our understanding of each other will be helpful to both and to the wider causes we have at heart. [TP X, 402].

Despite these warm words, however, Nehru on the morning of 11 May effectively rejected the draft plan outright, an event which Mountbatten was to look on as the Simla "bombshell". Congress, Nehru said, would never go along with it. What he said he objected to in particular was the need to hold some form of Group A Provincial elections of an essentially plebiscitary nature, with the implied possibility either of the total fragmentation of British India into a mess of independent Provinces, or the partition of Provinces *other* than those in the Cabinet Mission Plan Groups B and C. The plan, Nehru told the Viceroy, must be completely redrafted.

Nehru declared that he refused to contemplate the slightest trace of any Balkanisation project in which, typically, in the event of the "Breakdown" of constitutional negotiations, the British, as has been noted above, would withdraw to two or three secure ports, leaving the hinterland to whomsoever was able to seize the reins of power. Such schemes had produced much military contingency planning which only ceased in July 1947, when attempts were made

to remove all traces of these "Madhouse" (as the whole process was sometimes referred to) thoughts from the archives. The British had publicly hinted at this kind of thing during the Wavell Viceroyalty, perhaps seriously, or perhaps merely as a goad to Congress and the Muslim League to force them to make up their minds, and it was even possible to detect a whiff of it in the 1946 Cabinet Mission Plan. No doubt news of all this also reached the Congress leadership soon enough through V.P. Menon.

Thus on the morning of 11 May the task of devising a new plan perforce began. Inevitably, the main burden fell once more on the capable shoulders of V.P. Menon. Meanwhile, the Attlee Cabinet in London had been told rather mysteriously that the old plan had been cancelled and a replacement was, as it were, in the post.

The new plan, ready by 17 May, and confusingly just called the Mountbatten plan (like the previous plan of 2 May), provided an electoral mechanism whereby two Constituent Assemblies would be set up in the Subcontinent, one for India and one for what would become a Pakistan consisting of Sind, North-West Frontier Province (subject to a popular reference), Baluchistan and a partitioned Punjab, plus a partitioned Bengal plus Sylhet (in Assam) provided that the electorate in the last place decided by plebiscite to join Pakistan.

Neither plan, old or revised, was particularly specific about the future of the Princely States in the post-British Subcontinent. In the Princely States British Paramountcy would lapse and the Rulers would, as the Cabinet Mission had already set out in a memorandum to the Chamber of Princes on 12 May 1946, have to make up their minds whether they would join one of the two new Dominions or endeavour to establish their own independence (though this was an option which the British had not emphasised). Mechanisms had yet to be worked out in detail to give practical effect to these possibilities. The question of the future of the Princely States, of course, was to have enormous significance for the genesis of the Kashmir problem.

There has been a tendency on the part of many observers over the last half century to detect a major (and possibly conspiratorial) importance for the story of the background to the Kashmir dispute in the revised Mountbatten plan. By splitting up Gurdaspur between India and Pakistan, so the argument has gone in countless histories (not least those written from a Pakistani viewpoint), the new boundary was so managed as to ensure that India retained a good line of communication with the State of Jammu & Kashmir by way of the railhead at Pathankot in the Pathankot *tehsil* of Gurdaspur District. Without such access, so conventional wisdom (which may well date to a bit later than July and August 1947) has it, Jammu & Kashmir would have had no option but, in the end, to join up with Pakistan. With the Pathankot route to India kept open, Jammu & Kashmir, while still by no means precluded from opting for a

Pakistani future, retained the possibility of accession to India: it was this outcome, so the argument concludes, that it was the intention of Mountbatten and his advisers to bring about. Thus the fate of Gurdaspur District has become linked inextricably in many minds with the intended fate of the State of Jammu & Kashmir.

One should remember, however, that this particular aspect of the Gurdaspur District, involving the ultimate possession of Jammu & Kashmir, was not the subject of obvious concern to any of the participants in the Indian drama in the early summer of 1947: it was to emerge a bit later on in the story. Access routes to the State of Jammu & Kashmir were certainly not a major preoccupation with those charged with the practical task of the partitioning of the Punjab prior to the Transfer of Power. We will return to this question in some detail in the next Chapter.

Here is what the revised plan suggested for the actual mechanics of Partition:

for the immediate purpose of deciding the issue of Partition, the members of the Legislative Assemblies of Bengal and the Punjab will sit in two parts according to Muslim majority districts ... and non-Muslim majority districts. This is only a preliminary step of a purely temporary nature as it is evident that for the purposes of a definitive partition of these provinces a detailed investigation of boundary questions will be needed; and, as soon as a decision involving partition has been taken for either province ... [the Punjab or Bengal] ... a Boundary Commission will be set up by the Governor-General, the membership and terms of reference of which will be settled in consultation with those concerned. It will be instructed to demarcate the boundaries of the two parts of the Punjab on the basis of ascertaining the contiguous majority areas of Muslims and non-Muslims. It will also be instructed to take into account other factors. [TP, X, No. 476].

All this was far more detailed than before, and in some respects significantly different from the original plan. In the 2 May plan it had been specified that "until the report of a Boundary Commission has been adopted," that is to say voted for, "by both parts of a Province" (in other words, what would be India and Pakistan), the "provisional boundaries" would be based on a line separating Muslim-majority *Districts* (as opposed to *areas*) from those lacking such a majority without taking any other factors into consideration (in other words, with a partition on a strict District by District basis, and no subdivision of Districts). Had this form of words survived, the Gurdaspur District in its entirety must have gone, initially at least, to Pakistan from whence it would not have been easily dislodged. With this formula either what came to be perceived as the crucial access to the State of Jammu & Kashmir via Gurdaspur would have been retained by Pakistan or its eventual transfer to India would have been debated in the two parts of the Punjab Provincial Assembly before a final boundary line was agreed. It is difficult to see how in these circumstances the

question of the future of the State of Jammu & Kashmir would not have been subjected to at least some scrutiny before the shape of Partition had set solid in the mould. Even if the question of strategic access had not emerged, the importance for the irrigation of the Punjab of those rivers flowing through the State of Jammu & Kashmir could hardly have been overlooked.

On 18 May Mountbatten, with his new plan on paper and accompanied by V.P. Menon, set out by air for London to explain his proposed changes to the British Cabinet. A few days later the revised plan was approved after the briefest discussion by the Attlee Government (only 5 minutes, it has been said); and the unity of the Subcontinent, which it had taken the British three centuries to achieve, was broken for ever.

About the same time Mountbatten underwent yet another conversion. Hitherto it had been accepted that the target date (which probably would not have been met in practice) was the end of June 1948. Now Mountbatten began to speculate whether it might not be a good idea to set a new, and closer, deadline. By the end of May it seems that he had fixed upon 15 August 1947 as the day upon which the British Indian Empire would come to its formal end (perhaps to coincide with the second anniversary of the official end of the War with Japan - it is not easy to find any other special significance for this particular day which, it has been said, Indian astrologers found to be singularly inauspicious). Mountbatten later maintained that this date suddenly sprang forth into his mind while giving a press conference on 4 June (to explain to journalists in New Delhi his plan for Indian independence which had been formally published the previous day), and that on impulse he took that opportunity to announce it. This, to say the least, does not seem likely.

The fact of the matter is that Mountbatten was under at least four distinct pressures to get the whole business of the Transfer of Power over long before the hitherto accepted date of June 1948.

First: there was constant pressure for haste from London where it was feared that prolongation of the British presence in India might give rise to military commitments hitherto unplanned and certainly expensive. By the summer of 1947 the American loan which the Attlee Government had managed to raise as an emergency measure in 1946 (following President Truman's cancellation of Lend Lease in 1945 eight days after the Japanese surrender) to save Great Britain from postwar financial disaster had all but run out (and there was the problem of Sterling convertibility to add to British fiscal anxieties).

Second: Mountbatten himself probably felt a desire to get the whole business successfully concluded before the wedding, due in November 1947, of his nephew Philip to Princess Elizabeth, future Queen of England. This was a high point in the rising fortune of the House of Battenberg and a subject dear to the

last Viceroy's heart. With India over and done with by 15 August, Mountbatten could return to London in triumph.

Third: Congress had made it plain that some of its members were dubious about remaining within the British Commonwealth after independence. The sooner independence came, Mountbatten believed, the more likely it would be that India would agree, as he devoutly hoped, to be a Dominion with Commonwealth status [See, for example: *TP X*, 504].

Finally: Congress appreciated that it was in a far better state of preparedness for independence than was Pakistan. Indeed, it was not beyond the bounds of possibility that, if time were denied it, the Muslim side might fail to achieve independence at all but, instead, either fall into anarchy or decide, at the eleventh hour, to come to some unspecified compromise arrangement with India (Hindustan) and the Indian National Congress.

The last two pressures, relating to Congress, could well have been exerted on Mountbatten, informally as well as formally, both by V.P. Menon and, either directly or indirectly, by Jawaharlal Nehru.

What is certain is that, once the time limit of 15 August had been settled, the options possible for the actual work of partitioning the Punjab became extremely limited. Surgery had not only to be drastic but also fast.

The Attlee Cabinet was persuaded of the need for more speed in the Transfer of Power. Thus in the final version of Mountbatten's plan which he announced in India on 3 June 1947, there is the provision for "the immediate transfer of power" because

the major [Indian] political parties have repeatedly emphasised their desire that there should be the earliest possible transfer of power in India. With this desire His Majesty's Government are in full sympathy, and they are willing to anticipate the date of June 1948, for the handing over of power by the setting up of an Independent Indian Government or Governments at an even earlier date. [*TP XI*, 45.]

(Incidentally, the implication that there might, even at this eleventh hour, yet be but *one* successor Government to the British Indian Empire is indeed interesting).

The Attlee Cabinet, however, while thus generally approving of more speed, seems to have considered there could well be serious dangers in being over hasty: perhaps 15 August was a bit too soon. In the draft Independence of India Bill that emerged on 15 June the India Office in London proposed that the moment of the Transfer of Power, "the appointed day," should be 1 October 1947 [*TP XI*, 191]. Mountbatten protested to London against the October date, but without explaining why: "I consider it vital that appointed day should be August 15th" he telegraphed Lord Listowel (who had in April 1947 succeeded

Pethick-Lawrence as the Secretary of State for India) on 18 June [TP XI, 249]. The Cabinet evidently felt it had no option but to go along with the Viceroy. A fresh version of the draft Bill, as amended on 29 June, contained Mountbatten's preferred date: "as from the fifteenth day of August, nineteen hundred and forty-seven, two independent Dominions shall be set up in India, to be known respectively as India and Pakistan" [TP XI, 428]. This form of words survived unaltered into the Independence of India Act of 18 July 1947 [TP, XII, No. 164].

If V.P. Menon did play a major part in all these proceedings - as seems highly probable - then there is an intriguing whiff of Mountbatten-Congress collusion about it all (in which, of course, Mountbatten could just possibly have been an unwitting party). Congress decided that Partition was called for, well aware of Wavell's proposals of 6 February 1946. V.P. Menon, having helped Mountbatten with a proposal which could be argued to represent a hopeless last ditch stand against Partition by retaining some elements of the 1946 Cabinet Mission Plan, then, when Nehru had rejected it, quickly produced from his pocket a new plan which contained the essentials of the Congress decision for Partition of 8 March, which, in turn, was a reflection of what Panikkar, Menon and Benegal Rau had put to Wavell in the latter part of 1945. Mountbatten thereupon persuaded an apparently reluctant Nehru to accept the new plan (of the essential nature of which he could well have long been aware), and M.A. Jinnah, probably failing to appreciate the significance of V.P. Menon's part in its drafting, duly followed suit in the belief that, if he did not, Mountbatten and Congress might do something rather more harmful for the idea of Pakistan. The new plan, possibly again at Nehru's instigation or with his approval, contained a deadline which guaranteed that there would be a very limited number of options for the actual mechanics of Partition, which in any case were already dominated by the provisions in the plan relating to Boundary Commissions and other procedural matters (drafted by or with the collaboration of V.P. Menon). So, at any rate, might have argued any supporter of Pakistan at this time affected by no more than the usual dose of paranoia and in possession of the facts which we have outlined above.

### A Note on the Lahore Resolution of 1940

[See: JP I, Pt.2, Appx. XII, 4.]

Meeting in Lahore in 1940, the Muslim League passed the following Resolution, so Evan Jenkins reported to Wavell on 23 July 1945:

resolved that it is the considered view of this session of the All-India Muslim League that no constitution or plan would be workable in this country or acceptable to Muslims unless it is designed on the following basic principles, viz. that geographical contiguous units are demarcated into regions which should be so constituted, with such territorial readjustments as may be necessary, that the areas in which the Muslims are in a majority as in the North-West and Eastern Zones of India should be grouped to constitute independent States in which the constituent units shall be autonomous and sovereign.

British constitutional experts, notably (Sir) Reginald Coupland, were quick to point out the implied conflict between the expressions "autonomous" and "sovereign", but they probably missed the point in this use by Jinnah of typical redundancy in legal language. The Lahore Resolution (in this version at least) made it quite clear where the Muslim-majority areas were located, but it left open the question whether there would be one Muslim State or two.

Between April and July 1944 the idea of Pakistan was examined by a leading Congress figure, C. Rajagopalachari (who was to follow Mountbatten as Governor-General of India in 1948). Rajagopalachari came up with the following:

after the termination of the war a Commission shall be appointed for demarcating contiguous districts in the North-West and East of India wherein the Muslim population is in an absolute majority. In the areas thus demarcated a plebiscite of all the inhabitants held on the basis of adult suffrage or other practicable franchise shall ultimately decide the issue of separation from Hindustan. If the majority decide in favour of forming a sovereign State separate from Hindustan such decision shall be given effect without prejudice of the right of districts on the border to choose to join either State.

M.A. Jinnah, in discussions with Mahatma Gandhi in September 1944, rejected any version or variant of the Rajagopalachari formula, while Gandhi failed to see the need for Pakistan at all. In July 1945, so Jenkins minuted, there remained a number of mysteries as to how exactly Jinnah saw the ultimate shape of Pakistan. Would it embrace both North-West and Eastern Zones? Would it include Calcutta? Would, if there were some kind of popular reference, non-Muslims be permitted to vote in Muslim-majority areas?

Jenkins own summary of the British position as of July 1945 was this:

it seems to me that the nearest we can get to Pakistan is something along the lines of the Cripps Offer [of 1942], namely, an Indian Federation or Union with the right granted to individual Provinces to contract in or out as they please. The Rajagopalachari formula was an attempt to bring Jinnah out into the open. It failed, and I do not think that any other attempt is likely to succeed at present.

In other words, the British would have to work out for themselves exactly what Pakistan might look like without any specific guidance from M.A. Jinnah.



## CHAPTER III

### The Radcliffe Commission: July-August 1947

#### 1. Preliminaries

The revised Mountbatten plan was announced in India on 3 June 1947, and at a press conference on the following day the Viceroy publicly made it clear that the whole exercise would terminate on 15 August 1947 (rather than in June 1948), by which date the British Raj would be over for good. The magnitude and quantity of problems which had either to be solved or ignored by that date, of which the Partition of the Punjab was but one, defied the imagination.

The revised Mountbatten plan contained a mass of detail about electoral procedures (as one would expect in something largely drafted by that constitutional expert V.P. Menon). It was rather vague, however, on the practical aspects of how the Boundary Commissions for Bengal and the Punjab would be constituted, let alone on the geopolitical principals underlying the borders which they were supposed to delineate; it merely reinforced the core doctrine of separation of the appropriate contiguous Muslim-majority areas from those areas where non-Muslims were in the majority.

It was clear from the outset that the Punjab boundary would have to run somewhere through a stretch of territory about 250 miles in length between Bahawalpur State in the south and the State of Jammu & Kashmir in the north, neither Princely State being within the proposed Commission's brief. In one way, by running a line between contiguous Muslim-majority Districts and Districts without such majorities a technically correct boundary could be derived through no more labour than the consulting of the appropriate administrative map. Unfortunately, the matter was not so easy in the real world.

This of course (as we have seen above) was just the kind of partition boundary which Lord Wavell had explored in late 1945 and early 1946, and, no doubt, the Mountbatten Administration was acting very much on the basis of this precedent. Difficulties inherent in the process of delimitation and

demarcation in the Punjab so evident in 1947, were perceived clearly enough in 1945-46 by Wavell and his advisers, among whom were George Abell (Wavell's Private Secretary and now occupying the same position under Mountbatten), V.P. Menon (still very much in harness in the summer of 1947) and Sir Evan Jenkins (now Governor of the Punjab). There were three major problems involved.

First: the country through which the new boundary was to run was also the heartland of the world of the Sikhs. This community was a minority even in the Punjab, but its importance to the life of India, be it civil or military, economic, cultural or political, could not be overestimated. An international boundary, passing perilously close to the Sikh religious Holy of Holies at Amritsar, had to be drawn which did not so disturb Sikh traditions as to result in the permanent alienation of these martial people from the Dominion with which they had decided finally to throw in their lot, India. The Sikhs are really another story, but it must be noted that the terrible consequences of the failure in this respect of the 1947 Partition of the Punjab are still with us: it would be impossible to understand this event and its consequences without at least touching upon the Sikh question (as we will later on in this Chapter). The Sikh question, it was appreciated in 1947 by Lord Mountbatten's staff just as it had been by Lord Wavell's Administration in 1945 and 1946, posed the major problem to be solved in any scheme of Partition of the British Indian Empire, and to it all other problems were subordinate.

Second: the Punjab, through which the line of proposed partition would have to run, was the land of the "five rivers" which in the British period had been exploited to create an extremely complex system of dams, barrages and canals which was widely regarded as a triumph of enlightened colonial administration. To divide the Punjab was to cut across irrigation works of one kind or another upon which the agriculture of the region depended. Was it possible to execute such drastic surgery without inflicting serious damage to the economies of East and West Punjab, and particularly the latter? Certainly, something more subtle than the rigid adherence to District boundaries ought to be called for. The feeling in 1947, as it had been in Wavell's time, was that irrigation matters would probably have to be sacrificed in the quest for a Sikh solution, which had the highest priority.

Finally: the boundary had to be practicable. It had both to be delimited and to be administered. The traditional official British Indian view had generally been that "natural" boundaries, along the *thalwegs* of rivers or mountain watersheds, were best. The closest to a "natural" boundary here would have been a line which followed the eastern borders of the Montgomery and Lahore Districts along the Sutlej from Bahawalpur State north-eastward to a point near Ferozepore, whence it would swing due north to the Ravi, passing to the west

of Amritsar, and then follow the Ravi upstream (and again north-eastward) all the way to the border of Jammu & Kashmir State. There would, with this line, be virtually no Pakistan to the east of the Sutlej below Ferozepore or east of the Ravi north of Lahore. There would, however, be *some* small pockets of Pakistani territory on the east bank of the Sutlej since the eastern boundaries of the Lahore and Montgomery Districts meandered in a perplexing manner from one bank of the Sutlej to the other, and, by the same token, there would also be Indian pockets on the west bank. District and *tehsil* boundaries along the Ravi likewise also frequently wandered to and fro across that river. So long as Districts, and their constituent *tehsils*, remained the basis for the process of Partition, of course, there was no way to get round this particular problem, which did not then seem of great significance to any of the parties involved in the process of the Transfer of Power. They were, it was to transpire, too optimistic. In early 1948 ambiguities in the alignment of District boundaries along the Sutlej were to contribute towards one of the greatest early crises in Indo-Pakistani relations arising from the Indian stoppage of a major part of Pakistani Punjab's water supply, an action apparently unconnected with the Kashmir question so the available evidence (which may not be entirely reliable) would suggest. This also really is another story. It will be touched upon again, however, albeit briefly, below.

As we have already noted above, all the essential problems of the Partition of the Punjab had been considered in detail by Lord Wavell's Administration by February 1946 [*TP*, VI, 406 & 428], and the conclusions reached at that time were certainly already known to both V.P. Menon and George Abell, key Mountbatten advisers during the 1947 Transfer of Power process. We will return once more to this point shortly.

In the discussion which follows we will deal mainly with the Punjab Boundary Commission and rather ignore the parallel Commission for Bengal. The terms India and Pakistan are used here for convenience to represent the two parties. Strictly speaking, of course, this is an anachronism since the two Dominions did not come into existence until 14-15 August 1947.

The possible composition of the Boundary Commission had first been considered seriously by the India Office in London on receipt of the final version of the revised Mountbatten plan in late May 1947 [*PP*, Vol. I, Appendix I]. For the Punjab it initially proposed a Commission of six members from both the Eastern and the Western parts of the Province, three elected by the Muslim League (Pakistan), two by the Sikhs and one by Congress (India). The relatively large size of the Sikh representation was evidence of thoughts then circulating as to the possibility of the creation of some kind of special Sikh State in the Punjab (which we reiterate is a fascinating topic which underlies everything that happened in the Punjab in the summer of 1947 but which we must for reasons

of space, though with some reluctance, only mention only in passing). The six Commissioners would go on to choose a Chairman. If they could not agree upon a suitable candidate, a Chairman would be appointed by the Viceroy. A mechanism was suggested whereby, in the event of a disputed award by the Commission, appeal could be made either to the United Nations or to the International Court of Justice at the Hague; it is interesting to see that at this very early stage of a process which was to evolve (albeit somewhat obliquely) into the Kashmir dispute the possibility of international arbitration was already latent.

The India Office believed that essential to the whole process of Partition was the existence of an Arbitral Tribunal, with members to be appointed by the Governments-to-be of India and Pakistan (the India Office was at this point still contemplating the possibility of two Muslim States, Pakistan and Bengal, so it spoke of three rather than two Governments). The prime function of the Arbitral Tribunal was to resolve disputes between the successor regimes over the division of the assets of the old British Indian Empire which the Partition Council found itself unable to decide. The Partition Council was a body created on 7 June as a consequence of the revised Mountbatten plan [*PP*, Vol. I, No. 9], and representing the leaders of the major interested parties (Mountbatten in the chair, Nehru, Patel, Jinnah and Liaquat Ali Khan), as a forum for the discussion of all questions arising from the process of the division of the old British Indian Empire into India and Pakistan. If the Boundary Commission (and behind it the Partition Council) were paralysed by internal disputes, and if the United Nations or the International Court of Justice declined to intervene, then the whole matter would be thrown in the last resort to the Arbitral Tribunal, which was seen as the ultimate umpire.

By 13 June the possibilities had been modified and refined [*PP*, Vol. I, No. 16]. Now the choice put by the British to the leaders-to-be of India and Pakistan was that the Punjab Commission would consist either (a) of three members provided through the good offices of the United Nations working with six expert assessors, three each from India and Pakistan, or (b) of an independent Chairman and four Members, two nominated by India and two by Pakistan.

M.A. Jinnah, on behalf of the Muslim League, stated [*PP*, Vol. I, No. 11] that he personally would have preferred option (a), but he would go along with Jawaharlal Nehru in accepting option (b).

Nehru's objections to option (a), involving the United Nations, are interesting [*PP*, Vol. I, No. 14]. The United Nations might select people who were not "very suitable," that is to say not in sympathy with Congress. What is more important, the presence of the United Nations would surely introduce needless bureaucratic delays. What Nehru did not say was that, given the 15 August deadline, any option which involved the consumption of all but the

absolute minimum amount of time was self-eliminating. It was essential that the Boundary Commission's work be completed by the end of the British Raj; it was, after all, British India that was being partitioned. This, of course, was why Jinnah in the end felt obliged to go along with option (b).

The India Office in London, too, was discovering that it was not so easy to organise rapidly an United Nations involvement. It had concluded, moreover, that any United Nations concern, what with the possibility of the Soviets and their friends showing an interest, might relate more to the nascent Cold War than to the best interests of peace in the Subcontinent.

The British Foreign Office soon came up with another idea [*PP*, Vol. I, No. 19]. It suggested that the two sides participating in the Boundary Commission might invite delegates from some suitable foreign power or powers, France, the United States, even Peru, to preside over the delimitation of the new Indo-Pakistani border in the Punjab. There were a number of possible variants to this theme. The President of the International Court of Justice at the Hague, for example, might be invited to appoint a bench of "neutral" judges. None found favour in London, New Delhi or Karachi.

By 20 June the Muslim League side had worked out a likely and acceptable scenario for the Boundary Commission process based upon what might be described as internal Indian institutions (and avoiding reference at any stage to such foreign bodies as the United Nations). As Liaquat Ali Khan, who was Jinnah's closest associate, explained to Lord Ismay, Mountbatten's Chief-of-Staff [*PP*, Vol. I, No. 31], the two Boundary Commissions (Punjab and Bengal), if they represented equally both sides, would certainly result in a balance of conflicting sets of recommendations. These would be handed on to Mountbatten who could then pass them on to the Partition Council. If the Partition Council, too, failed to produce an answer, as it surely would unless Mountbatten himself was willing the exercise a casting vote and thereby assume responsibility for the consequences, then the task of making the final decision would have to be transferred to the Chairman of the Arbitral Tribunal, a body which we have already noted had been expressly devised to sort out such problems.

Here, clearly, was the key position for which, it seems, the Government of India had already selected a leading British lawyer, Sir Cyril Radcliffe K.B.E., K.C., Vice-Chairman of the Bar Council in London. He was then 48 years of age. He had acquired absolutely no previous experience of the problems of the British Indian Empire and had never set foot on the soil of the Subcontinent. Before the War, Radcliffe had established a flourishing and highly lucrative practice as a Chancery barrister. From 1941 to 1945, as a temporary civil servant, he had been the Director-General of the Ministry of Information (when Mountbatten had come into contact with him and formed a high opinion of his

abilities). He returned to his Chancery practice in 1945, and by 1947, according to Lord Jowitt, the Lord Chancellor, writing to Lord Listowel (Secretary of State for India), Radcliffe then was earning at least £60,000 a year, so much indeed that Jowitt thought that the Government of India could not possibly pay him what he would consider a reasonable remuneration: Jowitt thought a "token" sum at the rate of £5,000 a year for the proposed work in India would do, to which would be added certain highly attractive British income tax advantages if Radcliffe's stay abroad lasted over six months, as it would indeed have if he had assumed the Chairmanship of the Arbitral Tribunal [*TP XI*, 185].

On 23 June M.A. Jinnah told Mountbatten that he doubted whether the two parties, Muslim League and the Congress, would ever agree on any local person as Chairman of either the Punjab or the Bengal Boundary Commissions [*PP*, Vol. I, No. 35]. He suggested, therefore, that the British might perhaps put forward the name of some distinguished member of the English Bar (an institution to which he had for many years belonged and for which he retained great admiration and respect) to act not only as an umpire whose decision would be final in the event of tied votes on the two Commissions but also as Chairman, with the same powers, of the two Commissions themselves. Mountbatten observed that just such a man, Sir Cyril Radcliffe, was already being talked about as Chairman of the Arbitral Tribunal, and it might indeed be an excellent idea to have him chair the two Boundary Commissions as well. After a few days' reflection, on 27 June at a meeting of the Partition Council, Jinnah agreed. Nehru promptly concurred [*PP*, Vol. I, No. 47]. The absurdity of having Sir Cyril Radcliffe arbitrate in disputes arising from what to all intents and purposes were his own decisions soon became evident. Radcliffe would only chair the two (Punjab and Bengal) Boundary Commissions: the Chairmanship of the Arbitral Tribunal would be given to Sir Patrick Spens, the last Chief Justice of British India (with two other Justices as members, K.J. Kania and Mohammad Ismail). While the Arbitral Tribunal did indeed meet after the Transfer of Power to consider a number of issues arising from the process of Partition, in the end it had nothing to do with the actual decisions as to what territory would go to India and what to Pakistan: it drops out of our story. The Arbitral Tribunal was formally terminated on 31 March 1948. Sir Cyril Radcliffe, by agreeing to take on the Boundary Commissions (whose duration would be short, terminating by 15 August 1947) and by giving up the Arbitral Tribunal, would of course lose the income tax advantages to which Lord Jowitt had pointed, a considerable financial sacrifice (in 1997 terms perhaps the equivalent of something very like £1,000,000 - Radcliffe could not possibly have been accused of having come to India for the money).

His Chairmanship of the two Boundary Commissions, as was obvious from the moment of his appointment, conferred in theory enormous power on Sir

Cyril Radcliffe. The award of both the Boundary Commissions was defined in the Indian Independence Act of 18 July 1947 in these words:

the expression "award" means, in relation to a boundary commission, the decision of the chairman of that commission contained in the report to the Governor-General of the commission's proceedings.

Thus, to the general public it was made clear that the actual "awarding" of the boundary, in the Punjab and in Bengal, was going to be done by Sir Cyril Radcliffe; and from the outset there was an inbuilt assumption that he would do this on his own, his Indian and Pakistani colleagues effectively cancelling each other out. Both India and Pakistan committed themselves to accept the Chairman's decision as binding.

To M.A. Jinnah, who was attracted to the possibility of externalising the process of Partition so that it should not be dominated by established Indian (and probably pro-Congress) interests, the arrival of the apparently impartial Sir Cyril Radcliffe must have appeared to offer a real protection for Pakistan. However great his powers, they would, he evidently believed, be used to ensure fairness for Pakistan. In fact, of course, it should have been clear to any who understood the workings of the British administrative machine that an appointment of this sort was nearly always designed to achieve the results desired by those who made the appointment, in this case Mountbatten and his backers in London. Jawaharlal Nehru, who may well have appreciated this particular aspect of the British way of life rather better than Jinnah, offered no objections to the apparent concentration of power in the person of Sir Cyril Radcliffe. He probably divined where the real power lay (and he surely knew by way of V.P. Menon, directly or indirectly, more or less what the final boundary award would most probably look like).

Radcliffe (subsequently, and perhaps partly at least in recognition of his Indian achievements, appointed in 1949, in a practically unprecedented move direct from the Bar to the House of Lords, a Lord of Appeal in Ordinary and a Life Peer - created Viscount in 1962) seems to have been peculiarly suited to this kind of official work, the very model of a member of the companionship of the great and the good. In later years he went on to chair, or participate in, a surprising number of British commissions and official inquiries including some dealing with highly sensitive matters of espionage including the Vassall case (where the conclusions of a tribunal of enquiry over which he presided were described by many knowledgeable observers as an "establishment whitewash"), the suppression of information on grounds of national security, and the devising of a constitution for Cyprus.

The terms of reference of the Radcliffe Commission in the Punjab had

virtually been set out in the revised Mountbatten plan. When asked how he wished them to be phrased, Nehru on 12 June [*PP*, Vol. I, No. 15] expressed himself entirely satisfied with the original plan wording (which, after all, had been drafted by a Congress sympathiser, V.P. Menon). This specified the criteria of Muslim and non-Muslim majority *areas* (the term *District*, let alone *Division* or group of Districts, was carefully avoided) upon which the Boundary Commission would make its award. He did, however, modify slightly one particular phrase. Where in the Mountbatten plan the somewhat enigmatic reference to "other factors" had been separated, by syntax if not entirely by semantics, from the actual act of boundary demarcation on the basis of ascertaining contiguous Muslim-majority areas, now the two were more closely linked: "*in doing so* [my italics] it will also take into account other factors." These "factors" were not identified; but leading Indian and Pakistani politicians believed that implied in this particular language was that the "other factors" must somehow be related to the physical process of partitioning and not to any general or wider considerations concerning the future viability of Pakistan both as a polity and an economy.

On 28 June Liaquat Ali Khan sought a slight variation in this form of words [*PP*, Vol. I, No. 56]. "In doing so" should be omitted, thus reverting to very much the form and implications of the original version in Mountbatten's draft. The final phrase should now read (as a separate sentence): "The Commission will also take into account other factors," in other words, it could concern itself with subjects totally unconnected with the Punjab boundary, and not arising directly or indirectly from the actual process of its demarcation. Mountbatten rejected Liaquat Ali Khan's proposed modification on the grounds that Jinnah had already, on 23 June, accepted the Congress wording. Liaquat Ali Khan did not pursue the matter.

Political leaders in the Subcontinent, above all M.A. Jinnah, seem to have attached particular importance to the "other factors" formula, probably seeing in it an opportunity to raise a wide range of issues not specifically declared to form part of the partition process. In fact, the British authorities both in India and in London did not see "other factors" in this light at all. The words, as they understood them, related specifically to the Sikh problem. As Arthur Henderson, Under-Secretary of State at the India Office, declared in the House of Commons on 14 July 1947 (so Sir George Abell told the Secretaries to the Punjab Boundary Commission on 23 July):

the provision that *other factors* [my italics] will be taken into account has been made by the Prime Minister [Attlee] to enable the [Boundary] Commission to have regard to special circumstances of Sikh community in Punjab where considerations



such as location of their religious shrines can reasonably be taken into account up to a point [*TP XII*, 216].

Of course, Henderson added,

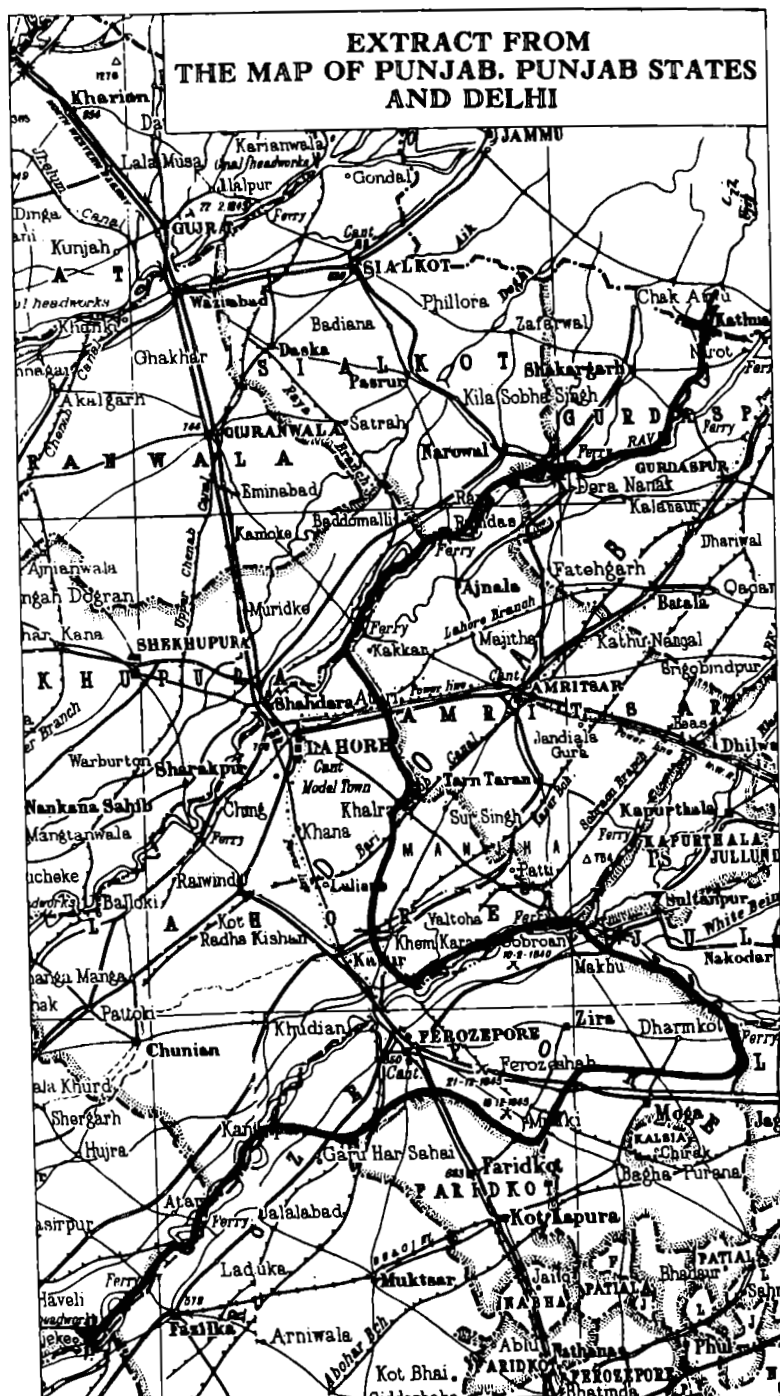
I would however emphasise ... that it is for Commission itself to decide what are other factors and how much importance should be attached to all or any of them.

Which somewhat cryptic observations could be interpreted to mean that Sir Cyril Radcliffe could consider all sorts of "other factors" but that his first priority was to avoid doing anything which might upset the Sikhs. What this implied had already been expressed with great precision by Lord Wavell in February 1946, as we shall see.

Effectively, the Boundary Commissions were limited geographically to the Punjab and Bengal, and they could not explore the consequences of their work for India and Pakistan as a whole. They certainly were debarred from investigating the wider reaches of communal issues relating to the Hindus, Muslims and Sikhs and their future place in the Subcontinent. With these terms of reference, at all events, it seemed highly improbable that Sir Cyril Radcliffe was going to expand his purview to the future of the State of Jammu & Kashmir (even though it was in practice impossible to consider rationally the division of the waters of the five rivers of the Punjab, the Indus system, without taking into account who was in control of that State whence or through which much of the Punjab water came).

It appeared, at least to M.A. Jinnah and his colleagues, to be inherent in the whole concept of the Radcliffe Commission, though it is not spelled out in the records, that decisions would be made on "judicial" grounds and not on "political" ones. The understanding, at least on the Pakistan side, was that the only criteria to be considered were those that emerged either from strictly practical considerations such as the local operations of irrigation works and communications, or from legal issues such as those arising from land ownership and right of access to shrines (and, again, local). Major questions which affected the basic nature of Pakistan and India and their future spheres of influence beyond the confines of the border between East and West Punjab would not be considered. The Radcliffe Commission, all parties appeared to accept, was not a proper tribunal to assess in any manner, for or against, the fundamental merits of Jinnah's "Two Nation Theory", that Muslims in the old British Indian Empire had a right to a separate political identity. But, as we have seen, the British interpretation of "other factors" indicated the presence of a very specific political agenda, arising from the Sikh problem, which could not but affect the

alignment of the Punjab partition boundary devised by Radcliffe and his Commission.



Map VII. Facsimile of map of the provisional Radcliffe Award provided by Christopher Beaumont to George Abell on 8 August 1947 and sent on to Sir Evan Jenkins in Lahore (from *Partition of the Punjab*, Vol. I).  
[See also Map Nos. IV and V, relating to partition lines and the Gurdaspur District].

## 2. Radcliffe's Award

Radcliffe arrived in New Delhi on 8 July. Despite advice to the contrary from Sir Evan Jenkins, the Governor of the Punjab, that this it would be misunderstood (as indicating direct influence by the last Government of British India), Sir Cyril, after a brief flirtation with Faletti's Hotel in Lahore, agreed to be accommodated in a residence within the compound that made up Viceroy's House in New Delhi [TP XI, 529].

A preliminary version of his Punjab Award was ready on 8 August, with the individual reports by the four Commissioners already completed and submitted to his office a couple of days or so earlier, and the definitive version for both the Punjab and Bengal (with, perhaps, one relative small item still to come) was placed on the Viceroy's desk in the afternoon or evening of 12 August. The two Awards, communicated to the leaders of India and Pakistan on 16 August (after the process of the Transfer of Power had been completed), were made public in both countries on the following day. By then Sir Cyril Radcliffe, who had been warned that his life would be at risk if he remained in India, had left that country by air, and for good.

Before his departure Radcliffe destroyed all papers in his possession relating to the Punjab and Bengal Boundary Commissions. He died in 1977 without ever throwing much public light on what he had actually done in India in 1947, though he did make, shortly after his return to England from New Delhi, at least one significant private observation to Arthur Henderson at the Commonwealth Relations Office which has left its trace in the archives (and which we will consider below).

There has been an enormous amount of controversy over the Radcliffe Punjab Award in that it appeared to depart from the principle of the integrity of contiguous Muslim-majority Districts by giving to India three out of the four *tehsils* (subdistrict) of the Muslim-majority Gurdaspur District, that is to say those *tehsils* on the east bank of the Ravi and the Ujh, the remaining *tehsil*, Shakargarh, on the west side of these rivers being the only portion of the Gurdaspur District left to Pakistan. Two of these *tehsils* on the east bank of the Ravi, Gurdaspur and Batala, according to the 1941 census (which was the statistical base for the whole Radcliffe operation) had fairly small Muslim majorities, 55% in Batala and 52.1% in Gurdaspur: only Pathankot *tehsil* had a significant non-Muslim majority, 61% Hindus, Sikhs and others. In that conventional wisdom had it then, and subsequently, that the key to access from India to the State of Jammu & Kashmir lay through the Gurdaspur District by way of the Indian railhead at Pathankot and the Ravi crossing between Madhopur and Kathua, this particular decision has been interpreted by many

commentators as evidence of a plot by Radcliffe, probably aided and abetted by Mountbatten, to guarantee that at the end of the day the State of Jammu & Kashmir went to India. We will further examine this proposition in the Note on Gurdaspur and Ferozepore at the end of this Chapter.

While, in the light of a large quantity of information which has surfaced since 1947, much of it the last decade or so, one can say that there is much truth in this view that the Radcliffe Award for the Punjab was in fact influenced by the policy of the last Government of British India, yet it must also be admitted that critics of the impartiality of the Radcliffe Award have often tended to miss the main, and immediate, point which is not to be found in relation to the State of Jammu & Kashmir at all. Those on the Pakistan side have been inclined to see in the Award the first stage in a carefully prepared British conspiracy to ensure that the State of Jammu & Kashmir ended up on the Indian side of the Great Divide. While there can be no doubt, as we shall see in the next Chapter, that the Kashmir question did play a small part in that process which included the Radcliffe Punjab Boundary Commission, it was by no means the only factor, and certainly in August 1947 far from being the most pressing issue, involved in devising the boundary between the two new Dominions of India and Pakistan.

It is clear, as we have already noted, that Radcliffe was not confined to Districts as the basis for Partition in the Punjab. The revised Mountbatten plan had strongly implied that, if need be, Districts could be rearranged and subdivided. "Other factors," by which we must understand primarily matters relating to the Sikh problem, within his terms of reference would permit Radcliffe here and there to award Muslim-majority tracts to India and non Muslim-majority tracts to Pakistan, provided that he did not depart too radically from the basic concept of contiguous areas. This consideration is often overlooked when Radcliffe has been attacked for awarding the three *tehsils* of the Gurdaspur District to India.

The Radcliffe Award does not set out in detail exactly why the three Gurdaspur *tehsils* were given to India, but it does indicate that any such decision was based upon the weighing of factors such as communications and irrigation works: it would be easy enough to make out a case along these lines. In fact, of course, the key issue here related to the Sikhs, as had been made abundantly clear when Lord Wavell explored the question of a Punjab partition in February 1946. It was accepted without question by the Government of India in these last years of the Raj that the Sikhs simply would not tolerate Muslim control over any of Gurdaspur District to the east of the Ravi: it would be seen by them as a direct threat to their major shrine in Amritsar.

Thus Mountbatten, long before Radcliffe set foot on Indian soil, made it plain that it was improbable that the entire Gurdaspur District, where he considered that the overall Muslim majority according to the 1941 census came to a mere

fraction of one per cent, would go to Pakistan: in a press conference on 4 June 1947 he pointed out that it "is unlikely that the Boundary Commission will throw the whole of the [Gurdaspur] District into the Muslim majority areas" [*PP*, Vol. I, xxxii; Kirpal Singh, p. 100]. In 1960 one of the two Pakistan Commissioners, Justice Mohammad Munir, announced [*Chicago Tribune*, 26 April 1960] that both he and his fellow Commissioner Justice Din Muhammad had been in no doubt from the very beginning of the Radcliffe Commission's work that the three *tehsils* of the Gurdaspur District to the east of the Ravi were destined for India.

It is, incidentally, extremely interesting that in their individual reports, submitted on 5 and 6 August, the two Pakistani Commissioners, while dealing at length with the Gurdaspur District (which they maintained for various reasons ought to go to Pakistan) yet did not raise the Kashmir aspect of the question; their arguments concentrated on Muslim populations and shrines, irrigation canals and like matters [*PP*, Vol. III].

We have no minutes of the Radcliffe Commission and we have but the scantiest of documentation to show what Radcliffe himself was thinking. For all that, the evidence now available leaves one in little doubt as to what was going on behind the scenes. It seems reasonable to suppose that when Radcliffe settled in to his residence within the perimeter of Viceroy's House he was provided with a file outlining what was what the current state of Government of India thinking about Partition. Such a file would surely have included Wavell's proposals of February 1946 which set out both where the partition line ought to be and why it should follow that particular alignment. Wavell's reasoning, accepted by his officials like George Abell and V.P. Menon in 1946, doubtless remained valid, and these two key advisers were still active and on the Mountbatten team.

In other words, the Government of India had worked out, well before Sir Cyril Radcliffe and his Punjab Commissioners (the Indian members being Justice Mehr Chand Mahajan and Justice Teja Singh, the latter a Sikh) had sat down, more or less what sort of Punjab boundary they wanted. The main criteria would be practical, relating to the governability of the two portions of the Punjab as administrative units. Crucial here, as has already been indicated, was the territory in which the Sikhs claimed a special interest. The act of partition between Lahore and Amritsar (almost like the separation of Siamese twins) involved a particularly tricky operation. As has also been suggested, the most logical line was from Bahawalpur State north-east along the Sutlej to near Ferozepore, and then due north across to the Ravi, running neatly between Lahore and Amritsar (and cutting across a corner of the Lahore District in the process); the Ravi (and, for the last few miles its tributary the Ujh) would then carry the border onwards all the way to the southern limits of Jammu &

Kashmir State. If District or other existing administrative borders were followed, as we have already seen, neither along the Sutlej nor the Ravi would there be a truly "river" line since District boundaries tended to wander to and fro across both these rivers. Such lines, however, would probably be nearly enough "scientific" in practice, and far easier to define than anything entirely new. A novice in the old Indian Political Service could have come up with this, and the available records abound with hints that this is just what someone in Mountbatten's entourage did, most likely, as we shall see, on the basis of studies made as long ago as between October 1945 and February 1946. The balance of probabilities indicates that Sir Cyril Radcliffe's brief was to carry out an exhaustive inquiry, including public meetings and the digestion of masses of memoranda and memorials, and then, just like many a British Royal Commission, come up with the right (and expected) solution.

Mountbatten himself provides some support, albeit characteristically ambiguous, for the belief that the Government of India had already laid down the basic geopolitical principles for the partition of the Punjab before Radcliffe produce his Award. In the 1970s, many years after the event, he recalled (in an interview with the journalists Larry Collins and Dominique Lapierre) that he had indeed in some degree briefed Radcliffe on boundary matters, even if in the most general terms, "in my original discussion with him" immediately following his arrival in New Delhi. As Mountbatten recalled it, he had then told Sir Cyril that

it's up to you, but basically I hope that you are going to get the right population on the right side of the line. But the line must make some sense. It is possible for people to move in small quantities to the right side of the line, but if you make it an impossible line to work along, there'll be trouble. We need the best national boundary line you can find without doing violence to the population. [*PP*, Vol. I, p. xix].

What Mountbatten told Collins and Lapierre should not always be taken as the absolute truth, but here the point is so sensible that there seems little reason to doubt that it bears a fairly close relationship to what actually occurred.

Mountbatten, it seems, also then arranged for an aircraft to be made available for Radcliffe so that he could see for himself the actual ground along what was deemed by the Government of India experts to be "the best national boundary line," which in practice would appear to have been the Sutlej-Ravi alignment indicated above. The flight, however, was cancelled due to bad weather and a fresh opportunity never seems to have arisen; or, perhaps, Sir Cyril did not care too much for flying.

It is interesting to note that at the outset of Partition the Muslim League did not give much thought to the wider geopolitical consequences of cutting the

Punjab in two. It may well be that the approaching reality of Pakistan was an idea so new, and so overwhelming, that it drowned all else. It is probable, however, that the Indian side, which had rather longer to ponder about the specific implications of Partition - the Congress, after all, can be argued to have endorsed the idea in its Working Committee resolution of 8 March 1947 before it had become official British policy, and some of its leading members certainly knew about the ideas already being floated by K.M. Panikkar, V.P. Menon and Sir Benegal Rau in October 1945 - had speculated more intensely about what might happen if the new boundary line went a little bit this way rather than that, but there is no concrete evidence.

The old British Political Department, now evolving into the Indian States Department and also dealing with matters which would soon be the concern of the Indian Department of External Affairs, undoubtedly appreciated full well the geopolitics of the Punjab and its adjacent regions. It had long understood the importance of the State of Jammu & Kashmir in the defence of India's Northern Frontier and the strategic significance of those key routes which gave access to that State. With the main road, the Jhelum Valley Road from Rawalpindi to Srinagar, now surely in Pakistan, India's approach to Jammu & Kashmir was perforce (or so conventional wisdom would appear to have had it) through the Pathankot railhead in the Gurdaspur District of the Punjab. From Pathankot to Madhopur, and then across the Ravi by ferry to the road leading through Jammu to Srinagar over the Banihal Pass, lay India's main potential access to this key frontier region and the Central Asian tracts beyond, but only, at least in 1947, if Pathankot *tehsil*, preferably along with the two other linking *tehsils* of the Gurdaspur District on the eastern side of the Ravi, went to India (though the essential requirements would be met by Pathankot *tehsil* alone). The validity of this particular line of reasoning will be considered again in the Note on the Gurdaspur and Ferozepore Districts at the end of this Chapter.

The Political Department's opinion would almost certainly have been sought in planning such a major piece of administration as the Partition of the Punjab. One may well, therefore, argue with some conviction that its advice would have been to retain within India, come what may, at least Pathankot and preferably all three *tehsils* of the Gurdaspur District on the eastern side of the Ravi (and, for the last few miles to Jammu, its tributary the Ujh). It would be prudent, whatever the eventual fate of the State of Jammu & Kashmir might be, to do so; and the result would be a "better" and more "natural" border. Even without Kashmir, moreover, it would have come to this conclusion because of the powerful considerations arising from the Sikh question.

All this, of course, had been considered during Lord Wavell's Viceroyalty, as we have already seen. On 6 February 1946 Wavell, provided the Secretary of State for India, Lord Pethick-Lawrence, with an outline scheme (in consultation

with V.P. Menon) of what a partitioned Punjab might look like in the event that the Pakistan idea ever became a reality. Wavell declared that:

if compelled to indicate demarcation of genuinely Moslem areas I recommend that we should include ... Sind, North West Frontier Province, British Baluchistan, and Rawalpindi, Multan and Lahore divisions of Punjab less Amritsar and Gurdaspur districts. [TP, VI, 406].

He went on to explain the Amritsar and Gurdaspur positions.

In the Punjab the only Moslem majority district that would not go into Pakistan under this demarcation is Gurdaspur (51 per cent Moslem). Gurdaspur must go with Amritsar for geographical reasons and Amritsar being sacred to the Sikhs must stay out of Pakistan. But for ... importance of Amritsar, demarcation in the Punjab could have been on divisional boundaries. Fact that much of Lahore district is irrigated from Bari Doab canal with headworks in Gurdaspur district is awkward but there is no solution that avoids all such difficulties.

Thus in early 1946 the Government of India had already explored some major policy decisions as to the manner in which the Punjab might be divided. Contiguous Muslim-majority Districts, where possible, ought to go to Pakistan; but in the case of Gurdaspur, even though the result might affect systems of irrigation very important for Pakistani territory, this ought not happen.

One feature of Wavell's 1946 scheme leads us directly to what was still the fundamental issue in July and August 1947 in deciding the fate of the three eastern *tehsils* of Gurdaspur District. As Wavell had told the Secretary of State for India: "greatest difficulty ... [in any scheme of partition of the Punjab] ... is position of Sikhs with their homelands and sacred places on both sides of the border." Wavell emphasised that "this problem is one which no version of Pakistan can solve." It might, however, be possible to minimise its ill effects. In thinking about the Punjab partition in 1947 the Government of India, as has already been suggested, could no more avoid, than had Wavell a year or so earlier, weighing the question as to what was the best way to deal with the Sikhs. This community with its powerful monotheistic creed which yet did not automatically ally it to Muslim rather than Hindu, had been of enormous importance to the economic and military strength of the old British Indian Empire. It was centred on the Punjab where, while virtually nowhere in a clear majority, yet it straddled any possible line of partition. In this general region, moreover, there existed a major Princely State with a Sikh Ruler, Patiala, which had acceded with no great enthusiasm to India and whose future loyalty to that Dominion was by no means assured. Also uncertain were the possible actions of a number of the Sikh leaders, both politicians and Sikh Rulers of other Punjab Princely States (in addition to Patiala already noted) such as Faridkot and



Kapurthala, who, it was widely believed, were considering the creation of some special Sikh entity, be it autonomous or fully independent, to arise after the British departure to add an extra, and highly undesirable, complexity to the process of Partition.

The frustration of such potential Sikh projects depended greatly (as Wavell had pointed out the year before) upon the calming effect of a guarantee that the Sikh religious centre of Amritsar remained free of any Muslim threat. Such a threat, indeed, had already been implied in the "notional" boundary of the Second Schedule to the Independence of India Act of 18 July 1947 (which showed all of Gurdaspur District as in Pakistan, thus flanking the main Sikh shrine from the north with Pakistani territory. This threat would be enormously augmented should there emerge a Pakistani salient to the south of Amritsar made from certain *tehsils* in the Ferozepore District on the east bank of the Sutlej. These *tehsils* had not been included in the "notional" Pakistan of the 18 July Act though they possessed significant Muslim majorities since the Ferozepore District, as a whole, did not. In the geopolitical light of the Sikh problem it was clear that great care would have to be taken not only in observing the Sutlej line but, in the Lahore region, in the trace of the boundary from the Sutlej to the Ravi. These questions are of considerable complexity. They will be considered in greater detail in the Note on Gurdaspur and Ferozepore appended to this Chapter.

Radcliffe's final Award was distinctly lacking in exposition of underlying theory. It did, however, contain a few observations which tend to support the argument that his brief did indeed include a search of some "natural" border line, probably drawn with in mind the Sikh problem in general and Amritsar in particular. Thus in Paragraph 10 of his final Punjab Award, dated 12 August 1947, he observed that

I have hesitated long over those not inconsiderable areas east of the Sutlej River and in the angle of the Beas and Sutlej Rivers in which Muslim majorities are found. But on the whole I have come to the conclusions that it would be in the true interests of neither State to extend the territories of the West Punjab [Pakistan] to a strip on the far side of the Sutlej and that there are factors such as the disruption of railway communications and water systems that ought in this instance to displace the primary claims of contiguous majorities. [TP, XII, Appendix 1 to No. 488].

This is a rather disingenuous statement. It conceals the fact that, as we shall shortly see, in his original version of the Punjab Award Sir Cyril Radcliffe *did* indeed give Pakistan territory to the east ("a strip on the far side of") of the Sutlej and then changed (or was obliged to change) his mind for reasons which have since given rise to much controversy and which we will examine below.

Radcliffe's frontier of the final Punjab Award of 12 August differed significantly from the frontier which he proposed on 8 August. In other words, what Radcliffe may have considered to be "in the true interests" of India and Pakistan on 8 August no longer appeared so to him on 12 August.

Radcliffe himself was far less interested in Indian geopolitics, in which field he possessed no qualifications whatsoever, than in practical and reasonably simple problems of economic geography of the kind which any good lawyer (particularly one with experience in conveyancing) ought to understand. It is unlikely that he appreciated fully the political gravity of the Sikh problem (as, indeed, many highly experienced Indian politicians likewise failed to prepare for it, not least the late Indira Gandhi). He felt it was a pity to cut up existing infrastructural systems, particularly those irrigation works in which the British had been wont to take such imperial pride, simply because the Indian National Congress and the Muslim League could not get along with each other and the Sikhs might occupy space in the middle; and he greatly annoyed many people, Muslim and non-Muslim, Indian and British, in proposing that as part and parcel of Partition there should be created joint Indo-Pakistani bodies to supervise irrigation systems which were not really capable of equitable bisection (in which he anticipated the thinking the World Bank which produced the 1960 Indus Waters Treaty). There is no evidence that he detected the significance of the Punjab boundary line he proposed for the future of the State of Jammu & Kashmir (about which he seems to have known nothing) and, consequently, for the subsequent history of Indo-Pakistani relations.

As we shall see in the next Chapter, it can be argued that the Radcliffe Award was used, if only marginally, during the very last days of the British Indian Empire, albeit in a negative and somewhat oblique sense, in an attempt to influence the Maharaja of Jammu & Kashmir to opt for India. It cannot, however, be maintained with any conviction that Radcliffe altered his Award with this particular objective in mind. That he did alter the original version of his Punjab Award, however, is not open to serious doubt. The circumstances merit detailed examination here.

The story seems to have begun on 7 August 1947. Radcliffe, working on his own but already in receipt of the individual reports of his four colleagues, had evidently just completed his draft Punjab Award. The entire Radcliffe Commission, Sir Cyril and his four judge Commissioners, were then in Simla, and it appears (admittedly from hearsay evidence, but convincing) that over lunch, hosted by Sir Cyril Radcliffe, the question of the Gurdaspur *tehsils* to the east of the Ravi (or, near the Jammu & Kashmir border, for a few miles the Ujh, a Ravi tributary) was discussed. One may well imagine that the Pakistani Commissioners repeated what they had already put in their individual reports, that two of these *tehsils* were Muslim-majority subdistricts of a District which,

at least according to the 1941 figures, had a small overall Muslim majority. If the whole District were not to go to Pakistan, then ought not there be at least some compensation to Pakistan elsewhere? The proposal which then emerged (apparently on the initiative of Radcliffe, and probably indicating that which he had already incorporated into his draft Award), again according to hearsay evidence, seems to have been to let Pakistan have some land to the east of the Sutlej in the shape of the Ferozepore and Zira *tehsils* of the Ferozepore District, both with significant Muslim majorities (55.2 and 65.2 per cent according to the 1941 census). It should be noted that the Ferozepore District had *not* (unlike Gurdaspur) been included in the Second Schedule to the Indian Independence Act of 18 July 1947 which listed those Districts which could "notionally" (or theoretically) form part of West Punjab, that is to say Pakistan [*TP*, XII, 166], and therefore it was not strictly comparable with the Gurdaspur District: both Justices Din Muhammad and Muhammad Munir, however, had all the same drawn particular attention in their reports of 5 and 6 August 1947 to the merits of bringing the Ferozepore and Zira *tehsils* of the Ferozepore District into Pakistan.

Radcliffe's reason for including the Ferozepore and Zira *tehsils* in Pakistan, it is clear enough from the available evidence, was unconnected with future Indian frontier policy: it certainly had nothing to do, moreover, with which of the successor states to the British would inherit the Ferozepore arsenal. He was not entirely happy, lacking any joint Indo-Pakistani irrigation authority, about putting the three eastern *tehsils* of the Gurdaspur District in India because they were crucial to the Upper Bari Doab Canal system which was important to both East and West Punjab (and particularly to the Lahore District in the latter). He resolved to do so anyway for reasons which he never explained fully; probably he was just following his original brief as he understood it. Perhaps, so Sir Cyril Radcliffe seems to have reasoned, West Punjab's loss through the award of the Upper Bari Doab Canal headworks (at Madhopur) to India could be compensated for to some extent by giving Pakistan the Ferozepore headworks to the canal system of the Sutlej Valley Project, which likewise was of importance to both East and West Punjab, and to the latter in particular (in the Montgomery District, for instance, which was largely watered by one of its components, the Dipalpur Canal). The Ferozepore headworks, of course, were also of crucial importance to the economy of Bikaner State (which had acceded to India) by way of the Bikaner Canal. The peculiar geography of District boundaries near Ferozepore will be referred to in the Note on Gurdaspur and Ferozepore at the end of this Chapter.

This addition of the Ferozepore and Zira *tehsils* to the "notional", or potential, Pakistan Districts (or, in the case of Gurdaspur, some parts of them) already outlined in the Second Schedule to the Independence of India Act of 18

July 1947 was immediately adopted officially by the Commission. On 8 August Sir Cyril Radcliffe's Secretary, Christopher Beaumont (an Indian Political Service officer whose qualifications for this task included practical experience of the administrative problems of the Gurdaspur District), prepared (apparently with his own fingers) a typewritten note, illustrated with a map (both of which by a strange set or circumstances, explained below, have survived), outlining the new boundary. The map, incidentally, was not a mere "sketch map," as it has been dismissively described by Mountbatten apologists, witting or unwitting, such as Michael Brecher (*Nehru. A Political Biography*, London 1959, p. 360), but the official printed map of the Punjab with the border carefully drawn on it following a detailed verbal description provided by Christopher Beaumont on the basis of the current state of Radcliffe's deliberations (see p. 52 above).

Sir George Abell, Mountbatten's Private Secretary, sent on both map and descriptive note at once to S.E. Abbott, Secretary to Sir Evan Jenkins, Governor of the Punjab [*PP*, Vol. I, No. 198, and map in Vol. IV; also *TP*, XII, 377]. Abell's covering letter to Abbott is an intriguing document which shows clearly that the Government of India did not feel itself obliged to keep Sir Cyril Radcliffe at arm's length while he was deliberating his boundary award. Abell wrote:

I enclose a map showing roughly the boundary which Sir Cyril Radcliffe proposes in his award, and a note by Christopher Beaumont describing it. There will not be any great changes from this boundary, but it will have to be accurately defined with reference to village and zail boundaries in Lahore district. The award itself is expected within the next 48 hours, and I will let you know later about the probably time of announcement. Perhaps you will ring me up if H.E. the Governor [Jenkins] has any views on this point? [*PP*, 198].

The reason for such a communication was obvious enough. It was prudent for the Punjab Government to know its areas of responsibilities at a period when the entire region threatened to erupt in communal violence. If West Punjab after the Transfer of Power, on 15 August, was now going to be charged with the duty of maintaining the peace in the quite extensive Ferozepore and Zira *tehsils* on the east bank of the Sutlej, somebody should let its Government-to-be (under Sir Evan Jenkins and his successor-designate Sir Francis Mudie) know in good time. It was to transpire that Mountbatten himself had participated in the decision to do just this.

What is interesting, however, is that Abell did not comment on the very peculiar boundary in the Ferozepore and Zira region which Sir Cyril Radcliffe had produced. As we shall see, this Pakistani salient to the east of the Sutlej was absolutely guaranteed to infuriate the Sikhs, as any intelligent Indian "political" could not fail to appreciate. The most likely explanation is that Abell did not

actually see on 8 August the line which Radcliffe had come up with. It was a Friday. Perhaps Abell departed early for a weekend engagement and left behind on his desk a covering letter for the information which he knew was on its way from Radcliffe's office through Christopher Beaumont. His letter makes no mention of the actual boundary alignment.

Abell's letter with its enclosures, Beaumont's note and the map, were sent on to Lahore on the afternoon of 8 August, perhaps by special air courier, and they were in the hands of Sir Even Jenkins before that day was over. Jenkins, who had been fully aware of the Panikkar-Menon-Rau deliberations of late 1945, may well have been surprised at the disposition of the Ferozepore and Zira *tehsils*, but he seems to have made no comment at this time.

Writing to Lord Mountbatten by way of Lord Ismay on 7 April 1948, however, Sir Evan Jenkins provided a careful account of how and why this first version of the Radcliffe Award for the Punjab reached him along with some fascinating hints of his reactions to it. This intriguing narrative has not received the attention which it merits even though it was reproduced in full in 1991 in Kirpal Singh's valuable collection of documents [Kirpal Singh, No. 238]. It certainly deserves further quotation at length. Jenkins wrote that:

I have received your [Lord Mountbatten's] letter of 19th March ... [in which Mountbatten asked for details about the Radcliffe Award for reasons which will be explained below] ... and have consulted [Sir George] Abell ... [Mountbatten's Private Secretary in 1947] ... and [S.E.] Abbott ... [Private Secretary in 1947 to Sir Evan Jenkins, Governor of the Punjab] ... about it. It is not easy after eight months and without reference to such records as exist to be absolutely accurate about dates and other details; but the following is to the best of my belief a correct account of what happened in Lahore about the Boundary Commission's Award.

The announcement of the Award was in my judgement likely to confuse and worsen an already dangerous situation. The Boundary, if it did not follow existing District boundaries, would inevitably leave certain areas "in the air," severed from their old Districts and not yet absorbed by their new ones.

I therefore asked for as much advance information as could be given me of the Award, so that the military and civil authorities directly concerned with law and order might make their plans, and if necessary redistribute their forces. My request was not addressed to the Boundary Commission, with whose proceedings I had absolutely nothing to do, but to Viceroy's House. I do not remember whether it was made by letter or telegram, or by secraphone, or in a talk with Abell during one of his visits to Lahore. But it was certainly made, and in making it I was merely taking one of the routine security precautions recognised as prudent under the British regime.

The result was Abell's letter to Abbott of 8th August ... The enclosures were a schedule (I think typed) and a section of a printed map with a line drawn thereon ... [both published in 1983 in *PP*] ... together showing a Boundary which included in Pakistan a sharp salient in the Ferozepore District. The salient enclosed the whole of the Ferozepore and Zira *tehsils*. Abell says that the question of giving me

advance information was raised several times at our morning meetings and that you [Lord Mountbatten] approved the information being given.

At this time we expected the announcement to be made almost immediately. I therefore warned the GOC Punjab Boundary Force [General T.W. Rees], the Inspector General of Police, the DIG (CID), and the Deputy Commissioner of Lahore ... [and, Jenkins forgot to add, Sialkot, see *PP*, I, No. 199] ... of the believed intentions of the Commission; and also had special messengers sent to the Deputy Commissioners of Gurdaspur, Amritsar and Ferozepore giving them the same information. These warnings were, of course, secret, and the three outlying Deputy Commissioners were instructed to burn the messages sent to them and to communicate the gist of them only to their respective Superintendents of Police. I made it clear that no overt action was to be taken; and that in the meantime all concerned must plan for emergency action.

Ferozepore was a District, and a very important one; and its headquarters town was to be included in Pakistan along with two of its *tehsils*, while the remainder of the District would be "in the air" with no accommodation for Police, Magistrates and Public Officers generally. Among those informed the only Indian (in the old sense) was, I think, the Hindu Deputy Commissioner of Ferozepore. All the other Deputy Commissioners and all the Superintendents of Police were British.

On 7th August, [Sir Francis] Mudie, who was Governor Designate of West Punjab, came to stay with me. The object of this was to avoid as far as possible a break in continuity of our law and order arrangements. I kept Mudie informed of everything that was going on. He knew the contents of Abell's letter of 8th August, and the arrangements I had made. Mudie and I were both Governors under the old regime, and it would in my judgement have been wrong to deny him information that might be vital to security.

About the 10th or 11th August, when we were still expecting the Award on the 13th at latest, I received a secraphone message from Viceroy's House containing the words "eliminate salient" ... [meaning the Ferozepore and Zira *tehsils* being removed from Pakistan and put in India, or in the shorthand of the time, going East rather than West]. Those informed under the arrangements described ... above of the expected Boundary were apprised of this change. So also was Mudie. The change caused some surprise, not because the Ferozepore salient had been regarded as inevitable or even probable, but because it seemed odd that any advance information had been given if the award was not substantially complete.

On 12th or 13th August, I was informed that the Award would not be announced until after the Transfer of Power. Up to the 15th August there was no leakage. As I have said, my proceedings were not unusual, and every precaution was taken to keep them secret.

The message "eliminate salient" which Jenkins received on (most probably) 11 August is extremely interesting. 11 August was a Monday. It is more than likely that the weekend saw a great deal of effort on the part of some senior British officials to work out quite what Sir Cyril Radcliffe had done and how to correct it. The decision to cancel the award, which is what "eliminate salient" really means, was confirmed as soon as the weekend was over and Government offices were once more open for business.

Sir Evan Jenkins may have believed that there was no leakage over that weekend. In fact the news of the proposed 8 August Award spread far afield with the rapidity of a bush fire. Clearly what Sir Cyril Radcliffe and his Commissioners discussed on 7 August over lunch in Simla had been widely reported. Here are some examples.

A.N. Khosla, Chairman, Central Waterways, Irrigation and Navigation Commission, soon heard what was afoot. He immediately (8 or 9 August) wrote to Nehru in protest, because of the effect of this proposal on the Sutlej Valley Canals; and Nehru forwarded the letter on to Mountbatten (9 August) with the suggestion that he might pass it on to Sir Cyril Radcliffe [PP, Vol. I, No. 204; TP, XII, 395].

On 9 August (a Saturday) Chaudhri Muhammad Ali, the Pakistan Secretary on the Partition Council, called on Ismay at Viceroy's House to tell him that Jinnah had "received very disturbing reports" about the boundary which Sir Cyril Radcliffe was about to announce. As to what these reports were, other than that they were widely current and appeared not to be in Pakistan's favour, Chaudhri Muhammad Ali's account is not entirely clear - it rather looks as if he had confused in his memoirs thoughts and events of a later time with what had actually happened on 8 and 9 August 1947. While in Ismay's office, the future very senior Pakistani official and statesman noticed an accidentally uncovered wall map which showed the new (Radcliffe's) boundary with the Ferozepore and Zira *tehsils* in Pakistan. This addition to Pakistan gave the country such a peculiar shape that even with a casual glance he could hardly fail to notice it (and, incidentally, he also spotted the presence on the Indian side of the proposed border of the three eastern *tehsils* of the Gurdaspur District). When he drew Ismay's attention to the map, Mountbatten's Chief-of-Staff "turned pale and asked in confusion who had been fooling with his map." [Chaudhri Muhammad Ali, *The Emergence of Pakistan*, New York 1967, p. 218].

On the following day (10 August) the Maharaja of Bikaner, an old friend of the Viceroy's and advised by his extremely crafty Minister K.M. Panikkar (who, of course, had long been familiar with what an Indo-Pakistani border in the Punjab ought to look like if V.P. Menon had his way), telegraphed Mountbatten that "it is strongly rumoured that the Boundary Commission is likely to award Ferozepore Tehsil to" Pakistan, and objected on the grounds of potential disruption of irrigation works (notably the Bikaner Canal) vital to his State's agriculture [TP, XII, 405]. The Maharaja of Bikaner, it has been reported, even threatened to join Pakistan if this obstruction to his water supply were not removed.

Inevitably, as a result of all this publicity, the inclusion in Pakistan of the Ferozepore and Zira salient was by the end of 8 August known to those Sikh extremists who threatened to rebel from both India and Pakistan in the interests

of some form of State of their own (but with a definite leaning towards a special relationship with India). Even if the Sikh member of the Radcliffe Commission did not inform them, directly or indirectly, they could have found out from a wide range of sources extending from general bazaar gossip to precise information from Sikh policemen who were then still a factor on both sides of the intended Partition line in the Punjab. To the Sikh extremists this decision by Sir Cyril Radcliffe could only appear to be a direct threat to Sikh aspirations for reasons which will be considered in greater detail in the Note on Gurdaspur and Ferozepore at the end of this Chapter. They reacted with characteristic violence.

It had been arranged that, with 15 August fast approaching, special trains would be laid on to transport Muslim officials (and their vital files) from New Delhi to Karachi: these people would constitute the nucleus of the new Government of Pakistan. The first of these trains, Pakistan Special No. 1, set out from New Delhi on the morning of 9 August. As George Abell reported on 10 August, the train

ran over a mine on the track 15 miles west of Bhatinda in East Punjab [and deep in Sikh dominated Patiala territory]. The mine exploded blowing 11 feet out of the track and derailing the engine and six coaches. Casualties 1 woman and 1 child killed, 10 persons slightly injured. Relief trains have gone out from both directions and the passengers have been moved on. Punjab Government have been asked to make special arrangements for guarding the track in future. [TP XII, 418].

Put like this the episode did not sound too serious. It was, however, but the first of a series of attacks on trains where the casualties were by no means always so light. Its impact upon the Pakistani leadership, notably M.A. Jinnah, Liaquat Ali Khan and Chaudhri Muhammad Ali, was profound indeed. They knew personally many of the passengers on Pakistan Special No. 1, and they saw this attack as something more than yet another act of random violence in a violent era: it was, they felt, directed against them personally. The concealed guiding brains and hands behind it all, moreover, they believed (unjustly, we can now see) were none other than those of the Viceroy, Lord Mountbatten.

Before considering Mountbatten's involvement in the 8 August Award and its non-publication, and why the Pakistan side should have been so suspicious (never forgetting that there were those on the Indian side who also questioned the Viceroy's integrity in this particular matter), it is worth emphasising that this decision by Radcliffe about the Ferozepore and Zira *tehsils*, which so far as can be ascertained is the only truly independent decision which Radcliffe actually made, was a real disaster. It completely undermined the carefully nurtured confidence of the Sikh leadership that their interests would best be served by a measure of moderation and cooperation with both Mountbatten and the Government of new Indian Dominion in the Partition process. News about



the Ferozepore and Zira *tehsils* inevitably suggested that they had been deceived. We will reserve our detailed discussion of this complicated matter until the Note on Gurdaspur and Ferozepore at the end of this Chapter.

The conclusion cannot be escaped that an immediate result of such apparent confirmation of what the Sikhs had suspected from at least the time of the Cabinet Mission plan of 1946, namely that they would be sacrificed to the interests of the Muslim League, was the Sikh attack on Pakistan Special No. 1. This atrocity, so the evidence suggests, gave enormous impetus to a chain reaction of violence (despite the surprisingly low casualty list). Muslims, in revenge, started attacking Sikhs, and Sikhs retaliated with gusto. There had been a degree of violence, much of it Sikh inspired, in the Punjab in the days immediately preceding Radcliffe's initial award; but, as Sir Evan Jenkins noted, it was on a fairly small scale, with casualties at most in the low thousands, something comparable with the Punjab disturbances of March 1947 (and, incidentally, with the number of Sikhs massacred in Delhi in 1984 following the assassination of Indira Gandhi).

From 9 August there was a massive escalation. This is the true beginning of one of the great holocausts of modern history. As the Pakistani diplomat, Sir Zafrullah Khan, put it rather emotionally to the Security Council on 16 January 1948:

on 9 August [1947], the organized campaign of genocide, directed against the Muslim population of East Punjab, began under the auspices of His Highness, the Maharaja of Patiala. This soon carried fire and sword throughout the Sikh states of Punjab and the districts of East Punjab.

This was not just Zafrullah Khan hyperbole. Mountbatten, at least in August 1947 (he may have later put a rather different gloss on the course of events), seemed to agree, even if by implication only, that the Sikh attack on Pakistan Special No. 1 in Patiala State territory was the spark which truly set the Punjab alight. At a meeting of the Joint Defence Council in Delhi on 16 August, attended by Liaquat Ali Khan for Pakistan and Jawaharlal Nehru, Vallabhbhai Patel and Baldev Singh for India, there seemed to be general agreement that the present crisis had been set off by the Sikhs (though there were Indian protests that the Sikhs were only seeking revenge for what the Muslims had done in Rawalpindi and elsewhere the previous March) and had taken the particularly disturbing form of attacks on railway communications. Mountbatten then noted the following:

the Governor-General pointed out that the present series of disturbances had started on the 9th August, not only prior to the announcement of the Boundary Commission's award but prior to the earliest date on which it could have been

made public [*Disturbances in the Punjab 1947*, National Documentation Centre, Islamabad 1995, No. 184].

The only significant violent event of 9 August was the attack on Pakistan Special No. 1, so it is to that event that Mountbatten must have been referring. It is interesting that he was already trying to conceal the confusion arising from Radcliffe's initiative over the Ferozepore and Zira *tehsils* and to distance himself from its consequences.

A major objection by the Pakistani leadership to the course of events leading up to the attack on the Pakistan Special No. 1 was this. By 5 August 1947 the Governor of the Punjab, Sir Evan Jenkins, had become convinced that Sikh extremists, including Master Tara Singh, were planning violence against the future Pakistan, what with preparations for the manufacture of bombs, schemes for attacks on trains (including, specifically, those in the category of Pakistan Special No. 1) and plots to assassinate M.A. Jinnah. On 5 August Sir Evan Jenkins sent Captain Savage, of the Punjab Police Criminal Investigation Department, to New Delhi to inform the Viceroy of what was afoot. At a meeting on that day, attended by M.A. Jinnah, Liaquat Ali Khan and Vallabhbhai Patel, Mountbatten listened to Captain Savage's story and concluded that it would be prudent to arrest Master Tara Singh "and the more hot headed of the Sikhs" before they could get up to any serious mischief [Kirpal Singh, No. 132; *Disturbances*, No. 169]. On the following evening, 6 August, Sir George Abell, representing Mountbatten, had a talk with M.A. Jinnah in which the Sikh threat was discussed [Kirpal Singh, No. 134; *Disturbances*, No. 170]. Jinnah repeated that he wanted the Sikh leaders arrested; and, it is clear from reading between the lines, he thought that Abell had agreed, with the approval of Mountbatten, that this would in fact be done. However, subsequent advice to Mountbatten from Sir Evan Jenkins suggested that precautionary arrests would be unwise in the prevailing circumstances: they might precipitate the very crisis they were intended to avoid. He would prepare plans but not for the moment act upon them. As he informed Mountbatten, in words the wisdom of which will certainly be appreciated by those who recall the consequences to India in 1984 of pre-emptive action against Sikh militants in their sacred strongholds:

I have ... decided to plan the arrests, but not to make them myself until my hand is forced. The arrests may be far from easy, as the Sikh leaders travel a good deal and usually live in places like the Golden Temple where Police action causes much excitement.

This decision will probably be unwelcome to Jinnah, but I believe that in all the circumstances it is the right one. The whole object of our policy has been to get as smooth a change-over as we can, even at considerable risk. The two new Governments may have to fight the Sikhs, but if I start the fight now, they will

inherit it, and I do not think that this would be fair to them unless the arrests before the transfer of power are quite unavoidable [*Disturbances*, No. 172].

The Viceroy thereupon decided to leave the Sikh leaders at liberty. Unfortunately, he omitted to inform Jinnah of the change of plan. Not surprisingly, therefore, when Jinnah heard of the attack on Pakistan Special No. 1 on 9 August he immediately detected "criminal negligence," if not an actual British conspiracy with the Sikhs. The train outrage would not have happened, he believed, if the Sikh militants had been rounded up as he had understood that they would be. Why, then, had these potential troublemakers been left at liberty?

The official British reaction to Radcliffe's unexpected decision about the Ferozepore and Zira *tehsils*, followed as it was so quickly by the Sikh attack on Pakistan Special No. 1, was, as we have noted above, very prompt. The Radcliffe Award was called in and its publication delayed (there were also, as we shall see in the next Chapter, other possible additional reasons for this delay which were not unconnected with the Jammu & Kashmir problem). When the Award finally saw the light of day, after the Transfer of Power had been completed, with the Ferozepore and Zira *tehsils* back in the Indian fold, the Pakistani leadership can hardly have been overjoyed.

Somehow this whole affair with time became confused with Gurdaspur and the Kashmir question. One cannot, however, reiterate too often that there *never* was any question of Radcliffe giving the three eastern *tehsils* of the Gurdaspur District to Pakistan: the probability is that at this period the Pakistani leadership, while they may have hoped otherwise and even strove to realise their hopes, were fully aware of this particular fact of life.

Fully aware, however, that the Radcliffe Award was on the verge of becoming public knowledge before its official release, Liaquat Ali Khan still thought it worth the trouble to make what must be interpreted as a last minute attempt to secure for Pakistan the three eastern *tehsils* of Gurdaspur (or at least the two Muslim-majority ones, Batala and Gurdaspur), which, perhaps on the basis of the map in Ismay's office, Chaudhri Muhammad Ali told him (as he most probably had long suspected) were still destined for India. He instructed Chaudhri Muhammad Ali to call on Ismay on 11 August to protest on his behalf at the proposed Gurdaspur award which, Liaquat Ali Khan declared, he considered to be a "political" rather than a "judicial" decision, and, as such, "a grave injustice which will amount to a breach of faith on the part of the British." In a written reply, Ismay told Liaquat Ali Khan sternly and with a singular lack of sympathy (and, we now know, considerable disingenuousness) that

the Viceroy has always been, and is determined to keep clear of the whole business. ... Thus I am at a loss to know what action you wish me to take on your message. In the first place, I am told that the final report of Sir Cyril Radcliffe is not ready, and therefore I do not know what grounds you have for saying that Gurdaspur *has been* ... [original emphasis] ... allotted to the East Punjab. ... If this should be the case, you surely do not expect the Viceroy to suggest to Sir Cyril Radcliffe that he should make any alteration. Still less can I believe that you intend to imply that the Viceroy has influenced this award. I am well aware that some uninformed sections of public opinion imagine that the award will not be Sir Cyril Radcliffe's but the Viceroy's, but I never for one moment thought that you, who are completely in the know, should ever imagine that he could do such a thing [TP, XII, 428].

Liaquat Ali Khan's sudden concern about Gurdaspur at this late date is interesting. With the benefit of hindsight it is easy enough to provide a "Kashmiri" explanation. As we shall see in the next Chapter, it was just about now that the Maharaja of Jammu & Kashmir was in the process of disposing of his Prime Minister, Pandit R.C. Kak, who was thought to favour, if not association with Pakistan, at least independence for the State of Jammu & Kashmir. An impending, and potentially pro-Indian, revolution in the Maharaja's Court in Srinagar, of which the Pakistani leaders were possibly aware (it is likely, for example, that M.A. Jinnah's young Kashmiri Secretary, K.H. Khurshid, kept him briefed on the news from Srinagar where he was then staying), could not fail to have concentrated attention on the future of Gurdaspur (always provided that they believed that Gurdaspur, knowing that Pathankot *tehsil* would in all circumstances go to India, was the key communication link) as a potential determinant for Kashmir's future. But all this makes better sense in the light of what was to happen in October 1947, something which neither Liaquat Ali Khan nor Chaudhri Muhammad Ali could have anticipated. The odds are, therefore, that Liaquat Ali Khan did not have Kashmir in mind at all when he told Chaudhri Muhammad Ali to protest to Ismay.

In the text of this protest, printed in Vol. XII of the *Transfer of Power* documents, no specific mention of Kashmir was made either by Chaudhri Muhammad Ali or by Ismay when he reported the matter to the Viceroy. It is quite possible, indeed probable, that the real point of the protest lay in the knowledge, conveyed to Liaquat Ali Khan by Chaudhri Muhammad Ali following his visit to Ismay's office already noted above, that with the three eastern *tehsils* of Gurdaspur District certain to be in India so also would be the town of Qadian (in Batala *tehsil*), the Holy of Holies of the Ahmadiyya sect. The Ahmadiyyas, of which the first Foreign Minister of Pakistan, Sir Zafrullah Khan, was a leading member, were of great influence in the Punjab by virtue of their commercial acumen and consequent wealth. They had made energetic (and lengthy) representations before the Radcliffe Commission (when they retained

an expert geographical advisor in the person of O.H.K. Spate, later to hold high academic office in Australia). They were certainly in a position to exert pressure on Liaquat Ali Khan to plead on their behalf.

On the other hand, in the world of Sunni Islam the Ahmadiyyas (or Qadianis) were of highly suspect orthodoxy: in 1974 the Pakistan Constitution was to be so amended as to declare that they were in fact non-Muslims. It could well be that while Liaquat Ali Khan deemed it politically expedient to plead on behalf of the Ahmadiyyas, he might also have thought it prudent not to refer to them by name. He could show the influential Ahmadiyyas that he had done his best for them without, at the same time, offending some of his orthodox Muslim supporters. Political involvement with the Ahmadiyyas was well known to carry some risks in the Indian Muslim world.

In the event, Pakistan did not get all of Gurdaspur. It did, however, as we have seen, lose the Ferozepore and Zira *tehsils* shortly after 8 August 1947. Mountbatten and his close associates have always denied that the Viceroy had anything to do with these last minute changes in Sir Cyril Radcliffe's boundary, and they imply that nothing ever took place even to suggest such a possibility. The documents, however, can now leave us in no doubt that there was indeed such an alteration by somebody in Mountbatten's Administration. Mountbatten's own part has been much harder to demonstrate.

Recently [through a brilliant piece by Simon Scott Plummer in *The Daily Telegraph*, 24 February 1992 - see also, Andrew Roberts, *Eminent Churchillians*, London 1995, pp. 93-101] Christopher Beaumont, Radcliffe's Private Secretary, has revealed that V.P. Menon, acting so it would seem on behalf of Mountbatten, tried unsuccessfully to see Radcliffe late on 11 August, apparently to discuss boundary matters. At lunch on the following day, 12 August, Radcliffe met Mountbatten and Ismay. Beaumont was excluded (which decision he considers to have been so unusual as to be suspicious), but he now believes that this was when the final decision was taken about the fate of the Ferozepore and Zira *tehsils*. While Beaumont was convinced that this luncheon had something to do with the revision of the first Radcliffe Award, he did not know what exactly was involved. With the chronology of events outlined above we can add some flesh to the bones of Beaumont's recollections.

First, the V.P. Menon visit. By this time there is evidence that Menon, with his well known links with Vallabhbhai Patel and Congress, had rather been cut out of what today would be called the "loop". It may be that the news of Radcliffe's strange ideas about Ferozepore and Zira, conflicting with so much of the established Government of India thinking going back to Wavell's project of February 1946, of which Menon, one of its draftsmen, was well aware, only reached Menon some time on Monday 11 August (nobody having contacted him during the weekend, and, it may be, nobody having told him about the

“eliminate salient” message). Not surprisingly, he would have been extremely anxious to find out exactly what was afoot.

The lunch on 12 August could have been, it is more than probable, the occasion when Mountbatten, no doubt with all his charm displayed, had to explain to Radcliffe as tactfully as possible exactly why the Ferozepore and Zira scheme was not practicable and had been cancelled. This was the kind of meeting at which junior officials like Beaumont had no place. If so, it is unlikely that Beaumont would have received an accurate explanation as to why he had not been invited.

Beaumont, perhaps, in 1947 was not in possession of all the facts, and consequently there is a certain vagueness in his recollections. What seems to be no longer open to question, however, is that, combined with the documentary material now available, there can be no reasonable doubt that story related by Beaumont (who subsequently became an English Circuit Judge) is in the essential point quite correct. The Viceroy, with or without the assistance of V.P. Menon (probably without) but undoubtedly with the aid of Sir George Abell and Lord Ismay, did indeed meddle directly with the Punjab boundary Award.

The episode of the Ferozepore and Zira *tehsils* has for many decades puzzled students of South Asian history. Let us sum up our conclusions here. The reality, one suspects, is quite simple. As we have already tried to demonstrate above, Sir Cyril Radcliffe was given a specific brief by the Government of India (or, even, the India Office in London), namely to defend a certain Punjab partition line which for sound geopolitical reasons had already been decided upon in all its essentials. On about 7 August he seems to have allowed himself in a fit of enthusiasm to depart from his original instructions in the matter of the Ferozepore and Zira *tehsils*, putting them in Pakistan. He appears to have been acting on the grounds of fairness (or the wish to seem fair), and because of his special interest in an equitable distribution of water supplies between the two new Dominions. He felt that there was a need for a balance in Pakistan's favour to the irrigation works in the Gurdaspur District which were going to India. The fact that no part of the Ferozepore District had been included in Pakistan in the “notional” territorial allocation to Pakistan of the Second Schedule to the Indian Independence Act of 18 July 1947 was not, it would seem, considered by Radcliffe to be an insurmountable barrier to this scheme of equitable arrangement. This particular explanation for Radcliffe's unexpected decision, which Christopher Beaumont, when the present author discussed the matter with him in 1994, was rather inclined to doubt, was taken seriously enough by Professor Aloys Arthur Michel, a man who knew a great deal indeed about the Partition of the Punjab and its consequences [see: A.A. Michel, *The Indus Rivers. A Study of the Effects of Partition*, New Haven 1967, p.181n], and also by another profound student of recent South Asian history, Hugh Tinker, in an article to

which reference is given below. The senior British official Penderel Moon, during the Transfer of Power period serving in Bahawalpur State, heard rumours to this effect at the time (which he mentions in his *Divide and Quite*, London 1964). Once the Sikh implications of all this began to emerge, what with the attack on the Pakistan Special No. 1 and other horrors, Radcliffe was brought sharply to order by Mountbatten. The final Award represented the unmodified original brief, complete with an explicit declaration that the West Punjab (Pakistan) ought not on basic geopolitical principles to extend in any significant degree to the east of the Sutlej north of Bahawalpur State, despite the presence there of a number of Muslim-majority tracts. Such a declaration must surely have been absent from the 8 August Award which *did* indeed put the boundary to the east of the Sutlej.

In other words, the whole process of consultation over which Radcliffe presided was something of a charade. Why bother with a Commission? Why did the British not simply propose the "natural" or "scientific" border on which they had already decided (as long ago as February 1946) and which, therefore, was going to emerge in any case?

One answer leaps to the mind. Mountbatten was not only the Great Liberator of British India, but also its Great Partitioner. He, and of course his political sponsors in London as well, hoped to counter some of the consequences of the second role by preserving an impression that the essential unity of the British Indian Empire remained in that both India and Pakistan became Dominions within the framework of the British Commonwealth. Originally Mountbatten had hoped to ensure this by becoming Governor-General of both the new Dominions: he evidently believed that a joint Governor-Generalship (assisted, it may be, by a joint Supreme Command of the Armies of India and Pakistan under Field-Marshal Auchinleck) might in time evolve into a substitute for the federal structure of the abortive 1946 Cabinet Mission plan.

At the very beginning of July, however, M.A. Jinnah made it clear that he himself would be Governor-General of Pakistan, not Mountbatten: and without the joint Governor-Generalship it became far less certain that both India and Pakistan would, when the time came, opt for Commonwealth membership after all. It could well appear to Commonwealth enthusiasts to be more important than ever that Mountbatten not be seen to be responsible for some decision which would make Commonwealth membership politically difficult for the leaders of either Pakistan or India. He certainly could not afford to appear to favour one Dominion over the other in the matter of awarding territory. The device of the apparently impartial and totally isolated Sir Cyril Radcliffe was intended to deflect all blame for unpopular decisions (such as, in particular, those relating to territory of importance to the Sikhs) away from Mountbatten (and, behind him, the British Crown which presided over the Commonwealth).

Sir Cyril Radcliffe was, in other words, a scapegoat of the most classic kind. It must be admitted, in passing, that the leaders of both India and Pakistan also found some advantage in this device which removed from their shoulders the onus of unpopular decisions, which in later days they could blame on the absent Sir Cyril (later Lord) Radcliffe. Radcliffe, who was not there and, it was to transpire, would not speak on the subject at all, could neither be asked questions nor offer explanations as to why the boundary should follow the line which was decided upon in his final Award: yet everything could be declared to be his fault, and his alone. One cannot help feeling that he was quite wise to leave India when he did, at the very moment of the Transfer of Power, and never to return.

Did all this have anything to do with the Kashmir question? In much that has been written since 1947 the Radcliffe Commission has been directly linked to the birth of the Kashmir dispute, almost as if the main function of Sir Cyril Radcliffe was to devise a Punjab boundary which ensured that the State of Jammu & Kashmir became part of the new India. This, of course, is extreme. Kashmir was fairly low on Mountbatten's list of priorities during the hectic weeks leading up to the Transfer of Power, and in no way could it be argued that the Indian acquisition of the State of Jammu & Kashmir was a major objective of the last British Viceroy.

On the other hand, Mountbatten did have decided views (much influenced by his good friend Jawaharlal Nehru) about a suitable future for the State of Jammu & Kashmir, and he was not averse to promoting them if an opportunity presented itself. The last Viceroy, moreover, was apparently convinced (at least he said in public on more than one occasion that he was) of the importance in this context of the Gurdaspur District as the Indian line of access to the State (see for example, his remarks to the Maharaja of Indore and the Nawab of Bhopal on 4 August 1947 [*TP*, XII, 335]). If he understood that the Pathankot *tehsil* alone was crucial in this context, with its alternative link to the rest of India by way of the Jullundur-Mukerian branch railway (of which more below), he did not choose to emphasise the point.

Suitably modified by the reincorporation into India of the Ferozepore and Zira *tehsils*, the Award of the Radcliffe Punjab Commission was complete by the evening of 12 August, when it made its way across the Viceroy's House complex to Mountbatten's desk [*TP*, XII, 488, Appendix. I]. There is good evidence (for example, from a careful analysis of Mountbatten's Personal Report No. 17 of 16 August [*TP*, XII, 489]) to suggest that he either then read it or, at any rate, was fully aware of its contents. Mountbatten endeavoured to give a different impression. On 13 August, for example, he wrote to both Nehru and Jinnah to say that he was now off to Karachi and that the Radcliffe Award was still awaited: "at present, therefore, I have no idea of its contents" [*PP*, Vol. I, Nos. 216, 217]. This statement is, without a nugget of doubt, untrue.



The Radcliffe Awards for both Punjab and Bengal were formally revealed to the leaders of India and Pakistan on 16 August 1947 by Mountbatten, now Governor-General of India, and it was agreed to make them public the following day. Liaquat Ali Khan, the Prime Minister of Pakistan, expressed himself disgusted with the whole business; it was in his view so unfavourable to Pakistan in nearly all respects that there seemed no point in making comments in detail. Jawaharlal Nehru, while he appeared happy enough about the overall shape of the two new boundaries, thought that the position in the Punjab might well give rise to trouble from the Sikhs (as, in due course, his daughter was to discover at the cost of her life). In the Bengal Award he said he was outraged by Pakistan's surprising acquisition of the Chittagong Hill Tract, with a non-Muslim population (and it may be of significance here, given Congress access to British planning by way of V.P. Menon and others, that the Chittagong Hill Tract was *not* in the Muslim part of Bengal outlined in Wavell's partition proposals of 6 February 1946 - this is a mystery which, perhaps fortunately, we do not have to try to solve here). Neither leader then raised specifically the question of the future of, and access to, the State of Jammu & Kashmir.

On 17 August, two days after they had become free of British rule, the people of both India and Pakistan finally were told exactly where their boundaries in Bengal and the Punjab were. In the Punjab the immediate result was an intensified human disaster. What had apparently begun to accelerate with the attack on the Pakistan Special No. 1 on 9 August exploded into a veritable holocaust, with migrations and communal killings on a cataclysmic scale, a ghastly finale to the British era in the Subcontinent. Bengal, however, after the massacres of 1946, was to be spared a repetition of this horror until 1971.

It is interesting that originally Mountbatten had hoped to publish the Radcliffe Awards well before the actual moment of the Transfer of Power. On 12 August, however, when text of the Punjab Award had been suitably modified, he resolved to postpone publication until after the various independence celebrations had been completed. It was certainly odd to permit two new nations to begin their independent life with a most important sector of their land borders still undefined. It may be, as we shall see below, that this decision was not unconnected with the problem of the future status of the State of Jammu & Kashmir.

Professor A.A. Michel has pointed out the way in which the Radcliffe Award in the Punjab quite failed to provide an equitable division of the waters of the Indus system between India and Pakistan, a point which certainly would not have surprised Sir Cyril Radcliffe and which was to become all too apparent in April 1948 when India cut off the water supply to about eight per cent of Pakistan's agricultural land. Interestingly enough, had Pakistan retained the Ferozepore and Zira *tehsils* of the Ferozepore District, as Sir Cyril Radcliffe had

proposed on 8 August, this action would have been impossible for India which would not then have controlled the key sector of both banks of the Sutlej (in a spot where the District boundary meandered across the main bed of that river). Such Indian meddling with Pakistan's water supply constituted at least as great a challenge to the survival of Pakistan as anything then happening in Kashmir, and it could easily have resulted in open war between the two new Dominions. In the event peace was patched up in May 1948, and eventually a more lasting solution to the problem of Punjabi irrigation was found in the Indus Waters Treaty of September 1960 which the World Bank helped negotiate. This brought about a considerable measure of Indo-Pakistani collaboration in the matter of water supplies very reminiscent of Sir Cyril Radcliffe's original conception when he first set foot in India in 1947.

There were, as Michel shows, many major problems in the division of the Indus waters into two self-contained systems, virtually none of them solved by Radcliffe. One difficulty, of course, totally ignored by Radcliffe if only by virtue of his terms of reference, lay in the fact that a very large proportion indeed of the Indus waters either originated in the State of Jammu & Kashmir or flowed through it. If Jammu & Kashmir were to go to India, then virtually *all* the Indus waters (except those which came from Afghanistan via the Kabul River) would be under Indian control at some stage. An equitable division of these waters, in other words, involved inevitably a sharing between India and Pakistan of some kind of political influence over the territory of the State of Jammu & Kashmir. Something like this, in fact, emerged out of the Kashmir crisis which erupted in October 1947; and without the informal partition of the State of Jammu & Kashmir which then resulted the Indus Waters Treaty would probably not have been a practical proposition. Without the existence of Azad Kashmir (which, as we shall see below, emerged directly out of this crisis), for example, there could have been no Mangla project (and one should remember in passing that an earlier Mangla canal system, based on territory leased by the British Government of India from the Maharaja of Jammu & Kashmir, had been of great importance for Punjabi irrigation since the very beginning of the 20th century).

Had the Partition process in 1947 been handled rather differently, with more time for its execution, and with someone at the helm with the degree of understanding of Indian problems such as was possessed, for instance, by Mountbatten's great predecessor Lord Wavell, it is hard to see how the question of the Indus waters would not on its own have caused the future of the State of Jammu & Kashmir to be placed on the agenda; and the manner in which that State had been built up during the British period made it, of all the Indian Princely States, uniquely capable of being divided and redistributed (given a

suitable redefinition of the doctrine of Paramountcy which was not beyond the realms of possibility in 1947 had the will, understanding and time been there).

At the time of the actual Transfer of Power in August 1947 the various goings on of Sir Cyril Radcliffe, Mountbatten and his staff and of Sir Evan Jenkins and his assistants and associates, were cloaked in secrecy. The general impression was that Sir Cyril Radcliffe had indeed acted on his own, isolated in some mysterious way within the great compound of Viceroy's House, even though some senior Pakistani officials like Chaudhri Muhammad Ali were convinced that Mountbatten had meddled at least a little. There was then, however, no solid proof that he had.

Proof, however, did exist, a time-bomb ticking away. Shortly after his return to England in August 1947, Sir Cyril Radcliffe had a frank talk with the then junior minister at the Commonwealth Relations Office, Arthur Henderson, later to be Secretary of State for Air with a seat in the Attlee Cabinet, in which he said (as Henderson told Philip Noel-Baker who in turn told Attlee on 26 February 1948 when, as we shall see, the whole question of Radcliffe's independence had again become a subject of considerable British official concern) that

Mr. Henderson ... [now in 1948 Secretary of State for Air but in 1947 Under-Secretary of State at the India Office and, subsequently, Commonwealth Relations Office] ... states that Sir Cyril Radcliffe told him ... [in August or September 1947] ... that he showed the first draft of the proposed Award to the authorities in Delhi, and that on further consideration he made the Award in terms which departed from the first draft; but he ... [Henderson] ... did not attempt to elicit from Sir Cyril Radcliffe at the time whether the departure from the first draft had been suggested to him from any quarter.

Stripped to its essentials, what this means is that Radcliffe *did* discuss the Award on 8 August or thereabouts with the "authorities in Delhi," by which term we must understand, if not Mountbatten, then someone like his Private Secretary, Sir George Abell, or his Chief-of-Staff, Lord Ismay, who would surely have kept the Viceroy briefed; and alterations had subsequently been made, presumably upon their advice or at their request. Henderson wisely did not press matters and ask questions to which he did not want to know the answers. The implications here, however, are clear enough. We have a glimpse of the actual process which took the Ferozepore and Zira *tehsils* of the Ferozepore District out of Pakistan and back into India.

The whole affair could probably have been kept secret forever had Sir Evan Jenkins destroyed the correspondence and records of other communications between New Delhi and Lahore (which we have examined above) on the shape of the 8 August Radcliffe Award. Instead, he left all the documents with his

Secretary, S.E. Abbott, and, so he wrote to Mountbatten via Ismay on 7 April 1948,

Abbott assures me that Abell's letter of 8th August and its enclosures were left in the Secretary's safe at Government House [in Lahore], to which only [Sir Francis] Mudie [Governor Designate of the Pakistani part of the Punjab] or his Military Secretary, Lt.-Colonel Craster could have access. (Mudie had no "Governor's Secretary" at that time). Abbott says these were the only documents of any importance so left. He consulted me about destroying them, and I told him that as Mudie had already seen them it would be best to hand them over. Mudie was aware that the documents had been left with him and were "Old Regime" documents. I have no doubt that Abbott's recollection on these matters is correct.

The trouble was, of course, that Sir Francis Mudie (who Mountbatten, in an interview in the early 1970s with the journalists Larry Collins and Dominique Lapiere, described as a "double-crosser": see: *Mountbatten and Independent India*, New Delhi 1984) soon passed the documents in question on to M.A. Jinnah or Liaquat Ali Khan.

As far as Sir Evan Jenkins was concerned, he saw nothing odd about these documents. He concluded in his letter to Mountbatten via Ismay of 7 April 1948, that

putting the matter as briefly as possible, the documents to which the Pakistanis attach so much importance contain only information which I got regularly from Abell for purposes of security planning. I know nothing more about them, nor can I say how they got into ... [Pakistani] ... "political" hands.

The Pakistani "political" leadership, however, immediately connected these documents with what it saw as part of a deliberate scheme of the last British Government of India (in collaboration with the Sikhs, apparently) to damage the nascent Muslim State of Pakistan in some way not fully understood. Shortly after the Transfer of Power, Liaquat Ali Khan protested to the British Prime Minister, Attlee, in these words:

the object of the plan ... [devised by Sikh extremists abetted by Sikh Princes like the Maharaja of Patiala and the Raja of Faridkot, perhaps even with the connivance of some Congress leaders] ... was to concentrate the Sikh population in the East Punjab in order to lay claim to the creation of a Sikh State adjoining the Sikh States of Patiala, Faridkot and others. Planning and preparation by the Sikhs for concerted attack on Muslims had been in progress for a long time with the active assistance of the Sikh States. Lord Mountbatten and Field Marshal Auchinleck were aware of these preparations and their magnitude [Liaquat Ali Khan to Attlee, 10 September 1947].

This was a private and secret communication. The Pakistani Representative (and Foreign Minister) at the United Nations, Sir Mohammed Zafrullah Khan threatened a few months later to give the affair the maximum publicity. First, in Document III which he presented to the Secretary General of the United Nations on 15 January 1948 he described in some detail the events surrounding the Sikh attack on the special train (Pakistan Special No. 1) on 9 August. Then, rather obliquely in his speech to the Security Council on 16 January 1948, and again, this time rather less obliquely, on 24 January, he indicated the existence of documentary evidence which, it was certainly implied to those who understood the background context, implicated Mountbatten and other officials of the last Government of British India in the genesis of this atrocity. It might well be, so some British observers concluded, that in due course there would be an explicit charge that Mountbatten had been party to a scheme of "genocide" (with all the inevitable echoes of the Holocaust and the Final Solution so recently revealed to the world in its full horror) from which Pakistan suffered and India benefited.

In February 1948 it was common gossip among the elite in Karachi that there were papers around to show that Mountbatten had manipulated the Radcliffe Award in such a way as to arouse the Sikhs genocidally to Pakistan's disadvantage. Begum Liaquat Ali Khan made open reference to this during a dinner in late February 1948 which was attended by Patrick Gordon Walker, the Parliamentary Under-Secretary of State at the Commonwealth Relations Office then travelling in South Asia. Mountbatten, who soon heard of what he quite correctly saw to be an attack on his integrity, was characteristically alarmed. He telegraphed Attlee rather plaintively that

Gordon Walker informs me that Begum Liaquat Ali Khan spoke publicly of the fact that the Pakistan Government had sent evidence to you that I was implicated in the Punjab troubles by having failed to arrest the Sikh leaders before the 15th August, and by having tampered with the Radcliffe Award.

Sir Zafrullah Khan, Mountbatten reported, now promised to bring the whole affair even more into the open in the Security Council with specific charges directed towards the last British Viceroy by name. Mountbatten denied that there was any truth in these allegations. All the same, it would be as well to prepare a defence.

Mountbatten's anxieties yielded a valuable incidental product for the historian in the creation of a file (now in the India Office Records in the British Library) where a mass of material on the Radcliffe Award was assembled which would otherwise have disappeared. The letter from Jenkins to Mountbatten via

Ismay of 7 April 1948, extracts from which have been quoted above, is an admirable example.

One scheme for the protection of Mountbatten's reputation which was considered at this time was to get a friendly and complaisant Member of Parliament to "plant" a question in the House of Commons which would provide the opportunity for inserting into the public record by way of *Hansard* Mountbatten's own case. But what should this case be?

On 17 April 1948 a final draft of Mountbatten's defence brief emerged after much consultation between the Commonwealth Relations Office, the Indian Governor-General, the British High Commission in New Delhi and a number of individuals including Sir Cyril Radcliffe. This was the new official story:

Sir Evan Jenkins, the Governor of the Punjab, asked at the beginning of August for such advance information as could be given him of the Award for administrative reasons - particularly so that the military and civil authorities directly concerned with law and order might make their plans and if necessary redistribute their forces.

It was accordingly agreed that Sir George Abell should act as a channel of communication between the [Radcliffe Punjab Boundary] Commission and the Governor of the Punjab.

Sir George Abell's letter of 8th August, and the documents which accompanied it, constituted a provisional forecast only. The Boundary Commission subsequently finalized the Punjab Award ... The final decision [of the Boundary Commission] was similarly reported by Sir George Abell to the Governor of the Punjab.

In view of certain speculation which has appeared, His Majesty's Government has consulted Sir Cyril Radcliffe ... who wishes to declare categorically that the Awards both for the Punjab and for Bengal and Assam represented his own unfettered judgement.

So far as the timing of the issue of the Award was concerned, Sir George Abell's estimate was incorrect. The Awards were not rendered by the Boundary Commission until 13th August. As he [Mountbatten] left for a visit to Karachi that day, it was decided, in consultation with the Prime Ministers designate of India and Pakistan, to withhold publication until they had studied the Awards. For this purpose the Prime Minister of Pakistan visited Delhi on 16th August.

To all this Mountbatten added an extra thought, embodied in a private letter to Ismay of 11 April 1948, that:

I had at Staff Meetings generally given permission to Abell to keep Jenkins informed; but he had not specifically told me of what he intended to send or when he sent it. [The underlinings are Mountbatten's].

Mountbatten, in other words, was shifting the blame, if blame there had to be, for any detailed premature disclosures of Radcliffe's proposals on to the shoulders of Sir George Abell.

The tale thus concocted in April 1948, though it represents an extraordinary degree of parsimony with the truth, has remained until very recently the official version widely accepted as correct. The present author, in his *Crisis in Kashmir* which was published in 1966, found it credible enough. From that which has been outlined in this Chapter, it must be abundantly clear that he no longer does so.

This April 1948 statement does not appear to have been published. The immediate need for it seemed for one moment to have vanished in March when Sir Zafrullah Khan, as Ismay put it to Mountbatten (9 March 1948), "dropped all the nonsense about the Boundary Commission." But then Liaquat Ali Khan indicated that he had it in mind to revive the matter yet again when he started talking in the Joint Defence Council meeting of 19 March 1948 (one of the very few remaining Indo-Pakistani fora) about the existence of documents relating to the Ferozepore and Zira *tehsils* of the Ferozepore District. Shortly after the meeting, Mountbatten heard that Liaquat Ali Khan intended to publish the Abell-Abbott correspondence, with its enclosures, "at an appropriate moment." Thus, both Mountbatten and the senior men at the Commonwealth Relations Office, notably Sir Archibald Carter, concluded that it would be prudent to have a complete defence document in reserve to counter the anticipated blast of adverse publicity. Liaquat Ali Khan, in the event, appears in the end to have decided to let the matter drop, and the prepared countermeasures were consigned to the archives.

The problem, however, never quite disappeared. On 5 July 1948, for example, the Finance Minister of Pakistan, Ghulam Mohammad, made a public statement in London in which he charged Mountbatten with failure to stop the Sikh militants and their allies in their attack on Pakistan Special No. 1 and other outrages, thereby setting in motion the Punjabi holocaust. As the leading Pakistani newspaper, *Dawn*, editorialised on 7 July 1948:

Lord Mountbatten's criminal neglect to suppress the Sikh conspiracy when there was yet time and he had yet the power to do so was responsible for one of the most tragic upheavals of modern times. Whether his motive was one of malice against the Muslim League leaders who would not have him as Governor-General of India and Pakistan, or one of cowardice engendered by fear of the bullying and blustering Congress leaders, or one of calculating policy designed to win favour of Hindus and Sikhs so that India might remain in the British Commonwealth, or one of simple selfishness with a view to earning personal praise and appreciation for himself so that he might depart in a blaze of "glory" when his term ended, would be an unprofitable subject for speculation.

All this, of course, has very little indeed to do with Kashmir.

As a kind of postscript to this Chapter, it is worth noting that Professor Hugh Tinker, perhaps in the late 1960s, had the opportunity to look over the

archives which have been the basis of what has been written here, and which at that time, of course, were still closed to ordinary scholars. Professor Tinker published a summary of his interpretation of the record, though phrased with great discretion, in a paper entitled "Pressure, Persuasion, Decision: Factors in the Partition of the Punjab, August 1947", which appeared as long ago as August 1977 in *The Journal of Asian Studies*, Chicago, Vol. XXXVI, No. 4. [For a recent and somewhat confused reference to the same material which Professor Tinker saw, most of which is now in the India Office Records in London in L/P & J/10/119, see: Edmund Heward, *The Great and the Good. A Life of Lord Radcliffe*, Chichester 1994].

Incidentally, as a second postscript, the documents which Sir Evans Jenkins had locked away in his safe and which Sir Francis Mudie passed on to the leaders of the Government of Pakistan in Karachi, were finally published, some of them in facsimile, in *The Partition of the Punjab 1947. A Compilation of Official Documents*, 4 volumes, National Documentation Centre, Lahore 1983, under the editorial supervision of Mian Muhammad Sadullah, who had been Superintendent to the Radcliffe Commission and had, indeed, as the frontispiece photograph of Volume I shows beyond doubt, been present in Simla on that fateful 7 August 1947 when Sir Cyril Radcliffe had told his colleagues what he had in mind for Ferozepore and Zira. *The Partition of the Punjab 1947* is a work of supreme importance for the understanding of what happened in 1947: it is to be regretted that it is so little known outside Pakistan.

We may now summarise here some of our conclusions, which, it must be said, are not quite (though usually nearly) those reached by Hugh Tinker. What did Mountbatten do about, with and to the Radcliffe Commission?

First: it seems reasonably certain that the Viceroy gave Sir Cyril Radcliffe at the very beginning of his mission an idea of the kind of boundary in the Punjab, the Sutlej-Ravi line, which he (or his masters) wished to see established between the two new Dominions of India and Pakistan, presumably based on the papers which had been prepared in Lord Wavell's time between October 1945 and February 1946.

Second: there never was any question from the outset that the three *tehsils* of the Gurdaspur District on the east bank of the Ravi would go anywhere but to India, if only because of their significance for the Sikhs.

Third: when Radcliffe departed from the original Sutlej-Ravi line by assigning the Ferozepore and Zira *tehsils* of the Ferozepore District, this fact was immediately communicated by Sir George Abell to S.E. Abbott, Secretary to the Governor of the Punjab.

Fourth: when the Radcliffe variation in the Ferozepore District produced a violent reaction from the Sikhs, it is extremely unlikely that Mountbatten did



not take part in, or at least was aware of, the prompt decision to move at once the two *tehsils* in question back from Pakistan to India.

Fifth: Mountbatten surely had a knowledge of the contents of the revised Award before 13 August 1947, and he was not telling the truth when he maintained that he did not.

Sixth: Mountbatten was profoundly attached to the fiction that he was totally isolated from Radcliffe and his Award, and he fought hard to maintain it in the face of mounting evidence to its falsity.

Seventh: the Radcliffe Award was *not* devised by Mountbatten, as many in Pakistan believe, expressly to guarantee India a more convenient access to the State of Jammu & Kashmir, even though in the matter of Gurdaspur the Award could indeed be argued to have had precisely this effect (if one were prepared to accept the remote possibility that the Pathankot *tehsil* - with a non-Muslim majority - could in any circumstances have gone to Pakistan). Here was, really, an added bonus, though perhaps one neither unexpected by nor unwelcome to some of Mountbatten's advisers. The main specific political problem to which the Award addressed itself was that arising from the aspirations of the Sikhs.

Eighth: it is quite possible that Sir Cyril Radcliffe's decision to add the Ferozepore and Zira *tehsils* of the Ferozepore District to Pakistan not only triggered off the Sikh attack on Pakistan Special No. 1 but also pushed the general state of communal tension in the Punjab to a degree that rendered the consequent violence quite out of control: Mountbatten, we have seen, as good as admitted on 16 August to the Indian and Pakistani leadership that this was so. This violence, virtually all taking place after 8 August 1947, is admitted officially to have caused at least 500,000 deaths and the displacement of some 16,000,000 people, and it is reasonable to suppose that these figures are very much on the low side.

Finally: none of this is in any way a reflection of Sir Cyril Radcliffe's honour or integrity. His duty was clearly to His Majesty's Government, which had retained him and in whose best interests, as he saw it, he acted: the barrister's first duty is to his client. He could in all honesty, therefore, declare formally that everything he did with respect to the Punjab Commission represented his "own unfettered judgement."

### 3. A Note on Gurdaspur and Ferozepore

The question of the Gurdaspur District has become so inextricably woven into the fabric of the Kashmir story that it seems worthwhile here to examine it, along with a number of related issues, rather more thoroughly than has already been done in the body of the Chapter above, even at the risk of some repetition.

It was evident to the Government of India, once the decision to Partition the Punjab had been made, that the Gurdaspur District would present special problems. On the basis of the 1941 census figures it was a Muslim-majority District (though only just, with Muslims making up c.51% of the population). As such, it was "notionally" included on the Pakistani side of the divided Punjab in the Second Schedule to the Indian Independence Act of 18 July 1947.

The Gurdaspur District possessed certain properties which distinguished it from other Districts listed in this Schedule.

First: it was the only such District which actually straddled a major river of the Punjab, with one *tehsil* (Shakargarh, with 51.3% Muslim majority) on the west bank of the Ravi (and its Ujh tributary, where for a short distance that stream marked the border between Shakargarh and Pathankot *tehsils*) and three *tehsils* on the east bank. Therefore, if there were to be a more or less river border between the new Dominions of India and Pakistan, the Gurdaspur District would have to be split up.

Second: it, or more properly in the present context its southernmost *tehsil*, Batala, with a Muslim majority of 55%, was uncomfortably close to the Sikh Holy of Holies at Amritsar, a property which it shared with the Lahore District and the Sheikhpura and Sialkot Districts. Between them, these four Districts enclosed three sides of the Amritsar District with Muslim-majority territory which, according to the alignment of the "notional" boundary implied in the Second Schedule to the Independence of India Act of 18 July 1947, could well go to Pakistan. The fourth side, on the east, it must be observed in this context, was closed in by the Princely State of Kapurthala, which had, indeed, a Sikh Ruler, but also, rather uncomfortably for some of the more chauvinistic Sikh activists, a Muslim-majority population (at least according to the available 1941 census statistics): it did not seem totally inconceivable at this unstable period that Kapurthala might in some way evolve in a manner unfavourable to Sikh aspirations, in which case Amritsar would have been completely surrounded by, from the Sikh point of view, unfriendly territory.

Third: a direct railway connection to Pathankot, the immediate post-Partition Indian railhead for the State of Jammu & Kashmir, ran from Amritsar through the three eastern *tehsils* of the Gurdaspur District. Without these three

*tehsils* the Indians, so at least conventional wisdom had it at the time, would find it very hard to maintain a military presence in the State. (This, as we shall see, was probably in fact a rather dubious proposition).

Finally: Pathankot *tehsil* held the headworks, at Madhopur, of the Upper Bari Doab Canal system which irrigated not only the Gurdaspur District but also the Amritsar District, the last not "notionally" in any way in Pakistan.

Here, then, were four good reasons why these eastern *tehsils* of the Gurdaspur District should be put into India; geopolitical because of the advantages of a river boundary; political, because of the possible reaction to Partition of the Sikhs; strategic because of access to the important frontier State of Jammu & Kashmir; and economic because of the location of the headworks of the Upper Bari Doab Canal. Doubtless there were other sound or arguable reasons as well.

As has already been noted, the force of this kind of argument had been appreciated by Lord Wavell's Administration between October 1945 and February 1946. Probably recommendations based upon reasoning along these lines were contained in those files which were made available to Sir Cyril Radcliffe at the start of his mission.

Once Partition became inevitable, therefore, it was evident, in New Delhi at least, that special thought had to be given to the Gurdaspur District. It is certainly no coincidence that, when the staff for the Radcliffe Commission was being assembled, Christopher Beaumont was appointed Radcliffe's Secretary: Beaumont's previous Indian Civil Service career had included considerable experience of the administrative problems of Gurdaspur. It is also, perhaps, suggestive that the Hindu Justice selected as one of Radcliffe's Punjab Commissioners in the Indian interest, Mehr Chand Mahajan, should have been a Gurdaspur man.

With Partition unavoidable, it ought to have been clear from the outset that either the southern *tehsil* of the District, the Muslim-majority Batala, would have to be at least cut up so as to put Pakistan a bit further away from the Sikh centre of Amritsar, or some way would have to be found to include all this *tehsil* in India. The decision to settle for an essentially river boundary, which we have postulated above, resolved this particular issue: these three eastern *tehsils* of Gurdaspur would *all* go to India. If peculiar problems thereby arose, at least the Radcliffe Commission would have at its disposal two men who understood that District and its problems.

One of the three eastern *tehsils* of the Gurdaspur District, Pathankot, possessed (at least according to the 1941 census) quite a significant Hindu and Sikh majority of 61.2%. It was inevitable in the circumstances that, whatever might happen to the rest of the District, Pathankot would go to India. This was a consequence of the application in practice of the concept of *areas* (as opposed to *Districts*) in the revised Mountbatten plan. Had the main railway line

followed a different route, then the Batala and Gurdaspur *tehsils* would not have assumed so great a strategic importance. Such an emphasis on communications, however, is probably unwarranted. In 1947 there already existed another line, branching off the trunk route of the North Western Railway (which linked Delhi to Lahore) just to the south-east of Jullundur, which pointed towards Pathankot and terminated at Mukerian, only some thirty miles away from the Pathankot railhead. In that the onward journey to Jammu & Kashmir would have to be by road in any case, this was probably as good a railhead as Pathankot: the road journey was a bit longer (with, perhaps, a ferry crossing of the Beas, though this might have been replaced by 1947 with a Bailey bridge), but the rail journey (from Delhi at any rate) was very much shorter, cutting out a long detour via Amritsar. A motorable road ran parallel to this line which, when the present author travelled along it in 1955, seemed a perfectly acceptable way to approach Pathankot. In other words, the strategic significance of the two eastern Muslim-majority *tehsils* of Gurdaspur has been somewhat exaggerated as a crucial link between India and Jammu & Kashmir: they would only affect that line of communication if the Hindu-majority Pathankot *tehsil* were added to them in an Award to Pakistan, and in the revised Mountbatten plan there was absolutely no reason why it should.

Once the implications of the existence of a Jullunder-Mukerian branch line are appreciated, one has to ask oneself how it came about that such crucial strategic importance in the Kashmir context was ever attributed to that part of the Gurdaspur District, with a Muslim majority and which could, therefore, possibly under the revised Mountbatten plan go either to India or to Pakistan; and further, how this significance ever entered the realm of conventional wisdom. Mountbatten first raised the crucial importance of Gurdaspur to Kashmir in early June 1947. Was he being disingenuous or was it that the English ruling class of his time just did not know about minor railway routes, perhaps without suitable first class compartments and adequate feeding facilities? Did he not know about the Jullundur-Mukerian branch line; and, if so, were all his staff equally ignorant? Or do we have here yet another member of that vast shoal of red herrings which has gathered over the years around the problem of the Indo-Pakistani dispute over the State of Jammu & Kashmir?

The odds are then, given this weakness in the strategic argument, that the decision to put all three eastern *tehsils* of the Gurdaspur District in India was based primarily on the geopolitical merits of a (more or less) river boundary and the essentials of the Sikh question. The main consideration to the contrary which might have influenced Radcliffe (but not the Government of India in whose pantheon geopolitics occupied a high position) to put all of the Gurdaspur District into Pakistan was the importance of the Upper Bari Doab Canal to the water supply of that Dominion. A countervailing influence,

however, lay in the fact that this canal system was equally important to India: the Amritsar District depended upon it. These two factors being more or less in balance, it is unlikely that Radcliffe would have had to struggle too hard against the geopolitical rationale.

Questions of irrigation, however, might well have brought him to look closely at the Ferozepore District. The District as a whole possessed a non-Muslim majority (54.9% according to the 1941 census), and consequently it was not included "notionally" in Pakistan in the Second Schedule to the Independence of India Act of 18 July 1947. It did, however, possess two Muslim-majority *tehsils* contiguous with those Muslim-majority Districts which "notionally" had been assigned to Pakistan, Zira (65.2% Muslim) and Ferozepore (55.2% Muslim), the latter the site of the headworks on the Sutlej of a system of canals of great importance to both Pakistan and India. These two *tehsils* did in some ways quite elegantly balance the irrigation significance of the two Muslim-majority eastern *tehsils* of the Gurdaspur District (Batala and Gurdaspur). In the Gurdaspur District India gained an advantage over Pakistan: in the Ferozepore District Pakistan gained an advantage over India. The available evidence tends to suggest that this Solomonian judgement appealed greatly to Radcliffe's instincts as a Chancery lawyer. Politically, however, it was disastrous.

Ferozepore city apparently contained a military arsenal of some size, but this certainly was not a factor of importance to Sir Cyril Radcliffe in his decision to put these two *tehsils* into Pakistan in his 8 August Award. There is little doubt that what did influence him, as we have already suggested, was the presence in Ferozepore *tehsil* of the headworks of a major irrigation project on the Sutlej, the Ferozepore Weir, at a point where the District actually occupied land on both banks of the river. In theory all that was required as a counterpoise to the Indian possession of the Madhopur headworks (in the Pathankot *tehsil* of the Gurdaspur District, it will be recalled) of the Upper Bari Doab Canal was the location in Pakistan of the Weir itself and a minimum acreage of surrounding territory; but in practice Radcliffe appears to have considered it far simpler to go the whole hog and give Pakistan all of the two Muslim-majority *tehsils* which were, after all, contiguous to the rest of the Muslim-majority "areas" of the Punjab which were destined "notionally" for Pakistan under the revised Mountbatten plan. While this was good in equity, it was a bound to create enormous political problems because of the key position which these two *tehsils* occupied in the world of the Sikhs.

The story of the Sikh role in the process of the Transfer of Power in 1947 is complex in the extreme; and its minutiae need not concern us here. The Sikhs, among the most energetic and enterprising communities in the Indian Sub-continent, enjoyed a prominence in military, administrative and economic life staggeringly greater than their actual numbers as a proportion of the total Indian

population would suggest. There were Sikh leaders who aspired to the creation, once the British had gone, of some form of Sikh state, a homeland for these extraordinary people, be it totally independent or merely autonomous within the general framework of the Indian Dominion (the opportunity for a similar status within Pakistan having been abandoned or lost - yet another fascinating story outside our remit here).

In the context of Partition in general and the Radcliffe Award of 8 August in particular, there were three major geographical features of the Sikh question which merit special attention.

First: there was the Sikh religious centre, the Golden Temple at Amritsar (ignoring for our present purposes a number of other Sikh shrines in the Punjab). This not only symbolised current Sikh religious identity but also the great Sikh past when this community, at first persecuted by the Moghuls, had become a major imperial power in its own right only to be subdued by the British after a hard fought war in which the outcome was at times far from certain.

Second: the Sikh Rulers of a number of Princely States including Patiala, the giant member of this group, Kapurthala and Faridkot, had given serious thought to providing some leadership for Sikh political aspirations. Faridkot actually possessed a Sikh majority (at least on the basis of the 1941 census). In Patiala State the Sikhs in 1941 represented no less than 47.3% of the population, a figure which could easily enough have been increased in the turbulence accompanying Partition by some judicious encouragement of non-Sikhs to depart.

Third: there was a single *tehsil* in the Ferozepore District, Moga, where Sikhs were actually without question in a small majority (51% according to the 1941 census) in provincial British India, a unique phenomenon. Here, on the demographic map of British directly-administered India, on a *tehsil* by *tehsil* basis, the Sikhs were in one place at least a majority non-Hindu population.

With the publication of the Independence of India Act of 18 July 1947, and its Second Schedule, it was clear that Lahore, while in many ways the key city for Sikh enterprise and culture though with nothing like a Sikh majority population, was lost. Elsewhere, however, many Sikhs saw hope. To them the shape of the Radcliffe Award would be crucial. The "notional" allotment by the Independence of India Act of Muslim-majority Districts to Pakistan was undoubtedly threatening to such Sikh aspirations with Amritsar shut in on it north, west and (in part) south by "notional" Pakistani territory. There can be little doubt that the Sutlej-Ravi line which was probably put to Radcliffe as the ideal boundary was designed in great measure to allay Sikh fears. With the three eastern *tehsils* of the Gurdaspur District in India the northern menace was removed. By a careful drawing of a boundary line through the extreme eastern corner of the Lahore District in the Kasur *tehsil* Pakistan could be kept a bit

further away on the south from Amritsar. An additional result of such territorial rearrangement in Kasur *tehsil*, interestingly enough, would be to carve out a corridor around the southern end of Kapurthala State (with its Muslim-majority population) to link the Amritsar District directly to other Districts in the East (or Indian) Punjab.

Here, it would seem, in Kasur *tehsil* of the Lahore District, there was to all intents and purposes the only piece of demarcation asked of Radcliffe which involved a significant departure from established District or *tehsil* boundaries.

The line would then continue, from the selected point on the border of Kasur *tehsil* with the Ferozepore District, to follow downstream in a south-easterly direction the Sutlej which more or less separated the Lahore District from the Ferozepore District.

While the more enthusiastic Sikhs might be unhappy with such a boundary, it is clear that Mountbatten's advisers thought that they could probably live with it (as, earlier, had thought Wavell's). The only significant departures from the "notional" border of the widely known and understood Second Schedule to the Independence of India Act of 18 July 1947, in the Kasur *tehsil* of the Lahore District (which was divided) and in the three eastern *tehsils* of the Gurdaspur District, which were excluded from Pakistan, would come to the Sikhs more as pleasant surprises than as shocks.

Radcliffe's modifications in the Ferozepore District, however, were definitely shocking to Sikh opinion, and all the more so if the formers of such opinion were unaware (as could well be the case) of what was planned in the Gurdaspur and Lahore Districts. The adding of Ferozepore and Zira *tehsils* to Pakistan in such an unexpected fashion could only be interpreted by the more emotional Sikhs as a threat directed specifically against the realisation of their dreams. It would put Pakistan right next to Moga, the only Sikh majority *tehsil* in the whole of India. It would drive a wedge between the Sikh ruled Princely State of Faridkot, and a significant part of the main Sikh ruled Princely State of Patiala, on the one hand, and the northern part of the East Punjab, including the Amritsar District, on the other. It would restore, indeed reinforce, the Kapurthala State barrier on the eastern side of the Amritsar District which would once more be potentially isolated from the rest of East Punjab. The "notional" District by District border of the Second Schedule to the Independence of India Act of 18 July 1947 was threatening enough to Amritsar: but the addition to the south of the extension of Pakistan in Ferozepore and Zira *tehsils* was even more sinister.

Zira *tehsil*, incidentally, contained the site of the battlefield of Sobraon where in February 1846 a Sikh army, even though it had been betrayed by a number of its own leaders, very nearly defeated the forces of the East India Company.

Had the Sikh Army done so, British Indian expansion would have been stopped dead in its tracks. This was a place about which many Sikhs knew a great deal.

The addition of the Ferozepore and Zira *tehsils* was certainly a last minute decision on the part of Radcliffe. The map of his 8 August Award which was sent from Viceroy's House to the Governor of the Punjab on that day shows the situation clearly enough. The Ferozepore and Zira *tehsils* were simply tacked on to the carefully crafted boundary through Kasur *tehsil* of the Lahore District, and their presence gave the Indo-Pakistani boundary line in the Punjab a distinctly eccentric look, rather as if a piece of ectoplasmic matter was growing out of an otherwise reasonably smoothed surface. The 8 August Award map, which Sir George Abell caused to be despatched to S.E. Abbot, Secretary to the Governor of the Punjab, accompanied by Christopher Beaumont's typed note, was published (*PP*, Vol. I, between pp. 246 and 247) in Lahore in 1983. It is a pity that few of the writers who have embarked upon the recent spate of revelations concerning the Radcliffe Award, which appear to have followed the 1992 *Daily Telegraph* report of Christopher Beaumont's memories, have actually seen this published map. It tells its own story clearly enough to those with eyes to see.

In conclusion: what has all this business about the Ferozepore District got to do with the Gurdaspur District? The answer is essentially this. The possibility that the entire Gurdaspur District might go to Pakistan, implied in the Second Schedule to the Independence of India Act of 18 July 1947, was extremely alarming to the Sikhs. Since the majority of them were not reasonably sure that in the event all of the Gurdaspur District east of the Ravi was destined for India and had always so been so in Mountbatten's mind, they could only interpret the addition of these Ferozepore *tehsils*, from a District that had not even been "notionally" Pakistani in the Second Schedule to the Independence of India Act of 18 July 1947, as increasing the gravity of the threat to their aspirations posed during the events of 1947 by many factors, but, above all, by the very idea of Pakistan. It is easier, with this in mind, to understand that Sikh "ethnic cleansing" element, directed against Muslims, in the Punjab massacres which started on 9 August 1947.

This, of course, is not to assign guilt to one party only. There were many guilty parties here, Sikhs, Hindus, Muslims and, even, Christians. It does indicate, however, the political folly of one particular feature of the 8 August Radcliffe Award. Had Mountbatten not decided to erect an impenetrable screen separating himself from the Boundary Commission, he might well have claimed immediate credit for his good sense in eliminating with such rapidity the Ferozepore and Zira salient. This could well have had a calming effect at a critical moment.



As a final reflection on the Gurdaspur District, one can well argue that the whole episode, strong reasons though there may have been behind it, does not reflect the ideal way to divide up a former imperial possession. Secrecy and deception, haste and failure adequately to consult all interested parties or contemplate all possible options, these features of a policy for which Mountbatten claimed to all intents and purposes sole responsibility (if only by his advancing by nearly a year the date for the final Transfer of Power and the end of the British Indian Empire) were probably a sure formula for disaster; and disaster there indeed was, the direct and indirect consequences of which, not least in the Kashmir dispute, are with us still.

There are two more points which must be mentioned, albeit briefly, in that they have some bearing upon the history of the State of Jammu & Kashmir.

First: there can be little doubt that the Sikh Rulers of Faridkot and Patiala, and possibly Kapurthala as well, pondered deeply in those months immediately preceding the Transfer of Power whether they could in some way exploit the British departure to create the conditions under which they might regain a significant degree of political power, perhaps as the leaders of a confederation of Sikh States and other entities within the Indian Union (which might, in any case, disintegrate - who knew in those uncertain times). These Rulers kept in close touch with the Maharaja of Jammu & Kashmir, and they visited his State in the early summer of 1947 for reasons which have still to be explained. It is quite possible that they sought to sound out Sir Hari Singh as a potential ally in their ambitions, whatever those might have been. When, after the Transfer of Power, the Maharaja of Jammu & Kashmir refrained from accession to either Dominion, his progress towards a viable independence was closely watched (and possibly encouraged) by these same Sikh Rulers. When he began to experience increasing difficulty in resisting the Azad Kashmir movement among his subjects, the Maharaja of Patiala lent him units of his own State Army. The evidence is strong that these Patiala troops entered the State of Jammu & Kashmir some days before the combined Azad Kashmiri-Pathan operation along the Jhelum Valley of 21-22 October 1947 which marks the formal beginning of the great Kashmir crisis. We will return to this topic in a subsequent Chapter.

Second: as we have already noted above, in the Batala *tehsil* of the Gurdaspur District was situated the town of Qadian, the holy place of the Ahmadiyya sect. The Ahmadiyyas, who claim to be Muslims, though in orthodox Sunni Muslim eyes, particularly in Pakistan, they are now considered to be far from orthodox, were an extraordinarily energetic group whose influence in the last days of the British Indian Empire was expanding rapidly. Their presence was even felt in Kashmir, where at some point in the 1930s they appear (or so it has been argued by some of his opponents) to have exerted some influence over the young Kashmiri nationalist, Sheikh Abdullah. In Pakistan, of course, one of their most

prominent adherents was Sir M. Zafrullah Khan, Pakistan's first foreign minister and the man destined to reply to the Indians when they initiated the reference of the Kashmir question to the Security Council of the United Nations in January 1948. Sir Zafrullah Khan may not at that time have known a great deal about the State of Jammu & Kashmir: he did, however, have a profound understanding of the nature of the Gurdaspur District and a loathing for the process that had resulted in the location in India of what was to him its major town, Qadian. It was thus guaranteed, come what may, that in its opening stages the Pakistani case *vis à vis* Kashmir as it was presented before the Security Council of the United Nations was in some way inextricably bound up with the Gurdaspur District.

## CHAPTER IV

### Jammu & Kashmir and the Lapse of Paramountcy

When the revised Mountbatten plan was announced in early June 1947, no formal mechanism existed (as we have already seen) for the accession by the Rulers of the Princely States to either Dominion should the Rulers so wish. Indeed, even the precise terms on which accession might take place had not been worked out, though the Government of India Act, 1935, did provide some useful precedents.

The whole business of the abrupt termination of the British Indian Empire seems to have taken most of the Rulers by surprise, and some were profoundly shocked by what they considered to be British perfidy. As the Chancellor of the Chamber of Princes, the Nawab of Bhopal (a Muslim Ruler with a Hindu-majority population) put it on 15 June 1947:

the Mountbatten Plan recognises the political division of India into Muslim India and Hindu India. This cuts right across the principles to which the States have throughout adhered. As soon as His [Britannic] Majesty's Government found themselves compelled to accord their recognition, however, reluctantly, to the division of India on a religious basis, they should have called the representatives of the States in consultation to discover how the proposed division of India would effect them and whether it would be possible for all or any of them to find a place in the future Indian political and constitutional set up. This was not done, and the omission to do so has resulted in the States being placed in a very grave and delicate predicament. Many of the States view this default on the part of His Majesty's Government as a virtual repudiation of the guarantees and assurances which have been given to the States at various times by and on behalf of the British Crown. [Nawab Hamidulla of Bhopal to Mountbatten, 15 June 1947, India Office Records].

The Nawab just could not understand how the constitutional rights of his peers could be dismissed so cavalierly by the British Crown. He concluded, charitably, that

the treatment accorded by His Majesty's Government to the States under the Mountbatten Plan is so incomprehensible that the only assumption that can be made in His Majesty's Government's favour is that this consequence of the Mountbatten Plan was not sufficiently appreciated during the hurried consideration of the Plan by His Majesty's Government, and that it was not deliberately devised or intended. ... Nobody appears to have paid any attention to what the reaction of the States might be. In fact the States have in this connection been completely ignored as if they formed no part of India at all. His Majesty's Government appear to have been concerned only in devising a scheme for British India and have as a postscript to that scheme added that the States might enter the Constituent Assembly of one section or the other as they chose.

On 5 July 1947 a States Department, headed by V.P. Menon, was established out of fragments of the old British Indian Political Department (which was doomed to expire at the moment of the Transfer of Power), charged with the accession problem and the future of the Princely States. In that at this moment Pakistan did not exist, it inevitably concentrated its attention upon those Princely States which might reasonably be expected to accede to India. Indeed, one should be in no doubt that the States Department was, in fact, a Department of the Government of India-to-be (Hindustan), and not of the Government of the yet-to-be-created Dominion of Pakistan. The new Department did not concern itself with those States which lay clearly within the Pakistani catchment area. These were left alone until some corresponding body on the Muslim side should emerge; and Pakistan was, in due course, to experience its own share of States' problems (in Baluchistan and along the North-West Frontier with Afghanistan), but they were of no interest to the organisation presided over by V.P. Menon (which explains why they are quite ignored in Menon's book, *The Story of the Integration of the Indian States* which appeared in 1956: the emphasis here was very much on the term *Indian*). In fact, Pakistan did not get around to regularising its own situation *vis à vis* its own States until long after the appointed day when British sovereignty terminated on 14-15 August 1947, and when it did it adopted procedures significantly different from those devised by V.P. Menon.

On 8 July 1947 the new States Department informed all the Residents (representing the British Crown) in the States of direct Indian concern about the terms of accession which had now been decided by the last British Government of India [TP XII, 2]. By accession the States would hand over to the appropriate Dominion (in this case India) the powers of Foreign Affairs, Defence and Communications. All other powers would remain with the Ruler. The full implications of all this were discussed during the rest of July, and on 2 August V.P. Menon had ready a detailed *pro forma* Instrument of Accession [TP XII, 313] which the Ruler ought to sign on joining India (Menon, it must again be emphasised, held no brief in this respect on the part of Pakistan-to-be). It was a

document intended only for the highest class of States (those known as “fully empowered”), other States (in fact, the majority) having never hitherto enjoyed anything like full sovereignty were not going to be granted it, in theory or in practice, at this late stage. The blank form of the Instrument of Accession was duly printed and circulated to the appropriate Rulers with the request that they fill it in before the actual moment of the termination of the British Indian Empire. Nearly all to whom it was sent did, sometimes only after V.P. Menon had exerted considerable moral pressure upon them. This document will be considered again in the Chapter VI below.

By the time of the Transfer of Power on 14-15 August 1947, only three States of direct Indian (Hindustani) concern had failed to accede, Hyderabad, Junagadh (with the closely associated Manavadar) and Jammu & Kashmir. Hyderabad and Junagadh, the latter one of the Kathiawar States in Gujarat, both had Muslim Rulers and overwhelmingly Hindu subjects. Jammu & Kashmir had a Hindu Ruler and a Muslim-majority population.

In theory the communal distinction between Ruler and subject was of no import; accession was a matter for the Ruler alone. In fact, as some in the States Department appreciated, it mattered a great deal. Sir Conrad Corfield, the last of the senior British “Political” with strong feelings about the rights and responsibilities of Maharajas (and a man whom Mountbatten came to dislike intensely), thought that an Indo-Pakistani exchange might be devised over Hyderabad and Jammu & Kashmir, in which Hyderabad went with India and Jammu & Kashmir with Pakistan (an idea which had, indeed, already been circulating during Lord Wavell’s Viceroyalty), but he was ignored and, when he retired on the eve of the Transfer of Power, his proposals forgotten. There were also possibilities of Indo-Pakistani dealing over Junagadh.

In the event, no lasting bargains were struck. Each State met its fate very much on its own. Hyderabad and Junagadh, surrounded by Indian territory (and a stretch of stormy coast in the case of Junagadh), were in due course swallowed up by India. The State of Jammu & Kashmir, however, sitting as it did on the edge of both India and Pakistan, became the subject of Indo-Pakistani dispute which remains very much alive nearly fifty years on.

As far as V.P. Menon’s States Department was concerned, the Pakistani factor was not strictly relevant: it was an irritant but not a basis for deciding ultimate sovereignty. Here was a structural organisational distortion which confused the Kashmir issue from the outset and to which due weight has never subsequently been assigned by observers within and without the Subcontinent. V.P. Menon, as we shall see more specifically in the next Chapter, was a masterly confuser of issues, a true follower in the footsteps of the great Kautilya, Chandra Gupta Maurya’s minister (c.300 BC) and the reputed author of the *Arthashastra*, a political text which in so many respects anticipated the thoughts on statecraft

of Machiavelli.

The attitudes manifested in 1947 by V.P. Menon's States Department have ever since tended to dominate legal arguments concerning the Kashmir dispute. At the same time, only token heed has all too often been paid to the realities of politics and public opinion in the State of Jammu & Kashmir itself around the time of the Transfer of Power. To ignore internal Kashmiri political history during this crucial period is, of course, to miss an element of the greatest importance to our understanding of how the Kashmir dispute began. There was much more involved than the technicalities of the Maharaja's Accession to the Indian Union, when and if it did take place (a matter considered in some detail in Chapter VI).

Unlike most Indian Princely States, Jammu & Kashmir possessed prior to the Transfer of Power in India in 1947 an active and complex public political life of its own. Since 1931, a year in which the State became the scene of much popular agitation and violent clashes between protestors and the official organs of law and order, two major party groupings had emerged, both with a common origin, the National Conference headed by Sheikh M. Abdullah, and the Muslim Conference in which leading figures included Chaudhri Ghulam Abbas (from Jammu) and Mirwaiz Mohammed Yusuf Shah (from Srinagar). Both, collectively representing the Muslim majority in the State (though the National Conference claimed to be secular and did, indeed, enjoy a certain amount of Hindu and Sikh support as well), were opposed to the absolutism of the ruling Dogra Dynasty. Their agitation (still for our present purpose treating the Muslim and National Conferences as one) had produced a degree of constitutional development. The 1934 and 1939 State Constitutions (which the Maharaja had been obliged to grant in great measure because of their presence, with some British Indian encouragement added, it must be acknowledged) had provided for a legislature with, in the 1939 Constitution, a majority (40 out of 75) of elected members. The franchise was restricted and on a communal basis, and the powers of the legislature extremely circumscribed, but all this was much better than what was to be found in most other parts of Princely India. In the 1940s there had even been a brief period when a few elected representatives held ministerial office.

In 1946 one could, perhaps, divide public opinion within the State of Jammu & Kashmir into at least four main categories (ignoring the Gilgit Wazarat, then part of the 1935 Gilgit Lease to the British Government of India, and the Baltistan portion of the Ladakh District which pursued a peculiar cultural and political life of its own).

First: there were those who supported the ruling Dogra Dynasty of Maharaja Sir Hari Singh, devoutly Hindu and claiming Rajput origins. The Hindus in Jammu, where in some parts they were in a majority, and the Hindu Brahmins of the Vale, the Pandits, tended to identify with the Dogras, though there were

a number of Pandit intellectuals who definitely did not. Given a choice, a majority of this element, particularly those in Jammu, might well opt for accession to India, but there were certainly to be found here some advocates of an independent Jammu & Kashmir.

Second: in Ladakh there was just beginning to develop a separate Buddhist political consciousness which would shortly tend towards a closer union with India (if not with Tibet - in their religion the Ladakhi Buddhists looked to Lhasa for leadership), and certainly saw little to identify itself with the Muslim politics centred on Srinagar.

Third: the Muslim Conference represented the bulk of the Muslims in Jammu and the rather more conservative of the Muslims in the Vale. The Muslim Conference had some links with the Muslim League in British India, but it was very much a movement peculiar to the State of Jammu & Kashmir, and many of its members were not particularly attracted to the idea of union with Pakistan. On the other hand, the Muslim Conference was positively opposed to union with India, and subsequently it was to become associated with accession to Pakistan. On the eve of the Transfer of Power, however, many Muslim Conference members would not have been unhappy with the idea of complete independence for the State.

Fourth: there was the National Conference, largely the creation of Sheikh Abdullah (which had originally - until 1939 - been called the Muslim Conference, and in opposition to which the revived Muslim Conference eventually emerged in 1941). This organisation had obtained the most publicity outside the State in the years immediately preceding the Transfer of Power, in great part because of the reputation of its leader, who not only moved in the more cosmopolitan circles in Srinagar (he was a son-in-law of the European proprietor of Nedou's Hotel, the most fashionable hostelry in that holiday resort) but was deeply involved in Congress affairs in British India through his close friendship with Jawaharlal Nehru.

As Sheikh Abdullah has occupied a particularly dominant position in the history of the Kashmir question, it is worth having a closer look at the man and his political platform. There is no doubt that by the middle of 1947 he was a symbol within and without the State of Jammu & Kashmir of democratic resistance to Princely rule. What precisely he stood for, and how much support, in potential electoral terms, he enjoyed, it is not so easy to determine. In 1944 he had drawn up a manifesto for a *New Kashmir*, an independent state in the Subcontinent free of the Maharaja and subject neither to Hindustan (India) nor to Pakistan: it would be the "Switzerland of Asia." Quite how secular this proposed state was intended to be is open to argument. In 1946, while the British Cabinet Mission was still in India, Sheikh Abdullah launched a "Quit Kashmir" movement with the objective of the immediate ending of Dogra rule

and its replacement by an independent Kashmir under the leadership of his National Conference. The Maharaja's reply was to arrest Sheikh Abdullah and put him on trial for sedition. Some British observers at this time were convinced that Sheikh Abdullah was a Communist and in receipt of funds from Moscow; they were not too distressed to see him behind bars.

There can be no doubt that Jawaharlal Nehru saw Sheikh Abdullah almost as his political twin. He tried to attend his trial, only to be arrested and effectively deported by the Maharaja from what after all was the ancestral home of the Nehru family (of Pandits), the Vale of Kashmir. From that moment Nehru identified himself so closely with the imprisoned Sheikh Abdullah that he believed that the Kashmiri leader wanted nothing better than to integrate his State into a secular Indian Union presided over by Jawaharlal Nehru. It is, perhaps, to be regretted that during these crucial weeks prior to the Transfer of Power Sheikh Abdullah remained in prison and was unable either to keep in touch with the march of events or to make his own views widely known.

In 1946, with the British Raj obviously running out of time, the question of Jammu & Kashmir's future was the subject of considerable debate in Srinagar, where the political temperature was closely monitored by the British Resident, Colonel W.F. Webb. His reports survive in the India Office Records in London, and they provide a fascinating insight into Kashmiri thoughts, hopes and intrigues during this last year or so of British India.

Early in 1946, Webb recorded, there were efforts to bring together the Muslim Conference and the National Conference; both parties sprang, after all, from the organisation which had emerged during the crisis of 1931 and in which Sheikh Abdullah was a leading spirit, and a combined party would cope far better with the challenges and opportunities presented by the impending British departure. Union, however, failed, so Colonel Webb reported. Not for the last time in modern Kashmiri history these two major groupings were unable to reconcile their activities and ambitions. There were a number of reasons for the 1946 failure which Colonel Webb analysed in his reports to the Government of India.

For example: many Kashmiris in the Vale depended upon the tourist industry (in 1945 18,614 European - mainly British - visitors came to Srinagar), and bodies like the Kashmir Houseboat Owner's Chamber did not want, as Sheikh Abdullah was then demanding, that the British "quit" Kashmir along with the Maharaja. Who, then, would rent houseboats? Again: it was already clear that Sheikh Abdullah, unlike many other Muslims in both Kashmir and Jammu, could not get along with M.A. Jinnah and his Muslim League. Sheikh Abdullah was on record that Jinnah was "not a true Moslem and ... had little knowledge of the Quoran," a view which many Kashmiri Muslims did not share. Finally: a number of Kashmiri leaders, including the Mirwaiz M. Yusuf Shah (of great



influence among the Srinagar Sunnis), had by 1946 become profoundly suspicious of Sheikh Abdullah, who was seen not only to be set on his own aggrandisement but also to be of suspect theological orthodoxy (especially in the matter of the wealthy Ahmadiyya, or Qadiani, community). All this complicated the National Conference-Muslim Conference discussions in March 1946, in which, apart from Sheikh Abdullah, Chaudhri Ghulam Abbas, Maulana Mahommed Sayeed Masoodi, and G.M. Sadiq (figures of great importance for the subsequent history of Jammu & Kashmir) participated, along with the Mirwaiz Yusuf Shah.

It was the "Quit Kashmir" movement, however, which brought all prospect of union to an end. As Webb described it, this phenomenon had many of the attributes of a rebellion. One aim was a popular uprising which would expel the Dogras and restore Kashmir (what was to happen in Jammu or Ladakh was not so clear) to native rule, which Sheikh Abdullah understood to mean a regime presided over by himself. After the State Government arrested Sheikh Abdullah in May, there were outbreaks of violence not only in Srinagar but also in Anantnag, Sopore and elsewhere. The more conservative supporters of the Muslim Conference, however, were not ready for rebellion against the Maharaja. These events tended to confirm them in the view that Sheikh Abdullah was a dangerous revolutionary in politics as well, perhaps, as in religion.

The gulf between National Conference activists and Muslim Conference moderates was skilfully exploited by the Maharaja's Prime Minister, Pandit Ram Chandra Kak.

Pandit Kak was Sheikh Abdullah's most formidable adversary in the "Quit Kashmir" agitation. Kak was a scholar, a man of wide interests, no narrow Hindu Brahmin bigot (his wife, Margaret, for example, was English), and he seems to have possessed a profound understanding of the people of the Vale of Kashmir, in whose language he could exert a powerfully fluent and persuasive charm and with whose traditions he was entirely at home. As the time of the British departure approached, Kak concluded that the State's best hope lay either in independence or in some form of special association with Pakistan, but, like Sheikh Abdullah, the idea of independence appealed to him above all. He was, in a very real sense, Sheikh Abdullah's direct rival, and, had there been no external pressures it is highly probable that he would have prevailed. Unlike Sheikh Abdullah, he was perfectly able to negotiate with M.A. Jinnah and the Muslim League, and had need dictated, and opportunity arisen, would certainly have done so.

During the final year or so of the British Indian Empire, Pandit Kak acquired great influence over the less bellicose members of the Muslim Conference which at moments of crisis he was able to exploit in its arguments with the National Conference. After Sheikh Abdullah's arrest in May 1946, the National Con-

ference announced that it would boycott all formal political functions in the State; the Muslim Conference, in part because of Kak's diplomatic skills, did not follow suit. Thus, in the January 1947 Jammu & Kashmir State elections the Muslim Conference participated (to become the largest single grouping in the *Praja Sabha*, the lower house of the legislature) while the National Conference did not. Had events turned out otherwise, the Muslim Conference could well have been an extremely effective ally for Kak's policy of a non-Indian future for the State. In April 1947, for example, Chaudhri Hamidullah Khan, Acting President of the Muslim Conference, declared in the *Praja Sabha* that if the Maharaja were to declare for independence after the British had gone, he and his party would gladly offer their lives for the cause of the sovereign Dogra Dynasty.

Unfortunately for the future peace of South Asia, Kak had powerful enemies within the Kashmiri Pandit establishment, notably Sir Kailash Haksar, who had once acted as Prime Minister of the State and whose daughter was married to R.K. Nehru, Haksar's son-in-law Wattal (a contractor to the State), and B.J. Nehru (a former Financial Adviser to the State Government). This group had clashed with Kak over the awarding of certain State contracts, and they subsequently lost no opportunity to blacken the Prime Minister's reputation (as good nepotists, they constantly accused him of nepotism). One of their connections in India (if only by blood ties), Jawaharlal Nehru, believed everything they said about Kak, which only reinforced what he had already heard from his friend Sheikh Abdullah. As Colonel Webb noted in May 1946, the future Indian Prime Minister's "violently partisan attitude" was "based on untrue reports regarding Kashmir made to him by Sheikh Mohammed Abdullah's lieutenants in Delhi and Lahore who fabricate entirely false news." Soon after Kak, acting in complete agreement with the Maharaja, had Sheikh Abdullah arrested, Nehru in June 1946, accompanied by his faithful follower Dwarkanath Kachru, rushed up to the Kashmir border on the Jhelum Valley Road to try to help his friend in Srinagar. Kak, again with the Maharaja's approval, had him turned back after a short detention in a *dak* bungalow on the State border, but Kachru was held for some three months before being what in the Subcontinent is known as "externed" (expelled from the State).

These two sets of circumstances, Kak's conflict with the Haksar-Nehru clique in Srinagar on the one hand, and, on the other, the arrest of Sheikh Abdullah coupled with the expulsion from his ancestral home of Sheikh Abdullah's Indian champion Jawaharlal Nehru, were to contribute towards Kak's overthrow a year later, with Mountbatten serving, perhaps unwittingly, as Nehru's ally in what was in great measure an act of personal vengeance.

Already in 1946, according to Colonel Webb (writing in July 1946), Jawaharlal Nehru had developed a definite policy for the future of the State of

Jammu & Kashmir once the British had departed. Under the leadership of Sheikh Abdullah it was to be made into an anti-Pakistani (whatever shape Pakistan might eventually assume) zone to the north of the Punjab. While he might modify his ideas about the precise shape of this zone (and precision was not, in any case, Nehru's forte), the basic concept had not changed at the outset of the Mountbatten Viceroyalty in March 1947. It was to infect everything which Nehru told Mountbatten about the State of Jammu & Kashmir and Sheikh Abdullah's special position there as the voice of the Kashmiri people.

Here we have a unique set of personal connections, aspirations and prejudices all focused on a single issue. That there existed a special relationship between Nehru and Lord and Lady Mountbatten during the final British Viceroyalty is beyond doubt. Other relationships, such as those between Nehru and Sheikh Abdullah, and between Nehru and one of the major anti-Kak Pandit cliques in Jammu & Kashmir (there were others), have been sketched above (though some aspects of the Nehru-Sheikh Abdullah connection have yet to be explained satisfactorily - it may well have involved more than shared political opinions). Taken all together, they provide a powerful influence at the very heart of the Indian governmental establishment tending towards the proposition that the State of Jammu & Kashmir ought to end up in India rather than Pakistan.

Jawaharlal Nehru's own involvement with Jammu & Kashmir inevitably influenced Mountbatten, whose attitudes towards that State we must now examine. There is a caveat here. It is easy to forget that, Nehru's emotions apart, there were good geopolitical reasons, well understood by the *éminences grises* of the Political Department and its successor services, to inspire powerful voices in New Delhi during the final days of the British Indian Empire to advise the Viceroy that the State of Jammu & Kashmir was by virtue of *realpolitik*, if not of right, part of India, and should so remain. One such voice was undoubtedly that of V.P. Menon, the driving force behind the Indian States Department.

Over the last half century there have been many observers of the Kashmir situation, both in the Subcontinent and without, who have denied that India possessed at this initial stage the slightest geopolitical (or strategic) concern with Kashmir. The evidence, however, is abundant enough that many Indians indeed possessed just such an interest. Thus Sir Gopalaswamy Ayyangar, then Indian Representative at the United Nations, did not hesitate on 15 January 1948, in what was one of the opening presentations of the Indian case before the Security Council, to point out that

India was, of course, vitally interested in the decision that the State [of Jammu & Kashmir] might take in regard to accession. Kashmir, because of her geographical position, with her frontiers marching with countries like the Soviet Union and China, is of vital importance to the security and international contacts of India.

Economically also, Kashmir is intimately associated with India. The caravan trade routes from Central Asia to India pass through Kashmir State.

In the summer of 1947 and on the eve of the Transfer of Power V.P. Menon would have found no fault with this statement as a true reflection of informed Indian opinion.

What, then, were the views of the Pakistan side? What, during these early days of Mountbatten's Viceroyalty, did M.A. Jinnah have to say about Kashmir? After all, the letter K in Pakistan was generally believed to have stood for "Kashmir", and one would have expected that the leader of the Muslim League would have been extremely vocal in his claims that the State fell on the Muslim side of the Great Divide when the time came. In fact Jinnah said very little indeed. Why? We can only guess.

From at least 1943 M.A. Jinnah was in close touch with some of the leaders of the Muslim Conference in Jammu & Kashmir. In May and June 1944 he visited the State when he met the Mirwaiz Yusuf Shah and Chaudhri Ghulam Abbas (as well as Sheikh Abdullah). On this occasion, incidentally, he also encountered a young Kashmiri from Srinagar, K.H. Khurshid, who then became his Private Secretary (and in later years was to play a major role in Azad Kashmiri politics). K.H. Khurshid certainly kept the leader of the Muslim League well briefed on Kashmiri affairs and may well have been behind this telegram which Jinnah addressed on 22 August 1945 to the then Viceroy, Lord Wavell:

situation from all accounts pouring in from reliable sources [in Kashmir] even non-Muslim sources very grave. Your immediate intervention requested. ... Pandit ring headed by new Prime Minister Kak determined crush Muslims. I therefore appeal to you as Representative Crown and Paramount Power please intervene at once. Strong Muslim Prime Minister with authority or failing that Britisher essential. I cannot believe Maharaja ignorant of all this [TP VI, 55].

Needless to say Wavell neither imposed a Muslim official upon the Maharaja Sir Hari Singh nor took the State under what would amount to British protection by putting in charge of its affairs a British I.C.S. officer as Prime Minister. In the light of future events it may well be deemed a pity that he did not do just this.

M.A. Jinnah, however, appears to have accepted Wavell's inaction with a degree of calm. One reason for his attitudes at this time, and for his subsequent relative silence on the Kashmir issue right up to the great crisis of October 1947, is hinted at in the *Transfer of Power* documents. In August 1945, in a note from Sir A. Clow, Governor of Assam, to Lord Wavell the following point is made [TP VI, 64]. It had been explained to the leadership of the Muslim League that any claim to the State of Jammu & Kashmir in a future Pakistan (however

defined constitutionally) on the grounds of its Muslim-majority population would only open the door to a Congress claim to the State of Hyderabad as part of India (Hindustan) because of its Hindu majority, and, moreover, the Hindu majority in Calcutta might be used as an excuse to exclude that great city from an independent Muslim-majority Bengal (either on its own or as part of Pakistan - ideas on all this were still fluid in 1945). It may well be that M.A. Jinnah decided to leave Kashmir alone for the time being in the hope that through his discretion and restraint these unhappy results might be avoided. Who knows? It certainly is a fact that during 1947 right up to the great crisis of October the intrigues in Jammu & Kashmir of the Congress and various allied Hindu and Sikh groups were in no way matched by corresponding activity on the part of the Muslim League, a fact which took much pressure off Mountbatten (both as Viceroy and, subsequently, as India's first Governor-General) in his approach to the Kashmir question.

The complexities of the problem of the future of the State of Jammu & Kashmir appear first to have come to Mountbatten's notice in late April 1947, while he was still pondering the initial (and abortive) version of his plan. The point at issue was what to do about the Gilgit Lease, that arrangement of March 1935 by which the Government of India had acquired control for sixty years over Gilgit and its neighbourhood along the Northern Frontier [*TP IX*, 254]. Should the lease remain with the successor Dominion, which in this case the Political Department evidently concluded would almost certainly have to be Pakistan, or should it be handed back to the Maharaja of Jammu & Kashmir? The Political Department view, which convinced Mountbatten, was that the lease ought to be handed back to the Maharaja before the actual Transfer of Power (still thought to be June 1948); this would give the Maharaja the opportunity to establish his authority while the British were still around to support him. When the date of the Transfer of Power was advanced to 15 August 1947, so also was the date of retrocession of Gilgit: it was now fixed for 1 August. There can be no doubt that the Political Department (after 5 July, at least as far as India was concerned, the States Department) did strive beyond the normal call of duty to ensure (without ultimate success) that Gilgit remained the Maharaja's.

It is possible that Mountbatten with his Naval background, unlike some Political Department veterans, did not fully appreciate the significance of Gilgit to the strategists of British Indian defence. Since the middle of the nineteenth century it had been looked upon as a key bastion against the perceived Russian threat to India. The British were convinced it must be brought under friendly control and kept there; consequently a great deal of the history of the territorial expansion of the State of Jammu & Kashmir after 1846, with active encouragement from the Government of India, was inextricably involved with

Gilgit and the mountainous tracts to its north. In the eyes of many officials in New Delhi such strategic considerations were as valid on the eve of the Transfer of Power in 1947 as they had been in the classic age of the Great Game. Thus it was unlikely that the Political Department would advocate the return of Gilgit to the State of Jammu & Kashmir unless they felt sure that State would soon be safely incorporated into some stable Subcontinental polity capable of guarding this critical area, a polity which in their view tended to mean India rather than Pakistan. In that the British Resident in Kashmir was then still reporting that the odds were that the Maharaja of Jammu & Kashmir would opt for independence after the Transfer of Power [*TP IX*, 37], it could well be that there was already germinating in the Political Department, soon to be V.P. Menon's States Department, some plan to frustrate the Maharaja and ensure that in the end his State was safely penned in the Indian fold.

It is also interesting that Nehru saw the Gilgit Lease rather differently. He thought that the Government of India should hang on to it for as long as possible. It was essential to have a clearer picture of the State of Jammu & Kashmir's future before making such an important decision. As in the case of Berar (in relation to the State of Hyderabad from which the British had leased this tract at the very beginning of the twentieth century and attached it to their directly administered Central Provinces), Nehru objected on principle to handing back territory from what was going to be enlightened Indian rule to Princely autocracy. Gilgit, of course, was in Nehru's eyes a far more important matter than Berar as it involved his beloved Kashmir. It may be that at the back of his mind he saw Gilgit eventually being merged with the North-West Frontier Province, which had a Congress Ministry in power at that time, into an Indian enclave flanking that divided Punjab which was the inexorable consequence of the Congress Working Committee Resolution of 8 March (or, indeed, of Wavell's proposals to the India Office of 6 February 1946). The mere existence of such a Gilgit could well force the Maharaja willy nilly into the Indian camp.

Though totally opposed in detail over Gilgit, it is probably significant that the policies of both Mountbatten and Nehru relating to this remote Karakoram outpost can be interpreted to have had a common underlying objective, the eventual incorporation of the State of Jammu & Kashmir in India.

It is perhaps strange that at this time neither Mountbatten nor Nehru thought seriously about how the term "Gilgit" ought to be defined. In their minds they had no doubt that it related not only to Gilgit town and the country between it and the right bank of the Indus but also to a vast tract of mountains bordering on Chinese Sinkiang and the north-eastern corner of Afghanistan including the Wakhan salient. Such assumptions, of course, entirely overlooked the true nature of the region or the reasons why it should have been associated

with the State of Jammu & Kashmir in the first place. It took no account, for example, of the interest shown in this part of the world both by the Rulers of British Indian frontier States like Chitral and by many of the tribal groups along the Indo-Afghan border.

The entire Gilgit Agency, as the British Political Agent in Gilgit, G. Loch, reported to the British Resident in Kashmir in 1926, was the product of a particular British strategic problem. He observed that "the present Agency was established in 1889, in order to prevent Russia establishing herself in a position from which she could offer a threat" to the British Indian Empire. As a matter of practical convenience the Agency was attached at that time (1889) to the State of Jammu & Kashmir, though to all intents and purposes it remained under direct British authority. However, after 1925, when British influence in that State was greatly relaxed (following a period of over three decades of effective British control), the fiction of Jammu & Kashmir rights over all the Gilgit region was preserved. As Loch put it, the Kashmir Durbar (Government)

attach great importance to their privilege of being the only State in India charged with a share of frontier defence and I realise that it is necessary to retain their cooperation and to avoid giving the Durbar any cause for offence.

So, not even at the time of the Gilgit Lease in 1935, when the region formally came under direct British administration, did the British Government press the Maharaja of Jammu & Kashmir on the question of defining his theoretical rights over the numerous States which were embodied in the Gilgit Agency in what were known as its Political Districts, some of them remote indeed from Srinagar and Jammu. In 1947, with independence looming, this oversight was unfortunate. It put technically in the State of Jammu & Kashmir a great deal of extremely important territory which had no business to be there at all, and this territory, following the policy defined by Mountbatten in April 1947, could well go willy nilly to India.

The question of British Indian versus Jammu & Kashmir sovereignty over the States dependent on the Gilgit Agency was examined in considerable detail in *Treaties, Engagements and Sanads Relating to India and Neighbourhood Countries*, compiled in many volumes by C.U. Aitchison. In Volume XI (of the 1909 edition), which deals with Jammu & Kashmir, there is a careful analysis of the bits of Northern Frontier zone (after 1935 within the Gilgit leased area) which fell into the Maharaja's sphere of influence and the bits that did not. A more detailed investigation was initiated by the Government of India in 1926. It was then concluded that the two major States in this tract, Hunza and Nagar, the former with an important border marching with Chinese territory, could be then said to have shared their allegiance between the Maharaja of Jammu &

Kashmir and the British Crown (with the British element becoming dominant after the Gilgit Lease of 1935 virtually removed the Maharaja's involvement). Most of the other States, Yasin, Ishkoman, Kuh-Ghizar, Chilas, were deemed to be "not Kashmir territory and Kashmir State officials are not allowed to interfere with the administration" of them. Some, like Ishkoman, had indeed been under the suzerainty of Chitral until 1895 when that link was severed by the Government of India: Chitral, whatever arguments might be offered to the contrary, was certainly *not* considered by the Government of India to be a legitimate part of the sphere of influence of the Maharaja of Jammu & Kashmir.

In 1935, when the British by means of the Government of India Act of that year were striving to move their Indian possessions towards Dominion status, the existing structure of the Indian Empire was examined in considerable detail. The 1926 conclusions were then confirmed or amplified. Hunza and Nagar were defined as States in their own right, not part of the State of Jammu & Kashmir, and the absence of Kashmiri sovereignty over many of the other polities like Yasin, Ishkuman, Kuh-Ghizar and so on, was emphasised. Only the small polity of Punial, immediately to the north-west of Gilgit itself, was deemed by the British to be undoubtedly dependent upon the Jammu & Kashmir Durbar. In 1941 the British Resident in Kashmir was instructed to communicate to the Maharaja this 1935 definition of the extent of the State's influence and suzerain rights.

Where the theoretical Kashmiri position was strong was in the Gilgit Wazarat. This was a figure-of-eight shaped tract with Gilgit town at the centre of the top loop, Bunji on the Indus at its waist, and Astor at the centre of the bottom loop. In 1926 Loch told the Government of India that "the [British] Political Agent [in Gilgit] exercises no authority in the Wazarat except in so far as he can wield personal influence." All this, of course, changed with the 1935 lease which effectively replaced the authority of the Maharaja by that of the Political Agent (at least north of Bunji). In principle, however, in the Wazarat the Maharaja enjoyed sovereignty if not power. This sovereignty was confirmed and power (if he could exert it) returned to him by Mountbatten who, moreover, at this time also endeavoured to reverse the definitions of 1926 and 1935 by adding to the Wazarat all the other petty States of the region, Hunza, Nagar and the rest. Perhaps the last Viceroy did not understand fully what was involved. It is certain that he contributed a further complexity to the Kashmir dispute by incorporating in it large tracts of the Political Districts which by 1947 belonged elsewhere (and a good case could have been made for Pakistani title here). In the event, Kashmiri (or Indian) control was never established in 1947 and subsequently over the bulk of the Political Districts, but Indian claims persist.



In Gilgit town, of course, real power in 1947 lay with the Gilgit Scouts, a military force locally recruited and Muslim to a man (except, of course, for its British officers). What the Scouts thought about the Hindu Maharaja was probably unprintable but, for all that, beyond any doubt in political terms. The absurdity of putting Gilgit town, let alone the Gilgit Political Districts, back into the hands of the Maharaja forcibly struck Mahatma Gandhi. These were tracts so Muslim that, apart from bazaars in Gilgit town and one or two other places, not a Hindu or Sikh was to be found there. Their populations should at least have a say in their future.

The implications of this point, given the turbulent nature of many of the inhabitants of this corner of Asia, while apparently lost in rather different ways on both Mountbatten and Nehru, certainly did not escape the notice of several officials and soldiers in the final days of British India who saw only too clearly the geopolitical consequences of the disposition of this key access to Central Asia. The Gilgit "rebellion", which manifested itself in late October and early November 1947 and laid the foundations for what are today the Northern Areas of Pakistan, had its roots in the months before the Transfer of Power when the need for some action to counter Mountbatten's policy towards the Gilgit Lease became apparent. We will return to this story in Chapter VII below.

We must end here this digression into what is still a relatively obscure aspect of Central Asian history and return to our thematic mainstream.

From the moment of Mountbatten's arrival in India, Nehru never lost an opportunity to expose his friend to arguments in favour of an Indian Jammu & Kashmir, arguments which became increasingly persuasive as the friendship and mutual confidence between the Viceroy and Prime Minister Designate increased. In June, soon after the announcement of the revised Mountbatten plan, the Viceroy resolved that it would be best if all States which ought to accede to India (on terms which were then still in the process of definition) did so as soon as possible, and if at all practicable before the Transfer of Power so that accession would take place under British auspices. Mountbatten, reflecting here the views of V.P. Menon, never did like the idea of a number of independent polities springing up in the wake of the departing British. Two Dominions were enough. In practice, it was evident that the big problems were Hyderabad and Jammu & Kashmir, and the Viceroy determined to visit both Rulers as soon as he could to exert the force of his personality upon them and make them come to some prompt, and proper, decision. Hyderabad is not our concern. The visit to the State of Jammu & Kashmir began on 17 June.

Before he set out, Mountbatten had asked Nehru for a memorandum on Kashmir, a document which was just ready when he left New Delhi [*TP* XI, 229]. Nehru argued most forcefully that the State of Jammu & Kashmir must join India, but not as an autocracy under Maharaja Sir Hari Singh. Accession

had somehow to bring about the empowering of the imprisoned Sheikh Abdullah and his (currently unelected) National Conference to direct the State's destiny. Sheikh Abdullah, Nehru left Mountbatten in no doubt, was the only true spokesman for the Kashmiri people, and the secular National Conference (in contrast to the communal Muslim Conference) was the sole popular Kashmiri political organisation worthy of consideration. All the evidence suggests that Mountbatten was convinced. It is interesting that Nehru's memorandum contained a number of statements which were untrue, and which Nehru knew to be untrue: for example, he told the Viceroy that

the Maharaja is a Dogra Rajput and his army consists almost entirely of Dogra Rajputs. Kashmiris, whether Hindu or Muslim, are excluded from it. This was a common grievance among all Kashmiris.

In view of the part that Muslim troops in the Jammu & Kashmir State Forces were to play in undermining Maharaja Sir Hari Singh's position in October and November 1947, this was an extraordinary piece of misinformation to feed to the Viceroy.

During his time in Srinagar, the Viceroy never managed to pin the Maharaja down to a serious discussion of any kind. He found him, as had many others, both evasive and indecisive. In the end Mountbatten had to content himself with presenting to the State's Prime Minister, Pandit Kak, a summary of the main points he had hoped to discuss with the Maharaja [*TP XI*, 294]. This was an interesting conversation which can be interpreted in more than one way. In the present writer's view, Mountbatten intended to let Pandit Kak know that the only hope for the survival of the Dogra Dynasty was for the Maharaja to throw in his lot with Congress and the Indian Union.

Mountbatten, of course, was not the only important personage to journey up to Srinagar at this period in the hope of influencing Maharaja Sir Hari Singh, and there were others who wished to come but for one reason or another were frustrated.

In early May the President of the Indian National Congress, Acharya Kripalani, called on Maharaja Sir Hari Singh in Srinagar, probably in an attempt to persuade him of the wisdom of acceding to India (to which the Maharaja apparently then made a noncommittal response). Not long after Mountbatten's visit a number of Sikh Rulers, including those of the Princely States of Faridkot, Patiala, and Kapurthala, came to see the Maharaja. It is not entirely clear what their objective was. It is reasonable to suppose, however, that the Sikh chieftains included in their conversation references to their hopes for the establishment of some kind of independent, or autonomous, Sikh entity, once the British had finally departed the shores of the Subcontinent. What Sir Hari Singh would have

said we do not know: perhaps very little. He would, however, certainly have listened to such talk with interest.

M.A. Jinnah was very anxious during this period of June and July 1947 to have an opportunity to explain to Sir Hari Singh in person exactly what an association between Pakistan and the State of Jammu & Kashmir might mean in theory and in practice. Mountbatten was equally anxious that such a visit should not happen, and he managed to persuade Jinnah that it would be as well to give Jammu & Kashmir a miss for the time being (it may be referring to those arguments, already noted above, which had been advanced by the Government of India in Lord Wavell's time). It was all the more embarrassing, therefore, when Jawaharlal Nehru seemed determined to go up to Srinagar himself and convince the Maharaja that with India lay his only possible future and, as he put it, "take up the cudgels on behalf of his friend" Sheikh Abdullah "and for the freedom of the people." Apart from the difficulty in explaining all this to Jinnah, Mountbatten thought that the presence of Nehru on Kashmiri soil at such a sensitive time might be the spark which would set off some kind of conflagration. In the end, rather than allow Nehru to go, and after some debate, Mountbatten arranged for Mahatma Gandhi to take his place.

Mahatma Gandhi was in Jammu & Kashmir for a few days at the very beginning of August 1947, arriving in Srinagar on the 1st of that month. The British records do not suggest that he held political conversations of any significance with anyone who mattered in State politics; and there is no evidence that he was asked to do so by Mountbatten or any of his staff. His own published correspondence with Vallabhbhai Patel, however, shows that he discussed with Sir Hari Singh the possibility of dispensing with the services of R.C. Kak (who opposed accession to India) as Prime Minister of the State, and that he urged upon the Maharaja the wisdom of letting Sheikh Abdullah out of prison. He also met the leading member of the National Conference then at liberty, Bakhshi Ghulam Mohammed, who told him that in his opinion, once Sheikh Abdullah and his colleagues were free, the probability was that in any form of unrigged electoral exercise the vote in the State of Jammu & Kashmir on the existing franchise would be for union with India. Mahatma Gandhi, however, was very critical of the way in which the Muslim people of the Gilgit leased areas had been handed back to a Hindu Ruler (albeit rather theoretically as it transpired) without being first consulted.

The Gandhi visit to Kashmir has aroused the deepest suspicions of Pakistani writers. Its significance, however, may well have been much overrated. Sir Hari Singh showed no signs at this period of the slightest eagerness to meet the leaders-to-be of either India or Pakistan. On hearing of the impending visit by Gandhi, he wrote to Mountbatten on 8 July 1947, that

all things considered, I would earnestly request Your Excellency to dissuade all political leaders from visiting Kashmir during 1947. If, however, Mahatma Gandhi is unable to cancel his visit, I suggest that it would be in the best interests of this country and of India as a whole that the visit should take place towards the end of autumn. But I must emphasise the fact that it is impossible for us to guarantee the prevention of any untoward incident, circumstanced as we are, though we will, I need hardly assure you, try with all our might and main to safeguard against any such occurrence. I must add that what applies to Mahatma Gandhi, applies to all political leaders of similar standing with equal if not greater force.

One result of the Viceregal visit to Srinagar in June was to convince Mountbatten that the real force behind the Maharaja's reluctance to join India was provided by Pandit Kak. It was Kak who nourished thoughts of independence and, even, some special relationship with M.A. Jinnah. If Kak were got out of the way, however, Maharaja Sir Hari Singh might be convinced easily enough to do his duty and sign up with the Government in New Delhi.

During the last few days of the British Indian Empire in August 1947 Mountbatten may well have tried to use the Radcliffe Commission as a weapon against Pandit Kak. The approach was extremely oblique, but it can be detected in a number of places including odd phrases uttered by Mountbatten or included in his Personal Report destined for the eyes of King George VI.

What seems to have happened was this. It was hinted in various indirect ways that the Maharaja's sole prospect of surviving as a Prince was to tie up in some manner with India. This would only be possible provided the Radcliffe Commission awarded to India all the three eastern *tehsils* of the Gurdaspur District, through which ran the main road from India to Jammu and in one of which, Pathankot, was situated the Indian railhead for the line from Delhi. If all of Gurdaspur went to Pakistan, of course, the Maharaja would be doomed. In order to ensure the desired allocation of these key sectors of the Gurdaspur District by Sir Cyril Radcliffe, so the whispers had it, the Maharaja had to do two things: get rid of Pandit Kak and prepare to sign an Instrument of Accession to India. Otherwise, all of Gurdaspur (including Pathankot) would go to Pakistan and Sir Hari Singh would be left to the tender mercies of M.A. Jinnah.

The documentary evidence suggests that Mountbatten was perfectly aware that this covert, almost subliminal, campaign made an utter nonsense of his claim to have had absolutely no control over what Sir Cyril Radcliffe might or might not decide. For one thing, he knew perfectly well that, whatever the Maharaja did, the three eastern *tehsils* of the Gurdaspur District would end up in India - as we have seen this was really on the cards since Wavell's proposals of February 1946, and there had never, in any case, been any question whatsoever in British minds of permitting the Pathankot *tehsil*, with its Hindu

and Sikh majority, to go anywhere but to India. It may well be that Maharaja, too, knew or suspected this.

All the same, Maharaja Sir Hari Singh did move half way along the road indicated to him by Mountbatten's entourage. On 11 August he dismissed Pandit Kak, replacing him temporarily with a Dogra kinsman, Major-General Janak Singh, who was to act as caretaker until some more decisive figure could be found to implement whatever policy it was that the Maharaja wished to implement. On the other hand, he signed no Instrument of Accession. The best he would do was to offer by telegram (12 August) to sign Standstill Agreements with both India and Pakistan in order to maintain the *status quo* (a state of ill-defined independence) for a while. Immediately after the Transfer of Power, Pakistan accepted the Standstill Agreement while India prevaricated. We will return shortly to the nature of Standstill Agreements.

In order to convince the Maharaja that the fate of Gurdaspur still hung in the balance, it was obviously prudent to delay the publication of the Radcliffe Award. If the Maharaja knew that all Gurdaspur (and above all Pathankot *tehsil*, had gone to India, he would be under no pressure to make up his mind as to accession. As we have already seen, it is interesting in this context that Mountbatten, who originally was in favour of the publication of the Radcliffe Award as soon as it was ready, on 11 or 12 August (when virtually all the Award was indeed to hand) decided to postpone its publication until after the actual Transfer of Power on 15 August. It may well be that he hoped that right up to the last minute the prospect of the entire Gurdaspur District in Pakistani hands might urge the Maharaja to throw in his lot with India, a decision which was all the easier to make after the dismissal of Pandit Kak.

For a brief moment then, from about 12 August to the actual Transfer of Power in India, with Pandit Kak out of the way, Mountbatten may well have thought he really had solved the Kashmir problem, Maharaja Sir Hari Singh signing up with India in the dying minutes of the British Raj; but, if so, he woke up on 15 August to find that this had not occurred. As Governor-General of the Dominion of India Mountbatten was to be obliged in the months to come to devote a great deal more time and energy to this extraordinarily intractable matter. He had seriously underestimated the magnitude of Maharaja Sir Hari Singh's indecisiveness, or, as others might argue, his guile. Meanwhile, the Maharaja entered the new post-British era in the Subcontinent as, to all intents and purposes, the ruler of a sovereign and independent country, with all the challenges and responsibilities which that such a status implied. In these circumstances he would probably have fared better with Pandit Kak (now under house arrest) as Prime Minister to advise him than he did with Janak Singh or, from 15 October, Justice Mehr Chand Mahajan (a former member of the

Radcliffe Commission for the Punjab and clearly dedicated to the Indian interest).

Symbolic of the lapse of British Paramountcy in the State of Jammu & Kashmir was the question of the Standstill Agreements which, we have seen above, the State offered (12 August) telegraphically on the eve of the Transfer of Power to both India and Pakistan, or at least to their yet to be fully empowered foreign ministries. The proposal to Pakistan read thus:

Jammu and Kashmir Government would welcome Standstill Agreements with Pakistan on all matters on which these exist at present moment with outgoing British India Government. It is suggested that existing arrangements should continue pending settle details and formal execution of fresh agreements.

To which, on 15 August, the new Pakistan Foreign Secretary lost no time in replying:

Your telegram of the 12th. The Government of Pakistan agree to have a Standstill Agreement with the Government of Jammu and Kashmir for the continuance of the existing arrangements pending settlement of details and formal execution of fresh agreements.

A similar offer by Jammu & Kashmir to the Indian side, sent also on 12 August, was subject to a degree of prevarication which amounted to rejection. The Pakistan side has tended to interpret this Standstill Agreement as having the force of a binding treaty between sovereign states, and therefore conflicting with the Maharaja's right to accede to India without, at least, prior consultation with Pakistan. Accession was the very negation, after all, of standing still and maintaining the *status quo*. The Indian side have argued that all that was involved here was a purely temporary administrative arrangement of no great constitutional significance [see, for example: *Government of India White Paper on Jammu and Kashmir*, 1948]. What exactly was a Standstill Agreement?

The idea of such an arrangement, latent in the Government of India Act of 1935, was implied clearly enough in the fourth paragraph of the Memorandum on Paramountcy and related issues which the Cabinet Mission presented to the Chamber of Princes on 12 May 1946 [TP VII, 262]. During that "interim period" which lay between agreement on the nature of post-British India and its actual birthday

it will be necessary for the States to conduct negotiations with British India in regard to the future regulation of matters of common concern, especially in the economic and commercial fields. Such negotiations, which will be necessary whether the States desire to participate or not, will occupy a considerable period of time, and since some of these structures may well be incomplete when the new

structures come into being, it will, in order to avoid administrative difficulties, be necessary to arrive at an understanding between the States and those likely to control the succession Government or Governments that for a period of time the then existing arrangements as to these matters of common concern should continue until the new agreements are completed.

In June 1947, in the last days of its life, the Political Department of the Government of British India prepared an outline form of the kind of agreement called for above [TP XI, 198]. It had to cope with the problem that, while it was drawn up under British rule, it might have to remain in force in some meaningful way after the British had taken to their boats and departed from the shores of the Subcontinent. The preamble of the Political Department's draft emphasised the point.

Whereas it is expedient that, without prejudice to the rights at any State or of the Successor Governments of British India, existing administrative arrangements of mutual benefit to the people of the States and the people of the rest of India should continue in force while negotiations for new or modified arrangements are in progress between the authorities respectively concerned.

Then followed the details. The main points were that whatever arrangements were made would only remain in force for a maximum of two years, but for that period

subject to denouncement by any party concerned giving six month's notice and subject always to earlier modifications by mutual agreement of the parties concerned, a State shall be entitled to continuance of any privilege or immunity which it enjoyed immediately prior to ... [the date of the Transfer of Power in] ... 1947 provided that it continues duly to fulfil all conditions or reciprocal obligations attached to such immunity [the terms privilege and immunity having specific meanings within the context of the Government of India Act, 1935].

In conclusion the draft standstill agreement ended with three provisos:

- (1) Nothing contained in this Agreement, and nothing done in pursuance thereof, shall be deemed to create in favour of any party any right continuing after the date of termination of the Agreement.
- (2) Nothing contained in this Agreement, and nothing done in pursuance thereof, shall be deemed to derogate from any right which, but for this Agreement, would have been exercisable by any party to it, and
- (3) Nothing contained in this Agreement shall affect the liberty of any party to it to exercise within its own territory all rights of jurisdiction which it may be entitled to exercise whether by reversion on the lapse of paramountcy or by transfer from His Majesty's Government or otherwise.

All one can say, on the basis of this draft, which appears to have represented to all intents and purposes the British state of play with regard to Standstill Agreements right up to the moment of the Transfer of Power, is that it was not without its ambiguities. What it really said was that, until the status of a State had been resolved, it was possible for that State to enter into a provisional understanding with its neighbouring Dominion (or, in the case of Jammu & Kashmir, Dominions) for the continuance of certain existing administrative arrangements. Had the State of Jammu & Kashmir been fully sovereign when it offered this arrangement to Pakistan on 12 August 1947, then the Standstill Agreement might have possessed greater force; but at that point British Paramountcy, however that term might have been interpreted, had yet to lapse in the State of Jammu & Kashmir, and, moreover, at the same time, 12 August 1947, Pakistan had yet to come into formal existence as a sovereign body with treaty making powers.

This draft had in its favour the fact that it was prepared by the Political Department representing, in its own peculiar way, both India-to-be and Pakistan-to-be. In a few days the Political Department would effectively be dead; and its replacement, the Indian States Department, was as we have seen but a vehicle for Indian interests as they appeared through the eyes of V.P. Menon. A subsequent version of a Standstill Agreement was prepared by the Indian States Department (one presumes after 15 August 1947), a document which had both greater force and also strengthened the Indian benefits to be derived from it. The precise terms of this specifically Indian document, which approached very close to the idea of actual accession [quoted in: P.L. Lakhanpal, *Essential Documents and Notes on Kashmir Dispute*, 2nd edition, Delhi 1965], are most unlikely to have been those understood by the Jammu & Kashmir Government when it sent its telegram offering Standstill Agreements on 12 August 1947: the original Political Department draft here conveys a better picture of what was intended.

When the great Kashmir crisis erupted in late October 1947, the Pakistan side argued that the existence of a Standstill Agreement with Pakistan precluded the Maharaja of the State of Jammu & Kashmir from acceding to India. It was not the strongest of arguments: there are many more effective ones, as we shall see below. By 1977, in *The White Paper on the Jammu and Kashmir Dispute* produced by the Z.A. Bhutto regime in Pakistan, only token reference is made to this issue.



## CHAPTER V

### The Poonch Revolt

[See Maps No. III and No. VI].

The Kashmir crisis which erupted in October 1947 was caused by a number of factors, some relatively simple and some complex in the extreme and, indeed, to this day obscure. Hitherto little studied, but of great significance for all that, is the role of Poonch, both because of its ambivalent relationship to the Jammu & Kashmir Durbar and as a consequence of the attitude towards Maharaja Sir Hari Singh of the Muslim Poonch population, many of whom with a strong martial tradition and a history of resentment against oppression by Gulab Singh and his descendants. The history of Poonch, therefore, serves as an essential background for our understanding of what actually happened in 1947.

The State of Jammu & Kashmir was founded in the first part of the nineteenth century by Gulab Singh, a Hindu Dogra (of Rajput descent). His ancestor Ranjit Dev had once ruled a considerable tract of hill territory between the Punjab and the Pir Panjal Range as well as several Jagirs (fiefs) in the Punjab plains; but Jammu lay at the core of his dominions. Ranjit Dev had acknowledged, from the 1760s, the invading Durrani Afghans as his overlords. When the Sikhs embarked upon their meteoric rise to power in the Punjab at the very end of the eighteenth century, Afghan influence declined in these hills. Soon anarchy reigned throughout the region.

In these circumstances, Gulab Singh (born in 1792) and his two younger brothers, Dhian Singh (1796) and Suchet Singh (1801), sons of Mian Kishore Singh, sought to reestablish Ranjit Dev's kingdom under Sikh patronage. By 1818 the three Dogra brothers had acquired a powerful influence at the court of the great Sikh ruler, Ranjit Singh. Dhian Singh soon became Ranjit Singh's most important adviser, and, after Ranjit Singh's death in 1839, remained a dominant figure in Sikh ruling circles until his assassination in 1843. Both Gulab Singh and Suchet Singh also served Ranjit Singh in various capacities. It was inevitable that all three brothers should be rewarded for their efforts by the Sikh Durbar (Court) at Lahore.

Jammu was given to Gulab Singh in 1820 as a Jagir subject to Lahore: Suchet

Singh also received territories, but in parts of the Punjab which do not relate to the subsequent history of the Kashmir dispute. About the same time Dhian Singh was granted his own Jagir, which consisted of the ancient hill state of Poonch along with a number of adjacent minor hill states including Bhimber and Mirpur. Unlike Jammu, with its powerful Hindu nucleus, Dhian Singh's new possessions contained an overwhelmingly Muslim population. In its geographical shape, Dhian Singh's territory was an elongated rectangle of some 3,600 square miles of hill country on the Punjab side of the Pir Panjal Range, lying between its crest and the Jhelum River and extending southwards from the Jhelum-Kishenganga confluence near Domel right down to the Chenab River where it debouches into the plains in the Gujrat District of the Punjab (and, at one time, Dhian Singh held Gujrat as well).

The collection of fiefdoms over which Dhian Singh acquired control, it is interesting to note, coincides very closely with what in late 1947 was to become Azad ("Free") Kashmir. Azad Kashmir, of course, includes Muzaffarabad on the right bank side of the Jhelum, a region which until 1846 remained under Sikh rule, and then, as part of Kashmir Province, passed to Gulab Singh. Dhian Singh also, as we have seen, possessed Gujrat in the Punjab, which at the time of the Transfer of Power became part of Pakistan and has never been connected with Azad Kashmir. None the less, it can be argued with some conviction that the core of Azad Kashmir State, often dismissed today by writers with Indian sympathies as no more than a fantasy of Pakistani chauvinism, does indeed represent a political entity in its own right of some appreciable antiquity.

Dhian Singh was too busy as a politician and statesman in the Sikh Durbar at Lahore to play an active part in the administration of his territorial possessions; the supervision of his interests was entrusted largely to his elder brother, Gulab Singh. In the 1830s the Dogra-appointed Governor in Poonch, Shams-ud-Din, a member of the Muslim family who had ruled in pre-Sikh days, rebelled with the support of many local Muslim chieftains. This first Poonch revolt, in many ways a precedent for what was to happen in 1947, was suppressed with great determination by Gulab Singh, and, as a contemporary British observer, G.T. Vigne, noted, with extreme cruelty:

an insurrection had taken place near Poonch against the authority of Gulab Singh. He had gone in person to suppress it, and succeeded in doing so. Some of his prisoners were flayed alive under his own eye. ... He then ordered one or two of the skins to be stuffed with straw; the hands were stiffened, and tied in an attitude of supplication; the corpse was then placed erect; and the head, which had been severed from the body, was reversed as it rested on the neck. The figure was planted by the wayside, that passers by might see it; and Gulab Singh called his son's attention to it, and told him to take a lesson in the art of governing. [G.T. Vigne, *Travels in Kashmir, Ladak, Iskardo, the countries adjoining the mountain-*

*course of the Indus, and the Himalaya, north of the Punjab*, 2 vols., London 1842, Vol. I, p. 241].

After Dhian Singh's death in 1843, Gulab Singh treated Poonch, Bhimber, Mirpur and the rest as if they were his own property, despite the fact that his brother had two heirs, Moti Singh (the younger of the pair), to whom had been left the Jagir of Poonch, and Jawahir Singh, who was intended to inherit the remainder. When in 1846, following his cynical neutrality during the First Anglo-Sikh War, Gulab Singh by the Treaty of Amritsar (of 16 March 1846, between the British and Gulab Singh) was permitted by the Government of India to purchase from it the former Sikh Province of the Vale of Kashmir (for 75 *lakhs*, or units of 100,000, of Rupees), he took the wording of this Treaty (Article I, referring to Article 12 of the Treaty of Lahore between the British and the Sikhs of 9 March 1846) to indicate that Dhian Singh's estate had come to him as well.

This view was certainly open to question; but Dhian Singh's heirs were then minors and in no position to argue very strongly. It was not until 1848 that the two boys, or their agents, were able to seek redress from the Government of India in the person of Sir Frederick Currie, Resident at Lahore. His award was interpreted by Gulab Singh (and his successors) as accepting his rights over his brother's legacy. In fact, it did nothing of the sort; indeed, its somewhat opaque language tended to confirm the *de facto* independence from Jammu & Kashmir of the two sons of Dhian Singh, including the cancellation of the obligation imposed upon them by Gulab Singh to pay the costs of a battalion of infantry in the Jammu & Kashmir State Forces. Dhian Singh's heirs, however, were still required to pay to the Jammu & Kashmir ruler an annual (essentially token) sum in lieu of customs which Gulab Singh might have collected in the territory involved, as well as a highly symbolic annual tribute to Gulab Singh, as Maharaja.

In 1852, after Moti Singh and Jawahir Singh had quarrelled, Henry Lawrence (then one of the British Commissioners administering the Punjab territory which had recently been annexed from the Sikhs) was invited to arbitrate. The question here was the determination of the precise boundaries between the two portions of Dhian Singh's estate. Lawrence reaffirmed Moti Singh's right to the Jagir (or *Ilaqa*) of Poonch, an area of some 1,600 square miles which was now defined with some care. The remainder, perhaps another 2,000 square miles or so including Bhimber, Kotli and Mirpur, was left with Jawahir Singh.

In 1858, immediately following Gulab Singh's death, Jawahir Singh was involved in a plot against Gulab Singh's son and heir, Maharaja Ranbir Singh, probably an attempt to divert the succession to the whole of the State of Jammu & Kashmir from Gulab Singh's line to that of Dhian Singh, of which Jawahir

Singh was the senior representative. The British, in order to eliminate any challenge to the position of the Maharaja Ranbir Singh, who had already acquired a considerable stature in the geopolitics of the Indian Empire as a bastion of India's Northern Frontier against that Russian menace which so obsessed mid-Victorian British statesmen, deprived Jawahir Singh of all his territory; it was then handed over formally to the Maharaja Ranbir Singh. Moti Singh, however, was yet again left in possession of Poonch, subject only to the payment of a nominal and symbolic tribute to the Maharaja.

By 1873 Poonch was to all intents and purposes just another Indian Princely State, a member of a group which the British Government of India knew as the Punjab Hill States. It ran its own administration and raised its own revenue, including customs duties. The Raja, Moti Singh, had his own army of some 1,200 men and a battery of artillery. In addition, he could call on a kind of territorial reserve of former soldiers and government pensioners, all of them Muslims and many of them having served in the British Indian Army (which recruited extensively from Poonch). In the 1890s, after the Government of India had deprived the then Maharaja of Jammu & Kashmir, Pratap Singh, of almost all his powers and was in effect directly ruling the State through the British Resident in Srinagar, the role of the Maharaja in Poonch affairs virtually disappeared. The only administrative references now made from Poonch to Srinagar were requests for the confirmation of death sentences by the British Resident. From 1906 to 1922 the Government of India provided the Raja of Poonch with an official from the Punjab who took final responsibility for the governance of the Jagir. Of the 30,000 troops from the general Kashmir region who served with British forces during World War I, no fewer than 20,000 came from Poonch; in gratitude, the Government of India awarded the Raja, Baldev Singh (who succeeded Moti Singh in 1897) the right to a personal salute of nine guns (the Maharaja of Jammu & Kashmir was a 21 gun salute Ruler).

In 1918 Baldev Singh was succeeded as Raja of Poonch by his son Sukhdev Singh. During this reign a crisis of great importance for the future began to develop in the relations between Poonch and the Maharaja of Jammu & Kashmir.

Maharaja Gulab Singh's grandson, Maharaja Pratap Singh, died in 1925 without a direct heir. He had been an extremely devout, even old fashioned, Hindu; and he looked askance at the modern ways of his younger brother, Amar Singh, who was his Chief Minister and, in this period of direct British supervision over the affairs of the State of Jammu & Kashmir, far more powerful than the Maharaja. The obvious heir was Amar Singh's son, Hari Singh, but Hari Singh, apart from sharing his father's delight in western dress and manners, had turned out to be dissolute and extravagant; the British Indian Political Department had to rescue him in London from some extremely

embarrassing attempts to blackmail him. As his death approached, therefore, Maharaja Pratap Singh resolved that the succession should pass to the Dhian Singh line as represented by the younger brother and heir to the Raja of Poonch, Jagatdev Singh who, Pratap Singh declared, was the "Spiritual Heir to Kashmir".

Maharaja Pratap Singh, despite the approval of the Chamber of Princes, was overruled by the Political Department, which thought that Hari Singh, whose disreputable background might make him easier to manipulate, would prove a more amenable Maharaja. Thus Maharaja Sir Hari Singh, destined to play such a prominent part in the Kashmir crisis of 1947, came to the throne of Jammu & Kashmir State with an abiding loathing for his potential rival in Poonch, who remained in the eyes of many in both Jammu and Kashmir the true "Spiritual Heir to Kashmir"; he was determined that this threat to his authority should be suppressed as soon as a suitable opportunity presented itself.

Sukhdev Singh died in 1927. Jagatdev Singh, as the new Raja of Poonch, at once began to feel the force of the animosity of Hari Singh. The Jammu & Kashmir Government immediately produced an edict, a *Dastur-i-Amal*, in which it was specified that the Raja must from now on always appoint a Wazir (Chief Minister) selected for him in Srinagar or Jammu, and that all Poonch decisions would have to be drafted by this official. Moreover, the Raja would be subjected to severe restrictions in his right to employ any foreign (that is to say British) advisers, and it was stipulated that all Jammu & Kashmir State laws would apply in the Poonch Jagir. Finally, the Raja must agree to visit the Maharaja at least three times a year to perform some act of homage in open Durbar (Court). Although intervention by the British Political Department resulted in most of these provisions being removed (the Political Department considered that Poonch was "more than an ordinary Jagir", and certainly not an integral part of the State of Jammu & Kashmir), yet the final text of the *Dastur-i-Amal* of 28 January 1928 required the performance by the Poonch Raja of two acts of homage annually to the Maharaja; and this was duly approved by the British Resident in Srinagar, E.B. Howell.

Despite the modifications to the *Dastur-i-Amal*, Hari Singh began to treat Poonch as if it were just another province in his State. In 1929 he arbitrarily dismissed Raja Jagatdev Singh's Wazir along with other Poonch officials. When Jagatdev Singh attempted to see Hari Singh, who was then staying at the Taj Mahal Hotel in Bombay, to discuss the situation, the Maharaja refused him an audience.

Two years later came what amounted to a public break in relations between the two Dogra Rulers. On 15 May 1931 a reception was held for Hari Singh at the Shalimar Gardens in Srinagar. Protocol had it that the Maharaja would arrive late, and that when his motor car reached the gateway to the Gardens, all

those present would come down to the entrance to greet him. Everyone, including the Ruler of the other Jagir in the State, Chenani, followed custom except for Jagatdev Singh, who remained in the pavilion where he waited for the Maharaja to come to him just as if the two men were at least of equal status. Hari Singh was furious. For a few days the Poonch Raja was denied the right to attend any official function in the State, and then he was stripped of his entitlement to a four gun salute which had been granted him by Maharaja Hari Singh, though he retained, of course, the nine gun salute which the Government of India had awarded Baldev Singh.

In late 1936 Hari Singh launched a detailed attack on what remained of Poonch autonomy. Poonch courts were made directly subordinate to the Jammu & Kashmir High Court. The right of the Poonch Raja to raise troops from among his subjects was severely curtailed. The Poonch police were subjected to strict State supervision. All branches of Poonch administration were to be liable to inspection by the Maharaja. Finally, Poonch was denied the valuable right to levy its own customs duties. Naturally, the Raja of Poonch protested to the British Indian Political Department, and desultory discussions ensued until 1940, when Raja Jagatdev Singh died and was succeeded by his son, Ratandev Singh.

Here was Hari Singh's chance. The new Raja was a minor. Hari Singh declared that he would not permit Ratandev Singh ever to assume any authority in the Jagir until a fresh arrangement, *patta* (charter), was devised. Meanwhile, the administration of law in Poonch would conform to the practice in the rest of the State of Jammu & Kashmir under the authority of the State Supreme Court, and all Jammu & Kashmir State taxes would apply to the Jagir. Hari Singh selected a formidable Dogra guardian for the new Raja, Rao Bahadur Baldev Singh Pathania who had formerly been Governor of Kashmir Province. An Administrator of the Jagir was appointed, one Sheikh Abdul Qayum, a former Chief Justice. The Poonch right to collect customs duties was abrogated; in compensation, the Maharaja agreed to pay the Jagir treasury 78,000 Rupees annually.

This time the British acquiesced with scarcely a murmur; there was some talk of revision in 1943, but nothing seems to have come of it. Jammu & Kashmir State troops were helping in the War, and during that emergency the Government of India had no desire to argue with any of the major Princes about what could well be seen to be domestic matters: the Princes were valued as bulwarks against anti-British agitation by the Indian National Congress and others.

These events played a significant part in the genesis of the Kashmir problem in ways that have to date remained rather obscure. The Poonch Rajas, despite the horrors of suppressed rebellion in the 1830s which we have noted, had

developed a close and, on the whole, harmonious relationship with their predominantly Muslim subjects who came to look on them as a barrier against the imposition of far less tolerant rule from Jammu and Srinagar.

Unlike the Muslims of the Vale, who were on the whole anything but martial, and usually (and, we now know well, mistakenly) regarded as virtually inert in political matters by observers both in and without the State, the men of Poonch were by tradition soldiers. As we have seen, over 20,000 of them served in the Indian Army in World War I. In World War II the number was far higher; at its end at least 60,000 ex-servicemen returned to the Jagir. Their reaction to the political changes in Poonch was definitely negative. While the War was on, this did not in practice matter much. With the approach of the Transfer of Power, however, the Poonch problem became ever more acute. There were areas of remote countryside in what was often, along the Pir Panjal Range, extremely difficult terrain, into which the Maharaja's men did not dare to go, the Jammu & Kashmir equivalent of the unadministered tracts along the North-West Frontier of British India. On the eve of the British departure, in June 1947, refusal to accept the Maharaja's authority spread to more densely populated regions. Here was the beginning of the Poonch revolt.

The fiscal situation in Poonch at this moment was observed by Richard Symonds, a Quaker who was carrying out relief work in the Punjab. One of the very few outsiders with first-hand knowledge of what was going on in Poonch, he wrote in the *Calcutta Statesman* (4 February 1948) that the ex-servicemen returning to the Jagir found

there was a tax on every hearth and every window. Every cow, buffalo and sheep was taxed and even every wife. Finally the Zaildari tax was introduced to pay for the cost of taxation, and Dogra [Hindu] troops were billeted on the [Muslim] Poonchis to enforce collection.

These taxes were not, it should be noted, imposed on Hindus or Sikhs.

The first clear sign of the Poonch revolt was the refusal by many villages and landlords dotted over the region to pay these new, and unaccustomed, taxes to the Maharaja's agents. Resistance was mainly confined, in the early stages, to the Bagh District of Poonch, the northernmost part of the Jagir. By July 1947 it was concluded in Srinagar that there was unequivocal evidence of some form of organised opposition to the recently imposed rule by the Gulab Singh branch of the Dogra Dynasty over the Poonch Jagir, a subject of extreme sensitivity which the Jammu & Kashmir State Government had no wish whatsoever to discuss either with the British or with their political successors-in-waiting; the last thing they wanted was a revival of an external investigation into the status of Poonch.

By the actual days of Transfer of Power, 14 and 15 August, this essentially separatist movement had spread beyond Poonch into Mirpur and parts, even, of Jammu, and it had become inextricably involved with the question of the whole State's future, to be independent or to exist in association with either India or Pakistan. Most active opponents of Maharaja Hari Singh's rule at this moment considered that Pakistan in some way offered the best hope of salvation.

The Transfer of Power, dated to 14 August in Pakistan and 15 August in India, was accompanied in Srinagar on both those days (which just happened to coincide with a special "Kashmir Day" which had been commemorated in British India since the Srinagar crisis of 1931 when the Maharaja's men had fired into a crowd and killed a score of protestors) by the widespread display of Pakistan flags and great public excitement. The Jammu & Kashmir Government responded with a ferocious application of police force, and many casualties resulted. Repression in Srinagar was a great stimulus to thoughts about the State's political future.

Some saw the only hope for stability and peace in a rapid replacement of the Maharaja by a regime in close association with India. This was the view of many leading Hindu Pandits, including those who had supported Sheikh Abdullah's National Conference. Whether Sheikh Abdullah himself, then still in prison, thought thus is not known. Probably he still adhered to his old dream of an independent State, the "Switzerland of Asia", under the administration of the National Conference with himself at the head of affairs. Others looked to immediate opposition to the Maharaja, be it armed or political, leading to independence, or to association with Pakistan or even, in the case of Poonch, to the recovery of that autonomy which Hari Singh had abolished so brutally not so long ago.

Thus the disturbances in Poonch, up till now no more than sporadic outbreaks of uncoordinated hostility to Jammu & Kashmir State authority, began to acquire a command structure and, in the process, turn into a true rebellion. Again, the Bagh District of Poonch seems to have provided the venue. In the last week of August a series of public meetings here, presided over by a number of local men of substance including the young landowner Sardar Abdul Qayum Khan (still, at the moment of writing in 1996, a great figure in Azad Kashmiri politics), approved the concept of some kind of independence for the region. On 26 August (at least according to the received version on the Muslim side) a public meeting near Bagh was fired upon by the Maharaja's police. Some people at the meeting fired back, and thus battle was joined. Sardar Abdul Qayum Khan and a group of his friends withdrew to a neighbouring forest where they set up a headquarters and despatched messengers to Rawalkot and elsewhere to spread the news that open conflict had now started between the



Muslims of Poonch and the Maharaja. Their influence soon spread southwards into the Mirpur region.

The various Azad Kashmiri stories of the origins of the Poonch revolt tend, naturally enough, towards the romantic, and they may well conceal events which have not been recorded and which involve unknown persons. What is undoubtedly true, however, is that in the last week of August a condition of unrest and spasmodic violence in Poonch had turned into an organised opposition to the Dogra Dynasty the like of which had not been seen since the revolt of Shams-ud-Din in the 1830s. Sir Hari Singh lacked the power, though probably he did not lack the wish, to treat the rebels as had his great-grandfather in that firm manner which, we have seen, so amazed G.T. Vigne. Thus the rebellion grew in strength as more and more ex-soldiers rallied to the cause, either bringing their weapons with them or capturing rifles from the State forces.

With all this the sources on the official Jammu & Kashmir State side do not disagree. By the second week of September the Maharaja's position in Poonch and Mirpur, at least in the countryside as the towns were still secure enough, was extremely precarious. It is recorded that by 13 September no fewer than 60,000 Hindu refugees had passed from the Poonch-Mirpur area towards Jammu and about half the total Hindu and Sikh population had fled the areas of disturbance. The Chief of Staff of the Jammu & Kashmir State Forces, Major-General Scott, advised his master the Maharaja to take serious notice of what was going on. On 22 September, in what was to be his final report before retirement, Major-General Scott made it clear to the Maharaja that on their own the Jammu & Kashmir State Forces could not hope to contain the situation.

The Poonch Revolt possessed certain features which made it particularly difficult to suppress. The region of Poonch and Mirpur lies along the Pakistan border, here marked by the course of the Jhelum River, rapid but by no means uncrossable. The inhabitants on the left bank have always enjoyed close relations with people on the other side to their west, in the Hazara District of the North-West Frontier Province and Rawalpindi and other Districts of the Punjab. There is a strong Pathan influence in Poonch, and the major martial group, the Sudhans, claims an Afghan ancestry. Elsewhere the cultural climate is essentially Punjabi. Thus, cultural and ethnic links across the Jhelum made it impossible to seal off the left (Jammu & Kashmir State, or Poonch) bank from the right (Pakistan).

The Jhelum border, of course, was of much more than local interest. The region of the Poonch revolt, essentially those lands originally acquired from the Sikhs by Dhian Singh, was a frontier zone of the Punjab to the security of which it was essential. No statesman in Pakistan who had thought about the matter could have contemplated with anything but alarm the prospect of the

Jhelum river becoming the actual border with India (should Indian troops come to the Maharaja's assistance). Whatever took place on the left bank of the Jhelum could not fail to concern those responsible for the administration of the right bank. It was inevitable, therefore, that contact would be established between the Poonch rebels and the Pakistan authorities at some level, though not of necessity involving the top leadership.

Equally inevitable, however, was that at this period any such contact should tend to be made on an *ad hoc* basis and not as the expression of a carefully thought out strategy. Pakistan, in August and September 1947, was still in the process of trying to establish itself as a viable polity. Units of its Army were stranded deep in India. Its finances were parlous and much of what it considered to be its assets was locked away in Indian banks. Refugees in their millions had flooded into its territory and required resettlement and assimilation. Here was not a regime capable of detailed planning to meet a situation across the Jhelum of a kind which, prior to the Transfer of Power, had been totally unanticipated by any statesman of the Dominion-to-be. Plans made or actions taken had, perforce, initially to be the improvised work of individuals, not the formal actions of a Government.

During September and the first days of October, emerging from the logic of the situation as we have just outlined it, a number of links were established between the Poonch rebels (with representatives in the Pakistan hill station of Murree) and individuals and groups in Pakistan. Given the close connection between Poonch men and the Pakistani component of the old Indian Army, it was not surprising that a large number of informal arrangements brought men (usually old soldiers from Poonch, "Poonchies", who had served the British in the Indian Army) and some arms, mainly .303 Lee-Enfield rifles and ammunition, to the forces of what was already being known as Azad ("Free") Kashmir.

The rebels were fast establishing their own leadership structure, not, it must be admitted, without internal conflicts of such a bitterness that some of them continued, deep underground, to exert a sinister force on Azad Kashmiri politics for many years to come. A young Sudhan from Poonch, a lawyer and landowner named Sardar M. Ibrahim Khan, who was a Muslim Conference member of the Jammu & Kashmir Legislature and who had held junior office at one time as a legal officer under the Maharaja, emerged as one potential head of the Poonch liberation movement, but there were others. The great achievement of Sardar Ibrahim Khan was, during the course of September, to establish contact with a number of leading politicians and other important figures in Pakistan, including the Prime Minister, Liaquat Ali Khan, who were willing to do what they could to help in highly unofficial ways. The evidence is clear that the Governor-General, M.A. Jinnah was not personally involved.

A key meeting seems to have been held in Lahore on 12 September from which the subsequent shape of contact between certain influential individuals in Pakistan (both official and unofficial) and the Poonch rebels, whom we will from now on call Azad Kashmiris, evolved. Some four thousand .303 rifles were offered; they were to be diverted from the Punjab Police (and, in the event, they were surreptitiously replaced by inferior Frontier-made rifles). Two commanders, Khurshid Anwar and M. Zaman Kiani, emerged as leaders of the Azad Kashmiri military. Khurshid Anwar, a former Muslim League activist, had at one time been in the Indian Army, where he attained the rank of Major. Zaman Kiani, as an INA (the pro-Japanese Indian National Army) officer, had been a divisional commander under the Japanese in their invasion of Manipur in 1944. As liaison between these men and their sympathisers in Pakistan one Colonel Akbar Khan of the Pakistan Army more or less appointed himself.

At this point the main concern of both the Azad Kashmir movement and its enthusiasts in Pakistan was to keep the Poonch revolt alive. The available sources indicate that the supply of both weapons and men from Pakistan in September was indeed slight. The Azad Kashmir army fought mainly with materiel captured from the Jammu & Kashmir State Forces, and its ranks were dominated by deserters and old soldiers from that body, augmented by friends and relatives from across the Jhelum. Some of the Pakistani supporters, notably Colonel Akbar Khan, were given to the preparation of ambitious plans. Akbar Khan was an advocate both of a preemptive attack towards the road from Madhopur on the Indian border to Kathua (the key to the Banihal Pass route from India to Srinagar) and of an Azad Kashmiri advance to Srinagar along the Jhelum Valley Road. A number of Akbar Khan's plans of this tendency were subsequently to be exploited by the Indians, who claimed to have captured copies of orders for a variety of projects including what they called OPERATION GULMARG, as evidence of sinister Pakistani operational schemes for "aggression" towards the State of Jammu & Kashmir beyond the confines of Poonch. Such proposals, however, were just then no more than ideas of an enthusiastic individual who exercised at the time no operational command.

Was there indeed, in September and early October 1947, any formal Government of Pakistan policy at all towards the State of Jammu & Kashmir? We can detect two closely related considerations which, divorced entirely from whatever might be going on in Azad Kashmir, dictated to M.A. Jinnah and Liaquat Ali Khan a basic posture towards the Government of Jammu & Kashmir.

First: at the Government of Jammu & Kashmir's request on 12 August 1947, Pakistan had on 15 August (the first possible moment after the Transfer of Power) accepted a Standstill Agreement with that State. India, incidentally, had effectively declined a similar proposal. As we have already seen, Standstill

Agreements, emerging from the practical mechanics of the Transfer of Power, provided for the continuation of essential relations, in communications, posts, trade and the like, between a Princely State yet to be decided on its future status and one, or both, of the two new Dominions. The official view in Karachi was that so long as this Standstill Agreement was in existence, the Maharaja of Jammu & Kashmir would probably not join either Dominion and certainly would keep himself free from formal Indian entanglements.

Second: under the umbrella of the Standstill Agreement direct negotiations could be carried on between the Government of Pakistan and that of the Maharaja in which the shape of their future relationship could be worked out in due course. Quite what this would be was not clear. M.A. Jinnah always assumed that Kashmir, which in his mind most probably meant the Vale, would in the end enter the Pakistan sphere; after all, the letter K in the name Pakistan stood for Kashmir. The precise shape of future Pakistan-Kashmir relations, however, was not the subject of much debate or planning in Karachi immediately after 14 August.

In late September the Standstill Agreement started to break down. Much of the State of Jammu & Kashmir, and above all Srinagar, depended upon supplies getting through from Pakistan along the Jhelum Valley Road. Petrol, kerosene, flour, sugar, and a host of other necessities came in this way; in return was exported the timber which was so vital to the State's revenues. The free flow of traffic along the Jhelum Valley Road now began to be interrupted. The Jammu & Kashmir Government complained. Liaquat Ali Khan, apparently uncertain as to what was actually going on, answered (2 October) that he would do everything he could to get traffic moving. He did point out, however, and not unreasonably, that "drivers of lorries are for instance reluctant to carry supplies between Rawalpindi and Kohala" on the State border because of the prevailing anarchy in the aftermath of Partition. He urged the Maharaja to receive an envoy from the Government of Pakistan with whom to discuss this matter and explore ways to improve the situation.

From this moment until 20 October the Government of Pakistan worked hard at initiating direct discussions. Colonel A.S.B. Shah, a senior official in the Pakistan Ministry of Foreign Affairs, was sent up to Srinagar where he attempted to talk things over with the State Government including, after 15 October, the new Prime Minister Mehr Chand Mahajan. It was a fruitless endeavour. Mahajan claimed that Colonel Shah was trying to blackmail the Maharaja into accession to Pakistan. Colonel Shah, on the other hand, reported that he could find no person with whom he could talk realistically. The senior advisers to Hari Singh all appeared to have made up their minds that their salvation lay with India, and they showed no interest at all in what he had to say. In this climate of misunderstanding the Shah initiative broke down. On 18

October Mahajan told both M.A. Jinnah and Liaquat Ali Khan that if the present problems of interrupted communications, aggravated by help which the Poonch rebels were receiving from Pakistan, were not resolved at once, then his Government would be fully entitled to seek "friendly assistance", in other words turn to India for help. Jinnah made a final, abortive, attempt at peaceful negotiation on 20 October when he told Sir Hari Singh that "the proposal made by my Government for a meeting with your accredited representatives is now an urgent necessity."

M.A. Jinnah and Liaquat Ali Khan took the Maharaja's communication of 18 October to be an ultimatum. As far as they were concerned, failing any favourable response to the Pakistan Governor-General's appeal of 20 October, this was the end of negotiation.

Had there ever been a blockade? The Indian side have made a great deal out of this allegation, in which they have detected the preliminaries to Pakistan's intended "aggression" into Jammu & Kashmir. The evidence does suggest that there was indeed the development of obstacles of sorts to the passage of goods between Pakistan and the State of Jammu & Kashmir. These were not imposed on the orders of the Government of Pakistan, which was anxious in every way to strengthen the force of the Standstill Agreement. Much obstruction to traffic, however, so the British High Commission in Karachi concluded after careful investigation, was deliberately overlooked, if not actually encouraged, by subordinate officials, notably Abdul Haq, District Commissioner for Rawalpindi, supported by his brother, Syed Ikramul Haq, a senior official in the Pakistan Ministry of Defence. Such individuals were inclined to take matters into their own hands because, regardless of the official policy in Karachi, events along the borders of Jammu & Kashmir State were following a course which those in local authority on the Pakistan side simply could not ignore. Further, in the prevailing climate of Hindu-Muslim conflict following Partition they were not disposed to go out of their way to assist any Hindu polity such as the regime of the Maharaja of Jammu & Kashmir.

There can be no doubt, moreover, that whatever the Haq brothers might have done was greatly facilitated by the prevailing anarchy in that part of the Hazara District through which ran the Rawalpindi-Srinagar road. Here, in what was really an eastward extension of the tribal belt of the North-West Frontier, powerful armed bands of tribesmen had by the beginning of October established blockades of varying duration and intensity across the major routes (so, among others, European residents being evacuated from the Vale noted), and their presence would certainly have served as a deterrent to all but the most determined lorry drivers. It is likely that without any effort at all on the part of the Haq brothers there would have been a major disruption in the flow of traffic along the Jhelum Valley Road.

The Government of Jammu & Kashmir State did not fail to react to the Poonch revolt and its extension southwards into Kotli, Mirpur, Bhimber and elsewhere. It tried to confiscate all arms and ammunition from the local Muslim population in such areas as it could control. It permitted armed bands of Hindus and Sikhs, including members of extremist organisations like the RSS (the Hindu militant *Rashtriya Swayamsevak Sangh*, which was to be banned in India in February 1948 following the assassination of Mahatma Gandhi) from the Indian side of the border, to execute massacres of Muslims in Jammu and in Riasi and Mirpur Districts. By the end of September Muslim refugees escaping the fury thus unleashed were flowing in ever increasing numbers both into Pakistan and into territory controlled by the Azad Kashmiri forces. There is evidence that from the outset regular troops and police in the State service joined informally and covertly, but enthusiastically, in these atrocities which, some have estimated, eventually resulted in the death of at least 200,000 Muslims and drove twice as many into exile.

By the beginning of October the Jammu & Kashmir State authorities joined openly in this anti-Muslim policy by setting out to create along the State's border with Pakistan (in the region of Gujrat and Sialkot) a depopulated zone some three miles deep. Hindus here were evacuated. Muslims were either killed or driven across into Pakistan. On a number of occasions Jammu & Kashmir State Forces actually crossed over into Pakistan and destroyed villages there (well documented acts of Jammu & Kashmir State "aggression" on its territory which Pakistan has signally failed to exploit in its arguments concerning the rights and wrongs of the Kashmir situation). Early in October British observers saw in one such village on the Pakistan side of the border no fewer than 1,700 corpses of slaughtered Muslim men, women and children. Before 22 October, a crucial date in the Kashmir story, the Pakistan authorities reported that at least 100,000 Muslim refugees from Jammu were being cared for in the neighbourhood of Sialkot. The Government in Karachi might talk about negotiations, but there was a growing body of opinion in Pakistan, particularly in the Punjab, which argued forcefully for more direct action to stop the killing.

What was the reaction in India to the development of the Poonch revolt, the emergence of an Azad Kashmir and the steady erosion of the Maharaja of Jammu & Kashmir's authority? From some sources, particularly those emanating from the entourage of the Governor-General, Lord Mountbatten, one could well derive the impression that the Government in New Delhi felt, right up to the evening of 24 October 1947, that all was well in this paradise of Jammu & Kashmir. It has become clear, however, from other sources, notably the published papers of Jawaharlal Nehru and Vallabhbhai Patel, that in some circles of the Government of India the situation in Jammu & Kashmir was receiving a great deal of attention; and there were those among the Congress

leadership who were determined that the State would not drift away unchecked into the Muslim sphere of influence presided over by Jinnah's Pakistan. [See, for example: Durga Das, (ed.), *Sardar Patel's Correspondence 1945-50*, vol. 1, *New Light on Kashmir*, Ahmedabad 1971; S. Gopal, (General Editor), *Selected Works of Jawaharlal Nehru*, 2nd Series, Vol. 4, New Delhi 1986].

On the eve of the Transfer of Power Jawaharlal Nehru had demonstrated what to many of his colleagues seemed to be an obsessive interest in Kashmir, his ancestral home. It was he who had tried in June 1947, and probably successfully, to persuade Mountbatten that Sheikh Abdullah and his National Conference in their alleged wish to join with India represented the true voice of the vast majority of the Kashmiri people. His concern with Kashmiri issues was well known at the time; and it caused no surprise. On the other hand, his Deputy as Prime Minister, and his main political rival, Vallabhbhai Patel, has often been represented as a person of far more pragmatic outlook, prepared should expediency so dictate, to let the State of Jammu & Kashmir (or the Vale of Kashmir at least) pass quietly to Pakistan. One of the most interesting revelations of the Patel papers when they began to be published in 1971 was the extent to which this powerful Congress politician had directly involved himself in all planning directed towards an eventual Indian acquisition of the State of Jammu & Kashmir.

Nehru's interest in Kashmir was largely emotional; there he saw his personal roots in Indian civilisation. Patel had a cold geopolitical approach to the future of the whole State of Jammu & Kashmir. It was the potential Indian outlet to Central Asia. In Indian hands it would severely curtail the future freedom of international action of Pakistan. More immediately, possession of Kashmir Province would give India a direct access to the Pathan world, not only the fringes of Afghanistan but also the North-West Frontier Province of Pakistan where Congress retained a peculiar influence in an area with a virtually total Muslim population; before independence there had been a Congress Ministry here. The possibilities for the exertion of pressure upon Pakistan, directed, if need be, towards its destruction, were manifold. Patel may, as we will see below, have seemed at times disposed towards some form of compromise with Pakistan over the Kashmir dispute; but he, far more than Nehru, also saw Kashmir's value as a lethal weapon against Pakistan.

Vallabhbhai Patel had been in close contact with a number of prominent figures in the politics of Jammu & Kashmir since at least 1946; but it is only in September 1947 that the available records begin to document his involvement with preparations for the coming Indo-Pakistani clash over the State's future.

On 13 September Patel received a request from the Jammu & Kashmir Government for a military adviser in the person of Lt.-Colonel Kashmir Singh Katoch, who was not only a serving officer in the Indian Army but also the son

of the then Jammu & Kashmir Prime Minister, Major-General Janak Singh, a relative of the ruling Dogra family of Maharaja Sir Hari Singh. The request was passed with approval to the Minister of Defence, Sardar Baldev Singh; and in due course Kashmir Singh Katoch was deputed to Srinagar where he undoubtedly played a significant part in the forthcoming crisis.

From this date onwards we have evidence of all sorts of Indian military aid being provided with Patel's express approbation for Jammu & Kashmir, of which the following are examples. On 28 September, at the urgent request of Maharaja Sir Hari Singh, Patel arranged for the provision of one civilian aircraft (from Dalmia Jain Airways, presumably a DC3) to run a special service between Srinagar and Delhi. By 1 October wireless equipment had been provided to assist all-weather operations at Srinagar airport, to which supply flights could now begin to take in loads of arms and ammunition to the Jammu & Kashmir State Forces from Indian stocks (which, so soon after the end of World War II, were indeed massive). Preparations were also at this time put in hand for more effective telegraphic communications between India and Jammu and Srinagar; and the road from the Indian Punjab border near Madhopur to Jammu was now being greatly improved by the construction by Indian Army Engineers of a pontoon bridge over the Ravi leading to Kathua.

Somewhere around the second week of October the decision was taken in New Delhi to send actual troops as well as arms and equipment; some units from the Patiala State Army, at least one battalion of infantry and a battery of mountain artillery, were transported to Jammu & Kashmir (clues to this strange episode are to be found, among other places, in the writings of two senior Indian soldiers, Lt.-General Sen and Major-General Palit). One infantry battalion was stationed in Jammu City, where it reinforced the Maharaja's major stronghold; and a mountain artillery battery reached the outskirts of Srinagar airfield. It is possible, indeed probable, that at least another battalion of Patiala infantry was sent forward along the Jhelum Valley Road to the neighbourhood of Uri where it stood in reserve behind the 4th Jammu & Kashmir Rifles guarding the two major points of access to this road from Pakistan. Some of these men travelled overland; but it may well be that some also came by air. The Patiala troop movements, the evidence indicates, were completed by 18 October. Published Patiala sources, which have surely been heavily doctored to accord with the chronology of established Indian mythology, suggest that this intervention took place at the personal request to the Maharaja, Yadavindra Singh, by Jawaharlal Nehru.

In that the Patiala State Army was at this time legally part of the Armed Forces of the Indian Union, such a despatch of units from its strength amounted *de jure* to direct Indian military intervention in the State of Jammu & Kashmir - Patiala had formally joined India on 5 May 1947 as part of PEPSU (Patiala and



East Punjab States Union), and, thereby, had handed over to New Delhi ultimate control of (and, as a corollary, responsibility for) both defence and foreign policy; but, of course, what the odd Patiala unit did was unlikely to come to the formal notice of the Indian High Command, still British dominated. The Patiala Ruler was apparently only too willing to come to the aid of his fellow Maharaja; and he showed no interest in constitutional and diplomatic niceties. When India overtly intervened in Kashmir on 27 October, the Maharaja of Patiala lost no time in joining his men, some at least already in the field in Jammu & Kashmir.

There is some evidence that, by the beginning of the third week in October, Vallabhbhai Patel and his associates, including Baldev Singh at the Defence Ministry, had approved a number of other measures which involved a greater or lesser degree of direct Indian participation in the defence of the State. It is possible, for example, that Indian Army demolition experts had been provided (or promised) to prepare for the destruction of the bridges at the western end of the Jhelum Valley Road, notably that across the Kishenganga (over which ran the road from Mansehra), in the event of any incursion from the Pakistan side. Again, on 21 October (on the eve of a drastic escalation of the Kashmir crisis, as we shall see below) Patel was arranging for another Indian specialist, Shiv Saran Lal, to go to Srinagar to advise the Maharaja on the most effective ways of dealing with those Pathans whose more active intervention in Kashmir affairs was now being anticipated, possibly by exploiting their traditional tribal animosities. Shiv Saran Lal before the Transfer of Power had been Deputy Commissioner of Dehra Ismail Khan (in Pakistan since 15 August) and was a man exceptionally well versed in matters relating to the tribes of the North-West Frontier,

Quite as significant, perhaps, as these various practical measures was the interest shown by Patel and his colleagues (including Nehru) in the details of active politics in the State of Jammu & Kashmir. In early October, for instance, Dwarkanath Kachru (Nehru's confidential associate, as we have already seen, of whom more below in Chapter VI) had been in Srinagar sounding out Sheikh Abdullah's party, the National Conference, on its attitude towards the State's accession to India. Kachru warned Patel in no uncertain terms that unless something decisive were done by India, the State would drift by default into the orbit of Pakistan. Patel's principal counter to this threat, it would seem, was his advocacy of the appointment of Justice Mehr Chand Mahajan as State Prime Minister in the place of Janak Singh. Mahajan, one of the two Indian members on the Radcliffe Commission, was an undoubted supporter of accession to India. The record leaves it clear that, at least in the eyes of the Indian Cabinet, his appointment (which took formal effect on 15 October) was intended to bring

that accession about; and he was believed to possess the skill and determination to do what was expected of him.

The fact that senior politicians in New Delhi had decided weeks before 15 October that such an accession was essential to Indian interests is not open to serious doubt. A letter from Nehru to Patel, dated 27 September 1947, is by itself sufficiently clear evidence for this conclusion. As Nehru then declared: winter was approaching, and the Banihal Pass, that lifeline between Jammu and Srinagar, would soon be snowbound; unless Maharaja Sir Hari Singh decided, or was obliged, to accede to India in the very near future, then Pakistan would take over the entire Vale of Kashmir as well as Baltistan and Ladakh. India, therefore, must act quickly, in cooperation with Sheikh Abdullah and his National Conference, to bring about the preemptive accession of the State of Jammu & Kashmir to the Indian Union.

During the first two weeks of October such Indian plans, either in process of execution or under contemplation, were being watched both by the Government of Pakistan in Karachi, whose sources of information were not always of the highest quality, and by those in direct command of the Poonch revolt, the Government of Azad Kashmir, whose intelligence was potentially much better because of their close contacts with Srinagar.

The history of the Azad Kashmir regime for this early period is not well documented. A Republic of Kashmir had been declared in Rawalpindi on 4 October 1947 (at a meeting held in the Paris Hotel). Its capital was to be at Muzaffarabad and its President, so press releases had it, was one Mohammed Anwar. His name was clearly a pseudonym; and debate still continues as to the true identity of M. Anwar. This Republic then passed into oblivion, for reasons as yet unclear. On 24 October another regime, this time the Government of Azad Kashmir, was proclaimed with Sardar M. Ibrahim Khan (who had also been a member of the 4 October Cabinet) as its President. What we do know for sure is that from late September there had been intense political activity in the Azad Kashmiri world by individuals representing various groups involved in Jammu & Kashmir State politics, delegates of the Muslim Conference from Srinagar, Sudhans and non-Sudhans from Poonch, and both officials and private persons in Pakistan with Kashmiri interests; and behind all these lay the organisation of the high command of the actual Azad Kashmir military, itself divided into sectors and factions. There was no formal coordination by the Pakistan Government, though inevitably leading Azad Kashmiri figures were in constant touch with sympathisers in Pakistan. While the 4 October Republic was abortive, yet well before its successor acquired a definitive shape on 24 October an Azad Kashmiri administration had been functioning which sufficed to provide a focus for the military elements of the Poonch revolt.

By the third week of October the Azad Kashmiri leaders had concluded that a direct Indian intervention in the State of Jammu & Kashmir in support of either the Maharaja or Sheikh Abdullah's National Conference was inevitable in the very near future. What the key warning signal was, we do not know. Perhaps the announced forthcoming assumption of office of Prime Minister by Mahajan on 15 October, perhaps news of the arrival of Patiala men to bolster the flagging efforts of the Jammu & Kashmir State Forces at some point on or before 18 October, perhaps that communication from the Jammu & Kashmir Government to the Government of Pakistan of 18 October which, we have seen, appeared to threaten the invitation of overt Indian assistance, or perhaps some event which has left no trace in the available records.

Any Indian intervention posed two major threats to the Azad Kashmir movement. First: in Poonch, Mirpur and southwards the State defenders of the main towns, like Poonch City and Mirpur, would be much encouraged; and there was a possibility of more effective sweeps by the Maharaja's men into the countryside. Second, and more crucial: a reinforced State would not only be able to use the Jhelum Valley Road to attack the Poonch rebels from their northern flank between Uri and Domel but also would bring the Indian Army to the borders of the North-West Frontier Province of Pakistan (not to mention Afghanistan), a region where the Government in Karachi faced potential security problems of the first magnitude, as had the British before them. Here the immediate interests of the Government of Pakistan coincided directly with those of the Azad Kashmiri command.

The northern sector of Azad Kashmir, in the region of Bagh and Rawalkot, was the responsibility of Major Khurshid Anwar, a man with close family links not only with Kashmir but with the Pathan world of the North-West Frontier. By the end of September there is evidence that Khurshid Anwar was in touch with Pathan tribal leaders on the North-West Frontier, with at least the passive support of the North-West Frontier Provincial Ministry under Khan Abdul Qayum Khan (himself with Kashmiri connections), in search of weapons (which existed in abundance here). Many Pathan tribesmen were only too well aware of the communal slaughter which had accompanied Partition, and they were eager to avenge the killing of their fellow Muslims by Sikhs and Hindus (with, doubtless, the added attraction of some plunder thrown in). It was inevitable that there should arise proposals for the recruitment of Pathan tribesmen by the Azad Kashmiri forces. One great advantage of such a source of fighting men, particularly in the context of the Jhelum Valley Road, was that they could be supplied easily enough with motor vehicles. The same Pathans from among whom the tribesmen were recruited were (by some quirk of socioeconomic evolution) deeply involved in the transport business in Pakistan and had easy access to lorries and buses.

In fact, of course, small parties of Pathan tribesmen had been involved in the Poonch Revolt for some time. The connection between Poonch and the North-West Frontier by way of Hazara was indeed close. Moreover, in the North-West Frontier Province tribal groups had already been organising themselves for *jihad*, holy war, since at least the latter part of September in spontaneous reaction to the communal killings in the Punjab. On 23 September, for example, a body of Gurkha and Sikh troops, who had been stranded on the North-West Frontier while the old Indian Army was being divided up, were attacked ferociously by a war party (*lashkar*) of Mahsuds, and only managed to extricate themselves after hard fighting. On that day the Governor of the North-West Frontier Province, Sir George Cunningham, noted in his diary that:

I have had offers from practically every tribe along the Frontier to be allowed to go and kill Sikhs in Eastern Punjab, and I think I would only have to hold up my little finger to get a *lashkar* of 40,000 or 50,000. [Cunningham's Diary, India Office Records].

Thus Khurshid Anwar would have no problem recruiting tribesmen. Indeed, his main difficulty, events were to make clear, was preventing too many of them from flocking to his command.

It was perhaps in the second week in October that a decision was made to recruit a number of tribesmen, 2,000 or so, complete with transport, specifically to take part in what would be Azad Kashmir's answer to the growing Indian threat, an offensive directed from the Hazara District border of Pakistan along the Jhelum Valley Road towards Uri and, perhaps if all went well, Srinagar itself.

The plan which emerged was designed to cope with two main problems. First: the lack of motor transport. There were no vehicles to be found among the essentially guerilla fighters in Poonch. Second: obtaining access to the Jhelum Valley Road, which was dominated by a number of guarded bridges, across the Jhelum at Kohala and Domel, and across the Kishenganga between Muzaffarabad and Mansehra.

The first problem could be solved by Pathan tribal recruitment, since, as we have already noted, those same tribesmen were traditionally connected with the bus and lorry business (as they still are today); though this particular expedient was not without its disadvantages of which Khurshid Anwar was probably well aware, arising from the undisciplined nature of such allies.

The second problem involved the elimination of the guardians of the frontier bridges, the 4th Jammu & Kashmir Rifles. The 4th Jammu & Kashmir Rifles was one of a number of mixed Dogra-Muslim units in the Jammu & Kashmir State Forces. About half the men, and a proportion of the officers, were Muslims, mainly Sudhans from Poonch. The rest were Hindu Dogras, including

the Commanding Officer, Lt.-Colonel Narain Singh. The Azad Kashmiris were in touch with their fellow "Poonchies" in the State Forces; and it was not difficult to arrange for the Muslim element of the 4th Jammu & Kashmir Rifles to go along with a plan which was intended to complete the expulsion of the Dogras from Poonch, and, perhaps Kashmir Province as well.

This plan was set in motion on the night of 21-22 October, when the Muslims in the 4th Rifles rose and disposed of their sleeping Dogra colleagues, thus not only leaving unguarded the entry into the State from Pakistan but also preserving from demolition the crucial bridges across the Jhelum and Kishenganga. The Azad Kashmiri attacking forces, reinforced both by tribesmen with motor transport (some coming up from the south through Poonch and some directly from Pakistan) and by former Muslim soldiers from the 4th Jammu & Kashmir Rifles, then took control of the bridges and, also, the important provincial centre of Muzaffarabad, in passing subjecting the bazaar to a thorough looting.

The Azad Kashmiri forces, now combined under the command of Major Khurshid Anwar (but lacking promised reinforcements from M. Zaman Kiani's command further to the south in Azad Kashmir), on 23 October pushed on along the Jhelum Valley Road to Uri, about half way from the Pakistan border to Srinagar. Here was an important road junction, with a motorable route from Poonch City joining from the south; but there were also here a number of *nullahs*, or ravines, crossed by bridges which the demolition experts with the Jammu & Kashmir State Forces managed to destroy before retreating.

The State abandonment of Uri was on 24 October. The damage to the bridges, however, sufficed to delay the Azad Kashmiri advance for a day or two. As we shall see in the next Chapter, the "battle" of Uri can be taken to mark the formal opening of what might be called the Kashmiri accession crisis. Up to the occupation of Uri the Azad Kashmiri campaign was really a logical extension of the Poonch revolt, the cleaning up of the northern flank and the erection of a barrier between Pakistan and Kashmir Province. The Jammu & Kashmir State Forces at Uri (who certainly outnumbered the Azad Kashmiris) were commanded in person by their Chief of Staff, Brigadier Rajinder Singh, and were, so the available evidence suggests, reinforced with Patiala Sikh infantry. Their collapse opened up a great target of opportunity. Srinagar, the heart of Kashmir, which probably up to this point had been an objective of but the most theoretical nature, now seemed within reach. Major Khurshid Anwar had the choice of either standing at Uri and establishing a permanent barrier there, or striking on eastwards in pursuit of the Maharaja's defeated men. He chose the latter. Not for the first time in history has hot pursuit been irresistibly seductive.

This was to be a fateful choice, though it is unlikely that the Azad Kashmiri commanders realised it at the time. It is probable that in due course both the Maharaja of Jammu & Kashmir and his Indian friends could have been persuaded to accept a successful defence by the insurgents of Azad Kashmir, even incorporating that portion of Kashmir Province containing Muzaffarabad and with a frontier at Uri. The end result could well have been the opening of talks, in which both India and Pakistan participated along with Jammu & Kashmir and Azad Kashmir, to work out the future of the region. Once they had advanced beyond Uri, however, the Azad Kashmiri forces moved away from the old and familiar framework of the Poonch revolt (involving what was essentially a marginal tract where the Maharaja's title was, as we have seen, uncertain) into the then uncharted wasteland of what was to become the great Kashmir dispute, the future of the entire State with all that this implied in geopolitical terms.

There remains one major question to answer. What part had the Government of Pakistan to play in this military venture into the State of Jammu & Kashmir? In a formal sense the Government as such took no part at all. The Governor-General, M.A. Jinnah, was kept ignorant of all details, though naturally he was aware that there was trouble of some sort brewing in Kashmir; and the Pakistan Cabinet took no minuted stance on this matter. There can be no doubt, however, that various individuals in Pakistan, both official and unofficial, did show an extremely active interest in what was afoot. We can probably divide these persons into three main categories.

First: there were those who had supported from at least 12 September the formation of the Azad Kashmir Government. Some were indeed of great seniority in Pakistan administration, including the Prime Minister, Liaquat Ali Khan. Their concern was not the day-to-day conduct of operations but rather the underlying necessity of keeping the Azad Kashmir movement afloat. In terms of organising supplies for Azad Kashmir the record suggests that these men achieved very little; their activity was largely symbolic.

Second: in the North-West Frontier Province and in the Rawalpindi District of the Punjab there were many officials both appointed and elected, from the Chief Minister of the North-West Frontier Province downwards, who were aware of the growing connection between the tribal world of the North-West Frontier and Azad Kashmir. It cannot be denied that such men did very little indeed to discourage this relationship. Some of them went out of their way to promote it.

Third: there were many individual soldiers in the Pakistan Army who appreciated the importance of the Azad Kashmir movement and felt it their duty to help it. A number of regulars took leave, or became technically "deserters", to join the fray; but in most cases this was later in the story. A few,

like Colonel Akbar Khan, took it upon themselves to assume senior staff responsibilities with the Azad Kashmiri forces. Subsequently, Akbar Khan under the pseudonym "General Tariq" was to take active command in the field, but not during the events under consideration here. Some Pakistani officers merely turned a blind eye when boxes of .303 ammunition mysteriously disappeared from armouries; but again, such actions were to become more important later on. It is safe to say that there was very little regular Pakistan Army presence, direct or indirect, in Major Khurshid Anwar's column on the road to Uri between 22 and 24 October 1947.

The real Pathan tribal pressure into Kashmir Province (as opposed to Poonch) from the North-West Frontier Province seems to have started quite late in our story, around 10 October, when tribesmen in Hazara adjacent to the main road from Mansehra to Muzaffarabad (one access route to the Jhelum Valley Road), began to gather into bands and rally to the Azad Kashmiri cause with the full support of their traditional leaders. They were particularly aroused by reports of the killings of Muslims that were then going on further south along the Jammu-Punjab border. The local administrative officials did nothing to hinder them; but, even had they so wished, there was really nothing they could do with the police at their disposal.

Very soon the centre of gravity, as it were, shifted westwards to Peshawar where the Government of the North-West Frontier Province had to decide what to do about the ever increasing number of Pathan tribesmen who wanted to involve themselves in the Kashmir fighting. The instinctive reaction of many in authority, including the Chief Minister and senior Police officers, was to give the tribesmen what help they could. In practice this meant not blocking roads and, at the same time, making petrol available to vehicles bound towards the Kashmir front. The diary of Sir George Cunningham, Governor of the North-West Frontier Province and a man with vast experience in tribal matters, suggests that this began to happen on about 15 October, when Major Khurshid Anwar turned up in Peshawar on his quest for arms and, perhaps, recruits, from the North-West Frontier.

As Sir George Cunningham's diary reveals so graphically, at this stage those Pakistani leaders who understood the Kashmir situation were divided. There were some, notably in the Government of the North-West Frontier Province, who were convinced that a campaign such as might emerge from Major Khurshid Anwar's projected operation on the Jhelum Valley Road would surely bring most of Kashmir Province into Pakistan. There were, however, more sober minds who believed that, on the contrary, it would probably precipitate the whole State of Jammu & Kashmir into the arms of India and persuade the Maharaja to sign an instrument of accession to that Dominion. Of such a view

was Colonel A.S.B. Shah, who had been negotiating in vain with the Jammu & Kashmir State authorities until 18 October.

The problem, once Major Khurshid Anwar's Azad Kashmiri plan was set in motion, was that it could not really be stopped. Neither the tribesmen nor the Azad Kashmiris were under Pakistani control. Indeed, any attempt to halt tribesmen on the move across Pakistan might lead to highly undesirable conflict between the Pakistan Army and the Pathan tribesmen which could well spread along the entire length of the North-West Frontier. Those Pakistani soldiers in the know, therefore, resolved to give what assistance they could and hope for the best. Aid, in fact, was effectively limited to supplying .303 ammunition, basic medical supplies and, perhaps, some motor fuel.

While senior Pakistani soldiers like Colonel Iskander Mirza (later to be to all intents and purposes the first military ruler of the new nation) were not particularly happy about the composition of the Azad Kashmiri force which was about to embark upon such a fateful venture, they could not forget that to let matters drift was probably worse. They were convinced that as soon as the improvements to the road to Jammu and Srinagar (including the Banihal Pass) from Pathankot in India were completed, which it was thought would be in January 1948, the Maharaja, confident of prompt military aid, would openly throw in his lot with India. Indian forces could then drive with ease from the Pathankot railhead over the Banihal Pass to Srinagar and the Jhelum Valley Road, whence they could approach Pakistan's vulnerable flank along the North-West Frontier. Pakistan could not stand by and just let this happen by default. The snows of winter might delay the outcome; but with spring the storm would surely break.

A real problem for the Pakistan Army was in the possible attitude of its senior British Officers. Given the existing command structure in the Sub-continent, which will be discussed again in subsequent Chapters, it was hardly likely that the British could publicly approve of initiatives by Pakistan which ran the risk, however slight, of an inter-Dominion military conflict; and it was clear that anything touching upon the State of Jammu & Kashmir fell into this category. Thus, as Iskander Mirza confessed to Sir George Cunningham on 26 October, senior British servants of Pakistan like Cunningham had, if only for their own peace of mind, been kept in the dark about what was planned for the Jhelum Valley Road on 21-22 October. (The question of the British Officers is examined in some detail in Chapter IX below).



## CHAPTER VI

### The Accession Crisis

When the Maharaja of Jammu & Kashmir, Sir Hari Singh, failed to accede to either India or Pakistan by 15 August 1947 he became the Ruler of what was for all practical purposes an independent sovereign polity. It was not, however, one united in its loyalty to the Maharaja and his Dogra Dynasty. There were at this time two major regions of discord, active or potential, between them involving about a quarter of the State's theoretical area.

First: as we have already seen in the previous Chapter, in Poonch and elsewhere along the left bank of the Jhelum opposite the Pakistani Punjab there was a steadily expanding revolt against the Maharaja's rule. The causes are both complex and in many respects still obscure. Some of the Muslims of Poonch disliked the way in which their own branch of the ruling Hindu Dogra dynasty (descended from Dhian Singh, a brother of the first Maharaja of Jammu & Kashmir, Gulab Singh) had recently been pushed aside by Sir Hari Singh: they had at least grown accustomed to it. Oppressive new taxes imposed here by the Jammu & Kashmir State Government since the end of the War were much resented. The prospect of Partition and the coming of Pakistan served to intensify hostility to the idea of continued subjection to Sir Hari Singh's Hindu dominion. In that many of the Poonch Muslims, notably members of a powerful clan known as the Sudhans, had fought in the British Indian Army and were experienced soldiers (it has been asserted, as we have already seen in the last Chapter, that there were at least 60,000 ex-servicemen in Poonch in 1947), it was natural that their grievances should turn into armed rebellion. This had begun before the Transfer of Power: immediately after 15 August the process intensified so that, by September, extensive tracts between the Pir Panjal Range and the left bank of the Jhelum had passed out of the Maharaja's control.

Second: in the Gilgit region, that part of the State which had been leased (for sixty years) to the Government of British India in 1935, the writ of the Maharaja of Jammu & Kashmir could hardly be said to run. The Gilgit lease had been formally surrendered by the British on 1 August 1947 and the leased areas were

now notionally under the Maharaja's rule. In fact, real power there resided in the Gilgit Scouts, a military force recruited by the British from the local Muslim populations and commanded by a British officer, Major William Brown. Its loyalties were uncertain. The presence in Gilgit town from 1 August onwards of Brigadier Ghansara Singh, the representative of the Maharaja, did not guarantee the future influence here of the State Government. As we shall see, in November 1947 the Gilgit Scouts threw off all vestiges of loyalty to the Maharaja and opted for Pakistan.

While the full implications of the Gilgit situation would not become clear until November 1947, already in June, July and early August there were observers, both British and Indian, including Mahatma Gandhi, who saw the seeds of great trouble in that region where a Muslim population was in the process of being handed over without consultation to the mercies of a Hindu autocracy after more than twelve years of remarkably benign direct British rule.

The Gilgit crisis was still latent at the moment of the Transfer of Power. The Poonch crisis, and its extension to adjacent tracts, however, was then real enough, and with time grew steadily more acute. As we have already seen, by September it had developed into a fully fledged civil war. The Poonch rebels and their allies within the State of Jammu & Kashmir had established their own command structure which was in contact with potential supporters across the Jhelum in Pakistan. Maharaja Sir Hari Singh, increasingly aware of the danger, was seeking help both from Indian political leaders, notably Sardar Vallabhbhai Patel, Sardar Baldev Singh and Jawaharlal Nehru, and from the Rulers of some of the Sikh Princely States which had acceded to India. The Indian politicians had set in motion plans for military assistance including the appointment of their own special military liaison officer in Srinagar (it is not clear whether the Governor-General, Lord Mountbatten knew about this); and at least one Sikh Ruler, the Maharaja of Patiala, had agreed (almost certainly with the knowledge of Jawaharlal Nehru) to lend Sir Hari Singh some units, both infantry and mountain artillery, from his own State Army (who actually turned up in some considerable force - at least one battalion, and probably rather more - in the State of Jammu & Kashmir before 22 October 1947).

On 3-4 October the Poonch rebels took a preliminary step towards declaring themselves the forces of an independent Kashmiri State, which was formally announced on 24 October as the Republic of Azad (Free) Kashmir. On 3 November 1947 the new Azad Kashmir Government asked by letter the Secretary General of the United Nations, Trygve Lie, to intervene on its behalf with the major world leaders, Stalin, Truman, Attlee and Chiang Kai-shek. While abortive, this initiative in fact marks a significant opening step in a process leading to eventual direct UN involvement in the Kashmir question: Azad Kashmir got there first, eight weeks before the formal Indian reference.

By this time, as we have seen, a genuine regular Azad Kashmiri armed force had come into being, with, it is true, a great measure of covert help from sympathisers in Pakistan. Some of its commanders were ex-INA (Indian National Army) officers who, having once fought for the Japanese against the old Indian Army and its British masters, were still something of an embarrassment to the new Pakistani military establishment and only too glad to find an outlet for their energies and skills in Azad Kashmir. Notably among these was M. Zaman Kiani, a veteran on the Japanese side during the Kohima and Imphal campaign. The precise details of the Azad Kashmiri command structure at this period remain something of a mystery, which has not deterred Indian commentators from describing the entire organisation a no more than a Pakistani puppet. The truth is certainly far more complex than this.

Other Azad Kashmir commanders had a less controversial background than that provided by the INA. One of them, a former Muslim League activist with Indian Army experience, Major Khurshid Anwar, in early October assumed a particularly important role. In anticipation of a major Indian intervention on the Maharaja's side in this civil conflict, he visited the North-West Frontier in Pakistan to recruit Pathan tribesmen to reinforce his forces. Some 2,000 such men, eager to support their fellow Muslims in what was widely seen as a *jihad* (holy war), were enlisted. Their passage to the Kashmir front across Pakistani territory was certainly not hindered by the local Pakistani authorities (who, indeed, probably lacked the power to do so had they so wished). On the night of 21-22 October (as has already been related in the previous Chapter) Khurshid Anwar's Azad Kashmiris, with their Pathan and Hazara tribal allies and aided by Muslim mutineers from the Maharaja's State Army (from the 4th Jammu & Kashmir Infantry, a unit containing both Muslim "Poonchies" and Hindu Dogras), captured Muzaffarabad and a number of key bridges over the Jhelum and Kishenganga (Neelam) rivers on the main route from the Pakistani Punjab to Srinagar, the Jhelum Valley Road. One objective, probably the major one and the most immediate, was clearly to protect the vulnerable northern flank of the area already held by the Azad Kashmiri movement. Another possibility, of course, was that a rapid advance along the Jhelum Valley Road all the way to Srinagar might bring the civil war to a speedy conclusion before Indian forces might arrive in sufficient strength to enable Sir Hari Singh, whose own army was on the point of collapse, to launch an effective counter-attack. By 24 October Khurshid Anwar's force had advanced to Uri, some eighty kilometres along the Jhelum Valley Road from Muzaffarabad towards Srinagar.

Here, at Uri on the morning of 24 October 1947 there occurred one of the great turning points in the history of the Kashmir dispute. Major Khurshid Anwar's column managed after nearly two days of fighting to break through a major road block. From the viewpoint of informed observers in Srinagar, it

might well have looked as if the way to the Kashmiri summer capital was now wide open.

The Jammu & Kashmir defenders of Uri, consisting of State regulars, assorted noncombatants drafted in, and the various Sikh mercenaries or informal allies whom the Azad Kashmiri side knew collectively as "Patialas", all commanded by Brigadier Rajinder Singh (the Chief of the Military Staff of the Jammu & Kashmir State Forces in succession to Major-General Scott, who had retired in late September), were obliged to withdraw rapidly through Mahura on the road to Srinagar after having destroyed a series of bridges over *nullahs* (ravines) near Uri where the Jhelum Valley Road was joined from the south by the key track to Poonch City over the Hajipir Pass. Major Khurshid Anwar's men took some time to devise temporary crossings; meanwhile the Jammu & Kashmir State forces had been given a brief respite.

It was believed in Srinagar, however, that the Azad Kashmiri advance would probably go on. Brigadier Rajinder Singh intended to make his final stand near Baramula (close to which, on 26 October, he was to be caught in an ambush on the main Jhelum Valley Road and killed, though exactly by whom we do not know). Morale of the Jammu & Kashmir State forces, moreover, was low, and there were many desertions. State troops in the main Srinagar barracks decided to remain where they were rather than come out to meet any threat. The prognosis for a successful defence did not seem good, particularly when it was believed (falsely as we will see below) that the Azad Kashmiris had wantonly destroyed the entire Mahura power plant on the Jhelum which provided the bulk of Srinagar's electricity. Sir Hari Singh's Government was convinced that something drastic had to be done, and that quickly. While some Muslim opponents of the Dogras publicly rejoiced at what was seen as coming liberation, the majority of the Hindu Pandit (Kashmiri Brahmin) elite were very alarmed and on the verge of panic.

What the State Government seemed to fear most at this point was not a Pakistani annexation of great tracts of Jammu & Kashmir State territory. As the State Deputy Prime Minister, Ram Lal Batra (a former Civil Servant from the Government of the Punjab who had taken office immediately after the fall of R.C. Kak, and who had a reputation as a fanatical Hindu), declared on the morning of 24 October, when he still thought the defences at Uri might hold, the insurgent forces were "tribesmen who are out of control of the Pakistan Government" [*Daily Express*, 25 October 1947], a statement, incidentally, which ought to be contrasted with later Indian assertions that these tribesmen were very much under the control of the Pakistan Government. The problem, in other words, was really a failure in the maintenance of internal law and order in the State of Jammu & Kashmir rather than an act of aggression by a neighbouring state. The main danger was that the crisis would be exploited in

the Vale (Kashmir Province) by opponents of Dogra rule, be they followers of the Muslim Conference (thought to favour a closer relationship with Pakistan) or of Sheikh Abdullah and his National Conference (who appeared to stand for an independent Kashmir free of the Dogras), to bring down the Dogra regime (as many believed had so nearly happened during the civil disturbances in 1931). What the Maharaja needed, therefore, was support as much against his domestic enemies as the invaders.

The Maharaja and his advisers decided, accordingly, to send the Deputy Prime Minister to New Delhi to see if he could secure (on suitable terms) any immediate assistance in men, weapons and ammunition from the Government of India. He was equipped with personal letters from both the Maharaja and the State Prime Minister, Mehr Chand Mahajan, to Jawaharlal Nehru and Vallabhbhai Patel. The Maharaja also entrusted him with what Mahajan later (1963) described in his memoirs as "a letter of accession to India," which was certainly no blanket unconditional Instrument of Accession but rather a statement of the terms upon which an association between the State of Jammu & Kashmir and the Indian Dominion might be negotiated in return for military assistance. The Indian side have generally been careful to avoid specific reference to this particular document in their descriptions of the State of Jammu & Kashmir's pleas for assistance (and its text has never, it would seem, been published). It is probable that it involved no more than a token diminution of the State's sovereignty. It certainly did not provide for an administration in the State of Jammu & Kashmir presided over by Sheikh Abdullah; and it rather looks as if Batra never got round to presenting it to the Indian authorities for discussion. (Incidentally, it would seem that at this time New Delhi was not perceived by the authorities in Srinagar as the only prospect for assistance: serious thought was also given to the making of an approach to the Afghan Government in Kabul).

Deputy Prime Minister Batra arrived in New Delhi by the evening of 24 October. He spent the following day in talks with any who would listen to him; but his mission was fruitless. Alexander Symon of the British High Commission (according to his recollections preserved among the India Office Records in the British Library, London), who met him on the morning of 25 October, concluded that Batra did not then consider the State to be in real danger. A defensive line blocking the Jhelum Valley Road, Batra evidently believed, might well yet be held. The threat, he reported, came from about 2,000 tribesmen from the Hazara District and the North-West Frontier who had entered the State by way of Domel on 22 October, transported in between 80 and 100 lorries (Indian narratives have steadily increased these figures over the years; by 1995 they stood officially at 7,000 men in 300 lorries). The repulse of such an undisciplined band ought not to be beyond the abilities of the State's Forces,

particularly if bolstered by Indian supplies and reinforcements.

On the evening of 24 October, shortly after Batra's departure from Srinagar for New Delhi, the staff of the Mahura hydroelectric power station (on the left bank of the Jhelum just to the east of Uri), which supplied Srinagar with the bulk of its electricity, abandoned their posts on hearing the approach of Brigadier Rajinder Singh's retreating troops, whom they took to be the Azad Kashmiri invaders. For a while the lights of Srinagar went out, an event which has produced its own mythology. Some Indian writers have described in obsessive detail the way in which the "tribal raiders" systematically destroyed equipment at the station. "This," one writer notes, "was the work of demolition experts and not mere tribals" [see: Rajesh Kadian, *The Kashmir Tangle. Issues and Options*, New Delhi 1992, p. 82]. In fact, nothing was blown up. Indeed, though for some weeks Mahura remained near the front line of the Kashmir conflict, the plant suffered relatively modest damage, one generator out of three put out of action, and another slightly impaired. The Mahura power stoppage, however, both demonstrated to the population of Srinagar that something serious was afoot and convinced the Maharaja that he might, in fact, be in the process of losing the whole of Kashmir Province. He seems to have then decided that it would be wise to move at once from Srinagar, now so demonstrably at risk, to the relative security of Jammu, his winter capital. Indeed, there is evidence that he was now turning over in his mind a plan to abandon Kashmir Province entirely (and, perhaps, permanently) to whoever might be able to control it, and content himself with the secure possession of Jammu, the old Dogra heartland whence Gulab Singh over a century ago had expanded to build up his little empire on the fringes of Central Asia, perhaps retaining Ladakh as well.

Batra's arrival in New Delhi on 24 October brought to the Government of India first-hand news that something was happening in Kashmir; but what he had to say had certainly been reinforced by intelligence already available from the military and elsewhere of a far more alarming nature. Mountbatten, it has been said, first heard of the "crisis" that evening while at a buffet dinner given for the Siamese (Thai) Foreign Minister. This seems extremely unlikely. Reports from Kashmir had been pouring into New Delhi all day. British press correspondents, for example, or their stringers in Srinagar, had been busy filing stories about the situation in Kashmir. Some echo of all this must have penetrated the Governor-General's circle. However the news reached him, it sufficed to convince Mountbatten of the urgent need to convene the Defence Committee of the Government of India, over which he presided; and this was done for the following morning. The Defence Committee at this time consisted, apart from Mountbatten in the Chair, of Jawaharlal Nehru as Prime Minister, Vallabhbhai Patel as Deputy Prime Minister, Baldev Singh as Minister of Defence, as well as the Minister of Finance and Sir Gopaldaswami Ayyangar as

a Minister Without Portfolio, and the three Commanders-in-Chief, all British, Lockhart (Army), Elmhirst (Air Force) and Hall (Navy).

Thus it was that on the morning of Saturday 25 October the Kashmir crisis was considered by the Indian Defence Committee headed by Mountbatten as Governor-General, rather than by the Indian Cabinet to which it was subordinate but where Mountbatten had no place and Jawaharlal Nehru would have occupied the Chair; and from henceforth Mountbatten was to assume a prominent (and, some observers thought, increasingly partisan) role in the evolution of Indian attitudes towards the growing crisis.

The situation in Kashmir was presented to the Committee in such a manner as to accentuate its gravity. The threat to the Maharaja which was developing along the Jhelum Valley Road was now represented as a systematic invasion by tribesmen from the North-West Frontier, sponsored by the Government of Pakistan and directed towards the occupation of the entire State of Jammu & Kashmir, rather than as part of a local rebellion with its origins deep within the internal history of that State. If the tribesmen continued their advance, it was argued that sooner or later they must reach the borders of the Indian Punjab and, perhaps, even threaten Delhi (more or less in the footsteps of the great eighteenth century invader of India, Ahmad Shah Durrani). The problems of the old North-West Frontier of British days would thus have made an eastward quantum leap.

From henceforth the Indian side, and its British sympathisers like Mountbatten, publicly ignored all that had to do with the Poonch revolt (and the very idea of Azad Kashmir). Although they were quite well aware, as the published papers of Vallabhbhai Patel and Jawaharlal Nehru make clear, of the true nature of the events in Poonch and Mirpur, they now decided to keep this information discreetly concealed. The enemy in the State of Jammu & Kashmir were described as "raiders", not "insurgents" or "rebels". They were well armed, existed in large numbers, and were directly sponsored by the authorities in Pakistan from whom they received their orders. Their sole motive, it was decided, beyond obeying their Pakistani masters, was plunder and the mindless killing of Hindus and Sikhs. As Nehru, immediately following the Defence Committee meeting of 25 October, put it in a telegram to Attlee, the British Prime Minister:

a grave situation has developed in the State of Kashmir. Large numbers of Afridis and other tribesmen from the Frontiers have invaded State territory, occupied several towns and massacred large numbers of non-Muslims. According to our information, tribesmen have been equipped with motor transport and also with automatic weapons and have passed through Pakistan territory. Latest news is that the invaders are proceeding up the Jhelum valley road towards the valley of Kashmir. [1948 *White Paper*, Pt. IV, No. 1].

To meet this threat, the Defence Committee decided to supply the Maharaja with arms and ammunition; and arrangements were made to provide air transport. In this connection the presence in the Delhi region of six BOAC DC3 aircraft (chartered, it would seem, for the evacuation of British residents from Kashmir in an extraordinarily perceptive anticipation of trouble to come) was to be of considerable significance, either directly or indirectly (a subject to which we will return in a later Chapter).

The question of the necessity for Kashmir to accede to India as an essential element in an offer of any direct Indian assistance was next discussed by the Defence Committee. It would seem that Mountbatten then raised these two key points. First: accession had to come before intervention. Second: such accession would require subsequent ratification by the people of the State of Jammu & Kashmir, pending which it could only be considered as provisional. Accession, however, provisional or not, would give India a reasonably legitimate, and publicly defensible, position in the State while at the same time deny such a position to anyone else, that is to say Pakistan and its friends and allies. Subsequent popular ratification would, if Mountbatten's assessment of the will of the Kashmiri people were correct (influenced as it surely was by Nehru's high regard for Sheikh Abdullah and his National Conference), confirm the Indian position without exposure to the charge by the international community against India of aggression or expansionism.

(Parenthetically: in 1964 Sheikh Abdullah, while visiting Pakistan, told President Ayub Khan - so Altaf Gauhar has recorded in his account of the administration of Pakistan's first military ruler - that it was he, Sheikh Abdullah, who had persuaded Mountbatten to specify that Accession should be ratified by the Kashmiri people through a plebiscite. One should, perhaps, take this story with a grain of salt.)

The concept of the plebiscite, of course, was already well enshrined in the whole process of independence in the Subcontinent. Plebiscites had been held in the North-West Frontier Province and Sylhet on the eve of the Transfer of Power. At the very moment when the Kashmir crisis was developing, the Indians were still proposing that the problem of Junagadh (where, it will be recalled, a Muslim ruler had opted for Pakistan without taking into account the wishes of his overwhelmingly Hindu population) should be solved by a plebiscite. The Indians, incidentally, were also simultaneously solving the Junagadh issue by the creation, backed by the threat of Indian force, of a puppet Hindu regime in the shape of a Provisional Government headed by Samaldas Gandhi, the Mahatma's nephew; and within hours, as the Defence Committee in New Delhi still pondered on what to do in Jammu & Kashmir, this menace persuaded the Nawab of Junagadh to abandon his State for Pakistan (just when Sir Hari Singh was fleeing from Srinagar to Jammu to escape the forces of the



Government of Azad Kashmir).

Jawaharlal Nehru was far from happy about plebiscites and provisional accessions in the Kashmir context. He declared that he saw in the whole Kashmir affair a plot (of which he claimed he had private evidence) master-minded in Pakistan; and he suspected that excessive concern for constitutional niceties could well give rise to delays and, thus, play into the hands of Jinnah and his fellow conspirators. What was called for, he felt, was not so much the formalities of accession as some pragmatic arrangement whereby the Maharaja's Government might be obliged to collaborate politically with Sheikh Abdullah and his National Conference, reinforced in power by Indian arms (and it might well be argued that formal accession by the Maharaja could, in such circumstances, only serve to bolster his own authority *vis à vis* Sheikh Abdullah). Only thus could the Pakistani plot be foiled. The first priority was immediate military assistance (always provided the position of Sheikh Abdullah as the real political force in the State were established); and, as V.P. Menon pointed out, it would in any case technically be quite proper for India to send its forces to the State of Jammu & Kashmir (on the grounds of the obligation to assist a friendly neighbouring government in its hour of need) without its prior accession to India, be it definitive or provisional. Such an intervention, however, could well look to the world at large suspiciously like an Indian *coup d'état* to dispose of the Maharaja and to entrust the affairs of all of the State of Jammu & Kashmir to Nehru's good friend Sheikh Abdullah, a consideration which may have disturbed Mountbatten and some other members of the Defence Committee even if it did not then trouble unduly Jawaharlal Nehru (who, however, came very rapidly to appreciate the strategic and tactical value of accession in any form whatsoever).

The final decision on the accession question was postponed for a few hours. It was agreed in principle that India should undertake some form of military intervention in Kashmir and that preparations should be started forthwith. Meanwhile, V.P. Menon was instructed to go up to Srinagar at once by air (in one of the BOAC DC3s) to investigate the situation on the spot. On his return, either that evening or early the following day, firm plans could be made on the basis of much better information. Menon was to be accompanied by a small party of senior Indian Army and Air Force officers to explore the practical aspects of intervention; they would, no doubt, also take this opportunity to confer with India's military representative in Srinagar, Lt.-Colonel Kashmir Singh Katoch.

Accounts of this Defence Committee meeting which have come to us (perhaps by way of Mountbatten's own archives) leave us in no doubt that at this moment, as far as Mountbatten was officially concerned, no formal instrument of Accession of Jammu & Kashmir to India existed. Whatever

document R.L. Batra might have brought with him, it would seem that, even if Mountbatten, the Indian Governor-General, had seen it he did not consider it adequate to legitimise the proposed Indian intervention into the internal affairs of the State. What Jawaharlal Nehru and Vallabhbhai Patel knew or thought is less clear; but neither subsequently based the accession case upon Batra's letter. Lacking further information, we are obliged to leave this intriguing document in a state of limbo.

This Defence Committee on the morning of 25 October was motivated by a sense of urgency. Catastrophe, it seemed, would strike the State of Jammu & Kashmir at any moment. Interestingly enough, right up to 26 October this was not the impression which the general public in India would have derived from the available information.

Three examples should suffice to illustrate this point. First: The Deputy Prime Minister of Jammu & Kashmir, R.L. Batra, in his public statement in Srinagar of 24 October, had indicated the existence of no immediate crisis. Second: the *Times* correspondent in Srinagar, writing on 26 October, treated the events along the western end of the Jhelum Valley Road as more comic than grave. He reported that

eye-witness accounts of the fighting around the township of Uri ... reveal a somewhat farcical state of affairs with the Kashmir army and the rebel Muslim peasantry aided by Muslim deserters and tribesmen from the Hazara District of the North-West Frontier Province blazing away indiscriminately at one another, with mortars and machine guns for hours on end without inflicting any casualties. It would appear that neither party really knows how to conduct guerilla warfare in the mountainous countryside. [*Times*, 27 October 1947].

Third: in New Delhi on 26 October a spokesman for the States Department was still declaring that the Government of India had no interest in whatever conflict might be in progress in the State of Jammu & Kashmir; and, moreover, should that State decide to join Pakistan, this would be accepted with good grace by the Indian side.

Yet here, at the meeting of the Indian Defence Committee of 25 October, the leadership of India was acting in a manner verging at times on panic. There can be no doubt that Mountbatten was convinced that a disaster was looming in the State of Jammu & Kashmir. Clearly intelligence reaching him indicated that what was happening along the Jhelum Valley Road was by no means farcical. It promised to bring about the collapse of the regime of Sir Hari Singh with extremely unfortunate consequences. A large tract of territory which Mountbatten evidently considered in all justice ought to go, if it went anywhere, to India, was about to fall into the hands of Pakistan, a triumph to M.A. Jinnah, no friend of the Governor-General of India, and a blow to the prestige of

Jawaharlal Nehru with whom the Governor-General had by this time identified himself far beyond the bounds of objectivity. Mountbatten undoubtedly agreed with the assessment of the situation which Nehru presented to Attlee on 25 October, perhaps drafted immediately after the Defence Committee meeting, that matters were "grave" indeed.

According to the Nehru telegram to Clement Attlee of 25 October (part of which has already been quoted above), gravity here also had geopolitical implications in that

*Kashmir's northern frontiers ... run in common with those of three countries, Afghanistan, the U.S.S.R. and China. Security of Kashmir, which must depend upon its internal tranquillity and existence of stable government, is vital to security of India.*

Perhaps this rationale impressed Mountbatten no more than it did Clement Attlee. There is no evidence that during his time in India Mountbatten was particularly worried about the possible expansion of Soviet influence into the Subcontinent or that he was agitated by any of the other phobias of the great age of Imperial rivalries now passed (at least for the British), though, of course, he may well have believed that there were those in London who were still subject to these anxieties to such a degree that they might view more sympathetically what India was about to do if it were presented in this particular kind of light. There were, moreover, a number of officials in the service of the new Government of India who had worked out their apprenticeships in the old British Political Department and who still had the instincts of players of the Great Game; thus such warnings continued to surface for a while longer.

Mountbatten may not have been unduly worried about the advance of Soviet influence. There was, however, another factor which did concern him very much indeed. There were at that time many British subjects resident in the Vale of Kashmir (certainly more than 200 and perhaps, it was reported at the time, as many as 450) whose safety, it appeared to him, would be threatened if the conflict moved eastward along the Jhelum Valley Road to Srinagar (as Mountbatten evidently thought probable). If they were now at risk, there would surely be a great deal of concern in Britain; and if harm came to them, the consequent publicity would in no way enhance the Mountbatten image. This was a point of some particular personal importance to him since in just over three weeks the Mountbatten (Battenberg) family would celebrate their triumphal union with the House of Saxe-Coburg-Gotha-Windsor (the marriage of Mountbatten's nephew to Princess Elizabeth, heir to the British Crown). Mountbatten, one can well imagine, would have been unhappy to attend the Royal Wedding knowing that he was being blamed, by virtue of his negligence, for the deaths of large

numbers of British men and women.

What could he do about it? He was reluctant even to contemplate the use of the remaining British troops in India in the evacuation of these people from the Vale. Auchinleck had wanted to send at once some of these men on a rescue mission to the Vale; but Mountbatten had refused on the grounds that the British should not interfere in internal matters in India or Pakistan. In any case, such an option was quite academic since the British forces in the country had now so run down that but a single effective infantry battalion remained, the Royal Scots Fusiliers, inadequate for anything but rounding up the odd British resident in the remoter hill stations of Kumaon and Garhwal. It must have seemed to Mountbatten that only the Army of independent India could guarantee the safety of these British residents. Here was one reason why he should have been so enthusiastic about direct Indian intervention in the Kashmir imbroglio. It would at least guarantee the safety of the Srinagar airfield for rescue flights (for which the six BOAC chartered DC3s had already been provided). The question of rescuing British residents in Jammu & Kashmir will be touched on again below.

In the early afternoon of 25 October, following the Defence Committee meeting, V.P. Menon duly flew to Srinagar. He was accompanied not only by the senior Indian Army and Air Force officers (Colonel Manekshaw and Wing Commander Dewan) but also by Dwarkanath Kachru, Secretary and confidential agent of Jawaharlal Nehru, who had for some time been a link between the Indian Prime Minister and the Jammu & Kashmir National Conference. Dwarkanath Kachru probably carried on this occasion some communication for Sheikh Abdullah (who had himself only recently come up to Srinagar from New Delhi, where he had been on the night of 21/22 October, probably staying with Jawaharlal Nehru), and, it may be, for D.P. Dhar, a young Kashmiri Pandit who in the days ahead would play a crucial part in liaison between the Indians and various State institutions. Dwarkanath Kachru, as Secretary of the All India States' People's Conference, had in June 1946 been arrested, together with Nehru, on the Kashmir border by the Maharaja's men when Nehru had been trying to attend Sheikh Abdullah's trial in Srinagar; at this time Sheikh Abdullah was Vice-President of the States' Peoples' Conference, so he and Sheikh Abdullah were old political associates. Dwarkanath Kachru stayed on in Srinagar after Menon's return to Delhi. Shortly after Menon's arrival at Srinagar, Sheikh Abdullah left that place by air for the Indian capital (possibly in Menon's special aircraft, which had ample time to go back to Delhi and then return to pick Menon up in the small hours of 26 October); and in New Delhi he was lodged in Nehru's residence. It seems likely that this journey was expedited, if not inspired, by what Dwarkanath Kachru had to say.

Srinagar, V.P. Menon was to report, was to all intents and purposes

defenceless. There were somewhat improbable reports put about in India that at this time Sheikh Abdullah had organised an effective force of armed volunteers to keep order in the city and, if need be, defend it; but all V.P. Menon could see were a few National Conference ruffians on some street corners, armed with *lathis* (sticks). The regular police had totally disappeared. It was widely believed, at least by the wealthier Hindus, that ferocious Islamic hordes were rushing along the Jhelum Valley Road who would at any moment enter Srinagar unopposed.

The Maharaja was in the process of abandoning the place and removing his Government to Jammu in the comparative safety of the other side of the Banihal Pass (which would soon be snowbound). V.P. Menon said that it was he who persuaded him of the wisdom of going; but the evidence is overwhelming that Sir Hari Singh had decided that discretion was the better part of valour long before V.P. Menon came on the scene. He departed in a spectacular motor cavalcade (depriving his summer capital of virtually all the more respectable, comfortable or roadworthy cars as well as most of its reserves of motor fuel) at dawn on 26 October; and he could hardly be expected to reach Jammu before late that evening. The Maharaja declared, so V.P. Menon was to relate, that he would do anything the Government of India might ask in order to secure prompt assistance; but he discussed no specifics with the Indian official at that time and certainly signed no constitutionally binding papers. A little later that dawn V.P. Menon, after a night with scarcely any sleep, took off for Delhi accompanied by M.C. Mahajan, the State's Prime Minister. Also on the aircraft were the Indian Army and Air Force officers, having completed their military appreciations and contacted whomsoever they needed to contact.

In New Delhi on Sunday 26 October several distinct sets of negotiations or discussions concerning the Kashmir situation took place, involving Sheikh Abdullah, M.C. Mahajan, and V.P. Menon with various Indian politicians and officials including Mountbatten, Jawaharlal Nehru and Baldev Singh; and not all who participated in any one meeting were of necessity aware of what was going on elsewhere.

The earliest of these meetings was that between Sheikh Abdullah and Jawaharlal Nehru and some of his Cabinet colleagues at Nehru's New Delhi residence. Talks may even have started late the night before. The major points were: how Sheikh Abdullah would react to the planned Indian military intervention; whether he would consider working (even if temporarily) in harness with Sir Hari Singh, from whose prison he had been released a bare month before, and with the Maharaja's Prime Minister, Mahajan; and, finally, what would be his view of the future relationship to be established between the State of Jammu & Kashmir and the Indian Union. No record of these discussions has ever been published beyond a broad hint that Sheikh Abdullah

took this opportunity to request formally Indian military aid. It is probable, however, that in his own mind he saw his Kashmir as being in the future a far more autonomous polity than was anticipated in New Delhi, something along the lines set out in his *New Kashmir* manifesto of 1944 (but, if so, it would seem that on this occasion he prudently kept his real thoughts to himself).

Once they had landed in Delhi, at about 8.00 a.m., V.P. Menon and M.C. Mahajan went their separate ways in the capital, Menon as quickly as possible to the Defence Committee and Mahajan immediately to call on Jawaharlal Nehru.

This was the story (based on his published memoirs) of Mehr Chand Mahajan's day, which produced its own set of discussions.

When he arrived at Nehru's residence, at 17 York Road, Mahajan found not only the Prime Minister but also Sardar Baldev Singh, the Minister of Defence, and Sheikh Abdullah (who made his appearance late in the talks, but was from the outset secretly listening in an adjoining room). Mahajan requested unconditional Indian military help to save Srinagar from the "raiders". Nehru said that this would not be so easy. It took time to get troops together, he pointed out, let alone transport them. It was clear that India sought conditions of some kind to reward its efforts on behalf of the Maharaja. Unaware that he was offering just what the Government of India had decided that it wanted, Mahajan proposed in despair that in return for the required military aid he would recommend to the Maharaja both accession to India and the granting of political power to "the popular party" of Sheikh Abdullah. It was essential, he said, that the Indian Army fly men to Srinagar at once. Without immediate help, he concluded, he would have no option but to go to Lahore and see what terms he could negotiate with Mr. Jinnah. The mention of Lahore nearly brought discussions to a halt; but then Sheikh Abdullah made his belated appearance and confirmed what Mahajan had just said about the gravity of the situation. Indian military assistance on these two conditions, some kind of accession (undefined in detail) and a Sheikh Abdullah government, was agreed. The terms were subject, of course, to the Maharaja's approval. He had certainly not authorised Mahajan to go so far as this, particularly with respect to Sheikh Abdullah, and it was by no means improbable that, even at the very last moment, he would refuse to ratify such an unpalatable formula.

Nehru then went off to the Defence Committee meeting at about 10.00 a.m. He returned to his residence in the late afternoon or early evening to inform Mahajan (who had spent the middle of the day resting at Sardar Baldev Singh's house) that the Indian Cabinet, following the advice of the Defence Committee (which had met once more in the late afternoon), had resolved to give the Maharaja military assistance including troops. Nehru asked Mahajan to set out at once by air for Jammu, along with V.P. Menon, to tell the Maharaja what had

been decided and to obtain his signature for what Mahajan rather mysteriously calls "certain supplementary documents about the accession." Mahajan, however, refused to leave New Delhi until his aerodrome officer at Srinagar reported by radio that the Indian forces had in fact landed, that is to say not before about 9.00 a.m. on 27 October. Nehru agreed: "you can fly to Jammu next morning," he said [Mehr Chand Mahajan, *Looking Back*, London 1963, pp. 151-153].

M.C. Mahajan does not elaborate in his memoirs; but it seems reasonable to suppose that he was not prepared to recommend to his Master the Maharaja drastic constitutional measures, such as Nehru had indicated were now called for, until he was absolutely sure that the Indians would actually turn up in Srinagar. If for some reason the Indian intervention aborted, by remaining formally uncommitted the Maharaja still preserved the option of at least trying to arrange a deal of some kind with Pakistan, whose forces had much easier access to this critical area by way of the Jhelum Valley Road.

M.C. Mahajan's movements for 26 October 1947 are quite simply worked out on the basis of his own published narrative, which is corroborated by other evidence, not least that provided by Jawaharlal Nehru himself (and now printed in his *Selected Works*, Second Series, Vol. IV). V.P. Menon's movements (and the third set of discussions with which they were involved), on the other hand, present a number of difficulties. In his own account he maintained that he went up by air to Jammu and back to New Delhi in the late morning and afternoon of that day, 26 October, accompanied by M.C. Mahajan; and he described certain features of that trip and its consequences in great circumstantial detail. [See: V.P. Menon, *The Story of the Integration of the Indian States*, London 1956, pp. 399-400]. In that this account is clearly false - there can be no doubt now that he did *not* go to Jammu on 26 October, or even once more be away from the Delhi region, with or without Mahajan - it is perhaps easier to describe what V.P. Menon can be argued really to have done during the course of 26 October 1947 on the basis of other evidence.

At about 10 a.m. on that fateful day, 26 October, V.P. Menon, so he recorded in his published narrative, delivered his report on his Srinagar visit to the Defence Committee, where Mountbatten again took the Chair. His story was grim. The Jammu & Kashmir State Forces were in disarray, Muslim troops (roughly one third of the total) having deserted to the invaders, taking their weapons with them. The invading force, he said, was now only some 35 miles from Srinagar in the region of Baramula (which was doubtful, since the first Azad Kashmiri men only began approaching the outskirts of that town in small numbers that night of 26 October). While the National Conference, Sheikh Abdullah's organisation, might resist the "raiders", Menon thought, the Muslim League (or Muslim Conference, the distinction is not clear in the sources) in

Srinagar was at that very moment arming its members in preparation to assist the invading force; thus adding civil war to the external threat which the Vale of Kashmir now faced. The Maharaja's nerve had gone. In his mind he had written off Kashmir Province as lost. He would settle for safety in Jammu.

Menon's report clearly indicated that if India were ever to occupy Kashmir Province (the Vale) it would have to act quickly. Military problems were then considered by the Defence Committee. While risky, military involvement was possible (on the basis of some preliminary planning). One battalion, 1 Sikh, was in a position to be deployed. Aircraft were available - not the hundred or so about which V.P. Menon and others have written (these may perhaps have come later, if they ever did), but, in fact, four planes of the Royal Indian Air Force (as it then still was) and six chartered machines from BOAC, for which it might be possible to substitute aircraft from Indian civil airlines. Ten aircraft, however, would suffice to take the bulk of a single battalion and its equipment into Srinagar in relays during the course of a day. It all depended, really, on whether the "raiders" were holding the airfield when the planes first arrived.

Mountbatten declared in his formal report to King George VI that while he took full responsibility for the despatch of the Indian forces to Srinagar at this juncture, he was only prepared to do so subject to the formal accession of the State of Jammu & Kashmir to India. "The accession," he said, "would fully regularise the position and reduce the risk of an armed clash with Pakistan forces to a minimum." He believed that without Accession and with the State of Jammu & Kashmir retaining its theoretical independence, the Pakistani forces could in fact intervene with the same justification as those of India if not, at least in the Indian Governor-General's eyes, with the same moral force. The result could well be an open, and escalating, inter-Dominion war in which, especially at this juncture in the history of the rise of the House of Battenberg, Mountbatten definitely did not wish to participate. With Accession, of course, the entire weight of the Commonwealth could be made to press down on Pakistan to prevent its attacking what was now, even if provisionally, part of India, another Commonwealth nation. Pakistan, Mountbatten believed (and at this moment correctly), would be extremely reluctant to initiate such a conflict.

While Mountbatten thought Accession expedient in the short term, in the longer term he felt it essential that the decision of a single man, the Maharaja, which was what Accession was when all was said and done, must be confirmed or rejected by the voice of the people as a whole. There would have to be a plebiscite, referendum or some other kind of popular consultation, in which the inhabitants of the State of Jammu & Kashmir could decide to join either India or Pakistan, or even to stay independent. Before such a reference to the people were held, he advised that India and Pakistan should get together, perhaps at the next meeting (due shortly) of the Joint Defence Council (a body devised around



the time of the Transfer of Power to solve problems arising from the partitioning of the old British Indian defence establishment between the two new Dominions) to consider the future defence of the State of Jammu & Kashmir whatever way the vote might go. Nehru, to all this, observed that he had no objection to an independent Jammu & Kashmir provided it remained within the Indian sphere of influence.

An interesting feature of this meeting was that all present, including Mountbatten, seem to have been convinced that the Government of Pakistan (including the Governor-General, M.A. Jinnah) were directly responsible for the events along the Jhelum Valley Road, even though there was as yet no clear account available as to exactly what was happening. The Defence Committee suggested that Nehru should send a telegram to his opposite number in Karachi, Liaquat Ali Khan, asking him to take steps to prevent further infiltration into the State of Jammu & Kashmir from Pakistan; but this was to be worded with great care so as not to appear to be an invitation for Pakistan to intervene further in the State on the pretence of restoring order. Inter-Dominion communication, however, did not seem to the Defence Committee to be a matter of particular urgency; and there was no suggestion that, before Indian troops themselves intervened directly in the conflict, the Indian side should make a serious effort to arrange an Indo-Pakistani meeting at the highest level to try to sort out the situation. In the event, no high level Indian contact with Pakistan was attempted until well after intervention was an accomplished fact and the State of Jammu & Kashmir's alleged Accession to India had been made public.

The Defence Committee concluded its meeting by considering what formal paperwork should arise out of the Accession issue. It was clear, given the various conditions that had been injected into it by Mountbatten, with his desire for ratification by plebiscite or other form of popular consultation, and Nehru, with his insistence upon a Sheikh Abdullah administration, that no extant *pro forma* Instrument would do, and certainly not that document drawn up by the British Indian States Department on the eve of the Transfer of Power (and really relevant only for States acceding to the future Indian Dominion while the British Indian Empire still existed). Some special formal document would have to be drafted. There could well be a letter from the Governor-General to the Maharaja setting out the conditions for Accession. It might also be prudent to have in hand the text of a letter, written in the name of the Maharaja, to the Governor-General, accepting terms and adding clarifications. Suitable documents should be prepared at once (which implied some quick drafting) to be taken by V.P. Menon to Jammu for the Maharaja's signature where appropriate.

The Defence Committee meeting came to an end in the late morning of 26 October. At this moment, so all the available sources, including V.P. Menon's

published narrative, make absolutely clear, there was in existence no officially acknowledged document signed by the Maharaja of Jammu & Kashmir to formalise his Accession to India (or, at least, nothing of the existence of which either Mountbatten or Nehru admitted that they were aware).

It is at this point, with the ending of the Defence Committee meeting, that the hitherto established narrative diverges dramatically from the facts as they can be determined from other sources of the highest quality.

The Defence Committee, it seems, concluded its deliberations with instructions to V.P. Menon that, along with M.C. Mahajan, he should fly at once to Jammu (whither Sir Hari Singh was then headed in his retreat from Srinagar) to obtain a properly signed Accession document from the Maharaja of Jammu & Kashmir, and then bring it back at once to New Delhi. With this document to hand, the Defence Committee could then with a clear conscience issue the final orders for the troops of 1 Sikh to start their flight into Srinagar airfield.

V.P. Menon related in his narrative (which was published in 1956) that he did indeed carry out to the letter the Defence Committee brief. He said that he went up to Jammu that afternoon (26 October), accompanied by M.C. Mahajan, and that he persuaded the Maharaja to sign what was needed.

We have already seen that M.C. Mahajan has denied the part of this story in which it is claimed that he went to Jammu with V.P. Menon that day. It is now clear beyond a shadow of a doubt, on the basis of a wide range of documents including Nehru's own correspondence and the records of the British High Commission in New Delhi, that V.P. Menon, too, did *not* go to Jammu on 26 October (despite some recent - 1993-94 - attempts by Indian propagandists to argue to the contrary, inventing a journey to Jammu, this time *without* M.C. Mahajan, that afternoon).

Our best evidence for this aspect of the events of 26 October 1947 is probably the journal kept by Alexander (later Sir) Symon, then British Deputy High Commissioner in New Delhi and in charge of the Mission in the temporary absence of Sir Terence Shone. This important document, now preserved in the British archives, was apparently compiled expressly to keep Symon's superiors in London abreast of what really did seem to be going on (one presumes as a corrective to such stories as might be emerging from Mountbatten's office). It was sent to London on 27 October under cover of a demi-official letter to Sir Archibald Carter, one of the two professional heads of the Commonwealth Relations Office and the leading civil servant in London concerned with Indian affairs (who may not, however, have seen it or, perhaps, did not wish it to be recorded that he had seen it). Its contents were also communicated to the British High Commissioner in Pakistan, Sir L. Grafftey-Smith. We have no reason whatsoever to doubt either its accuracy or its implications. The covering letter

has recently been published in facsimile by Victoria Schofield in her *Kashmir in the Crossfire*, London 1996, p.147.

Symon recorded that early in the afternoon of 26 October 1947 he telephoned V.P. Menon at his New Delhi residence to seek an immediate meeting. V.P. Menon said that this was impossible because he was just about to set out for one of the Delhi airports to fly to Jammu. Symon promptly drove out to Willingdon (Safdarjang) airport only to learn that V.P. Menon was then at the other Delhi airport, Palam, to which Symon hastened. Here he found V.P. Menon on the point of going back to Delhi "because," Symon related, Menon "had left it too late for the aeroplane to reach Kashmir before nightfall." Both Symon and V.P. Menon then returned to New Delhi in their respective motor cars, arranging to meet at Menon's residence at about 5 p.m. that afternoon. V.P. Menon, back in the capital, told Symon that he would now be going to Jammu the following morning (27 October).

It is curious that at this late afternoon meeting on 26 October V.P. Menon declined to give Symon any information about what action India was contemplating for Kashmir other than that the Government of India were determined "at all costs" to prevent "the raiders" from "spreading East and South." V.P. Menon said nothing about Instruments of Accession.

Yet it looks as if V.P. Menon saw Symon immediately before that meeting of the Defence Committee at which (at least following V.P. Menon's own narrative), after he had reported the Maharaja's signature of an Instrument of Accession of his State to India, it was confirmed that overt Indian intervention in Kashmir should go ahead the following morning. V.P. Menon's story has been accepted uncritically by other writers, Hodson for example [H.V. Hodson, *The Great Divide*, 2nd Edition, Karachi 1985, p. 455]. V.P. Menon's published story is unambiguous. The decision to airlift Indian troops into Srinagar airfield was only taken *after* the signed Instrument of Accession was to hand in New Delhi, whence V.P. Menon had personally brought it from Jammu. Yet from Symon's diary and other evidence it is clear beyond doubt that after his return from Srinagar early that morning V.P. Menon had not left the Delhi region: he could not possibly have laid his hands on a document signed in Jammu by Maharaja Sir Hari Singh (who, in any case, was also out of Jammu having spent the day travelling from Srinagar to his winter capital by way of the Banihal Pass).

To sum up: a master magician would have great difficulty in conjuring up a signed Instrument of Accession in New Delhi on 26 October 1947, at least on the basis of the available documentary record. Without such an Instrument, the conclusion is inescapable that the Indian troops were flown in to Srinagar airfield *before* the State of Jammu & Kashmir formally acceded to the Indian Union. All that was available was M.C. Mahajan's agreement to put the Indian

terms to the Maharaja with a recommendation that they be accepted; but there was no guarantee that they would be.

This absence of a completed Instrument of Accession that evening of 26 October was hinted at by Mountbatten himself when Ian Stephens of the Calcutta *The Statesman* newspaper came to dine with the Governor-General and Lady Mountbatten. Stephens recorded the main points which were raised by his host about the storm then brewing in Kashmir [see: Ian Stephens, *Pakistan*, London 1963, p. 203]. Mountbatten said that "the Maharajah's formal accession to India was *being* [my italics] finalised," in other words that it was still an incomplete process. The Indian troops, however, were going in to Kashmir come what may. Mountbatten then delivered what to Stephens seemed an extraordinary anti-Pakistan diatribe. The real enemies in Kashmir were the Muslim League and its leader, M.A. Jinnah. They had planned the whole invasion, aided and abetted by certain British officials; and at this very moment, 26 October, Mountbatten declared, Jinnah was waiting in Abbottabad ready to ride in triumph to Srinagar. Where Pakistan had plotted without scruple, India had acted with impeccable openness and honesty. Stephens was shocked at the way in which Mountbatten had become, it then seemed to him, more Hindu than the Hindus (others were to note this phenomenon over the next few days). Mountbatten appeared to have accepted without question every rumour hostile to Pakistan. The story of Jinnah waiting at Abbottabad, which was completely without foundation (he was then in Lahore), was a good example; and subsequently it has entered the mythology of the Kashmir dispute. It is clear from this account that Mountbatten had reached a state of mind where such niceties as the actual completion of the Accession process had ceased to matter. What had to be done was to get the gallant Indian troops into Srinagar without delay to frustrate Jinnah's vile conspiracy.

A mystery remains about V.P. Menon's narrative. We have seen that he certainly *did not* go to Srinagar on the afternoon of 26 October, and he, therefore, could not possibly have returned to the Defence Committee bearing the freshly signed Instrument of Accession: in fact, even if he had actually gone to Jammu (which he did not) he would in any case have failed to find the Maharaja who was still bumping his way with his vast motor cavalcade across the Banihal Pass.

In that V.P. Menon was not the sort of person one would associate with a fantasy life, what are we to make of his published story, so clearly untrue? Did he produce a fake Instrument of Accession, perhaps even a dummy, a blank piece of paper, to the Defence Committee in order to make sure, on his own initiative, that its members were duly convinced that all the necessary preliminaries had been completed to permit the issuing of the final orders which would ensure that the Indian troops did get to Srinagar in time?

Or was he in this matter collaborating with others, in particular Jawaharlal Nehru, Vallabhbhai Patel or Mountbatten? V.P. Menon would certainly have gone along with this charade had his mentor, Patel, asked him to or even hinted that such a course of action would be desirable: Patel was deeply involved at this stage in preparations for a direct Indian involvement in Kashmir and would have been most unhappy to see his plans frustrated by what must have appeared to be a technicality, the lack of the Maharaja's signature to a piece of paper. Nehru may well by this time have felt much the same, but V.P. Menon did not enjoy the same kind of relationship with him as with Patel. Mountbatten was more concerned with formalities than either Nehru or Patel. He had explicitly, and in the presence of his Indian colleagues, made Accession a prior condition to Indian intervention. In the circumstances, however, he would certainly not have balked at a little rearrangement of the documentary chronology. He also enjoyed a close relationship with V.P. Menon, and Menon was perfectly capable of anticipating Mountbatten's needs without verbal or written command.

We will probably never know exactly who was behind this particular cooking of the books. In the present writer's view a collusion between V.P. Menon and Mountbatten seems most probable: other possibilities, however, cannot be ruled out.

There was a pressing practical need for an Instrument of Accession on the evening of 26 October 1947 which might well explain Mountbatten's participation in this subterfuge, if that is what it was. The Indian intervention was to consist of Indian (ethnically speaking) troops. Its planning, however, was still to a great extent in the hands of British officers including the overall Commander, Lt.-General (Sir in 1950) Dudley Russell (GOC Delhi Command), and some senior members of his staff. While Indian soldiers might have been happy enough to go ahead without concern for the legal niceties, some of the British officers might well have questioned their participation in an operation which, without the presence of a valid Accession document, would have involved crossing the external borders of India into what would then still be an independent polity, and in the process risking coming into armed conflict with their fellow British officers serving in the regular armed forces of Pakistan. We will return to this point in Chapter IX. It is interesting in this context that the first item in the "Information" section of the orders drawn up late on 26 October for the impending Indian Kashmir operation was that "Kashmir has acceded to the Indian Union and Sheikh Abdullah has been asked to form a popular Government" [see: Major-General S.K. Sinha, *Operation Rescue. Military Operations in Jammu and Kashmir 1947-49*, New Delhi 1977, p. 13: Sinha personally took part in the drafting of these orders].

Whoever was behind it, and for what reason, it cannot be denied that the deception was not very professional, as witness Alexander Symon's journal, not

to mention the report in the *Times* of 28 October 1947 (quoted below): there must have been many people around in New Delhi who knew that neither V.P. Menon nor M.C. Mahajan had left Delhi for Jammu in the afternoon of 26 October. It remains a mystery why this fact was not more widely appreciated at the time and why reports of it did not cross the border to Pakistan. In practice, however, V.P. Menon's subterfuge was effective. By putting about contemporaneously this version, and then confirming it in his authoritative account of the integration into India of the Princely States, Menon certainly contributed to the widely held conviction that the Maharaja of Jammu & Kashmir *had indeed* signed up with India some hours before the first Indian regular soldiers set foot on Kashmiri soil, a fiction which has been very useful to India over the years. It may be that those British officials who certainly knew the truth, like Alexander Symon and Sir L. Grafftey-Smith, felt no urge to advertise it if only because to do so might be to imply some form of dishonesty on the part of Mountbatten, a man close to the British Monarchy. There are other instances where the archives have been pruned in the interest of protecting Mountbatten's reputation: one such is mentioned in Chapter X below.

At about 9.00 a.m. on 27 October 1947, carried by some ten DC3 aircraft (more probably nine, with the tenth being retained to take V.P. Menon and M.C. Mahajan to Jammu), men of the 1 Sikh battalion started landing at Srinagar airfield under the command of Lt-Colonel Dewan Ranjit Rai.

On the same morning (27 October), so the London *Times* reported:

Mr. Mehr Chand Mahajan, the Prime Minister of Kashmir, and Mr. V.P. Menon, the Secretary of the States Department, left for Jammu, the capital, where the Kashmir court is now in residence, to obtain, it is learnt, formal confirmation of accession by the Maharaja.

Rumours that some kind of Instrument of Accession by the Maharaja of Jammu & Kashmir to India had been signed started to circulate in New Delhi around 1.00 p.m.; and they were confirmed over the telephone to the British High Commission by an Indian Government Minister, Sir Gopaldaswami Ayyangar, in the mid-afternoon.

Thus, as we have already emphasised, in contrast to what Mountbatten had originally advised, the actual Indian intervention in Srinagar must have started *before* the Maharaja had signed anything like a legally binding formal Accession to India. At 9.00 a.m. on Monday 27 October 1947 the State of Jammu & Kashmir existed in the same constitutional limbo of insecure independence that it had enjoyed since 15 August following the lapse of British Paramountcy.

The impression that Indian intervention followed Accession involved rather more than a minor technicality.

First: had it been widely appreciated at the time that India was in fact intervening in the internal affairs of what was to all intents and purposes an independent State in the throes of civil conflict, even though arguably at the invitation of one of the parties involved, then there would have been but a slight international response indeed to those charges of Pakistani "aggression" which figured so prominently from the outset in the Indian case. It would have been argued by many members of the international community that Pakistan had as much right to interest itself in the civil disorder prevailing in its immediate neighbour, Jammu & Kashmir, as did India.

Second: the timing of the signing of the alleged Instrument of Accession undoubtedly affected its legitimacy. If it in fact took place *after* the Indian intervention, then it could well be argued that it was either done under Indian duress or to regularise an Indian *fait accompli*.

Third: the V.P Menon version of the chronology of the signing of the Instrument of Accession followed by the Indian intervention became the foundation for the steadily strengthening Indian position in subsequent years that the State of Jammu & Kashmir *was* Indian sovereign territory from the very beginning of the crisis. Thus, as Krishna Menon, for example, was to explain during his prodigiously extended address to the Security Council of the United Nation of 23/24 January 1957:

On 26 October 1947 ... Maharaja of Kashmir ... submitted to the Governor-General of India an instrument of accession. ... That instrument was sent over on 26 October and on the 26th Lord Mountbatten, Governor-General of India, accepted the accession. ... The accession is complete.

This is a very serious matter for us. ... We are a federation; we are not a confederation, and the units that accede to federation stay in once they have acceded. There is no provision in our Constitution, there is no contemplation in our Constitution for secession. ... It is well known to international law that in a federation of our kind there is no right of secession. ... Therefore, the Government of India, out of considerations of security, out of considerations of international law and the law of India, and the law that has been given to it by the British Parliament, cannot ever accept the idea that accession is anything but an indissoluble bond. When Kashmir acceded, that matter was finished. Therefore, there is no such thing as going out. [*Official Records of the United Nations Security Council*, Year 12].

A wide acceptance by the international community of the correct chronological relationship of Indian intervention to the alleged signing of Instrument of Accession would have made this kind of polemic that much harder to sustain (though it must be admitted that Krishna Menon might not, for all that, have been deterred from trying).

The decision to falsify the record with respect to the timing of the signing of

the alleged Instrument of Accession, a project which appears to have begun with V.P. Menon's non-journey to Jammu on the afternoon of 26 October 1947, clearly called for the wide dissemination of misleading information to create the desired impression of what had happened. We can detect in the early months of the Kashmir dispute a number of attempts to do just this. Four examples should suffice to make the point.

First: just before 1 November 1947 the three British Commanders-in-Chief of the Indian Forces, Lockhart (Army), Elmhirst (Air) and Hall (Navy), were persuaded to issue a joint declaration to the effect that they had taken part in *no* advance planning for the Kashmir operation prior to 25 October 1947. The final paragraph of this unusual document read:

at first light on the morning of 27th October, *with Kashmir's Instrument of Accession signed* [my italics], the movement by air of Indian forces to Kashmir began. [Quoted in: J. Korbelt, *Danger in Kashmir*, revised ed., Princeton 1966, p. 87].

Though often quoted, the specific reason why this particular declaration was produced is obscure. It may have been devised for the reason already noted to satisfy the consciences of senior British officers (who could well have been ignorant of all V.P. Menon's movements on 26 October and what they indicated), or it may have been concocted for Mountbatten to show to M.A. Jinnah, Liaquat Ali Khan and other Pakistani leaders when he visited Lahore on 1 November in his abortive venture to settle the Kashmir crisis on a Governor-General to Governor-General basis. It was clearly important to demonstrate to the Pakistanis that there had been no history of British conspiracy behind the Indian intervention at Srinagar airfield on 27 October. Had Mountbatten not supported this particular chronology with all the authority at his disposal, the Pakistani leadership might have investigated with greater care the story of the Maharaja of Jammu & Kashmir's Accession on 26 October: it would not have been too difficult then, with due diligence, to have got at those facts the essence of which was to be found in the *Times* of London of 28 October 1947, as we have seen. As it is, they have generally to date accepted (in public at least) this Indian tale, to their considerable diplomatic disadvantage over the years.

Second: the Indian representation to the Security Council of 1 January 1948 justified the then Indian military position in Jammu & Kashmir on two main grounds, the need to defend a neighbour from being coerced by a foreign state into deciding internal or external matters, and because the Government of India considered that

the accession of Jammu and Kashmir State to the Dominion of India made India legally responsible for the defence of the State.



In other words, because the State of Jammu & Kashmir was already part of India by the morning of 27 October 1947, those Indian troops who then arrived at Srinagar airfield were merely defending what was already India's.

Third: the Government of India *White Paper* on Jammu & Kashmir, which was laid before the Indian Constituent Assembly on 3 March 1948, and which represents the Government of India's first full official explanation of its position *vis à vis* the State of Jammu & Kashmir, contains in the Introduction the following:

on the 25th [of October] the Government of India directed the preparation of plans for sending troops to Kashmir by air and road. Indian troops were sent to Kashmir by air on the 27th, *following the signing of the Instrument of Accession the previous night* [my italics].

Fourth: on 5 March 1948 Jawaharlal Nehru addressed the Indian Parliament thus:

the House will remember the circumstances in which we had sent our forces to Kashmir. Kashmir State territory, that is, after accession Indian Dominion territory, was being invaded to the accompaniment of murder, arson, loot and the abduction of women. The whole countryside was being ruined. Fresh raiders were continually coming from Pakistan territory into Kashmir State. All the fighting was taking place in Indian Dominion territory.

There are numerous other instances of the Indian use of this particular chronology with Accession preceding intervention: but the four instances here suffice to make the point.

The Accession argument, which over time was to become a major legal and constitutional foundation for the Indian position in the State of Jammu & Kashmir, also had considerable immediate significance in the context of the crisis of late October and early November 1947. It was, for example, a major consideration in keeping Pakistan out of direct involvement at the very beginning of the conflict, when M.A. Jinnah wanted to send in the Pakistan Army and was dissuaded by the threat, repeated to him personally by Auchinleck (who flew up to Lahore on 28 October to reinforce the acting Pakistan Commander-in-Chief, Gracey, on this point) of withdrawal of all British Officers mainly on the grounds that they could not be involved in an inter-Dominion war. As Auchinleck put it to Jinnah, "there would be incalculable consequences of military violation of the territory of Indian Union in consequence of Kashmir's sudden accession." The Pakistan side, at this moment unaware of the implications of the STAND DOWN order (that if British officers were withdrawn from one Dominion, they would have to be withdrawn simultaneously from the other Dominion), were much influenced by this threat.

It was to be many months before Pakistan was able to come out openly and formally in support of the Azad Kashmiri forces; though, it must be admitted, before the end of 1947 senior British Officers, including Messervy, the Commander-in-Chief of the Pakistan Army, were not adverse in private to giving those actively involved in Kashmir operations the benefit of their advice and experience, just, as we have seen, as was happening on the Indian side (albeit rather more openly) on the part of Lt.-General Dudley Russell and some members of his Staff. The whole question of STAND DOWN is discussed again in some detail in Chapter IX below.

The practical value of the Accession story with the V.P. Menon chronology was soon apparent to Indian diplomats. They could use it to justify all sorts of actions in the State of Jammu & Kashmir which at first sight might conflict with the commitment to a plebiscite, and it enabled India to reject any Pakistani proposals for simultaneous withdrawals on both sides. As Sir G. S. Bajpai, India's top diplomatist, put it to the British High Commissioner in India, Sir Terence Shone, on 18 November, the legal point was that the Indian forces were in Kashmir because they had been invited to go there by a State which had acceded to the Indian Union. This put India in quite a different situation from Pakistan which was meddling in territory where it had no right to be; if there were any withdrawing to be done, Pakistan would have to do it first.

Over the years the Accession argument has grown ever stronger in Indian official thought, and today it probably represents the most powerful public justification for the Indian decision to retain at all costs those parts of the State of Jammu & Kashmir which it now holds: Kashmir is an "internal" Indian matter. Successive Indian Prime Ministers, dutifully echoed by their diplomats, have so declared; and the majority of Indian citizens doubtless so believe to this day. A version of this argument has recently been presented with great vim and vigour by J.N. Dixit, Indian Foreign Secretary from 1991 to 1994, in his *Anatomy of a Flawed Inheritance* [Delhi 1995, p. 200], a work which all students of contemporary Indian foreign policy can study with profit.

The fact that Accession must have actually followed intervention presented some elements at least of the Indian bureaucracy at the time with a number of problems. Whatever documents resulted from the Accession process, and something had to be produced almost at once, would have to show the desired sequence of events. Thus there was made public on 28 October the text of a pair of letters, one from the Maharaja to Mountbatten, bearing the date 26 October, and the other from Mountbatten to the Maharaja, with the date 27 October. Both were almost certainly drafted by V.P. Menon; and we have no direct evidence as to when the Maharaja's letter was actually signed (if, indeed, it ever was), but we can be reasonably sure that it was not on 26 October.

The Maharaja's letter as published lays out the classic Indian case for inter-

vention. The mass infiltration of tribesmen from the Frontier, transported on motor vehicles assisted by the Pakistan authorities in their transit of Pakistan territory, is described in detail. The consequence was this:

with the conditions obtaining at present in my State and the great emergency of the situation as it exists, I have no option but to ask for help from the Indian Dominion. Naturally they cannot send help asked by me without my State acceding to the Dominion of India. I have accordingly decided to do so and I attach the Instrument of Accession for acceptance by your Government. The other alternative is to leave my State and my people to freebooters. On this basis no civilized Government can exist or can be maintained. This alternative I will never allow to happen as long as I am Ruler of the State and I have life to defend my country. [Quoted, for example, in: P.L. Lakhnupal, *Essential Documents and Notes on Kashmir Dispute*, 2nd edition, Delhi 1966, pp. 55-57].

Stirring stuff; but it would have possessed more force had it actually been written by the Maharaja on the stated day when, in fact, Sir Hari Singh was quite inaccessible while in the process of abandoning Kashmir Province for the relative safety of Jammu and showed no signs whatsoever of wishing to defend anything. It did, however, for those who drafted it, get round the awkward problem of the date of the Instrument of Accession, which was firmly put into 26 October.

Having promised to fight to the death to remain Ruler of his Sate, in the next paragraph of this document Sir Hari Singh virtually abdicated. "It is my intention," the letter stated, "at once to set up an Interim Government and ask Sheikh Abdullah to carry out the responsibilities in this emergency with my Prime Minister." Thus Nehru's principal fee for Indian aid to the Maharaja's State was paid (and thus began, also, the problem of Sheikh Abdullah which was to complicate India's handling of that portion of the State of Jammu & Kashmir under its control for decades to come).

The question of the plebiscite (or whatever), on which the Maharaja was given nothing to say in this letter, was dealt with in Mountbatten's formal reply in these words:

consistently with their policy that in the case of any State where the issue of accession has been the subject of dispute, the question of accession should be decided in accordance with the wishes of the people of the State, it is my Government's wish that as soon as law and order have been restored in Kashmir and her soil cleared of the invader the question of the State's accession should be settled by a reference to the people.

But what of the Instrument of Accession itself, that key document, the formal title deed and act of conveyance as it were? The Maharaja's letter to Mountbatten, with the date 26 October 1947, has, as we have seen, a reference

to an Instrument of Accession: "I attach the Instrument of Accession for acceptance by your Government." But, in that this letter was almost certainly drafted in New Delhi by V.P. Menon or his colleagues long before the Maharaja set eyes on it (if he ever did), it does not prove that such an Instrument was ever signed, merely that it could possibly have been discussed with the Maharaja when M.C. Mahajan and V.P. Menon finally caught up with him in Jammu on 27 October. He may have signed then; on the other hand, he may have put off signing but permitted a reference to the Instrument to remain in the letter. It is quite possible, of course, given his state of mind at the time, what with his retreat from Srinagar and his fear of the Pathan invaders, that he may never have looked at the letter at all or even have been made aware of its precise contents. Be that as it may, the Maharaja's letter dated 26 October 1947 gives us absolutely no clue as to what the "Instrument of Accession" actually looked like.

The Indian 1948 *White Paper* reproduced a sample text of an Instrument of Accession such as was devised by the States Department on the eve of the Transfer of Power (as had already been noted in an earlier Chapter). This was a document which derived from the Independence of India Act, 1947, and the Government of India Act, 1935. It was, in fact, a printed form with spaces left for the name of the State, the signature of the Ruler, and the day of the month of August 1947. There was also space for the Governor-General's acceptance, again with a blank for the day of the month of August 1947. It was both an obsolete and a singularly unsuitable document for the rather special circumstances in the State of Jammu & Kashmir in October 1947. It related specifically to the British Indian Empire, in the name of the Government of which - no longer extant - it was drawn up, prior to the Transfer of Power on 15 August 1947, and not to the transfer of sovereignty by what was now an independent polity, the State of Jammu & Kashmir, to yet another independent polity, India, in no way subject to the British. It contained no provision either for a plebiscite (or referendum or any other kind of "reference to the people") or for the delegation of powers such as was now being proposed in the case of Sheikh Abdullah (and which involved, incidentally, important changes in the Jammu & Kashmir State's existing Constitution). It is interesting that in the document reproduced as Pt. I, No. 29, in the Indian 1948 *White Paper* all the spaces were left blank. This was not a representation of *the* document signed by the Maharaja, merely an example of the kind of document he *might* have signed (particularly had he opted for accession to India prior to the Transfer of Power). One may well wonder why the Government of India, had it indeed been in possession of a properly signed Instrument, did not publish it as such in the 1948 *White Paper*; it would certainly have been the documentary jewel in India's Kashmiri crown. It would, for instance, have been an extremely convenient piece of paper to lay before the United Nations Security Council in January

1948.

Printed versions of this *pro forma* text, but now, unlike the text in the 1948 *White Paper*, with the Maharaja of Jammu & Kashmir's name added (in type) at the appropriate places along with the date, 26 October 1947, began to be circulated by the Indian Permanent Mission to the United Nations in New York at the time of the second Indo-Pakistani Kashmir War in 1965. What purported to be a facsimile of this document (complete with the printed date August 1947, with the printed August duly crossed out and October written in) with the signatures of the Maharaja and Mountbatten was eventually produced by 1971 to serve as the frontispiece of the collected correspondence of Sardar Vallabhbhai Patel [Durga Das, ed., *Sardar Patel's Correspondence 1945-50*, Volume I. *New Light on Kashmir*, Ahmedabad 1971]; and this text continues to be exhibited or quoted by Indian officialdom [for example, in *The Kashmir Issue*, produced by the Indian High Commission in London in 1993, and Salman Khurshid, *Beyond Terrorism: New Hope for Kashmir*, New Delhi 1994 - written by the then Indian Union Minister of State for External Affairs]. The best that can be said about this documentary reproduction is that it raises grave doubts as to its authenticity. Despite much search, there is good reason to believe that the original Maharaja's copy of this, or any other, form of Instrument of Accession has failed to turn up in the Jammu & Kashmir State Archives.

In that the published exchange of Maharaja-Mountbatten letters relating to Accession is fundamentally flawed if only because it bears an impossible set of dates, is there any evidence to indicate what, if anything, was actually negotiated between the Governments of India and the State of Jammu & Kashmir during this key opening period of the Indian intervention? That *something* was agreed (if not on 27 October 1947 then within the next few weeks) there can be no doubt, if only because the Indian presence on Kashmiri soil raised a host of problems which a bureaucratic regime such as then reigned in New Delhi could not possibly at this period leave undefined. The Indian side has refrained from throwing any fresh light on this point, but some evidence does exist which is worth looking at.

The published Mountbatten-Maharaja Sir Hari Singh correspondence bearing the dates 26 and 27 October 1947 indicates clearly enough that the Accession of the State of Jammu & Kashmir to India was at this stage merely a provisional arrangement so as to legitimise the stationing in Jammu & Kashmir territory of Indian troops pending the outcome of a "reference to the people." As far as India was concerned, all that the Maharaja actually needed to sign at this stage, therefore, was an agreement placing the conduct of his State's foreign affairs and defence temporarily under Indian control. The final shape of Indo-Kashmiri relations could not possibly be decided until the "reference to the people" had been executed. If this was the nature of the document which V.P. Menon

secured in Jammu on or shortly after 27 October 1947, then it has not been permitted to surface in public (a fact, indeed, which should cause no surprise).

The published Mountbatten-Maharaja Sir Hari Singh correspondence dated 26-27 October also called for a substantial change in the Jammu & Kashmir State Constitution of 7 September 1939 which (Article 6) entrusted to a Council the civil administration of the State, that Council having as its President the Prime Minister. Now, with the specified entrusting of executive power to Sheikh Abdullah, we find a new office being created, that of (an appointive) Chief Minister, side by side with that of Prime Minister. The situation called for a fresh Constitutional sanction: M.C. Mahajan appeared to favour something along the lines of that which had been adopted for Mysore. Meanwhile, in the absence of any instrument designed to meet the current circumstances, the State of Jammu & Kashmir, or at least those parts of it dominated by the Indian army, was being governed by a strange mixture of Indian military administration and an arbitrary, unelective, dictatorship of Sheikh Abdullah and his cronies, an administration which, so M.C. Mahajan complained to Sardar Vallabhbhai Patel on 11 December 1947, was based "on Hitlerian methods."

The conclusion that everything was very much in a state of flux, and that there was not in place anything as clear cut as a formal Instrument of Accession as that term was understood in the context of the Transfer of Power up to 15 August 1947, is supported by some impressive circumstantial evidence, much of it revealed in the first volume of the published correspondence of Sardar Vallabhbhai Patel which appeared in 1971. The following are examples.

First: in a letter of to Maharaja Hari Singh of 1 December 1947 Jawaharlal Nehru considered the prospects of a negotiated Indo-Pakistani settlement of the Kashmir problem. Nehru accepted the possibility of the State acceding to Pakistan, even though he made it quite clear that in his view it was of paramount importance to India that it should not. The key point in our present context is that Nehru did not challenge the *provisional* and *temporary* nature of the existing relationship between the State of Jammu & Kashmir and the Indian Union. One may reasonably conclude that whatever document which might have been negotiated between V.P. Menon, M.C. Mahajan and Maharaja Sir Hari Singh would have reflected this fact: the text which the Indians have produced of the alleged Instrument of Accession certainly did not do this.

Second: the Patel correspondence shows clearly enough that in these early stages of the Kashmir dispute, at least up to the Indian UN reference in January 1948, the Indian side was perfectly aware that one practicable settlement (other things being equal) lay in the formal partition of the State. In his letter to Maharaja Hari Singh of 1 December 1947 (to which reference has already been made), Nehru noted the possible allocation of Jammu to India and the Vale of Kashmir and Poonch to Pakistan. Nehru disliked this idea for many reasons,

among them that it was the Vale of Kashmir that was of essential value both to India and to himself. He did not, however, argue that such a division of the spoils was contrary to the terms of the Instrument of Accession.

Third: again in his letter to the Maharaja of 1 December 1947, Nehru noted that yet another possibility, certainly in conflict with the published terms of the alleged Instrument of Accession, was then being canvassed, namely that Kashmir State as a whole might be more or less an independent entity with its integrity and defence guaranteed jointly by India and Pakistan. Nehru objected because this was likely to give trouble in the future and the conflict between India and Pakistan might well continue. He did not, however, argue that such proposals were precluded by existing formal relationships between India and the Maharaja of Jammu & Kashmir.

Fourth: a letter from M.C. Mahajan to Patel of 24 December 1947 makes it clear that Sheikh Abdullah too did not believe that there was at that time extant any formal agreement which determined that the future of the State of Jammu & Kashmir lay with India and India alone. Mahajan reported that Sheikh Abdullah was now actively exploring the possibility of another form of partition of the State. Some parts, those that might be considered to lie within the Hindu sphere, Jammu and Kathua and Udhampur, would be left with the Maharaja, who could stay with India if he so wished. The rest Sheikh Abdullah wanted to incorporate into a Muslim republic like Pakistan, in other words yet another sovereign Muslim State arising from the ashes of the British Raj. Sheikh Abdullah was actively canvassing the support of the Muslim Conference leader Ghulam Abbass who was in jail and with whom he was having interviews. Sheikh Abdullah's pursuit of this version of the independence option (which, incidentally, continued in subsequent years) was certainly unpalatable to the Indian leadership: it was not, however, at this time ruled out of court on constitutional grounds.

Fifth: Maharaja Hari Singh, so the Patel published correspondence reveals, also had his own ideas about independence for his State.

On 25 January 1948, in the context of what was then happening at the Security Council of the United Nations, Maharaja Sir Hari Singh wrote to Patel in language which made it perfectly clear that in his eyes the Accession question had by no means been decided. The Maharaja maintained that he and his Government were still sovereign in the State of Jammu & Kashmir, and that the State of Jammu & Kashmir was a polity quite distinct from the Dominion of India. He saw Accession as it applied at that time as nothing more permanent than a bilateral agreement between his State and the Indian Dominion relating to a transient emergency and in which the fundamental rights of both parties were unchanged and safeguarded. It was evidently, whatever the precise wording of the text may turn out to be, interpreted by Sir Hari Singh as something

temporary and provisional.

With all this in mind, on 31 January 1948 Maharaja Sir Hari Singh wrote to Vallabhbhai Patel proposing that a possible option was to “withdraw the accession,” that is to say to dissolve the arrangements extant between the Indian Dominion and the State of Jammu & Kashmir by unilateral declaration. One consequence of such a step, the Maharaja observed, would be to “kill” the reference to the United Nations because India would have no right to continue the proceedings before the Security Council if the Accession were withdrawn. It is interesting that while Jawaharlal Nehru, who was immediately informed of the Maharaja’s proposal, thought the idea of cancelling the Accession was “completely wrong” (Nehru to Patel, 9 February 1948), yet he did not explicitly deny that the Maharaja then still retained the legal power so to act if he were really determined upon such a course.

The trouble with circumstantial evidence is that it never really proves anything. These examples culled from the pages of the Patel correspondence do not show what kind of document Maharaja Sir Hari Singh, or M.C. Mahajan on his behalf, actually signed at the instigation of V.P. Menon on or after 27 October 1947. They do suggest very strongly, however, that it could not possibly have been the eternally binding agreement to join the Indian Union to which Indian diplomats today are so wont to refer.

**Postscript One.** In September 1995 it was reported in the press in the Subcontinent that a law suit had been initiated in the Courts of the Indian-held part of Jammu & Kashmir to oblige the State authorities to produce the original of the Maharaja’s Instrument of Accession of October 1947. It was further reported that this document, according to the State authorities, could not be found: it was “missing” from the State archives. On 22 October 1995 an article in the *Sunday Observer*, a New Delhi newspaper, suggested that the missing document might in fact have been stolen and spirited away to Pakistan where the dates on it had been altered. Finally, it was further implied that the present author came across this document in Pakistan, or was shown it by the Pakistani authorities, and hence his comments here about the chronological problems which it poses. It need hardly be said that all this is nonsense.

**Postscript Two.** In 1996 Prem Shankar Jha, scion of a family with a significant history of involvement in certain Indian aspects of the Kashmir problem, produced *Kashmir 1947. Rival Versions of History* (O.U.P., Delhi), a short book intended in large part to refute some of the points made in my various writings since 1991. One of his prime targets has been the Accession story which is the subject of this Chapter. His argument, that the Maharaja of Jammu & Kashmir actually signed the Instrument of Accession to India in the



early hours of the morning of 26 October 1947, and, therefore, well *before* the arrival of the Indian regular troops at Srinagar airfield on the morning of 27 October, is extremely interesting and certainly merits a detailed examination. His key authority for this assertion is the narrative of Field Marshal Manekshaw which he recorded in Delhi on 18 December 1994.

*Manekshaw's Narrative.*

Describing events which took place some 47 years before, the Field Marshal told P.S. Jha the following story.

Manekshaw, then a Colonel, in the early afternoon of 25 October 1947 was told by General Roy Bucher (subsequently Commander-in-Chief of the Indian Army) that he had been deputed to fly up to Srinagar that afternoon with V.P. Menon who had been instructed to obtain from the Maharaja of Jammu & Kashmir, Sir Hari Singh, a signed Instrument of Accession to India, the essential preliminary to the direct involvement of Indian regular troops in the Kashmir crisis. Together with Wing Commander Dewan, Manekshaw's special task would be to assess the military situation then prevailing in the State of Jammu & Kashmir.

Manekshaw, at this point, was already aware of the approach of the Pathan tribesmen to Srinagar - they were then believed to be between seven and nine kilometres away from the Jammu & Kashmir summer capital. He had also learned of the tribal sack of Baramula and the murder of his old friend Lt.-Colonel Dykes.

Manekshaw, Wing Commander Dewan and V.P. Menon arrived at Srinagar airfield in the late afternoon of 25 October. They went immediately to the Maharaja's palace where they found Sir Hari Singh preparing to abandon the place for the safety of Jammu. The scene was one of the greatest imaginable disorganisation. Apparently M.C. Mahajan, the State's Prime Minister, was also then at the palace. After some discussion the Maharaja signed the Instrument of Accession to India, or so V.P. Menon told Manekshaw who did not himself witness the act of signing: he had gone off to make his military appreciation. Armed with the Instrument of Accession, V.P. Menon, Manekshaw and Dewan returned to Srinagar airfield in the small hours of 26 October, perhaps between 3 and 4 a.m., and then flew back to Delhi. Among those waiting at Srinagar airfield to see the party off was Sheikh Abdullah.

Back in Delhi, and after reporting to General Bucher, Manekshaw attended what he described as a meeting of the "Cabinet" (by which, so questioning by P.S. Jha elucidated, he meant the Defence Committee). It was now about 9 a.m. Here Manekshaw saw V.P. Menon hand over the Instrument of Accession (or a document which he assumed to be such) to Mountbatten. The Defence Committee then took the decision to fly in Indian regular troops to Srinagar. The airlift of 1 Sikh, commanded by Lt.-Colonel Ranjit Rai, began between 11

and 12 a.m. (on 26 October). When questioned further by P.S. Jha on this point, Field Marshal Manekshaw was adamant that the airlift began on that day and at that time.

There are a number of problems with the Field Marshal's story, most of them no doubt due to the fact that he was trying to reconstruct, apparently without the help of a diary, events which took place many decades ago. Three points strike one immediately.

First: the available evidence is clear enough that on 25 October 1947 the tribesmen had not yet reached Baramula. The killing of Lt. Colonel Dykes would appear to have taken place on either 27 or 28 October.

Second: Sheikh Abdullah could not have been at Srinagar airfield to see V.P. Menon and his party off on their return to Delhi in the early morning of 26 October. He was already in Delhi (as P.S. Jha points out).

Third: there seems to be no doubt that the airlift of 1 Sikh to Srinagar did not begin until the morning of 27 October. The evidence for this is overwhelming.

As P.S. Jha concedes in his comment on the Field Marshal's recollections, the Field Marshal was, as one might expect, subject to lapses of memory on a number of points.

#### *P.S. Jha's Interpretation.*

P.S. Jha bases an elaborate argument upon the Field Marshal's statement to demonstrate that the Instrument of Accession was signed by the Maharaja *before* the direct Indian intervention.

First: he accepts as unquestionable fact the Field Marshal's statement that V.P. Menon obtained the signed Instrument in Srinagar before returning to Delhi early on 26 October and that he handed it over to Mountbatten at the beginning of the Defence Committee meeting that morning. He further argues, and here the Field Marshal's narrative is not entirely supportive, that the Prime Minister of the State of Jammu & Kashmir, M.C. Mahajan was not present when this document was signed and, indeed, was most probably unaware that it had indeed been signed until at least the end of 26 October and, it may well be, not until he and V.P. Menon finally set out for Jammu on the morning of 27 October (a journey P.S. Jha admits took place) after the Indian regular troops had started to land at Srinagar airfield.

Second: P.S. Jha suggests that Jawaharlal Nehru was also ignorant that V.P. Menon was indeed in the process of securing the Maharaja's signature. V.P. Menon's instructions, P.S. Jha suggests, came from Vallabhbhai Patel who had not consulted Nehru. On this argument, one presumes that the earliest that Nehru could have heard about the signing of the Instrument of Accession was at the Defence Committee meeting on the morning of 26 October after V.P. Menon had returned from Srinagar; and, as we shall consider below, it could well have been rather later. The securing of the signed Instrument of Accession,

in P.S. Jha's view, was the result of something very like a Menon-Patel conspiracy directed against Nehru.

Third: P.S. Jha is confronted with the fact, which he does not question, that V.P. Menon tried in vain to get to Jammu on the afternoon of 26 October. What was the object of this abortive journey? P.S. Jha makes a number of guesses but produces no concrete evidence. He suggests that it was concerned with ancillary details to the Instrument of Accession rather than the securing of the signed Instrument itself (which, of course, according to the Manekshaw story had already been signed).

Fourth: the Field Marshal's narrative suggests very strongly that there was on 26 October 1947 only *one* meeting of the Defence Committee, or at least only one which was of prime significance for the Kashmir situation. The Committee assembling at somewhere between 9 and 10 a.m., its Chairman, Mountbatten, received Sir Hari Singh's signed Instrument of Accession to India. The Defence Committee (or, at least, some of its members) then decided, first, to accept Jammu & Kashmir's accession to India and, second, to send at once Indian regular troops by air to Srinagar. By noon, so the Field Marshal recalled, the troops were on their way. If there was another meeting that afternoon, it was either concerned with other matters or was a charade, the basic Kashmir military decisions having already been made. While he does not labour the point, P.S. Jha would seem to subscribe to this view, that it was the morning meeting that was crucial. In support he adduces the published diary of Allan Campbell-Johnson which, so P.S. Jha notes, records that at this morning meeting of the Defence Committee the Instrument of Accession, brought down from Srinagar by V.P. Menon, was placed in Mountbatten's hands, and there was then nothing to prevent the immediate authorisation of direct Indian military intervention in the Kashmir crisis.

P.S. Jha's version of events, based upon the Field Marshal's memory, is not in itself absurd. On first principles there is no reason why V.P. Menon should not have obtained the signed Instrument on his visit to Srinagar over the night of 25-26 October. He would have been delighted to have been able to. If he had indeed done so, it would have been eminently reasonable for him to have handed the document over to Mountbatten at the morning meeting of the Defence Committee on 26 October. The basic Indian requirement for Kashmiri intervention, at least as understood by Mountbatten, would have been met. But can P.S. Jha's interpretation of the Field Marshal's memories be reconciled with other evidence?

#### *Other evidence.*

The best evidence, of course, would lie in the minutes of this Defence Committee meeting of the morning of 26 October 1947. These minutes have never been published. Writers using the Mountbatten archive, like Hodson and,

more recently, Philip Ziegler in his monumental biography of the last Viceroy, have not quoted from them if indeed a copy of them is to be found there. Both Hodson and Ziegler seem to have relied (entirely?) for their account of what went on at the Defence Committee on 26 October on the published narrative of V.P. Menon (to which they accord archival status).

V.P. Menon's own story is clear enough. Returning from Srinagar early on 26 October, V.P. Menon, as it had been his mission to investigate, reported to the Defence Committee on the situation then obtaining in the State of Jammu & Kashmir. His view was that something should be done at once if the State were not to be lost to India by default. The Committee agreed with Mountbatten that before direct Indian action could take place an Instrument of Accession to India would have first to be signed by the Maharaja. V.P. Menon was instructed immediately to go to Jammu, whither it was known the Maharaja was now proceeding, to obtain such a document. V.P. Menon (accompanied by M.C. Mahajan, the Prime Minister of the State of Jammu & Kashmir) did just this, returning to Delhi late that afternoon with the Instrument of Accession duly signed. Once the document had been presented to the Defence Committee at its second meeting of the day, the final decision was taken to start flying in the Indian troops. The airlift duly began early the following day, 27 October.

A close reading of Campbell-Johnson's published diary shows that it does not of necessity conflict with this version of events. On the morning of 26 October V.P. Menon brings to the Defence Committee a "disturbing" account of the situation in Srinagar. The Maharaja is about to flee his summer capital, and, presumably after Menon's departure from Srinagar back to Delhi ("later in the day"), he does so. The Maharaja then, one must suppose again after leaving, "signed a letter of accession" which V.P. Menon "was able to present to the Defence Committee" after picking it up somewhere other than Srinagar. Clearly implied here is a both a second journey by V.P. Menon to the State of Jammu & Kashmir, this time to Jammu, the goal of the Maharaja's journey after quitting Srinagar, and a second Defence Committee meeting later on that day, 26 October.

It must be emphasised that Campbell-Johnson was not in India on 26 October. He arrived at Palam airport from a visit to London at 1 a.m. on 28 October. His account of what had happened on the previous few days is based on what he was told by Mountbatten and by various members of the Indian Governor-General's entourage (including, it may even be, V.P. Menon). Campbell-Johnson was Mountbatten's public relations man, and his published diary clearly shows what Mountbatten wished it to show, namely that the Instrument of Accession *preceded* the Indian intervention. Had it not been for the precision of V.P. Menon's published account, it would have done this perfectly. The real problem arises from V.P. Menon's story as related in *The*

*Story of the Integration of the Indian States* (1956) which until recently has been treated as a primary source of unimpeachable accuracy.

*The V.P. Menon problem.*

As we have seen on more than one occasion above, V.P. Menon is categorical that he made a journey to Jammu, accompanied by M.C. Mahajan, on the afternoon of 26 October. In great circumstantial detail he describes how he obtained the signed Instrument of Accession from a demoralised Maharaja Sir Hari Singh and how he brought it back in triumph to the Defence Committee. The veracity of this tale was challenged, albeit tacitly, in M.C. Mahajan's autobiography which appeared in 1963. M.C. Mahajan asserts that he did not leave Delhi on 26 October following his arrival there early that morning. He indicates that the joint visit to Jammu with V.P. Menon actually took place on 27 October. This is confirmed by a report in the London *Times* newspaper (of 28 October) as well as in correspondence published in the monumental *Selected Works of Jawaharlal Nehru*. The journal of Alexander Symon, preserved in the British archives, also leaves us in no doubt that V.P. Menon remained in the Delhi region throughout the afternoon and evening of 26 October. P.S. Jha concedes this point when he refers to Menon's "abortive" trip to Jammu (on p. 72, line 18, of *Kashmir, 1947* P.S. Jha has "Delhi", but he surely means "Jammu").

The balance of probabilities, therefore, suggests that V.P. Menon's account of this Jammu visit is not true. A major source on a most important point is acknowledged to be in error. This is not just a slip of the pen, as in the case of P.S. Jha putting "Delhi" when he clearly means "Jammu": it is an elaborate distortion of history by a key participant. V.P. Menon was writing only eight or nine years after the events in question, and it must be that he had a great deal of contemporary documentary material to hand. Unlike the Field Marshal, he cannot be excused because of chronological distance and age for inevitable lapses of memory. Moreover, V.P. Menon was not a frivolous man. He must have had good reason for presenting events in this particular way. Why? P.S. Jha entirely fails to answer this question.

The most logical explanation is that which I have advanced earlier in this Chapter. The direct Indian intervention in Kashmir required, at least in the view of Mountbatten, a prior Instrument of Accession. This was not to hand: it was necessary, therefore, to fabricate a set of circumstances which indicated that it indeed was.

*A summary so far.*

The Field Marshal's recollections, of great interest though they are, contain sufficient evidence of lapses of memory, some admitted by the Field Marshal and some conceded by P.S. Jha, to deprive them of overriding value as evidence of a precise chronology of events now (1997) a half century in the past.

In exploiting these recollections, however, P.S. Jha has come up with two points of great importance.

First: he has confirmed what I suggested in my *Kashmir: a Disputed Legacy* in 1991, namely that V.P. Menon's account of the securing of the Instrument of Accession cannot be relied upon.

Second: he has introduced into the Kashmir Accession story something quite new (and which I certainly did not suggest in my 1991 book). According to P.S. Jha there was a "conspiracy" (the word is P.S. Jha's) of sorts between V.P. Menon and Vallabhbhai Patel to "deceive" (the word, again, is P.S. Jha's) Jawaharlal Nehru in which Mountbatten may have been collaborating with Patel and Menon. Given the degree of frank discussion over Kashmir between Patel and Nehru revealed in the published papers of both these founding fathers of the Indian Republic, I personally find this particular conspiracy rather unconvincing.

It is, however, interesting that in order to explain away what may well have been a rather inconvenient conspiracy (for the Indian position in Kashmir at least), P.S. Jha has been obliged to devise yet another conspiracy. He is quite prepared to admit that there *were* conspiracies among the major Indian players in the Kashmiri game at this epoch.

I was fascinated by P.S. Jha's analysis. While I do not believe that it throws much light on what really happened on that fateful day of 26 October 1947, it does show the importance which still attaches in some Indian minds to the validity of the Instrument of Accession.

*A final point: the 1948 Indian White Paper on Kashmir.*

As we have already seen above, the Indian 1948 *White Paper* on Kashmir, an official document if there ever was one, provides us with a time for the signing of the Instrument of Accession by the Maharaja of Jammu & Kashmir: it took place "on the previous night" to 27 October, that is to say the *night* of 26 October. The wording is specific. It does not say "previous *day*" (which would be quite adequate to make the general point that the signing of the Instrument preceded Indian intervention), neither does it say "previous *morning*" as one might reasonably expect if the Field Marshal's recollections are accurate. What does *night* mean and why was this word used in a document which was the product of a great deal of bureaucratic thought and care?

One might perhaps equate *night* with the term "after close of business," that is to say after the Government offices had closed. However, 26 October 1947 was a Sunday, and this concept would not then apply.

*Night* might also be taken to mean "after dark" which would at that time of year be from about 6 p.m. Or it might, perhaps, be interpreted to mean "late afternoon," which was about the time when, according to the V.P. Menon version, the signed Instrument of Accession was brought to the Defence

Committee at its second meeting that day.

These various interpretations of the expression "night" in the *White Paper* do rather strongly suggest an intention to validate the V.P. Menon version. If so, why? At the time when the *White Paper* appeared (to be laid before the Indian Constituent Assembly), in early March 1948, the V.P. Menon version had not been made public. If it was known at all, it would have been only to a small group of insiders, those actually participating in the working of the Defence Committee and of services closely related to it. Let us suppose for a moment that the P.S. Jha story, based upon the Field Marshal's recollections and on his idea of a V.P. Menon-Patel conspiracy, is correct. Then we might well have within this class of persons two distinct groups. First: those who knew that the Instrument had been signed in the small hours of 26 October and was already in Mountbatten's hands at the beginning of the morning session of the Defence Committee on 26 October. Second: those who did not know this and believed that the Instrument had yet to be signed. It could well be that Jawaharlal Nehru himself fell into this second group of people ignorant of the true state of affairs relating to the Instrument of Accession. If so, then it might well be politic for those in the know to devise some procedure whereby Nehru could be enlightened as to the existence of the Instrument of Accession without being informed that it had been arranged behind his back.

In these circumstances a bit of theatre might have seemed useful. The afternoon session of the Defence Committee of 26 October might, on this analysis, have served as the scene for someone to introduce the signed Instrument of Accession to Nehru as if that very moment arrived fresh from the State of Jammu & Kashmir and after Nehru (at the morning session) had agreed with the necessity for its signature.

V.P. Menon might conceivably, in the interests of governmental harmony, have been party to a charade in which he pretended to go to Jammu to secure an Instrument of Accession which was already extant. It may be, still following this line or argument, that V.P. Menon originally had no intention of actually going to Jammu. The unfortunate intervention of Alexander Symon (asking to see him at the very moment when he was supposed to be on his travels, and then offering to meet him at one of the Delhi airports) may well have started a chain of circumstances which obliged Menon really to try to go to Jammu, or at least go publicly through the motions of so trying. Without Symon's importunity, V.P. Menon might not have bothered to leave the confines of his Delhi residence.

Once such a step to deceive had been decided upon and implemented, it would have been necessary to establish the "Nehru" time in the record: hence "night" in the *White Paper*. Hence, also, the extremely circumstantial story in V.P. Menon's book, which was designed to maintain whatever it was that

Jawaharlal Nehru believed to be true.

I do not believe this particular version.

The *White Paper* time for the signing of the Instrument of Accession can be explained far more easily by the version of events which I have outlined above. Whatever the difference of opinion between Nehru and Patel might have been, they did not surface to any significant degree at the morning meeting of the Defence Committee on 26 October. Here it was agreed that it would be best if the Maharaja's of Kashmir's signature to an Instrument of Accession be obtained before the Indian troops went in to Srinagar airfield. As such a signature had not been obtained, and was unlikely to be obtained, on 26 October, it would be expedient to create a set of circumstances which made it *look as if it had* been obtained, a kind of document-laundering. Exactly who was party to this deception is not clear. Certainly V.P. Menon, perhaps Mountbatten, perhaps Patel, perhaps Nehru (but we cannot rule out that it was V.P. Menon on his own, executing what he might have deemed an entirely legitimate *ruse de guerre*). Both the *White Paper* and V.P. Menon's narrative have served to back up this ruse.

There, I believe, we must leave this whole question until fresh documentary evidence comes to light (if it ever does).

**Postscript Three.** Stanley Wolpert's tale. In 1996 the American historian Stanley Wolpert (Distinguished Professor of Indian History at the University of California, Los Angeles) published his biography of Jawaharlal Nehru (*Nehru: a Tryst with Destiny*, Oxford University Press, New York). On pages 416 and 417 Wolpert relates the story of the signing of the Instrument of Accession, aware as he has been for more than a decade of the problems involved in reconciling the V.P. Menon version with the narrative of Mehr Chand Mahajan in his autobiography (published in 1963).

According to Wolpert, V.P. Menon returned to Delhi from Srinagar on the morning of 26 October with *no* signed Instrument of Accession. Only after the Indian troops had started landing at Srinagar airfield on the morning of 27 October did V.P. Menon and M.C. Mahajan set out from Delhi for Jammu. The Instrument of Accession, according to Wolpert, was only signed by Maharaja Sir Hari Singh *after* Indian troops had assumed control of the Jammu & Kashmir State's summer capital, Srinagar. While Wolpert refrains from commenting on the implications of this version, he does note (p. 417) that Campbell-Johnson observed that Mountbatten considered that it would have been "the height of folly" to send Indian troops into Jammu & Kashmir *without* prior accession because then Pakistan could do exactly the same, and send in its own troops. In other words, if an Instrument did not in fact exist, there were good reasons for making it appear that it did.



## CHAPTER VII

### The First Phase of the Kashmir War

The threat to which the Indians responded with their overt intervention on the morning of 27 October 1947 involved far more than a band of Pathan tribesmen roaring along the Jhelum Valley Road in a convoy of dilapidated buses. There were, in fact, at least three operations in progress on what we shall continue for convenience to call the Azad Kashmiri side, (1) the Poonch sector, (2) the southern or Mirpur sector, and (3) the northern sector along the Jhelum Valley Road.

First: in the Poonch Jagir the Azad Kashmiris had by 27 October secured control of virtually all the countryside up to the main crests of the Pir Panjal Range. The geography here was important. While this tract was separated from West Pakistan by no more than the Jhelum River, which could be crossed easily enough in many places, from the Vale of Kashmir it was walled in by the Pir Panjal mountains which presented great difficulties even to experienced local travellers let alone military formations. Access from the rest of Azad Kashmir to Poonch City was, for example, simple enough from the south-west. From the Vale that City was by no means easy to reach; perhaps the best route was by way of Uri to its north on the Jhelum Valley Road, to which it was linked by a motorable track of indifferent quality which crossed the Hajipir Pass. Other passes were far more formidable; and at this stage in the conflict were certainly beyond the capabilities of most, if not all, motor transport.

In this area, the heartland of the original Poonch revolt, the Jammu & Kashmir State forces on 27 October still retained Poonch City, where its garrison along with the remaining Hindu and Sikh inhabitants put up a strong defence, soon to be assisted by Indian air power; and in the end (in the summer of 1948) the Indians were able to join up with this outpost, despite the blocking of the Uri road, and retain it in their part of the State. To do so, however, involved considerable feats of military engineering of a kind which could not be applied to many a population centre of lesser psychological importance. Thus elsewhere, towns like Bagh and Rawalakot were soon snatched from their State

garrisons by the Azad Kashmiris.

Second: south of Poonch Jagir the main front lay along the borders of Mirpur Province with Riasi and Jammu. Here the Indians were able from the outset to apply considerable pressure because they had a good logistical connection with India from the Pathankot railhead through Madhopur and across the Ravi by pontoon bridge (initially constructed by Indian Army engineers on the eve of the Indian intervention and then rapidly strengthened) to Kathua and Jammu. This route not only provided access to the south of Azad Kashmir, but was in addition the first leg of the main road across the Banihal Pass to Srinagar (which was much improved by the end of November 1947), the key Indian alternative to air transport for operations in the Vale.

It was, of course, also the means of approach to a sector of border between Jammu and West Pakistan in the plains where geography favoured the more conventional forms of warfare including the use of armour. There was always a possibility that, should the conflict escalate, the Pakistani side might launch an attack here, along the axis Sialkot-Jammu or Sialkot-Akhnur, in an attempt to sever the Banihal Pass lifeline (and, indeed, such attempts, which some leaders on the Azad Kashmiri side had advocated in 1947, were made in the Indo-Pakistani Wars of 1965 and 1971). It followed, therefore, that a significant proportion of Indian strength in this quarter would have to be withheld from Mirpur operations to provide a reserve against the possibility of a direct intervention by Pakistan from Pakistani territory. It is probable that the bulk of the Indian forces from the outset were concentrated here, where they also acted as a counter threat aimed at Pakistan in the Punjab.

On 27 October 1947 the situation on this southern sector seemed to be that most of the major towns (like Mirpur and Kotli) were held by the Jammu & Kashmir State Forces, possibly with some assistance from the Patiala infantry which had been sent to Jammu some days prior to the formal Indian intervention; but the countryside was controlled, if not always permanently occupied, by the Azad Kashmiris. In other words, it was a classic guerilla war situation for which many recent parallels can be drawn. The Azad Kashmiris, even though pressing towards Akhnur on the Chenab, a place which in the strategic thinking of the day pointed like a dagger at the main Jammu-Srinagar road across the Banihal Pass, were as yet unable to do more than threaten; they were not equipped for assaults against fixed positions defended with any ability at all. This situation would change during the course of November, as the Azad Kashmiris acquired experience, more skilled leadership and better weapons (most of them captured from the Jammu & Kashmir State Forces).

This was, moreover, a sector where communal relations had been shattered by the Maharaja's policy of precautionary elimination of Muslim threats (what today in another context would be called "ethnic cleansing") from September

onwards. Here was the scene of great, though virtually unrecorded, massacres of Muslims by Sikhs and Dogras which reached a climax on the very eve of the overt Indian intervention in Kashmir, and continued in Jammu territory controlled by the Maharaja through November and December 1947. In regions so affected, survivors showed no love whatsoever for the old order; the Azad Kashmiris here did not lack for support among the remaining Muslim population.

Following their open intervention, of course, the Indian strength on this sector, once established, increased rapidly; but never to such an extent as to threaten to overwhelm the Azad Kashmiri defenders. During the course of 1948 a stalemate was reached which has persisted more or less to the present day. A front line was stabilised which ran south from the Indian controlled Poonch salient, passed just west of Naoshera (which remained in Indian hands), and reached the old Punjab border (now that of Pakistan) a few miles to the west of the Chenab River. The Jammu & Kashmir State town garrisons to the west of this line were unable to hold out against Azad Kashmiri siege, many falling during the course of November 1947. The extreme south of this sector was really an extension of the Punjab plains; and here fighting could take place on a surprisingly large scale, so that in successive Indo-Pakistani Wars this was to be the scene of great clashes of armour and the use of tactical air power, at times of a magnitude which would have aroused notice in World War II.

In the final week of October 1947 the Azad Kashmiri military command in these two sectors, Poonch and the southern front including Mirpur, was, it would seem, largely entrusted to a small group of former Indian National Army (INA) officers with Kashmiri affiliations, of whom the most important was M. Zaman Kiani, who had during World War II fought with the Japanese army as a divisional commander at Imphal (a battle in which General Douglas Gracey had been actively involved on the opposing side). Liaison between the Poonch and Mirpur commands and that of Major Khurshid Anwar (on the third, and northernmost, sector to be described below) appears to have been somewhat defective at this early stage of the conflict. Thus Khurshid Anwar's operations from Domel all the way to the approaches to Srinagar took place in virtual isolation from what was happening in Poonch and Mirpur, even though some of its major objectives were of the greatest strategic importance to the commanders of these two sectors.

Third: there was the northern sector through which ran the Jhelum Valley Road. This was a corner where Kashmir Province touched upon the Hazara District of the North-West Frontier Province, where, in fact, the State of Jammu & Kashmir marched with the Pathan tribal world. Through it ran the only good land communication between Pakistan and Srinagar, the Jhelum Valley Road, which was approached on the Pakistan side by two routes meeting

at Domel beside the Jhelum-Kishenganga (Neelam) confluence. One, by way of Muzaffarabad from Mansehra (which involved bridges over both the Jhelum and its Kishenganga tributary), led across the Indus from Peshawar, the capital of the North-West Frontier Province. The other, across the Jhelum from Pakistan at Kohala, and then along the left bank of the Jhelum to Domel, was the road from Rawalpindi and Lahore by way of the Murree hill station. Both these access routes to the Vale of Kashmir were connected with the nearest railhead in Pakistan, Havelian, a few miles south of the cantonment town of Abbottabad. In order to secure their positions in Poonch and Mirpur from any northern threat, and at the same time to retain communication with northern and eastern Poonch, notably the towns of Rawalkot and Bagh, it was essential for the Azad Kashmiri forces to occupy this part of Kashmir Province, certainly as far eastward along the Jhelum Valley Road as Uri. As a secondary, though extremely tempting, objective, this same tract promised to be the key to the capture of Srinagar itself and the union of all Kashmir Province, the Vale, with Poonch and Mirpur, to form a greater Kashmir free of Dogra rule.

It is this particular (northern) sector which occupied the centre stage in the opening scenes of the first Kashmir war; and many accounts of that conflict treat it as if it were the only front. In fact, as we have already suggested, within the context of a viable Azad Kashmir any operation along the Jhelum Valley Road beyond Uri towards Srinagar was a tactical sideshow, though it might hold out glittering prospects of strategic gain in the longer term. Indian commentators, and their sympathisers, have been disposed to emphasise one element, the defeat of the "raid" on Srinagar, to the virtual exclusion of all others. We must now examine such evidence as is available as to what exactly that "raid" was.

At Uri on 24 October the column commanded by Major Khurshid Anwar, some 2,000 strong (consisting of men from the old Poonch revolt, former members of the 4th Jammu & Kashmir Rifles, and a number of Pathan tribesmen from various North-West Frontier tribal groups), having pushed back the Jammu & Kashmir State Forces and their allies but confronted with destroyed bridges, was not able to resume its advance until the following day. On the evening of 26 October a few small detachments approached the outskirts of Baramula, a substantial town of some 15,000 inhabitants on the Jhelum some 35 miles to the north-west of Srinagar; but the town was not to be taken over by the Azad Kashmiris and their allies until the course of the following day - according to Brigadier Hiralal Atal, in a telegram to General Roy Bucher, at 1500 hours on 27 October [see: Hiralal Atal, *Nehru's Emissary to Kashmir*, New Delhi 1972, p. 44]. Indeed, there is excellent evidence that at the moment that the first Indian Sikhs arrived at Srinagar airfield Baramula was still unoccupied.

For the story of the war as seen from the Azad Kashmiri side over the next few days we have the narratives of Khurshid Anwar and a few other

participants; these, needless to say, do not agree in all respects with the many Indian accounts, of which in some ways that of Lt.-General L.P. Sen is the most interesting (though not all Indian soldiers would accept it as gospel, and it should be read alongside the narratives of many other Indian soldier-historians including Major-General S.K. Sinha, Major-General D.K. Palit and Lt.-Colonel Maurice Cohen). The story which follows in this Chapter is the distillation of a large number of narratives and reports related or written from many points of view.

By 27 October Khurshid Anwar's force had been much depleted, men having perforce been left behind to secure the extended line of communications; and the situation grew worse with every day. Only three or four hundred men advanced to Patan, some 15 miles north-west of Srinagar, on or shortly before 31 October. Here they encountered an Indian blocking force in positions along the Srinagar road; and there followed, it appears, a series of clashes for control of the place. Meanwhile, Khurshid Anwar took about two hundred men in an attempt to approach Srinagar from the south by a flanking march. Only 20 or so men, however, actually came into direct contact with Indian forces guarding Srinagar airfield, on 3 November. Khurshid Anwar was then obliged to pause. Further attempts to advance having been frustrated despite some reinforcements, on 7 November his column began to withdraw towards Uri, giving up Baramula and abandoning the prospect (for the foreseeable future, it was to transpire) of entering Srinagar. For a week after their arrival on 27 October the Indian regulars had been left virtually unmolested to build up their strength both through Srinagar airfield and, increasingly, by land convoys from Pathankot via Jammu over the Banihal Pass.

Major Khurshid Anwar was perhaps not the greatest of soldiers, though undoubtedly brave and energetic; and a few days after the withdrawal from Baramula he was to be seriously wounded in action and obliged to retire from the fray. His deputy, Major Aslam Khan, an officer of Kashmiri origin who described himself to the British journalist Sydney Smith (of the *Daily Express*) as a "deserter" from the Pakistan Army (he had, in fact, recently served in the Pakistan Army after a career in the Jammu & Kashmir State Forces, where his father had once held high rank), was a competent but uninspiring professional who was to show some ability in operations in Baltistan a little later on (he took over in January 1948 from Major W. Brown as Commandant of the Gilgit Scouts). The conduct of the final stages of this campaign strongly suggest that the main objective was the Kohala, Domel, Muzaffarabad region, flanked by Uri; beyond that lay targets of opportunity which were attacked with strictly limited forces.

This is what the Azad Kashmiri sources indicate. Indian accounts, differ in a number of respects: this is hardly surprising given the nature of any military

history based almost entirely on the records of one side. The magnitude of the danger is amplified. Organised military action is detected in every incident when some isolated tribesman opened fire upon Indian troops. It is made quite clear that Srinagar was saved from a frightful fate at the very last moment. Had the intervention been postponed by a few hours, so Indian accounts have it, the result would have been catastrophe. Behind this hyperbole, so characteristic of military bulletins from virtually all nations, a story of sorts can be discovered which is capable of being collated with what we now know from the other side.

When the men of 1 Sikh began to disembark from their Dakota aircraft at Srinagar airfield on the morning of 27 October, their commander, Lt.-Colonel Dewan Ranjit Rai, clearly did not believe that the landing ground was in any direct danger. As soon as his force was present in company strength, he secured (not without difficulty because of the large number of vehicles commandeered by the Maharaja for his departure to Jammu the previous day) transport from the local State authorities and took himself off with his men towards Baramula, more or less abandoning his base. Quite what he had in mind is not clear. Perhaps he hoped to meet the remnants of the State forces and their "Patiala" Sikh allies. More probably, he had been instructed in New Delhi to make his way along the Jhelum Valley Road as far as he conveniently could to the west of Srinagar in order to establish a symbolic road block. This might stop no tribal hordes, but it would certainly make an approaching patrol of Pakistan Army armoured cars think twice before initiating an overt inter-Dominion shooting war (which might then spread to the Indo-Pakistani borders both West and East). During the morning of 27 October, before the Pakistani authorities had been unambiguously warned off by Gracey and Auchinleck from sending in their own regulars, the arrival of such forces could well have seemed to the Indian high command to be the greatest danger to their Kashmiri ambitions. In the event Lt.-Colonel Ranjit Rai was ambushed and killed (apparently neither by Pathan "raiding" tribal bands nor by the main Azad Kashmiri forces); and many of his men ended up, for no obvious immediate good purpose, in positions near Patan astride the Baramula-Srinagar road (and about 15 miles from the vital airfield). The defence of the Srinagar airfield was soon to become the responsibility of other units who arrived as the airlift from India proceeded.

By reading between the lines of several Indian accounts of what was happening in Baramula and its surrounding country at this moment it becomes obvious that this was no countryside through which small groups of Indian troops should wander. In Baramula itself, as the Azad Kashmiri forces entered the town in strength during the course of 27 October, the Muslim population took to the streets to welcome them as liberators from Dogra rule. It would seem that at the same time there developed a significant amount of guerilla activity in the countryside, either the action of men who had made their way

over the mountains from Poonch through the Gulmarg district to the neighbourhood of Baramula and Patan, or of members of a local Kashmiri resistance to the Dogras. No doubt some of the latter had acquired weapons from State sources, be they defeated troops or captured armouries. It may well be that both Brigadier Rajinder Singh, the Jammu & Kashmir Chief of Staff who had been ambushed the previous day, and Lt.-Colonel Rai, who died in a similar manner on 27 October, were both victims of such people rather than organised Azad Kashmiri opposition.

The Azad Kashmiri force under Khurshid Anwar and Aslam Khan, which advanced from Baramula through Patan in their flanking movement southward of Srinagar, contained the bulk of what might be called the professionals, mainly Poonch men (the majority Sudhans), either old soldiers who had served in British Indian Army or former 4th Jammu & Kashmir riflemen. Left behind in Baramula were assorted groups of tribesmen from the North-West Frontier Province and, even, it is very possible, Afghanistan. Discipline was not the strongest characteristic of such men; and their officers experienced serious difficulty in keeping them under control, particularly when stories began to circulate of the arrival of the Sikhs (who had been generally accepted by the tribesmen as the greatest scourge of the Muslims in the communal massacres which accompanied Partition, and the legitimate foe in any *jihad*, holy war) at Srinagar airfield. The inevitable killing of Sikhs and Hindus in Baramula, particularly merchants who had remained to guard their stock, now began to be accompanied by indiscriminate looting and a considerable amount of rape, applied as much to unfortunate Kashmiri Muslims as to the infidel.

Usually these outrages did not lead to massacre; but in a few cases, where leaders completely lost control over their men, an orgy of killing was the result. This was certainly the case at St. Joseph's College, Convent and Hospital, the site of what was to become one of the most publicised incidents of the entire Kashmir conflict. Here nuns, priests and congregation, including patients in the hospital, were slaughtered; and at the same time a small number of Europeans, notably Lt.-Colonel D.O. Dykes and his wife, as well as the Assistant Mother Superior (of unknown European nationality) and one Mr. Barretto (an Italian and husband of a lady doctor), met their deaths at tribal hands. As far as can be ascertained by the present writer, this was the only occasion when Europeans lost their lives during this crisis. The other Europeans at St. Joseph's, religious, medical and educational, as well as the proprietor of a Baramula Hotel, Mrs. Oakley, with at least two daughters, all survived the Baramula affair, most of them being evacuated by road to Abbottabad in Pakistan, passing on the way through the advancing Azad Kashmiris and the Pathan tribesmen. The St. Joseph's story was used by H.E. Bates as the basis for a dramatic novel, *The Scarlet Sword*, first published in 1950: it enjoyed a considerable success at the

time and must have greatly influenced opinion outside the confines of the Subcontinent at to what had gone on in and around Baramula. St. Joseph's had been founded and was run by the Mill Hill Fathers of London. The head of the College in 1947 was Father G. Shanks, who had been teacher and friend of the young M.Y. Saraf, later to become Chief Justice of Azad Kashmir and one of the most distinguished historians of the Kashmir question.

This horrible affair, it would seem, took place on 28 October. At about the same time, one of the key eye-witnesses to what happened in Baramula, Sydney Smith of the London *Daily Express*, was captured by some Pathan tribesmen. Smith had driven out that morning from Srinagar to see what was afoot, and had managed to pass through what Indian sources imply was a battlefield (but clearly, if so, was only so in spots) only to blunder into a tribal band which, instead of murdering him, took him prisoner. He was soon rescued by a Pakistan Army convoy which had turned up on the scene in an attempt to seek out and evacuate any Europeans still in the Baramula-Gulmarg region; and a few days later he was brought back to Abbottabad where he reestablished contact with his London newspaper to produce a highly dramatic account of the events in Baramula [*Daily Express* 10 November 1947]. Despite the sensationalism, Smith's account makes it clear that what happened was something which has occurred with almost all armies at one time or another; some troops had, under the stress of circumstances, run amok. Order was eventually restored. Smith speaks particularly highly of one Afridi leader, Suarat Hyat he called him, whose courage undoubtedly saved many lives that day, including Smith's.

Smith's conversation with his captors throws a certain light on the Pathan tribal state of mind at this time. He was told that the main tribal aim was the overthrow of Dogra rule in Kashmir; next, and a very close second, came the extermination of Patiala State followed by the capture of Amritsar, which was seen as the Sikh capital. Clearly the Sikhs were the main enemy, and the Patiala Sikhs, whom these men believed they had already encountered in their advance along the Jhelum Valley Road, seemed to be the worst Sikhs of all. In this frame of mind some of the tribesmen evidently responded rather emotionally to the news that yet more Sikhs were now descending from the air a few miles down the road in the direction of Srinagar.

The Indian side has maintained, largely on the evidence of European and American press reports which date to several days after the Indian reoccupation of Baramula on 8 November, that many thousands of people were killed there by the tribesmen (notably the reports in the *New York Times* by Robert Trumbull). The town was by this time virtually deserted, the Muslim population having fled, initially to avoid the attentions of tearaway tribesmen and then in fear of the advancing Indian Army, which was seen to represent the return of the Dogras and the vengeful wrath of Sir Hari Singh. The unfortunate



Baramula residents may also, to judge from photographs published by the Indians, have suffered severe bombardment by Indian mortars, artillery and, it may be, aircraft - there is no doubt that the Indian side made extensive use of air power in this first phase of the Kashmir campaign: all this may well have reinforced the reluctance of the Baramula folk to stay put. By subtracting the number of those who remained in Baramula when the Indians arrived, or who turned up shortly after, from the pre-crisis population of some 15,000 or so, casualty figures of up to 13,000 have been calculated. These, of course, are nonsense. It is probable that the total Baramula casualties were not more than 500, perhaps considerably less given the way in which these matters tend to be so exaggerated.

The Baramula affair has become central to the Indian mythology about Kashmir. The intervention of 27 October 1947, be it legal or not, with or without the Instrument of Accession, has been justified by the fact that this horror was in progress; and only through Indian action could it have been prevented from spreading to Srinagar itself. To this claim one can offer three points in reply.

First: as we have already suggested, it may well be that the very fact of the Indian intervention on 27 October actually guaranteed in reaction that some kind of cataclysm should take place on the part of the extremely unsophisticated tribesmen. There seems to be little doubt that the Baramula affair followed the Indian arrival at Srinagar airfield.

Second: whatever happened in Baramula that day is as nothing when compared to what has happened to Kashmiri men, women and children at Indian hands since 1989. Those massacres which it is argued did not take place on 27 October and the days which immediately followed were not prevented; they were merely postponed for two generations, with the Indians now the vandals.

Finally: even in the first days of the Indian intervention the troops on the Indian side were not always particularly gentle with the civilian populations they encountered. The available records contain evidence of a number of atrocities perpetrated by the Indian military on the Kashmiris they had ostensibly come to rescue which must have quite soon gone far to counter-balance whatever the Pathan tribesmen may have done at Baramula.

It has become axiomatic, and not only on the Indian side, that the Baramula massacres lost the Azad Kashmiri forces a great deal of support and good will among the Muslim inhabitants of the Vale of Kashmir including the large population of Srinagar. Here is one perceived base for Sheikh Abdullah's popularity, which most observers at this time, including some Pakistani leaders, believed was overwhelming among the people of the Vale; he was seen to have been the instrument of salvation from tribal massacre and rapine. It is interesting

to find, therefore, (so circumstantial reports reaching the British High Commission in New Delhi indicated) that in fact on 30 October, a day or two after the events in Baramula (and the day after the formation of a Sheikh Abdullah Emergency Government), well attended anti-Sheikh Abdullah meetings were being held in Srinagar where it was announced that the present National Conference control over the city would soon disappear. The Afridis, it was said, were coming to rescue the Srinagar Muslims; and they would instal a true Islamic regime. Those police loyal to Sheikh Abdullah (all other police had disappeared by this time), were pelted with mud and stones when they tried to break up these assemblies. On at least one occasion they opened fire, killing a number of Kashmiri demonstrators.

A feature of the advance to Baramula by the Azad Kashmiris and their Pathan followers was the way in which tribal groups, never in themselves very large, came and went. Most of the original tribesmen who entered Baramula by 28 October were gone a day or so later. Some uncontrolled parties then spread out into the countryside, where they extended, independently, the area of plunder and rape to many villages before making their way back to the Jhelum Valley Road and transport home (sometimes with captive women, many of whom were eventually returned through the efforts of the Government of the North-West Frontier Province of Pakistan). Others mounted lorries and buses in Baramula and withdrew directly through Pakistan to the Frontier. Their place was taken by fresh groups, some of whom represented private ventures totally outside the command structure of Azad Kashmir.

The fact of the matter was that, once the Indian arrival at Srinagar was known, the authorities in Pakistan were for the moment quite unable, and in some cases so angry as to be unwilling even to try, to police the road from the North-West Frontier to the Kashmir front. The way was open to any who wished to use it.

Thus the considerable body of tribesmen whom the Indian forces ambushed at Shalateng, about five miles west of Srinagar on the Srinagar-Baramula road, on 7 November, does not appear to have been in any way part of the formal Azad Kashmir military organisation; rather it looks very much like a gathering of a number of freebooting parties which had driven along the Jhelum Valley Road to a point well beyond the Azad Kashmiri advance outposts. This body displayed a total lack of military prudence; and the result, according to some Indian sources, was the killing by Indian forces of over 600 men and the capture of more than a hundred vehicles. It was a massacre which had little military significance. Major Khurshid Anwar's men were already withdrawing to the west of Baramula.

Until 7 November the road from Pakistan to Baramula was used by others who were neither malevolent nor directly involved in the conflict. Sir George

Cunningham, for example, the Governor of the North-West Frontier Province, on two occasions during this first week of November sent small convoys of lorries to Baramula from Peshawar with the mission of trying to find out what was happening and, if possible, rescuing any stranded British residents. The Pakistan Army, too, despatched patrols along this route with the same objective (but with great care not to get involved in any conflict with the Indians): this is touched upon again below. A surprising number of individuals, including Sydney Smith of the *Daily Express*, as we have already seen, were picked up by such Pakistani parties and evacuated by way of Kohala and Abbottabad. Some unpublished contemporary British accounts show clearly that between 28 October and 7 or 8 November the situation both along the Jhelum Valley Road and in the adjacent tracts of Pakistan in the Hazara and Rawalpindi Districts was chaotic (even more so than it had been since the end of September), what with the temporary local collapse of law and order, the movement of refugees and the coming and going of opportunistic tribal groups. Not all these marauders came from the North-West Frontier. There is, for example, a report of a party of some 200 Muslims from the United Provinces which had somehow made its way at this time across from India to join in the *jihad* (and the loot); the Indians too, it would seem, experienced problems in policing their roads.

By 14 November, when the Indians had moved westward along the Jhelum Valley Road to reoccupy Uri, the situation stabilised. Khurshid Anwar, wounded, had withdrawn; and his place (until February 1948) was taken by Colonel Akbar Khan (also known by the pseudonym General "Tariq"). Akbar Khan, an experienced soldier (he had won the DSO during World War II), was able to establish some measure of discipline over the tribesmen who remained with him, and to inject into the Azad Kashmiris a degree of tactical and strategic professionalism which had often been lacking hitherto. A front between the Indian Army and Azad Kashmir was soon consolidated just to the west of Uri. Both in the portion of Kashmir Province (with Muzaffarabad as its capital) which remained in Azad Kashmir, and in the adjacent tracts of Pakistan on the right bank of the Jhelum River, political order was restored. Soon after this, heavy falls of snow brought all military activity here to a halt for the rest of 1947.

Some Indian observers have argued that just before winter set in it would have been possible for the Indian forces to drive further along the Jhelum Valley Road, perhaps all the way to Muzaffarabad and Domel, and thereby bringing the Kashmir campaign to a rapid end. It has been claimed that the Indians, on the orders of Lt.-General Dudley Russell, allowed this opportunity to slip by diverting their main effort towards the defence of the town of Poonch. There is good evidence, on the other hand, to suggest that the Indian advance had resulted in severe logistic problems and that Russell was quite right to decide to

consolidate rather than extend a front with highly vulnerable flanks.

Akbar Khan, unlike his predecessor Khurshid Anwar, was something of a strategist and military planner. He was responsible for the production of a number of definitions of Azad Kashmiri war aims, some ambitious in the extreme, and documents reflecting his views inevitably fell in to the hands of the Indians who used them for propaganda purposes to demonstrate the aggressive nature of the Pakistani involvement in the Azad Kashmiri movement. What Akbar Khan may have speculated about, however, was not necessarily representative of Azad Kashmiri objectives prior to his assumption of command. While some of its participants might have harboured elaborate dreams, yet it seems clear that the initial operations presided over by Khurshid Anwar had rather limited objectives, mainly dictated by the exigencies of the Poonch revolt and barely influenced, if at all, by the strategic concepts of the Pakistan Army.

While Akbar Khan was establishing his influence over the Azad Kashmiri army from Muzaffarabad southwards, a fourth sector had opened to the north of the Jhelum Valley Road, involving what, in the subsequent language of the Kashmir question, was often referred to as the Northern Areas (including Gilgit, Hunza and Nagar, and Baltistan). This, too, can to some degree be described as a reaction on the Muslim side to the arrival of 1st Sikhs at Srinagar airfield on 27 October.

It has already been noted that in 1935 the Maharaja of Kashmir, Sir Hari Singh, had leased that part of the Gilgit Wazarat (in which lies Gilgit town) on the right bank of the Indus, plus most of the Gilgit Agency and a number of dependent minor hill states including Hunza, Nagar, Yasin and Ishkuman, to the Government of India. For a period of sixty years the whole leased region would be treated as if it were an integral part of British India, administered by a Political Agent at Gilgit who was responsible to New Delhi through the British Resident in Kashmir. The Maharaja's rights in the leased territory were nominal. He no longer kept any troops there. Security was maintained by the Gilgit Scouts, a locally recruited Corps with British Officers in command and financed by the Government of India.

In April 1947, as we have already seen, with the prospect of the imminent British departure from the Subcontinent and the lapsing of British Paramountcy over the many Indian Princely States, the Government of India resolved to return all the Gilgit leased areas to the Maharaja of Jammu & Kashmir. Formally, this transfer appears to have taken place on 1 August 1947 (by a coincidence the same day that Mahatma Gandhi turned up in Srinagar on his brief visit to the State of Jammu & Kashmir on the eve of the Transfer of Power). The day before, 31 July, the Maharaja's Wazir, or Governor, Brigadier Ghansara Singh, had arrived in Gilgit. The populations of this region, solidly Muslim (mainly Shia) with the exception of a number of Hindu and Sikh

merchants and shopkeepers in Gilgit town, were not consulted in any way about their return to Hindu Dogra rule after a dozen years under the British (a point upon which Mahatma Gandhi commented with disapproval); and they expressed no enthusiasm whatsoever for what Ghansara Singh had to offer.

The true power in this remote corner of what was really Central Asia, the Gilgit Scouts, certainly did not welcome their reassignment to the service of the Maharaja. Their Commandant, Major W. Brown, and his Assistant, Captain Mathieson, were in considerable doubt as to what they ought to do. Their service contracts had now been transferred from the Government of India to the Government of Jammu & Kashmir State. They knew that their men were unlikely in any crisis to remain loyal to a Hindu Ruler. At the same time, they were reluctant to take any action which could be construed as open mutiny. In the event, they managed to hold the ring until the end of October 1947, despite the great traumas that accompanied Partition in the Punjab, without major catastrophe. They kept the Gilgit Scouts in check. The new Wazir, Ghansara Singh, occupied his official residence in the grandeur of impotence. The Gilgit Scouts were the *de facto* rulers, but Ghansara Singh's *de jure* position was not explicitly challenged. The Gilgit Scouts merely bided their time. They had, in theory, sworn an oath of allegiance to the Maharaja on the Holy Koran. In fact they knew, so the story has it, that the book upon which they laid their hands while swearing was actually the *Shorter Oxford English Dictionary* suitably wrapped in an opaque cloth.

On 27 October 1947, the day of the overt Indian intervention in the Vale of Kashmir, the nearest outposts of effective Jammu & Kashmir State power were two points on the Indus, Bunji and Skardu. Bunji, on the left bank of the Indus a few miles downstream from where it is joined by the Gilgit River, was home to the 6th Jammu & Kashmir Rifles, like the 4th Jammu & Kashmir Rifles a mixed Hindu-Muslim unit. Further upstream was Skardu, the capital of Baltistan, part of the vast Ladakh District of the old Jammu & Kashmir State, where there was a small garrison of troops who remained loyal to the Maharaja though their stronghold, the old fort, was surrounded by a far from friendly population. Skardu at this moment was very much a sideshow, but Bunji, controlling the direct road from the Vale of Kashmir to Gilgit, was not.

In Bunji, apparently as yet another positive reaction to the arrival of the Indian 1 Sikh battalion at Srinagar airfield, the Muslims in the 6th Jammu & Kashmir Rifles mutinied, just as had earlier their brethren from the 4th Jammu & Kashmir Rifles in the Domel region. The Hindu elements were suppressed. Several Muslim officers from Bunji then made their way to Gilgit to contact the Gilgit Scouts and put to them various proposals for the future conduct of administration in the region, including the declaration of some kind of independent state, or group of states, in these mountains.

At the same time, Muslim tribesmen from all over the Gilgit Agency and its dependencies started to gather in Gilgit town. They clearly had two objectives. In the short term they wished to work out their anger against India by killing any Hindus and Sikhs they could find, which in practice meant the shopkeepers in Gilgit bazaar. In the longer term, they wanted to join with the political malcontents in Gilgit and the adjacent mountain states in the destruction of the established structure of authority. Faced with the prospect both of political chaos and massive bloodshed, Major Brown had to make some hard decisions very rapidly, all the more so as the Ruler of neighbouring Chitral, the Mehtar, now threatened to send in his own men to ensure that this part of Asia remained forever Muslim.

Brown at this time was just 24 years old. His only British colleague, Captain Mathieson, equally youthful, was then several days march away in Chilas. As his superiors came to appreciate, Brown faced no easy task. The first step, in which Brown probably followed events rather than directed them, was the confining of Ghansara Singh and his associates under house arrest by the men of the Gilgit Scouts, many of whom wished to go further and slaughter the Maharaja's representative along with every other Hindu and Sikh in the Gilgit region. Brown managed to restrain his men, but in the end he felt that the situation demanded external political aid, which could only in the circumstances come from Pakistan. Having secured the offer of accession to Pakistan of the Rulers of both Hunza, and Nagar (which, incidentally, Pakistan did not officially accept until March 1948, and only then after the two Rulers had aroused Liaquat Ali Khan, the Pakistan Prime Minister, by telling him that unless they received some formal acknowledgement of their earlier offer, they would seriously consider joining the Soviet Union), Brown formally told his men on 2 November that the Gilgit Scouts now served the Government in Karachi, and the Pakistan flag was raised over his headquarters that morning.

The most interesting feature of this course of events, what Brown himself described as a *coup d'état* and its sequel, was that it took place entirely without any planning on the part of either the Pakistan civil or military authorities. Two weeks passed before the Government of Pakistan was able supply an administrator (Sardar M. Alam) to take over civil power in the region, during which it was effectively exercised by Brown on his own. Brown was certainly not acting as a party to a British conspiracy, though it must be admitted that neither his closest contact in Pakistan, Colonel Bacon (Political Agent, Khyber, based in Peshawar, and formerly Political Agent, Gilgit), nor indeed Colonel Iskander Mirza, Defence Secretary to the Pakistan Government, were particularly unhappy when they heard about what was going on. Questions were asked in London about what junior British Officers were doing on the edges of the roof of the world; the age of Kipling and of men who would be king was

over. It was resolved that Brown would be removed at the earliest opportunity, which turned out to be in January 1948, when he handed over to Aslam Khan (once Major Khurshid Anwar's deputy and now a Colonel and back in the official service of Pakistan).

All the same, both Brown and his British "masters" have been attacked by many Indian writers. This was, they have said, all part of an Anglo-American plot to maintain, using Pakistan as a surrogate, a Cold War foothold on the fringes of Soviet Central Asia. Curiously, a number of Pakistani commentators have attempted to deny that Brown had anything at all to do with the events in Gilgit. For example: the official Pakistani military history of the Frontier Corps, which appeared in 1967, stated that the man who led the Gilgit "revolution" was one Subadar Major M. Babar Khan, and that Major Brown was in fact arrested by the Gilgit Scouts along with Brigadier Ghansara Singh, which is nonsense. No doubt there are elements of chauvinism, not to mention jealousy, at work in all this. Brown received no decoration at this time from the Government of Pakistan, though the British eventually gave him a by no means munificent MBE.

There is no official Pakistani doubt today that the story of the Gilgit affair related in such works as A.H. Dani, *History of Northern Areas of Pakistan* [National Institute of Historical and Cultural Research, Islamabad 1989], is far from reliable. The version which we have just outlined above is confirmed by Major Brown's own papers which, on the whole, agree with the autobiographical memoir compiled by Brigadier Ghansara Singh. In August 1993 the Government of Pakistan accepted this particular interpretation of history by awarding Major Brown a posthumous Star of Pakistan (SP).

It is certain that the events in Gilgit, following on the arrival of the Indians at Srinagar airfield on 27 October, were to transform the nature of the Kashmir conflict. The front, which would soon be established from a point just to the west of Uri southward, would now be extended to the north so that, running more or less east along the right side of the Jhelum Valley, it stretched to the upper Indus and then ended inconclusively in the glaciers of the Karakoram where today (1997) its terminus is still, in the Siachen glacier, a subject of Indo-Pakistani armed contest. Pakistan would retain a direct territorial contact with China, to be of immense geopolitical significance in years to come. India would not acquire a direct territorial contact either with Afghanistan or with the North-West Frontier Province, and thus miss obtaining the consequent opportunities for intrigues with Pathans both in and outside Pakistan to the detriment of that country's integrity. It was a failure which would without unquestionably contribute towards the survival of West Pakistan in future years.

Had Major Brown not acted as he did, all might have turned out quite differently. The men of the Gilgit Scouts knew nothing of Pakistan. Their

outlook was provincial in the extreme. Left to themselves they would have disintegrated into violently squabbling factions advocating a variety of improbable goals: a federation of Karakoram states; independence for all including such microstates as Gupis; even some reestablishment of the old relationship between Hunza and China (which the British had formally terminated only in 1936). Pakistan would not have intervened; the region was too remote and the leaders of the new Dominion were thinking about more pressing matters than the future geopolitics of Central Asia. Sooner or later, once India had established itself firmly in the Vale of Kashmir, a column would have made its way from Srinagar to Bunji and then on to Gilgit. The whole political shape of South Asia would have been changed.

In due course the Gilgit Scouts sought to extend their area of influence eastward into Baltistan and Ladakh. In Ladakh they failed by a whisker to capture Leh, but Skardu in Baltistan eventually fell to them after a dramatic siege. All this, however, was in the future. Shortly after Major Brown had brought Gilgit into the Pakistan fold, winter set in and operations ceased until 1948. The nature of the Kashmir war, however, had been changed fundamentally. Up to the Gilgit *coup d'état* it could be argued that the conflict was between Azad Kashmir on the one hand and the Maharaja assisted by his Indian allies or masters (depending on how one regarded the reality and significance of Accession) on the other. Now a third player was introduced, the Gilgit Scouts, who were not subordinate in fact, and indeed never so regarded themselves, to the Azad Kashmir regime which in due course was established in Muzaffarabad (despite attempts, notably by Aslam Khan acting on the orders of General "Tariq" Akbar Khan, to incorporate the Gilgit Scouts into the Azad Kashmiri army). The Gilgit Scouts owed their loyalties to Pakistan. In their theatre of operations, what came to be known as the Northern Areas, there were polities like Hunza, Nagar and Yasin which had acceded to Pakistan. Despite Indian arguments of great complexity, it was impossible now to deny with any conviction that Pakistan had a legitimate interest in the Kashmir conflict which directly involved sectors of its sovereign territory.

We must say a little more about one further byproduct of the overt Indian intervention of 27 October. The State of Chitral, the major Princely State at the northern end of the Pakistan-Afghanistan border along what in British days had been known as the Durand Line, had in the nineteenth century accepted a tributary relationship to the Maharaja of Jammu & Kashmir, and this had been confirmed, under British supervision, in 1914. The relationship was essentially similar to that which, it has been argued, obtained between Hunza and Nagar and the Maharaja. On 6 October the Ruler of Chitral, the Mehtar, formally repudiated all ties with Jammu & Kashmir State. On 2 November, stimulated by the mounting crisis in the Vale of Kashmir following the arrival of the men



of 1 Sikh at Srinagar airfield, and its repercussions in Gilgit, the Mehtar acceded formally to Pakistan. Up to this point, it seems, he had been flirting with the idea of some kind of independence, possibly in association with Afghanistan. He also threatened at this time, as we have seen, to intervene directly in the affairs of Gilgit.

It may well be that by now volunteers from Chitral were already serving with the Azad Kashmir forces: they certainly were, though in fairly small numbers, a few weeks later on. They would have encountered volunteers from another State on the Pakistan side of the Durand Line, Swat. In his memoirs the then Ruler of Swat, Miangul Abdul Wadud Badshah Sahib, recorded that on about 7 November 1947 he heard from the commander of a band of volunteers from the Malakand Agency then in Kashmir, Captain Abdur Rashid of Thana, that reinforcements were needed urgently. He immediately decided to send some 800 volunteers from Swat; and he continued to reinforce or replace these men during 1948. Swat, of course, had acceded to Pakistan immediately after the Transfer of Power: indeed, as the Ruler declared with some pride, it was the first State to do so. However, the formalities of accession were not hurried by M.A. Jinnah and they were not completed until March 1948 or later. Meanwhile Swat, like Chitral, acted very much on its own initiative in a wide range of matters including its attitude towards the Kashmir situation. The presence of Swati men among the Azad Kashmir forces, therefore, while it illustrates one way in which the Azad Kashmir movement was able to take to the field, does not provide any evidence of direct Pakistan Governmental involvement. Karachi was probably, at this time, quite unaware of what Miangul Abdul Wadud Badshah Sahib was up to.

In early November 1947, with the overt Indian intervention in the Vale of Kashmir a few days old, leading Indian politicians such as Jawaharlal Nehru, Vallabhbhai Patel, and Sardar Baldev Singh, and senior officials like V.P. Menon, started to visit Srinagar and what they clearly considered to be "liberated areas". The Indian Army, as one would expect in such a situation, put on a good show, aided by D.P. Dhar, an extremely astute and articulate Kashmiri Pandit official acting as liaison between Sheikh Abdullah's regime and the Indians (he was destined later for great things). One result of these visits was to reinforce the politicians' belief in the rightness of their cause. The provisional accession under consideration by the Indian Defence Committee on 26 October was rapidly evolving in Indian political orthodoxy into the mandate for a permanent Indian occupation justified by the worthiest humanitarian criteria.

There was, it must be admitted, a certain irony here. As the Indian politicians became increasingly committed to war, so some of the Indian professional soldiers began to appreciate that the campaign was probably only capable of the most limited objectives. Far better a negotiated settlement with Pakistan than

the continued, and needless, shedding of blood. Moderate military voices, however, were drowned in the clamour of Indian moral rectitude. India, the politicians intoned, had a duty which could not be shirked; they must save the people of Kashmir from the tribal menace.

What was the tribal menace? How many tribesmen from the North-West Frontier and Afghanistan actually took part in these first weeks of the Kashmir conflict? Jawaharlal Nehru and other Indian leaders spoke at times as if the entire Azad Kashmir side consisted of nothing but Pathan tribesmen, the "raiders". As far as they were concerned, at least in public, there was no Poonch revolt (a view made abundantly clear by default in the Indian 1948 *White Paper*). By March 1948 Indian officials were saying that there were at least 124,000 "raiders" marauding in Jammu & Kashmir State.

The precise facts are not easy to ascertain. Sir George Cunningham, Governor of the North-West Frontier Province, kept in his diary (now among the India Office Records in the British Library in London) a careful account of those tribal movements to and from the Kashmir front which came to his notice, and he was undoubtedly better informed than most. On 7 November 1947 he worked out that there must be about 7,000 Pathans involved in the Kashmir fighting in one way or another and on all fronts, of which 2,000 were Mahsuds, 1,500 Afridis and 1,200 Mohmands. The remainder were made up of a wide range of people including some from across the border in Afghanistan. About 2,000 tribesmen were, it would seem, active along the Jhelum Valley Road. The rest were scattered over the Poonch and Mirpur regions of Azad Kashmir. No tribesmen remained long at the Kashmir front; groups were constantly going home to be replaced by fresh recruits. By March 1948 the Azad Kashmir command had decided that it would like to maintain a maximum level of some 2,000 Pathans, preferably Mahsuds, on the Uri sector (nearest by road to the North-West Frontier Province); elsewhere it felt it could probably manage well enough without any tribesmen at all, though it was, of course, willing to recruit a selected few such men for what had by now become its regular units. On no account did it want any more Afghans.

If tribesmen really wished to go to Kashmir, it would be hard for the Pakistan authorities to stop them without actually fighting them. A conclusion, evident already before the events of 22 October at Domel, was that to stand up against the tribes in this respect would result in a revival of trouble on the extremely difficult North-West Frontier where it was hoped that the Islamic Pakistan would do far better in keeping the peace, and much more cheaply, than had the British. Moreover, any forceful opposition of this kind would most probably have failed. As Sir George Cunningham reflected in his diary (12 December 1947) on the urge of some tribesmen to go to Kashmir:

at any rate there is no question at present of resisting the movement from this side, any more than a Turk in France in the twelfth century could have resisted the Crusade.

In the event, after the first heady days of October and early November 1947, tribal enthusiasm for Kashmiri adventure dwindled considerably.

From the outset of the Kashmir crisis the Pakistan authorities were only too aware of a tribal problem which not only they could not control but which threatened their own interests in a number of important respects. Indeed, there were some observers in Pakistan, including members of the British diplomatic establishment there, who wondered whether the tribal intervention in Jammu & Kashmir might not to some extent have been arranged by pro-Congress politicians in the North-West Frontier Province (where, it will be remembered, immediately before the Transfer of Power there was a Congress administration) in order to provide an excuse for direct Indian (Congress) intervention in that State. Be that as it may, there is no disputing the fact that the arrival of the tribesmen on the Pakistani side of the Punjab border with Jammu & Kashmir was far from welcome by the authorities there. In Rawalpindi, for example, there was a great deal of looting by these unruly individuals of abandoned Sikh property (as well, it is to be regretted, of Muslim property far from abandoned). The Commander of Peshawar Military District, Lt.-General Ross McCay, vainly endeavoured to interrupt the tribal flood flowing down into the Punjab plains from the Frontier. Shortly after 1947 the Pakistan Government assembled and published *Intelligence Reports concerning the Tribal Repercussions to the Events in the Punjab, Kashmir and India*, a document which leaves one in no doubt as to the manner in which tribal involvement in the Kashmir question developed spontaneously along the Frontier beyond the power of Pakistan to manipulate or guide, let alone halt.

As 1947 drew to a close, it was already possible to detect a pattern in the Kashmir conflict. The combination of the Azad Kashmiris and the Gilgit Scouts, with varying degrees of assistance both moral and material from Pakistan, had produced the beginnings of a stalemate, and this the cleverer soldiers on both sides appreciated. India now had over 90,000 regular troops in Jammu & Kashmir and yet no quick military solution was in sight. There would, of course, be much fighting in the future. 1948 saw both the epic struggle for Poonch and, later in the year, the Indian victories at the Zoji La and Kargil which achieved control over the Leh-Srinagar road and not only gave India possession of the Ladakhi capital but also access to the desolate Tibetan borderlands without which the Sino-Indian conflict of the late 1950s would certainly have assumed a rather different form. By the beginning of 1948, however, astute observers could well have concluded that some kind of partition

of Jammu & Kashmir State, between India on one hand and entities well disposed to Pakistan on the other, had been brought about in practice. It could follow that the preferable solution to the Kashmir problem lay in formalising this state of affairs and accepting the existence of legitimate Indian and Pakistani spheres in the disputed region. Already during the course of November 1947, it is certain, the British Commonwealth Relations Office was thinking along these lines in their quest for a mediated solution to the Kashmir crisis, as we shall see in the next Chapter.

## CHAPTER VIII

### To the United Nations: October 1947 to 1 January 1948

After 15 August 1947 Lord Mountbatten, once Viceroy presiding over all of British India and (as Crown Representative) those Princely States which acknowledged British Paramountcy, became Governor-General of an independent India with ultimate responsibility to an Indian Cabinet in New Delhi headed by Jawaharlal Nehru. Those bits of the old British Raj which were now Pakistan had, in effect, become foreign, and his constitutional attitude towards them was, perforce, that of an Indian looking out beyond the frontier. It took a while for all the implications of this fact to sink in, but by October 1947 it was clear to many of those concerned with the affairs of the Sub-continent that Mountbatten was no longer (some said he had never been) a neutral and impartial figure.

The main bridge now between India and Pakistan was not the Indian Governor-General (as it might just possibly have been had he become Governor-General of Pakistan as well) but the British Commonwealth Relations Office (which had absorbed the old India Office). It represented the British connection with the Commonwealth, a body to which the two new Dominions had been persuaded (not without difficulties) to belong and which, through periodic conferences of Prime Ministers, provided a potentially most valuable venue on neutral ground for meetings between the Indian and Pakistani leadership. The Commonwealth Relations Office maintained High Commissions in both New Delhi and Karachi, and thus provided a direct, and rapid, link between the two capitals.

The importance of the British at this juncture is easy to understand. Until August 1947 the whole of the Subcontinent had been under British dominion. Its civil service had been established by the British and its laws framed or approved by them. English was the language of the elite of all groups and cultures by which they communicated on political matters, and it was the key to higher education. The Army was organised on the British model, had fought

in two great World Wars under British Generals in fields of battle sometimes far removed from India, and even after independence a significant proportion of the officer corps in the two new Dominions was still British. Following the Transfer of Power British models for government and administration were retained. When in trouble, in these early days of independent life the leaders of both India and Pakistan turned instinctively to their British friends for sympathy, advice or assistance.

Thus it is not surprising that to the outside world the Indian Subcontinent immediately after the Transfer of Power still looked very much like a British preserve (what in other times might have been called a sphere of interest or influence), and squabbles between the successors to the British Indian Empire were still interpreted as if they were really British domestic quarrels. Even in the United States, where there was great interest in the idea of democracy and self-government in place of British imperialism, the initial reaction to a crisis in Indo-Pakistani relations was to leave it to the British to sort out. All this, of course, would change. By the end of 1947 the United States was doing a considerable amount of thinking on its own about the details of South Asian politics and international relations (though still relying greatly on the British Foreign Office, as it happened rather less well disposed towards Pakistan than was the Commonwealth Relations Office, for information on the state of play in Kashmir). Other states, too, within the Commonwealth (notably Canada) and without, would soon begin to work out their own policies. Nothing, indeed, helped accelerate this process as much as the involvement of the United Nations in the Kashmir question in January 1948. This not only symbolised the British inability to cope with the problems of their former subjects, but also made South Asia a matter of great interest to countries whose diplomats hitherto had possessed but the slightest knowledge of the geography, history and politics of the region.

In the weeks that immediately followed the outbreak of the Kashmir crisis in October 1947, however, it still seemed quite natural for the main burden of attempted pacification between the two successor Dominions to the British Raj to fall on the British High Commissioner in India, Sir Terence Shone, and his opposite number in Karachi, Sir Laurence Grafftey-Smith, both directly responsible to the Secretary of State for Commonwealth Relations in London, Philip Noel-Baker, a man of peace if there ever was one.

The first British High Commissioners to India and Pakistan are an interesting pair. Shone, the son of a General, had been in military intelligence during World War I, after which he had joined the diplomatic service. His last two posts had been Minister in Cairo and Minister in Syria and the Lebanon. He was, in other words, part of the British Foreign Office Arabist establishment with no previous experience of the Hindu world and its unique attitudes towards truth and

reality. Grafftey-Smith was equally removed from the old Indian establishment. His diplomatic career had begun in the old Levant Consular service, and he been posted to Arabia, Iraq, Albania and Egypt (where he coincided with Shone). For a brief while during World War II he was sent outside the Arab world to Madagascar, but in 1945 he became Minister to Saudi Arabia before, in 1947, arriving in Karachi. Here was another of the Foreign Office Arabists, like Shone with no Indian predilections.

Where many of the old British India hands looked upon Pakistan as, at best, something extremely unwelcome, a sort of Oriental Eire, the consequence of a presumptuous splitting in two of the great British achievement in political unification of the Subcontinent, Shone and Grafftey-Smith fully appreciated that the idea of an Islamic society, and its inherent dislike of subjection to non-Muslims, was reasonable enough. It is possible that their attitude, while it did not resolve the Kashmir dispute in these initial stages (and nobody else at that time did any better), helped prevent it escalating into an all out Indo-Pakistani war in which the Muslim side might have been swamped (as, there can be no doubt, some British observers either anticipated or hoped). Attempts at mediation by these two remarkable men, under the highly moral pacifist supervision of Philip Noel-Baker, were indeed genuine. Their efforts were appreciated as such by the Pakistani side and often regarded with profound suspicion both by Mountbatten and by his Indian colleagues like Jawaharlal Nehru and Vallabhbhai Patel.

For nearly two months before Kashmir erupted in late October 1947, both Shone and Grafftey-Smith had gone to considerable trouble to find out what was actually happening in and around this potential "Switzerland of Asia" and what was in the minds of its indecisive Maharaja, Sir Hari Singh, and his subjects. By 22 October it had become clear to the two High Commissioners that, if given a free choice, the people of the State of Jammu & Kashmir, or at least those living outside parts of Jammu and Ladakh, would probably opt for a future in some kind of association with Pakistan. They clearly did not believe the doctrine that Nehru was continually expounding to Mountbatten, namely that Sheikh Abdullah was the sole legitimate voice of the Kashmiri people and that his influence inclined them strongly towards membership of an Indian secular state. Even after lurid reports of the Baramula massacres had marred the image of Pakistan in some Kashmiri quarters, both Shone and Grafftey-Smith appear to have remained convinced that Kashmir (or at least the Vale, Jammu and Ladakh were something else) *ought* (following the logic of Partition, if for no other reason) to go to the Muslim side of the Subcontinental great communal divide.

There was abundant evidence reaching the two High Commissions, particularly during the first half of October, that any attempt to bring about the

Maharaja's accession to India would produce violent reactions elsewhere in South Asia. Not only would the leaders of the Pakistani central government resent it (though, perhaps, they could eventually be soothed through diplomacy) but others, less amenable, would take extreme umbrage. Shone sent one of his staff, Major W.P. Cranston, to Srinagar from 10 to 14 October to survey the scene. Cranston's report emphasised a number of points which the Indian side have tended ever since to suppress or ignore. There was indeed a civil war raging in Poonch. In Jammu at that very moment the Maharaja was engaged in a series of massacres of Muslims which some observers have considered to have been the nastiest of all in that wave of atrocities which followed immediately upon the Transfer of Power: conservative estimates suggest over 200,000 deaths here between August and December 1947. These events, naturally enough, set hordes of refugees on the move into Pakistan. Even if the Pakistani authorities might be persuaded to condone, however reluctantly, the accession of the State of Jammu & Kashmir to India, Cranston made it clear that there were people outside direct Pakistani control along the tribal belt of the North-West Frontier, some of them on the Afghan side of the Durand Line, who could well, aroused by reports of the killing of their fellow Muslims, take matters into their own hands and swarm across Pakistan into the State. Both the Mehtar of Chitral (with ancient and complex interests in the Gilgit region) and the Nawab of Dir, powerful Rulers from the Frontier world, had warned Maharaja Sir Hari Singh most vigorously of this political reality.

All such reports reaching Shone were transmitted to Grafftey-Smith, and vice versa, and all reached the Commonwealth Relations Office in London. Thus the British diplomatic representatives in South Asia were not entirely taken by surprise by the events of 22 to 26 October. Trouble was clearly brewing in and around the State of Jammu & Kashmir. What did surprise them somewhat was the Indian response, seconded with such fervour by Mountbatten.

The first formal notification of the crisis which the British Government in London received from India was Nehru's telegram to Attlee of 25 October, which has already been noted above. Explaining the Indian thinking about the possibility of helping the Maharaja of Jammu and Kashmir to resist the tribal "raiders", Nehru declared that:

I should like to make it clear that [the] 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 the wishes of the people and we adhere to this view. [1948 *White Paper*, Part IV, No. 1].

Shone promptly arranged for the text of this communication to be made available to the Pakistani authorities in Karachi (to whom Nehru managed to



postpone sending a version of the text until two days later, 27 October, when it had already been overtaken by events).

The implication of the 25 October telegram seemed clear enough. The Indians were going to go slow on the State of Jammu & Kashmir accession question, thus leaving the settlement of the final sovereignty of the State as a whole, or of its constituent parts, as a matter for inter-Dominion negotiation, and, indeed, prior to the opening of such negotiation they might also refrain from military intervention. So, at least, hoped the British Government in London.

Thus Attlee replied to Nehru on 26 October in these terms:

I am clear ... that the use of armed force is not the right way to resolve these difficulties. I cannot conceive that, at best this could result in anything but the most grave aggravation of communal discord not only in Kashmir but elsewhere. Further, it seems unlikely that the Pakistan Government, or indeed any Government, could resist the temptation to intervene also with its own forces if you intervene with yours. This could lead to open military conflict between the forces of the two Dominions resulting in an incalculable tragedy.

Attlee urged Nehru to persevere with a policy of restraint. Meanwhile:

I also suggest for your consideration, as I am suggesting to Prime Minister of Pakistan, that it might be most useful step towards settlement of difficult question of Kashmir's future if it could be discussed by you, Mr Liaquat Ali Khan and Maharaja of Kashmir as soon as possible at some suitable place.

The British evidently believed that it was just possible that Nehru might follow this advice, and even in Pakistan it was thought that the crisis was more likely to result in negotiations than in either overt Indian intervention or the Maharaja's formal accession to India. On the morning of 27 October, as (unknown to him) Indian troops were actually landing at Srinagar airfield, Grafftey-Smith reported to London a conversation with a very senior Pakistani official who expressed the view that

the one thing most likely to stop the trouble in Kashmir would be a declaration by the Government of India that they would not accept the accession of Kashmir (even if the Maharaja proposed it) except after a plebiscite in the State. Such a view, if it was to have any value, should obviously not be accompanied by infiltration of Indian troops ... into Kashmir.

While Grafftey-Smith doubted whether Nehru would make such an explicit declaration, he certainly considered it worth a try to ask the Indians to do so; it might at least reinforce the merits of moderation. Particularly interesting here is the contrast between Grafftey-Smith's hopes and what Mountbatten was actually up to. While the British Government in London, and its representatives

in the Subcontinent, hoped for inter-Dominion negotiations without either Indian intervention or accession to India by the Maharaja of Jammu & Kashmir, Mountbatten was deeply committed to a policy of Indian military activity, coupled with accession, which would make such negotiations quite impossible.

When it became known during the course of 27 October that India had actively intervened in the State of Jammu & Kashmir and, moreover, had declared that the Maharaja had acceded to that Dominion, the British Government was dismayed. On the following day in a telegram to Nehru, Attlee could only repeat despairingly his earlier proposal for a tripartite conference involving India, Pakistan and the Maharaja of Jammu & Kashmir. There can be no doubt that in the immediate aftermath of the reported accession of Jammu & Kashmir to India, Philip Noel-Baker at the Commonwealth Relations Office, at this time also representing the views of Attlee, found extremely disturbing the way in which the Indians had apparently gone about inducing the Maharaja to join up with them. The South Asia experts at the Commonwealth Relations Office were at this moment convinced that major errors had been committed by the Government of India in the conduct of its Kashmir policy.

First: it had made a mistake

in accepting, even provisionally, the accession of Kashmir to India. Military help could have been sent without accepting the accession of the State.

(It is an interesting, but hitherto unexplained, fact that the Commonwealth Relations Office officials never commented upon the questionable chronology of accession, for which all the evidence they needed was available in their own files by the middle of November 1947: perhaps they never noticed or, perhaps, they just not did want to know, it may be naturally reluctant to challenge the veracity of a personage as royal as Mountbatten).

Second: it was wrong to send

troops without any attempt to secure prior high level consultation with the Pakistan Government, or even informing them in advance ... that this action was not intended to prejudice Kashmir's future but simply to prevent slaughter within the State, with wide and dangerous consequences to the communal situation outside it.

A final fault was "in selecting Sikh troops for despatch to Srinagar" (given the part played by Sikhs in the great communal massacres which accompanied Partition). The Commonwealth Relations Office concluded that "all this suggests that one objective of the Government of India was to secure Kashmir's accession to India." It added charitably that "this may not have been Mr Nehru's intention," but "the Pakistan Government could hardly be expected to put any other interpretation on the action of the Indian Government."

The Commonwealth Relations Office indeed had a point. It is striking how little effort India actually made during these crucial days, from 25 to 28 October, to establish any contact with Pakistan. It was as if, having decided to resolve the Kashmir question by force, Nehru and his colleagues were determined to avoid any risk of other solutions being proposed at the last minute of which they would morally be obliged to take some notice.

The first direct high level Indian communication with Pakistan over Kashmir seems to have been on 27 October (and after the Indian troops had started landing at Srinagar airfield), when Nehru sent Liaquat Ali Khan a version of his telegram to Attlee of 25 October, of which, as we have seen, the British had already supplied a text to Karachi.

The next contact between the two Dominions took place through the British military net. When M.A. Jinnah, Governor-General of Pakistan, had had time to reflect upon the implications of the reported Indian intervention at Srinagar airfield and the Maharaja's accession to India, which was late in the evening of 27 October, he felt profoundly betrayed by the Indian side; what was happening seemed to be a direct violation of the promises implicit in Nehru's telegram to Attlee of 25 October, to which reference has been made above. In a state of considerable rage and disgust he rang up the acting Commander-in-Chief of his Army, Sir Douglas Gracey, to order that Pakistani regular troops be sent in along the Jhelum Valley Road to challenge the Indians. Had this happened, of course, the Pakistan men would have encountered Lt-Colonel Rai's 1 Sikh troops (less their dead CO) outside Baramula (armoured cars could have got there quite easily from Rawalpindi along the Jhelum Valley Road by noon on 28 October), and, no doubt, if inter-Dominion war had not erupted, which was in fact unlikely, at least serious inter-Dominion discussions would have started. Instead, Gracey ignored Jinnah's orders and sought instructions by telephone from his superior, Field Marshal Sir Claude Auchinleck, in New Delhi (who was still Commander-in-Chief of the armies of both India and Pakistan).

Auchinleck backed up Gracey's attitude, and said that he would come to Lahore early the next day, 28 October, to explain in person the facts of the situation to Jinnah. If Jinnah insisted on throwing the Pakistan Army into the Kashmir fray, Auchinleck told him, the British Government would have no option but to order the withdrawal of all British officers (BOs) from the Pakistan Armed Forces. Jinnah, following Gracey's opinion as to the current weakness of the Pakistan Army, reluctantly accepted that he could not get far at this time without the British officers. He gave in and withdrew his orders to Gracey.

In retrospect this was probably a great lost opportunity. Had Jinnah persisted it is virtually certain that, in the end, the British officers would not have been withdrawn: it was, after all, an act which implicitly involved the withdrawal of

British officers from India as well (unless the Attlee administration was prepared to find itself fighting alongside India against Pakistan, which seems improbable whatever some pro-Indian British officials might have argued), and would have been a severe blow to the British position in the whole of South Asia. Instead, the British might have been driven to impose some realistic Indo-Pakistani negotiations (perhaps using the same sanction on India as well as Pakistan, the withdrawal of British officers) at that crucial moment when the issue was still in the balance and neither side was too deeply committed. Jinnah, however, gave in to his military advisers, and that was that.

The withdrawal of the British officers (BOs) threatened to Jinnah by Gracey and Auchinleck, and its implications in the context of Operation STAND DOWN, is discussed in the next Chapter.

There are already a number of questions to be answered. Can it be true that Gracey had no suspicion as to what was afoot on the Indian side, in that senior British officers in the Indian Army played such a part in planning the Kashmir operation from at least 25 October? It seems unlikely, unless Gracey's access to any old boy network was extremely defective; and while not everybody liked Gracey, he had a circle of firm friends within the old Indian Army. Further, what did Auchinleck, notionally in supreme command of both Indian and Pakistani forces, know? He surely must have had more than an inkling of Indian thinking, experienced as he was in the Indian Army and its ways. If so, then had he discussed the matter with Mountbatten, and had any decision been taken as to what policy he ought to pursue? Finally, had the implications of the chronology of the Maharaja's alleged accession to India been explained to him?

If Auchinleck had received (and believed) the version of the accession story which was then already being put about by Indian politicians and officials, that India was only defending what was rightfully its own (accession having preceded intervention), then he would have found it hard indeed to condone the kind of action which Jinnah wished Gracey to initiate, however much his personal sympathies might have lain with Pakistan and all it stood for. A commander in his supreme position simply could not in such circumstances agree to authorise the troops of one member of the British Commonwealth, Pakistan, to attack what was now (after accession) the sovereign territory (even if provisionally) of another, India. Here was the first dividend from the manipulation of the chronology of the accession narrative already being paid out to the Indian side; it was destined in the longer run to continue to be a highly profitable Indian investment.

Jinnah was very suspicious about what Auchinleck had to say, though he does not seem to have blamed the messenger for the message. Auchinleck reported that

Jinnah withdrew orders ... [for Pakistan troops to enter Kashmir] ... but is very angry and disturbed by what he considers to be sharp practice by India in securing Kashmir's accession.

Quite what that sharp practice was, of course, Jinnah found it hard to specify; and his successors have been under the same difficulty ever since. They knew there was something funny about accession, but they were unable to put their fingers on the precise irregularities. They certainly did not appreciate all the chronological problems which have been examined here in Chapter VI above. They knew that what India actually did, overtly intervening on 27 October, conflicted with the implied assurances of Nehru's telegram to Attlee of 25 October. But all this was rather vague. The Pakistani side then, and subsequently, was unable to come up with specific charges adequately substantiated. In his telegram to Attlee of 29 October, Liaquat Ali Khan did indeed hint that the timing of accession was dubious, but he could supply no detailed evidence to support Jinnah's broadcast declaration that "the Government of Pakistan cannot recognise accession of Kashmir to Indian Union, achieved as it has been by fraud and violence." It is interesting that Pakistan has done no better since. For example: the *White Paper* produced by the Z.A. Bhutto administration in 1977 quite failed to exploit those implications for the accession question set out in M.C. Mahajan's autobiography which had been available to Pakistani diplomats since 1963.

The Indian side, as insurance against too much international credence being placed on the "fraud" issue, by 29 October was bolstering up its own case with all sorts of fresh, or freshly expanded, arguments. Thus V.P. Menon then explained to Alexander Symon, the British Deputy High Commissioner in New Delhi, that it was still worth keeping in mind the geopolitical issue touched upon in Nehru's telegram to Attlee of 25 October. He told Symon that

on a long term view there was a very real danger of Russian penetration through Gilgit, in fact there were already portents of this in the unusually large numbers of foreign "traders" who had recently been reported to have been seen there with plenty of gold in their possession. In this connection it was important to bear in mind that the Muslim inhabitants of Kashmir Province with its long international frontier were "have nots" to a man and would thus be easy and immediate prey to communist propaganda if orderly government were replaced by tribal rule. The next step would be India itself, which faced many difficulties and ... might be fertile ground for communist propaganda.

This was good traditional "Great Game" stuff, but quite out of tune with Nehru's own ideas about non-alignment and his sympathies with the socialist world. India soon dropped all anti-communist arguments; these were in the language of that Anglo-American imperialism which was shortly to be pointed

to as one of the supports for the Pakistani conspiracy against India's rightful interests in the State of Jammu & Kashmir. "Great Game" or no "Great Game", however, India has continued to develop the underlying theme, that India, as the senior and most responsible power (as well as the original polity, Pakistan being something entirely new) in the Subcontinent, has a duty to defend the whole region by such steps as the restoration of order in the State of Jammu & Kashmir.

One achievement of Auchinleck's visit to Lahore on 28 October was to secure a proposal from Jinnah (who made it clear that he would not accept the Maharaja's accession to India as legitimate) to the Indian leadership for the holding of a plebiscite to decide the future of the State of Jammu & Kashmir. Jinnah's plan was that full powers in the State should be granted to the Indian and Pakistani Army Commanders-in-Chief, Sir Rob Lockhart and Sir Frank Messervy, both British, to serve as Joint Commissioners with the task of restoring order and determining the popular will. The idea of consulting the people, already touched upon in Nehru's telegram to Attlee of 25 October, had been stressed in Mountbatten's letter to Maharaja Sir Hari Singh dated 27 October (and published the following day). It is not clear whether Jinnah had seen the text at this point, but it seems probable that Auchinleck brought a copy with him. At all events, Jinnah was the first to propose detailed arrangements for the holding of a plebiscite to which Mountbatten had only referred in the most general terms. In order to discuss a plebiscite and other related matters, notably the prompt termination of the actual fighting, Jinnah suggested that a Special Conference on the Kashmir situation be held in Lahore on the following day, 29 October. As communicated to Nehru by way of Lord Ismay, still acting as Mountbatten's right arm, the Conference was immediately accepted by India.

However, various Indian politicians and officials soon began to have second thoughts. V.P. Menon told Mountbatten that for Nehru to go to see Jinnah in Lahore now would be a bit like Chamberlain going to visit Hitler in Munich. He also declared that it was extremely undesirable to permit the creation of a any forum which might legitimise a Pakistani interest, let alone military presence, in any portion of the State of Jammu & Kashmir. Pakistan, he argued, had absolutely no business in the State and, therefore, no grounds at all for calling any Special Conference on this subject. Moreover, the very concept of such a Special Conference could well cast doubt on the validity, albeit conditional, of the Maharaja's claimed accession to India which gave that Dominion a unique legal posture in the State, in that it might imply that the status of the State of Jammu & Kashmir was still in doubt. Such a risk more than counterbalanced any benefits which could possibly derive from a Special Conference. Vallabhbhai Patel, too, left no one in doubt that he opposed the idea of Indians going "crawling" to Jinnah on any terms whatsoever.

Mountbatten, who at this point really did want to get some sort of talks going, reluctantly agreed to drop the Lahore Special Conference idea for 29 October. Instead, he suggested that the Joint Defence Council meeting, which had been scheduled for New Delhi on 1 November, might be transferred, as a gesture of good will to Jinnah, to Lahore; and there, in passing as it were, the Kashmir crisis might be talked about in intervals between other business. This compromise was accepted by Nehru and, very reluctantly, by Vallabhbhai Patel. Mountbatten then rushed off to telephone Jinnah before anyone could change their minds. Jinnah, although suspecting that behind this postponement lurked some subtle Mountbatten-Nehru plot, agreed to the new arrangements.

Doubts on the Indian side, however, persisted. R.K.S. Chetty, the Finance Minister, objected to anyone from India, including Mountbatten, going to Lahore or anywhere else in Pakistan at any time and on any terms to talk about Kashmir. Gopaldaswami Ayyengar declared that while Mountbatten might go, great political harm would be done if he insisted on Nehru's coming with him. Above all, it was evident with every passing hour that Nehru came to cherish less and less the prospect of meeting face to face the formidable, and extremely angry, M.A. Jinnah. Fortunately for Nehru, at the eleventh hour, on 31 October, the Pakistan Government published statements about what it maintained was the fraudulent nature of Indian (that is to say Nehru's) policy in Kashmir, repeating the words used by Jinnah in his recent broadcast. On reading this, Nehru said it was more than he could "take". The Pakistan leadership had insulted him; and he could not possibly be expected to go to Lahore. Mountbatten, supported by Ismay, agreed that because of "such a deliberate slap in the face" by Pakistan, "it was now out of the question to expect Pandit Nehru to go to Lahore." When he was told of this conclusion, Mountbatten recorded, "Pandit Nehru was apparently so delighted that he skipped off quickly to the next room and started telephoning his Cabinet colleagues to tell them that I had let him off." It was decided to plead in Nehru's case a diplomatic illness to justify his absence from the Lahore encounter.

The preliminaries to the Lahore meeting (as outlined here) have been described in great detail in a special report by Mountbatten, dated 11 November 1947, which is preserved in the India Office Records in London. This fascinating document is also a prime source for what actually happened at Lahore on 1 November, one of the crucial moments in the evolution of the Kashmir dispute.

Mountbatten, accompanied by Lord Ismay, arrived in Lahore on the morning of 1 November. He passed about 45 minutes with the Pakistani Prime Minister, Liaquat Ali Khan, who really was ill (unlike Nehru) and in bed at his private residence. After lunch he spent three and a half hours with the Governor-General, M.A. Jinnah, and then went back to talk briefly with Liaquat Ali Khan before returning to New Delhi.

Mountbatten opened his discussions with Jinnah by explaining the Indian plebiscite proposal which was now on the table, essentially the holding of the vote following the withdrawal of the Azad Kashmiri forces and their allies and with both the Indian Army and Sheikh Abdullah still in place. Jinnah objected to this particular scheme for a number of reasons. He felt that the State of Jammu & Kashmir, with its massive Muslim majority, belonged to Pakistan as of right as an essential element in an uncompleted Partition process. He feared that India was not sincere about free plebiscites but was merely trying to create precedents for some future electoral ploy in Hyderabad (where the desire of a Muslim ruler to govern his non-Muslim majority population in independence was already promising to become the next great trouble spot in the Subcontinent after Kashmir). Above all, he believed that any plebiscite held in the State of Jammu & Kashmir, under the protection of the Indian Army and with Sheikh Abdullah being permitted a free rein, would surely be manipulated so as to result in a victory for the Indian interest.

Jinnah then turned to the question of how the whole Kashmir situation had been brought about by Indian intrigue; but his language here was somewhat lacking in precision. It is quite evident that the Governor-General of Pakistan, though convinced that something was highly suspect about what was alleged to have taken place, had not yet seen through the various accession charades, and perhaps he never did. The possibility that he might stumble on something approaching the truth, however, clearly worried Mountbatten. He had already gone to the trouble, for example, to equip himself with that strange document, the denial by Lockhart, Elmhirst and Hall, the Army, Air and Naval Commanders-in-Chief in India, that they had anything to do with Kashmir planning before 25 October, and this version of history he now presented to the Governor-General of Pakistan. Here, as we have already seen in an earlier Chapter, it was stated, in passing but plainly enough, that the Maharaja's accession to India had taken place before "first light on the morning of 27 October" when the first Indian regular troops started their flight to Srinagar airfield. It may well be that Jinnah did not have total faith in the Indian Governor-General's veracity, but he was far too polite to challenge it to his face. Thus, obliquely and by default, a Pakistani seal of approval of sorts was accorded to the 26 October accession date which only grew stronger with the passage of time. [Even today some, indeed it may well be most, Pakistani writers, both official and unofficial, still date the accession act to 26 October 1947 even though they challenge its validity.]

On the assumption that attack was the best defence, Mountbatten emphasised that the fundamental blame for the Kashmir crisis lay with Jinnah and his colleagues in Pakistan. The real problem, Mountbatten argued, was to be found in Jinnah's inability, or reluctance, to control his Pathan tribes. Not so, Jinnah



replied. The trouble, he maintained, arose entirely from India sending troops to Srinagar airfield. With the discussion fast approaching an impasse, Ismay now suggested that "the main thing was to stop the fighting"; and he asked Jinnah if he had any definite proposals to make.

Jinnah then outlined the following plan. Both sides, that is to say the Pathan tribesmen and the Indian troops, must withdraw at once and simultaneously. Jinnah and Mountbatten would then assume full powers to take control in the State of Jammu & Kashmir and sort out all matters including the organising of a meaningful (and fair) plebiscite. Jinnah told Mountbatten that if he were ready to fly with him at once to Srinagar, he could guarantee that in twenty-four hours the business would be settled once and for all by the two of them on their own. Mountbatten replied that this might be all very well for Jinnah, who was evidently complete master in his own house; Mountbatten, however, was a constitutional Governor-General with no executive powers and responsible to the Indian Cabinet. He would naturally report back to his Indian masters what the Governor-General of Pakistan had to say, but he could not commit his political superiors in New Delhi to any line of policy or any specific action.

All this suggested strongly to Jinnah that the Indian side was merely playing for time. If real power rested not with Mountbatten but with Nehru, why had the Indian Prime Minister not come to Lahore? Jinnah doubted the truth of Mountbatten's assurances that Nehru really was sick in bed; and his suspicions were soon confirmed by reports (probably correct) from New Delhi that during 1 November Nehru had been out and about as normal. As far as Jinnah was concerned, the main achievement of the Lahore talks was to convince him, if he indeed needed convincing, that Mountbatten had been so absorbed into the Indian establishment as to be trusted about as much as Jawaharlal Nehru or Vallabhbhai Patel. The Lahore encounter did not, as the British Commonwealth Relations Office had hoped, do anything to bring the fighting in Kashmir to a halt.

Following the Lahore meeting of 1 November, efforts by the British to broker some kind of Indo-Pakistani settlement of the Kashmir issue continued, and, until the formal reference (by the Indian side) to the United Nations on 1 January 1948, the British were the only active mediators in this unhappy situation. They explored at least seven possibilities, each of which, alone or in combination with others, might help bring about a solution: (1) tripartite discussions involving India, Pakistan and the Maharaja of Jammu & Kashmir as to the future of the State; (2) bipartite Indo-Pakistani talks on the same subject; (3) a plebiscite or referendum in the State; (4) mediation between India and Pakistan by some external entity, be it a leading British politician or lawyer, a representative of another country, or an International body other than the Security Council or General Assembly of the United Nations; (5) the granting

to the State of Jammu & Kashmir of independence or autonomy, perhaps under joint Indo-Pakistani supervision of some kind; (6) partition of the State between India and Pakistan; (7) some kind of direct general supervisory involvement in the State of Jammu & Kashmir by the Security Council or General Assembly of the United Nations following a formal reference to that body.

The idea of tripartite talks involving the Maharaja Sir Hari Singh was dead by the time of the Lahore meeting on 1 November 1947. The Indian side, however, continued to experiment with the concept of some kind of Kashmiri participation by seeking to bring in the Head of the Maharaja's Emergency Government, Sheikh Abdullah, as a legitimate party, which, of course, was anathema to the Pakistani side. Neither India nor Pakistan then showed much interest in what the future held for the Maharaja of Jammu & Kashmir.

Bipartite Indo-Pakistani discussions, by correspondence or meetings at various levels, started shortly after the Indian intervention on 27 October, and they have continued, with gaps due to exceptionally strained relations (including wars), until the present; but it must be admitted that for nearly half a century these means (despite a handful of what can possibly be interpreted as near misses, notably in 1953 and, perhaps, 1962-3) have quite failed to produce a formula for settlement.

The British tried initially to reinforce the concept of a bipartisan approach by repeating to each side their communications with the other, and, where possible, addressing both sides in much the same language. Within a few days this device began to annoy the Indians who detected in it a British condonation of Pakistani wickedness, and, indeed, of a powerful bias towards Karachi which could not be tolerated. By 31 October, Lord Ismay (on behalf of Nehru by way of Mountbatten) was asking Sir Terence Shone to make sure that London included from time to time in its messages to the Indian leadership some passage explicitly critical of Pakistan. As V.P. Menon put it to Alexander Symon, the Deputy UK High Commissioner in New Delhi, the tone of Attlee's telegrams to Nehru to date had failed to show a real "appreciation of the difficult position in which the Government of India had been placed."

The idea of some kind of an independent or autonomous State of Jammu & Kashmir briefly surfaced in the very early days of the dispute. On 29 October, for example, V.P. Menon told Alexander Symon that

one possible solution was for the establishment of Kashmir as an independent state subject to (a) joint Dominion control over her external affairs and defence which was necessitated because of her international frontier and (b) a standstill agreement with each Dominion on communications.

V.P. Menon, however, thought that while in theory there was much to recommend such a scheme, in practice it was unlikely to yield results. Nehru

also, about this time, looked at the independence option; and he said he had no objection provided that the whole State of Jammu & Kashmir remained within the Indian sphere of influence and had nothing to do with Pakistan, which was not particularly helpful. The idea of independence for the State of Jammu & Kashmir, either within or without the Indian sphere of influence, however, persisted, largely because it was a dream particularly dear to Sheikh Abdullah. It was to surface again from time to time during the course of the UN negotiations of 1948, and it never entirely died. Today (1997) it is certainly a much discussed option, strongly advocated by certain factions within the Kashmiri insurgency.

There were in late 1947, and there still are today, at least two major difficulties which the advocates of an independent Kashmir have to surmount. First: they need a significant degree of Indo-Pakistani co-operation which hitherto has not been forthcoming. Second: they cannot proceed without a clear definition of what they mean by "Kashmir". Does it include Buddhist Ladakh and the Hindu majority parts of Jammu? Are the Northern Areas of Pakistan, those tracts of the old Gilgit Agency plus Baltistan where the population is predominantly Shia, in contrast to the Sunni of the rest of the old State of Jammu & Kashmir, really part of this polity for which an independent, or semi-independent, status is proposed? In late 1947, as now, there was a distinct inclination to avoid having to answer these and related posers. Partition of the State of Jammu & Kashmir between India and Pakistan seemed to many observers in 1947 and 1948 to be a goal potentially far easier to achieve.

The idea of the partition of the State of Jammu & Kashmir aroused much British interest at this time, and until at least the end of February 1948 it probably remained the theoretical solution to the problem most favoured by a number of senior officials at the Commonwealth Relations Office (and, as we shall see below, Sir Alexander Cadogan of the Foreign Office was still considering very seriously indeed a partition scheme in October 1948, perhaps achieved - as Sir Owen Dixon on behalf of the United Nations was to propose in 1950 - by means of a series of regional plebiscites). After all, it could well be argued that the whole Kashmir dispute was really the result of the incomplete nature of Partition in the Punjab on the eve of the Transfer of Power. Once Partition was completed by dividing up the State of Jammu & Kashmir (as an extension to the northern end of Radcliffe's boundary), the problem might go away and the two Subcontinental Dominions get down to the real business of learning to live with each other.

V.P. Menon had raised, rather negatively, the idea of partition in a conversation with Sir Terence Shone on 13 October, more than a week before the great Kashmir crisis erupted. Menon observed that

the Maharaja [of Jammu & Kashmir] was finding it extremely difficult to come to a decision on accession. One suggestion that Kashmir Province might become part of Pakistan with the Maharaja remaining as ruler of Jammu only and acceding to the Indian Union only in that attenuated capacity did not ... appeal to the Maharaja.

Indeed, Menon thought that rather than face such a partition, the Maharaja would prefer to come to some arrangement with Pakistan. Whether Menon was telling the truth as then perceived in New Delhi, or not, we cannot say. It is interesting, all the same, that this partition option was very much on the table in Srinagar at this stage, as Major Cranston discovered when he was there from 10 to 14 October 1947. He reported to Sir Terence Shone that there was then much talk among local State worthies about the possibility of Jammu joining India, and the Vale, including Srinagar, joining Pakistan, perhaps with the Maharaja remaining nominally sovereign over both parts of the State. It seems likely that the Maharaja himself had speculated with some interest along these lines (contrary to what Menon had told Symon), and had discussed the possibility, directly or indirectly, with Nehru, who greatly disliked the idea of the dismemberment of his ancestral State. There is evidence, however, that the idea of such a partition still held some appeal for the Maharaja on 26 October as he withdrew with his cavalcade from Srinagar to Jammu across the Banihal Pass, abandoning the Vale of Kashmir - something was better than nothing.

As the crisis developed the obvious merits of partition struck a number of British observers. Auchinleck forcefully advocated it to the Ministry of Defence in London on 3 November 1947; and his opinion was most emphatically endorsed by Sir Terence Shone, the British High Commissioner in New Delhi, who, in passing the Field Marshal's views on to London, reported that

as I see it which ever way the situation ... [in Kashmir] ... develops the result is likely to be equally adverse to the prospect of better relations being established between the two Dominions. If the raiders win, the Indian Government will be blackened and their authority never very firm seriously shaken with probable result that they will be forced to take action elsewhere to restore their prestige. Such action might take the form of an armed Sikh irregular invasion of Lahore and other Pakistan districts adjacent to India. Alternatively it might lead India to close the inter-Dominion frontier and refuse to proceed with the transfer of personnel and stores under the reconstitution programme for the armed forces of which much remains to be completed.

If on the other hand Indian forces succeed in establishing control over Kashmir this is likely to lead to a severe campaign of repression against Muslims in Kashmir and in Poonch which is practically wholly populated by Punjabi Mussalmans of whom a very large proportion were soldiers in the old Indian Army and are now in the Pakistan Army. Should this happen it is probable that there would be a strong religious and racial reaction in Pakistan which might amount to a Jihad or holy war which the Pakistan Government in my opinion would be powerless to

control even if they so wished ... Ministers and Governors-General ... [of India and Pakistan] ... both now seem to be entangled in a duel of mutual recrimination as to who is to blame for the present situation. Impartial observers including myself consider they are getting no further and they are not likely to do so ... I suggest there is only one practicable solution which is for both parties to agree now to a partition of the State giving the Muslim portions, namely Kashmir, Mirpur and Poonch, to Pakistan and the Hindu parts such as Jammu to India. Unless this is done I see no prospect of settled peace in this area for years to come. A partition on these lines might improve the general relationship between the two Governments. The Maharajah would suffer but merits little consideration and there is reliable information to the effect that his administration in Kashmir, as opposed to Jammu, has completely collapsed and his army has practically disintegrated. He might retain the title of Maharajah of Jammu. [Shone to Ministry of Defence, 3 November 1947.]

A number of British officials in the service of Pakistan were likewise much attracted by the prospect of partition of the State of Jammu & Kashmir as a solution to the crisis which threatened to destroy what remained of the British achievement during three centuries in the Subcontinent. Thus Sir George Cunningham, Governor of the North-West Frontier Province, wrote to M.A. Jinnah on 1 December 1947 that

the general feeling seems to me to be that Poonch and Mirpur must at all costs come into Pakistan, while Jammu, or a part of it, might go to India, and that for the rest a plebiscite, under impartial control, would be reasonable. [Cunningham Papers, India Office Records.]

Cunningham, if by "general feeling" he included Jinnah, Liaquat Ali Khan, and other senior Pakistanis, was probably in error. Chaudhri Muhammad Ali, for example, who at this time reflected fairly accurately the views of the Pakistani leadership, "reacted most violently" when Ismay touched on the partition idea on 8 November.

Pakistan, indeed, from the outset showed great distaste for partition plans, an attitude which can still be detected today. There was one slightly paradoxical reason (among others) for this. The Indians always used the Kashmir case as an argument for the legitimacy of the secular state, which it was claimed India was. Implied was a challenge to the legitimacy of Pakistan as a state at all in that it was an arbitrary, and wilful, withdrawal of an Islamic rump from the rest of the former British Indian Empire. Treating the State of Jammu & Kashmir as a single entity which might as a whole vote for Pakistan, in some strange way reinforced Pakistan's validity, the equal to India, as a non-communal state among the community of nations. Partition, inevitably on the basis of Muslim or non-Muslim populations of the various regions involved, could only emphasise the communal nature of Pakistan to which Indians pointed with such

disdain. This is not entirely rational, but it has exercised great psychological influence.

More rational was the Pakistani appreciation that any talk of partition could easily drift from communal criteria to a decision to divide the State of Jammu & Kashmir on the basis of who held what territory at the time. In that from the outset (27 October) India held Srinagar, the result would be Pakistan's permanent loss of the capital of Muslim Kashmir and a city of great symbolic and economic importance. Partition, in other words, could all too easily mean no more than accepting as the legitimate international border a *de facto* cease-fire line. Such a view of partition in the State of Jammu & Kashmir was indeed tacitly or explicitly to be adopted by the Indian side from time to time from the mid-1950s onwards. There are Indians today who favour it. The idea has usually received an extremely hostile reception in Pakistan.

In London the British Government appreciated the merits of partition in the State of Jammu & Kashmir, but also anticipated great difficulties. As Philip Noel-Baker at the Commonwealth Relation Office responded on 5 November 1947 to the thoughts of Auchinleck and Shone already noted above:

we think that you may well be right in your view that agreement to partition Kashmir and Jammu affords the best and possibly the only hope of peace. ... Nevertheless I am afraid that the United Kingdom Government could not now put this plan forward. It would not at any stage be easy for them to take such a step. I think it impossible when the Indian Government has just undertaken to withdraw its troops after law and order is restored, to hold consultation of the people's will under international auspices; and when the Government of Pakistan has made virtually the same proposal. ... While both Governments are talking such terms as these, I don't think that a suggestion from here for partition is really practicable.

Such logic pointed towards but one approach; and by February 1948 British official attention tended to concentrate itself on this, some kind of plebiscite, a concept to which, after all, Mountbatten had given his endorsement in the published exchange of letters between the Maharaja of Jammu & Kashmir and the Governor-General of India relating to accession (though partition was by no means abandoned, as we shall see below).

There was nothing very new about the idea of the plebiscite as a means of solving Subcontinental problems. As we have seen, it surfaced during the actual process of Partition prior to the Transfer of Power in August. In September it had been actively considered in the context of Junagadh, a State with a Hindu majority population whose Muslim Ruler had at the very last moment of the British Raj decided to accede to Pakistan. As a solution to the Junagadh issue, Jawaharlal Nehru had made the following proposal to the Defence Committee of the Indian Cabinet on 30 September 1947:

we are entirely opposed to war and wish to avoid it. We want an amicable settlement of this [Junagadh] issue and we propose therefore, that wherever there is a dispute in regard to any territory, the matter should be decided by a referendum or plebiscite of the people concerned. We shall accept the result of this referendum whatever it may be as it is our desire that a decision should be made in accordance with the wishes of the people concerned. We invite the Pakistan Government, therefore, to submit the Junagadh issue to a referendum of the people of Junagadh under impartial auspices.

As in Junagadh so quite logically in the mirror image situation of the State of Jammu & Kashmir, an argument of which it is certain both Mountbatten and Nehru were aware. The Pakistan side, too, saw the point. It hoped that, handled with caution and skill, Junagadh might somehow be exploited as a precedent for Jammu & Kashmir.

The great problem about the plebiscite was not so much the idea as such, but how it would be implemented. Jinnah, on 28 October, accepted that a truly impartial plebiscite was probably the best answer to the Kashmir problem. As we have already seen, what he then urged was that the two Commanders-in-Chief, Lockhart in India and Messervy in Pakistan, should be appointed Joint Commissioners for the conduct of a plebiscite, during which time they should be authorised to use in concert such troops as might be required to keep order and ensure fairness. Jinnah, however, refused to consider any electoral process which could be conducted under the sole umbrella of the Indian Army and subject to the unchallenged influence of Sheikh Abdullah. Basically, with or without Sheikh Abdullah, this has remained Pakistan's objection ever since to plebiscite proposals floated or supported by the Indian side.

The Indians, on the other hand, have maintained from the outset a posture where a plebiscite can only be accepted if Pakistan has withdrawn all its "raiders" from every part of the State of Jammu & Kashmir, throughout which it is argued they have no right whatsoever to be. When Nehru first thought seriously about the implications of a plebiscite in the State of Jammu & Kashmir, just after the accession crisis, he explored the idea of substituting for it, by a political magician's sleight of hand, an electoral victory of Sheikh Abdullah and his party in some kind of local Jammu & Kashmir State process on a franchise and under conditions which, it must be admitted, were easy enough to manipulate, even in the presence of a limited number of observers from a body such as the United Nations. It may be that this was at the back of his mind in his much quoted broadcast over All India Radio on 2 November 1947 when he said that:

we have declared that the fate of Kashmir is ultimately to be decided by the people. That pledge we have given ... not only to the people of Kashmir but to the world.

We will not, and cannot back out of it. We are prepared, when peace and law and order have been established to have a referendum held under the auspices of the United Nations. We want it to be a fair and just reference to the people, and we shall accept their verdict. I can imagine no fairer and juster offer. [1948 *White Paper*, Pt. IV, No. 8].

In later years India from time to time claimed that such a "reference to the people" had indeed been made through various elections (all to some degree rigged) held in that part of the State of Jammu & Kashmir which it controlled. This has done nothing to increase Pakistan's confidence in the impartiality of any plebiscite which might be held in regions where Indian power reigned.

During the first days of the Kashmir dispute, in late October and November 1947, the idea of the plebiscite was actively explored by British officials both in London and in New Delhi. On 30 October, only three days after the overt Indian intervention in Kashmir, Attlee put a detailed plebiscite plan to Nehru. There would be an appeal to the tribesmen, mainly from the Pakistan side and exploiting the vast personal influence in the Pathan world of Sir George Cunningham, Governor of the North-West Frontier Province, to withdraw along the Jhelum Valley Road to Pakistan. The Indians would agree to withdraw *all* their troops once the tribesmen had left. At the same time, all Jammu & Kashmir State troops would pull out from Poonch (and, presumably, Mirpur) where the sole civil and military power would now be that of Azad Kashmir. There would then follow a plebiscite, if possible supervised by neutral (probably British) observers. At the same time, India would reaffirm that the "provisional accession" of the Maharaja of Jammu & Kashmir to India would in no way prejudice the final outcome of the plebiscite. If the vote went for Pakistan, then accession would be null and void.

Other plebiscitary projects continued to emerge from the British establishment. On 7 November, for example, Sir Algernon Rumbold (a veteran of the old India Office and now employed by the Commonwealth Relations Office in London) drew up an elaborate plan for the holding of a plebiscite in which, once the various intruders from both India and Pakistan had withdrawn from the Srinagar region, British troops would be flown in to hold the ring while former British Indian Army officers supervised a poll in every District with a view to assigning it either to Pakistan or to India. The ruling British politicians were not impressed by this addition to the burdens of Empire in a region which they had already quit, and to which they were determined never to return.

Behind such proposals was much British study of the theory and practice of plebiscites and search for electoral alternatives. The Commonwealth Relations Office, for instance, first took a good look at the Jammu & Kashmir *Praja Sabha*, the Lower House of the State Legislative Assembly as established by the



1934 and 1939 Constitutions, with its 40 elected (on a communal basis) members out of 75 (1939 Constitution). Could a vote here serve in lieu of a plebiscite to decide the State's future? It was soon revealed that this Assembly was in fact based on a franchise of no more than six per cent of the total population. So, as Algernon Rumbold observed on 30 October, "the *Praja Sabha* is not a very suitable place to settle the future of Kashmir."

A Commonwealth Relations Office survey followed of those plebiscites which had been held elsewhere in the aftermath of World War I: Schleswig, Allenstein and Marienwerder, Klagensfurt, Upper Silesia, Sopron, as well as attempts at Teschen, Spisz and Orava, Vilna, were examples, as also Tacna and Arica in Latin America in 1925-26, and the Saarland in 1935. The main conclusion from this exhaustive investigation, greatly assisted by admirable research already carried out in 1943 by the Foreign Office, was that in practice it was only possible to hold a plebiscite in a region which had been put under the command of some strong neutral authority with adequate troops to establish and maintain order if need be. No such authority existed in the State of Jammu & Kashmir. As one very senior Commonwealth Relations Office official with vast experience on Indian affairs, Sir Paul Patrick, put it: "I do not believe a plebiscite is possible in Kashmir," and, he added, "in any case it could not be held during winter."

With this formidable array of precedents and opinions to hand, the Commonwealth Relations Office suspected that there might be better answers to the Kashmir conundrum than the classic plebiscite. A neutral commission could be formed, perhaps, to send officers (presumably British) to the various Districts to ascertain the general state of public opinion. Actual voting might be confined to certain key areas, like the cities of Srinagar and Jammu. Here, of course, the old electoral rolls, with all their defects, would probably, lacking time to prepare anything better and more democratic, have to be used as a basis for the poll. The result would presumably have to be ratified in some way. The Commonwealth Relations Office was prepared to consider seeking a confirming vote by the 40 elected members of the *Praja Sabha* who were as near representatives of the will of the State's people as one could find (and among whom after the January 1947 elections the Muslim Conference held a powerful position, and the National Conference, having boycotted those elections, was absent). Any initiative for a plebiscite, of course, would have to emerge from the existing structure of Indo-Pakistani relations; there was no way that the British could impose it even if they wished to do so, which they certainly did not.

At a meeting of the Joint Defence Council in New Delhi on 8 November, the plebiscite question was discussed by V.P. Menon for India and Chaudhri Muhammad Ali for Pakistan, with Ismay holding a watching brief for Mountbatten. This appears to have been one of the most realistic Indo-Pakistani

negotiation ever conducted on the vexed Kashmir problem. Attention was first paid to troop withdrawals. Chaudhri Muhammad Ali wanted simultaneous withdrawals by both sides. Menon thought this might be difficult for a variety of weighty, and wordy, reasons. Eventually he produced the following compromise:

both Governments agree that all forces whether regular or irregular must be withdrawn from Kashmir at the earliest possible moment. The withdrawal will commence on the 12th November and will be concluded by the 26th November. The Government of Pakistan solemnly pledge themselves to do their utmost to ensure that the tribesmen are withdrawn according to this programme and that they make no further incursions. The Government of India undertake to withdraw their forces according to programme.

During these talks Chaudhri Muhammad Ali at one point asked whether a plebiscite was really called for at all as the entire State of Jammu & Kashmir (the plebiscite under consideration being for the whole State as a unit) must go to Pakistan in any case by virtue of its overwhelming Muslim majority. V.P. Menon replied that "he entirely agreed that Kashmir would go to Pakistan," but "emphasised that in view of what had passed, a formal plebiscite was essential." As for the actual plebiscite, it was agreed that

a plebiscite will be held under the aegis of two persons nominated by the Governments of India and Pakistan with a person nominated by the Kashmir Government ... [under Sheikh Abdullah] ... as observer. The plebiscite will be conducted by a British officer.

And, finally, the draft agreement contained

a paragraph to the effect that neither Government would accept the accession of a State whose ruler was of a different religion to the majority of his subjects without resorting to a plebiscite.

This was, of course, a way of settling the Junagadh question as well (with a Muslim ruler wanting to join Pakistan despite the fact that a majority of his subjects were Hindu); and it seems probable that just such an exchange of Junagadh for Jammu & Kashmir had been contemplated by M.A. Jinnah and Liaquat Ali Khan since September. It was also, of course, laying down a distinctive marker for the possible solution of the looming problem of Hyderabad.

There is some evidence to suggest that such a surprisingly conciliatory attitude on the Indian side was inspired by V.P. Menon's mentor, Vallabhbhai Patel, the Deputy Prime Minister and in many respects Nehru's rival, who in his pragmatic way had been inclining towards the view that some sort of settlement with Pakistan was better than continued, and possibly escalating,

war. Patel had no love for Jinnah and was no devotee of the idea of Pakistan. He was, however, a realist and, moreover, he did not, unlike Nehru, have a particular emotional attachment to Kashmir: his own roots were in Western India. He also, it seems, was still toying at this stage with some kind of bargain in which India's concessions over the State of Jammu & Kashmir might be exchanged for Pakistan's condonation of India's position over the future of Hyderabad (upon which, far more than Kashmir, depended the survival of India as the residual legatee to the old British Raj). This was, at any rate, Chaudhri Muhammad Ali's interpretation of the situation.

For a very brief moment, then, the broad trend of Indian policy seemed clear: Kashmir would be settled by a truly fair plebiscite arranged by methods to be agreed bilaterally between India and Pakistan. There might be neutral supervision of the actual ballot; but there would be no external mediation.

In the event, it was Nehru's obsession with Kashmir which proved decisive in defeating this highly promising bilateral initiative. Patel's pragmatism, if it indeed had ever manifested itself, receded into the background, and soon it was replaced by his own brand of jingoism. V.P. Menon's efforts were rejected out of hand by Nehru, so Chaudhri Muhammad Ali told Ismay in a note dated 9 November in which he declared that "I am so sorry to have wasted so much of your time and I see no use in the further meetings that you suggested between yourself, Menon and myself." What seems to have happened, Ismay concluded, was that following the Indian reoccupation of Baramula (with all that was then said to have been revealed about Pathan tribal atrocities), Nehru was convinced that victory over the "raiders" and the man whom he believed was their arch-supporter, Jinnah, was at last in sight. He assumed, in other words, that the war was as good as won and that, thankfully, no direct negotiations with Pakistan about his beloved ancestral land were called for. India would obtain, and retain, control of the lion's share of the old State of Jammu & Kashmir. Instead, as we shall see, Nehru's thoughts turned increasingly towards a reference to the United Nations, which, even if undertaken jointly with Pakistan, yet somehow held out the possibility of a solution in India's favour without concessions to Mr. Jinnah. Already by 7 November 1947, Nehru was inclined to believe that his own country's case *vis à vis* Kashmir was so good that any objective external body like the United Nations could not fail to accept it. Ismay thought Nehru was being unduly optimistic. "They have got a frontier sore," he wrote prophetically, "which will last them for a very long time."

By the beginning of the second week of November, therefore, it was evident to British observers in both India and Pakistan that direct Indo-Pakistani discussions over a Kashmir plebiscite, or, indeed, over any other solution to the problem, whatever the officials on both sides might propose or negotiate, would probably be wrecked on the shoals of political obstinacy, particularly that of

Jawaharlal Nehru. Sir Terence Shone in New Delhi began to wonder if the British could take a more active part in attempting to break the logjam. Perhaps the Secretary of State for Commonwealth Relations, Philip Noel-Baker, might preside over a committee consisting of Jawaharlal Nehru and Liaquat Ali Khan or representatives named by them. A "flying visit" by Noel-Baker to the Subcontinent had, after all, just (5 November) been requested by Liaquat Ali Khan. The scheme met with qualified approval by Mountbatten, who discussed it with Attlee on 12 November while he was briefly in England for the Royal Wedding (between his nephew Prince Philip and Princess Elizabeth).

A week or so later the Commonwealth Relations Office had concluded that this Noel-Baker committee would probably be futile. In any case, the British could not propose it; the request would have to come from the Subcontinent. It might be better, perhaps, to arrange for Attlee himself to play a role, possibly presiding over a Nehru-Liaquat Ali Khan meeting when next the two Dominion Prime Ministers were in London. By 19 November both Ismay and Sir Terence Shone had concluded that even this would not work. "The matter is so important," Shone reported to London, "that a visit ... [to the Subcontinent] ... by the Prime Minister himself would be justified and have the greatest chance of success." Attlee, however, did not have the slightest intention of going to India or Pakistan on what he clearly saw was a hopeless mission from which he could not possibly return with credit.

The Commonwealth Relations Office now came up with yet another idea. Maybe the President of the International Court of Justice at the Hague could be asked to nominate some suitably neutral person to preside over a joint Indo-Pakistani Commission "charged with the duty of making recommendations as to the procedure for ascertaining the will of the people of Pakistan regarding their future." For a moment Noel-Baker's enthusiasm was aroused. "Would you like me," he cabled both Nehru and Liaquat Ali Khan on 20 November,

to take private soundings from the President of the International Court of Justice to discover whether he is of the opinion that it would be practicable and would be willing to try to get together a small team of international experts, not connected with India, Pakistan or the United Kingdom, in the event of a joint request being proffered by the Governments of India and Pakistan for this to be done?

The short answer, at least in the opinion of Sir Terence Shone, was "no". Jawaharlal Nehru, increasingly convinced that India would win the war outright and recover all of the State of Jammu & Kashmir, seemed for the moment to have once more lost his enthusiasm for any kind of mediation to arrange a plebiscite.

Moreover, there had been ever since the beginning of the month a growing irritation among the Indian leadership at the very idea of mediation. What was

there to mediate? The Indian case was just. The State of Jammu & Kashmir, by virtue of the Instrument of Accession, rightfully belonged to India. There was nothing to be said in favour of Pakistan. What to some appeared to be evenhanded, in New Delhi was interpreted as pro-Pakistani bias. All these "international experts" about whom Noel-Baker talked would probably be viewed in New Delhi as both unwanted and inherently anti-Indian. In any case, as one member of the British delegation to the United Nations pointed out to the Commonwealth Relations Office, Nehru had a particular antipathy to the International Court of Justice because he believed it had been unduly sympathetic to South Africa in another issue close to Indian hearts. To mention the Court to Nehru, therefore, "can only have the effect of the proverbial red rag."

Finally, there was the United Nations itself, an organisation which had, after all, been expressly designed to sort out disputes between sovereign states. The United Nations had, as we have seen, been considered at the time of the Transfer of Power as a possible agent in supervising the partition of the Punjab and Bengal; but the use of its services had been rejected for a variety of reasons. In his broadcast of 2 November, as has already been noted, Nehru pointed to the possibility of the conduct of a Kashmir plebiscite "under international auspices like the United Nations," thus formally bringing that body into the Kashmir equation, albeit in a tentative way. Neither Jinnah nor Liaquat Ali Khan were then interested; they still stood by the bilateral approach of Jinnah's proposals to Mountbatten of 1 November. In his formal reply to those proposals, however, Nehru declared on 7 November (at the very moment when, as we have seen, subordinate officials were negotiating a bilaterally arranged plebiscite) that after Pakistan had withdrawn all its tribesmen, India, once law and order had been restored in the State, would also begin withdrawing its own men; and next, he suggested, India and Pakistan might make a joint approach to the United Nations for help in the supervision of a plebiscite. By 12 November he had worked out a fairly detailed statement of policy along these lines which was explained to U.S. State Department officials in New York by his sister, Mrs. Vijaya Lakshmi Pandit. She

expressed India's desire for Kashmir plebiscite on basis of adult suffrage to be held next spring [1948] under UN supervision. She mentioned plan under which India and Pakistan would agree beforehand to take case [to] Se[curity] C[ouncil] with joint request that commission of small and disinterested countries be sent supervise and observe Kashmir elections and definitely indicate desire that Great Powers including USSR not participate in plebiscite commission. [*FRUS 1947, III, Washington 1972, p. 184*].

This plebiscite, election, or reference to the will of the Kashmiri people, of

course, was intended to involve in a single operation the whole State of Jammu & Kashmir, all the territory that had once formed part, or the Indian side argued had once formed part, of the dominions of Maharaja Sir Hari Singh including both Azad Kashmir and those territories in the Gilgit region which had been leased to the British in 1935.

From the Pakistan point of view an apparently cooperative offer along these lines was fraught with problems. Even if the Indian troops did eventually withdraw, who would take their place in that part of the State of Jammu & Kashmir which had been under Indian occupation? Would it be a force nominally subject to Sheikh Abdullah's administration, and in reality an Indian army by another name? This Pakistan could not accept. In any case, on what franchise would the plebiscite be conducted and who would draw up the electoral rolls? If Sheikh Abdullah and his Indian friends had a direct hand here, Jinnah was not interested. As the British High Commission in Karachi noted on 9 November, unless a host of procedural matters were first "agreed between the two Dominions, the efforts of any team from UNO or elsewhere will be futile and more harm than good will have been done."

When Mountbatten was in England for the Royal Wedding and had his talk with Attlee on 12 November, the Commonwealth Relations Office was asked to comment on the merits of United Nations involvement in Kashmir. It was, on the whole, rather lukewarm about it for two main reasons. First: it might be hard to avoid the inclusion of some representative of the "Slav Bloc", that is to say the Soviet Union and its friends, in any United Nations commission deputed to the Subcontinent. Second: it still hoped to secure some kind of general Indo-Pakistani settlement over not only Jammu & Kashmir but also Junagadh and Hyderabad. The United Nations presence in but one of these issues, Kashmir, could greatly complicate discussions on the other two outstanding questions.

By 16 November the Pakistan attitude seems to have changed. It was clear that nothing would come of Jinnah's 1 November proposals. Perhaps a reference to the United Nations, though in quite what form was yet to be decided, might yield results where everything else appeared to offer no bright prospects. Pakistan would naturally wish to seek mediation on all possible aspects of the Kashmir question, which presumably meant in addition a wide range of issues, social, political and economic, arising out of the mechanics of Partition and the subsequent shape of Indo-Pakistani relations. The Indians were fully aware of the thinking in Karachi, and were, accordingly, contemplating a United Nations reference of their own. They would confine themselves to the narrowest possible agenda relating to the conduct of a plebiscite under clearly defined conditions which they considered would favour their cause, notably the removal of all military forces which might be deemed favourable to Pakistan. Given these divergent attitudes, Sir Terence Shone in New Delhi argued that the British

might be well advised to consider making their own approach to the United Nations and thereby at least obtain some terms of reference which would not immediately be swamped by Indo-Pakistani acrimony. This was an interesting idea. It was not, however, followed up by London.

On 23 November, Nehru in a telegram to Attlee explained precisely what he had in mind with respect to the United Nations. He noted that

the appropriate authority to provide the machinery ... [for a plebiscite] ... would be the Security Council or Secretary General of the United Nations. But necessary approach can only be made when normal conditions have been restored in Kashmir.

Pakistan could help restore such conditions, Nehru went on, by ceasing to aid the "raiders"; it should deny them both supplies and safe passage across Pakistani territory. Under whatever circumstances, in Nehru's view at this moment a possible United Nations reference must still lie in the fairly distant future; there was no hurry.

Pakistan, however, now applied some surprisingly effective, if oblique, pressure to modify Indian attitudes. On 24 November its Representative at the United Nations, Sir M. Zafrullah Khan, approached Hector McNeill, Minister of State at the Foreign Office then in New York with the British Delegation, to announce that Karachi had just asked him for advice on how the United Nations could take part in a Kashmir plebiscite, and in what way and to whom in the United Nations Pakistan could appeal. Zafrullah Khan also indicated to McNeill another possibility, a direct appeal to the British Government to mediate between India and Pakistan through the nomination of a very senior judge, a Law Lord no less, a super-Radcliffe (one wonders if Zafrullah Khan, who did not lack a sense of humour, was entirely serious here). In London this would not be welcome, as Zafrullah Khan was immediately advised. On the following day Zafrullah Khan told McNeill that he was now definitely in favour of seeking on behalf of Pakistan some form of plebiscite administered under direct United Nations supervision. No attempt was made to conceal any of this dialogue from the Indian Delegation at Lake Success.

Faced with the prospect of Pakistan's suddenly appealing to the United Nations, the Indian side became much more receptive to the idea of some kind of reference there of its own long before Nehru's ideal conditions of a Pakistani-induced total withdrawal of the "raiders" had been met. On 27 November Indian and Pakistani officials in New Delhi, following a meeting of the Joint Defence Council the previous day, produced an extremely conciliatory document. Hostilities in Kashmir would cease on the basis of Pakistan using its influence to get the "Azad Kashmir" forces (not "raiders" as hitherto) to withdraw as quickly as possible, and then, fighting having stopped, India "would

withdraw the bulk of their forces, leaving only small contingents at certain points." Next, India and Pakistan would ask the United Nations to send a commission to the Subcontinent to seek recommendations from not only the two Dominions but also the Government of Jammu & Kashmir (which was here evidently considered as an entity in its own right, presumably with Sheikh Abdullah as its political head) as to how best to set about organising a free and unfettered plebiscite. Discussion of details by Nehru and Liaquat Ali Khan would be postponed until the next Joint Defence Council meeting, due to be held at Lahore on 8 (originally planned for 6) December, when there would be time to give them the consideration which they merited. Ismay, who was present throughout, noted that while the gulf between the two Prime Ministers was still wide, "the atmosphere in which the discussions were conducted was more friendly than he had known."

Unfortunately, this euphoria did not last. For various reasons, including a visit to the Kashmir front by Vallabhbhai Patel and Baldev Singh on 2 December and some alarming intelligence reaching Nehru about alleged Pakistani "aggressive" intentions, the Indian leaders, so Shone reported, "have started once more to think in terms of fighting out the issue and not holding a plebiscite." At the same time, Liaquat Ali Khan had visited the Pakistan-Jammu border near Sialkot, where he heard more horror tales about of what was happening over in Jammu District on the Indian controlled side. All the Muslim males, without exception, he believed, had been butchered and "Muslim girls had been abducted and a large number were being kept naked in a camp by Sikhs and were being permanently raped" (and there was much truth, it is to be regretted, in these accounts of the Jammu atrocities in late November and early December 1947). The result was that the 8 December Joint Defence Council meeting achieved nothing on Kashmir. As Shone reported to London on 10 December, "so far as Kashmir was concerned I understand that an almost complete impasse was reached." All thought of a joint Indo-Pakistani approach to the United Nations was abandoned.

The impasse arose formally from the old question of troop withdrawals prior to the holding of the plebiscite. India was insisting on the total departure of the "raiders" (by which it meant all forces, Azad Kashmiri and Pathan) before it made any move. Pakistan refused to contemplate a plebiscite with Sheikh Abdullah in a position of power and called for an Indian agreement for the establishment of an impartial interim administration, according to Shone, to

be set up in Kashmir before the plebiscite to take the place of Sheikh Abdullah's administration which they [Pakistan] accuse of persecuting all Pakistan supporters in the State and by its very existence in authority of ensuring that the voting in the plebiscite will go in favour of India.



India did in fact agree in principle that at some fairly remote future date it might accept the establishment of some kind of Indo-Pakistani influenced coalition regime in the State of Jammu & Kashmir for purposes of a plebiscite. Even to consider this now, however, would undermine the authority of Sheikh Abdullah, which was quite out of the question. In other words, India would not for a long time to come accept a plebiscite on terms with which Pakistan would be at all comfortable.

It was at this juncture (8 December), so Sir Terence Shone, who was singularly well informed about what was going on in the highest levels of government in New Delhi, maintained, that Mountbatten came up with a proposal (this was to be confirmed by Mountbatten's own account now preserved among his papers) which seemed to offer an escape from the current doldrums into which the talks had drifted. Mountbatten explained to both Nehru and Liaquat Ali Khan that it looked as if the only way out was to find some acceptable (if not of necessity entirely, or equally, congenial to both sides) formula or device by which to introduce the United Nations into the discussions as a neutral third party. He put it to Liaquat Ali Khan that to this end he might have to accept on behalf of his country a process which was initiated through a complaint of some kind by India in the United Nations against Pakistan for "having helped the raiders." It was probably only on this basis that Nehru would actually bring himself in the end, however much the matter might be discussed in theory, to accept in practice any form whatsoever of United Nations presence. He asked Liaquat Ali Khan, therefore, in the interest of peace in the Subcontinent, to show restraint while this "indictment" mechanism was set in motion. Pakistan would always have the right of reply once matters were being discussed at Lake Success.

Liaquat Ali Khan, in a hitherto unacknowledged attitude of altruism, accepted the full implications of Mountbatten's proposal. He said he would agree, if need be, that the reference to the United Nations should take the "form of an accusation by India that Pakistan was assisting the raiders." And so the final Indo-Pakistani discussions of December 1947 took place in the shadow of what can only be described as a projected collusive arrangement, rather like some divorce proceedings where Pakistan had accepted the role of, if not the guilty party, at least the party which would not at the outset protest its innocence too loudly.

Evidently with Mountbatten's scheme in mind, at the 22 December Joint Defence Council meeting Nehru solemnly handed over to Liaquat Ali Khan a letter accusing Pakistan of assisting the "raiders" in Kashmir and requesting that Pakistan refrain forthwith from aiding them in any way. Unless Pakistan promised in writing in the very near future to give up this unpleasant habit of meddling in the State of Jammu & Kashmir, the Government of India

will be compelled to take such action, consistently with provisions of the United Nations Charter, as they may consider necessary to protect their interests and discharge their obligations to the government and people of Kashmir.

While the Pakistani diplomats were still digesting the implications of this document, which was only just within the parameters of "indictment" indicated by Mountbatten, the Indians sent a reminder on 26 December. Liaquat Ali Khan, having finally resolved to stick with the Mountbatten scheme, replied on 30 December in a quite conciliatory tone, although surrendering none of the points of grievance against India in all their various disputes, and, indeed, outlining them in prodigious detail. Referring to Nehru's letter of 22 December, Liaquat Ali Khan said that

I trust that I am right in assuming that your letter is not an "ultimatum" but a forerunner of a formal reference of the matter to the UNO. If so, nothing could be more welcome, for you will recollect, this is exactly what the Pakistan Government has been suggesting throughout as the most effective method of ironing out our mutual differences. I am sincerely glad that you propose at last to adopt this particular line of approach.

The Indians have said that before Liaquat Ali Khan's letter of 30 December was to hand they had concluded that, as no reply seemed to be forthcoming to Nehru's letter of 22 December, they might as well go ahead anyway and approach the Security Council. Accordingly, they drafted a letter to this end, a version of which was ready by 28 December. The text was at once sent to the British Cabinet in London by way of Sir Terence Shone, with an explanatory telegram direct from Nehru to Attlee. It was also sent to the Government of Pakistan in a memorandum which, however, owing to some extremely convenient cryptographic muddle, did not actually get read in Karachi until 3 January 1948. Thus on 31 December the Indian appeal to the United Nations was transmitted to the Indian Embassy in Washington without having been seen or commented on by the Pakistan side. On the following day, 1 January 1948, the Indian Representative at the United Nations, P.P. Pillai, passed it along to the President of the Security Council, F. van Langenhove of Belgium. It is possible that the contents had already been communicated to Trygve Lie, the Secretary General of the United Nations, on 30 December 1947.

This is an extremely revealing, as well as important, document. A unilateral complaint by India was lodged under Article 35 (Chapter Six) of the Charter of United Nations, where, so India observed,

any member may bring any situation, whose continuance is likely to endanger the maintenance of the international peace and security, to the attention of the Security Council.

The major point here was that under Article 35 any action by the Security Council, or indeed the General Assembly, would be essentially of an advisory nature. The Council could, in the interests of international peace, look into the matter and suggest ways in which tempers could be cooled down and tensions eased. The sanctions available were severely limited, relating to recommendations for international co-operation and the like. Anything decided under Article 35 alone could never turn into something mandatory. The contrast must be made with other routes provided for by the United Nations Charter (Chapter Seven) which might even lead to the unleashing of a fearful panoply of United Nations military might (such as was soon to be seen in the case of Korea and, more recently, against Iraq).

The use of Article 35 was in the spirit of the Mountbatten proposal for Pakistan to submit to some tolerable form of indictment by India in order to persuade Nehru to go to the United Nations at all. Rather less in this spirit were the actual contents of the document which P.P. Pillai, the full nature of which apparently still unknown to the Pakistani side, sent up to the President of the Security Council on 1 January 1948. While technically it was merely drawing the Council's attention to the disturbances then going on in Kashmir, and soliciting suggestions as to how the risks to the general peace could be reduced, probably (there was a clear implication) by arrangements for some kind of plebiscite, yet in fact it was a stark indictment of Pakistan as an aggressor and the sponsor of violence. Interestingly, while the suggestion is evident that the State of Jammu & Kashmir, the site of the crisis, was sovereign Indian territory, yet the Indian charge (para 5) did not say that the Maharaja of Kashmir actually *did* accede to the Indian Union on 26 October (and prior to the Indian intervention), merely that he had requested that he be allowed to do so. Perhaps the Indian diplomatic draughtsman were still being careful lest unwelcome facts about the chronology of accession might come to light during the course of United Nations debate.

Although relating to the relatively mild climate of Article 35, the Indian presentation of 1 January 1948 contained a sting in its tail (para 13) which was anything but mild (and which certainly alarmed the British Prime Minister Attlee when he saw it outlined in Nehru's telegram of 28 December). Declared India:

in order that the objective of expelling the invader from Indian territory and preventing him from launching fresh attacks should be quickly achieved, Indian troops would have to enter Pakistan territory; only thus could the invader be denied the use of bases and cut off from his sources of supplies and reinforcements in Pakistan. Since the aid which the invaders are receiving from Pakistan is an act of aggression against India, the Government of India are entitled, under international law, to send their armed forces across Pakistan territory for dealing

effectively with the invaders.

However:

as such might involve armed conflict with Pakistan, the Government of India, ever anxious to proceed according to the principles and aims of the Charter of the United Nations, desire to report the situation to the Security Council under Article 35 of the Charter.

On this basis, India continued, the Security Council was asked to prevent the Pakistan Government from participating in any way in what was then going on in the State of Jammu & Kashmir, and to ensure that no tribesmen were able to continue to use Pakistan as a base for their depredations in territory for the security of which India was now responsible. Of course, such requests far exceeded the scope of Article 35. The Indian letter, however, was an effective vehicle for issuing a threat of direct intervention in Pakistan, a threat which, perhaps surprisingly, does not seem to have emerged in so unambiguous a form during the Indo-Pakistani discussions which had been in progress since 1 November.

Had such a specific threat been made to M.A. Jinnah and Liaquat Ali Khan by Nehru outside the parameters of the United Nations, the Pakistan leadership would certainly have responded with like for like, and it might well be that the situation would have escalated out of control into open inter-Dominion war. Having accepted, however, the Mountbatten proposal that Pakistan put up with a bit of Indian indictment in order to get to the United Nations and away from the existing impasse, the Pakistani leadership felt itself morally obliged to try to ignore Indian menaces and persist in the processes of negotiation covered by Article 35. But it is likely that had Jinnah or Liaquat Ali Khan been able to study the Indian letter to the Security Council *before* it had been presented, they might have reacted in a somewhat different way. They could well, for example, have immediately introduced their own complaint against India, invoking not Article 35 but some alternative procedure which carried far more forceful sanctions. They would thus have denied India the valuable advantage, in diplomacy as in war, of firing the first salvo.

In the event, there can be no doubt that the tone of the Indian letter failed to calm the language of Indo-Pakistani relations. Jinnah and Liaquat Ali Khan felt they had yet again been deceived by Mountbatten. The terms of the Indian reference to the United Nations, as we have already noted, went far beyond the spirit of "collusion" which Mountbatten had urged the Pakistan side to adopt on 8 December; and it was widely believed in Karachi that Mountbatten, the Governor-General of India, knew all along that this is what would transpire. Here, then, was a real turning point in the Kashmir story. Both Jinnah and

Liaquat Ali Khan (and generations of Pakistani statesmen in years to come) could not avoid suspecting that Mountbatten was in some way reflecting the inner councils of the Government in London. It was probably significant to them that they had received no advance warning of the contents of the Indian reference from British diplomats who hitherto had been only too willing to keep each side informed as to what the other was up to. British credibility suffered accordingly, and from the initial stages of the United Nations involvement British mediation lost much of the value it had once possessed in Pakistan.

In the context of the United Nations, and particularly of the British and American delegations, it may well be that the Kashmir question must be examined in parallel with that of Palestine, another region under British control from which the Attlee Government resolved to withdraw in February 1947. On 29 November 1947 the United Nations General Assembly approved a plan for the partition of Palestine between Arabs and Jews. The result was not peace but escalating war, the consequences of which were already all too apparent during the final days of 1947. In January 1948 the war spread beyond the limits of the former British Mandate with the entry of Syrian troops on the Arab side. It could well be that some observers in late 1947 and early 1948 anticipated that a partition plan for the State of Jammu & Kashmir would have had a similar outcome, an extension of the area of open hostilities: far better explore the possibilities of plebiscites.

## CHAPTER IX

### Operation STAND DOWN and Direct British Involvement in the First Kashmir War, 1947 and 1948

The First Kashmir war of 1947-48 took place on and over what had very recently been part of the British Empire; and the two major contending States concerned, India and Pakistan, both possessed armed forces under the command of British officers sharing a common British Supreme Commander in the person of Field Marshal Sir Claude Auchinleck (at least until the very end of November 1947). These two facts by themselves inevitably raise the question as to what extent the British, at least as individuals rather than officials, directly participated in this conflict.

We know that from the outset in October 1947 there were a few exotic, definitely non-South Asian, people involved in the Azad Kashmiri operations: for example, an American mercenary called Russell Haight, said to have at one time been a sergeant in the United States Air Force, claimed to have held high command in the early days of the Azad Kashmiri army, and there were doubtless others of similar ilk who served this force in various capacities. Were there also British citizens, be they soldiers or civilians, taking part in one way or another in the first stages of the Kashmir war? The evidence of the British archives, added to a measure of other largely anecdotal material, is certainly interesting in this context.

During the last few months of the British Indian Empire, with Partition now inevitable, it was evident that there was a profound division of opinion in the heart of the British Indian establishment between those who thought Partition might, indeed ought to, succeed and those who were opposed to the concept of a separate Muslim polity, Pakistan. Even within the first category, those who basically approved of the Partition solution, there was a deep gulf separating the supporters of Pakistan from the supporters of India. The military were as much affected by these divisions as were the civilian officials. What would the British soldiers, airmen and sailors do if the new Dominions of India and Pakistan came

to blows? In both armed forces, though more importantly so in Pakistan than in India, there remained after the Transfer of Power a formidable British presence, particularly at the higher levels. In the latter part of 1947 all three services in both Dominions were commanded by British officers. The British were also significant in certain technical roles, notably in the Pakistan Air Force. In the event of inter-Dominion war, would these British officers, be they generals, admirals and air marshals, or merely flight mechanics, honour their contracts with their new masters and fight against each other?

There was, of course, another problem. Many of those British officers serving with the forces of the new armies of India and Pakistan had served with the same men, sometimes in combat during World War II, in the old British Indian Army. To what degree would they, as had their men, transfer their loyalties to the new Dominions to an extent which would induce them to ignore orders from their own British authorities? Far from showing a reluctance to fight each other, British officers might indeed show an embarrassing willingness, perhaps even a desire, to do so.

By 30 September 1947 Sir Claude Auchinleck, occupying the uncomfortable position of Supreme Commander of the armed forces of both India and Pakistan, had concluded that there indeed existed a real possibility of inter-Dominion war in the near future. In a secret communication to the Commanders-in-Chief of the three services in both Dominions (all, as we have already seen, British) he outlined what he termed Operation STAND DOWN. On receipt of the STAND DOWN order (in the form of the code words STAND DOWN), Auchinleck instructed, all British officers (BOs) and men, without exception, should be withdrawn at once from the armed services of both India and Pakistan without warning and without any delays arising from the process of handing over their commands to their Indian or Pakistani successors.

Auchinleck's decision was considered in London by a Cabinet Committee on 13 October. It was accepted in principle; but Auchinleck was instructed to consult London and the British High Commissioners in New Delhi and Karachi before issuing the STAND DOWN order.

The very senior India Office, now Commonwealth Relations Office, official, Sir Archibald Carter, was not entirely happy about the Cabinet Committee decision. It would be very easy, he thought, for the Indians, should they become aware of the existence of the STAND DOWN policy, to exploit it against Pakistan. They could all too easily bring STAND DOWN into play by, for example, sponsoring clandestinely a raid by Sikh militants across the border into the Pakistani Punjab. This might well provoke a violent Pakistani reaction leading to an inter-Dominion crisis such that STAND DOWN would perforce be triggered. In that Pakistan depended upon British officers and other servicemen far more than did India, such a move would be very much to the Indian advantage. While

Carter's point was appreciated, yet the Cabinet-modified STAND DOWN policy still remained in force.

It is not clear how widely spread in India and Pakistan was knowledge of the STAND DOWN policy; but there can be no doubt that it was fully understood by the Commanders-in-Chief of both the Pakistani and Indian armed forces when, on the night of 27/28 October 1947, on Auchinleck's instructions, General Sir Douglas Gracey (then acting Commander-in-Chief of the Pakistan Army in the absence of General Messervy - Gracey did not, himself, assume full command until the end of the year, on Messervy's retirement) informed his superior, the Governor-General of Pakistan M.A. Jinnah, that if the Pakistan Army were ordered into Kashmir in response to the Indian intervention, then all British officers would be withdrawn at once from Pakistani service. Such an order, of course, General Gracey knew perfectly well meant the implementation of STAND DOWN, with the consequent simultaneous withdrawal of British officers from the Indian side. M.A. Jinnah, it is evident, was totally ignorant of STAND DOWN and its implications, and, in consequence, was swayed by Gracey's threat. Had he known, or even had reason to suspect, the truth which Gracey (perhaps under orders from Auchinleck) kept from him at this time, the Pakistani military riposte might well have gone ahead; and the Kashmir story would surely have had a very different outcome. Even though he lacked any military background, M.A. Jinnah could hardly have failed to appreciate that the total recall of British officers from both South Asian Dominions would have had severe political and diplomatic consequences for the United Kingdom, not least a major reduction of its influence, if not its total disappearance, in all of the Subcontinent. The abrupt withdrawal of British officers from Pakistan alone was just credible: the threat of the withdrawal of British officers from *both* India and Pakistan was not.

Of course, in reality there was a great deal of British involvement, some of it surprisingly direct, in Kashmir operations from the word "go". The entire Indian Kashmir venture from 27 October 1947 until late January 1948, when he was replaced by Lt.-General K.M. Cariappa, was commanded by Lt.-General Dudley Russell, GOC Delhi Military District. Russell's staff, which included a number of British officers, devised the plan for the original airlift to Srinagar of 1 Sikh on 27 October, and it continued to supervise the fighting in Kashmir right through that first winter of 1947-48. We have already suggested that the story of the prior Kashmiri Accession to India was very convenient in legitimising the service of these British soldiers. It is certainly a point worth noting that the British authorities did not consider that their presence would trigger off STAND DOWN. In late November or early December 1947 (so Mountbatten then recorded) Lt.-General Russell embarked upon a tour of his forces in Jammu & Kashmir, in probable violation of the undertaking made by



Noel-Baker, Secretary of State for Commonwealth Relations, to the British House of Commons that British officers would take no direct part in Kashmir military operations. One can only presume that this was not an isolated incident. It would be difficult in many armies, and particularly that with the tradition which the British had established during World War II, to keep senior officers from seeing for themselves how their men in the field were getting on.

In the context of direct British involvement in the opening stages of the first Kashmir war the story of the initial stages of the Indian airlift into Srinagar is very instructive. It is well known, as we have already seen, that the airlift and associated strategy was personally supervised from the Delhi end by Lt.-General Dudley Russell (with Mountbatten himself lending a hand at one point). What is not so familiar is the way in which aircraft were provided for the start of this operation.

It would seem that at this stage, the last week of October 1947, the Royal (as it still was) Indian Air Force possessed but four suitable transport aircraft, DC3s, in the Delhi area. It was reported to London by the British High Commission in New Delhi that for purposes of the planned Kashmir operation a further six DC3s were borrowed from airlines of the internal Indian airways system, from Dalmia Jain and Indian National: in their place, in order to maintain the local Indian civil air transport services, a number of aircraft were said to have been chartered (or borrowed) from the British Overseas Airways Corporation (BOAC). Thus ten aircraft were provided for the Srinagar troop lift (of which nine only were used on the first day, the tenth, it may well be, being reserved to take M.C. Mahajan and V.P. Menon to Jammu) without disrupting the internal Indian air schedules. An interesting question here is where did the six BOAC aircraft come from?

A major concern of both Mountbatten and the British High Commissions in India and Pakistan from the beginning of October 1947 was the conviction that, given the outbreak of political disturbances in the Vale of Kashmir, the numerous British residents there - perhaps as many as four hundred, it was thought, though those who had actually been registered by the Karachi and New Delhi High Commissions only numbered 156 adults and 23 children under the age of 12 - would be in grave danger. From Karachi, for example, Sir L. Grafftey-Smith reported to the Commonwealth Relations Office on 6 October that the release from prison in Jammu & Kashmir of Sheikh Abdullah might well provoke a general breakdown of law and order in the State with probably catastrophic consequences. Plans must be set in motion for the evacuation of the Kashmiri British residents, particularly as many of them showed no inclination to remove themselves on their own initiative, even temporarily, from what they clearly regarded as a paradise on earth (and, in the process, having to obey the order to abandon their dogs and other pets).

One precaution taken at this time, either by the British Government or by the Government of India at Mountbatten's behest, was to charter a number of BOAC aircraft, the inevitable DC3s, to stand by in readiness to fly in to Srinagar on an evacuation mission the moment the anticipated storm should break. But it was this very group of BOAC aircraft which it was said were lent to the Indian internal airways system in order to free Indian-owned aircraft for service on the Kashmir troop airlift.

There is some evidence to suggest that the BOAC aircraft were never, in fact, lent to the Indian airlines but, instead, were used directly on the Srinagar airlift with their British pilots and crew. For example: V.P. Menon, in an interesting slip, noted in his published account of the genesis of the Kashmir crisis that he was using a BOAC aircraft on his flight to Srinagar on 25 October, and that this was "one of the planes which had been chartered for the evacuation of British nationals from Srinagar." The probability is that this aircraft remained at his disposal for his journeys on 26 and 27 October as well: in which case, the odds are that the other five BOAC aircraft also remained based on Delhi. It would have been far easier to redecorate them in Indian livery than to go to the trouble of shuttling aircraft around Indian airfields.

Whether the BOAC aircraft were lent to the Indian internal airline system or used directly in the Srinagar airlift, another question remained. Who now would rescue the British residents from the Vale?

The answer, of course, lay with the two Royal Air Force Transport Command Squadrons still in the Subcontinent, and No. 31 Squadron was particularly conveniently to hand. RAF Dakotas (DC3s) could take the place of the chartered BOAC aircraft. A decision so to use No. 31 Squadron was made at once. On 28 October there were two RAF Dakota sorties to Srinagar, ten on the following day, and four on 30 October. On 31 October it was decided to terminate the RAF rescue operation. By this time rather less than 200 (the record is far from clear) British residents had been flown out to India from Srinagar, only eight of them on 28 October. Given 200 as the maximum possible number of people evacuated, and given that there were not more sorties than those counted here (and it is more than probable that there were more sorties than have been recorded in the Ministry of Defence archives), we still have a loading of about twelve persons per sortie, which is certainly rather on the low side from the point of view of the economical use of transport aircraft.

It is interesting that while, according to the British records, these RAF evacuation flights from Srinagar were far from full on their return, on the Delhi-Srinagar leg some at least of them carried substantial quantities of extra fuel in drums or tins cans. On 28 October 1947, for example, Ministry of Defence records show that the RAF took to Srinagar some 1,010 gallons of fuel. We have a note of a further 1,000 gallons coming in this way on 30 October. These

records give no indication of the total amount of fuel flown in, or indeed of what other cargoes were carried on this inward leg and whether they could be of a military nature. Nor is it clear whether this fuel was motor or aviation spirit. On the final day of the operation, 30 October, some 600 gallons of the fuel flown by the RAF into Srinagar airfield was taken back to Delhi for reasons unspecified.

The official version, though not stated with great conviction, was that all this fuel was intended for use by British residents in Srinagar and elsewhere in the Vale so that they could drive out in their own motor cars to Pakistan by way of the Jhelum Valley Road, hardly, one would have thought, a particularly attractive option in the light of the reports reaching New Delhi of tribal atrocities and other hazards. All that can be said here is that this is rather a lot of fuel (a minimum of 1,400 gallons and probably much more) for what in practice turned out to be virtually no motor cars at all (nearly all the good ones having been commandeered either by the Maharaja on his flight from Srinagar to Jammu or by the arriving Indian forces).

Another possible explanation, for which there exist but tantalising hints in the records, is that some at least of this fuel might have been intended for use by Pakistan Army vehicles sent in from Rawalpindi to evacuate British residents. That such vehicles did go, by way of that very Jhelum Valley Road which was said to be then dominated by marauding Pathan tribesmen raping, looting and shooting everything that moved, is undoubtedly true - the British records show that there were at least two such convoys by 3 November 1947, to which must be added the vehicles despatched by Sir George Cunningham, Governor of the North-West Frontier Province; and it is equally true that the convoy crews and passengers were not raped, looted, or even shot at beyond what could be expected from normal military exuberance such as can still be witnessed on the Indian side of the Jhelum Valley Road today. The odds are, however, that these vehicles brought sufficient fuel with them for what was, after all, no more than a 200 mile or so round trip.

There is also a third possible explanation, that the fuel was intended for the Royal Indian Air Force and the civil DC3s (Indian or BOAC) operating the military airlift to Srinagar. Any fuel the aircraft on the military airlift did not have to carry on the Delhi-Srinagar leg meant more men or military equipment. The extra thousand or so gallons of aviation spirit standing ready in drums or tins at Srinagar airfield on 28 October 1947 might well have been crucial to the success of the entire Indian Kashmir venture had the airfield indeed been under fierce attack (which we know it in fact was not). By not having to carry this quantity of fuel, the aircraft in the Indian airlift could have taken in about thirty extra fully equipped infantrymen on that second day of the operation.

The pilots and crew of the RAF Dakotas from No. 31 Squadron involved in

this operation were certainly British. So, perhaps, were some or all of the pilots of the chartered civil aircraft, be they BOAC or from various Indian internal airlines. As the airlift proceeded, and the numbers of aircraft employed expanded, the likelihood increased (even if the original non-RIAF DC3s had come from the Indian airlines and not been the BOAC chartered machines in disguise) of British pilots being at the controls of what were to all intents and purposes non-British military aircraft. It has been said that at one stage some 100 DC3s were used on the Srinagar airlift (but 100 surely is an improbably large figure - there may well have been some confusion between numbers of aircraft and numbers of sorties). On 4 November 1947 the British High Commission in New Delhi reported that within the Indian civil airlines system there were known to be 67 Indian pilots, 30 British, 5 Australians, 3 Ceylonese, 1 Burmese, 3 Americans and 1 Pole. The High Commission appears to have been aware that in fact some of these 30 British and 5 Australian pilots were indeed already flying Indian military traffic into Srinagar (and the present author knew personally one of these men). Sir Terence Shone thought hard about prohibiting British subjects from taking part; but he then concluded that to do so would surely hamper the Indian military effort and thus sour Anglo-Indian relations. Accordingly, he did nothing. His Australian counterpart, on the other hand, ordered Australian pilots to stay clear of Kashmir: however, Australians being what they are, it is unlikely that much heed was paid to his edict.

There can be no doubt that the use of RAF Dakotas in lieu of the chartered BOAC aircraft on the Kashmir evacuation run did in practice amount to British military aid to the Indians, even if in a slightly roundabout manner and if we assume that they were *not* carrying any military stores on the Delhi-Srinagar leg: the RAF aircraft, after all, released BOAC aircraft either to participate directly or to stand in for Indian civil airline planes which were then available for the airlift without disrupting Indian internal air services. The official view in London on such matters is instructive. As the Ministry of Defence informed the British High Commission in New Delhi at the outset of the Kashmir crisis:

you should know that the Prime Minister is anxious that the two RAF transport squadrons now in India and Pakistan should not be used to assist either Dominion, in any way, in connection with the disturbances in Kashmir.

That Prime Minister Attlee's wishes were most probably disregarded is a matter which has received very little publicity for reasons about which it is not difficult to speculate.

Air transport, while it continued to be of great importance for the Indian side in the Kashmir conflict, soon ceased to be the *only* practicable means of access to Srinagar. There had been a pontoon bridge of sorts over the Ravi, linking Pathankot with Jammu, before the crisis erupted in late October 1947; but it

was not until 3 November 1947 that it was replaced by a satisfactory bridge capable of handling all categories of heavy military traffic, and it was not until the end of November that the road all the way to Srinagar over the Banihal Pass was similarly capable. At that point the airlift lost the critical quality which it had possessed in the first days, and by now the Indians were perfectly able to operate without any covert Royal Air Force assistance: they had all the aircraft they needed. However, it would seem that they still could not do dispense entirely with the services of non-Indian pilots in the transport field, a situation which persisted well into 1948. There is no evidence, however, in the British records of British pilots and crews taking part in operations over Jammu & Kashmir by aircraft of the Indian Air Force in this or any stage of a campaign where air power played such an important part for the Indians. The Pakistan Air Force, apart from supply flights to Gilgit, was conspicuous by its absence.

From the outset there was one significant, albeit small, British presence within the military establishment of the State of Jammu & Kashmir which exerted a profound influence upon the course of events. Major William Brown and his Assistant, Captain Mathieson, as we have already seen in an earlier Chapter, were serving with the Gilgit Scouts in the north-western corner of what the new Government of India certainly considered to be by rights a part of the State of Jammu & Kashmir. There is no need to repeat here the account of the adventures of these two young officers, who managed to ensure that Pakistan retained what was to become the Northern Areas in the diplomatic language of the Kashmir question (see Chapter VII above). The essential point in our present context was that the activity of Brown and Mathieson in the area of the old Gilgit Lease aroused much suspicion in Indian minds, and, indeed, still does, as to real nature of British policy towards the future of Kashmir, and, come to that, of India.

The records make it clear that there was no official British plan to keep Kashmir, or parts of it, in Pakistan. There existed, however, a small number of British soldiers and officials who, in a private capacity as friends of Pakistan, encouraged Brown and Mathieson to be in Gilgit on the eve of the Transfer of Power. Moreover, what happened subsequently came as no surprise to someone like Colonel Bacon, who had been the last British Political Agent in Gilgit and in the latter part of 1947 was serving the Government of Pakistan as Political Agent, Khyber, based on Peshawar. Colonel Bacon certainly acted as a liaison between Major Brown in Gilgit and the Government of Pakistan, and in this respect he may have contributed significantly to the success of the Gilgit *coup d'état*. Colonel Bacon, however, in no way represented the policy of the British Government in London, where, indeed, the presence of Brown and Mathieson in this disputed corner of the Subcontinent was seen to pose a real danger to the smooth course of Anglo-Indian relations. Brown and Mathieson were extracted

from Gilgit as rapidly as possible and were not permitted to play any further part in the affairs of a region about which they possessed a unique fund of knowledge and experience.

The Gilgit affair, despite the magnitude of its consequences, was a unique phenomenon, the product of a combination of the special circumstances prevailing in the areas of the former British Gilgit Lease and the extraordinary character of Major Brown. Elsewhere, the available evidence suggests, until the Spring of 1948 there was practically no British ground presence on either side of the conflict on the soil of the old State of Jammu & Kashmir. A number of senior British officers on the Indian side did indeed from time to time briefly visit the Kashmir front as observers; and doubtless there were parallel visits on the Azad Kashmiri side. On both sides, of course, British officers, senior and not so senior, gave advice to non-British officers in their respective services.

At the outset of the Kashmir crisis, so Sir Terence Shone reported from New Delhi to the Ministry of Defence in London on 3 November 1947, there was a real danger of the situation

rapidly becoming more impossible and illogical. Things have now reached a pass where British officers serving with India are being tempted to look on their brother officers serving with Pakistan as potential enemies and are tending to conceal information from them...The same applies to British officers with Pakistan.

In the event common sense generally prevailed. While senior British officers on both sides loyally served their respective temporarily adopted Governments, with whom they to a considerable degree identified themselves, yet they also remained in contact with each other. Throughout 1948, for example, General Sir Douglas Gracey, who followed Messervy as Commander-in-Chief of the Pakistan Army, usually (but not always) maintained a line of communication with his opposite number in New Delhi, General Sir Roy Bucher. This may have aroused a certain degree of suspicion in some circles in both Dominions, particularly when the generals flew in their private aircraft to rendezvous at remote airstrips on one side or other of the international Indo-Pakistani border (even if they may have had no more in mind than a spot of snipe shooting). There can be no doubt, however, that such informal contacts greatly facilitated the negotiation of a limitation of the area of conflict, particularly in the air, and that they made a major contribution (as we shall see below) towards the securing of a cease-fire at the very beginning of 1949.

In the spring of 1948 a serious problem faced the potential British administrators of a STAND DOWN policy following Pakistan's decision to send regular forces into Jammu & Kashmir in support of the Azad Kashmiri forces. With the end of the winter of 1947-48 the Indians had embarked upon a number of offensives in Jammu & Kashmir with, among other objectives, the

reinforcement of their position in Poonch City and the repulsion of the Azad Kashmiris back along the Jhelum Valley Road away from Uri and, hopefully, right to the Punjab border. The Azad Kashmiris, confronted with mounting Indian pressure, sought help from Pakistan. The Pakistan Government, alarmed by the increasing number of refugees crossing from various parts of Jammu & Kashmir into the Punjab (at least 40,000 by the end of April 1948), agreed to send in some of its regular forces. Charles Duke, the British Deputy High Commissioner in Peshawar, had reported as early as 15 March that something like this was in the wind when he discovered the existence of what was known as the Azad Kashmir Section of the Pakistan Army; and on 4 May the British High Commission in Karachi informed London that Pakistani regulars were now actually serving in Kashmir. We can be sure, moreover, that General Sir Douglas Gracey was well aware of this development and, quite contrary to the spirit of STAND DOWN (and in contrast to his attitude on 27-28 October 1947), he not only supported the policy behind it but had omitted to inform either the British High Commission in Karachi or his opposite number in New Delhi, Sir Roy Bucher (who was somewhat distressed when he discovered this breakdown in their dialogue which he regarded as a stabilising factor in the relations between the two Dominions) of what was afoot.

Initially there were three Pakistani regular battalions involved, one at Mirpur, one west of Poonch and one astride the Jhelum Valley Road near Pandu, as well as a couple of batteries of mountain artillery. In July, Gracey admitted that the Pakistani presence now had grown to three Brigades (12 battalions). By this time, of course, the matter had ceased to be a secret and had given rise to a great deal of Indian protest as well as to some discussion at the United Nations.

The Pakistani regular presence on the territory of the State of Jammu & Kashmir, it should be noted, was very small in contrast to that of the Indians, a state of affairs which has persisted to the present: today (1997) the Indians have about 400,000 men in various security forces in their part of Jammu & Kashmir, while the entire front line separating Indian-held territory from that under the control of either Pakistan or Azad Kashmir is guarded by a single Pakistani Army Corps (perhaps 40,000 men including supporting services).

The reaction in London after May 1948 to the news of such an apparent escalation in the Kashmir conflict was to look once more into the question of STAND DOWN. If Pakistani regulars started fighting Indian regulars, then the possibility of British officers (BOs) coming into conflict with each other was all too real. How many BOs were there?

An official investigation by the Ministry of Defence in London in August 1948 revealed the following. In India there were in the Navy 24 British officers and 220 other ranks, in the Army 227 British officers and 21 other ranks, and in the Air Force 7 British officers. In Pakistan the figures were somewhat larger.

The British presence in the Army came to 405 officers and 24 other ranks, and in the Air Force there were 35 officers and 318 other ranks. Only in the Navy (a Service which hardly existed at all in Pakistan at this time), with but 19 RN personnel in all, was the British presence smaller than that in the equivalent Indian Service.

When the news of the arrival of Pakistan Army regulars in the Kashmir conflict first broke, the official view in London was that there was no cause for concern. As Philip Noel-Baker (at the Commonwealth Relations Office) told the Minister of Defence, A.V. Alexander, on 15 June 1948, there were no British officers in Azad Kashmir: nor, so the Indians claimed, were there any British officers on the Indian side of the Kashmiri front line. On the whole, therefore, Noel-Baker observed that

I do not think that this is an opportune moment to attempt to get more definite information. I am not sure that we would succeed and any further probing by us might tend to disturb a delicate situation.

Alexander agreed that it would be wise not to probe too deeply; and there the two Labour Cabinet Ministers would have been happy to leave matters.

Unfortunately, more evidence of direct British participation on the Pakistan-Azad Kashmir side of the Kashmir conflict soon came to light, notably the death on active service in Azad Kashmir on 10 July 1948 of Major A.M. Sloan of the Royal Engineers: he was helping clear a minefield in the Tithwal area while commanding 71 Company, Pakistan Engineers. By then the British Government were aware of the names of at least six (soon to be increased to twelve) other officers, mainly in technical services such as signals (for example, Captain R.H. Watford, QM of the Jammu & Kashmir Division Signal Regiment, and Lt.-Colonel Milne of the Pakistan Mountain Artillery), who were present with the Pakistan-Azad Kashmir forces within the borders of the former State of Jammu & Kashmir, though the records rather suggest that London was still unaware that there were also British officers, like Lt.-Colonel John Harvey-Kelley, Commanding Officer of 10 Baluch, who were actually leading men in action here, in the case of Harvey-Kelley near Pandu on the Jhelum Valley Road. It was Harvey-Kelley (who died in 1995 and whose obituary revealed much of his role still obscure in the records), incidentally, whose plan stopped the Indians at this point which today still marks the cease-fire line (or Line of Control as the current jargon has it), possibly in the process saving Muzaffarabad, the capital of Azad Kashmir.

On 17 July 1948, under pressure from Sir Laurence Grafftey-Smith, the Government of Pakistan agreed that from henceforth no British officers should serve in Kashmir. They declared that:



the Pakistan Government wish to convey a categorical assurance to His Majesty's Government that no United Kingdom personnel will be employed in the Pakistan forces in Kashmir. If any such personnel are in Kashmir, even casually, they will be withdrawn immediately. Orders to this effect have already been given.

In these circumstances the British Government did not consider it necessary to implement STAND DOWN. In any case, the Ministry of Defence had come to suspect that it was doubtful whether most of the BOs in Pakistan service, including General Gracey himself, would actually agree to "stand down" if so ordered.

It was now the Indian side which became the main advocate of STAND DOWN. On 5 August 1948 the Indian High Commissioner in London, Krishna Menon, called on Philip Noel-Baker to protest about the presence of British officers in the Pakistani Army in general and in Kashmir in particular. He argued that but for the crucial help to the Pakistani regulars given by British officers, the Indian Army would by now have solved the Kashmir question: and "but for the intervention of the Pakistan Army the revolt of the Moslem tribesmen [Menon's way of describing the Azad Kashmir movement] would have been suppressed by 30th June" 1948. Krishna Menon requested, therefore, that STAND DOWN (about which he seems to have been fully informed) be applied at once to the Army of Pakistan and to that Army only since "in the view of the Indian Government it was the Pakistan Government that were at fault." BOs should continue to serve in India: this was right and proper. Krishna Menon concluded by comparing the British officers on the Pakistan side in Kashmir with the Germans and Italians forces which had intervened in the Spanish Civil War on the side of General Franco.

The British Government decided not to order a general STAND DOWN. It was certainly not impressed by the kind of arguments raised by Krishna Menon. On the whole it felt that the presence of British officers on both sides not only reinforced British influence generally, but also could well contribute towards an eventual solution of the Kashmir problem by providing some additional channels of communication between the two Dominions in conflict. On 11 August J.K. Huddle, the American Representative on UNCIP (United Nations Commission for India and Pakistan) agreed with this assessment. The British officers were a stabilising force, and their continued presence tended towards an eventual cease-fire rather than an escalation of hostilities.

A major risk in the Kashmir conflict from the outset was that operations in the air might overflow the borders of the old State of Jammu & Kashmir into undisputed Indian or Pakistani sovereign territory. On 9 November 1947, for example, two Indian bombers attempted to destroy the bridge across the Jhelum at Kohala, a key link in the Azad Kashmiri line of communication. Bombs fell

on the Pakistani (Punjab) side and at least one Pakistani house was destroyed. In February 1948 the Indian Air Force bombed Gilgit, a place which was certainly then marginal to the main scene of fighting. There was temporary anxiety in London when it was discovered that one of the Indian pilots involved in this operation was a Flight Lieutenant Blake: he turned out, however, to be an Indian citizen. On 26 May 1948 there was a more serious incident. Three Indian military aircraft attacked Gharhi Habibullah, seven miles to the west of Domel and well inside Pakistan. On the night of 19/20 August the Indian Air Force in an attack on Azad Kashmiri lines of communication even managed to bomb the Pakistani hill station of Murree: two Indian 500 pounders hit the British cemetery there.

Probably more serious than these accidental bombings across the Jammu & Kashmir State border was an Indian campaign of air attacks on Gilgit and attempted interdiction of the Pakistani air link with that mountain outpost. Gilgit had tended to be treated from the outset - as it is indeed today - as being in some way beyond the effective parameters of the Kashmir conflict. The attack of 27 August 1948, in which eight Indian bombers endeavoured to destroy the Gilgit wireless station, was abnormally large by the standards of the first Indo-Pakistani Kashmir War. While Nehru had his doubts about whether the Indians ought to attack Gilgit at all, the Commander-in-Chief of the Indian Air Force, Air Marshal Sir Thomas Elmhirst, considered it to be a perfectly legitimate military target.

The Gilgit situation came to a climax on 6 November 1948, when an Indian Air Force Hawker Tempest fighter over Chilas attacked a Pakistan Air Force Dakota on a routine supply flight to Gilgit, the base whence men and materiel were moved eastward into Baltistan and Ladakh. The immediate Pakistan Cabinet reaction was to propose that its own fighters escort Gilgit supply flights, with the promise of a direct clash between fighter pilots of the Indian and Pakistani Air Forces among the high peaks of the Himalayas and Karakoram: the plan was reversed on the advice of the Commander-in-Chief of the Pakistan Air Force, Air Vice-Marshal Perry-Keene, who made sure that his views were communicated to senior officers on the Indian side.

It was by now obvious that any escalation of the air war over Kashmir could have grave consequences elsewhere: Pakistani fighters might even be provoked into attacking Indian civil flights over, for example, the Indian Punjab close to the Indo-Pakistani border, and, of course, the Indians might be obliged to retaliate over Pakistani territory. Thus, when on 11 November Lt.-General Cariappa proposed a major air attack on both Mirpur and Muzaffarabad as part of the planned Indian late autumn offensive, the Indian Defence Committee resolved in the negative. By 23 November Air Marshal Elmhirst, in consultation with Jawaharlal Nehru, accepted that there would be no more Indian attacks on

Pakistani supply flights to Gilgit, and this decision was immediately communicated informally by Air Vice-Marshal Mukerjee of the Indian Air Force to his opposite number in the Pakistan Air Force. At about the same time Air Vice-Marshal Perry-Keene ordered that no Pakistani military aircraft should go within ten miles of the border between Pakistani Punjab and the old State of Jammu & Kashmir; but, of course, this did not affect flights to Gilgit.

Tension might have been reduced in the air, but on the ground it was rapidly mounting with the progress of the Indian Kashmir offensive in November and December 1948. The Indians, indeed, secured a number of important objectives, notably on the Poonch front and in the Kargil-Zoji La region linking Srinagar to Leh in Ladakh. It was obvious to the Indian Generals in charge that the orthodox Pakistani reply would be the commitment of further regular troops, raising again the question of senior British officers going into the field with their men. Once more, moreover, there arose the spectre of a general Indo-Pakistani war.

To the Indian side it seemed logical to revive the question of a "stand down" of BOs, and one again limited to Pakistan. Nehru proposed just this in a telegram to Prime Minister Attlee on 20 December 1948. As the new British High Commissioner in New Delhi, Sir Archibald Nye (a former British General of great distinction and with considerable Indian experience), observed:

the whole basis of this communication is the well-known thesis that the British officers serving the Indian Government are serving a Government which is justifiably carrying out military operations in its own territory whereas the British officers serving the Pakistan Government are serving one which is carrying out aggressive action in the territory of another Dominion. Nothing we say on this point is likely to alter the somewhat legalistic outlook of the Indian Government.

In London the British Government found it easy enough to ignore this kind of argument. The Cabinet resolved yet again that STAND DOWN, if ever implemented, must apply equally to both sides. To discriminate as India wished in this matter might force Pakistan out of the Commonwealth. Furthermore, "the hostility of the Muslim population of the world," including that of regions which produced oil, "against the United Kingdom might be increased." Finally, it might so weaken the existing Government of Pakistan as to create a political situation from which only the Communists could benefit. There must, therefore, be a full, bilateral, STAND DOWN or none at all. Fortunately, the Cabinet noted, there were now no BOs present in the Kashmir war zone, so there was nothing specific about which the Indians could protest.

Perhaps the major achievement of the 1948 Indian winter offensive in Kashmir was to convince senior officers like Sir Roy Bucher and Sir Douglas Gracey that here was a war which neither side could win, a conclusion

incidentally by now shared by a number of prominent Indians including that captain of industry G.D. Birla (who thought that the Kashmir fighting was bad for business) and, it seems probable, on occasions Vallabhbhai Patel, second only to Nehru in the Congress hierarchy.

Unfortunately, the two British generals realised that their potential Indian and Pakistani successors either might fail to accept this conclusion or be unable to come to terms with its political implications. What was urgently needed was a cease-fire while the British were yet notionally in supreme military command of the armed forces on both sides. Gracey still had some time to serve and enjoyed the confidence of Liaquat Ali Khan, now the effective leader of Pakistan after M.A. Jinnah's death; but Bucher would not occupy his command much longer and, it was suspected in London, was regarded with some suspicion by Nehru and many of his colleagues, who might well not feel bound by his opinions after his departure.

Bucher was due to retire on 15 January 1949. His Indian successor was to be Lt.-General Cariappa (who was to end his days a Field Marshal), a man who still believed (as evidently also did his colleague General Thimayya) in the possibility of an outright Indian victory in Kashmir with the total elimination of Azad Kashmir and the expulsion of all Pakistani forces from the State (including Gilgit). On Cariappa's appointment Sir Archibald Nye had these interesting observations to make in a letter to his superiors in London, dated 6 December 1948:

The major consideration is the effect this appointment may have on the Indian Government Kashmir policy. Bucher has not only been ready to receive advice, he has constantly sought it and his influence, which has been considerable, has undoubtedly been an accommodating one. He has consistently opposed all proposals likely to widen the existing breach between the two Dominions and has done so with some success.

Although my ... relations with Cariappa, whom I have known for many years, are friendly, I think it unlikely he will seek my advice, and I would naturally be very cautious of offering it gratuitously. Our [British] influence in military circles will therefore diminish and may disappear altogether. I fear he will give the [Indian] Government what military advice he thinks would be palatable, and it is even probable that he may regard his new appointment as an opportunity for achieving personal military glory.

Gracey and Bucher had decided by the end of November 1948 that there was little point in continuing the war in Kashmir and none at all in allowing it to escalate into an all out inter-Dominion conflict. The same conclusion had been reached elsewhere, among members of the Security Council of the United Nations and of the UNCIP. The obvious need was for a cease-fire followed by negotiations leading, perhaps, to the holding of a plebiscite in the State of

Jammu & Kashmir as indicated by various Security Council and UNCIP Resolutions. All this will be examined in detail in the next two Chapters. The essential point here was that it was evident that it would be easier to secure such a *cease-fire before* Cariappa took over command of the Indian Army, that is to say 15 January 1949. What Gracey and Bucher could agree, Gracey and Cariappa might well not. The Gracey-Bucher relationship, of course, had acquired an added importance after the departure of Mountbatten as Indian Governor-General on 21 June 1948: Bucher was now the last remaining British voice so close to the centre of the Indian decision making process.

The final stages of negotiation of a Kashmir *cease-fire*, which inevitably related to the operations of troops on the ground, were conducted directly between Gracey and Bucher in the last days of 1948. On 30 December Bucher told Gracey that India formally suggested "that a *cease-fire* should be arranged forthwith." On the following day Gracey was authorised by Liaquat Ali Khan "to make necessary arrangements with General Bucher" for a *cease-fire*. The *cease-fire* officially took effect at 2359 hours (one minute to midnight) of 1 January 1949, to be supervised on behalf of the United Nations by a Belgian soldier, Lt.-General Maurice Delvoie, then Military Adviser to the United Nations Commission for India and Pakistan.

The *cease-fire* was confirmed at an Indo-Pakistani military conference in New Delhi on 15 January, when for the first time there was a Commander-in-Chief on one side who was not British, in this case General Cariappa for India, though Gracey still represented Pakistan. The diplomatic side of the *cease-fire* was not settled until the Karachi Agreement of 27 July 1949, and the actual demarcation of the line was only completed on 3 November.

On 1 January 1949, therefore, a great deal remained to be settled by both India and Pakistan; but this moment is as good a one as any to mark the end of the first Indo-Pakistani war over Kashmir. The *cease-fire* line which was to be negotiated during the course of 1949 remains, with surprisingly minor alterations despite two further Indo-Pakistani wars, in 1965 and 1971, more or less the Line of Control of today (1997). At the same time, Sir Archibald Nye was undoubtedly correct when he remarked to his American colleague, Ambassador Henderson, shortly after learning that the *cease-fire* was about to be agreed by India and Pakistan, that "in many respects our Kashmir troubles were only about to start."

The STAND DOWN policy, even though never explicitly implemented, helped prevent a direct clash of arms between British commanders in the service of India and Pakistan even though such commanders, right up to the end of the period covered in this book, 1 January 1949, continued to confront one another from their HQs on Indian and Pakistani metropolitan territory. In the end, moreover, they were able to negotiate a *cease-fire*, a process in which their

common British background contributed more than a little.

For all that, the First Kashmir War had something of the features of a latent British civil war. The British soldiers, officials and politicians directly involved in South Asian affairs at this time were rarely neutral in their sympathies even if they endeavoured to the best of their ability to be even-handed in practice. Preference for one side or the other depended upon many factors. The British Left, on the whole, was inclined towards the idea of India which it saw as the basis for a secular, socialist and democratic future in the Subcontinent. Many of a more Conservative temperament found something in Pakistan, not so much the idea itself as the kind of people who initially represented that concept at the higher levels of command, which attracted them greatly. An inclination towards one or other of the successor Dominions, however, cannot be analysed on the basis of class or ideology alone. Strong feelings about India and Pakistan were, and still are, to be found in all sorts of unlikely British hearts and minds.

This broad spectrum division of sentiment could easily, had not great control been exercised, have resulted in a degree of commitment to and involvement in the Indo-Pakistan conflict over Kashmir which would have inevitably reminded observers of what had happened in Spain a decade earlier. An escalation of the First Kashmir war beyond the frontiers (however defined) of the old State of Jammu & Kashmir might easily have had this effect; and such an escalation would have, inevitably, spread into the political polemic of the British Isles. To STAND DOWN, or at least to the thinking behind it, must be given a significant part of the credit both for the territorial containment of the First Kashmir War (as was not the case in subsequent Kashmir Wars) in the Subcontinent and for the exclusion of many Indo-Pakistani tensions from internal British politics, an outcome of incalculable benefit to contemporary British race relations.

# CHAPTER X

## At the United Nations in 1948

### 1. Introductory

1948 was a decisive year for the history of the Kashmir conflict. The issue was brought before the Security Council of the United Nations by India, closely followed by Pakistan. The United Nations Commission for India and Pakistan (UNCIP) was created to go out to the Subcontinent, investigate on the spot and then report back to the Security Council. Both the Security Council and the UNCIP passed resolutions, that of the UNCIP of 5 January 1949 in effect reflecting decisions already made a few weeks earlier, and these have continued to play a major part in the polemic of this particular issue (though of late the Indians, echoed by a number of European and American politicians, have declared that they no longer have any relevance). A cease-fire, by now between Indian and Pakistani regular, as well as Azad Kashmiri, forces was secured. The date of 1 January 1949 again merely reflected decisions reached by 31 December 1948.

During 1948 the Kashmir problem on more than one occasion came nearer to solution than it was ever to come again. Fundamental issues were still fresh in people's minds, the attitudes of statesmen in both India and Pakistan had not set quite so solidly in iron moulds as they would in later years, reasoned arguments had yet to be transformed into pure polemic, some sectors of public opinion still retained a degree of flexibility, and, last but not least, the influence of the British, and to a lesser extent the United States, remained sufficiently powerful to make the prospect of a brokered compromise seem, if not probable, at least possible and worth attempting.

Theoretical solutions at the United Nations were then, as they still remain, limited to a few options, some of which were extremely unrealistic (and even more so today).

First: the entire State of Jammu & Kashmir could be awarded either to India or to Pakistan. In many ways this was the outcome, provided it produced the desired result (to India for the Indians and to Pakistan for the Pakistanis), which the two new Dominions favoured. Both Indian and Pakistani leaders from the outset came to believe that their case in Kashmir was so good that what the

United Nations *ought* to do was to hand the State over lock, stock and barrel to their country.

But, of course, under Article 35 of the United Nations Charter the Security Council could not possibly do much more than produce what amounted to suggested compromises in the hope that both sides would accept them and implement them. Indeed, the limits to the United Nations freedom of action under an Article 35 reference have been spelled out in detail in the Charter. Under Article 34

the Security Council may investigate any dispute, or any situation which might lead to international friction or give rise to a dispute, in order to determine whether the continuance of the dispute or situation is likely to endanger the maintenance of international peace and security.

What the Security Council could then in practice do is indicated in Articles 11 and 12 of the United Nations Charter, to which Article 35 specifically refers. It could, in effect, enquire into a problem and then make recommendations, as could the United Nations General Assembly in certain circumstances; but it could not *enforce* its conclusions if the immediate parties to the dispute decided to ignore them. The whole business of Articles 35 and 34 came, in the context of the United Nations Charter, under Chapter Six, entitled "Pacific Settlement of Disputes". Far more forceful measures were indeed available to the United Nations; but they came in Chapter Seven, "Action with Respect to Threats to the Peace, Breaches of the Peace, and Acts of Aggression". The whole Kashmir issue was in the context of the United Nations reference (as made by India on 1 January 1948) a matter relating to Chapter Six, not Chapter Seven. The distinction is of fundamental importance. Under Chapter Six the Security Council of the United Nations could advise. It could not actually hand anything over to anyone or issue orders that such a transfer be executed. It certainly could not intervene, or mandate intervention, by military force (as it was later to do, for example, in Korea and the Congo).

Almost from the outset the Indian side tended to forget the implications of Chapter Six and Article 35 (for which they had themselves opted in the first place) and became disillusioned with the United Nations which they thought was biased against them. In 1948 at least, the Pakistani side was rather more realistic in this respect.

Second: the entire State could be recognised as independent, and the two external contending parties, India and Pakistan, could be advised, even requested, to withdraw (perhaps even under a Chapter Seven reference to the Security Council of the United Nations from the newly recognised sovereign State). In some respects this was a logical proposal. After 15 August 1947, with



the lapse of Paramountcy, it could indeed be argued that the State of Jammu & Kashmir had become independent. As we shall see, however, there were enormous practical difficulties in the way of this particular solution.

Third: with the blessing of all concerned, the issue could be removed from the United Nations and discussed by India and Pakistan in some form of bilateral negotiation, what Mountbatten was to term a settlement "out of court".

Fourth: the entire State could be partitioned between India and Pakistan. After all, it could be argued convincingly enough that the whole problem had emerged as a consequence of the process of partitioning the provincial portions of the old British Indian Empire into Muslim and non-Muslim majority areas. Jammu & Kashmir, despite being a Princely State and thus not covered expressly by the remit of those implementing the 1947 Partition, was also perfectly capable, on simple demographic grounds, of being partitioned in just this way; and, had it been an integral part of provincial British India, no doubt it would have been so partitioned along with the Punjab. This solution had obvious advantages which both India and Pakistan on occasion admitted; but, alas, never simultaneously. There was also, of course, the question of who, after the Transfer of Power on 15 August 1947, would actually do the partitioning. The British had gone. Such geopolitical surgery certainly did not look like an obvious United Nations Chapter Six Article 35 operation.

Fifth: the future of the State could be decided by a reference to the people through a plebiscite or, indeed, a series of plebiscites. The result might well be the permanent acceptance by the international community of Indian or Pakistani control over all the State, or even over different parts of it (since the method of decision by plebiscite did not inherently preclude some form of partition). There had been much talk of plebiscites during the course of 1947, not only in the context of Jammu & Kashmir but also, earlier, of Junagadh and, earlier still, at the time of the Transfer of Power, of the North-West Frontier Province and Sylhet. The concept, therefore, possessed an established pedigree in the Subcontinent..

Finally: it might be decided, tacitly if not explicitly, that the cease-fire line, such as was secured after 1 January 1949, should become the permanent Indo-Pakistani border. If a cessation of hostilities was all that emerged from the United Nations reference, then, indeed, this was the most likely outcome. The line where the fighting stopped in the State of Jammu & Kashmir would join that growing family of other lines where a similar process had occurred to turn a temporary truce into a *de facto* permanent international boundary. On the whole, throughout 1948 this was the outcome which all those concerned with Kashmir at the United Nations hoped would *not* emerge from their deliberations.

It must be repeated that any or all these solutions, given the limitations of a

United Nations reference under Chapter Six, could only be proposed or recommended by the Security Council or any other organ of the United Nations: implementation required the consent of the parties directly concerned, which in 1948 meant India and Pakistan.

This Chapter is concerned with a number of the main strands of discussion both between the various parties directly involved in the Kashmir dispute and between delegations at the United Nations interested in the matter (and their superiors) during the course of 1948. The actual United Nations resolutions during this period and related matters will be the subject of the next Chapter.

The dominant Powers at the Security Council of the United Nations at this time were Great Britain and the United States. Of the other three permanent members with the power of veto, the Soviet Union was then showing singular lack of interest, France was really beginning to become obsessed with her own colonial problems in Indochina while her energies were absorbed by her post-war economic and political weakness at home, and China, in the face of the Communist threat, was unlikely to depart too far from the desires of the United States, her major source of succour.

The British, of course, were unable to avoid, even had they so wished, being the leaders in discussing the Kashmir question in that it had arisen so directly from the processes of their own policy of decolonisation in South Asia. While the United States was on the whole content to follow the British lead in this matter, it still at the same time followed an agenda of its own in the search for what it saw as the end of British imperialism combined with the establishment of stable polities capable of withstanding the growing global Communist menace. Kashmir by at least the middle of 1948 had become inextricably bound up with the rapidly evolving Cold War.

For the historian the primacy at this period of the British and Americans in the Kashmir question is indeed fortunate. The published U.S. State Department papers on South Asia are ample and admirably uncensored, a true treasure trove. There are abundant British papers too for this period in the Public Record Office (Foreign Office and Ministry of Defence archives) and in the British Library in the India Office Records (Commonwealth Relations Office archives). During 1948 the British were still in extremely close touch with the leaders of both India and Pakistan so that their records contain much valuable information about the internal workings of South Asian government and politics (for which many key local sources are still not available); and, of course, during this time both the Indian and Pakistani Armies had British Commanders-in-Chief who kept the Ministry of Defence well supplied with intelligence which in due course found its way into its own archives.

This Chapter is largely based on these British and American archives: it looks, as it were, behind the scenes. The following Chapter examines the more public

outcome of deliberations in the United Nations and elsewhere, the various Resolution of 1948 (and one of January 1949).

## 2. Independence

As of 15 August 1947 the State of Jammu & Kashmir, with the lapse of British Paramountcy, technically became an independent State. It was not recognised as such by any other State or international organisation, and it was generally assumed that it would soon in one way or another join up with either India or Pakistan. The fact remained, however, that there was no requirement in international law (assuming that the concept of Paramountcy and its lapse had any validity at all) for it to do anything of the sort. The independence option was real enough in theory. Had there been a unity of religion between Ruler and the majority of his population, and a unity of purpose between the two main popular parties in the State, the National Conference headed by Sheikh M. Abdullah and the Muslim Conference in which Ghulam Abbas was then the major figure, then independence might even have been achieved in practice.

The State of Jammu & Kashmir was an exception among the Princely States of British India in that it had long before the Transfer of Power developed a virile political life of its own. By 1947 it possessed a written constitution providing for elections (albeit on the basis of a highly restricted franchise) and a bicameral legislature in which were represented surprisingly well organised political parties which operated, on the whole, separately from the political parties of British India. Unfortunately, Kashmiri internal politics were disrupted by a complex of personal antipathies, not least those between Sheikh Abdullah and both the Maharaja Sir Hari Singh and the leader of the Muslim League in British India, M.A. Jinnah, with whom some (but by no means all) of the leaders of the Jammu & Kashmir Muslim Conference identified themselves. Parallel to this was the profound friendship which seemed to exist between Sheikh Abdullah and the Prime Minister Designate of independent India, Jawaharlal Nehru.

Ignoring matters of detail, which are indeed complex, one can say that these affections and enmities both militated against an effective Kashmiri move towards full independence after 15 August 1947 and encouraged a conviction, at least in the minds of Jawaharlal Nehru and his closer associates, that the majority of the people of the State really wanted to join up with India in a glorious secular union.

At the very beginning of the discussions on the Indian reference to the Security Council of the United Nations, however, the Indian side evidently had not ruled out entirely the independence option, perhaps in the belief that either it would never become a serious proposition or, that if it did, then the result would be the creation under the supervision of Sheikh Abdullah of a regime so favourable to India as not to differ significantly from a State which had formally

been incorporated within the Indian Union. On 6 January 1948 the newly appointed Indian Representative to the Security Council, Sir N. Gopaldaswami Ayyengar (Minister without Portfolio in the Indian Cabinet and at one time Prime Minister of the old State of Jammu & Kashmir), declared that:

the question of the future status of Kashmir *vis à vis* her neighbours and the world at large, and a further question, namely, whether she should withdraw from her accession to India, and either accede to Pakistan or remain independent, with a right to claim admission as a Member of the United Nations - all this we have recognized to be a matter for unfettered decision by the people of Kashmir, after normal life is restored to them.

The Indian side, it must be admitted, very quickly ceased all discussion of this third option of independence.

M.A. Jinnah, oddly enough in the light of subsequent Pakistani official attitudes, quite early in the Kashmir crisis also turned his mind, albeit a trifle obliquely, to the possibility of an independent State of Jammu & Kashmir. He did not particularly like the idea; but he certainly appreciated that it could not be ignored. On 11 January 1948 the Governor-General of Pakistan put to Arthur Henderson (who retained a South Asian interest despite having assumed fresh Ministerial responsibilities - for Air, on 7 October 1947 - in the Attlee administration) two possible solutions for Kashmir. The first was for the establishment, once all "outside" troops had been withdrawn from the State, of a "neutral" executive (with all sorts of options, including a representative of the United Nations or even a Swiss nominee at its head) with some 10,000 "neutral" troops in support, to prepare the electoral rolls for the selection of a State Government which, in turn, would carry out the plebiscite to choose for India or Pakistan. Alternatively, the control of the State, all "outside" troops having gone, should revert to the existing State administration, nominally headed by Maharaja Sir Hari Singh; but, perhaps, the Maharaja could be dispensed with and the administration merely headed by a Kashmiri Prime Minister. In both cases, the first step of the new administration would be to cancel any document indicating accession to India. It must have been obvious to M.A. Jinnah that in both plans, and particularly the second, there was a degree of logic pointing towards a third option, independence for some portions at least of the State of Jammu & Kashmir. An indigenous, and to all intents and purposes independent, regime once established in Srinagar might not be so eager to accede to anyone and to surrender its sovereignty. Presumably the independence possibility seemed preferable to accepting the finality of accession to India, which was to Jinnah unthinkable. In the event, Jinnah's proposals, like so many other schemes of this period, passed into oblivion (though, as we shall see, there continued to be echoes of them right up to the end of 1948).

Sheikh Abdullah, of course, had much more positive views about this third option than did M.A. Jinnah. He had been obliged by force of circumstances in October 1947 to throw in his lot with the Indian Union. In his heart, however, he still hoped, as he had for many years, that the State of Jammu & Kashmir would end up a fully independent polity, although perhaps closely allied to Nehru's India, and not just another Indian Province. The events of October 1947, in his eyes, produced but a temporary deviation from this goal, the creation of the "Switzerland of Asia". When in January 1948 Sheikh Abdullah joined the Indian delegation in America at the United Nations at Lake Success, while officially he was arguing in support of the Indian position that the State of Jammu & Kashmir was India's by every right, privately he appears to have been putting a very different case.

Thus on 28 January 1948, when as a member of the Indian diplomatic team he called on the United States Representative, Ambassador Warren R. Austin, to discuss the Kashmir situation. Austin concluded that:

it is possible that principle purpose of Abdullah's visit was to make clear to the US that there is a third alternative, namely, independence. He seemed overly anxious to get this point across, and made quite a long and impassioned statement on subject. He said in effect that whether Kashmir went to Pakistan or India the other dominion would always be against solution. Kashmir would thus be a bone of contention. It is a rich country. He did not want the people torn by dissension between Pakistan and India. It would be much better if Kashmir were independent and could seek American and British aid for development of country. [*Foreign Relations of the United States (FRUS) 1948, Vol. V, Pt. 1, Washington 1975.*]

Warren Austin, however, made it clear to Sheikh Abdullah that in his view independence was not an option on offer. The only question before the Security Council, he said, was whether Kashmir should go to India or to Pakistan.

According to Altaf Gauhar (*Ayub Khan. Pakistan's First Military Ruler, Karachi 1966, p. 164*), Sheikh Abdullah claimed, during his 1964 visit to Pakistan, that in 1947 while attending the United Nations in New York, that is to say at the time when he approached Ambassador Austin in the manner just described above, he also tried to contact members of the Pakistan Delegation; but they refused to have anything to do with him. Later (in Paris so it is implied) he met Chaudhri Mohammad Ali to whom he declared that the only way that the Indians could ever be evicted from Kashmir would be for Pakistan to agree to the complete independence of the State. His argument was that the British and Americans might accept an independent Jammu & Kashmir while they would never risk the alienation of India by supporting the Pakistani position to a degree likely to produce results. Chaudhri Mohammad Ali, so Sheikh Abdullah told President Ayub Khan of Pakistan, declined to accept this

line of reasoning. Altaf Gauhar's story, of course may be more indicative of Sheikh Abdullah's state of mind in 1964 than what actually happened in 1948: it does not, however, conflict with what Ambassador Austin reported to the United States State Department.

Sheikh Abdullah was not the only Kashmiri leader now at the United Nations who was thinking seriously about an independent Jammu & Kashmir State. Sardar M. Ibrahim Khan, who was already the President of Azad Kashmir, a State which had formally declared itself independent on 24 October 1947, joined the Pakistan delegation to the United Nations in January 1948, more or less at the same time as Sheikh Abdullah was added to the Indian team at Lake Success. According to Sir Laurence Grafftey-Smith, the British High Commissioner in Karachi, Sardar Ibrahim Khan had said before leaving Pakistan that while he agreed with the idea of a plebiscite to decide either for India or Pakistan, he personally was not opposed to a third option, the continuation and development of the sort of autonomy which he considered had been operating in the State of Jammu & Kashmir since 1925, in other words something like the Dogra regime but without either the Dogras or the British Indian Empire.

Sardar Ibrahim Khan's rather vague ideas soon clarified as he followed the debate in the Security Council. He knew well that a part of the old State of Jammu & Kashmir had in fact been liberated largely by its own people to form Azad Kashmir. This had been achieved before the arrival of the Indians at Srinagar airfield, indeed, to a great extent before the arrival of the Pathan tribesmen about which so much was being said. Moreover, Sardar Ibrahim Khan, and the Government in Muzaffarabad over which he presided, were in fact representative of the old Muslim Conference, in the founding of which Sheikh Abdullah had played such a part in 1931. In other words, he held a mandate from a movement which had been devoted to Kashmiri self-determination for almost two decades, and which, in the liberated areas of Azad Kashmir, had in fact achieved it. In terms of being representative of the wishes of the Kashmiri people he could claim credentials on a par at least with those offered by Sheikh Abdullah (at that time quite unelected). Why, then, should Azad Kashmir not be the nucleus for an independent Jammu & Kashmir?

Unlike Sheikh Abdullah, however, Sardar Ibrahim Khan was careful not to communicate all his thoughts about independence to Ambassador Austin. He did however, on 17 January, talk rather more openly with the British diplomat Sir Alexander Cadogan, to whom he commented on the viability of an independent State of Jammu & Kashmir. He also pointed out how many men from Poonch, now the core of Azad Kashmir, had served in the British Indian Army during the last War, more than 60,000 of them he said. He maintained that he was at the United Nations as much in the interests of Azad Kashmir as in association with the Pakistan diplomatic team. Cadogan does not seem to

have been impressed by what Sardar Ibrahim Khan had to report.

Sheikh Abdullah, on learning of the interview between Sardar Ibrahim Khan and Cadogan, was evidently rather alarmed. He went out of his way in a press conference in New York to point out the total lack of popular support enjoyed by the Muslim Conference and its regime in Muzaffarabad. The Azad Kashmiri leaders, he announced, "were unknown in Kashmir as a whole and could hardly be regarded as representative." He alone was the true Kashmiri voice (even if his party had avoided the 1947 State elections).

In February 1948 Sheikh Abdullah (now back in India), in a conversation with Patrick Gordon Walker, Under-Secretary of State for Commonwealth Relations then touring the Subcontinent, put forward the following proposal:

the solution therefore was that Kashmir should have its autonomy jointly guaranteed by India and Pakistan and it would delegate its foreign policy and defence to them both jointly but would look after its own internal affairs. The two Dominions [India and Pakistan] had a common interest in Kashmir and it would serve to unite them. [Gordon Walker to Commonwealth Relations Office, 21 February 1948].

Gordon Walker asked Sheikh Abdullah what Nehru would say. Sheikh Abdullah said that Nehru would certainly agree with this idea: "he had discussed it with him."

There is, indeed, some evidence that Nehru was for a moment attracted to something of just this kind, a plebiscite in which the independence of Jammu & Kashmir was an option. On 10 March 1948, so the Canadian High Commissioner in New Delhi, Kearney, reported, Nehru had told him

that the idea was a possible solution and although it would not be liked in India he thought he could put it across. He had agreed that such a plebiscite [for independence] would remove a great deal of the controversial matters arising from a plebiscite on accession and he also hoped that a joint guarantee would bring India and Pakistan into closer harmony in other fields.

This particular version of "condominium" (or "the Andorra solution" of some interest today - 1997) had indeed much to recommend it. It needed however two firm foundations.

First: there had to be the likelihood of meaningful Indo-Pakistani cooperation over really important matters and enduring for a significant length of time. There was in 1948, whatever Nehru might have said to High Commissioner Kearney, and there still is today (1997), a formidable question mark hanging over this particular possibility.

Second: there had to be a significant measure of cooperation between the two major political groupings among the Muslim majority of the old State of Jammu



& Kashmir, the National Conference and the Muslim Conference. By March 1948 the British High Commission in Karachi learned that talks were in progress between Sheikh Abdullah and the Muslim Conference leader Ghulam Abbas, or at least between their representatives with the active assistance of L. Cross of the Quaker Friends' Service Unit (so Richard Symonds reported), with a view to forming a united front (with the express approval of some prominent Pakistanis like Mian Iftikharuddin). Such a united front, however, it transpired was not to be possible then or subsequently. This seemed to be one of the axioms of Kashmiri politics.

None the less, the idea of a joint National Conference-Muslim Conference administration in State of Jammu & Kashmir to supervise the plebiscite continued to fascinate some of the Pakistani leadership. While Chaudhri Muhammad Ali (both Secretary-General of the Government of Pakistan and Cabinet Secretary) was not particularly impressed, a number of his colleagues saw matters rather differently.

Thus in a conversation on 1 November 1948 with Chaudhri Muhammad Ali, while the United Nations was meeting in Paris, the American J.K. Huddle (of the UNCIP) was able to clarify one significant point of Pakistani thinking. During the various discussions at the United Nations concerning the administration of a Jammu & Kashmir plebiscite both Sir Zafrullah Khan and Liaquat Ali Khan had talked about the possibility of the State, while the voting was taking place, being put under the control of a "neutral" administration. What, Huddle asked, was understood by the term "neutral". As Chaudhri Mohammed Ali put it, "neutralized" might perhaps be a better word than "neutral". What Zafrullah Khan and Liaquat Ali Khan meant was not having somebody foreign and exotic, a Swiss or Uruguayan for example, at its head, rather

something like a coalition government participated in on equal terms by the present Azad Kashmir movement and the Sheikh Abdullah regime which for these purposes would fuse.

Huddle added that

members of the Commission [UNCIP] had learned through informal conversations with Sheikh Abdullah and Ghulam Abbas that they might not be averse to forming a coalition which might possibly be effective in this relation.

Here was an echo of that second option which M.A. Jinnah had indicated to Arthur Henderson in January. It still carried with it the implication of an eventual autonomous, if not totally independent, State of Jammu & Kashmir in that it was unlikely that an effective Muslim Conference-National Conference

coalition government, once in power, would easily be dislodged. The prospect of a solution along these lines did not enthuse Chaudhri Muhammad Ali. It seemed sufficiently remote to Huddle that he did not urge it on his UNCIP colleagues; so, despite the qualified interest of another member of the UNCIP, Josef Korbel, it has left no trace in the 5 January 1949 resolution (which will be touched upon again in the next Chapter).

The British Government, and also the Government of the United States depending in great measure on British advice, was not much enamoured of the independence option for at least four reasons.

First: in general it disliked the idea of further subdivisions of sovereignty in South Asia. Partition had been trauma enough.

Second: it seemed that the State of Jammu & Kashmir occupied a strategic position on the edge of Central Asia and the world of both the Soviet Union and what was then an increasingly unstable China. It was best that this key State be controlled by one of the two successor Dominions to the British Raj. Political independence implied an independent foreign policy. Who could guarantee what that would be?

Third: it believed that the creation of an independent State of Jammu & Kashmir under what would inevitably be a Muslim majority government would surely lead to yet a further flood of refugees (in this case Hindus) and another outbreak of communal killing such as had so shocked world opinion immediately after Partition and the Transfer of Power.

Finally, and perhaps most importantly: there were British officials, and Americans too, who believed that if Sheikh Abdullah were not himself a Communist (though still with ideas very much to the left of the political spectrum), there were some of his associates who undoubtedly were. An independent Jammu & Kashmir, it was argued, might well turn into a pro-Soviet Marxist-Leninist regime at a moment when it was increasingly becoming the object of Anglo-American policy to limit the spread in Asia of this particular ideology and the Russian diplomatic baggage which tended to accompany it.

While the new rulers of India and Pakistan did not of necessity share all these fears, some of them certainly agreed with the first point. The birth of a new fully independent state in the subcontinent would surely create a most undesirable precedent which they would prefer to avoid. Chaudhri Muhammad Ali, probably then next in political influence in the Pakistani hierarchy after Jinnah and Liaquat Ali Khan, told Sir Paul Patrick of the Commonwealth Relations Office in March 1948, while they were both in New York, that he was vehemently opposed to any prospect of independence, even if limited, for the State of Jammu & Kashmir.

All this being so, the independence option was not followed with much energy outside the borders of Jammu & Kashmir, and the State itself was too

divided both by internal politics and external intervention and pressure to do so effectively on its own. Nehru, while we have seen that he was for a moment (in March 1948) prepared to contemplate the prospect of an independent Jammu & Kashmir, especially one under the thumb of his friend Sheikh Abdullah, soon became as strongly opposed to the idea as anyone in Pakistan.

### 3. Partition

When the Indians finally brought themselves to refer the Kashmir question to the United Nations, many of their leaders, notably Jawaharlal Nehru, expected this assembly of the international community to recognise immediately the absolute rightness of the Indian case. The United Nations, however, from the outset resolved to adopt as even-handed a posture as possible between India and Pakistan, seeking not to blame but to reconcile. As so often is the case, the would-be peace-makers were misunderstood, particularly in India. Within days of the United Nations reference on 1 January 1948, so Mountbatten, the Indian Governor-General, observed, there was acerbic Indian criticism of the fact that the international community should have been involved at all in what appeared in essence to be an Indian internal matter. At least, it was being muttered in New Delhi, the Indians should have used Article 51 of the United Nations Charter (Chapter Seven), asserting the right of self-defence against Pakistani "aggression" on what was seen to be sovereign Indian territory, rather than Article 35 (Chapter Six), which to all intents and purposes merely sought United Nations advisory mediation between disputing parties.

Mountbatten began to think of ways in which he could mend some fences with his Indian friends, Jawaharlal Nehru in particular: Nehru was saying that had it not been for Mountbatten he would never have gone anywhere near the United Nations at Lake Success. By February 1948 Mountbatten had concluded that it might be as well to withdraw the whole Kashmir problem from the United Nations and let it be settled bilaterally between India and Pakistan. He put this idea to the British Prime Minister, Attlee, in a telegram dated 11 February 1948 (and which, for some strange reason, perhaps because it was deemed "constitutionally irregular" - the direct correspondence between Mountbatten and the British Cabinet without first passing through the Indian Cabinet - has been sanitised from the British archives, though its contents can be reconstructed easily enough from other papers) in which he suggested that the two Dominions settle the matter "out of court".

Mountbatten's proposal undoubtedly struck a chord with Attlee, who had from the outset expressed considerable alarm at the way in which the Kashmir situation had escalated into armed conflict constantly threatening to turn into an all-out war between two adjacent members of the British Commonwealth. Accordingly he passed on the Indian Governor-General's idea, albeit rather tentatively, to Liaquat Ali Khan in a telegram of 20 February 1948, observing that

at the risk of being misunderstood, I cannot refrain from expressing my belief that provided there is a will to settle, as I believe there is, it should not be impossible by direct talks between the two Prime Ministers [of Pakistan and India] to reach an understanding. If this were possible, it would, I am sure, be satisfactory to the Security Council and would enhance the respect with which the Indian Dominions are regarded by the other nations.

The plan was canvassed in both New Delhi and Karachi; and the response was not entirely unfavourable. As the British Delegation at the United Nations was told by the Foreign Office in London on 21 February 1948:

we have received secret advice from New Delhi that Indian leaders may wish for opportunity to settle Kashmir dispute out of court by direct negotiations with Pakistan.

The Foreign Office hoped that with British encouragement fruitful messages would soon begin to pass between Jawaharlal Nehru and Liaquat Ali Khan.

It seems that it was Liaquat Ali Khan who brought the "out of court" process to an abrupt end. On 25 February he told Attlee by way of Sir Laurence Grafftey-Smith in Karachi that, while the idea was excellent in principle, in the real world

what is the guarantee or assurance that if we come to a settlement with India out of court India will implement the agreement? Have we not been let down before e.g. in the case of the division of assets and military stores? The one advantage of leaving the case with the Security Council, we trust, will be that it should place the onus of implementation of any decision not only on the parties but also on the Security Council itself.

Thus Mountbatten's initiative came to nothing. Liaquat Ali Khan did not trust the Indians in bilateral negotiations to do anything but talk while they consolidated their political hold on those portions of the State of Jammu & Kashmir already under their military occupation. Nehru, while very unhappy about the way in which the world at large, and diplomats at the United Nations in particular, had failed to appreciate the absolute perfection of the Indian case, yet was reluctant to leave this particular haven in Lake Success for fear of something worse. It was not until 1972, and when India was in a position of towering strength *vis à vis* its Pakistani rival, that bilateralism became the undisputed approved doctrine in New Delhi.

From the outset the bilateral "out of court" approach suggested by Mountbatten carried one clear implication. To succeed it had to result in some kind of compromise; and the sole realistic compromise was an agreement to partition the old State of Jammu & Kashmir on what perforce were essentially communal lines. India would keep Ladakh (less Baltistan if the Gilgit Scouts consolidated

their hold there) and the Hindu-majority parts of Jammu: Pakistan would hold on to what it had in the Gilgit region plus Baltistan (probably), Poonch and the Muslim-majority parts of Jammu including Mirpur. In that the whole Kashmir problem arose out of the process of the British departure from their Indian Empire by means of a Transfer of Power accompanied by Partition, it seemed logical enough to tie up some loose ends by a bit of extra partitioning.

It should be noted that already by 11 February 1948, when Mountbatten sent his telegram to Attlee, there were two distinct categories of Jammu & Kashmir partition on the table.

First: as we have seen, there was the possibility of extending to this Princely State by some form of negotiation or mediation the great communal divide already established in former British India in the Punjab.

Second: by February 1948 the State had effectively been cut into two portions by the progress of the war. The portions were of rather different sizes with, cartographically at least (but one should remember that a great deal on the map would later be occupied by China), the Indians holding the lion's share. In practice, however, apart from the Vale, of course an area of crucial significance both politically and emotionally, Pakistan had gained three essentials, (1) a barrier between itself and India along the Jhelum (in the shape of Azad Kashmir), (2) a barrier between India and both Afghanistan and Pakistan's difficult North-West Frontier Province, and (3) access to Central Asia (by way of Gilgit and the rest of what came to be called the Northern Areas).

Thus from a strictly geopolitical point of view a partition line more or less following the front line already achieved in battle would probably do. The Indian side, whenever it could resist the temptation of projects advocated by ambitious generals (often with political aspirations) to expel the Azad Kashmiris and their Pakistani supporters from the entire State of Jammu & Kashmir, was willing enough to stand on what it had got. This was clear by the very end of 1948, and it was a lesson which Indian diplomatists from time to time recalled. Thus in January 1949 the Indian Foreign Secretary of the day put just this to his Pakistani opposite number as one option for solution of the problem, the other being diplomatic stalemate and the pressure of increasing Indian military might.

The first possibility, a partition on communal lines such as had already been applied in the Punjab and Bengal, would not have been too difficult, in theory at least, to work out the ground. It could have been achieved either by bilateral agreement alone or by a specialised application of the principle of the plebiscite then being considered by the United Nations Security Council. Instead of the much discussed single plebiscite for the whole State there could have been separate plebiscites for different regions. In practice the key part of the State involved was the Vale, where a plebiscite could have decided whether the city of Srinagar would go to Pakistan or remain with India. The odds in 1948, at least

in informed Indian eyes, were that Pakistan would win. This was a highly emotive proposition. On the one hand it involved a fresh Indian recognition of the communal ideology implied in Jinnah's "Two Nation Theory" of a Hindu and a Muslim India as essentially separate entities: on the other hand it threatened to remove from India a city which the Indian Prime Minister, Jawaharlal Nehru, and many of his closest associates, regarded as their ancestral home.

Thus Nehru was distinctly cool about Mountbatten's idea. He could not escape, however, the sound reasoning behind it. This dichotomy was well illustrated in his comments to Krishna Menon of 20 February 1948, when he noted that the current British view at the United Nations tended towards a partition of Jammu & Kashmir, meaning, as he understood it, that Jammu should go to India and that the Vale of Kashmir "and the rest" should go to Pakistan. Even Mountbatten, he wrote, had at various times "hinted" at something like this; and there had been other less drastic proposals in which, while the Poonch-Mirpur region would go to Pakistan, the Vale would remain with India. While to Nehru the very idea of partition was distasteful, and he could not bring himself to contemplate the loss of the Vale (the "real bone of contention"), yet if such suggestions had been advanced by others at some later stage, he would probably have had to consider them seriously.

Despite Nehru's obvious reluctance, the partition idea gradually won favour among some leading Indian officials. On 18 May 1948 the head of the US diplomatic mission in New Delhi, Grady, reported to the State Department that:

Mr. [V.P.] Menon [Head of the States Department of the Government of India and then still being much involved in the formulation of India's Kashmir policy] said that the Government of India would be willing to accept a solution based upon the partition of the State. According to him the GOI would be willing to let areas of Mirpur and Poonch go to Pakistan. In reply to question he said that Gilgit could also go to Pakistan. ... Mr. Menon said that the GOI would never suggest the partition of Kashmir as outlined above but would accept such a solution if it should be made by the United Nations Commission. He anticipated that if a solution is arrived at on the basis of partition no plebiscite would be held. [*FRUS* 1948, V, Pt.I, Washington 1975].

V.P. Menon, it should be noted, did *not* at this time suggest that India was ready, however the proposal might be made, to give up the entire Vale of Kashmir and its capital, Srinagar, though there were to be subsequent hints from some Indian officials about the possibility of a partition of the Vale itself, perhaps with the Baramula end of it being placed on the Pakistan side and India retaining Srinagar.

The United Nations, already preoccupied by May 1948 with the idea of a plebiscite to decide the future of the entire State of Jammu & Kashmir, never proposed the kind of scheme for which V.P. Menon seems to have been waiting.

The idea, however, continued to be canvassed. On 7 August 1948, for example, Vallabhbhai Patel, considered by many observers to be the most "pragmatic" of Indian leaders, suggested to Alexander Symon of the British High Commission in New Delhi that perhaps partition might, after all, be the best answer to the Kashmir problem. Apparently the leading Indian diplomat, G.S. Bajpai, had just spoken in much the same language to the Canadian High Commissioner in New Delhi, Kearney. Symon told Sir Paul Patrick at the Commonwealth Relations Office that he assumed that some makers of policy in New Delhi, suspecting that India would now lose a plebiscite, had concluded that something was better than nothing.

On 5 September Symon had lunch with the powerful Indian industrialist G.D. Birla, who also seemed to be in favour of partition as the simplest solution to a most distasteful conflict which was extremely bad for business.

The idea of a bilaterally negotiated partition, however attractive on first principles, was complicated by the various resolutions of the Security Council and the UNCIP during the course of the year. By September it was probably incapable of implementation on its own. There still remained the possibility of combining it with the concept of the plebiscite, as will be discussed in the next section of this Chapter.



#### 4. Plebiscites unitary and regional

The idea of settling the Kashmir question by means of a plebiscite had been latent in the situation from the outset. As we have seen, plebiscites (or their equivalents) had been used as an element in the process of Partition prior to the Transfer of Power; a plebiscite had been proposed by the Indian side in September 1947 to decide the future of the State of Junagadh (where a Muslim Ruler with an overwhelmingly Hindu population had endeavoured to join Pakistan); and in various statements by Mountbatten and Nehru between 27 October and 2 November 1947 there had been the promise that the ultimate fate of the State of Jammu & Kashmir would be resolved by means of a reference to the wishes of the people. It was reasonable, therefore, to suppose that the outcome of the Indian reference to the Security Council of the United Nations on 1 January 1948 would be the holding of some kind of plebiscite in the State of Jammu & Kashmir. As the United States Secretary of State, George C. Marshall, put it to the United States representative at the United Nations, Warren R. Austin, on 6 January 1948:

it is the opinion of the [State] Department that the only solution acceptable to all parties concerned in the Kashmir problem will eventually be a determination, probably by plebiscite, of the wishes of the inhabitants of Jammu and Kashmir with respect to their long term affiliation with either India or Pakistan, taking into account the possibility that some form of partition may be proposed. [*FRUS 1948*, V, Pt. I, Washington 1975].

The plebiscite, so attractive at first sight, from the outset presented major problems. On what electoral basis would it be carried out, who would supervise it, what would be the position of those forces in the State of Jammu & Kashmir, military and political, favourable to India or to Pakistan, while the plebiscite was being held? The truth was, as we have already seen, that by January 1948 the old State of Jammu & Kashmir had to all intents and purposes been partitioned through military action, directly by India and not so directly by Pakistan. To decide the fate of the whole State by a single plebiscite would inevitably involve the withdrawal of either India or Pakistan (or what then appeared to be pro-Pakistani interests), depending upon how the vote went. Both parties could hope to gain by this process *all* the State, and by the same token both parties ran the risk of losing territory which was already within their sphere of influence or under their direct military control. It might well be that, rather than take such a gamble, both parties might, as Secretary of State Marshall perceptively noted, in the end prefer to settle for some compromise scheme of partition. What this meant in practice was the recognition that the old State of

Jammu & Kashmir was made up of several distinct regions, each with its own history, traditions and attitudes towards the Great Divide of the British Indian Empire in 1947; and as a corollary a decision to hold a number of plebiscites to bring about a form of partition. Throughout 1948 (and up to 5 January 1949), therefore, in parallel with a series of Resolutions by the Security Council and the UNCIP which appeared to point towards a single plebiscite (and which will be discussed in the next Chapter) there was from time to time serious discussion of the possibility of holding what came to be known as "regional plebiscites". Just such a category of scheme was to be formally proposed in 1950 by the distinguished Australian jurist Sir Owen Dixon (United Nations Representative for India and Pakistan) when he suggested in his report to the President of the Security Council of 15 September 1950 either

a plan for taking the plebiscite by sections or areas and the allocation of each section or area according to the result of the vote therein

or

a plan by which it was conceded that some areas were certain to vote for accession to Pakistan and some for accession to India and by which, without taking a vote therein, they should be allotted accordingly and the plebiscite should be confined only to the uncertain area, which ... appeared to be the Valley of Kashmir and perhaps some adjacent country.

What is not widely appreciated is that when Sir Owen Dixon wrote these words he was merely reiterating what had been actively canvassed at the United Nations two years before.

Mountbatten appears to have become a convert to the "regional plebiscite" approach during his final days as Governor-General of India in June 1948. So at least V.P. Menon told John Shattock, a senior official of the British High Commission in New Delhi, on 18 September 1948. Shattock was then exploring the possibilities of a plan in which Pakistan would accept the Indian position in Hyderabad in exchange for a more accommodating Indian posture in Jammu & Kashmir. Menon did not think much of this particular exchange: any such concessions to the Pakistanis would only induce them to ask for more. Mountbatten's latest scheme, however, he thought was another matter. India would keep the predominantly Hindu areas of Jammu & Kashmir without any plebiscite. Pakistan, again without a plebiscite, would retain such Muslim-majority areas as Gilgit, Poonch and Mirpur. Only in the Vale of Kashmir would a plebiscite be held under United Nations supervision to determine which Dominion would acquire this coveted prize. Menon, no doubt relying on the influence of Sheikh Abdullah, probably thought that the answer would be

India. In any case, if Sheikh Abdullah could not deliver the Vale of Kashmir to India, then Menon, always the realist, must have concluded that India would surely lose the entire State through a unitary plebiscite since the Muslims made up an overwhelming majority of the State's population. An agreed partition with only the Vale at risk was therefore the option most favourable to India given any implementation of the Indian commitment to a plebiscite.

V.P. Menon told Shattock that he had just written a "top secret" letter to Mountbatten in England asking him to bring what influence he could bear upon his old friend Jawaharlal Nehru, then also in Europe, in favour of this plan. Menon felt that it would be pointless for any Indian official to press this kind of case: the British Government, however, could do so if "such a solution commended itself to H.M.G.," and he "wondered whether it might be informally put out for consideration when the two Prime Ministers [of India and Pakistan] are in London for the Dominion Premiers meeting." The British High Commission observed that

Menon's suggestions amount in effect to a partition of the State, and give further evidence of India's willingness to consider a solution on this basis.

But it should never be forgotten, it added, that "partition is not likely to be willingly accepted by Pakistan." In this, as we shall see, the New Delhi High Commission was both right and wrong.

The presence in Europe in September 1948 of Jawaharlal Nehru indicated more than a forthcoming Commonwealth Prime Ministers meeting. At this moment, September 1948, the General Assembly of the United Nations, and with it the Security Council, was meeting in Paris. Here, or in nearby London, were to be found virtually all the key figures in the Kashmir argument, Nehru, Krishna Menon and G.S. Bajpai for India, Liaquat Ali Khan, Chaudhri Muhammad Ali and Sir Zafrullah Khan for Pakistan, the British Prime Minister Clement Attlee, the British Foreign Secretary Ernest Bevin, and the Commonwealth Relations Secretary Noel-Baker for the British and Secretary of State George Marshall for the United States. There were also present, of course, the various delegations to the United Nations which had occupied themselves with this intractable matter since the very beginning of the year as well as certain key officials in the British Foreign Office and Commonwealth Relations Office. Finally, during this critical period the members of the United Nations Commission for India and Pakistan (UNCIP), including J.K. Huddle and Josef Korbel (whose daughter was in 1996 to become the first female US Secretary of State and, one presumes, the first head of a Foreign Affairs Ministry of any Western nation in recent times potentially to have a profound understanding of the complexities of the Kashmir problem), their South Asian investigations

completed, were staying in Geneva to write up in Swiss comfort the report on their mission to the Subcontinent.

While the various and complex negotiations of this period, September to November 1948, took place under constraints imposed by the existing United Nations resolutions (of which more in the next Chapter), yet it was clear to all concerned that there remained a great deal of freedom of manoeuvre. In reality the Security Council was dominated by two of its permanent members, Britain and the United States, the latter to a certain degree still following the lead of the former in South Asian questions. Both British and American policy towards Jammu & Kashmir was, in the final analysis, determined by what it seemed the two major parties directly involved, India and Pakistan, would, or could be persuaded to, accept. Any reasonable joint Indo-Pakistani proposal advanced at this stage, even if it did not agree entirely with existing Security Council resolutions, would have been accepted; and the legal framework would have been so adjusted as to accommodate it. The same went for the UNCIP which was waiting for guidance before it committed irrevocably to paper its final proposals. Only if India and Pakistan failed to come up with some mutually agreed scheme would the United Nations proceed to define what it considered ought to be done and how.

We have in this period essentially two parallel sets of discussions.

First: there was an Anglo-American attempt to work out what options there really were and to produce some form of compromise which both India and Pakistan might be persuaded to accept in these exceptionally propitious surroundings.

Second: there were a series of discussions between Jawaharlal Nehru and Liaquat Ali Khan in London and Paris during the course of October, followed up by officials on both sides, notably Chaudhri Muhammad Ali for Pakistan and G.S. Bajpai and Mrs. Vijaya Lakshmi Pandit (Jawaharlal Nehru's sister) for India.

The first set of negotiations were clearly influenced by the substance of V.P. Menon's conversation with J. Shattock of 18 September, which has already been noted above. The essential proposal here was a distribution of the major components of the old Jammu & Kashmir State between India and Pakistan on a communal-majority basis, with the exception of the Vale of Kashmir itself the fate of which would be decided by a plebiscite. Within ten days P.F. Grey of the Foreign Office in London had drawn up on this understanding a plan for consideration by the British delegation at the United Nations which was adopted immediately by the head of the British mission, Sir Alexander Cadogan, and which for purposes of convenience we will call the Cadogan *aide-mémoire*. This document was handed over in Paris to Ambassador Austin, the American representative, on 7 October 1948. [The text of this, essentially that preserved

in the Foreign Office archives in the Public Record Office, Kew, is printed in *FRUS 1948 V.*, Pt. 1].

The Cadogan *aide-mémoire* opened with a caveat.

We understand that the Commission [UNCIP] may be thinking in terms of partition. We have hitherto believed that it would be a mistake for the SC [Security Council] to abandon the relatively firm ground of the proposal to have a plebiscite which has been accepted by both sides and which is enshrined in the SC's resolution of 21 April ... unless there is very solid reason to think that India and Pakistan are ready to agree to some alternative arrangement and one which promises to provide a permanent solution.

While the British were still of the view that any departure from the strict interpretation of Security Council resolutions carried risks, yet

we are conscious that a plebiscite covering the whole state would involve considerable administrative difficulties and is open to the objection that, if the fate of the whole State of Jammu and Kashmir is decided by a plebiscite as a single unit, either south-eastern districts with a Hindu majority might go to Pakistan or Poonch and Gilgit etc., might go to India.

The Foreign Office thought that India might now actually consider seriously the idea of a partition of the State even though Pakistan representatives might not because they appear "to be increasingly confident that a genuinely fair plebiscite covering the whole state would go in their favour."

Taking everything into consideration, the Foreign Office concluded that some kind of partition was worth considering. It advised that the UNCIP, now distilling its conclusions in the calm of Switzerland, might be permitted to include a partition possibility as a suggestion in its final report. It is interesting how in this and other documents of the period it is clear that, at the end of the day, the UNCIP would come up with whatever solution its true political masters wanted, which in the eyes of the British and Americans meant something that both India and Pakistan could be persuaded to accept. In that it was unlikely, so the Cadogan *aide-mémoire* continued, that straightforward partition would be "politically practicable", the "suggestion" made by the UNCIP could well take the form of a proposal as follows:

1. Certain areas in south-east of the state should be conceded outright to India and certain other areas should be conceded outright to Pakistan;
2. Plebiscite conducted on lines of SC's resolution of 21 April should be held in remainder of state.

The Foreign Office thought that it would be unwise at this stage to endeavour to define too precisely the areas which would go either to India or Pakistan

“because this would make it difficult for either side subsequently to accept less.” The *aide-mémoire* concluded with this crucial observation, which certainly echoes Menon’s remarks to Shattock:

it is important that, if partition is discussed, the initiative should come from the commission [UNCIP]. Any chance of progress would be seriously prejudiced if the Indians and Pakistanis believed that the UK Government had taken steps to promote a solution on these lines.

The United States State Department communicated all this, with its endorsement in essentials, to J.K. Huddle, its representative on the UNCIP, on 11 October 1948.

Huddle, in the meantime, had concluded that partition was not such a good idea. It was virtually certain that Pakistan would oppose it because “Pakistan wants all Jammu-Kashmir and would probably win it in a general plebiscite of whole state”; and at the same time “India does not want to give up Kashmir valley.” So, Huddle told the US Acting Secretary of State, Robert A. Lovett, “report will not discuss partition which was not formally considered by commission” which had discovered soon after its arrival in the Subcontinent that “partition idea was very unpopular especially among Muslims of both Pakistan and Kashmir, who fear that by partition they would lose Kashmir valley.”

Other members of the UNCIP like Josef Korbel were more sanguine about partition schemes; but the available evidence suggests that Huddle was right about the nature of Pakistani fears at that moment. During the course of October 1948 Nehru and Liaquat Ali Khan, the latter following M.A. Jinnah’s death in September effectively the sole leader of Pakistan, discussed in private and in a rather theoretical secrecy (given the rate at which the substance of what they said so quickly reached official British ears) the whole Kashmir question. At their final meeting, in Paris on 30 October, Nehru put two alternative propositions to Liaquat Ali Khan. Either Pakistan must accept “unreservedly” the United Nations resolutions on a plebiscite, which involved measures with respect to troop withdrawals which were certainly not to Pakistani taste (as we shall see in the next Chapter), or agree to “the partition of Kashmir between India and Pakistan in accordance with areas now held by Indian and Azad forces respectively” (so a Pakistani source told the British Foreign Office, and without doubt accurately).

The second of Nehru’s propositions, that the current front line, soon to be a cease-fire line, should be accepted as the new *de jure* border, is interesting. Nehru was to return to this formula again and again over the years; and, as we have seen, it was once more put (as one possibility) to the Pakistani side by the

Indians in talks at Foreign Secretary level in January 1944. It has two implications which are worthy of comment.

First: if the whole State of Jammu & Kashmir were indeed Indian sovereign territory by virtue of the Maharaja's formal accession to the Indian Union (as was then being argued spasmodically by the Indian side and which, in 1957, Krishna Menon made the cornerstone of his case in an impassioned and extremely long address to the Security Council), then the proposal to accept for all time a cease-fire line which effectively hived off a significant portion of the State was either a surrender of Indian sovereign territory or an admission that the territory in question had never been under Indian sovereignty at all.

Second: the idea of accepting the cease-fire line as the border meant also the abandonment of the concept of an eventual reference to the people. It would not be the ballot box which had decided but the bullet on the battlefield. The implication is clear enough. Nehru was interested neither in the popular will nor the abstract concept of Indian sovereignty. What he wanted was to keep in India was the city of Srinagar in the Vale of Kashmir, and to ensure that India retained a satisfactory access to it. The Vale of Kashmir was important to him personally: Poonch, Mirpur, Gilgit and the rest of the tracts then on the Azad Kashmiri or Pakistani side were in his eyes apparently of marginal significance. One can hardly ask for a better demonstration of the link between the Vale of Kashmir and Jawaharlal Nehru's own emotions. Had Vallabhbhai Patel, for example, then been in Nehru's shoes, there can be little doubt that something very much along the lines of the Cadogan *aide-mémoire* would have been perfectly acceptable.

The irony at this moment, of course, was that the Cadogan *aide-mémoire* was no more welcome to the Pakistanis than it had been congenial to Jawaharlal Nehru. In the Paris discussions the second in command on the Pakistan side, next to Liaquat Ali Khan who now had supreme responsibility for the government of his Dominion following the critical loss of M.A. Jinnah, was Chaudhri Muhammad Ali, the Secretary-General and Cabinet Secretary combined, his nation's top bureaucrat. From before the Transfer of Power Chaudhri Muhammad Ali had been most suspicious of India and the intentions towards Pakistan of men like Nehru (not to mention Mountbatten). To him the idea of a division of the spoils with India in the old State of Jammu & Kashmir was distasteful in the extreme. Why, he thought, should India benefit at all from what he had no doubt was a conspiracy to steal the State from its rightful owner, Pakistan? He was convinced that, given a level playing field, Pakistan would win the proposed plebiscite and with it all of the State of Jammu & Kashmir without having made any humiliating concessions to the Indians. The real issue of the plebiscite in Chaudhri Muhammad Ali's view was not that it should be unitary, that it should involve the entire State of Jammu & Kashmir

as a single entity, which he saw as axiomatic, but that it should be *fair*, that is to say conducted under conditions which did not enable the Indians to use the influence of their military presence combined with the collaboration of Sheikh Abdullah somehow to rig the outcome to their advantage.

On 1 November 1948 Chaudhri Muhammad Ali, on the eve of his return to Karachi, had a long conversation with Huddle (United States representative on UNCIP) in which he explained quite frankly how he saw the present state of play in Jammu & Kashmir. Huddle took this opportunity to discuss the partition idea. During previous conversations both Chaudhri Muhammad Ali and Liaquat Ali Khan had been fundamentally opposed to any scheme of partition. In July, Liaquat Ali Khan had told Huddle that rather than agree that any part whatsoever of the State should go to India, "he would take his chances on a general plebiscite to cover the whole area." At the outset of this latest conversation Chaudhri Muhammad Ali started out with just this attitude. No partition of any kind would be contemplated. Huddle, however, at first seemed to detect a greater flexibility on this occasion than in the past. What Pakistan really wanted now, in addition to what it already held, was the entire Chenab Valley (that is to say the western half of Jammu District, and Riasi and Udhampur Districts of Jammu) as well as all of the upper part of the Jhelum Valley which constituted the Vale of Kashmir. Huddle appreciated the logic of this. As an experiment, however, he touched upon another idea, that

the Vale of Kashmir itself might be susceptible to division so that the southern part might appertain to India and the northern part to Pakistan. The southern part would include the district of Anantnag and the town of Srinagar, while the northern part would include ... the town of Baramulla. [FRUS 1948, V., Pt. 1].

While Chaudhri Muhammad Ali appeared willing enough to at least contemplate Indian possession of some of the south-eastern portions of Jammu, he "flatly refused to consider any division of the Vale of Kashmir." Huddle, at the end of this encounter, asked Chaudhri Muhammad Ali unequivocally whether his Government would in fact consider any scheme of partition at all. The Pakistani official replied that "it would be useless to present one."

It would be all the more useless to present anything of this kind, Huddle concluded, because the Indians, too, would probably at this juncture balk at the idea of a scheme of partition if it in any way jeopardised their hold on the Vale of Kashmir. As Huddle put it, "the Indians are equally insistent upon obtaining the Vale of Kashmir and they would not accept any partition of Jammu-Kashmir which did not award them the famous Valley." Here was a deadlock which convinced Huddle, and, indeed, most of his colleagues on the UNCIP, that it would be pointless to recommend any scheme of partition or other departure



from the strict interpretation of the unitary plebiscite indicated by the existing United Nation Security Council resolutions. And so it was that the final UNCIP resolution, adopted on 5 January 1949, proposed simply that:

the question of the accession of the State of Jammu and Kashmir to India and Pakistan will be decided through the democratic method of a free and fair plebiscite.

The remainder of the resolution, as we shall see in the next Chapter, was concerned with technical details concerning the administration of this process.

It is greatly to be regretted that Huddle was so pessimistic about the practicability of schemes of partition with or without regional or limited plebiscites. They did not appeal greatly, it is true, to Chaudhri Muhammad Ali, perhaps the least eager to compromise of all the Pakistani leaders at that time, far less flexible than the subtle Zafrullah Khan and, even, Liaquat Ali Khan who was now no longer directly guided by the towering presence of M.A. Jinnah.

By the time that Liaquat Ali Khan got back to his office in Karachi in the first week of November 1948 his thoughts had returned to a scheme of partition such as V.P. Menon on the Indian side had discussed with John Shattock of the British High Commission in New Delhi on 18 September 1948. On the whole it did not seem such a bad proposition after all. Pakistan would retain the Gilgit region and the essential contacts with Central Asia (as well as a barrier between India and the North-West Frontier Province, the one Pakistan province which in the last days of the British Indian Empire had been controlled by a Congress administration with no love for the Muslim League); and Azad Kashmir would survive. On top of all this, there was more than an even chance that a plebiscite limited to the Vale of Kashmir would produce a result favourable to Pakistan. What matter then, that India held on to the bulk of Ladakh and much of Jammu, areas with Buddhist and Hindu majorities which arguably did not in any case lie on the Muslim side of the "Two Nation" Indian Subcontinent.

It would seem, at all events, that Liaquat Ali Khan decided to give this kind of plan at least one more try. On about 14 November he put to the Indian representative in Karachi, Sri Prakasa, so Jawaharlal Nehru noted, a proposal for a plebiscite in the Vale of Kashmir with a decision in the other parts of the State of Jammu & Kashmir on the basis of Muslim and non-Muslim majorities. [*Selected Works of Jawaharlal Nehru*, Second Series, Volume Eight, New Delhi 1989, p. 346]. Jawaharlal Nehru immediately wrote to Sri Prakasa that he found this idea "fantastic". He concluded from Liaquat Ali Khan's proposition that it was pointless to try to decide the Kashmir question by further bilateral Indo-Pakistani negotiations.

Liaquat Ali Khan's great mistake, of course, was to put the plan more or less directly to Nehru rather than have it floated by bodies external to the Subcontinental conflict. Had the proposal come through the UNCIP, for example, as it might well have done had Chaudhri Muhammad Ali talked to Huddle and his colleagues in a rather different language, then it would have not been so easy for Nehru to dismiss it out of hand. His own colleagues (and rivals) such as Vallabhbhai Patel might have insisted on its further consideration. Nehru had been obsessed ever since 1946 with the determination that his ancestral home, the Vale of Kashmir, must form part of India even if the majority of its population were Muslims. Others on the Congress side who were not part of the Kashmiri Pandit legacy, were far less resolute on this point.

The great advantage of the limited plebiscite scheme, of course, was that it enormously reduced the risk of loss on both sides. Pakistan could not lose either those Northern Areas (by the end of 1948 including most of Baltistan as well as the Gilgit Agency) or its close ally in Azad Kashmir. India could not lose Ladakh (the full significance of which, in particular its potential danger for India's relations with China, was probably not then appreciated in New Delhi) and much of Jammu, a region of enormous importance to those Hindu political movements such as the *Rashtriya Swayamsevak Sangh* (RSS) whose influence on Congress policy was indeed profound. If there were going to be a plebiscite anyway, then better to limit the consequent electoral gamble to the smallest possible area.

It rather looks as if by the end of 1948 Jawaharlal Nehru was no longer as confident as he had been in June-November 1947 that Sheikh Abdullah not only represented the voice of the Kashmiri people (where the Vale of Kashmir was demographically overwhelming) but was also utterly committed to the closest possible association with the Indian Union. By the same date, on the other hand, Liaquat Ali Khan may have concluded that some kind of cooperation was possible between the Muslim Conference of Ghulam Abbas and Sardar M. Ibrahim Khan (now entrenched in Muzaffarabad, the capital of Azad Kashmir) and the National Conference of Sheikh Abdullah (which, currently under the watchful eye of Indian civil and military officialdom, prevailed in Srinagar); and this could only be to Pakistan's benefit.

Had such a scheme been incorporated in the UNCIP resolution of 5 January 1949, it might have stood a sporting chance of success, Jawaharlal Nehru's objections notwithstanding. Its omission, however, probably guaranteed the failure of very similar proposals advanced in 1950 by Sir Owen Dixon. In August 1953, after a meeting in New Delhi with Nehru, the Pakistan Prime Minister of the day, Mohammed Ali Bogra, put forward something very much like this which the Indian Prime Minister was almost manoeuvred into accepting. At the last moment, however, he managed (doubtless to his great relief) to escape, citing

reports of an impending Pakistan-US alliance as evidence of Pakistani bad faith. Of course, by August 1953, after Nehru had been obliged to remove Sheikh Abdullah from office and put him in prison because of his suspect separatist tendencies (among other failings), it would have been optimistic indeed to suppose that a plebiscite confined to the Vale could be guaranteed to go in India's favour. India has never since revived the idea of regional plebiscites.

Of the various options for the future of the State of Jammu & Kashmir which were canvassed during the course of 1948, imposed partition, bilateral Indo-Pakistani negotiations, regional plebiscites (perhaps combined with a measure of partition), independence or autonomy for all or part of the State, and a plebiscite under direct United Nations supervision for all the State with the choice only of acceding to India or Pakistan, the last was that which was ultimately selected. It received its final blessing in the resolution of the UNCIP of 5 January 1949. Exactly what was involved in this concept of the unitary plebiscite will be examined in the next Chapter.

## CHAPTER XI

### The United Nations Resolutions: January 1948 To January 1949

[There is no shortage of collections of documents relating to the Kashmir dispute at the United Nations. Of outstanding value, despite the occasional typographical error and a somewhat idiosyncratic arrangement, is: M.S. Deora & R. Grover, eds., *Documents on Kashmir Problem*, 19 volumes, New Delhi 1991-92. The Pakistan Institute of International Affairs produced the following: K. Sarwar Hasan & Zubeida Hasan, eds., *Documents on the Foreign Relations of Pakistan. The Kashmir Question*, Karachi 1966. An Indian equivalent, sponsored by the Indian Council of World Affairs, is: S.L. Poplai, ed., *India 1947-50. Volume Two. External Affairs*, New Delhi 1959. There also have been some useful collections of documents published by the Governments of both Pakistan and India: for example, Government of Pakistan, *Kashmir Documents*, Karachi 1962; and *Kashmir in the Security Council*, Karachi 1965. An invaluable account of the United Nations Commission for India and Pakistan is: Josef Korbel, *Danger in Kashmir*, Princeton 1954].

Previous Chapters have explored what might be called the private or secret face of the Kashmir dispute, what took place behind closed doors in foreign ministries, the offices of diplomatic missions, the corridors of the United Nations and other such premises not open to all and sundry. Its public image depends greatly upon the debates at the Security Council of the United Nations and the resolutions and reports to which, directly or indirectly, they gave rise.

It has already been noted that under Article 35 of the United Nations Charter the Security Council, once the Indian reference had been made to it on 1 January 1948, could really do little more than propose schemes of mediation. In that this was a period when the USSR and its ally the Ukrainian SSR were abstaining from most United Nations activity, the real burden of decision and approval in the Security Council mainly fell (as we have already seen) on British and American shoulders. From the outset, both the British Foreign Office and the United States Department of State resolved that they would do their best to appear utterly impartial in their consideration of Indian and Pakistani arguments, and, if blame proved necessary, to try to distribute it as equally as

possible between the two parties. Thus the Security Council of the United Nations, despite impassioned and lengthy pleas from the Indian side, was very careful not to label Pakistan outright as an "aggressor" in Kashmir. By the same token, it declined to give too much weight to Pakistani arguments that India was bent not only on the destruction of Pakistan as a state and a concept but also of the Muslims of the Subcontinent in a monstrous scheme of genocide.

The flavour of such efforts to be fair to both parties is conveyed well enough, for example, by the United States representative at the Security Council, Ambassador Warren Austin, in his first comments after the opening presentation of the Indian and Pakistani cases. He declared to the Council on 24 January 1948 that:

another point which I want to have in the record is a recognition of the very important fact that when India accepted the accession of Kashmir, it made its act stand for a great principle by stating as part of acceptance, that it was conditional on a fair plebiscite being held to determine the will of the people of Kashmir with respect to accession. I think an example was made in history at that point.

Now comes Pakistan, which agrees to and stands for exactly the same doctrine. So we are blessed, as it were in this tremendously difficult situation, by having two parties which have that vision as to the possibilities of a solution that would really settle their troubles. This is a situation, however complex and difficult it may be, that is filled with hope.

On the same day the British Secretary of State for Commonwealth Relations, Philip Noel-Baker, told the Security Council that:

if we view these events [in Kashmir] in their true perspective, we must admit that although both Governments [of India and Pakistan], like human beings, made mistakes, and some people on both sides preached dangerous ideas, the evidence discloses that it was not the Governments which were to blame.

In 1948 such public displays of even-handedness disturbed the Indians far more than the Pakistanis. Jawaharlal Nehru was not alone among his fellow countrymen in believing that his nation was misunderstood (above all by the heavily aligned former and not-so-former imperialist powers) and that the outstanding merits of the Indian case *vis à vis* Jammu & Kashmir were generally unappreciated by the international community: India was totally in the right and Pakistan was entirely to blame. The Indian Prime Minister, indeed, soon felt that he had made a terrible error of judgement in agreeing to go anywhere near the United Nations in his quest for justice over the State of Jammu & Kashmir.

After listening to opening Indian and Pakistani statements, and studying written complaints from both parties, the United Nations Security Council produced its first Kashmir resolution (Security Council Resolution No. 38) on

17 January 1948. This could hardly be more impartial. It called upon the two sides to do nothing which "might aggravate the situation" and requested them to inform the Security Council if the Kashmir crisis were about to take a turn for the worse. The USSR (a permanent member) and the Ukrainian SSR abstained: the rest (Argentina, Belgium, Canada, China, Columbia, France, Syria, UK and USA) all voted in favour.

An interesting feature at this initial stage was a failure by any of the parties involved even to attempt to define what was meant by that particular geographical expression, the State of Jammu & Kashmir. There were two major points.

First: did, or did not, the State of Jammu & Kashmir include such polities as Hunza, Nagar and the other States in the Gilgit Political Districts? Did, indeed, it include (as the Indians were from time to time to argue in later years, though never with much enthusiasm) the State of Chitral?

Second: where were the external (as opposed to British Indian) borders of the old State of Jammu & Kashmir, that is to say with Afghanistan, China and Tibet (if Tibet were to be treated separately from China, as was tacitly being done by the British at least in 1947 and 1948)?

Neither India in its original reference nor Pakistan in its reply attempted meaningful territorial definitions, and the Security Council did not seek them in clarification.

On the first point, the precise composition and extent of the northern and north-eastern parts of the State, and the degree to which various tracts had actually formed part of its territory, it may well be that at this stage of the Kashmir question neither Indian nor Pakistani diplomats at the United Nations actually appreciated that there was a problem: the districts involved were indeed remote, and the British had not gone out of their way to publicise any of the difficulties in their administration which had become their direct responsibility with the Gilgit Lease of 1935. They had certainly made no public statement as to the traditional limits of the sovereignty of the Maharaja of Jammu & Kashmir within the leased areas.

On the second point, however, relating to external boundaries, a hidden agenda of sorts probably did exist, at least on the Indian side. It is certain that some of the wlier Indians in the service of what was now the Ministry of External Affairs of independent India still considered themselves heirs to the tradition of the old British Political Department. For example: K.P.S. Menon, disciple of British geopoliticians like Sir Olaf Caroe and the founder of an Indian diplomatic dynasty which has in the last half century thrown up no less than three Foreign Secretaries, perfectly understood the significance of the words "frontier undefined" which adorned the better maps of India at the end of the British period. From Hunza to Nepal (and, indeed, from Sikkim to Burma)

there was *no* agreed border between British India and China (Sinkiang) and Tibet (until 1950 behaving as if it were autonomous, but then to return to Chinese control). Not only was this so, but the alignment of considerable stretches this border, which included virtually *all* the external Kashmiri boundaries, even if we include the Gilgit Political Districts, were the subject of dispute actual or potential. The greater part of the external border, including that of Hunza, with its own ancient boundary and territorial argument with the Chinese authorities in Sinkiang, and Ladakh (which involved, among other contested tracts, the Aksai Chin), was disputed by China or Tibet (with claims which the Chinese after 1950 where to take over with great verve). Even the small stretch of frontier (of no direct concern to China) between the Wahkan tract of Afghanistan and Hunza and Ishkuman in the Gilgit Political Districts was not entirely trouble-free: the Afghan Government was in the process of challenging the validity of the entire structure of the old Anglo-Afghan border (the Durand Line) in the light of the new dispensation in the Subcontinent; and here at its northern extremity was perhaps the least securely defined sector of that particular British geopolitical artifact.

Right up to the end of the British era the Government of India was extremely sensitive about these undemarcated borders along the edge of the Chinese world: British officials in India on the whole both disliked and distrusted the Chinese whom they considered potential challengers to their own prestige in Asia. In the case of the McMahon Line (along the Himalayan Range between Assam and Tibet) the British tried during their final decades of Indian Empire to bring about demarcation by stealth, subterfuge and unilateral action: all this was preferable to direct Anglo-Chinese discussion. It may well be that such a British attitude was inherited by some senior members of the newly established Indian Ministry of External Affairs, who would in that case surely have been horrified to have had to discuss the correct alignment of the external frontiers of the State of Jammu & Kashmir in a forum such as the Security Council where the Chinese had by virtue of their permanent membership a veto on all resolutions.

We must return to the United Nations Security Council and the opening stages of its deliberations on the Indo-Pakistani argument over the State of Jammu & Kashmir, however ill-defined the geographical limits of that entity might have been. Even-handedness was even more apparent in the next Kashmir resolution of the Security Council (No. 39), which was approved on 20 January, only three days after the initial resolution and with the same pattern of votes. A Commission of the Security Council was now established to proceed to the Subcontinent with all speed and investigate on the spot the substance of the charges, allegations and complaints set out by the Indian and Pakistani sides. This Commission would act in accordance with Article 34 of the United Nations Charter and "exercise" a "mediatory influence likely to smooth away

difficulties." The composition of the Commission reflected, once again, the very model of even-handedness. Out of three members, India and Pakistan would select one apiece: these two would then agree on the third.

On the same day, 20 January, the Pakistan representative before the Security Council, the Minister of Foreign Affairs Sir M. Zafrullah Khan, endeavoured (not very successfully) to get the issue of Junagadh - the mirror image in many respects to that of Jammu & Kashmir, a Muslim ruler with a Hindu majority population, it will be recalled, who wished to accede to Pakistan - before the Security Council. What he did manage, however, was effectively to secure a change in title (and hence by implication its scope) for the matter (Jammu & Kashmir) under discussion: it now was officially referred to as "the India-Pakistan question", a label providing numerous opportunities for the representatives of the two sides to indulge themselves in extremely long addresses which frequently meandered far and wide through the barren and hostile landscape of Indo-Pakistani relations into regions greatly removed from the State of Jammu & Kashmir. Sir Zafrullah Khan, of course, was right in one crucial respect: at that time, as indeed today, the Kashmir problem is central to virtually every facet of the structure of international relations in the Indian Subcontinent: it was, and still is, truly "the India-Pakistan question".

On 21 April 1947 the Security Council produced another resolution (No. 47), defining and modifying the nature and remit of the Commission resolved upon on 20 January. Its membership was now to be increased to five (the extra members to be designated by the President of the Security Council if no other method for their selection were forthcoming). The Commission should leave as soon as possible for the Subcontinent and

there place its good offices and mediation at the disposal of the Governments of India and Pakistan with a view to facilitating the taking of necessary measures, both with respect to the restoration of peace and order and to the holding of a plebiscite by the two Governments, acting in cooperation with one another and with the Commission.

On the first issue, the restoration of peace and order in the State of Jammu & Kashmir, the Security Council proposed that the Government of Pakistan should "use its best endeavours" to secure the removal from the State of "tribesmen and Pakistani nationals not normally resident therein," and prevent these persons from being replaced by others. This could well seem to be no great blow to the Azad Kashmiri movement (giving them an excuse to rid themselves of an excess of unwanted Pathans and Afghans) provided the Indian Government also complied scrupulously with the Security Council's wishes which were that



when it is established to the satisfaction of the Commission ... that the tribesmen are withdrawing and that arrangements for the cessation of fighting have become effective ... [India should] ... put into operation in consultation with the Commission a plan for withdrawing their own forces from Jammu and Kashmir and reducing them progressively to the minimum strength required for the support of the civil power in the maintenance of law and order.

Unfortunately, already in this initial stage in the United Nations involvement two major difficulties were latent (though, perhaps, still unsuspected) in its language. First: how was the expression "tribesmen" to be understood? The Indians were now suggesting that *all* the Azad Kashmiris against whom they were fighting fell into this category, for which they preferred the term "raiders". Second: what was meant by "civil power" in the Indian-controlled portion of the State of Jammu & Kashmir sufficient for "the maintenance of law and order"? Did it, as the Indian side were disposed to argue, merely indicate the "popular" (despite total lack of an elected mandate) regime headed by Sheikh Abdullah (who in Pakistani eyes was the puppet of New Delhi)?

There were other details about troop withdrawals and the administration in this resolution, all admirably sensible given a measure of Indo-Pakistani co-operation of a kind which was at that time highly improbable.

The prime task of the enlarged (but as yet untitled) Commission was to supervise arrangements for the holding of a plebiscite in the State of Jammu & Kashmir. The actual wording of the choice to be put to the people, and precisely in what way that choice was to be exercised, was not specified: all that was called for was a free popular vote on "the question of the accession of the State to India or Pakistan." The independence option was not entirely precluded by this form of words: the prospect of an independent State of Jammu & Kashmir, however, was certainly given no encouragement.

A major preoccupation of the Security Council in the 21 April resolution was what the Indians ought to do on their side of any cease-fire line so as to make the holding of a plebiscite possible. The recommended scheme was that the Indians should so arrange matters that, when the time came, they would hand over all necessary power in the territory under their military control to a "neutral", that is to say neither Indian nor Pakistani (and, in all probability, not British as well), official nominated by the Secretary-General of the United Nations as the Plebiscite Administrator. A significant part of this resolution was devoted to a definition of terms and conditions under which the Plebiscite Administrator would be permitted to operate by the Government of India. Strangely, no serious thought seems to have been given at this time to how the Plebiscite Administrator ought to function in Azad Kashmir. Nor, lacking any clear geographical definition of the State of Jammu & Kashmir, was it then apparent whether those sectors of the Gilgit region (and what soon became

known as the Northern Areas) currently under Pakistani control (by way of the Gilgit Scouts) were actually involved in the plebiscitary process at all.

This resolution was approved (on the basis of voting paragraph by paragraph) by Argentina, Canada, China, France, Syria, UK and USA. Belgium and Columbia joined the USSR and its obedient associate the Ukrainian SSR in abstaining.

Neither in India nor in Pakistan were these proposals greeted with much enthusiasm. Nehru probably represented the majority Indian opinion when he doubted whether his country could accept any surrender of sovereignty to the Plebiscite Administrator over territory to which it was now generally accepted (in India at least) that India possessed a valid title. In Pakistan, Liaquat Ali Khan was also unhappy: he evidently detected in the resolution a demand for Pakistan to abandon Azad Kashmir (implied by the terms "tribesmen" and "Pakistani nationals", those people whom Pakistan would be obliged to force to withdraw from the territory of the State of Jammu & Kashmir, and which might be interpreted to cover all the Azad Kashmiri armed forces).

On 5 May 1948 the Indian side informed the President of the Security Council that they could not accept this resolution. On the same day Liaquat Ali Khan indicated that the resolution "was not acceptable to Pakistan." The immediate American reaction in the Security Council was one of considerable irritation. Ambassador Austin thought that India and Pakistan, who after all had brought the issue to the Council in the first place, were acting frivolously. It soon transpired, however, that the Security Council's time had not been entirely wasted. Both India and Pakistan agreed that the proposed Commission should proceed to the Subcontinent, investigate on the spot and then, hopefully, come up with some more congenial scheme.

The Commission, now formally named the United Nations Commission for India and Pakistan, UNCIP, was instructed by a Security Council resolution (No. 51) of 3 June 1948 to proceed to the Subcontinent without delay to perform the tasks indicated in the Security Council resolution of 21 April 1948. There were no votes against: the abstentions were China and, as usual, the USSR and the Ukrainian SSR.

For providing members of the Commission, India nominated Czechoslovakia and Pakistan Argentina, to which as a result of the Commission's enlargement provided for in the 21 April resolution the Security Council added Belgium and Columbia. India and Pakistan were unable to agree on the fifth nation, so the President of the Security Council nominated the United States. These nations, in turn, appointed the following representatives, all senior diplomats, along with alternates: Josef Korbelt for Czechoslovakia; Ricardo Siri for Argentina; E. Graeffe for Belgium; Alfredo Lozano for Columbia; and J. Klahr Huddle for the United States. The Secretary General of the United Nations, Trygve Lie,

appointed Erik Colban of Norway as his personal representative on the Commission.

The Commission, UNCIP, convened in Geneva on 15 June. It arrived in Karachi on 8 July and in New Delhi on 10 July. The UNCIP left Karachi for Europe on 22 September. During its time in the Subcontinent it visited Jammu & Kashmir from both the Indian-held and Azad Kashmiri sides and it had talks with the major political figures within the divided State as well as with the leaders of India and Pakistan.

The UNCIP arrived on 25 September in Geneva, the pleasant city selected as venue for the task of writing up its report to the Security Council of the United Nations. It subsequently went to Paris, where the United Nations was then assembled. An interim report on the UNCIP's work was presented to the Security Council on 25 November.

In December the Columbian representative on the UNCIP, A. Lozano, returned to the Subcontinent where, along with the Secretary General's own special representative, E. Colban (whose Personal Assistant was Richard Symonds, who probably at that time knew as much about the background to the Kashmir problem as any man alive). Lozano and Colban talked with both Jawaharlal Nehru and Sir Zafrullah Khan. As a result, a second report followed in early January 1949.

The details of the UNCIP's activities need not further detain us here; they are admirably described in Josef Korbel's important book, *Danger in Kashmir*, first published in 1954 by the Princeton University Press.

The UNCIP's work in the Subcontinent in 1948 resulted in two resolutions, of 13 August 1948 and 5 January 1949, which amplified in many important respects the existing Security Council Resolutions, and, consequently, were to influence the debate over Kashmir at the United Nations from this time onwards. According to the United Nations Security Council Resolution of 20 January 1948, resolutions of the UNCIP would have considerable weight in international law, comparable, indeed, to that of resolutions of the Security Council itself.

It must not be forgotten that these UNCIP resolutions were passed in what was essentially an atmosphere of diplomatic failure. As we have seen in previous Chapters, there was always latent in the proceedings at the United Nations an Indo-Pakistani settlement of the matter "out of court" or at least agreement on some compromise scheme which could then be implemented through United Nations mediation in the true spirit of Chapter Six of the United Nations Charter. One possibility which lay behind the work of the UNCIP in the Subcontinent was that the *de facto* administrations in Indian-held Jammu & Kashmir and Azad Kashmir (which could well mean the National Conference and the Muslim Conference) might bury their differences and agree to form a

joint government for at least the time needed to carry out the plebiscite. As has already been noted, anything along these lines implied the potential emergence of an autonomous or independent Jammu & Kashmir, or, perhaps, of some kind of "condominion" under joint Indo-Pakistani supervision. Once formed, why should what was essentially a form of Jammu & Kashmir self-government then proceed to dissolve itself? It soon became evident to the UNCIP, however, that such a degree of collaboration between any of the parties in the Subcontinent was extremely unlikely: the UNCIP was obliged to look to other ways in which peace could be restored to the troubled State as an essential preliminary condition for the plebiscite called for in the United Nations Security Council resolution of 21 April 1948.

In the UNCIP resolution of 13 August 1948 the main emphasis was placed on what the Commission considered to be the first priority, an end to the fighting in the State of Jammu & Kashmir. There must be an immediate cease-fire, followed by Indo-Pakistani negotiation of a truce based on six principles.

First: the UNCIP argued that the presence of regular units of the Pakistan Army in Jammu & Kashmir, which had been publicly admitted for the first time in May 1948, "constitutes a material change in the situation since it was represented by the Government of Pakistan before the Security Council." Pakistan, therefore, should agree as a preliminary measure to withdraw *all* its own troops from the State.

Second: Pakistan should "use its best endeavour" to remove from Jammu & Kashmir "tribesmen and Pakistani nationals not normally resident therein who have entered the State for the purposes of fighting." The term "tribesmen" was not defined: it might refer to the entire Azad Kashmiri army if it were interpreted in the light of some Indian arguments then current. "Pakistani nationals" included, of course, volunteers from Pakistan, including Pakistani regular soldiers notionally "on leave" or even "absent without leave" who had joined the Azad Kashmiri cause.

Third:

pending a final solution the territory evacuated by the Pakistan troops will be administered by the local authorities under the surveillance of the Commission.

Who were the "local authorities"? Did these words term refer to the Government of Azad Kashmir, the legitimacy of which the Indian side did not acknowledge, or did they, indeed, mean that the old, pre-crisis, Jammu & Kashmir State administration should be restored? Or even, did it mean the administration based on Srinagar and headed by Shiekh Abdullah?

Fourth: once the UNCIP had reported to the Government of India both that the tribesmen and Pakistani nationals referred to above had left the State and

that the regular Pakistan Army units were "being withdrawn", the Indians would agree to "withdraw the bulk of their forces from the State in stages to be agreed upon" by the Commission. The onus of the opening move here was clearly put on the Pakistan side.

Fifth: pending some final settlement, the Indian side would now agree to respect the cease-fire line already negotiated. It would further agree only to retain in the State of Jammu & Kashmir the "minimum" military strength needed "to assist the local authorities in the observance of law and order." The UNCIP would have the right to station observers to ensure that the Indians really were keeping to the "minimum" troop levels.

The Pakistan side could only regard these troop withdrawal proposals with considerable suspicion. While the military strength of Azad Kashmir was to be weakened by the removal from the scene of the tribesmen (perhaps unimportant by August 1948 if we read Pathans from the North-West Frontier for "tribesmen" - they had nearly all gone by then - but, on the other hand, crucial if "tribesmen" meant Sudhans - or "Poonchies" - and other Azad Kashmiris) and, far more significantly, Pakistani nationals as volunteers plus Pakistani regulars, India was to be permitted to maintain an unspecified military presence on its side of the cease-fire line, inspected at best by a mere handful of United Nations observers, in order to maintain "law and order". How easy it would be, in view of what the Indians had already said ever since the Kashmir crisis began in October 1947, for them to argue that a breakdown in law and order in Indian-controlled territory was directly inspired from the Pakistani side of the cease-fire line: therefore they could maintain that Indian armed intervention across that line, which would now be relatively undefended, was entirely justified. Could UNCIP observers do anything useful in such a case?

Sixth:

the Government of India will undertake to ensure that the Government of the State of Jammu and Kashmir will take all measures to make it publicly known that peace, law and order will be safeguarded and that all human and political rights will be guaranteed.

The intention, clearly, was to offer safety, both physical and political, to any refugees who might wish to return to their homes.

As a final part to their resolution, the UNCIP requested that the Governments of India and Pakistan, in the light of these six principles,

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 and to that end, upon acceptance of the Truce Agreement both Governments agree to enter into

consultations with the Commission to determine fair and equitable conditions whereby such free expression will be assured.

It may be significant that it was *not* stated here that "the will of the people" related to but one question, whether the entire population by a majority vote would opt to join either India or Pakistan. It seems more than probable that the UNCIP at this stage did not exclude other possibilities (such as, for example, regional, or partial, plebiscites).

The UNCIP resolution of 13 August 1948 was, though not without some qualifications, accepted by India (probably in the expectation that Pakistan would turn it down). In theory it was also agreed to by Pakistan, but with so many qualifications as to be "tantamount to rejection." The attitude of Pakistan is not hard to understand. The UNCIP proposals would seriously weaken Pakistan's military position in the State of Jammu & Kashmir at a moment when the Indian side showed every sign of continuing on the offensive. Pakistan was being asked to put up with this situation in the confidence that once the Pakistan side had reduced its strength the Indian side would do likewise: there was no such confidence among the Pakistani leadership.

The UNCIP resolution of 13 August 1948 made no mention of the Gilgit region and what, in the present terminology of the Kashmir dispute is called the Northern Areas. At one point Nehru tried to persuade the UNCIP to address itself to this omission, but all he secured was a non-committal promise that the matter would be investigated at some unspecified future date. The resolution contained, needless to say, no attempt at a systematic definition of the geographical limits of the old Jammu & Kashmir State.

The prospect of granting authority, even on the most temporary and qualified basis, to any form of "local administration", which most probably meant a coalition of the National Conference and the Muslim Conference (as we have seen in earlier Chapters was a subject under spasmodic consideration in late 1947 and 1948), in practice held scant appeal for the leaders of either side (though they were sometimes prepared, with many reservations, to think about it). The Pakistanis suspected that there might be something in it which favoured Sheikh Abdullah: the Indians wondered whether it implied some measure of recognition for the legitimacy of Azad Kashmir.

Further UNCIP proposals were ready by the end of November 1948. They were incorporated into a formal resolution which the UNCIP, now assembled at Lake Success, adopted on 5 January 1949. Its contents had already been canvassed among the Indian and Pakistani representatives at the United Nations, who had, but again with a great many qualifications, endorsed them. By 5 January 1949, of course, the Kashmir cease-fire had already come into force (just before midnight on 1 January) so the cessation of hostilities was no longer the

main issue. The resolution, therefore, concentrated on the modalities of the plebiscite.

After reaffirming the principle, already accepted by India and Pakistan as set out in the United Nations Security Council resolution of 21 April 1948, that

the question of the accession of the State of Jammu and Kashmir to India or Pakistan will be decided through the democratic method of a free and impartial plebiscite,

the UNCIP went on to specify how this "free and impartial plebiscite" would be brought about through the good offices of a Plebiscite Administrator. This official, to be nominated by the Secretary General of the United Nations in consultation with the UNCIP, would have all the powers he might require "from the State of Jammu & Kashmir" to conduct every aspect of the plebiscite. He would also have authority to act in Azad Kashmir, though that entity (as in other United Nations resolutions so far) was not mentioned by name: it was simply called "the territory referred to in A2 of Part II of the resolution of 13th August" where the Plebiscite Administrator would consult with "the local authorities."

The resolution provided for the return to the State of Jammu & Kashmir of all refugees who by virtue of their citizenship possessed the right to take part in the plebiscite. Two repatriation Commissions, one Pakistani and the other Indian, should be set up to ensure that any absentee citizens of the State who so wished could get home in time for the vote. At the same time, "all persons (other than citizens of the State) who on or since 15th August, 1947, have entered for other than lawful purpose, shall be required to leave the State." Thus any remaining Pathan tribesmen as well as Pakistani volunteers and regular troops would be forced out. The position of some at least of the Indian regulars there, however, was by no means so clear: it all depended upon the interpretation of "lawful".

There should be no threats, bribes and acts of intimidation or the exercise of undue influence while the plebiscite was being conducted. All political prisoners must be set at liberty. Minorities "in all parts of the State" ought to be "accorded adequate protection." There would be no victimisation.

The Plebiscite Administrator, once the voting was over, would report the result both to the UNCIP and to the Government of Jammu & Kashmir. The UNCIP would then certify to the Security Council of the United Nations whether the whole process had or had not been free and impartial.

The one concrete result which can be to some degree attributed directly to this resolution was the signing of an Indo-Pakistani agreement in Karachi on 27 July 1949 which actually defined the cease-fire line: this would probably have

taken place anyway, being the logical conclusion of the cease-fire of 1 January 1949, but the UNCIP involvement undoubtedly expedited the proceedings.

The UNCIP evidently concluded, as did most observers at the United Nations during the course of 1948, that the international stature of the Plebiscite Administrator would be crucial to the success of this category of scheme for a plebiscite. These are some of the world's great and good who were considered for this post during the course of 1948, listed in alphabetical order: Governor Arnall of Georgia; James F. Byrnes, former United States Secretary of State; the Australian politician and Commonwealth statesman Richard Casey; General Mark Clark; John Foster Dulles; General Eisenhower; Justice Felix Frankfurter; Joseph Grew, once United States Ambassador to Japan; the Australian Justice Kirby; Robert M. La Follette Jr. of Wisconsin; General A.G.L. McNaughton of Canada; Fleet Admiral Chester W. Nimitz; General Carl Spaatz; Harold Stassen, once Governor of Minnesota; Edward Stetinius, former United States Secretary of State; General Jonathan M. Wainwright, the gallant defender of Corregidor against the Japanese after the departure of General Douglas MacArthur; the American statesman Sumner Welles. Out of this illustrious list General Eisenhower was from the start the favourite: it was made clear, however, that he was destined for other things. By the end of 1948 the name of Fleet Admiral Nimitz became more frequently mentioned. His appointment to this post by the Secretary-General of the United Nations, with the approval of the Governments of India and Pakistan, was announced on 21 March 1949.

The UNCIP resolution of 5 January 1949 really marked the end of the heroic age of United Nations proposals for the solution of the Kashmir dispute, the "India-Pakistan Question". There were, of course, to be other proposals and other attempts to investigate and mediate; but all too often they added little to what had already been established.

The Security Council resolution (No. 80) of 14 March 1950 is of some significance in that, on the basis of proposals advanced by the Canadian representative, General A.G.L. McNaughton, to the President of the Security Council on 22 December 1949, both Azad Kashmir and the "Northern Area" (Gilgit and the former Political Districts plus Baltistan) were included within the term "State of Jammu & Kashmir" as areas which should be demilitarised prior to the holding of a plebiscite (but without any attempt at precise geographical description). This was, however, achieved indirectly since the resolution of 14 March 1950, like the others before it, does not actually say "Northern Area" or "Azad" Kashmir, merely referring to "resolution of a programme of demilitarization on the basis of the principles of paragraph 2 of General McNaughton's proposal" where these terms are actually used.

The next Security Council resolution on Kashmir, that of 30 March 1951 (No. 91), arose from the report (dated 15 September 1950) of the United



Nations Representative for India and Pakistan, the Australian jurist Sir Owen Dixon, to the President of the Security Council. The resolution noted, quoting Sir Owen, that the main differences between India and Pakistan which so far prevented the implementation of previous United Nations resolutions were:

- (a) The procedure for and the extent of demilitarization of the State preparatory to the holding of a plebiscite, and
- (b) The degree of control over the functions of Government in the State [of Jammu & Kashmir] necessary to ensure a free and fair plebiscite.

The resolution did not endorse any of Dixon's proposals (including the important concept of regional plebiscites): on the other hand, it did not in any way repudiate what Dixon had to say. The resolution concluded with a proposal to continue sending United Nations Representatives to India and Pakistan from time to time.

The next two resolutions of the Security Council, of 10 November 1951 (No. 96) and 23 December 1952 (No. 98), did little more than endorse the efforts of Sir Owen Dixon's successor, Dr. Frank Graham, whose achievements in the final analysis were indeed slight.

There was then a hiatus of five years when the Security Council produced no further resolutions on the "India-Pakistan Question". In 1957 the Swedish diplomat Gunnar Jarring was sent by the United Nations on a special mission to India and Pakistan following two Security Council resolutions of 24 January (No. 122) and 21 February 1957 (No. 123) arising from reports of developments in the internal politics of Jammu & Kashmir on the Indian side of the cease-fire line. His main official task was to see, in the light of the previous Security Council resolutions of 1948-1952, whether anything more could be done about securing the demilitarisation of the State in preparation for the holding of the plebiscite. Ambassador Jarring's report, dated 29 April 1957, gave rise in due course to a fresh Security Council resolution on 2 December 1957 (No. 126). All this did was to express concern at Jarring's lack of progress, authorise the United Nations Representative for India and Pakistan (still Dr. Graham) to go on trying to secure some settlement in the light of the previous resolutions.

Security Council Resolution No. 122 raised a most important point, presumably still valid today (1997), namely that no "internal" electoral processes in the Indian held parts of the old State of Jammu & Kashmir could be considered to be adequate substitutes for a plebiscite held under United Nations supervision. Lacking such a plebiscite the Kashmir dispute, the "India-Pakistan question", remained unresolved.

The 1957 Resolutions were effectively the end of a sequence of United Nations measures directed towards a permanent solution of the Kashmir

problem. The passage of these Resolutions had been possible in great measure because of the continued abstention of the USSR. After 1957 the USSR decided that it did indeed have strong views about Kashmir, and very much in India's favour at that: it was, moreover, prepared to exercise its right of veto to help out its Subcontinental friend. Thus the next set of resolutions (Nos. 209, 210, 211, 214, and 215, between September and November 1965) on the Kashmir ("India-Pakistan") question which managed to escape the Soviet veto, and thus emerge from the Security Council, related to efforts (in which the USSR was actively involved) to secure a cease-fire in the 1965 war between India and Pakistan and not to the old theme of settling the future of the State of Jammu & Kashmir by means of a free and fair plebiscite under United Nations supervision: as far as the USSR was concerned in 1965, the legitimacy of the Indian position in the State of Jammu & Kashmir was above criticism.

Finally, the Indo-Pakistani war of 1971 produced a resolution from the Security Council, No. 307 of 21 December 1971, in which the cease-fire of 17 December 1971 was noted with approval and the good offices of the United Nations offered. As far as the State of Jammu & Kashmir was concerned, the Security Council *demand*ed (strong words in this context) respect for the established cease-fire line which it wanted restored as soon as possible under the supervision of the United Nations Military Observer Group (UNMOGIP) in India and Pakistan. On other aspects of the Kashmir issue there was not a word beyond a general indication that the Security Council wished to "remain seized" of matters in South Asia, by implication including the State of Jammu & Kashmir. Resolution No. 307 was adopted by thirteen votes in favour and two abstentions, those of the USSR (then India's ally) and its satellite Poland.

We must now return to the culmination of the United Nations Security Council debates of 1948 and the closely associated proceedings of the UNCIP which were summed up in their resolution of 5 January 1949. The Plebiscite Administrator, for which post as we have already seen Fleet Admiral Nimitz would be appointed in March 1949, was never able to function, and no plebiscite was ever held in the old State of Jammu & Kashmir.

With the benefit of hindsight it is clear that the very concept of the unitary plebiscite for the whole State, with the simple, all or nothing, options of India or Pakistan, was fundamentally flawed. It involved too great a gamble for any one party to the dispute to accept without so many qualifications as to make the proposition unacceptable to the other. The idea of a unitary plebiscite also failed to take into account a number of political realities which, in practice, it was very difficult to ignore.

First: what are now known as the Northern Areas, that is to say the old Gilgit region plus those parts of Baltistan which the Gilgit Scouts had during 1948 separated by conquest from the former Ladakh District of the old State of

Jammu & Kashmir, had to all intents and purposes been incorporated into Pakistan. By the McNaughton proposals of late 1949, and confirmed in the Security Council resolution No. 80 of 14 March 1950, the Northern Areas had been thrown into the melting pot of the Kashmir dispute. While in theory Pakistani diplomats would go along with this, in practice there could be no question of their putting their country's position here at risk. In any case, it is clear that the population of the Northern Areas would not have tolerated for one moment the prospect of coming under Indian rule, and in military terms they were formidable.

Second: the State of Azad Kashmir presented real problems. Despite the inclination of many involved in the Security Council debates at the United Nations to treat Azad Kashmir as little more than a figment of Pakistani imagination, the fact is that this entity definitely did exist (as it still does to this day). Its Government could not be ignored and simply be lumped together with whatever administrative authority there might be in Srinagar. The Azad Kashmiri capital at Muzaffarabad was the seat of power of the Muslim Conference (in close alliance, of course, with Pakistan). In Srinagar, albeit under Indian military protection, reigned Sheikh Abdullah through his National Conference. The antipathy between these two bodies was a major constant in Kashmiri political life which could not be eliminated by the wording of any Security Council resolution.

Third: there were portions of the old State of Jammu & Kashmir on the Indian side of the cease-fire line where the concept of the plebiscite was probably unacceptable. The Buddhists of Ladakh, though small in numbers compared to, say, the Muslims of the Vale, were in a majority in their own part of the land (and, outside the Kargil region, a very large majority in percentage terms though small in numbers). Ladakhi Buddhists showed no wish whatsoever for a closer union with Muslim Kashmir: they preferred (and their leaders said so unambiguously during the course of 1948) some direct association with India in their own right. The Hindu population of Jammu, particularly in those parts where they were in clear majority, likewise showed no eagerness to merge with the Muslim majority: it was apparent that they, too, on the basis of evidence already to hand in 1948, would rather make their own arrangements with India. All this was seen and understood by Sir Owen Dixon during his 1950 mission to the Subcontinent.

Dixon's regional plebiscite schemes only represented variants of partition proposals which had been considered by well-informed observers ever since the outset of the Kashmir crisis in October 1947. We have already seen how during the course of 1948 projects along these general lines had been explored behind the scenes at the United Nations and elsewhere. The decision to settle for a unitary plebiscite, which was reached by the Security Council and the UNCIP at

the very end of 1948, was only taken after it had become evident that the Pakistan side, represented by Chaudhri Muhammad Ali, would not consider anything else. It is unlikely that either the Security Council or the UNCTC were aware that, as we have already noted in the previous Chapter, in November 1948, a few days after Chaudhri Muhammad Ali had given the thumbs down sign to any schemes for partial plebiscites, Liaquat Ali Khan tried to explore directly with the Indians something along these very lines.

There were a number of inherent objections to any project for the dismemberment of the State of Jammu & Kashmir.

First: regional plebiscites such as were considered in 1948 and again by Dixon in 1950 involved an explicit acceptance of communal criteria in the distribution of territory to India and Pakistan. The Muslim-majority bits, by voting or by simple allocation, would go to Pakistan. The bits with non-Muslim majorities, be they Hindu or Buddhist, would by the same process become part of India. Many Indians, notably Jawaharlal Nehru, saw this as a further endorsement of Jinnah's "Two Nation Theory" which they blamed for the bitterly regretted fragmentation of the old British Indian Empire and the validity of which they challenged, citing as supporting evidence the secular nature of an India with a large Muslim minority. Theory apart, of course, Nehru appreciated that any regional plebiscite plan could all too easily result in the Vale of Kashmir, his ancestral home and the base for his Indian identity, becoming part of Pakistan.

Second: to the vast majority of Pakistani diplomats and politicians the regional plebiscite concept was not attractive because it guaranteed that India would end up, come what may, with *some* of the old State of Jammu & Kashmir. In that all Pakistanis looked upon the very presence of India in any part whatsoever of the State as illegal and based on an act of fraud of which in some unspecified way the Instrument of Accession (which the Maharaja was alleged to have signed on 26 October 1947) was the symbol, this was not a pleasing prospect. Given that by a free vote on a unitary basis, they believed (even when at times the evidence for this was not too firm), *all* of the State would opt for Pakistan, why, then, should they accept a compromise which would reward the Indians in the slightest degree for their violation of the conventions of decent international conduct?

Third: there was one partition scheme which it was evident the Indians could be persuaded to agree to from quite an early stage in the Kashmir crisis, at least February 1948. The State could be partitioned along a cease-fire line, with both sides retaining what their armed forces had held at some mutually agreed date. Such a partition Nehru would have accepted, pragmatically if not with joy and satisfaction, because it would have left the major part of the Vale, including his beloved city of Srinagar, on the Indian side, and would not have involved any express admission of the validity of communal criteria. Pakistan could not then

(and still cannot today) tolerate the idea of an Indian Vale of Kashmir as the permanent conclusion of the Partition process in the Subcontinent: that this tract with its Muslim-majority population contiguous to Muslim-majority Pakistan should remain in Indian hands is still seen as a negation of the fundamental principles upon which Pakistan is based as a properly qualified member of the community of sovereign nations. Moreover, to accept the cease-fire line as a valid border would be to condone cynically that initial act of Indian "aggression" in intervening in the State of Jammu & Kashmir on 27 October 1947, and, therefore, in a real sense it implied the public admission that the armies of Pakistan and its Azad Kashmiri friends, if not beaten in the field, had been obliged to agree to something far short of victory.

There was nothing in the United Nations Security Council resolutions which precluded the two parties to the dispute from getting together at any time and settling the matter "out of court" as Mountbatten had advocated in February 1948. Indeed, from the beginning of the United Nations involvement Indian and Pakistani leaders had from time to time been urged, clearly enough even if implicitly, to meet and try to sort things out on their own. Such was the obvious import, for example, of the first resolution of all, No. 38 of 17 January 1948. Proposals concerning plebiscites, the work of the UNCIP and the like were no more than manifestations of the United Nations acting under Chapter Six of the Charter in a mediatory capacity, direct talks between the nations in dispute having broken down.

Settling "out of court" meant bilateral Indo-Pakistani negotiations leading to some compromise, which could only involve a partition of the old State of Jammu & Kashmir.

In 1953 the Pakistan side in just such a set of bilateral discussions came up with a solution very close to a version of the Dixon regional plebiscite scheme of 1950 (and which had already been considered in 1948): it was in the end turned down by India (after considerable discussion at the highest level) for various reasons (including the "aligned" implications of Pakistan's developing relationship with America) which, at best, only reflect a part of the truth - what was not said officially was that it put at risk the Indian hold on the Vale of Kashmir which was of such emotional importance to Jawaharlal Nehru.

On 2 July 1972 India, victorious in the 1971 war with Pakistan, imposed on the defeated side the Simla Agreement "on bilateral relations between India and Pakistan." While the exact shape of such bilateral relations was not spelled out, and while in the first Article of the Agreement it was specified that "the principles and purposes of the Charter of the United Nations shall govern the relations between the countries," yet there could be little doubt that a realistically pursued bilateral relationship could only lead to a scheme of partition in Jammu & Kashmir. What would most probably emerge would be, so the

Indian side must have believed, the conversion in the course of time of the cease-fire line, now called the "Line of Control", perhaps with minor changes here and there on practical administrative grounds, into the *de jure* international border. This had already been proposed by the Indian side on a number of occasions before the 1971 crisis.

In early 1995 P.N. Dhar, who had been a member of Indira Gandhi's staff in 1972, revealed that at the end of the Simla discussions Z.A. Bhutto *did* privately agree, albeit to all intents and purposes under duress (following the disasters of the 1971 Indo-Pakistani conflict, and the presence of some 90,000 Pakistani prisoners of war in Indian hands), with the Indian Prime Minister that this was exactly the way in which the Kashmir problem would be settled, with the Line of Control being allowed to evolve gradually into an international border. Pakistani refutations of P.N. Dhar's claims have not to date been particularly impressive or convincing, though circumstances have removed over the years any significance they may ever have possessed. (P.N. Dhar's most interesting memoir has been reproduced by J.N. Dixit as Annexure 6 in his *Anatomy of a Flawed Inheritance*, Delhi 1995: its essential veracity has been implied by Akram Zaki, former Pakistan Secretary General, Foreign Affairs).

In January 1994 the conversion of the Line of Control into the agreed Indo-Pakistani border was, as has already been noted, to be one of the options put to the Foreign Secretary of Pakistan (Shaharyar Khan) by the Foreign Secretary of India (J.N. Dixit) as a final solution to the Kashmir problem. Its great attraction to India (both as a relic of the Nehru era and as a concession to an Indian public opinion formed by almost half a century of propaganda and polemic) was that it would retain the Vale on the Indian side. Given the prevailing Pakistani popular approval and support for the extremely active opposition (absent in 1972) to Indian rule then being manifested by fellow Muslims in the Vale, the Pakistani Foreign Secretary rejected out of hand this proposed solution.

A negotiated *de jure* partition of the State of Jammu & Kashmir, much complicated in recent years by a rising tide of opinion in favour of some third option of independence or autonomy for a part at least of the State, has so far proved unobtainable. It should never be forgotten, however, that by the time of the cease-fire of 1 January 1949 a *de facto* partition of the State had actually been achieved.

The present situation in the State of Jammu & Kashmir has somehow drifted a long way away from that which was perceived by the international community when the United Nations Security Council and the UNCIP drafted and passed their resolutions in 1948. What remains today of those resolutions?

The plebiscite (and all that it called for in administrative infrastructure) has never taken place, and most students of the Kashmir question, if they are honest and frank, doubt that it ever will, at least in its unitary form. In that sense the

lack of contemporary relevance of these resolutions, which is often asserted with some brutality by Indian politicians and diplomats, can be argued with some conviction. The resolutions also fail utterly to take into account the implications of political activity by Kashmiris on their own behalf and in resistance to Indian domination, which has been so remarkably demonstrated since the late 1980s. Here, again, the relevance of the resolutions (which do not deal in any meaningful way with concepts of Kashmiri independence or autonomy) can well be questioned.

For all that, however, the resolutions cannot be ignored or just forgotten. There are some extremely positive statements contained within them which are as relevant today as they were in 1948.

The various United Nations Security Council and UNCIP resolutions examined above all make it abundantly clear that in the unanimous view of the international community (there was not a single contrary vote on this point) the State of Jammu & Kashmir is a *disputed territory*. It does not belong either to India or to Pakistan (or, for that matter, to anyone else). Its status is in question and has yet to be determined. The various Security Council and UNCIP resolutions examined here are really no more than attempts to devise some mechanism by which that status can be decided. They do not preclude other mechanisms provided that the element of popular consent is not abandoned. To say that the State of Jammu & Kashmir is a disputed territory is in no way controversial: it is merely to repeat the unequivocal opinion of the international community as proclaimed through its only valid voice, the United Nations. In this respect the passing years have changed nothing.

It follows that the alleged accession of the State of Jammu & Kashmir to India is of no legal significance. It does not really matter whether the Maharaja did, or did not, sign the Instrument of Accession on 26 October 1947 because, in the view of the international community as set out in the United Nations Security Council and UNCIP resolutions, he did not have the entitlement in international law to decide this particular question on behalf of his subjects. They had the absolute right to be consulted, and their voice would be decisive: it has yet to be heard.

The United Nations favoured a unitary plebiscite to settle the question of the State of Jammu & Kashmir, treating it as a single unit. This, it can be argued, is but one way of looking at the problem. The State might not be, or want to be, a single unit. It might be best to permit it to split up for electoral purposes into several entities. These are but details. The essential is that *all* the people in that area which once made up the State of Jammu & Kashmir should be consulted about their future, and that their wishes, once expressed, should be respected.

## CHAPTER XII

### Fifty Years On: some reflections

#### 1. Conflicting Histories

The events described in this book all took place about half a century ago. Do they have any relevance today, or do they represent no more than water under the bridge?

If, after the formal end of the First Kashmir War on 1 January 1949, all the parties involved had lived happily together ever after, then indeed what had happened in 1947 and 1948 would now be of little more than academic interest to the professional historian of South Asia. Unfortunately, the course of the history of the old State of Jammu & Kashmir in general, and the Vale of Kashmir in particular, was not, to put it mildly, notably blissful after 1949; and since the late 1980s it has become, in the Vale at any rate, what can only be described as ghastly. The present catastrophe which has struck what was once described by some, quite seriously, as potentially the “Switzerland of Asia”, is no sudden phenomenon: it has its roots in the past and is the product of an unchecked political deterioration which can be traced back, easily enough, to the events discussed in this book, which, of course, are in themselves in great measure the product of history.

The political scientist might argue that all this is of minor import. What needs to be done now is to analyse as accurately as possible what the present situation is, and then try to devise an appropriate formula for its amelioration. The historian, and, indeed, any intelligent observer of the state of the modern world, knows that matters are not so simple. The past, in some cases the very distant past, is impossible either to escape or to ignore. The argument that the contents of this book are indeed relevant to the present cannot possibly be dismissed out of hand.

It is not so easy today to find out what really happened in and about the State of Jammu & Kashmir in 1947 or 1948. Most of the key archives of India and



Pakistan, let alone those of the old State of Jammu & Kashmir, are not open to inspection (at least to non-privileged scholars). The literature on the subject, although truly extensive, is permeated with propaganda favourable either to India or to Pakistan. All too often independent scholarship has tended to avoid this category of subject in the knowledge, one suspects, that any objective study will surely annoy one or other of these two parties and, it may well be, both of them simultaneously. Modern writers on Kashmir, therefore, frequently find themselves obliged to rely on past propaganda for lack of anything better. Thus a recent, and extremely interesting and useful, compilation of writing on Kashmir, Vol. II (out of 3 volumes) of *The Story of Kashmir Yesterday and Today*, edited by Verinder Grover and published in New Delhi in 1995, in its 803 pages contains surprisingly few observations about the genesis of the Indo-Pakistani Kashmir conflict which can be accepted without reservation as being historically reliable. Grover's book, of course, has been produced in the Indian interest. It is equally true, however, that publications favourable to Pakistan, though rarer and generally on a smaller scale, are subject to similar caveats.

An unexpected feature of the general trend of writing about Kashmir, be it from the Indian or the Pakistani (or, for that matter, any other) perspective, is that it has evolved very little indeed in the past half century. One of the first academic studies of the question is Michael Brecher's *The Struggle for Kashmir*, published in New York in 1953. Contrast it with the tenor of the various items of recent origin in Verinder Grover's collection of 1995 and it would be virtually impossible to detect any difference of significance. Yet since 1953 a vast mass of new information has become available, British and American archives, the papers of Vallabhbhai Patel and Jawaharlal Nehru, numerous autobiographies such as that of Mehr Chand Mahajan, all of which throws a completely new light on many aspects of the first stages of the Kashmir story. It is as if by 1953 something like a theological revelation had already been committed to paper which no student was prepared to challenge. Even those writing from a viewpoint fundamentally opposed to India have found themselves accepting without question some of the key dogmatic elements upon which the Indian case has been based.

The articles and extracts from books (in the main by Indian authors) which make up Verinder Grover's compilation nearly all tell a consistent story, which can be summarised thus. Owing to the obsession of M.A. Jinnah with the idea of Islam as the nucleus of a separate political entity in the Subcontinent, the core of his "Two Nation Theory", it proved impossible in practice to preserve the unity of the old British Indian Empire at the time of independence in 1947. Partition and the creation of Pakistan, which most of Verinder Grover's Indian writers consider to have been a geopolitical obscenity, was the fault of Jinnah and his Muslim League. Not content with its gains in August 1947, Jinnah's

Pakistan then in October 1947 went on to use undisciplined Pathan tribesmen from the North-West Frontier in a conspiracy to acquire for Pakistan the State of Jammu & Kashmir, whose Ruler, Maharaja Sir Hari Singh, had failed at the time of the Transfer of Power to join up with either India or Pakistan. Faced with this unprovoked tribal invasion from Pakistani territory, Sir Hari Singh acceded formally, and entirely legally, to India on 26 October 1947 and sought Indian assistance which began to arrive at Srinagar airfield the following day in the nick of time to save the Kashmiri summer capital from tribal pillage and rape. Since Pakistani aid and encouragement to the invaders, the "raiders", did not cease despite the Indian military initiative, on 1 January 1948 India appealed to the Security Council of the United Nations to put an end to Pakistani "aggression". The Security Council, failing for a variety of reasons to appreciate the merit of the Indian case, some of these reasons deriving from imperialist ambitions on the part of the United States of America (and its British satellite), proposed a number of compromise solutions which in practice proved incapable of implementation (largely through Pakistani obstinacy). India then continued with its policy of maintaining a just administration over those parts of the State which it controlled through a series of popular and essentially secular governments ratified by a variety of elections. In recent years this system of administration has been greatly undermined by persistent Pakistani intrigue. If only Pakistan would desist from meddling in places where it had no business to be, then all would be well in Jammu & Kashmir, or at least in that part which is under the control of the Republic of India.

This story - and the above outline is not a caricature - is firmly believed by most Indian writers on Kashmir (and by a many non-Indians as well). It represents the essence of Indian public opinion on the Kashmir question. India is right, Pakistan is wrong. After half a century of repetition, it is extremely difficult to modify, let alone refute. It is, of course, a fundamentally flawed interpretation of what actually happened; yet those who accept its essential veracity inevitably find it in practice impossible to consider any realistic compromise proposition taking into account the Pakistani point of view. If Jammu & Kashmir is sovereign Indian territory, legitimately acquired and held, then what happens there is entirely and solely a matter of Indian domestic politics and of no concern to outsiders be they from Pakistan or the United Nations. Kashmir is, therefore, not an international problem at all and, consequently, there is no need or justification for international involvement of any kind. Only when Indian public opinion accepts the defects in this particular version of history can Indian politicians reasonably be expected to contemplate new policies towards the State of Jammu & Kashmir: such policies would today be certain to be interpreted by their electorate as a surrender of Indian sovereign rights both to territory and to the exercise of political influence.

At the time when the Indo-Pakistani Kashmir problem began, in 1947 and 1948, the simplistic Indian picture of absolute moral rectitude in Kashmir was not shared by all observers. Indeed, in the British Commonwealth Relations Office, which was amply supplied with information from both sides of the Great Subcontinental Divide, there was a strong feeling among ministers and officials that there was a great deal wrong with the Indian case. Thus Philip Noel-Baker, who was Secretary State for Commonwealth Relations when the Kashmir crisis erupted in October 1947, and who was able to observe the initial stages of the deliberation of this issue at the United Nations in early 1948 (as we have seen in earlier Chapters), was privately very unhappy about the stand taken by Jawaharlal Nehru and his colleagues. Long after he had ceased to have direct contact with the issue he continued to keep himself informed about Kashmir and to ponder on possible solutions. In 1957 he privately told A. Cordier, Executive Assistant to Dag Hammarskjöld (Secretary General of the United Nations), in the hope that his thoughts might be useful to the Swedish diplomat Gunnar Jarring (then President of the Security Council, and to whom I am indebted, along with Sten Widmalm, for access to this Noel-Baker correspondence) on his projected mission to South Asia, that he was convinced that the whole Kashmir business had begun with the misrule of Maharaja Sir Hari Singh, who started massacring his Muslim subjects. The immediate result was a revolt against him in the Poonch region. The Maharaja, Noel-Baker concluded, "was the original aggressor." (Few Indian writers, incidentally, give any weight to the Poonch revolt. A rare exception is, perhaps, Frank Moraes, whose interesting *Jawaharlal Nehru. A Biography*, New York 1956, p. 387, at least admits that there was a civil war of sorts in progress in the State of Jammu & Kashmir before the Transfer of Power in August, let alone 22 October, 1947.)

Having effectively declared war on a section of his people, Sir Hari Singh did not possess the right to decide their future fate. Whatever else might be said for it on legalistic grounds, in Noel-Baker's view the accession of Kashmir to India had "absolutely no validity in either British or International Law." The fate of Jammu & Kashmir clearly required confirmation through an unequivocal expression of popular will, just, indeed, so Noel-Baker observed, as the Indians had demanded in the case of both Junagadh and Hyderabad.

Noel-Baker had here a very powerful point increasingly unappreciated. There were, really, only two logical ways of looking at the Kashmir situation in 1947.

First: that the State of Jammu & Kashmir, on 15 August 1947, by failing to join up with India or Pakistan prior to the British departure, became to all intents and purposes a sovereign polity. While no other state or international body may have recognised its independence *de jure*, yet if it did not belong either to India or to Pakistan, and it no longer formed part of the British Indian Empire (now defunct), then *de facto* it stood alone. In these circumstances it was

quite out of the question for the international community to accept a transfer, or surrender, of sovereignty to another sovereign state by the Ruler acting entirely on his own. Such an expression of political absolutism, in theory at least, was obsolete in the new world order which followed World War II. It might have occurred, where such things indeed happened from time to time, within the confines of the old British Indian Empire. But that Empire had gone. What before 14-15 August 1947 could be regarded as just a piece of internal boundary redefinition had now become something infinitely more complex, the transfer of sovereignty not only over territory but also over the inhabitants of that territory, who, in the new dispensation, surely had the absolute right to be consulted. Thus, lacking such consultation, whatever it was that the Maharaja of Kashmir did with his State *vis à vis* India was invalid; and, it followed, the State remained in that condition of independence (or whatever) which it had enjoyed since the ending of the British Indian Empire on 14-15 August 1947. It did not, on this argument, matter at all whether the Maharaja had or had not signed a *pro forma* Instrument of Accession on 26 October 1947 (or any other date): such a document, unless ratified by a proper consultation with his subjects, was just a worthless scrap of paper.

Second, and arguing in the alternative: if the State of Jammu & Kashmir had indeed *not* become *de facto* independent on 15 August 1947, then it could be maintained that it was in some way an unallocated asset of the old British Indian Empire which still needed to be shared between India and Pakistan. The doctrine of the lapse of Paramountcy, whatever validity it might have had while the British were still in place (the Independence of India Act of 1947 had nothing to say about "paramountcy" - it used the term "suzerainty"), was now ancient history. It could be argued that, if the State of Jammu & Kashmir were not to be treated as yet another sovereign successor to the British Raj, then it should be subjected to the process of Partition following the same criterion adopted in the adjacent Punjab, that is to say on the basis of contiguous Muslim-majority areas going to Pakistan and the rest to India. Many British observers in 1947 and 1948 (even, rather late in the day, Lord Mountbatten) favoured this approach. A line of Partition in the State could be worked out easily enough. Both India and Pakistan would leave the Kashmiri field of conflict with solid gains. Honour should be satisfied all round and a potential irritant to the peace of Asia soothed.

While Noel-Baker did not argue explicitly in this sense, yet by 1957 he had come to accept the conclusion that only through some form of partition of Jammu & Kashmir could the dispute be settled. India and Pakistan should retain those bits of the State which they (or, in the case of Pakistan, their Azad Kashmiri ally as well) already held and which, in fact, represented a fair enough division along communal lines. Only in the Vale, in area roughly 10% of the

whole State, was something more than formal recognition of the *status quo* called for. Here a plebiscite would settle matters easily enough. As Noel-Baker put it to Cordier (for the attention of the Secretary-General of the United Nations), "I do not believe it impossible to persuade" Jawaharlal Nehru "to have a plebiscite now, at least in the Valley of Kashmir." A plebiscite here in 1957, Noel-Baker believed, could only produce a result favourable to Pakistan.

## 2. Kashmir an Independent State?

If the territory which had once comprised the old British Indian Princely State of Jammu & Kashmir immediately after 14-15 August 1947 did *not* belong either to India or to Pakistan, was it really then in fact an independent State?

A strict interpretation of the doctrine of the "lapse of Paramountcy" might well suggest that any Princely State which failed, prior to the moment of the Transfer of Power, to accede to either of the successor Dominions to the British Indian Empire was perforce transformed into an independent polity. If so, however, that polity at that moment would clearly require some definition and analysis. Jammu & Kashmir was, as we have seen, itself a small empire in structure, made up of a number of discrete components. There was no single ethnic, cultural, linguistic or religious factor which unified the State. Indeed, the one common feature was that the State consisted of adjacent tracts of territory acquired, generally through conquest (but in the case of the demographically dominant Vale of Kashmir by purchase from the British in 1846, though subsequent Dogra occupation, in the face of revolt by the former Muslim Governor, involved considerable brutality with a bit of British military assistance) by the Hindu Dogra Ruler of Jammu, Gulab Singh, and his successors. Within this imperial edifice there were three major language groups, that of the general Sanskritic family (in Jammu, Mirpur and Poonch for example), that related to Tibetan (including Ladakhi and Balti), and that (with many sub-categories) belonging to those languages sometimes called Dardic (many versions of which are found in the Karakoram and of which the language of the Vale, Kashmiri, is generally considered to be in some measure related).

It is true that in theory by 1947 the State possessed a single administrative structure and a Constitution which established a bicameral legislature with by no means insignificant representative elements. It maintained its own armed forces and, after 14-15 August 1947 it could be said that, in its dealings with India and Pakistan at least, it endeavoured to execute its own foreign policy. All this, however, rather concealed a fundamental disunity than revealed the foundations of independent statehood within the old boundaries established in

the British era.

The basic problem of the State of Jammu & Kashmir, as it had evolved during the course of the 19th century, was that the majority of the population was concentrated in the Vale of Kashmir and immediately adjacent regions, and this majority was overwhelmingly Sunni Muslim. At the same time, power and the administration which exercised it, from the Maharaja downward, was predominantly in Hindu hands. This situation had produced a major political crisis in 1931 which had resulted in the Maharaja's Government being obliged to make a number of constitutional concessions to the Sunni Muslim majority, concessions which, while real enough, failed to stifle aspirations among some Kashmiri leaders, both from the Vale and the Muslim tracts of Jammu, to escape entirely from the control of the Hindu Dogra regime. However much political leaders in British India - and, indeed, in Kashmir as well, Sheikh Abdullah for example - might talk about a post-British secular independence, the fact was that no more in Kashmir than in Provincial British India could the communal factor be buried. Kashmir (Vale) politics in the era from the early 1930s up to the 1947 Transfer of Power might sometimes be expressed in a secular language, but the major issue remained communal, the resentment by Sunni Muslims of Hindu rule and the Hindu privileges which resulted therefrom. Two major consequences flowed from this situation.

First: though there were Sunni Muslim politicians in the Vale who looked to a future Kashmir as some kind of independent polity, notably Sheikh Abdullah with his vision of a "Switzerland of Asia", yet there were many others who could not escape the logic of a post-British existence in close collaboration with the Muslim League in Pakistan. This fact inevitably aroused a measure of alarm among the non-Muslims in the State. The Hindus of Jammu, particularly in districts where they were in a majority, saw no merit whatsoever in anything do with Pakistan, and the Buddhist of Ladakh, while relatively small in number and politically undeveloped, very rapidly came to the same conclusion following the turbulent days of the Accession Crisis of October 1947. Thus the spectre of Partition loomed, willy nilly, over any prospective independent State of Jammu & Kashmir.

Second: even within the Muslim-majority portions of the old State (accepting for the moment those boundaries claimed by the Dogras) there existed a major division between Sunnis on the one hand and Shias and Ismailis on the other. In the Vale, with its capital at Srinagar, Shias were fairly rare: even so, there had been in the past episodes of great Shia-Sunni tension there. In the north-western part of the State, in the Gilgit Agency and in Baltistan, Shias were dominant, with an Ismaili majority in Hunza. This part of the State had never felt a particularly strong identity with the regime based on Srinagar and Jammu.

In 1935, when the British acquired a 60 year sovereign lease over the Gilgit

region, they did not experience the slightest difficulty in establishing and maintaining their administrative control over what, for all intents and purposes, was now an Agency of British India. It was apparent to informed observers on the eve of the Transfer of Power in 1947 that this region would not easily revert to Hindu Dogra rule: and, in the event (as we have seen) it proved impossible for the Maharaja to re-establish his authority here. Shortly after the Transfer of Power the rebel anti-Dogra (and ultimately pro-Pakistan) regime in the Gilgit region, with the military aid of the Gilgit Scouts, extended its influence over neighbouring Baltistan, again without any significant resistance on the part of the local Balti Shia population. The conclusion is inescapable that in any independent State of Jammu & Kashmir there was inherent the likelihood of a second partition between the Sunni Vale and the Shia and Ismaili north-west. Even if the Sunni-majority portions of the State managed to assert some measure of sovereignty, there would remain the probability that the north-west (Karakoram region) would break away, perhaps to join Pakistan.

These major consequences would seem to emerge from the concept of an independent post-British State of Jammu & Kashmir which, at the moment of the Transfer of Power, was still in theory a united polity. In fact, of course, at that moment, and increasingly so in the weeks that followed, the State of Jammu & Kashmir was riven by civil war. In October 1947, days before the alleged formal accession of the Maharaja to India, one faction in the State declared the Maharaja deposed and itself the legitimate power in a sovereign independent Kashmir.

In that this faction was at that time in physical control of a significant portion of the old State (and which was soon to be widely known - in Pakistan at least - as Azad Kashmir) and was clearly on the verge of defeating the remaining Jammu & Kashmir State forces still loyal to the Maharaja, this development certainly could not be ignored in any assessment of both the nature of the State of Jammu & Kashmir at that time and of the status of the Government in Srinagar. Had the Indians not chosen to intervene at that moment with their regular forces the history of Jammu & Kashmir might have turned out very differently. The Azad forces would probably have established themselves not only on the Punjab side of the Pir Panjal Range but also in the Vale and parts (but possibly not all) of Jammu. The Maharaja, or whoever replaced him, would probably have remained in control of much of Jammu and (though there is a definite question mark here) Ladakh. The Shia-Ismaili regions, what today are still known as the Northern Areas (or Territories), would probably have gone their separate way, it may be into an association with Pakistan (as in fact happened in the face of direct Indian intervention).

The fundamental disunity of the old State of Jammu & Kashmir during the second half of 1947, in other words, would probably have resulted, failing both

the accession crisis and direct Indian intervention, in its tripartite division, with much of Jammu and (perhaps) Ladakh remaining with the Maharaja and, one may imagine, eventually ending up in India, with an Azad Kashmiri regime controlling the Sunni Muslim-majority tracts of the Jhelum Valley (including the Vale with Srinagar), perhaps as part of Pakistan or perhaps as another Himalayan State not all that different from Bhutan but looking to Pakistan rather than India, and with the old Gilgit leased areas (the Northern Areas) being absorbed eventually into Pakistan, probably as a special Agency dependent upon the Government of the North-West Frontier Province.

It is interesting that more or less this three-part division of the old State of Jammu & Kashmir was what actually emerged in the event from the first Indo-Pakistani War on 1 January 1949. The major difference, of course, was the fact that the Vale, with the majority of the Sunni Muslim population, remained on the same side as Jammu (and under Indian control). Even here, it may well be, we can detect yet another line of division inherent in the old State's geopolitical structure. The political gulf between the Kashmiri speakers of the Vale and the none Kashmiri-speakers of Jammu and the western side of the Pir Panjal Range was certainly present in the years between 1931 and 1947. Ghulam Abbas, one of the dominant figures in the Muslim Conference as revived in 1941, came from Jammu and could not speak Kashmiri. This was considered to be a fatal weakness for the Muslim Conference in the Vale, where Kashmiri-speaking Sheikh Abdullah's influence was most extensive: it was seriously proposed that Ghulam Abbas should set to and learn Kashmiri (which he does not seem to have done).

When one talks to Kashmiris (in the broadest possible sense) today one is usually told that these structural divisions within the fabric of the old Princely State of Jammu & Kashmir, though once one might have had to attach great weight to them, are now of minor significance. If only they were left alone (by India, by Pakistan or by both, depending upon the political complexion of those concerned), all kinds of Kashmiris would get on one with the other in the best of possible worlds. This proposition seems to the present author to be improbable. In the modern world ethnic and cultural differences are becoming, it would seem, more rather than less important (what one might perhaps call the Bosnian syndrome).

All this being so, it can be argued that over the last fifty years most of what might have resulted as the result of "natural" political evolution in a Jammu & Kashmir without direct Indian intervention has happened anyway, the great difference being that as a result of Indian arms the largest Kashmiri population concentration, in the Vale and its main city Srinagar, has remained under what most of its inhabitants certainly regard, despite anything New Delhi may say about South Asian secularism, as Hindu domination: here the Hindu Dogras



have made way for the Hindu politicians, soldiers and bureaucrats of New Delhi (but see the concluding section of this Chapter on "Internal and External Settlements"). Otherwise, Ladakh and Jammu have escaped from domination by Sunni Muslims in Srinagar. The mainly non-Kashmiri speakers of the west side of the Pir Panjal Range have established their own little realm in Azad Kashmir. The Shias and Ismailis of the old Karakoram mountain states like Nagar, Hunza, Ishkuman and the rest, along with the citizens of Gilgit and the people of Baltistan (once known as "Little Tibet"), live in a world of their own under an administration ultimately directed from Islamabad (despite recent legal challenges to this state of affairs by the Azad Kashmiri regime in Muzaffarabad).

As was already clear to perceptive outside observers (at the United Nations and elsewhere) in 1948, the real Kashmir problem in so far as it involved a dispute over territory and title to it, could be identified as concentrated in the Vale (if we are permitted, for our present purposes, to ignore the extremely complex argument in which the Indians in the 1950s found themselves involved with the Peoples' Republic of China over the Aksai Chin, which in New Delhi was believed to be part of the Ladakh District of the State of Jammu & Kashmir).

It may be, of course, that this is not the real issue at all. The Kashmir question may really be less about the status of a disputed territory than whether India, even after fifty years, is prepared to reconcile itself to the fact that Partition has left it, to repeat J.N. Dixit's expression, with a "flawed inheritance". It may involve a continuing Indian challenge to M.A. Jinnah's "Two Nation Theory" and a determination, if not to reincorporate Pakistan into a united Indian Subcontinent (a proposition fraught with difficulties which India neatly avoided in 1971 with the demolition of a united Pakistan and the creation of a second Subcontinental Islamic state, Bangladesh), at least to destroy it as a potential rival to India. If this is the real Indian objective, then one may logically conclude that, first, India will not settle Kashmir in a way which promises long-term satisfaction to Pakistan, and, second, that it would not really matter if India did, Kashmir merely being a convenient excuse for the exercise of pressure by New Delhi upon Islamabad. Without Kashmir, something else would surely be found to do the job.

It must be admitted that Kashmir performs a service of sorts for Pakistan as well. Over the years it has provided a focus for the new nation's foreign policy and a rallying cry for diverse elements in a far from coherent body politic. The situation in Kashmir, following on from the Punjabi holocaust of the summer of 1947, presented Pakistanis of all political persuasions with a problem which they could not ignore. Their nation was created on the basis of contiguous Muslim-majority areas. Here, in Jammu & Kashmir, was an extensive tract of contiguous Muslim-majority land which by some sleight of hand, never fully

understood by Pakistanis, has been retained by India. Until this tract is "freed" from Hindu dominion, Pakistani public opinion may well never be satisfied for long.

In practice, it should be noted, the "liberation" of Kashmir really means doing something about the Vale. The bulk of the remaining Muslim-majority bits of the old State has in one way or another already been "liberated".

The meaning of "liberation", and the options for its achievements, will be the subject of later sections of this Chapter.

A general point about the "independence" of the State of Jammu & Kashmir. What, exactly, are the geographical limits of the State?

During the British period the borders between the State of Jammu & Kashmir and other British territory were established clearly enough. What was not done, despite considerable efforts on the part of the British from time to time, was to determine all the external borders. On the extreme north-west the old State (in its most optimistically extended form) marched with Afghanistan; and here, in the last decade of the 19th century an Anglo-Afghan border, the so-called Durand Line, was established. Also, in this period, by Anglo-Russian agreement a thin strip of Afghan territory in the Pamirs, the Wakhan tract, was defined so as to provide a narrow buffer between the Russian and British Empires. The title of an immensely popular late 19th century book about Kashmir, with particular reference to the Karakoram region, was *Where Three Empires Meet*, the "three" being Britain, China and Russia. In fact, only two empires actually met here, the British and Chinese, the third, that of the Russians being carefully separated from the British by geopolitical engineering.

One result was that the northern terminus of the Durand Line was less securely established than other stretches of this boundary which, in any case, successive Afghan Governments have never ceased from challenging.

Another result was the creation of a stretch of border with China which was left, at first perhaps deliberately, undefined in case further adjustments might be called for in the light of the evolution of Anglo-Russian relations. In the event, this border between the region which the British leased in 1935 from the Jammu & Kashmir Government (and which today is included in the Northern Areas of Kashmir - effectively under Pakistani administration) and Chinese Sinkiang (Xinjiang) was never defined in the British period. Various lines were drawn on various maps, some embracing much territory to the north of the main Karakoram watershed, others more or less following the line of the watershed. On some maps (and in the last years of the British era most of the more official ones) the border was marked "undefined". There existed, as the British were to discover in the last years of the 19th century, Chinese claims to territory to the south of the main Karakoram watershed, notably in respect to Hunza which the Chinese authorities in Sinkiang had come to look upon as a Chinese tributary

state. At the time of the Transfer of Power the British had yet to clear up with the Chinese these various boundary and territorial ambiguities to their entire satisfaction. As far as international law was concerned, this border remained "undefined".

The same lack of definition of boundary between the British Indian Empire and the Chinese Province of Sinkiang extended eastwards along the frontier between Jammu & Kashmir and Tibet (at times under active Chinese control and at times, until 1951, not). Thus the Tibeto-Kashmiri border in Ladakh from the Kuenlun Mountains (at the Karakoram Pass) southwards across the Indus all the way to the edge of Lahul was also undefined and in places actively disputed.

Within a decade of the Transfer of Power these "undefined" borders began to present the Government of India with grave problems arising in general from the formal incorporation (or reiteration of the fact) into China of Tibet and in particular because the Aksai Chin highlands, to which the Government of India had established a cartographic claim for reasons that are still far from clear, also turned out to be the route of a key Chinese line of communication between Sinkiang and Tibet. Here was the genesis of a Sino-Indian confrontation which was soon enough to spread right along the Himalayan range to Assam and the Burmese border. In 1962 it was to inflict upon India a humiliating military defeat at Chinese hands.

In 1963, after a period of negotiation, Pakistan settled its border (running along the northern edge of the Northern Areas) with China not by war but by treaty. Chinese claims to Hunza were ended once and for all. A border line along the main Karakoram watershed (much as Lord Curzon had in fact advocated in 1905) was agreed on the map and demarcated on the ground. Because this line differed from that indicated on Indian official maps (with no legal authority since the Indian inheritance from the British here had been without doubt an "undefined" border), the Indians promptly accused Pakistan of illegally surrendering Kashmiri territory - 2,000 square miles is the figure often given.

All these events on the Sino-Pakistani and Sino-Indian borders are outside the chronological framework of this book. The latent problems of border definition which they reflected, however, were very much there in 1947 and 1948. Any attempt to produce a geographical description of an independent Jammu & Kashmir (or, even, several discrete portions of that State) for submission to the United Nations would have aroused Chinese comment, almost certainly hostile. In that China was one of the five permanent members of the Security Council with the power of veto, this possibility might have greatly complicated the issue. It is not surprising that some British diplomats at the United Nations in 1948, aware of the lack of definition of former Sino-British borders in South Asia, advocated that every effort be made to avoid too precise geography: in practice,

this meant being wary of an "independence" option which would inevitably raise questions of territorial limits.

The linkage between the Kashmir issue, the Sino-Indian border dispute and the Sino-Pakistani special relationship is a fascinating topic which is well beyond the scope of the present book.

A final point on the independence option. Neither India nor Pakistan officially regard it with the slightest enthusiasm, and for the same reason. If Kashmir, however it is defined in terms of population and area, is permitted to evolve into a fully sovereign polity independent from either of its two big neighbours, India and Pakistan, it will create a precedent which both of them might find highly embarrassing. There are secessionist forces in many parts of India and Pakistan which have so far been contained, sometimes, as in the case of the Sikhs in the Indian Punjab, with the greatest difficulty. Kashmiri independence would only encourage others, or so it has often been argued.

### 3. The Plebiscite

The 1957 Noel-Baker view of the Kashmir problem, which has been touched upon above, would suggest that if indeed the State of Jammu & Kashmir became technically independent on 14-15 August 1947, if only in a negative sense in that it had escaped from the sovereignty of the British and failed to come under the sovereignty of anyone else, then the regularisation of its position within the international community would require something more than the mere expression of the will of the Ruler. The State's population would have in some manner to be consulted. This conclusion, reached by the Security Council of the United Nations as soon as the matter was referred to it in January 1948, led to the proposition that a plebiscite should be held in the State. In theory there were three possible questions which could be asked: do you want to join India; do you want to join Pakistan; do you wish to remain independent? In practice the independence option, though considered (albeit rather obliquely), was either rejected or deliberately ignored by the Security Council.

There were a number of solid reasons why, as we have seen, some of the key members of the Security Council should not favour the idea of the emergence of an independent Jammu & Kashmir. The British and Americans were very suspicious of the political ideology of the Kashmiri leader Sheikh Abdullah, whom they saw as a potential Russian puppet in the rapidly evolving Cold War. There were question marks over the economic and political viability of such a new nation. But above all, though the point was not spelled out in great detail,

the Security Council saw the Kashmir problem as a direct consequence of the process of British decolonisation in South Asia. Had there been no Partition, and British India had emerged intact as independent India, there would have been no problem at all: Jammu & Kashmir would have been incorporated willy nilly into the new India. Given Partition, however, there was a problem, but essentially a limited one arising from a defect in the partitioning process. The Security Council saw as its main task the devising of a formula for settling this particular item in "the India-Pakistan question" (as from the outset it termed the Kashmir issue). It was logical to let the people decide here, as they had been permitted elsewhere in the Subcontinent (in the North-West Frontier Province and Sylhet), which Dominion they wished to join.

Because members of the Security Council, at least in 1948 (the period under consideration in this book), were not provided with an adequate analysis of the complex structure of the State of Jammu & Kashmir and the way in which it was assembled (and, indeed, in the case of the 1935 Gilgit Lease, partially disassembled) they inevitably tended to look upon the State as a single polity. Consequently, their thoughts turned to a form of plebiscite in which the whole State was treated as a unity with its ultimate fate being settled by a simple majority of the entire population. In practice, given the demographics involved, this meant that the vote of the Sunni Muslims of the Vale would, provided they acted in concert (as some suspected they might well do, given the charismatic influence of Sheikh Abdullah), decide the issue.

In fact, and with the benefit of hindsight combined with a great deal more knowledge about the nature of the State of Jammu & Kashmir, its people, politics, religions, languages, economy, and history, than was available to any member of the Security Council in 1948 (with the possible exception of some specialists in the British delegation), it can now be argued that the idea of a unitary plebiscite (treating the entire State as a single constituency presented with a single question) was seriously defective. The point emerged during the course of discussions at Lake Success, Paris and elsewhere in 1948, as we have seen in Chapter X. It was to be made with great clarity by the United Nations envoy to South Asia in 1950, Sir Owen Dixon. The only form of plebiscite that might actually work was one where the constituency was broken up into discrete regions, each given the power to decide its own fate. On this basis some regions such as Buddhist Ladakh and the Hindu-majority parts of Jammu might opt for India, while the Muslim-majority regions, particularly those actually either part of Azad Kashmir or under Pakistani control (in the Northern Areas), could well opt for Pakistan. The big question mark, given the Sheikh Abdullah factor, hung over the Vale.

To both India and Pakistan the idea of the unitary plebiscite presented serious problems. Initially, again with the Sheikh Abdullah factor in mind and the

demographic dominance of the Vale, some Pakistani politicians and officials believed that they might actually lose such a vote. By the time that they were convinced that they would not, the Indian side had seen all too clearly that it seriously risked having to give up not only the Hindu-majority parts of Jammu but also the whole of Ladakh and India's remaining line of contact with Central Asia. One might have supposed that in these circumstances the idea of a number of plebiscites (what came to be known as "regional plebiscites") might be attractive: it would settle the dispute while minimising the Indian risk of territorial loss. However, the "regional plebiscite" plan put one key piece of Indian-held territory at risk, the Vale. It was this above all that was dear to the heart of Jawaharlal Nehru with his Kashmiri Pandit roots, and it was Nehru who at the end of the day decided his country's foreign policy.

The Indian side, with the Vale in mind, rapidly came to see that the ideal solution from their point of view, failing a military dislodgement of Pakistani and Azad Kashmiri forces from all of the State, was a form of partition along the line of the 1949 cease-fire (and its subsequent - relatively minor - modifications) without bothering with plebiscites at all. In lieu of plebiscites, of course, could well be substituted local elections if the international community insisted upon some kind of popular consultation (and such elections, nearly all rigged to some degree, have been held from time to time in the Indian controlled parts of the State, the most recent being in 1996).

The Pakistani side, also with the Vale in mind, soon came to suspect that only by insisting upon a unitary plebiscite exactly as recommended by the Security Council did it have the slightest hope of dislodging India (and what it regarded as Sheikh Abdullah's "Quisling" regime) from Srinagar. Any departure from the most rigid interpretation of the key Security Council resolutions would result in the opening up of a Pandora's box of fresh argument and obstruction. Here was one reason (though there many others, some indeed complex) why Pakistani diplomats have since 1948 incessantly been insisting upon a unitary plebiscite or nothing.

This may well have been a great pity. As Liaquat Ali Khan appears to have begun to suspect in November 1948, and which after Sheikh Abdullah's dismissal in 1953 became clear enough to any reasonably objective observer, a plebiscite confined to the Vale, and with the options for India or Pakistan, would most probably have produced an answer in favour of Pakistan. Briefly in 1953 the Pakistan administration of Mohammed Ali Bogra did explore the "regional plebiscite" plan; and, surprisingly, for a moment in August of that year (when New Delhi had felt itself obliged to remove Sheikh Abdullah from power) it seemed that it had won Nehru's agreement. But in the end Nehru could not bring himself to put at risk the Indian hold over his beloved Vale. The initiative stalled (which India justified mainly on the grounds of evidence that

Pakistan was in the process of aligning with the United States). Pakistani officials and politicians returned to the dogma of the unitary plebiscite.

In the process Pakistan managed to alter some crucial features of the old State of Jammu & Kashmir as it stood at the moment of the Indian intervention on 27 October 1947. Azad Kashmir, which at this time had become the nucleus for a rival regime to that in Srinagar (it formally declared itself sovereign on 24 October 1947), has never been accorded the status which, it can be argued, it merits: to do so might in fact reduce the area of Kashmir in which the plebiscite would be held and exclude from it the Azad Kashmiri vote (generally assumed to be pro-Pakistan). Parts of the Northern Areas, such as the States of Hunza, Nagar and Yasin, have come to be included within the limits of that Jammu & Kashmir where a plebiscite is to be held, again no doubt for electoral reasons: yet these States were not really part of Jammu & Kashmir at all, at least in British constitutional thinking, and in late 1947, and again in March 1948, they formally acceded to Pakistan (which equally formally accepted their accession). We have here the strange phenomenon of Pakistan actually *adding* of its own volition territory to the area of the Kashmir dispute. Fortunately this took place outside the period covered by this book: we will not comment on it further.

There are many faults with the concept of a unitary plebiscite, some of them touched upon in earlier Chapters. Today, however, there is one fault which is greater than all the others. Given the essentially consultative nature of a Chapter Six reference to the United Nations and the consequently advisory force of any Security Council Resolution arising therefrom, it is unlikely in the extreme, to put it mildly, that any unitary plebiscite can now ever be implemented in the State of Jammu & Kashmir. In this rather restricted sense the United Nations resolutions of 1948 plus the UNCIP resolution of January 1949 are indeed obsolete.

In another sense, of course, they are far from dead, a point to which we will return later.

#### 4. Partition

It must be emphasised that in the eyes of Pakistani politicians and diplomats in 1948 the Kashmir plebiscite was related more to the issue of the Partition of the British Indian Empire than to the right of self-determination of the population of the old State of Jammu & Kashmir. It was assumed, at least once the Sheikh Abdullah factor was discounted, that the voters in a contiguous Muslim-majority territory would opt for Pakistan. The non-Muslim minority in the State, albeit a majority in Ladakh and much of Jammu, just as such minorities

elsewhere in the Punjab and Bengal, would have to make the best of the situation. In these circumstances they saw no virtue in a partitioning of the State which would inevitably deprive them of a great deal of land which would otherwise fall to them.

By the time of the cease-fire in January 1949 it must have become obvious to impartial observers that neither Azad Kashmir nor Pakistan was likely by military means to expel the Indians from Ladakh and Hindu-majority Jammu or, for that matter, the Vale and Srinagar. Neither was it very likely, however, that the Indians, whatever some of their more enthusiastic generals might argue, were going to capture either Azad Kashmir or the Northern Areas. Thus the cease-fire line of January 1949, formally defined in the Karachi Agreement of 27 July 1949, had acquired many of the properties of a line of partition which extended the Radcliffe border of 1947 northwards from the Punjab into the heart of the Karakoram mountains.

Even advocates of plebiscites found it difficult to avoid this conclusion. While officially Pakistan continued to demand the full implementation of the United Nations proposals for a unitary plebiscite, already by November 1948, as we have seen, no less a figure than Liaquat Ali Khan, Pakistan's Prime Minister, appears to have concluded that a partial plebiscite confined to the Vale would probably do. It was the best that could be hoped for and it would solve the major Muslim-majority contiguity problem. This idea continued to surface in the years that followed. As has been noted, Philip Noel-Baker believed in 1957 (perhaps rather optimistically) that Nehru would agree to it. While expressed in terms of a plebiscitary choice, a reference to the will of the people, this restricted plebiscite also involved a scheme of partition in that it acknowledged that, *except* in the Vale, the cease-fire line would become the international border, and the possible variations in alignment of the border in the Vale, subject to the outcome of a limited plebiscite, would apply only to a fairly small area. There would be no question of Pakistan acquiring Ladakh or much of Jammu, and no question of Pakistan losing control of the Northern Areas. Whatever its ultimate political shape, Azad Kashmir would remain outside the Indian sphere. In other words, the old State of Jammu & Kashmir would have been partitioned following the same communal criteria as adopted in 1947 for the Punjab, and very much as it would, indeed, have been partitioned in 1947 had it been treated as if it were part of British India rather than subject to the metaphysics of a lapsed Paramountcy.

Such a partition became the favoured solution of many knowledgeable observers of the Kashmir problem from October 1947 onwards. There were two variants, one which left the Vale in Indian hands, in other words took the cease-fire line more or less as it stood as the basis for the partition border, and one based upon the argument that the people of the Vale deserved to be allowed



some choice in their ultimate fate. By February 1948 Mountbatten had become convinced that partition by direct, bilateral, Indo-Pakistani negotiation, was the best solution, what he called "settlement out of court", and his opinion was certainly shared by many Indian diplomats and statesmen. Some Indians would have been ready, particularly in the early days, 1948 to 1953, to have accepted the variant with a reference of some kind to the opinion of the people of the Vale. Others, notably Jawaharlal Nehru, were not prepared to relinquish India's hold on Srinagar and its hinterland. One can, however, assert with some degree of assurance that when it came to the point of realistic, as opposed to symbolic, discussions with Pakistan at any point from 1948 to the present, India has been prepared as its bottom line to offer the acceptance of the cease-fire line (or, as it was called after the 1972 Simla Agreement, the Line of Control or Line of Actual Control) as a permanent settlement of the Kashmir dispute. The Simla Agreement implied this clearly enough. The same point was put to the Pakistan Foreign Secretary, Shaharyar Khan, by the Indian Foreign Secretary, J.N. Dixit, in early 1994. The proposal probably still lies on the table waiting for some Pakistani diplomat or politician to pick it up (as some believe that Z.A. Bhutto did briefly, and with great reluctance, in 1972). It was raised again in May 1997 by Dr. Farooq Abdullah, head of the administration on the Indian side of the Line of Control in Kashmir which emerged from the elections to a Jammu & Kashmir State (Indian-held side only) Legislative Assembly in September 1996, as one possible solution to the Kashmir problem.

The official Indian approach to this form of partition, which in 1948 might just possibly have included some kind of plebiscite in the Vale, today excludes any variation which could result in the transfer of any part of the Vale from Indian control to that of Pakistan.

It is possible that the present (non-Congress) rulers of India do not have the same obsession with Kashmir as did the Nehru Dynasty with its Kashmiri Pandit origins. None the less, it is extremely unlikely that any "secular" Indian leader is prepared to advocate an extension of Partition on the basis of the communal "Two Nation Theory" of 1947. Ironically, despite what they have said in public about Muslims in India, it is just conceivable that an Indian Hindu fundamentalist politician, a BJP leader for example, might agree to something along these lines on the argument that the declaration of India as a Hindu state does, indeed, open up the possibility of the recognition of Pakistan as a non-Hindu state (as an alternative to an attempt to undo the 1947 Partition and bring back over 125,000,000 Muslims into the Hindu fold).

It is possible that Pakistan might today be induced to accept a settlement based on a limited plebiscite confined to the Vale. It is impossible, given the state of public opinion, that any Pakistani leader could put his or her signature to an agreement which left India in permanent and uncontested sole control of the

Vale (and what would be a contiguous 94% Muslim-majority district, even without the Northern Areas and Azad Kashmir). Rather than face this prospect, Pakistan has no problem with sticking to the simple demand for a full implementation of the United Nations recommendation of a unitary plebiscite.

While for the Indians expediency dictates that partition along the existing cease-fire line (or Line of Control) may well represent the most convenient practicable solution to the Kashmir problem, it does also involve the Indian side in a logical inconsistency which may make this option rather less attractive than it otherwise might be.

If indeed the accession of the State of Jammu & Kashmir on, as is alleged, 26 October 1947, is perfectly valid and legal, then the whole State of Jammu & Kashmir is Indian sovereign territory. To propose a scheme of partition of that State, which is what the offer to Pakistan of the cease-fire line as a permanent border amounts to, is to propose the abandonment of a significant tract of Indian sovereign territory, namely all that part of the old State of Jammu & Kashmir on the Pakistani side of the cease-fire line. Such a territorial loss might be politically explicable in circumstances of military defeat; but India, while it has never actually won outright in any of the wars with Pakistani over Jammu & Kashmir, certainly has not in any instance lost.

Another interpretation of such an act would be that, in fact, the old State of Jammu & Kashmir never did become Indian sovereign territory: part of it was brought by force of circumstances under Indian occupation just as another part was occupied either by Pakistan or by its Azad Kashmiri ally. The whole area, however, remains disputed. Acknowledged partition between the two main parties to the argument, India and Pakistan, settles the dispute. Pakistan (and Azad Kashmir, which the Indians refuse to see as significantly distinct from Pakistan - indeed they call it POK, Pakistan-occupied Kashmir) will now be sovereign on the Pakistani side: India will be sovereign on the Indian side. This line of argument, given the heavy Indian investment over the years in the theory of Indian sovereignty throughout the territory of the old State by virtue of accession and other more complex reasons, is not particularly attractive in New Delhi. Consequently, the Indian side has tended to approach any scheme for partition, implicit or explicit, with considerable caution. To put this point in its simplest form: if its rightly yours, and you give it away, you have some questions to answer to your family (especially your heirs).

The sovereignty argument, for both India and Pakistan, is in practice, of course, rather more complicated than this.

Pakistan, for example, cannot at the bar of international opinion claim actual sovereignty over the entire State of Jammu & Kashmir until there has been a response in its favour as a result of a plebiscite, perforce unitary. Therefore, to accept the Indian partition proposals, ignoring all other considerations, would

involve Pakistan either in acquiring sovereignty over its portion for itself and for Azad Kashmir *without* a plebiscite, or in the obligation to make its acceptance subject to what would now be, so to say, a partitioned plebiscite, which would certainly raise a host of problems practical and theoretical.

The Indo-Pakistani cease-fire line in Jammu & Kashmir is not the only such alignment which the Indians have to confront in that State: there is also the cease-fire line between India and China in Ladakh. In any final solution of the Indo-Pakistani dispute the policy-makers in New Delhi will have to keep the Sino-Indian problem in mind. The implications of this proposition call for a monographic study in their own right: the present book is not such a study.

One significant (even if unwelcome) influence on the expression of Indian sovereignty in Jammu & Kashmir derives from the United Nations. This is the subject of the next section of this Chapter.

### 5. What of the United Nations?

The key United Nations Security Council resolutions which relate to the Kashmir problem, what in UN language used at one time to be called "the India-Pakistan question", are now almost half a century old. They have never been implemented. It is extremely unlikely that they ever will. In any case, as we have already seen, under Chapter Six of the United Nations Charter they are advisory rather than mandatory. If they cannot be implemented through Indo-Pakistani cooperation, no one else is going to enforce them. It is not surprising that in recent years a number of foreign observers have declared that these resolutions are now obsolete. Better, they have said, to forget about them and proceed on the basis of bilateral Indo-Pakistani negotiations such as were indicated in the 1972 Simla Agreement.

In some respects those who argue thus are quite right. Non-mandatory Chapter Six Security Council resolutions do, if unimplemented, tend to lose force after half a century. The Kashmir resolutions are by no means unique in this respect. Perhaps the international community is no longer obliged to consider as holy writ the United Nations call for a plebiscite (presumed to be unitary) in the old State of Jammu & Kashmir. But the United Nations Security Council in 1948 did something more than pass resolutions for plebiscites.

It expressed in the clearest possible terms that there was indeed a genuine dispute between India and Pakistan (the "India-Pakistan question") over the future of the State of Jammu & Kashmir. The State, as matters stood, belonged to neither successor to the British Indian Empire. Its future required to be decided. While it may well be that a unitary plebiscite has turned out not to be

the perfect solution to this dispute, it remains a fact that in the opinion of the international community, and without challenge by either India or Pakistan, a dispute existed and, one supposes, at the end of the day still exists. The old State of Jammu & Kashmir is a *disputed territory*. It was so in 1947 and 1948: it still is in 1997.

India undoubtedly accepted this disputed status, even though arguing that right lay entirely on its side, when it sought Chapter Six United Nations mediation in 1948. In its subsequent treatment of those parts of the State under its control it has been careful, at least in respect of the Vale, to be circumspect about implementing what would appear to be unilateral solutions to the dispute without some regard (even if at times token) to what the United Nations Security Council had said. Thus the State was given a special status under Article 370 of the 1950 Indian Constitution, and this status (which preserved a degree of ambiguity as to the extent of Indian sovereignty) was carried forward into the revised Constitution of 1956. While severely diminished in practice and law over the years, the essential implication of Article 370, that the State of Jammu & Kashmir is not quite like other States in the Indian Union, has survived to this day. This is a precious legacy which should be cherished.

The first step in any meaningful Indo-Pakistani dialogue directed towards a lasting settlement of the Kashmir question will have to be a reiteration that both sides agree that a genuine dispute exists. Only then, and in the absence of assertions of absolute right by either side, can some kind of compromise be worked out, what Mountbatten described in February 1948 as a "settlement out of court".

On a number of occasions (though under very different circumstances) the two major parties have got very near to such an admission, that the dispute was genuine and that there was merit in the arguments of both parties. In 1953, with India in considerable difficulties in the Vale as a result of its perceived need to remove from office the charismatic Sheikh Abdullah, a scheme of what amounted to partition combined with a restricted plebiscite in the Vale was nearly agreed by the Indian and Pakistani leadership. Both sides in effect had for the moment abandoned their claims to the entire State and decided to deal with it on the basis of one of the realities of politics in the Subcontinent since 1947, that contiguous Muslim-majority tracts adjacent to Pakistan probably ought to fall into the Pakistani sphere of influence. In 1972 in the Simla Agreement, following a catastrophic Pakistani defeat, the victorious Indian side was yet prepared to leave Pakistan in permanent control of, or with permanent influence over, those Muslim-majority areas which lay on its side of the cease-fire line (the Line of Control). By so doing there was implicit a tacit Indian acceptance of the presence of some legitimacy at least in the Pakistani claim to portions of the old State of Jammu & Kashmir as part and parcel of the 1947

Partition process: the Indian retention of the Vale could be interpreted as representing the price demanded by the victors of the vanquished for a peace settlement (rather like the German acquisition of Alsace-Lorraine in 1871), understandable though in the long term undoubtedly counter-productive.

Today, the following are among those factors which militate against any revival of an effective United Nations presence in the Kashmir dispute.

First: an increasing Indian forgetfulness about what the original reference to the Security Council in 1948 was. What started as a Chapter Six reference is now widely interpreted as a formal Indian complaint against Pakistani "aggression" which the international community for its own selfish reasons has decided to ignore. This is the impression conveyed of late by a number of distinguished Indian diplomatists. India was misled by Mountbatten (or whoever) into going to the United Nations. It ought to have fought harder on the ground in Jammu & Kashmir itself for what was really its own rightful property, and had it done so, then Pakistan would have been shown its proper place in the order of things, expelled from all of the State of Jammu & Kashmir, and there would have been no further dispute. While still not entirely embedded in constitutional concrete, this view is widely held in India; and it certainly is an obstacle to any effective external mediation.

Second: in Pakistan the Kashmir issue has become increasingly intertwined with the general pattern of Pakistani policy both internal and external, ranging from Islamic fundamentalism to Afghan turbulence, to a degree which makes rational analysis very difficult, if not intellectually then as a matter of practical politics.

Third, and perhaps most importantly: since 1948 a powerful third element has entered into the Kashmiri equation, that of internal Kashmiri opinion which no longer is of necessity prepared to consider but two options, India or Pakistan.

The United Nations (and UNCIP) resolutions of 1948 and January 1949 did not take internal Kashmiri opinion fully into account. While providing for a reference to the Kashmiri people in the form of a unitary plebiscite, they failed to consider either the kind of questions that various sections of the State's population might like to be asked or the kind of answers they might wish to give. It is arguable that in 1948 this was a reasonable enough approach. It has certainly ceased to be so.

The increase in political awareness within the territories that once formed the old State of Jammu & Kashmir, and the way in which this could give rise to armed violence of one kind or another, has been a feature of fairly recent origin in the dispute. It has enormously complicated it in that there has not emerged a single Kashmiri voice but rather several distinct voices favouring all three major categories of solution, for Pakistan, for India and for unitary in-

dependence, as well, of course, as a multitude of regional voices which favour none of these.

A fresh United Nations initiative, if it were to be at all effective, could not just start from where it left off in the late 1950s (when the repeated exercise of the Soviet veto on behalf of India rendered the Security Council impotent in all Kashmiri matters): it would have to take into account the complexities of political evolution in the region since at least the late 1980s.

Such an initiative, from the United Nations or anyone else, would also have to consider a significant number of powerful vested interests which have emerged in various parts of the old State of Jammu & Kashmir (at its greatest theoretical extent) since the crisis of 1947. Azad Kashmir, only referred to obliquely in the United Nations resolutions and generally considered as if it were merely a part of Pakistan, has developed into a polity in its own right of some importance: Pakistan may be able to exercise great influence over Azad Kashmir, but it does not *own* it (even if it may provide it with much of its finance). The Northern Areas, particularly since the construction of the Karakoram Highway linking Pakistan with China and the recent expansion of both tourism and trade between Pakistan and Central Asia, have developed a sophisticated economic life of their own depending upon a special relationship with the rest of Pakistan. On the Indian side Ladakh has also acquired an increasingly independent polity and economy: it has also become a crucial element in Indian defence policy in that it marks one of the major fronts in Sino-Indian military confrontation (at present somewhat muted - but there are no guarantees that it will not flare up again).

In those Indian-held parts of Jammu there has evolved since 1947 a close political link with certain Indian political parties representing what might be called Hindu "fundamentalism". A significant alteration in the nexus between Jammu (particularly if it involved territorial transfer to Pakistan) and the rest of India would have profound repercussions on Indian domestic politics.

## 6. Is a Settlement Possible?

[It might be argued that this section should come right at the end of the book. However, given the fact that politics in both India and Pakistan are currently (February-August 1997) in a state of flux, I have permitted myself the personal indulgence of putting my own ideas first and then presenting the views of others either as they emerge or come to my notice: there are obvious practical advantages to this approach.]

Can a solution ever be found for a territorial dispute between two great

sovereign nations which has continued unabated, though with varying degrees of virulence, for over half a century? Does, in other words, the Kashmir dispute fall into that category of question for which there simply is no answer? History abounds with examples of arguments which have managed to disturb the peace for centuries, perhaps millennia: can it be that Kashmir is another instance of such a phenomenon?

It is my conviction that solutions do indeed exist, but only if certain conditions are met by the parties involved; and, before exploring possible solutions it would be as well to specify just what those conditions are.

The first condition, of course, is that the leaders of *both* India and Pakistan truly wish to find an answer, and simultaneously. To date, while there has been much talk of genuine bilateral negotiations following the successful application of "confidence building measures", yet the sad truth is that this element of simultaneity has hitherto (or at least up to the end of 1996) either been entirely lacking or has been of extremely short duration. It was, so to say, hovering about in 1948 but never it actually settled down long enough to be of use. It was there for a moment in 1953. It may have been there (but, on the other hand, it may not) in late 1962 and early 1963 following India's catastrophic military drubbing by the Chinese. In early 1997 we can detect traces of a revival, but this may be just another ephemeral phenomenon: we will consider this again in the eighth section of this Chapter.

Even a superficial study of some recent books like J.N. Dixit's memoirs (*Anatomy of a Flawed Inheritance*), to which reference has already been made, or the analysis of the Kashmir issue by a British scholar of rising reputation, Vernon Hewitt (*Reclaiming the Past? The Search for Political and Cultural Unity in Contemporary Jammu and Kashmir*, London 1995), which I take to be in a significant degree representative of a certain Indian point of view, rather suggest that some strategists on the Indian side would prefer to soldier on in Jammu & Kashmir as they now are doing rather than consider meaningful compromises which might meet the basic Pakistani requirements, let alone those of the multifarious indigenous Kashmiri political factions (all of whom may be quite incapable of simultaneous satisfaction).

The Pakistani side, while lacking the arrogant assertion of absolute right, historical, political and moral, so much a feature of the position of Indians of many shades of opinion, yet has adhered to a number of propositions which are certainly not helpful in the quest for a settlement. The demand for a unitary plebiscite, which Pakistani diplomatists continue to proclaim unmodified, is hardly conducive to compromise. Likewise, Pakistani reluctance, shared for various reasons by many of the internal Kashmiri political factions, at least in public, to consider the idea of a solution through partition (which has at least been latent in some Indian thinking since Mountbatten's "out of court"

settlement proposals of February 1948, and was definitely part of the Indian interpretation of the spirit of the 1972 Simla Agreement) has again closed a number of avenues towards settlement (even if only partial) which might have at least aroused a measure of international enthusiasm (notable lacking today for the concept of the unitary plebiscite).

In that the Kashmir dispute is, so we have argued in earlier Chapters, very much the product of an incomplete Partition in 1947, it seems reasonable that, as a prerequisite to a solution, the Indian side must accept the validity of that Partition. Many Pakistanis suspect, and not without good reason, that some Indian makers of policy see Pakistan, the product of the 1947 Partition, as the major obstacle in the path of an uncontested Indian hegemony over all the Subcontinent, what had been the former British Indian Empire (and, indeed, possibly more). In 1971 the Indians broke up the old Pakistan, splitting off a Bangladesh to become a zone of negligible geopolitical import. Now, so the suspicion goes, the aim is to emasculate the remaining Pakistan in the West, and the Kashmir dispute has a part to play in this. It may be that there is an element of paranoia here. The fact, however, is that the statements of many Indian leaders do indicate that New Delhi anticipates the eventual demise of what is left of the old Pakistan, certainly will not strive officiously to keep it alive, and may even give a helping hand to those who are trying to destroy it. It is possible that if Pakistanis, both leaders and members of the general public, were persuaded that New Delhi had come to accept Partition as a fact of life in the Subcontinent neither to be questioned nor challenged, they would be far more willing to contemplate compromises, possibly quite radical, with India over Kashmir. At present Pakistan is really organised with a military substrate in place to protect the nation in the event of an anticipated Indian attack designed to reverse Partition and destroy the fruit of M.A. Jinnah's "Two Nation Theory". This military component sees its prime function to fend off threats to the nation's security, in which category is clearly included any significant alteration in Pakistan's public stance over Kashmir.

In fact, some changes in Pakistan's present formal posture over Kashmir would create no security risks whatever (indeed they might eliminate very real dangers), and they might, in time, impress at least the more moderate of Indian policy makers that Pakistan really did want to settle the whole business once and for all.

An obvious change in this respect would be the dropping of Pakistan's claim to the clearly non-Muslim parts of the old State of Jammu & Kashmir, notably Ladakh (but we have a problem here with the Muslim majority in and around Kargil) and certain sections of Jammu. These are regions securely held by the Indians - Ladakh, what with the confrontation with China in the Aksai Chin, must be one of the world's most strongly defended tracts - and they are



extremely unlikely to come to Pakistan under any circumstances capable of rational anticipation. The Pakistani claim to Ladakh is not based upon the concept of contiguous Muslim-majority areas since, even with the Kargil District included, Ladakh is still a Buddhist-majority area. The same applies to the Pakistani claim to all of Jammu: the Jammu today under Indian control constitutes a tract with a Hindu majority of more than 65% contiguous with the Indian part of the Punjab, and it is unlikely that Pakistan will ever obtain control here.

Thus the claims to Ladakh and Jammu, in my own opinion at least, are not based on any rational anticipation of a possible outcome. They derive from two considerations.

First: there is a profound reluctance on the part of Pakistani diplomats to be seen to agree to the diminution in any way of the force of the United Nations Resolutions which they interpret to refer to a unitary plebiscite for the whole State. They fear that if they did, the Resolutions themselves might, like the Cheshire cat, simply vanish.

Second: there remains a fascination with the implications of the consequences for the old State of Jammu & Kashmir both of the lapse of Paramountcy in 1947 and of the view that accession to India at that time was illegal (as indeed it was, but for reasons which have only recently come to light). The State was a single polity, therefore it still is: since the State's accession to India was invalid, then the entire State must now by rights belong to Pakistan. If the justification for India to be in any part of the State is admitted, then by implication the Indian claim to be the rightful owner of the entire State is reinforced.

Neither of these arguments is in my opinion particularly strong. There are many qualifications to the force of the United Nations Resolutions. There is a certain absurdity in hanging on to a concept of the Princely State in the context of Jammu & Kashmir which has elsewhere been entirely abandoned both in India and Pakistan. The era of the Princely States ended many years ago. It would be far better to forget about Princely States as such, beyond the fact that in the case of Jammu & Kashmir their presence in the past has created an area of persistent uncertainty, and proceed on the basis of the argument that this was territory which ought in 1947 to have been subjected to the process of Partition, but for various reasons was not. Partition, employing the 1947 criteria, ought now to be extended to this tract: once completed, as far as Pakistan is concerned, the dispute would (or should) be ended.

The adherence to the concept of a unitary Jammu & Kashmir has had a number of unfavourable results for Pakistan. It has put Pakistan in the position, as we have just noted, of laying claim to territory (Ladakh and parts of Jammu) which cannot be justified by the basic criteria upon which Pakistan was established (contiguous Muslim-majority areas). This may not unduly worry Pakistanis, but it certainly strikes many sympathisers with the Pakistani case as

both illogical and unjustified.

It has also, in a peculiar way, involved Pakistan in territorial surrender (albeit, in the present circumstances, highly theoretical). Some of the States of in the Northern Areas, Hunza, Nagar, Yasin and others, were not regarded by the British in the last years of their time in India as being part of the old Princely State of Jammu & Kashmir. In 1947-48 these Northern Area States acceded formally to Pakistan, and their accessions, certainly in the case of Hunza and Nagar at least, were formally accepted. By the rules of the Transfer of Power there can be no reasonable doubt that these Northern Area States are part of the sovereign territory of Pakistan. Yet there has been a tendency, never formally denied and of late increasingly followed, to treat these States, at least in the diplomatic context of the Kashmir argument, as part of the disputed territory. This has not only put the Pakistani position in these Karakoram tracts, vital as a link with Central Asia, at some risk (albeit at present extremely slight) but has actually enlarged the legitimate territorial extent of the dispute with India, and thereby added needlessly to its complexity.

Assuming, then, that the Indians genuinely accept the fact that the 1947 Partition of the old British Indian Empire was both legitimate and incomplete, and that, in the interests of Subcontinental peace, the process should be brought to completion. Assuming, further, that Pakistan is prepared to see the territory of the old State of Jammu & Kashmir divided up in some manner on the basis of the 1947 Partition criteria, and is prepared to drop its demand for a unitary plebiscite. What sort of settlement would now be possible? There are, in fact, a number of possibilities depending both on the extent to which India and Pakistan want to, and can, come to terms, and the importance placed upon the wishes of the various indigenous internal political factions within the boundaries of the old State of Jammu & Kashmir.

What follows here is my own analysis which is not always shared by other students of this intractable problem. Proposals emanating from elsewhere (mainly from the Indian portions of the Subcontinent) will be considered in the eighth section of this Chapter.

A first step, which could emerge in theory from Indo-Pakistani bilateral discussions, would be to establish those areas where no dispute actually exists. Pakistan could drop all claims to Ladakh (except, perhaps, Kargil town and its immediate neighbourhood) and the obviously Hindu-majority parts of Jammu. India could accept the Pakistani position in the Northern Areas (perhaps, in the process, also accepting that some tracts here were never part of the original dispute). This would reduce the dispute in territorial terms to Azad Kashmir and the Vale, plus, perhaps, some bits of Jammu and Kargil. (It might also, as will be considered again below, be so constructed as to bring about an end to the strange Indo-Pakistani war which has been waged in the desolate heights of the

Siachen Glacier for more than a decade now.)

Had the concept of regional plebiscites, as it emerged from discussions behind the scenes during the course of the United Nations reference in 1948, and as it was formally expressed two years later by the United Nations Representative Sir Owen Dixon, ever been implemented, these two tracts would have been the key. It might well have been that neither in the Buddhist-majority parts of Ladakh and the Hindu-majority parts of Jammu on the one hand, nor in the Northern Areas on the other, regional plebiscites would have in practice been necessary. Title to them would have been distributed, as it were, to India and Pakistan on a communal basis. There would certainly have been a plebiscite in the Vale. What would have happened in Azad Kashmir was not clear. In some schemes most of it would have been assigned to Pakistan, possibly by a separate plebiscite. There would seem to have been no suggestion that for purposes of a regional plebiscite Azad Kashmir should be combined with the Vale.

Given our two major requirements, that India really wants to settle in a spirit of recognition of Pakistan's absolute right to coexist in the Subcontinent, and that Pakistan is prepared to abandon all claims to a unitary plebiscite and to contemplate a division of the disputed territory with India following mutually agreed criteria, then the general shape of a possible settlement is not too difficult to outline.

Of course, any settlement, in order to be politically acceptable to both the Indian and Pakistani constituencies, would have to comply with certain conditions. It could not involve the direct transfer of sovereign territory from one side to the other (and, therefore, could only be considered on the assumption that India accepts the premise of the State being disputed territory with sovereignty yet to be decided). It would be difficult for either side, further, to contemplate the *direct* transfer to the other of territory currently under its effective military control. It should be accepted that at the end of the day India would not be actively ruling any Muslim-majority tracts contiguous with Pakistan and Pakistan would not be holding any land with populations whose majority was not Muslim. The concept of a reference of some kind to the will of the people, albeit consulted regionally rather than through some unitary electoral process, should on no account be abandoned. These are indeed constricting conditions; and they virtually dictate the possible outcome.

An obvious first step might be a series of regional plebiscites held in those areas under direct Indian or Pakistani control other than Azad Kashmir and the Vale. Pakistan could hold such plebiscites in the Northern Areas (or such parts of the Northern Areas that in fact were once within the borders of the old State of Jammu & Kashmir). India could hold such plebiscites in those parts of Jammu which it controls and in Ladakh.

(Note: Ladakh presents a special problem. It has an overall Buddhist majority

but, today, in the Kargil area there is an increasingly overwhelming Muslim majority. Taken as a whole, Ladakh would go the way of the Buddhist vote. If separated from the rest of Ladakh, Kargil would probably follow its Muslim-majority neighbours. Kargil, however, dominates the road from Srinagar to Leh over the Zoji La which the Indians deem extremely important for their military posture *vis à vis* the Chinese in the Aksai Chin. In practice it might be necessary to treat Ladakh as including Kargil and, in the quest for a settlement, ignoring the possible wishes of the Kargil Muslims.)

The question in each case, in the Northern Areas, in Jammu and in Ladakh (however defined), would be limited to the old United Nations choice of joining (or remaining in) India or Pakistan. Given a measure of competence on the part of the Indian and Pakistani authorities, and provided that neither tried to subvert the electoral process on the other side of the cease-fire line (Line of Control), one can reasonably suppose that the outcome would be a territorial distribution which did not depart significantly from the present situation. One result would be that considerable lengths of the cease-fire line (Line of Control) would become the international Indo-Pakistani border by a process which, it could well be argued, had preserved intact the essential consultative element of the United Nations resolutions. In the interest of good will it might be advisable in this process to make no reference to the Simla Agreement of 1972 (with its echoes of Pakistani military humiliation), though the border arrived at would to all intents and purposes coincide with the 1972 line for the regions concerned.

The cease-fire line, of course, would have to be extended to the Chinese border in order to terminate the dispute in the Siachen Glacier, the scene for more than a decade now of spasmodically vicious armed confrontation between Indian and Pakistani regular forces. The problem here, given our hypothetical spirit of Indo-Pakistani good-will, would not be so much where the line ran between India and Pakistan as where its northern terminus would be, given that this involved a border between the old State of Jammu & Kashmir and China about which India and Pakistan have rather different ideas. We would probably have to stipulate that India accept, here, the boundary line as set out in the 1963 Sino-Pakistani Agreement (which India now claims involves the cession by Pakistan to China of over 2,000 square miles but which, in reality, represents just about what the British Viceroy Lord Curzon would have agreed to in 1905 if the British had ever managed to secure a boundary agreement for this region, the Northern Frontier, with the Government in Peking - which they never did).

It might even be possible in this process to arrange minor modifications of the alignment of the cease-fire line so as to eliminate the geopolitical absurdities of arbitrary salients and crossings to and fro of rivers and the like. The result could be a much easier border to administer and, in consequence, a far more stable one.

At this stage the Kashmir dispute would have been reduced enormously in area; but the really tricky problems of the future of the Vale and Azad Kashmir would still be left unsolved.

The essence of Pakistan's objection to the present situation in the Vale is two-fold. First: this Muslim-majority tract contiguous to Pakistan is under non-Muslim rule. Second: that rule is extremely oppressive, is resented by the population and is maintained today by the ruthless application of armed force.

The essence of India's objection to Azad Kashmir is that it represents territory that Pakistan seized from the old State of Jammu & Kashmir by an act of "aggression" in 1947 and has held on to ever since, hiding behind the charade that Azad Kashmir is a polity distinct from Pakistan. In our hypothetical situation of Indo-Pakistani good-will all talk of "aggression" would be out of place. Yet there does indeed remain an Azad Kashmiri problem, though nothing on the scale of the problem of the Vale. It is true that Azad Kashmir is very much under Pakistani influence. Yet at the same time Azad Kashmir does exist as an entity quite distinct from the four Provinces of metropolitan Pakistan. Moreover, there is nothing remotely resembling an armed insurgency against Pakistan in Azad Kashmir such as exists against India in the Vale.

There are obvious parallels between Azad Kashmir and the Vale. Azad Kashmir has in place a distinctive and sophisticated political process, subject indeed to considerable Pakistani interference but Azad Kashmiri for all that. The Vale also, at least in the days of Sheikh Abdullah, was the centre of its own politics, insulated to some degree from those of the rest of India by the operation (even though under continued attack) of Article 370 of the original Indian Constitution; ever since the collapse of the regime which Sheikh Abdullah built there have been those in power in New Delhi who have sought to replace it by something essentially similar (as, indeed, may be the thinking behind the 1996 Kashmir elections which brought about the return of Dr. Farooq Abdullah: see the eighth section of this Chapter). Given yet again our hypothetical spirit of good-will it might not be beyond the bounds of possibility for both India and Pakistan to agree that these two entities, the Vale and Azad Kashmir, constitute special cases, territory which was never properly incorporated into either of the successors to the British Indian Empire and which, consequently, now requires some final disposition.

The settlement which seems to me most likely to function could be something along the following lines. Both Azad Kashmir and the Vale might be declared autonomous regions, each with its internal self-government but with defence and external relations in the hands of Pakistan in the case of Azad Kashmir and India in the case of the Vale. The degree of external military presence in both could be carefully defined by a joint Indo-Pakistani agreement, which would also guarantee the autonomy of two regions (and here, of course,

lies one of the major stumbling blocks, the Indian claim to the defence need for access to the Aksai Chin front with China: I see no easy answer other than an exceptional measure of Pakistani diplomatic sympathy). This Indo-Pakistani agreement might be supplemented by an Azad Kashmir-Vale of Kashmir agreement defining a special relationship between the two autonomous regions. In one or other, or perhaps both, of these agreements such matters as right of entry and exit (from and to India and Pakistan), citizenship, foreign trade, economic development and the like could be laid down. Local elections in the two autonomous regions could, first, ratify the arrangement and, second, provide an outlet for the frequently expressed wish of Kashmiris for free and unfettered self-government, at least in domestic matters.

There is, of course, a well established precedent for an arrangement rather like this in the shape of Andorra, on the border between France and Spain, under a measure of both French and Spanish influence and protection, yet internally autonomous. Andorra lacks the added complication of the duality inevitable in the Kashmiri situation with some fifty years of separate evolution in Azad Kashmir and the Vale (not to mention significant cultural and linguistic differences between the two), but there is no fundamental reason why this should invalidate the Andorran analogy.

The major advantage of this "Andorran" solution is that it would be constructed out of elements already in place. No territory under Indian control would be transferred to Pakistan and no territory under Pakistani control would be transferred to India. The existing cease-fire line (Line of Control) would become the accepted border, either between India and Pakistan or between Azad Kashmir and the Vale. In the greater part of the old State of Jammu & Kashmir the *status quo* would be accepted. Geopolitical engineering would be confined to the Azad Kashmir-Vale of Kashmir problem and would be to a great measure restricted to redefining what already exists.

Such a version of the "Andorran" solution has been potential since 1948 in what the United Nations called the "India-Pakistan question". It failed to become practicable at that time because of the unhappy state of the relations between the two successor Dominions to the British Indian Empire. It is quite likely that, those relations having failed to improve, it stands no greater chance of success today. Also today there is present what, if not totally absent was only latent and barely perceived in 1948, a Chinese component (in the Aksai Chin). The problem of the future of the old Princely State of Jammu & Kashmir has become something rather more than part of the "India-Pakistan question": it has acquired an extra international dimension that may complicate extraordinarily any settlement. Let us put the Chinese on one side for the moment. Then, if a solution more or less along the lines sketched above proves impossible, what alternatives are there?

Another Indo-Pakistani war? By no means impossible, a fourth war between India and Pakistan over Kashmir is unlikely to solve anything though it may change drastically the ground rules of the dispute. The most probable outcome could be a massive regional destabilisation with at present quite unpredictable consequences.

India just letting its bit of Kashmir go? There are some among the current crop of Kashmiri nationalists, what in India are called "separatists", who seek Kashmiri total independence, sometimes seen as involving all parts of the old State including Ladakh and the Northern Areas along with Azad Kashmir and the Vale. There has been no indication from any Indian politician or diplomat over the last half century that New Delhi is prepared to let *all* of the old Princely State of Jammu & Kashmir pass out of its hands. There have been times when the idea of a limited degree of autonomy has been accepted with reluctance and with special application to the Vale, but no more: certainly nothing like full independence for the Vale, let alone for the entire State as it was on 14-15 August 1947.

It must be evident by now that India never will agree to a plebiscite of the kind contemplated by the United Nations resolutions of 1948. Nor is it likely that the inhabitants of the Vale, however much informal external help they may receive from whatever quarter, will succeed in expelling the Indians by armed force from Srinagar: the best they can hope for is a reduction in the severity of the Indian regime; and at worst they can expect repressive measures verging on genocide.

A simple bilateral Indo-Pakistani agreement? In 1948 this might, given the appropriate mediation, have produced the acceptance of the cease-fire line as the international border accompanied, perhaps, by the holding of a plebiscite in the Vale to decide whether it remained on the Indian side of that line, or crossed over into Pakistan. As we have seen, Philip Noel-Baker believed that this kind of combination of agreed partition with a plebiscite in the Vale was still possible in 1957. He was probably too optimistic. At any rate, it seems certain that such a solution would not be considered readily today by any Indian leader. What India would probably accept in 1997 without too much difficulty, as it indeed last proposed in 1994 (as we have already seen), is the 1972 Simla solution, that is to say the acceptance, either at once or by a process of evolution, of the cease-fire line (Line of Control) as the international border. In theory, this would not be so disastrous a solution for Pakistan since it would threaten no vital Pakistani interest and, indeed, might consolidate both Pakistan's presence in the Northern Areas (that link with Central Asia of steadily increasing economic and diplomatic importance) and its influence over Azad Kashmir (the crucial buffer separating India from direct physical contact with the North-West Frontier Province and keeping the Indian Army out of artillery range of Islamabad). In

practice, it would present whatever Pakistani regime came to such a deal with India with political problems of an insurmountable magnitude (or so current conventional wisdom in Islamabad has it).

## 7. Mountbatten Reassessed

For many years Mountbatten's reputation survived more or less intact the events of his Viceroyalty and his Governor-Generalship of India which followed immediately upon the Transfer of Power. The last Viceroy took great care to ensure that his own version of what happened should be widely disseminated. In the 1970s he acted as presenter in a television series on his life, of which one and a bit episodes were devoted to his time in India in 1947-48 [available on video cassette as *The Last Viceroy*, Start Records, London 1989, SVTC 305, and well worth seeing to get the full flavour of the man]. About the same time he permitted the journalists Collins and Lapierre to interview him at great length on his Indian adventures and to publish the result, along with a (most useful) selection of documents from his own archives at Broadlands, in two volumes, *Mountbatten and the Partition of India* and *Mountbatten and Independent India*, New Delhi 1982 & 1984. He also did his best, as we have seen in connection with the Radcliffe Commission, to ensure that the official records accorded with the story which he wished to be preserved: studies based on such sources (Hodson's *The Great Divide*, for example, and also, perhaps, *The Last Days of the British Raj*, by Leonard Mosley), incline heavily towards the Mountbatten view of things. Finally, he was fortunate indeed that his own public relations officer, Alan Campbell-Johnson, produced in 1951 a published version of a journal of the Indian episode (*Mission with Mountbatten*), a book which not only reflected Mountbatten's own interpretation of the course of events but also has acquired much of the force of an official narrative.

In recent years the Mountbatten legend has increasingly been attacked by British writers (he was always accorded a hostile reception in Pakistan). Thus revelations by Christopher Beaumont (in 1947 Secretary to Sir Cyril Radcliffe while in India) about the possibility of a direct Mountbatten involvement in the Radcliffe Award were a major inspiration for Andrew Roberts' condemnation of the last Viceroy in his enjoyable *Eminent Churchillians* (London 1994) as the man largely responsible for the Punjabi holocaust which accompanied the Transfer of Power in India in 1947. How are we to assess this revisionist picture and to what extent must we abandon the orthodox (and to a great extent Mountbatten-inspired) view of what Mountbatten did in India and why?

There are two key areas involved.



First: there is the question of Partition, its inevitability, the time allowed for its accomplishment, Mountbatten's attitude towards Pakistan in general and M.A. Jinnah in particular, Mountbatten's private and domestic relationship with Jawaharlal Nehru, and the degree to which Mountbatten personally meddled in the Radcliffe Award which established the new Indo-Pakistani borders, and, by so doing, contributed (if only through negligence) to the great killings in the Punjab which started in August 1947.

Second: there is Kashmir. Did Mountbatten actually plan to make sure that the old State of Jammu & Kashmir ended up in the Indian camp? Did he deliberately choreograph the Accession Crisis in October 1947 so that the Indian side received a decisively unfair advantage? Did he know about the bogus date for the alleged Instrument of Accession? Did he delay the opening of direct Indo-Pakistani discussions until the Indian position in Srinagar was secure? And, of course, there are a large number of other related or subsidiary questions which also demand an answer.

We will first look at the Partition question.

The Attlee Government in London dismissed Lord Wavell as Viceroy because they concluded that his policy was leading towards the fragmentations of the British Indian Empire as it approached independence. Mountbatten was appointed in Wavell's place with the prime mission to preserve unity, perhaps on the basis of some version of the Cabinet Mission plan of 1946. When he discovered that this was impossible, as he did within six weeks or so of arriving in India, he reverted to a partition plan which had already been produced under Wavell (largely by K.M. Panikkar, V.P. Menon and Sir Benegal Rau) in late 1945 and early 1946. By no stretch of the imagination can Mountbatten be held responsible for Partition. His failure was to do no better than Wavell, which, given Mountbatten's character and relative inexperience in South Asian affairs and the complexity of the Indian situation, was hardly surprising.

Once Partition was decided upon under Mountbatten, the rate of its implementation was greatly accelerated. Instead of June 1948, the date of the final Transfer of Power now turned out to be 14-15 August 1947. It has generally been assumed, and Mountbatten himself never contradicted this, that the new date was entirely the Viceroy's own idea. This does seem rather unlikely. The Cabinet in London, under increasing financial pressure, on several occasions urged Mountbatten to hurry things along. Certainly by the end of May 1947 it was thinking of a possible date in October 1947 rather than June 1948. The August 1947 date, therefore, was merely an elaboration of Cabinet instructions. Moreover, as we have seen, Wavell also had appreciated the need for speed and had, indeed, at one time advocated a shorter timetable for the British departure than that in the end implemented by Mountbatten.

When the August deadline was announced at the beginning of June 1947,

Mountbatten still thought that after the Transfer of Power he could well be Governor-General of both India and Pakistan, thus in some measure countering the worst effects of Partition. It may be that he believed that the sooner he underwent the transformation from Viceroy to dual Governor-General the more power he might exert over the convergent evolution of the structure and policy of the two new Dominions. This was a by no means unreasonable line of argument. In the event, M.A. Jinnah frustrated his ambition to be Governor-General of Pakistan (which Mountbatten, of course, should have anticipated). It may also be that the Congress side, always an advocate of the immediate departure of the British, pushed Mountbatten (perhaps informally through Jawaharlal Nehru) towards the August date: it is conceivable that some Congress leaders had calculated that the quicker Partition came about the less likely it was that Pakistan would survive. We do not know. It would seem highly probable that the selection of the August date involved more than a Viceregal whim. It is possibly significant that the Attlee Cabinet did not oppose it with much vigour. While expressing mild surprise at the implied haste, they permitted the 15 August date to be incorporated in the Independence of India Act of 18 July 1947, no doubt with a considerable feeling of relief that the burden of Indian Empire would fall from their shoulders so conveniently soon.

The August Transfer of Power date has been blamed as a major factor in the outbreak of the Punjabi holocaust that accompanied Partition. But would this have been avoided by an October 1947 date? Perhaps; but perhaps not. The Punjabi holocaust, we have seen, emerged out of the intractable Sikh problem. Sikh violence was triggered off not by the date of the Transfer of Power but by impressions created, especially among certain factions in the Sikh community, by the proceedings of the Radcliffe Commission, particularly Sir Cyril Radcliffe's decision on 7-8 August to include the Ferozepore and Zira *tehsils* of the Ferozepore District in Pakistan, thus apparently indicating, so leaks and rumours suggested to the more violent Sikh leaders, a Pakistani threat to the Sikh Holy of Holies, the Golden Temple in Amritsar. Who is to say that, if the process of the Transfer of Power had been prolonged, something else might not have triggered off Sikh violence? Moreover, the British, hard pressed to provide any security on the ground in August (when, after all, they did not do too badly in Bengal), would have been even harder pressed in October given the growing British financial crisis of 1947.

It is hard to escape the conclusion that it was the baleful effect of Sikh militancy upon the peace of the Punjab in August 1947 from which emerged the Punjabi holocaust: Mountbatten, as we have seen above, admitted as much to the Indian and Pakistani leadership on 16 August, a day after the Transfer of Power had been accomplished and when he was now Governor-General of the new Indian Dominion.

As has just been noted, that storm of communal killings and population movements which so surprised and shocked world opinion, seems to have derived pretty directly from the rumour (quite correct) on 7-8 August that Sir Cyril Radcliffe had just decided to award the Ferozepore and Zira *tehsils* of the Punjab to Pakistan. Mountbatten, as we have seen, had absolutely nothing to do with this decision, which appears to have been made by Radcliffe entirely on his own in the belief that it would result in a more equitable distribution of irrigation systems between Pakistan and India. When Mountbatten discovered what Radcliffe had done, either he or one of his subordinates, perhaps Lord Ismay or Sir George Abell, promptly reversed Radcliffe and restored these two *tehsils* to India. By then, however, it was too late. On 9 August Sikh militants attacked the Pakistan Special No. 1 train, thus setting the fuse alight.

It seems fairly clear that the scheme of Partition which Radcliffe finally produced just before the Transfer of Power, and would have produced earlier had it not been for his excursion into the Ferozepore and Zira *tehsils*, was (with the relatively minor exception of the Chittagong Hill Tract) just about what Wavell had proposed to the India Office in London on 6 February 1946 (based on the Panikkar-Menon-Rau proposals). It is more than likely, therefore, that Radcliffe had in fact been briefed at the outset by the Government of India as to the kind of boundary he should award (and as, in the end, he did). The trouble arose from Radcliffe's departure from the terms of his brief on 7-8 August. Had the original brief, endorsed by the last Viceroy, been adhered to, the outcome might have been rather different (or, on the other hand, it might not: some Sikh extremists were clearly looking for trouble and would have experienced little difficulty in coming up with another excuse if Radcliffe had not so conveniently given them Ferozepore and Zira, with their implied Pakistani menace to the Sikh Holy of Holies at Amritsar). Mountbatten, at all events, cannot possibly be blamed for the proposal to put the Ferozepore and Zira *tehsils* in Pakistan. What he can be blamed for, of course, is failing to take credit (owing to his obsession with his public disassociation from all matters related to Radcliffe) for putting Ferozepore and Zira *tehsils* back into India. It is just possible (though far from probable) that a prompt announcement by the Viceroy might have had a calming effect on the Sikhs: at all events, it can be argued that the attempt ought to have been made.

We cannot emphasise too strongly that the story that Radcliffe was working in complete isolation from the Government of India defies rational belief. The probability was that it suited Mountbatten to appear totally detached from the process of Partition, initially because he would, if he became Governor-General of both India and Pakistan, bear none of the blame for devising the line that separated the two Dominions, and hence would in no way be responsible for any hardships suffered in consequence by both groups of citizens over whom he

presided. Even when the joint Governor-Generalship had fallen through, this consideration was still significant in respect to India, all the more so as the true magnitude of the Punjabi holocaust became apparent. Mountbatten quite naturally wished to distance himself from such a disaster (and continued to so wish to the end of his life).

In the light of the documentary evidence now available on the nature of the Radcliffe Commission and its relationship with the Government of India, it is unfair to accuse Mountbatten of deliberately disregarding Sikh susceptibilities (though it could well be argued that he lacked adequate experience and understanding of this matter, though he did indeed have advisers who did not) and thus precipitating the Punjabi holocaust. The Sikhs have always been difficult to handle, as Indira Gandhi, daughter of Mountbatten's good friend Jawaharlal Nehru, found out to her cost. The Punjabi holocaust took the form it did in August 1947 because the Government of India was unable to handle Sikh extremists: it declined to intern the leaders because the Governor of the Punjab, Sir Evan Jenkins, thought that to do so would provoke rather than avert the crisis. He may well have been right. But, once aroused, could anyone else have handled the Sikhs any better? The Pakistani leadership were soon to blame Mountbatten himself for this failure, which some of them suspected indicated a deliberate intention on the part of the last Viceroy to destroy Pakistan. Mountbatten was quite right to resent this particular charge of which he seems to have been quite innocent.

A final point on Mountbatten and Partition merits a brief comment. As we have seen in Chapter II above, in early May 1947 Mountbatten produced what amounted to two distinct partition plans, the first modified after it had received an extremely unfavourable reception by Jawaharlal Nehru on 10-11 May. The original plan in fact had indicated a need for the Partition boundary to be debated by the Provinces concerned prior to the Transfer of Power. Such debate, of course, might have precipitated catastrophe. On the other hand, it might, given time and skilful handling, have averted it. The revised plan eliminated the possibility of any debate on the line of Partition by interested parties, the absence of which may well have contributed not only to the immediate bloodbath but also, in the longer term, to the Kashmir problem (some elements of which surely would have been detected and discussed had the full implications of the Radcliffe boundary been subjected to public scrutiny before it was made final). Thus this deficiency in the revised Mountbatten plan may be regretted if not criticised as improper.

Impropriety, to put it mildly, may however be detected in the manner in which the original plan was shown to Jawaharlal Nehru without also being shown to M.A. Jinnah. A major alteration in a plan which had already received British Cabinet approval in London was thus made as a result of secret bilateral

Mountbatten-Nehru discussions with the assistance of another Congress collaborator, V.P. Menon. Here was clear evidence that Mountbatten treated the Indian side rather differently than that of Pakistan, and, it may well be, with unfortunate consequences for the future well being of the Subcontinent. We still await an adequate examination of the part which V.P. Menon, aided by Mountbatten (and, it must be admitted, earlier on by Wavell), played in deciding the final shape of the Transfer of Power and the termination of the British Indian Empire.

While the Kashmir crisis of October 1947 cannot be seen as a direct, and inevitable, consequence of Mountbatten's final Partition plan and its implementation, yet the events of the last months of Mountbatten's Viceroyalty form part of the same story as the outbreak of a crisis in Kashmir. Links may be indirect; but they exist. There also exist close parallels between the political problems faced by the last Government of British India in the Punjab and those of the first administration of Pakistan in relation to the tribal world of the North-West Frontier and adjacent tracts. Just as the Government of India was unable to handle Sikh extremists in August 1947, so in October the Government of Pakistan showed itself unable to cope with the violent aspirations of Pathan tribesmen on the North-West Frontier, a fact which beyond doubt contributed to the Kashmir crisis. But here we can show that there were more than over-enthusiastic tribesmen at work. Mountbatten himself had a significant part to play in the genesis of the Kashmir problem, and this merits a brief summary.

In the decision to return the Gilgit Lease to the Maharaja of Jammu & Kashmir in April 1947, Mountbatten showed that his thoughts, or those of some of his advisers, were leaning towards an eventual Indian Kashmir. Had a Pakistani Kashmir been the goal, the obvious step would be - as was done with the comparable leased area of Berar (to the Central Provinces from Hyderabad) - to turn the lease over to the appropriate contiguous administrative district of the right communal complexion. Berar was Hindu-majority and was kept in India. The Gilgit Leased Areas were overwhelmingly Muslim-majority; and they could perfectly well have been made into an Agency of the North-West Frontier Province (as several British experts in this field observed at the time). Had this been done, the actual area of any potential Kashmir dispute would have been greatly reduced, and a marker would have been put down as to the possible disposition of other parts of the State, notably those also with a Muslim-majority.

Mountbatten later said that he had always thought that in all logic the State of Jammu & Kashmir ought to have gone to Pakistan. There is no evidence, however, that he strove at all, while it was still possible, to bring about this disposition. It may well be that had he exerted rather more direct pressure upon the Maharaja he might have at least secured some kind of partition of the State

with the Dogras retaining their Jammu heartland (plus Ladakh), and the Vale returning to some form of British protection whence it could have moved on easily enough to Pakistan. The Gilgit Leased Areas (had no attempt been made to return them to the Maharaja) could have pointed the way. Much has been made of the doctrine of the lapse of Paramountcy and the necessity to abide by the wishes of the Rulers of the Princely States. In the event, it may be significant that only in Jammu & Kashmir was this doctrine in fact applied; and this was the one major instance where it particularly favoured India and (a fact which might have been as important in 1947) coincided with the personal wishes of Jawaharlal Nehru. Elsewhere, in Junagadh and Hyderabad, the doctrine of Paramountcy was cast aside by India initially under Mountbatten's Governor-Generalship, and he does not seem to have done anything to defend it. A cynic might be excused for suspecting that the doctrine of Paramountcy might even have been expressly devised with the State of Jammu & Kashmir in mind. There is certainly something strange in the sight of Indian politicians and diplomatists arguing so vehemently in support of a doctrine which they themselves lost no time in disposing of in all those States which did accede to them. These were stripped quickly enough of all those rights and privileges which were enshrined in the old treaties with the British Crown.

If Gilgit was a pointer to how Mountbatten was going to approach to the Kashmir problem, his visit to the State in June 1947 can be argued to have demonstrated beyond doubt what he hoped was about to happen. In the interest of Subcontinental harmony in the post-British era, as would have been all too apparent to Lord Wavell had he still been in office, the duty of the Viceroy at this juncture was to employ all his skill and guile in persuading the Maharaja that, willy nilly, he had to come to some accommodation with Pakistan. Instead, what Mountbatten did was, just before setting out for Srinagar, to obtain from Jawaharlal Nehru an analysis of the political situation in the State and what its future disposition ought to be (he did not seek a balancing opinion from M.A. Jinnah). Mountbatten could not have been so naive as to suppose that Nehru would have come up with anything which remotely favoured Pakistan. Nehru had made no secret of his profound love for Kashmir as his ancestral homeland. In the event, and not surprisingly, Nehru produced a long report which made a powerful case, though one neither entirely honest nor accurate, for the State's accession to India under the eventual supervision of Sheikh Abdullah (then in prison). There is evidence that Mountbatten, at the time, accepted the implications of his friend Nehru's report.

While the Mountbatten visit to Srinagar resulted in no obvious decisions, and all attempts at serious discussion with the Maharaja appear to have been abortive, yet at its conclusion we find the Viceroy's administration, albeit in somewhat veiled language, indicating to the Maharaja's Prime Minister, Pandit

Kak (who apparently thought otherwise), that India was the Dominion to join. From this time right up to the actual moment of the Transfer of Power it is possible to detect traces of a subtle campaign of disinformation directed against the Jammu & Kashmir Government in which it was implied that if the Maharaja did not make up his mind at once to join India, he could well find his Indian line of communication severed by the grant to Pakistan (by the allegedly independent Sir Cyril Radcliffe) of the three eastern *tehsils* of the Gurdaspur District. This was disinformation only, it must be reiterated. There was no possibility of these three *tehsils* of Gurdaspur ever going anywhere but to India for powerful reasons connected with the Sikh problem. This disposition of Gurdaspur, as we have already seen, had been worked out by the Wavell Administration between October 1945 and February 1946: and nothing had changed in July and August 1947.

Thus we must now absolve Mountbatten of one charge frequently made against him by the Pakistani side. The three eastern *tehsils* of Gurdaspur were *not* given to India specifically to ensure an Indian access to Jammu & Kashmir and, hence, the eventual accession of that State to India. Mountbatten, however, in the last few days of the British Indian Empire, did play a dangerous game in implying that they *might not* be given to India.

The failure to bring the State of Jammu & Kashmir, or at least the key Muslim-majority parts of it, the Gilgit Leased Areas, Poonch and the Vale, into Pakistan before 15 August 1947 virtually guaranteed that Kashmir would become a bone of Indo-Pakistani contention and a potential menace to the future peace of the Subcontinent. Wavell might well have managed prevent such a baleful evolution of the Kashmir problem: we can be sure, at least, that he would have tried. Mountbatten could have done so had he wished, but he decided otherwise. This, to the present author's mind, is the major charge against his administration. Not only did Mountbatten fail to preserve the old British Imperial unity (which was probably impossible), but he also contributed to the rapid escalation of the state of enmity between the two successor fragments to a level which has persisted now for half a century. (For a fascinating argument along these lines, see: H.M. Close, *Attlee, Wavell, Mountbatten and the Transfer of Power*, Islamabad 1997.)

Having failed, while Viceroy, to prevent the emergence of the Kashmir problem as the cause of a potential Indo-Pakistani conflict, as Governor-General of India Mountbatten saw that conflict burst into flame. Here his role could well have been rather more active than is generally supposed (outside Pakistan, of course). He can be charged with favouring India on three main counts.

First: he probably colluded with V.P. Menon in the fabrication of Maharaja Sir Hari Singh's Instrument of Accession to India on 26 October 1947. It seems extremely unlikely that he was not aware of the fact that Menon did *not* go up

to Jammu on the afternoon of 26 October to obtain this document, and that, therefore, the Indian troops (under the general command of a British officer, Lt.-General Dudley Russell) arrived at Srinagar airfield on the morning of 27 October *before* any Instrument of Accession had been signed. In that Mountbatten made it clear that he regarded this Accession as an essential prerequisite to Indian intervention, its absence is strange to say the least.

Second: it rather looks as if in the crucial first days of the Kashmir crisis, 25-27 October, Mountbatten made seriously inadequate efforts to initiate any dialogue between India and the Pakistan side in general and his opposite number M.A. Jinnah in particular. His proposal for Indo-Pakistani talks which he put to the Defence Committee on 26 October was neither followed up nor allowed to influence the time-table of direct Indian military intervention. When eventually such dialogue began, which was really not until 1 November, it was already too late to nip the crisis in the bud and substitute for it some negotiated scheme of division of, at least, spheres of influence in the State, where, moreover, the situation had been much complicated by the Accession issue.

Third: Mountbatten, like Auchinleck, must surely have been aware of the implications of the STAND DOWN policy established in September 1947. The Indian intervention in Jammu & Kashmir without prior Accession would certainly have constituted a technical trigger for STAND DOWN, that is to say the withdrawal of all British military officers from *both* India and Pakistan, as of course would also have been the implementation of Jinnah's proposal on the night of 27 October to send Pakistani regular troops into the State to confront the Indian regulars. Jinnah was then told that if he tried to proceed with this plan, all British officers would have to leave the Pakistan armed forces: he was *not* told that in these circumstances they would have to leave the Indian armed forces as well (which, among other consequences, would have deprived the Indian Kashmir operation of its commanding General and a number of key staff officers, and perhaps, too, its airlift). STAND DOWN, which could have been used as a device to bring simultaneous pressure on India and Pakistan to come to the negotiating table, was in fact used to load the dice against Pakistan at the crucial opening stage of the first Kashmir War.

Mountbatten soon came to the conclusion, however, that the war was a mistake. By November 1947 he was trying to get Jawaharlal Nehru to take the Kashmir question to the United Nations, fully aware that what would then be involved would be a search for some compromise rather than a formal international endorsement of the Indian case. In December he made that reference possible, in part by persuading the Pakistani Prime Minister, Liaquat Ali Khan, that it would be politic to accept meekly a measure of Indian "indictment" in order to get the problem removed from the hostile atmosphere of the Subcontinent to the more promising environment of Lake Success.



When, in February 1948, it became clear that not only was Nehru growing disenchanted with the United Nations but also that the war was unlikely to produce a decisive result, Mountbatten did what he ought to have done on 25 or 26 October 1947: he proposed direct Indo-Pakistani negotiations away from the United Nations, "out of court" as he put it, which could only result in an agreed scheme for the partition of the State of Jammu & Kashmir, possibly with the fate of the Vale alone being settled by plebiscite. Unfortunately, as his time in India drew to a close, so did his influence over its leaders, particularly Jawaharlal Nehru, decline. The sort of settlement he might have seen through in the autumn of 1947 was quite beyond his capabilities in 1948.

To conclude: Mountbatten, in the context of the Kashmir dispute is a somewhat misunderstood figure. While in his attitude towards the Gilgit Leased Areas in April and towards the Maharaja Sir Hari Singh in June he was probably acting in the Indian interest, as he also was in the disinformation episodes on the very eve of the Transfer of Power and in the first days of the Accession Crisis in late October, yet in some other respects his pro-Indian reputation may not entirely be deserved. For example: he certainly did not create the Gurdaspur problem with Kashmir in mind - the decision, as we have seen above, to give the three eastern *tehsils* to India had already been made by Lord Wavell's Government over a year earlier. While he was undoubtedly excessively zealous in supporting the Indian side when the dispute exploded in the latter part of October 1947, yet soon he was one of the first voices calling out both for a mediated settlement and for some form of partition through direct bilateral Indo-Pakistani dialogue. A careful study of Mountbatten's role in the genesis of the Kashmir dispute in 1947-48 reveals not only much of what went wrong but also a great deal of what might, with a little bit of luck, have turned out more or less all right in the end. It is a tragedy that Mountbatten's February 1948 proposal for an Indo-Pakistani settlement of the dispute "out of court" did not bear fruit, and that here his proverbial good luck deserted him.

## 8. Internal and External Settlements: some Conclusions

### *The Abdullah Dynasty and India*

During the course of 1996 the Government of India embarked on a search for a resolution of the Kashmir problem by means of what, in the jargon of the colonial Rhodesian situation of the 1970s, would have been called an "internal settlement". India would endeavour to find some local Kashmiri faction with a leader who would cooperate willingly with New Delhi, and it would then instal that leader in power in Srinagar by means of an electoral process which, ideally,

should be fair and open, but, if not, at least should appear to the outside world to be preferable to the existing situation of overt military occupation. Thus in two electoral rounds during 1996 (one, in May, for Kashmiri representatives for the Indian Parliament and the other, in September, for a State Government), India managed to return some semblance of constitutional normality to the relationship between the State of Jammu & Kashmir and New Delhi and to bring back to power, or to the appearance of power, the Abdullah Dynasty in the person of the Great Sheikh's son Farooq. The degree of freedom conceded to the voters in these two exercises has been challenged, but, for all that, the elections *did* take place and, at least where outside observers were present, a significant proportion of the electorate turned up at the polling stations. In the context of a Rhodesian-type "internal settlement" this has been not too bad a start.

The Abdullah Dynasty has been used by India on several occasions in the past to salvage a deteriorating political situation in the State of Jammu & Kashmir (there is no need to go into details here). The belief, or at least hope, in New Delhi has always been that the interests of the Abdullahs and those of India are, if not identical, at least moving (or can be induced to move) along parallel tracks. In the past this has proved an illusion. New Delhi and the Abdullah faction have sooner or later come into conflict: New Delhi has been obliged in the end to intervene more or less directly in Kashmiri affairs. Will the present Abdullah episode be any more successful, in the longer term and from the Indian point of view, than past Indian attempts to use this major Kashmiri indigenous political force?

In India's favour is the undoubted fact that, at least in the Vale, there is among the population at large a steadily growing battle fatigue deriving from many years of brutal battering by extraordinarily large numbers of Indian security forces of various kinds. It may well be that for a while Farooq Abdullah will provide a facade behind which the Indians can maintain their presence in those parts of the State of Jammu & Kashmir which they hold while at the same time managing to bring about a significant diminution in the scale of that violation of human rights which has been such a disturbing feature of their Kashmiri policy in recent years. Alone, however, a Farooq Abdullah administration can be no permanent solution to the Kashmir problem and, behind it, the wider "India-Pakistan question".

In the long term, moreover, this particular "internal" settlement is likely to generate its own series of problems of ever increasing difficulty. In previous Abdullah episodes the trend has been for the Kashmiri regime to drift along a track towards a degree of political independence, signposted by such short-hand expressions as the "1952 Delhi Agreement" and "Article 370 of the Indian Constitution", leading to an ultimate destination quite unacceptable in New

Delhi. What policy makers in New Delhi wanted in the past during the long reign of the Nehru Dynasty, and many still want today even though the Nehrus, with their strong Kashmiri roots, have (at least for the moment) left the stage, is for Jammu & Kashmir to evolve into a normal Indian State which just happens, unlike all the other Indian States, to possess a Muslim majority, a fact which they claim to be of minor practical significance in a secular democracy.

There are two main factors which indicate that this happy outcome will never be.

First: as in past Abdullah episodes, the trend will probably be for Kashmiri politics to become less and less like those of a normal Indian State and more and more like those of a region seeking, if not total independence, at least an extremely high degree of autonomy. In the days of the Great Sheikh, New Delhi might have exploited this trend. When in power Sheikh Abdullah really did dominate the Vale at least (there might be a question mark over his authority in other parts of the State under Indian control). Even if he sought as much autonomy as he could grab, he did not make overtures towards Pakistan: he only did this when he was in the political wilderness and seeking to return to what he regarded as his rightful place at the centre of Kashmiri government. Unfortunately, his son Farooq is not his father (and he also lacks the powerful support of the Nehrus in office). While the pressures towards autonomy will continue, it is unlikely that Farooq Abdullah will be able to harness them to his own political objectives. Without Farooq Abdullah the Indians will have either to accept the necessity to raise once more their Kashmiri profile by an increasing degree of visible intervention or face growing political instability of the kind which they have in the past found intolerable in Jammu & Kashmir: there is nothing to suggest that they will find it any more tolerable today.

Second: the Muslim factor can only become more complex and ever harder to dismiss as irrelevant to an Indian secular regime. India shows many signs of casting aside the secular mantle with which Jawaharlal Nehru and his colleagues managed to clad it in 1947 and to turn into an overtly Hindu State. The BJP, which it can be argued (at least from the viewpoint of April 1997) may well be the rising force in Indian politics, appears to stand for a process of Indian desecularisation. Such a change in underlying political ideology could not fail to affect the Kashmir situation. It might become increasingly difficult to accommodate a disaffected Muslim-majority State within an explicitly Hindu polity: either its Muslim element would have to be neutralised by expedients which it is difficult at present to imagine, or it would have somehow to be excreted from Hindustan, Hindu India. It is even possible that in such an India there would be sound political logic behind letting the troublesome State (or at least the heavily Muslim-majority bits of it) pass into the hands of Pakistan. Conventional wisdom does not expect this to occur: but stranger things have happened in

recent times. It should be noted, in passing, that to an overtly Hindu India a Muslim State would present far greater problems than anything sought by the Sikhs: the Sikhs have long accepted the fact that they lie on the Hindu side of the Great Subcontinental Divide.

One should also note in this context certain trends in Islamic ideology in South Asia. There can be no doubt that the collapse of Russia in Afghanistan in the late 1980s had its effects in Indian held Kashmir: there are some observers who have classified the Kashmiri insurgency which began in 1989 as, so to say, an overflow of the Afghan conflict. Today, in Afghanistan, we see in the Taliban the progress of an Islamic ideology of a kind hitherto not encountered in modern times as a major political and military force. Will this particular Afghan phenomenon (perhaps, even, if frustrated at home) also spread into Kashmir, it may be on both sides of the Line of Control?

### *The Kashmiri View in June 1953*

On 9 June 1953 a Working Committee of Sheikh Abdullah's political party, the National Conference, produced a report on what it considered to be the menu of possible lasting solutions to the Kashmiri problem, a document of great interest because at this date the power of the National Conference, and its leader Sheikh Abdullah, was indeed considerable in the State of Jammu & Kashmir. Two months later Sheikh Abdullah was removed from office by an Indian-engineered *coup d'état* to be replaced by the first of what to all intents and purposes were a series of Indian puppet regimes which lasted until Sheikh Abdullah was brought back from out of the cold in 1975. Sheikh Abdullah reproduced passages from the report of this 1953 Working Committee in a fascinating article entitled "Kashmir, India and Pakistan" which he contributed to the April 1965 issue of *Foreign Affairs*, an extremely influential American publication. In 1965, of course, Sheikh Abdullah was not in office. In 1964 he had been released from a second term of Indian detention (this time lasting some six years) and he was currently hoping to exploit an altered climate of opinion to bring about a Kashmiri settlement in the aftermath of the death of Jawaharlal Nehru. He believed that in his final days Nehru had been on the brink of some agreement over Kashmir with President Ayub Khan of Pakistan, and that it was still just possible to exploit the residue of this atmosphere of goodwill. In the event, Sheikh Abdullah discovered that after Nehru came not a Kashmiri settlement but an Indo-Pakistani war.

All this, however, was far in the future in June 1953 when the National Conference Working Committee, consisting of Sheikh Abdullah, Maulana Masoodi, Mirza M.A. Beg, Bakhshi Ghulam Mohammed, G.M. Sadiq, Sardar Budh Singh, Girdharilal Dogra and Shamlal Saraf, produced its analysis of possible solutions to the "India-Pakistan question" and the Kashmir problem,

much of it echoing concepts considered in previous sections of this Chapter.

The first possibility was the unitary plebiscite proposed by the Security Council of the United Nations. At Maulana Masoodi's suggestion, however, it was decided that an extra element ought to be added. The plebiscite should not only offer the two choices of joining India or Pakistan but also provide for a third option, independence for the State (and no doubt Maulana Masoodi was not alone in believing that this third option would be chosen one).

A second possibility was to dispense altogether with the plebiscite and simply declare unilaterally that the State of Jammu & Kashmir was now completely independent, a sovereign member of the community of nations.

A third possibility was a declaration of a more limited independence, in effect a condition of full internal autonomy but with foreign policy controlled jointly by India and Pakistan (a variant of the "Andorra" solution which we have touched on above). The basis for this would be the special provisions for the State of Jammu & Kashmir embodied in Article 370 of the Indian Constitution and what was widely believed in Srinagar to be the terms of the agreement between Sheikh Abdullah and Jawaharlal Nehru struck in Delhi in 1952: the scope of these two instruments could be expanded considerably.

Finally, there could be an implementation of the "Dixon plan with independence for the plebiscite area." What was meant by this was that it was more than probable that, given the chance, the Northern Areas plus Azad Kashmir would probably opt for Pakistan and the bulk of Jammu plus Ladakh for India, and so these tracts could be thus assigned without the necessity of a plebiscite: the only necessary plebiscite would be in the Vale. Here, however, the opportunity (the third option) would also be offered of a vote for independence, for an existence separate from both India and Pakistan and, presumably, ruled by Sheikh Abdullah and his National Conference.

To these four possibilities G.M. Sadiq, later to become Prime Minister of the State of Jammu & Kashmir (or, at least, those parts on the Indian side of the Line of Control), added the following:

if an agency consisting of India, Pakistan, Afghanistan, Soviet Russia and China could be created to supervise and conduct the plebiscite, I would suggest that we should immediately ask for an over-all plebiscite. Failing this, we may ask for a supervision Commission representing all the members of the Security Council for ensuring free and fair plebiscite in the State.

One possibility which was *not* even considered by this Working Committee was that the State of Jammu & Kashmir should evolve into just another State within the Indian Union.

In his 1965 article Sheikh Abdullah pointed out that a number of prominent Indians, notably C. Rajagopalachari (the second Governor-General of India and

an ardent advocate of the right of self-determination, as we have already seen in Chapter II above), Jayaprakash Narayan and Shiva Rao, were very sympathetic to indigenous Kashmiri aspirations. The sort of ideas which these men were canvassing were summarised thus by Sheikh Abdullah. A Kashmir settlement, he noted in his 1965 article,

might take the shape of independence for Kashmir, with its defence guaranteed by the United Nations; or its being made a trusteeship of the United Nations for a period of ten years, at the end of which the question of accession to India or Pakistan or its remaining independent could be decided by a plebiscite held under United Nations auspices; or of a confederation of India and Pakistan with Kashmir one of its constituent units.

Again, no thought was given, apparently, to Jammu & Kashmir turning into just another State in the Republic of India.

What emerges clearly from this extremely interesting article of 1965 is that neither then, nor in 1953 (nor, indeed, one suspects, at any time since October 1947) has the alleged signed Instrument of Accession of 26 October 1947 been accorded much significance by politicians and political thinkers native to the State of Jammu & Kashmir. In other words, an "internal" settlement might be achieved by India for a while: it would not, however, last if its ultimate objective were to bring Jammu & Kashmir into line with the other States of the Indian Union. In the end, sooner or later, those trends of thought about autonomy if not total independence indicated by Sheikh Abdullah, and summarised above, would assert themselves.

### *The View from Pakistan*

Since October 1947 (almost fifty years ago at the time of writing in 1997) Pakistan has been inextricably involved with the "India-Pakistan question" relating to Kashmir; yet one cannot but be astounded at the comparative paucity of Pakistani exploration of possible (and fresh) solutions to the problem. Pakistani diplomats ever since 1948 have rested their case upon the UN Security Council Resolutions. Though there have indeed been imaginative efforts by some Pakistani leaders to bring about a solution based upon a compromise with India, notably Liaquat Ali Khan (very privately) in November 1948, Mohammed Ali Bogra in August 1953, President Ayub Khan (and ministers and officials) during 1962-64, and even, in the unhappiest of circumstances and under great pressure, Z.A. Bhutto in 1972, these have not been the common subject of public debate in Pakistan, even among academics and practical soldiers and politicians. When, during her visit to London in October 1996, Benazir Bhutto (then still Prime Minister of Pakistan) was asked publicly if she could envisage a compromise solution to the Kashmir question (which meant, in effect, a

departure from the strict interpretation of the UN Resolutions), she answered in the negative.

In private, of course, compromises have from time to time been considered by well-informed Pakistanis, even if with a degree of distaste. At a seminar held in Oxford in May 1990 a retired Pakistani diplomat of great distinction admitted, when pressed, that he suspected that some version of the 1950 Dixon proposals would be accepted in Pakistan as the bottom line in any realistic Indo-Pakistani negotiations. What this meant in practice, of course, was that Pakistan would keep what it held in the Northern Areas and there would be no change in the status of Azad Kashmir: India would keep what it held in Jammu and Ladakh: there would be a plebiscite in the Vale, presumably with two options, Pakistan or India. At the 1990 seminar these observations were not explored with much enthusiasm by those whose sympathies lay with Pakistan, and the Indian supporters detected no evident need for such arrangements because they saw no flaw in the legality of India's claim to possess a special interest in the State of Jammu & Kashmir (where they considered that all disturbances, in any case, ultimately derived from unwarranted Pakistani meddling).

Much Pakistani discussion of late has been devoted to the general improvement of relations with India in the belief that some Kashmir solution would follow in due course. There has been a great deal of exploration of possible "confidence building measures" and relatively little analysis of the actual nature of the Kashmir dispute and the degree to which it affects the vital interests of Pakistan's economy and national security.

Pakistani opinion on Kashmir is at present influenced by two underlying considerations.

First: every Pakistani is aware that in Kashmir under Indian occupation there are large numbers of fellow-Muslims who are suffering torments (which are described in horrifying detail). Clearly, something must be done to end this abomination, but quite what is not so clear. Emotional reactions do not always lead to the formulation of sound policy. The Muslim society of Pakistan would most strongly react against any apparent abandonment of its Kashmiri co-religionists. To seem to do just this in proposing in Pakistan some compromise with India over Kashmir would undoubtedly involve a high political risk.

Second: there is a general appreciation that somehow the Kashmir issue really is an "India-Pakistan question", that is to say it is related to an Indian refusal to accept the validity of the basic concept of Pakistan. Any compromise proposals to India over Kashmir could well result in a weakening of the very idea of Pakistan in the eyes of the international community. This, again, is an emotional reaction, and as such not conducive to geopolitical realism. On the other hand, there can be no doubt that some Indians in high places make no secret of the fact that they *do* question both the validity of the political theory

behind the creation of Pakistan and the necessity for Partition in 1947.

The UN Security Council Resolutions have a particular importance in Pakistan in the context of these two factors. First: they provide for a degree of self-determination on the part of the Kashmiri Muslims. In theory at least they offer that oppressed people (on the Indian side of the Line of Control) a means of liberating themselves. Second: by expressly confirming that Jammu & Kashmir is a territory disputed between two sovereign states, India and Pakistan, they endorse powerfully the validity of Pakistan as a polity and its right to an equal place with India among the community of nations. It is not surprising, therefore, that Pakistani opinion is reluctant to stray too far away from the safe haven provided by these Resolutions.

All the same, there is an increasing awareness at many levels of Pakistani society, civil and military, lay and clerical, that something different must be attempted. The old approaches have proved sterile and their costs prohibitive. It is indeed quite possible that a fresh look at the facts behind the history of the early stages of the dispute, a story by now deeply encrusted with accumulated myth, may help produce, if not new initiatives, at least a climate of opinion more receptive to such initiatives if and when they emerge.

### *The view from India (a)*

[There is a vast literature relating to the subject of this and the following subsection: the items cited here are merely samples selected to convey its essential flavour.]

The official Indian view remains that the State of Jammu & Kashmir is legally part of India (if only by virtue of the valid Instrument of Accession of 26 October 1947), and that what goes on there is an Indian internal matter in which the world outside has no legitimate interest. The unrest among the Kashmiri Muslims is caused entirely by subversion originating in Pakistan and supported by the Pakistan Inter-Service Intelligence (ISI) organisation. Many Indians believe this absolutely (demonstrating a surprising faith in Pakistani guile and efficiency). Some, however, suspect that matters are not quite so simple. There are, moreover, many Indians of good will who accept the fact of the oppressive nature of the regime currently in force on the Indian side of the Line of Control and wish to devise schemes to reduce the suffering of the Kashmiri people: Tavleen Singh, to judge from her moving *Kashmir: A Tragedy of Errors* which appeared in 1995, is such a person.

Even among the makers of policy in New Delhi there are those who, while in no way questioning the legitimacy of the Indian position in Jammu & Kashmir, agree that some peaceful solution to the problem is imperative (but with the proviso that any proposal must be "realistic"). In this context the most recent book of J.N. Dixit (*My South Block Years. Memoirs of a Foreign Secretary*,



New Delhi 1996) is of particular interest. J.N. Dixit, who retired as the head of the Indian Foreign Service in 1994 (and had at one time served as Indian High Commissioner in Pakistan), lists (p. 337) five of what he takes to be the major proposals which have of late been floated as solutions to the Kashmir problem (and which he outlines for the record and not because he of necessity agrees with them, as, indeed, with one possible exception, we shall see that he does not).

The first is the acknowledgement of the present Line of Control (cease-fire line) as the recognised international border. This, he notes, may have been accepted, albeit in rather general and unspecific terms, by Z.A. Bhutto at Simla in 1972, and we know that it is more or less this that he proposed to the Pakistan Foreign Secretary in early 1994.

The second is a revival of the old UN Resolutions, resulting in a plebiscite (presumably unitary).

The third is something rather more complex. There could be some kind of "standstill arrangement" over Kashmir between India and Pakistan and the placing of the whole State under UN trusteeship for a while. Eventually there would be a plebiscite for the whole state, or perhaps, two plebiscites, one on the Indian side of the Line of Control and the other in Azad Kashmir (what J.N. Dixit calls POK - Pakistan-Occupied Kashmir).

The fourth is simply that both India and Pakistan renounce all their territorial claims here and allow Jammu & Kashmir to become a fully independent state.

The fifth, and final, is that Pakistan be ceded the Vale, while Jammu and Ladakh stays in India (and, presumably, though Dixit is silent on this point, the Northern Areas remain with Pakistan and Azad Kashmir continues in being much as it is today).

J.N. Dixit finds serious difficulty with all the proposals except the first, the acceptance of the Line of Control as the international border, which he observes matches realities on the ground.

J.N. Dixit then goes on to argue that a military solution is not possible and India, therefore, must negotiate with Pakistan (presumably to secure agreement to the Line of Control proposal). Meanwhile India must continue with its efforts to find an effective political solution in that part of the State of Jammu & Kashmir which it holds. In other words, he seeks an "internal settlement". What is more, he makes it clear that India will go on indefinitely with its present course until such a settlement is arrived at. In that J.N. Dixit is both a man of brilliant intellect and a member of a family which has provided two other Indian Foreign Secretaries (so, as it were, Indian foreign policy flows in his veins) what he says should be taken very seriously. His remarks in *My South Block Years* ought to be studied in parallel with his earlier *Anatomy of a Flawed Inheritance*, a rather more personal book.

J.N. Dixit, of course, does not possess an Indian monopoly of approaches to the Kashmir problem. In the last few years schemes of one kind or another have abounded. We will offer a sample here in the sub-section below.

In official circles the hard line remains dominant. At a symposium on the Kashmir issue organised by Robert G. Wirsing at the University of South Carolina in October 1994 [the proceedings of which were published in India as *Kashmir: Resolving Regional Conflict. A Symposium*, ed. Robert G. Wirsing, Meerut 1996] there were two official Indian spokesmen, Neelam Deo (Minister at the Indian Embassy in Washington) and Prakash Singh (former Director-General, Border Security Force, India), who between them stated the key elements of this philosophy. Jammu & Kashmir was without doubt Indian by virtue of the Instrument of Accession of 26 October 1947 following Pakistani-inspired aggression; the present situation in the State was due to Pakistani interference ("subversion"); the human rights aspect of the Kashmir situation has been the subject outside India of a great deal of "claptrap" and, anyway, one cannot apply Western standards to conditions in South Asia (which is not like South Carolina); and, finally, any argument based upon the legitimacy of a separate political Muslim identity in the Subcontinent cannot be sustained and, therefore, there is no validity for the "Two-Nation Theory" and, hence, no substance to Pakistani claims to Kashmir on the basis of its Muslim-majority population. In all this there is a bleak prospect for any compromise with Pakistan. The best on offer, according to Prakash Singh, would be a three point plan to (1) demilitarise the Siachen glacier (for years now the subject of direct Indo-Pakistani armed conflict), (2) obtain from both sides a repudiation of any intention to make a first use of nuclear weapons, and (3) encourage greater Indo-Pakistani contact and cooperation in various economic and cultural fields. What kind of solution it was envisaged would follow these confidence building measures is obscure: perhaps a recognition by Pakistan that its cause in Jammu & Kashmir across the Line of Control is well and truly lost and a willingness to accept what the Indians believe to be the full implications of the Simla Agreement of 1972.

### *The view from India (b)*

The "hard" outlook of J.N. Dixit, Neelam Deo and Prakash Singh outlined above is not shared by all Indians. From the early days of the Kashmir dispute, and particularly after Sheikh Abdullah's dismissal in August 1953, there have been a few Indians who have sought a solution more on the basis of compromise and respect for the wishes of the inhabitants of Jammu & Kashmir than on a reiteration of the merits of the Indian case. In the 1960s Jayaprakash Narayan, for one, made an impassioned plea to the Indian authorities to let the Kashmiri people have a say in their own future, and, as Sheikh Abdullah pointed out in

his 1965 article referred to above, the former Indian President, C. Rajagopalachari was supportive of Kashmiri aspirations. We will confine ourselves here to a few recent examples of Indian arguments which diverge from the "hard" official line.

On 22 November 1993 the prominent Indian journalist and historian Khushwant Singh contributed to the *Calcutta Telegraph* a short piece on Kashmir which marked in three respects a significant departure from the run of the mill Indian comment on the problems then arising on the Indian side of the Line of Control. First: he accepted that the old State of Jammu & Kashmir consisted of various discrete parts, and that the present problems related to but one region, the Vale. Second: he admitted that, despite the Instrument of Accession, the majority of the Muslim inhabitants of this particular tract did not really look on themselves as Indians; they were Kashmiris. Third: he argued that India should respect the wishes of the Kashmiri people so defined and give at least serious consideration to the possibility of allowing Kashmir, that is to say the Vale, to become "an autonomous entity whose existence is guaranteed jointly by its neighbours - India and Pakistan": this, of course, is a signpost pointing to some version of the "Andorra" solution.

Another recent Indian advocate of a significant measure of Kashmiri autonomy has been the distinguished journalist and diplomat Kuldeep Nayar. In 1995 he proposed that both India and Pakistan consider the potentially unpalatable prospect of allowing both the Vale and Azad Kashmir (a term that Kuldeep Nayar actually uses, though in inverted commas) to act together to exercise control over all matters except Defence and Foreign policy, which should remain with India and Pakistan. What Kuldeep Nayar was suggesting, in fact, was again not far removed from the "Andorra" approach which I have outlined in an earlier section of this Chapter.

Kuldeep Nayar took part in a discussion on Kashmir held in New Delhi at the Nehru Memorial Library on 6 May 1995, the proceedings of which have been published, edited by Saifuddin Soz, as *Why Autonomy to Kashmir?*, New Delhi 1995. In a paper which he contributed to this occasion Kuldeep Nayar made a fascinating historical comment. He recalled that in 1972, shortly after the Bangladesh war, he went to Pakistan to interview Z.A. Bhutto. He put to Z.A. Bhutto the possibility of a "Trieste-like" solution (presumably for the Vale), that is to say the detachment of the region from the two competing neighbouring powers (here India and Pakistan) and its placing (even if temporarily) under some form of international supervision with local self-government. Z.A. Bhutto replied with great caution that such an idea had also been in his mind but that he could not go into details because he, too, had religious fundamentalists ("Jansanghites") in his country.

Some form of autonomy for Kashmir (though usually not defined with

precision, yet generally understood to mean the Vale) was proposed by several participants in this 1995 New Delhi discussion. Some, like V.M. Tarkunde (a retired Judge of the Bombay High Court), saw autonomy to mean really little more than an "internal settlement", the establishment of a State Government through local elections. This autonomy would be definitely within the Indian Union as provided for by the 26 October 1947 Instrument of Accession (the validity of which V.M. Tarkunde accepts uncritically) and by Article 370 of the Indian Constitution which provides for a special status for the State of Jammu & Kashmir. V.M. Tarkunde recognised that Gilgit and Baltistan on the one hand and Jammu and Ladakh on the other had evolved away from the Vale. He was, therefore, inclined for the time being to confine his attention to the Vale, leaving open the possibility of a plebiscite in all the territory which had once made up the Princely State of Jammu & Kashmir, perhaps postponed for ten years or so. Such a state-wide plebiscite, of course, would involve discussions between the Governments of India and Pakistan.

V.M. Tarkunde in his 1995 paper did not mention Azad Kashmir as such (Indians, on the whole, are reluctant to do so, and when they do they tend to use terms such as POK - Pakistan-Occupied Kashmir). He did by implication indicate that he anticipated that for the time being it should remain on the Pakistani side of the Line of Control which, following the Simla Agreement of 1972, he thought ought to be turned into an agreed Indo-Pakistani international border pending an eventual plebiscitary exercises under tripartite supervision, that is to say by India, Pakistan and indigenous Kashmiri elements.

Saifuddin Soz at this 1995 New Delhi discussion also argued strongly for autonomy (for a Kashmir the extent of which he did not define) based more upon the Delhi Agreement of 24 July 1952 between Sheikh Abdullah and the Government of India, which, as Sheikh Abdullah explained to the Jammu & Kashmir Constituent Assembly on 11 August 1952, Sheikh Abdullah personally regarded as the basic constitution for an "internal" settlement. The validity of the accession to India of the State of Jammu & Kashmir to India was recognised: it was complete and could not be reversed. Jammu & Kashmir was Indian territory and its inhabitants were Indian citizens. The State, however, still retained all powers save those over Foreign Affairs, Defence and Communications, and it might well in time to come increase the scope of its internal authority without departing from either the letter or the spirit of this agreement. It is interesting that many observers thought in early 1996 that the possibility of the return to power of Farooq Abdullah carried with it the reassertion by the authorities in New Delhi of an intention to go back to the 1952 Agreement. Of late, however, there has been no lack of Indian statements, official and unofficial, that this is not the case.

A common feature of the majority of these contributions to the New Delhi

discussion of 6 May 1995, and indeed of much other Indian writing on the Kashmir problem, is the refusal to accept not only that Pakistan is vitally involved as a legitimate party to the argument but also to believe that there is a big question mark over whether Pakistan has a right to be there at all either physically in any part of the old State or as a party to any discussions relating to its future. Kuldip Nayar, the diplomat, was refreshing in his efforts to insert the Pakistani viewpoint into the discussion, not because he of necessity sympathised with it but because it existed and could not be ignored. The great weakness of the concept of an "internal settlement" in Kashmir, just as it was in Rhodesia, is that it cannot work without some measure of external acceptance. Without Pakistani cooperation (even if reluctant and covert) there can be *no* Kashmiri settlement of any kind (except, perhaps, in a situation where Pakistan has just been subjected to decisive military defeat at Indian hands, as was briefly the case in 1972). However, the development of Indian ideas about Kashmiri autonomy, combined with a growing Indian appreciation that the old Princely State of Jammu & Kashmir was complex in its composition, are essential steps towards a definitive solution in which, eventually, the consequences of the 1947 Partition, in all respects, must be accepted.

*Why Autonomy to Kashmir?* and the writings of Kuldip Nayar offer some hope of the possibility of a settlement, but it would be dangerous to suppose that they represent the majority Indian view today. The official Indian line, which we have seen expressed so clearly in the 1994 South Carolina symposium, probably still reflects the attitude towards Kashmir of most Indians. More representative of Indian public opinion, it may well be, is a piece in the *Calcutta Telegraph* of 12 September 1996 by Mohit Sen which, in effect, blames the whole Kashmir problem on intrigues by the American CIA and Pakistan's ISI.

#### *A Brief Conclusion in April-May 1997*

"India's New Prime Minister Vows to Ease Tensions with Pakistan": thus read a headline in the *International Herald Tribune* of 22 April 1997, announcing the arrival in office of a new Indian Prime Minister, Inder K. Gujral, a man with wide diplomatic experience (as Ambassador and Foreign Minister). In that the recently elected Prime Minister of Pakistan, Nawaz Sharif, had indicated a similar wish in the context of a political climate where he possessed a mandate in no way threatened by the newly-abolished Presidential constitutional power of dismissal (a fate which he had already suffered once and his rival, Benazir Bhutto, twice) and where he was supported by a military apparently far more moderate than in the past and content for the time being just to hold a watching brief, the signs appeared more propitious for some kind of Indo-Pakistani accord over Kashmir than has been the case for many years, indeed decades.

This note of optimism was reinforced in early May when the two Prime

Ministers met at a resort hotel in the Maldiv Islands where they managed both to hold a short private conversation in which Kashmir may have been discussed and to establish a warm personal relationship. Further talks were promised at which all facets of Indo-Pakistani relations, including Kashmir, would be dealt with at a Foreign Secretary level and particular issues studied by joint Working Committees.

The prospect for any significant results from all this depends upon many factors, the state of domestic politics in India and Pakistan, the way in which public opinion is prepared in the two nations and, perhaps in the short term most importantly, the attitudes of the officials involved in the detailed negotiations.

Neither in India nor in Pakistan has official diplomatic opinion indicated a willingness for compromise, as we have seen clearly enough in the various examples noted earlier in this Chapter. Pakistani diplomacy, at least in public, seems as firmly wedded to the sanctity of the Security Council and UNCIP Resolutions of 1948-49 as it has ever been. Top Indian diplomats echo the Dixit view that the best that India has on offer is an acceptance of the Line of Control in Jammu & Kashmir, perhaps subject to very minor modifications in the interest of practical administration, as the international Indo-Pakistani border: they show no inclination towards granting greater autonomy to the State of Jammu & Kashmir, even under the benevolent custody of Dr. Farooq Abdullah, and they certainly would not contemplate any plebiscitary process which would offer the slightest prospect of the portion of the State currently under their control opting either for independence or for association with Pakistan. The Pakistani and Indian attitudes, of course, may perhaps represent no more than initial bargaining positions capable of considerable modification as discussions proceed. On the other hand, they may also reflect certain underlying realities.

Pakistani statesmen and diplomats have invested so much political capital over the years in their advocacy both of the need to implement the United Nations Resolutions and the desirability of freeing their fellow Muslims from Indian oppression in Jammu & Kashmir that they may find it very hard today to adopt any posture which would appear to depart in any way from their past proclamations. Such a posture would be virtually inescapable in any compromise settlement with the Indians. Pakistani politicians might, or might believe that they might, have to face the prospect of defending in public to their constituency a diplomatic position which could all too easily be interpreted as a weakening of support for fellow Muslims.

The Indians, too, have invested a staggering amount of effort over the last half century in demonstrating that the sole Pakistani position in the State of Jammu & Kashmir is that of an "aggressor", and that "aggression" cannot, in the interests of international good order, possibly be allowed to triumph in any

way. To some extent we have here the rhetoric of the era of the Nehru Dynasty, which it can be argued is now over (at least for the foreseeable future). It might be possible, in the post-Nehru age, to be rather more flexible. However, any change in the attitude of Indian officialdom would carry with it considerable political risks. Public opinion might not understand what was afoot. The Indian military might very well object to any initiative which could threaten their line of communications with their front with China in the Aksai Chin and elsewhere in Ladakh, a line which runs to Leh through Srinagar and the Vale of Kashmir. The soldiers, and the defence industries behind them, might prove sufficiently powerful to strangle at birth any meaningful Indo-Pakistani dialogue over Kashmir.

From the Indian side, in the absence (or at least significant diminution) at the highest levels of Government of the emotional attachment to the Vale so characteristic of the Nehrus, this military consideration could well prove the major (and possibly decisive) stumbling block to any compromise with Pakistan. Some outside observers, the present author included, have grave doubts about the reality of the Chinese threat to Indian security: yet many prominent Indians believe in it completely and would be extremely reluctant to put their country in any jeopardy by ignoring it. The Aksai Chin front, they believe, must be defended. This means that there must be an unobstructed line of communication to it, which at present can only lie through the Vale of Kashmir, and a good strategic reserve near it, which might as well be kept in the general vicinity of the Vale as anywhere else. Clearly, a compromise settlement for the Kashmir dispute will involve a great deal of strategic rethinking in India.

If circumstances do make a compromise at least possible, then what shape must it take? There has been relatively little thinking on this point in recent years in Pakistan, and hardly more in India. Outside the Subcontinent the subject has received even less systematic exploration, in part because of the extreme complexity of the Kashmir question as it has evolved over the last half century, and in part because South Asian experts tend to be inclined towards either India or Pakistan and thus disinclined to go public with projects which may well alienate to some degree both sides. It is interesting, however, that the few detailed compromise projects which have emerged, mainly in the United States, all contain certain features which are also the essence of the outline which I have set out above in section 6 of this Chapter. For example, Selig Harrison of the Carnegie Endowment for International Peace in Washington, DC, has explored the possibilities for Kashmir of the "Andorra" model, and Joseph Schwartzberg, a geographer from the University of Minnesota, has produced a number of schemes for a reassignment of the various elements which make up the old State of Jammu & Kashmir including one in which the underlying model for what he terms a Kashmir Autonomous Region (KAR) is that of Austria as

it was as a "neutral" polity under four power control in the decade immediately following World War II. While both Harrison and Schwartzberg (and a few others) can be criticised in detail - I certainly would not go all the way with either - yet they both emphasise four key factors with which I agree entirely.

First: they accept that there is no simple solution such as a unitary plebiscite to decide the fate of the entire area of the old State of Jammu & Kashmir one way or another once and for all. The subject is far too complex.

Second: any solution, if solution there can be, must involve both major parties, India and Pakistan, in some cooperative venture in which they both feel that their vital interests are preserved and they are not faced with political humiliation. In practice this means that neither side must be asked to surrender without compensation territory which it currently holds.

Third: in practice Indo-Pakistani cooperation involves some kind of partitioning of the old State of Jammu & Kashmir into two or more parts. There could, for example, be a scheme whereby some part remains with Pakistan, some part with India and, in the middle, there is created a peculiar Kashmiri entity existing under joint Indo-Pakistani guarantee.

Fourth: in any scheme the local Kashmiri political factor, or factors (for here again complexity reigns), must not be ignored even if the whole matter cannot possibly be settled by simplistic reference to the ideals of "self determination" exercised through a single electoral process.

Behind all this, of course, lies an even more fundamental consideration. All parties to the dispute must believe both that a settlement is desirable and that it is actually possible. To achieve this, they must first of all accept that there is indeed a dispute, a genuine argument, rather than the consequences of an action or series of actions in which all blame lies on one side. Then they must be prepared to waive established concepts about the nature of the dispute which have evolved over the decades and replace polemic with a basis of fact derived from a careful examination of what, as far as can be ascertained, actually happened. Finally, they must be prepared to accept the legitimacy of the interest in the dispute of the other party or parties, a process which is in practice rather more difficult than it at first might sound. How can all this, and more, actually occur?

In fact, there is only one way. There must be informed debate. It is not necessary for everyone to agree with everyone else about every single point. It is essential, however, that all aspects of the problem be questioned and re-examined. A major aim of the present author in writing this book, and the two which preceded it, has been not to lay down the law about Kashmir graven for all eternity on stone tablets but rather to initiate discussion on the basis of such evidence as he has been able to glean from such archival sources as are available (always hoping that in the process further material will come to light).



# INDEX

- Abbas, Ghulam. See: Ghulam Abbas.  
Abbott, S.E., 62, 63, 78, 81, 82, 90.  
Abbottabad, 158, 189.  
Abdul Qayum, Justice Sheikh, 120.  
Abdul Qayum Khan, Sardar, 122.  
Abdullah, Dr. Farooq, 315, 327, 340, 341, 350, 353.  
Abdullah, Sheikh M., 18, 91, 96, 97, 98, 99, 100, 101, 102, 106, 107, 109, 122, 129, 131, 133, 143, 146, 147, 150, 151, 152, 153, 159, 165, 166, 168, 169, 187, 188, 195, 201, 210, 212, 213, 217, 218, 220, 224, 226, 227, 235, 254, 256, 259, 260, 261, 268, 269, 274, 276, 283, 286, 288, 293, 304, 306, 310, 311, 312, 313, 318, 327, 336, 339, 340, 341, 342, 343, 344, 348, 350. Emergency Government formed, 188, 212. In prison, 98, 99, 100, 107, 109, 150, 235. Removed from office in 1953, 318, 348.  
Abdur Rashid, Captain, 195.  
Abell, Sir George, 33, 34, 35, 44, 50, 55, 62, 63, 68, 72, 77, 78, 80, 81, 82, 90, 332.  
Afghanistan, 17, 18, 21, 76, 94, 104, 115, 123, 129, 133, 143, 145, 149, 185, 193, 194, 195, 196, 202, 264, 280, 281, 282, 308, 341, 343.  
Afridis, 145, 186, 196.  
Ahmad Shah Durrani. See: Durrani Afghans.  
Ahmadiyya Sect, 70, 71, 91, 99.  
Ahmedabad, 129, 167.  
Akbar Khan, Colonel. See: Khan, Colonel Akbar. Also: Tariq, General.  
Aircraft, 130, 146, 147, 150, 151, 152, 153, 154, 156, 157, 160, 171, 172, 174, 184, 210, 234, 235, 236, 237, 238, 239, 244.  
Airlines, Indian Civil, 154, 235, 236, 237, 238.  
Aitchison, C.U., 105.  
Akhnur, 180.  
Akram Zaki, 296.  
Aksai Chin, 281, 306, 309, 322, 325, 327, 328, 352, 353.  
Alam, Sardar Mohammed, 192.  
Albania, 201.  
Alexander, A.V., 13, 24, 27, 242.  
All India Radio, 218.  
All India States' Peoples' Conference, 150.  
Allbright, Mrs. M., 269.  
Allenstein, 219.  
Alsace-Lorraine, 318.  
Amar Singh. See: Singh, Amar.  
America, South, 219.  
Amritsar, 30, 31, 44, 45, 55, 58, 59, 64, 68, 84, 85, 87, 88, 89, 186, 332, 333.  
Amritsar, Treaty of, 1846, 117.  
Anantnag, 99, 274.  
*Anatomy of a Flawed Inheritance*, 164, 296, 321, 347.  
"Andorra Solution", 258, 328, 342, 349, 353.  
Anglo-Sikh Wars, 17, 89, 117.  
Anwar Khurshid. See: Khurshid Anwar.  
Anwar, M. See: Mohammed Anwar.  
Arabia, 201.  
Arabs, 321.  
Arbitral Tribunal, 46, 47, 48.  
Argentina, 280, 284.  
Arica, 219.  
Army. See: Azad Kashmir Army.

- British Army. Indian Army.  
 Jammu & Kashmir State Army.  
 Pakistan Army. Patiala State  
 Army. Sikh Army.
- Article 370 of the Indian Con-  
 stitution, 318, 327, 340, 342, 343,  
 349.
- Arthasastra*, 95.
- Arnall, Governor, 290.
- Asia, Central, 57, 101, 129, 144, 193,  
 194, 260, 264, 275, 312, 320, 324,  
 329.
- Asia, Southeast, 3.
- Asian Affairs: An American Review*,  
 351.
- Aslam Khan, Major. See: Khan, Major  
 Aslam.
- Asoka, 2.
- Assam, 24, 25, 33, 37, 102, 281, 309.
- Astor, 106.
- Astrologers, 39.
- Atal, Hirilal. See: Hirilal Atal.
- Attlee, Clement, 2, 27, 28, 29, 30, 34,  
 35, 36, 37, 39, 40, 50, 77, 78, 140,  
 145, 149, 202, 203, 204, 206, 207,  
 218, 222, 224, 225, 229, 230, 231,  
 233, 238, 255, 262, 264, 269, 331,  
 332.
- Attlee, Wavell, Mountbatten and the  
 Transfer of Power*, 337
- Auchinleck, Sir Claude, 73, 78, 150,  
 163, 184, 205, 206, 207, 208, 214,  
 232, 233, 234, 338.
- Austin, Ambassador Warren R., 256,  
 267, 270, 279, 284.
- Australia, 71, 238, 290, 291.
- Austria, 353.
- Axis Powers, 13.
- Ayub Khan, President. See: Khan,  
 President Ayub.
- Ayub Khan: Pakistan's First Military  
 Ruler*, 256.
- Ayyangar, Sir Gopalaswami, 101, 144,  
 160, 255.
- Azad Kashmir, 76, 91, 102, 116, 122,  
 124, 125, 128, 132, 133, 134, 135,  
 136, 137, 138, 140, 141, 144, 145,  
 147, 164, 179, 180, 181, 182, 183,  
 184, 185, 186, 187, 188, 190, 194,  
 195, 196, 197, 218, 224, 226, 232,  
 233, 240, 241, 242, 243, 244, 246,  
 257, 258, 259, 264, 272, 273, 275,  
 276, 282, 283, 284, 285, 286, 287,  
 288, 289, 290, 293, 302, 305, 306,  
 307, 311, 312, 313, 314, 315, 316,  
 320, 324, 325, 326, 327, 328, 329,  
 343, 344, 346, 352, 353. Republic  
 declared 24 October 1947, 140.
- Azad Kashmir Army, 125, 190, 194,  
 232, 286, 312
- Babar Khan, Subadar Major. See:  
 Khan, Subadar Major Babar.
- Bacon, Colonel, 192, 239.
- Bagh, 121, 122, 133, 179, 182.
- Bahawalpur, 43, 44, 55, 73.
- Bajpai, Sir G.S., 164, 266, 269, 270.
- Bakhshi Ghulam Mohammed, 109,  
 342.
- Baldev Singh Pathania. See: Singh,  
 Baldev Pathania.
- Baldev Singh, Raja of Poonch. See:  
 Singh, Raja Baldev.
- Baldev Singh, Sardar. See: Singh,  
 Sardar Baldev.
- Balkans, 353.
- Baltistan, 16, 17, 96, 132, 183, 191,  
 194, 213, 244, 263, 264, 276, 292,  
 303, 304, 306, 352.
- Baluchistan, 24, 37, 58, 94.
- Bangladesh, 3, 26, 307, 322.
- Banihal Pass, 57, 125, 138, 157, 180,  
 183, 214, 239.
- Bar Council, British, 47.
- Baramula, 142, 153, 171, 172, 182, 183,  
 184, 185, 186, 187, 188, 189, 205,  
 222, 265, 274. Massacres in, 185,  
 187, 201, 222. Recaptured by  
 Indians, 186. See also: St. Joseph's.
- Bari Doab Canal, 58, 61, 85, 86.
- Baroda, 11.
- Barretto, Mr., 185.
- Batala, 53, 69, 70, 85, 86, 87.
- Bates, H.E., 185.
- Batra, Ram Lal, 142, 143, 144, 148.
- Battenberg, House of, 39, 149, 154.
- Beas River, 59.
- Beaumont, Christopher, 62, 63, 71,  
 72, 85, 90, 330. Map by, 62, 63.
- Beg, Mirza M.A., 342.
- Beijing. See: Peking.

- Belgium, 229, 247, 284.
- Bengal, 5, 21, 23, 24, 25, 26, 31, 32, 33, 37, 38, 43, 45, 46, 47, 49, 51, 53, 55, 75, 80, 103, 223, 264, 313, 332, 352.
- Bengal Boundary Commission. See: Radcliffe.
- Berar, 18, 104, 335.
- Bevin, Ernest, 269.
- Beyond Terrorism*, 167.
- Bhatinda, 66.
- Bhimber, 17, 116, 117, 128.
- Bhopal, Nawab of, 13, 14, 26, 74, 93.
- Bhutto, Benazir, 344, 351.
- Bhutto, Z.A., 114, 207, 296, 315, 344, 346, 349.
- Bikaner, 32, 61, 65.
- Birla, G.D., 246, 266.
- BJP, 21, 315, 341.
- Blake, Flight Lieutenant, RIAF, 244.
- BOAC (British Overseas Airways), 146, 147, 150, 154, 235, 236, 238.
- BOs (British Officers) in the Armies of India and Pakistan, 159, 163, 164, 205, 206, 207, 233, 234, 241, 242, 243, 245, 338.
- Bombay, 27, 119, 349.
- Boundary Commission. See: Radcliffe.
- Brahmins, 96, 99, 142.
- "Breakdown", 22, 23, 27, 28, 29, 36.
- Brecher, Michael, 62, 299.
- British Army, 5, 22, 118, 121, 124, 125, 134, 139, 141, 199, 218, 233, 257, 353.
- British High Commission in India, 2, 80, 143, 156, 160, 164, 188, 199, 202, 207, 214, 233, 235, 238, 240, 245, 266, 268, 269, 275.
- British High Commission in Pakistan, 127, 156, 199, 202, 224, 233, 235, 241, 257, 259.
- British Indian Empire, 1, 2, 3, 4, 7, 8, 10, 14, 18, 20, 21, 22, 23, 28, 29, 39, 40, 44, 46, 47, 51, 59, 61, 74, 92, 93, 95, 99, 101, 106, 110, 155, 166, 200, 215, 232, 251, 257, 260, 294, 299, 301, 302, 303, 309, 313, 317, 322, 324, 327, 328, 331, 334, 337, 353, 354. Formal proclamation of, 6. See also:
- British Raj. Crown Representative in, 5, 8, 12, 199.
- British Library, 79, 143, 196.
- British Raj, 4, 43, 46, 54, 98, 111, 199, 200, 201, 216, 221, 260, 302, 330.
- Broadlands, 330.
- Brown, Major William, 140, 183, 191, 192, 193, 239, 240.
- Bucher, General Sir Roy, 171, 182, 240, 241, 245, 246, 247.
- Buddhism, 16, 17, 97, 213, 275, 293, 304, 311, 322, 324, 352.
- Budh Singh, Sardar. See: Singh, Sardar Budh.
- Bunji, 106, 191, 194.
- Burma, 3, 238, 280, 309.
- Byrnes, James F., 290.
- Cabinet, Azad Kashmiri, 132.
- Cabinet, British, 8, 21, 23, 26, 28, 29, 30, 34, 35, 36, 37, 39, 40, 41, 77, 228, 233, 242, 245, 262, 331, 332, 334. See also: Attlee; Cabinet Mission.
- Cabinet, Indian, 131, 145, 151, 152, 172, 199, 209, 211, 216, 255, 262.
- Cabinet, Pakistani, 136, 244, 259, 273.
- Cabinet Mission, 1946, 13, 14, 15, 23, 24, 25, 26, 27, 28, 29, 31, 32, 35, 36, 37, 41, 67, 73, 97, 112, 331.
- Cadogan, Sir Alexander, 214, 257, 258, 270; *aide-mémoire*, 270, 271, 272.
- Cairo, 200.
- Calcutta, 25, 26, 30, 33, 42, 121, 158, 348. Riots in, 30.
- California, 178.
- Campbell-Johnson, A., 30, 173, 174, 178, 330.
- Canada, 200, 258, 266, 280, 284, 290.
- Cariappa, Lt.-General K.M., 234, 244, 246, 247.
- Carnegie Endowment, 353.
- Caroe, Sir Olaf, 280.
- Carter, Sir Archibald, 81, 156, 233, 234.
- Casey, R., 290.
- Central Asia. See: Asia, Central.
- Central Provinces, 335.
- Ceylon. See: Sri Lanka.

- Chamber of Princes, 9, 10, 12, 25, 26, 37, 93, 112, 119.
- Chamberlain, Neville, 208.
- Chandra Gupta Maurya. See: Maurya, Chandra Gupta.
- Chaudhri Muhammad Ali. See: Muhammad Ali, Chaudhri.
- Chenab River, 116, 180, 274.
- Chenani, 120.
- Chetty, R.K.S., 209.
- Chiang Kai-shek, 140.
- Chicago, 82.
- Chicago *Tribune*, 55.
- Chilas, 192, 244.
- China, 3, 16, 17, 18, 19, 32, 101, 104, 149, 193, 194, 197, 260, 264, 276, 280, 281, 284, 306, 308, 309, 317, 320, 322, 325, 326, 327, 328, 343, 352, 353. See also: Aksai Chin; Sino-Indian Boundary Dispute.
- Chitral, 105, 106, 192, 194, 195, 202, 280. Accedes to Pakistan, 195.
- Chittagong Hill Tract, 23, 75, 333.
- Christians, 90.
- Churchill, Winston, 12.
- CIA, 351.
- Clark, General Mark, 290.
- Close, H.M., 337.
- Clow, Sir A., 102.
- Cohen, Lt.-Colonel Maurice, 183.
- Colban, Erik, 285.
- Cold War, 47, 193, 252, 310.
- Collins, Larry, 56, 78, 330.
- Colonial Office, British, 3.
- Columbia, 280, 284.
- Commons, House of, 80, 235.
- Commonwealth, British, 12, 40, 73, 154, 200, 206, 245, 290. See also: Dominions.
- Commonwealth Prime Ministers, 269.
- Commonwealth Relations Office, 53, 77, 79, 80, 81, 156, 198, 199, 202, 204, 205, 211, 213, 216, 219, 220, 222, 223, 224, 233, 235, 242, 252, 258, 260, 266, 269, 279, 301.
- Communism, 98, 252, 260, 310.
- Communal massacres, 26, 30, 67, 73, 75, 79, 81, 83, 128, 137, 185, 192, 202, 205, 260, 330, 332, 333, 334.
- Condominion, 258, 286.
- "Confidence Building Measures", 321, 345, 348.
- Congress. See: Indian National Congress.
- Compromise between India & Pakistan over Kashmir, 27, 40, 129, 209, 220, 249, 250, 263, 267, 270, 275, 285, 294, 295, 300, 318, 321, 322, 338, 344, 345, 348.
- Cordier, A., 301, 303.
- Corfield, Sir Conrad, 95.
- Corregidor, 290.
- Coupland, Sir R., 42.
- Cranston, Major W.P., 202, 214.
- Craster, Lt.-Colonel, 78.
- Cripps, Sir Stafford, 12, 13, 22, 24, 42.
- Crisis in Kashmir*, 81
- Cross, L., 259.
- Crown Representative, 5, 8, 12, 199.
- Crusades, 197.
- Cunningham, Sir George, 134, 137, 138, 188, 189, 196, 197, 215, 218, 237. Diary of, 196, 197. Sends convoys to Srinagar, 237.
- Currie, Sir F., 117.
- Curzon, Lord, 8, 309, 326.
- Cyprus, 49.
- Czechoslovakia, 284.
- Daily Express*, 142, 183, 186, 189.
- Daily Telegraph*, 71, 90.
- Dalmia Jain Airways, 130, 135.
- Danger in Kashmir*, 162, 285.
- Dani, A.H., 193.
- Dardic Languages, 303.
- Darjeeling, 33.
- Das, Durga, 129, 167.
- Dastur-I-Amal*, 119.
- Dawn*, 81.
- DC3 (Dakota) Aircraft, 130, 146, 147, 150, 160, 184, 235, 237, 238, 244.
- Defence, British Ministry of, 214, 215, 236, 238, 240, 241, 242, 243, 252.
- Defence Committee of the Indian Cabinet, 144, 145, 146, 147, 148, 149, 152, 153, 154, 155, 156, 157, 158, 171, 172, 173, 174, 176, 177, 178, 195, 217, 244, 337.
- Delhi, 6, 30, 34, 39, 47, 53, 56, 66, 67, 68, 77, 80, 86, 100, 101, 103, 110, 128, 129, 130, 131, 132, 143, 144,

- 145, 146, 150, 151, 152, 153, 156, 157, 160, 164, 166, 167, 170, 172, 174, 177, 178, 184, 188, 190, 199, 205, 207, 209, 211, 213, 214, 218, 220, 222, 223, 225, 226, 227, 233, 234, 235, 237, 238, 240, 241, 258, 263, 265, 266, 268, 275, 276, 283, 299, 306, 316, 317, 322, 327, 328, 339, 340, 349, 350, 352.
- Delhi Agreement, 1952, 340, 343, 346, 350.
- Dehra Ismail Khan, 131.
- Delvoie, Lt.-General Maurice, 247.
- Dewan Ranjit Rai, Lt.-Colonel. See: Ranjit Rai, Lt.-Colonel Dewan.
- Dewan, Wing Commander, 150, 171.
- Dhar, D.P., 195.
- Dhar, P.N., 296.
- Dhian Singh. See: Singh, Dhian.
- Dipalpur Canal, 61.
- Dir, Nawab of, 202.
- Disturbances in the Punjab*, 68.
- Dixit, J.N., 164, 296, 315, 321, 346, 347, 348, 351.
- Dixon, Sir Own, 214, 268, 276, 290, 291, 293, 294, 295, 311, 324, 343, 344.
- Dogra, Girdharilal, 342.
- Dogras, 17, 96, 97, 99, 100, 108, 110, 115, 116, 119, 120, 121, 123, 130, 134, 135, 139, 141, 142, 143, 144, 181, 182, 184, 185, 186, 191, 257, 303, 305, 306.
- Domel, 116, 133, 134, 143, 181, 182, 183, 189, 191, 196, 244.
- Dominions, 1, 4, 10, 15, 18, 37, 40, 41, 44, 54, 58, 66, 72, 73, 76, 82, 84, 86, 88, 91, 93, 94, 103, 106, 107, 111, 113, 114, 124, 126, 137, 138, 143, 154, 155, 163, 164, 165, 170, 184, 194, 199, 200, 203, 204, 205, 208, 212, 213, 214, 222, 224, 226, 230, 232, 233, 234, 238, 240, 241, 243, 245, 246, 248, 249, 256, 258, 260, 262, 263, 268, 269, 273, 303, 311, 328, 331, 332, 333, 336.
- Dravidian South, 25.
- Duke, Charles, 241.
- Dulles, John Foster, 290.
- Durand Line, 194, 195, 202, 281, 308.
- Durrani Afghans, 115, 145.
- Dwarkanath Kachru. See: Kachru, Dwarkanath.
- Dyarchy, 11.
- Dykes, Lt.-Colonel D.O., 171, 172, 185.
- Dykes, Mrs., 185.
- East India Company, 3, 5, 6, 7, 17, 89.
- Egypt, 200, 201.
- Eire, 201.
- Eisenhower, General Dwight D., 290.
- Elizabeth II, Queen, 39, 149, 222.
- Elmhirst, Air Marshal Sir T., 145, 162, 210, 244.
- Eminent Churchillians*, 71, 330.
- Essential Documents and Notes on Kashmir Dispute*, 114, 165.
- Exchange of Populations, 353.
- Faletti's Hotel, Lahore, 53.
- Faridkot, 58, 78, 88, 89, 91, 108.
- Ferozepore, 44, 45, 54, 55, 57, 59, 61, 62, 63, 64, 65, 66, 67, 68, 69, 71, 72, 74, 75, 77, 81, 82, 83, 84-92, 332, 333.
- Ferozepore Weir, 87.
- Foreign Affairs*, 342.
- Foreign Office, British, 47, 200, 214, 219, 252, 263, 269, 270, 271, 272, 278. Arabists in, 200, 201.
- France, 5, 47, 197, 269, 280, 284, 328, 353.
- Franco, General, 243.
- Frankfurter, Justice Felix, 290.
- Frontier Corps, the Official History of, 193.
- Frontier Province. See: North-West Frontier Province.
- Gandhi, Indira, 60, 67, 296, 333.
- Gandhi, Mahatma, 20, 21, 42, 107, 109, 110, 128, 140, 146, 190. Visits Kashmir, 109, 110.
- Gandhi, Samaldas, 146.
- Gharhi Habibullah, 244.
- Garwhal, 150.
- Gauhar, Altaf, 146, 256, 257.
- Geneva, 285.

- George VI, King, 110, 154.  
 Georgia (USA), 290.  
 Germany, 9, 243, 318.  
 Ghansara Singh, Brigadier. See: Singh, Brigadier Ghansara.  
 Ghulam Abbas, Chaudhri, 96, 99, 102, 169, 254, 259, 276, 306.  
 Ghulam Mohammad, 81.  
 Gilgit, 16, 17, 103, 104, 139, 140, 190, 191, 192, 194, 195, 202, 207, 213, 224, 239, 240, 244, 245, 264, 265, 268, 271, 273, 275, 280, 281, 283, 284, 288, 292, 304, 305, 306, 336. Bombing of, 244. Gilgit Agency, 105, 190, 213, 239, 276. Gilgit Lease, 1935, 18, 96, 103, 105, 106, 139, 190, 239, 240, 280, 304, 308, 311, 335, 337, 338. Gilgit Political Districts, 105, 106, 107, 280, 281. Gilgit "Rebellion", 106, 191, 192, 193, 239, 305. Gilgit returned to Jammu & Kashmir, 103, 106, 107, 139, 190. Gilgit River, 191. Gilgit Scouts, 106, 140, 183, 190, 191, 193, 194, 197, 239, 263, 284, 292, 305. Gilgit Wazarat, 96, 106, 190.  
 Golden Temple, Amritsar, 68, 88.  
 Gopal, S., 129.  
 Government of India. See: India, Government of.  
 Government of India Act, 1935, 3, 10, 11, 12, 13, 22, 23, 24, 93, 106, 112, 113, 166.  
 Governor-General of India (also India & Pakistan), 8, 29, 33, 38, 49, 67, 73, 75, 80, 81, 103, 111, 124, 127, 136, 140, 144, 145, 148, 149, 154, 155, 158, 161, 162, 166, 175, 199, 205, 209, 210, 211, 216, 230, 234, 233, 247, 255, 262, 268, 330, 331, 332, 333, 336, 337, 343.  
 Gracey, General Sir Douglas, 163, 181, 184, 205, 206, 233, 240, 241, 245, 246, 247.  
 Grady, Mr., Head of US Mission in New Delhi, 265.  
 Graeffe, E., 284.  
 Grafftey-Smith, Sir Laurence, 156, 160, 200, 201, 202, 203, 204, 235, 242, 257, 263.  
 Graham, Dr. Frank, 291.  
*Great and the Good, The*, 82.  
*Great Divide, The*, 157, 330.  
 "Great Game", 104, 149, 207.  
 Greece, 29.  
 Grew, Joseph, 290.  
 Grey, P.F., 270.  
 Grover, Verinder, 299.  
 Gujarat, 95.  
 Gujral, Inder Kumar, 351.  
 Gujrat, 116, 128.  
 Gulab Singh, Maharaja. See: Singh, Maharaja Gulab.  
 Gulmarg, 185, 186.  
 Gupis, 194.  
 Gurdaspur, 23, 33, 37, 38, 53, 54, 55, 57, 60, 61, 62, 64, 66, 67, 69, 70, 71, 72, 74, 84-92, 110, 111, 336, 337, 339.  
 Gurkhas, 134.  
 Gwalior, 11.  
 Hague, The, 46, 47, 223.  
 Haight, Russell, 232.  
 Hajipir Pass, 179.  
 Haksar, Sir Kailash, 100.  
 Hall, Admiral, 145, 162, 210.  
 Hamidulla, Nawab of Bhopal, 93.  
 Hamidullah Khan, Chaudhri. See: Khan, Chaudhri Hamidullah.  
 Hammarskjöld, Dag, 301.  
*Hansard*, 80.  
 Haq, Abdul, 127.  
 Haq, Syed Ikramul, 127.  
 Harrison, Selig, 353.  
 Harvey-Kelley, Lt.-Colonel J., 241.  
 Hastings, Warren, 8, 28, 29.  
 Havelian, 182.  
 Hawker Tempest, 244.  
 Hazara, 123, 127, 134, 137, 141, 148, 181.  
 Henderson, Arthur, 50, 51, 53, 77, 255.  
 Heward, E., 82.  
 Hewitt, Vernon, 321.  
 Himalayas, 6, 244, 281, 309.  
 Hindus, 15, 16, 17, 20, 21, 24, 25, 26, 30, 33, 34, 53, 58, 64, 81, 85, 88, 90, 93, 95, 96, 99, 103, 106, 108, 109, 110, 115, 116, 118, 122, 123, 127, 128, 133, 139, 140, 141, 142,

- 145, 146, 158, 179, 190, 191, 192, 201, 215, 217, 221, 251, 260, 263, 265, 267, 271, 275, 276, 282, 293, 303, 304, 305, 306, 307, 311, 314, 315, 320, 322, 324, 341.
- Hindustan, 23, 26, 30, 40, 42, 94, 95, 97, 103, 341.
- Hirilal Atal, Brigadier, 182.
- Hitler, A., 168, 208.
- Hodson, H.V., 157, 173, 174, 330.
- House of Commons. See: Commons, House of.
- House of Lords. See: Lords, House of.
- Howell, E.B., 119.
- Huddle, J.K., 243, 259, 269, 272, 274, 275, 276, 284.
- Hunza, 16, 17, 105, 190, 192, 194, 280, 281, 304, 306, 308, 313, 323, 324.  
Ruler (Mir) of accedes to Pakistan, 192. Relations with China, 308, 309.
- Hyderabad, 8, 9, 11, 14, 15, 18, 95, 102, 107, 210, 221, 225, 268, 301, 335.
- Ibrahim Khan, Sardar. See: Khan, Sardar Ibrahim.
- Iftikharuddin, 259.
- Imphal, 181.
- INA (Indian National Army), 125, 141, 181.
- India. Census of, 53, 61, 84, 87, 88.  
Constitution of, Article 370, 318, 327, 340, 343, 349. Crisis of 1857, 5, 6, 7, 17. Government of, 9, 14, 17, 18, 32, 34, 40, 47, 48, 54, 55, 56, 58, 62, 71, 72, 76, 78, 84, 86, 94, 96, 98, 103, 104, 105, 106, 109, 112, 117, 118, 120, 128, 143, 144, 148, 149, 151, 152, 157, 161, 162, 163, 167, 190, 191, 203, 204, 212, 214, 216, 220, 227, 229, 230, 235, 239, 243, 245, 246, 281, 282, 283, 286, 287, 309, 333, 334, 339, 350.  
Government of India Act, 1935, 3, 10, 11, 12, 13, 22, 23, 24, 93, 106, 112, 113, 166. Governor-General of, 8, 29, 33, 38, 49, 67, 73, 75, 80, 81, 103, 111, 124, 127, 136, 140, 144, 145, 148, 149, 154, 155, 158, 161, 162, 166, 175, 199, 205, 209, 210, 211, 216, 230, 234, 247, 255, 262, 268, 330, 331, 332, 333, 336, 337, 343. See also: Transfer of Power in.  
"India-Pakistan Question", 282, 290, 291, 292, 317, 328, 340, 345.
- India Office, 3, 23, 46, 47, 50, 72, 77, 233.
- India Office Records, 30, 79, 82, 98, 134, 143, 196, 210, 215, 252.
- Indian Air Force, 147, 151, 154, 235, 237, 238, 242, 243, 244, 245.  
Bombs Pakistan, 243, 244.
- Indian Army, 118, 124, 129, 130, 131, 133, 134, 145, 147, 150, 151, 152, 153, 154, 157, 159, 162, 168, 171, 180, 186, 187, 189, 195, 199, 200, 206, 210, 214, 217, 224, 241, 243, 247, 337, 338. British Officers in, 159, 206, 207, 233, 241. See also: BOs. Supreme Command of, see: Supreme Command.
- Indian Central Waterways, Irrigation and Navigation Commission, 65.
- Indian Civil Service (ICS), 85, 102.
- Indian External Frontiers, 280, 281.
- Indian Foreign Secretary, 164, 273, 280, 296, 315, 346.
- Indian High Commission in London, 167, 243.
- Indian High Commission in Pakistan, 275, 346.
- Indian Independence Act, 1947, 25, 26, 49, 59, 61, 62, 72, 84, 87, 88, 89, 166, 303.
- Indian Ministry of External Affairs, 167, 280, 281.
- Indian National Airlines, 235.
- Indian National Congress, 3, 9, 12, 15, 20, 21, 22, 23, 26, 27, 28, 31, 32, 33, 36, 40, 41, 42, 45, 46, 48, 49, 50, 60, 71, 75, 78, 81, 97, 103, 108, 120, 128, 197, 246, 275, 276, 334.  
Working Committee of, 30, 31, 32, 34, 57, 104.
- Indian Navy, 241.
- Indian Political Service and Department, 7, 56, 94, 95, 101, 103, 113, 114, 118, 119, 120, 149.
- Indian Princely States, 3, 4, 5, 6, 7, 8,

- 9, 10, 11, 13, 14, 15, 16, 17, 25, 26, 37, 43, 58, 67, 76, 84, 88, 89, 93, 94, 96, 108, 118, 126, 140, 160, 190, 194, 199, 251, 254, 264, 303, 306, 323, 324, 328, 329, 335, 349.
- Indian States Department, 94, 95, 96, 101, 103, 114, 166.
- Indo-Pakistani wars, 180, 316, 328. Of 1947-49, 1, 180-198, 199-231, 232-248, 298, 306, 338. Of 1965, 167, 180, 181, 247, 292, 342. Of 1971, 180, 181, 242, 292, 295, 296, 307, 318, 322, 349, 350.
- Indore, 74.
- Indus River, 16, 60, 72, 106, 191, 193.
- Indus Rivers, The*, 72.
- Indus Waters Treaty of 1960, 60, 76.
- Information, British Ministry of. See: Ministry of Information, British.
- Instrument of Accession, 11, 94, 95, 110, 11, 137, 143, 148, 148, 157, 158, 160, 161, 162, 163, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 187, 223, 294, 297, 302, 331, 337, 344, 346, 347, 348, 349. Withdrawal of, 170. See also: Jammu & Kashmir, Accession to India.
- Integration of the Indian States, The Story of the*, 94, 153, 174.
- International Court of Justice, 46, 47, 223.
- International Herald Tribune*, 354.
- Iraq, 201, 229.
- Irrigation, 16, 39, 44, 51, 58, 60, 61, 65, 72, 75, 76, 85, 87.
- Ishkuman, 16, 106, 190, 281, 306.
- ISI, 346, 351.
- Iskander Mirza, Colonel. See: Mirza, Colonel Iskander.
- Islam. See: Muslims.
- Islamabad, 32, 307, 329.
- Ismail, Justice Mohammad, 48.
- Ismailis. See: Muslims.
- Ismay, Lord, 35, 47, 63, 65, 71, 72, 77, 78, 80, 81, 208, 209, 212, 216, 220, 221, 222, 226.
- Italy, 185, 243.
- Jagatdev Singh, Raja of Poonch. See: Singh, Raja Jagatdev.
- Jalal, Ayesha, 26.
- Jammu, 16, 57, 96, 97, 115, 122, 128, 130, 137, 138, 144, 146, 151, 152, 153, 154, 155, 156, 157, 158, 160, 162, 166, 167, 168, 169, 171, 174, 175, 177, 180, 183, 201, 202, 213, 214, 215, 220, 227, 235, 237, 238, 263, 274, 275, 293, 303, 304, 306, 307, 312, 313, 314, 320, 322, 324, 325, 343, 349.
- Jammu & Kashmir, Accession to India, 11, 38, 91, 94, 95, 96, 101, 107, 110, 111, 112, 114, 126, 131, 132, 135, 137, 139-178, 179, 187, 192, 194, 195, 201, 202, 203, 204, 205, 206, 207, 208, 210, 211, 214, 216, 217, 218, 223, 220, 223, 229, 234, 230, 234, 255, 258, 268, 273, 275, 279, 283, 289, 294, 297, 300, 301, 302, 304, 305, 313, 316, 323, 324, 330, 331, 336, 337, 338, 339, 343, 344, 346, 347, 348, 349, 350.
- Jammu & Kashmir, Bilateral Settlement, 251, 262, 263, 275, 277, 295, 314, 317, 321, 329, 339. See also: "Out of Court". Simla Agreement of 1972.
- Jammu & Kashmir Cease-fire Line and Line of Control, 242, 246, 247, 248, 251, 272, 273, 283, 288, 289, 296, 312, 314, 315, 318, 326, 328, 329, 341, 345, 346, 347, 348, 350, 352.
- Jammu & Kashmir, Constitution of (1934 & 1939), and elections under, 96, 100, 166, 168, 219, 220, 274, 304, 312, 339.
- Jammu & Kashmir, Early Political History of, 17, 18, 91, 96, 97, 98, 99, 100, 101, 102, 107, 109, 121, 127, 131, 139, 144.
- Jammu & Kashmir, Independence of, 213, 250, 254-261, 277, 301, 303-313, 342.
- Jammu & Kashmir, Partition proposed, 168, 169, 197, 198, 201, 210, 212-216, 217, 223, 224, 231, 232, 251, 262-275, 277, 295, 296, 313-324, 338, 339, 353.
- Jammu & Kashmir, Plebiscite in, 37, 42, 146, 147, 155, 159, 164, 165,



- 166, 202, 203, 207, 211, 212, 213-227, 229, 231, 232, 246, 247, 251, 255, 257-277, 279, 282, 283-284, 286, 287, 288-297, 302, 303, 310-325, 329, 338, 342-344, 346, 347, 349, 350, 353. Plebiscites, regional, 268, 269, 271, 275, 276, 277, 291, 293, 294, 295, 303, 312, 315, 324, 325, 326, 343, 344, 350.
- Jammu & Kashmir Political Parties.**  
See: Muslim Conference; National Conference.
- Jammu & Kashmir Rifles,** 4th, 130, 134, 135, 141, 182, 185, 191; 6th, 191.
- Jammu & Kashmir State Army,** 108, 117, 118, 123, 128, 130, 133, 134, 235, 140, 141, 142, 143, 148, 153, 179, 180, 181, 182, 183, 184, 185, 191, 215, 305.
- Janak Singh.** See: Singh, Major-General Janak.
- Japan,** 12, 22, 125, 290.
- Jarring, Gunnar,** 291, 301.
- Jawahir Singh.** See: Singh, Jawahir.
- Jayaprakash Narayan.** See: Narayan, Jayaprakash.
- Jehad,** 141, 185, 189.
- Jenkins, Sir Evan,** 30, 32, 33, 41, 43, 44, 53, 62, 63, 64, 65, 67, 68, 77, 80, 82, 334.
- Jews,** 231.
- Jha, Prem Shankar,** 170, 171, 172, 173, 174, 175, 176, 177.
- Jhelum River,** 91, 116, 123, 124, 125, 139, 140, 142, 144, 179, 181, 182, 189, 193, 264, 274, 306.
- Jhelum Valley Road,** 57, 100, 125, 126, 131, 133, 134, 135, 137, 138, 141, 142, 145, 148, 151, 153, 155, 179, 181, 182, 184, 186, 188, 189, 190, 196, 205, 218, 237, 241, 242.
- Jinnah, M.A.,** 3, 15, 20, 21, 22, 26, 32, 34, 36, 41, 42, 46, 48, 49, 50, 68, 69, 98, 99, 102, 103, 108, 109, 110, 124, 125, 126, 127, 128, 136, 148, 152, 155, 158, 162, 163, 195, 205, 206, 207, 208, 209, 210, 211, 215, 217, 221, 222, 225, 231, 234, 246, 254, 255, 256, 265, 272, 275, 299, 330, 331, 334, 336, 337. Death of, 272, 275.
- Jinnah Papers,** 32.
- Joint Defence Council, India and Pakistan,** 67, 81, 154, 209, 210, 211, 213, 220, 226, 227, 228.
- Journal of Asian Studies,** 82.
- Jowitt, Lord,** 48.
- Jullundur,** 74, 86.
- Junagadh,** 15, 95, 146, 217, 225, 267, 282, 301, 335. Plebiscite in, 217, 267.
- Kabul,** 143.
- Kabul River,** 76.
- Kachru, Dwarkanath,** 100, 131, 150.
- Kadian, Rajesh,** 144.
- Kak, Margaret,** 99.
- Kak, Pandit Ram Chandra,** 70, 99, 100, 101, 102, 108, 109, 110, 111, 336.
- Kania, Justice K.J.,** 48.
- Kapurthala,** 59, 84, 88, 89, 91, 108.
- Karachi,** 27, 47, 66, 74, 79, 80, 126, 155, 157, 192, 195, 199, 200, 203, 224, 225, 231, 233, 241, 257, 263, 275, 285.
- Karachi Agreement of 27 July 1949,** 289.
- Karakoram Highway,** 320.
- Karakoram Mountains,** 16, 17, 104, 193, 194, 244, 303, 306, 308, 309, 324.
- Karakoram Pass,** 309.
- Kargil,** 16, 197, 322, 324, 325, 326.
- Kashmir: a Disputed Legacy,** 176.
- Kashmir: a Tragedy of Errors,** 346.
- Kashmir Autonomous Region (KAR),** 353.
- Kashmir Day,** 122.
- Kashmir Houseboat Owners' Chamber,** 98.
- Kashmir in the Crossfire,** 157.
- Kashmir Issue, The,** 167.
- Kashmir 1947: Rival Versions of History,** 170, 175.
- Kashmir Province,** 116, 120, 129, 135, 136, 137, 142, 144, 154, 165, 181, 182, 189, 207, 214.
- Kashmir Republic of 4 October 1947,**

132.  
*Kashmir: Resolving Regional Conflict*, 347.  
 Kashmir Shawls, 17.  
 Kashmir Singh Katoch, Lt.-Colonel.  
 See: Singh, Lt.-Colonel Kashmir, Katoch.  
*Kashmir Tangle, The*, 144.  
 Kashmir, 1870 Treaty with British India, 18.  
 Kashmir, Vale of, 16, 17, 96, 97, 98, 99, 117, 121, 126, 127, 129, 132, 142, 143, 149, 150, 154, 168, 169, 180, 182, 187, 189, 191, 194, 195, 201, 207, 214, 235, 236, 237, 264, 265, 268, 269, 270, 272, 273, 274, 275, 276, 277, 293, 294, 295, 296, 298, 299, 302, 304, 305, 306, 307, 308, 311, 312, 314, 315, 318, 324, 325, 326, 327, 328, 329, 335, 337, 338, 340, 341, 343, 344, 347, 349, 352, 353. European residents in, 98, 127, 146, 149, 150, 185, 186, 189, 235, 236, 237, 238. Purchase of, 1846, 17, 117, 303.  
 Kashmiri Language, 99, 303, 306, 307, 353.  
 Kasur, 88, 89, 90.  
 Kathiawar, 95.  
 Kathua, 53, 125, 130, 169, 180.  
 Kautilya, 95.  
 Kearney, Canadian High Commissioner in New Delhi, 258, 266.  
 Kew, 271.  
 Khan, Abdul Qayum Khan, 133.  
 Khan, Begum Liaquat Ali, 79.  
 Khan, Chaudhri Hamidullah, 100.  
 Khan, Colonel Akbar, 125, 137, 189, 190, 194.  
 Khan, Liaquat Ali, 46, 47, 50, 67, 68, 69, 70, 78, 81, 124, 126, 127, 155, 162, 192, 203, 205, 207, 215, 221, 222, 223, 226, 227, 228, 229, 231, 246, 247, 259, 260, 262, 263, 269, 270, 272, 273, 275, 276, 284, 294, 312, 314, 338, 344.  
 Khan, Major Aslam, 183, 185, 193, 194.  
 Khan, President Ayub, 146, 256, 342, 344.  
 Khan, Sardar Ibrahim M., 124, 132, 257, 258, 275.  
 Khan, Shaharyar, 296, 315.  
 Khan, Sir Zafrullah, 67, 70, 79, 81, 92, 225, 226, 259, 269, 275, 282, 285.  
 Khan, Subadar Major Babar, 193.  
 Khosla, A.N., 65.  
 Khurshid Anwar, 125, 133, 134, 135, 137, 138, 141, 181, 182, 185, 188, 189, 190, 193.  
 Khurshid, K.H., 70, 102.  
 Khurshid, Salman, 167.  
 Khushwant Singh. See: Singh, Khushwant.  
 Khyber, 192, 239.  
 Kiani, Zaman M. See: Zaman Kiani, M.  
 King-Emperor, 8.  
 Kipling, R., 192.  
 Kirby, Justice, 290.  
 Kishenganga River, 116, 131, 134, 135, 141, 181.  
 Klagenfurt, 219.  
 Kohala, 126, 134, 182, 183, 189, 243.  
 Koran, The Holy, 98, 191.  
 Korbel, J., 162, 260, 269, 284, 285.  
 Korea, 229.  
 Kotli, 117, 128, 180.  
 Kripalani, Acharya, 108.  
 Kuh-Ghizar, 106.  
 Kuldip Nayar. See: Nayar, Kuldip.  
 Kumaon, 150.  
 Ladakh, 16, 17, 18, 19, 96, 99, 132, 144, 191, 194, 197, 201, 213, 244, 245, 263, 275, 276, 281, 292, 293, 303, 304, 305, 306, 307, 309, 311, 312, 313, 314, 317, 320, 322, 324, 325, 328, 335, 343, 344, 349, 352.  
 Ladakhi Language, 303.  
 La Follette, Robert M. Jr., 290.  
 Lahore, 17, 30, 44, 45, 53, 55, 58, 59, 61, 62, 63, 64, 77, 78, 82, 84, 86, 88, 89, 90, 100, 115, 117, 124, 152, 158, 162, 182, 207, 208, 215, 226. Auchinleck goes to, 163. Joint Defence Council at, 209, 210, 211, 212, 226, 227. Lahore Resolution, 1940, 32, 41, 42. Lahore, Sikh Kingdom of, 115, 116.

- Mountbatten meets Jinnah at, 162.  
 Special Conference at, 208, 208.  
 Treaty of Lahore, 1846, 117.  
 Lake Success, 228, 256, 262, 263, 311.  
 Lakhnupal, P.L., 114, 165.  
 Lal, Shiv Saran, 131.  
 Lamb, Alastair, 81, 170, 176.  
 Langenhove, F. Van, 229.  
 Lapiere, Dominique, 56, 78, 330.  
 "Lapse", Policy of, 7.  
*Lashkar*, 134.  
*Last Days of the British Raj, The*, 330.  
*Last Viceroy, The*, 330.  
 Lawrence, Henry, 117.  
 League of Nations, Palestine Mandate,  
 29, 231.  
 Lebanon, 200.  
 Lee-Enfield rifles, 124.  
 Lee-Warner, Sir W., 4.  
 Leh, 194, 197, 245, 325, 352.  
 Lend Lease, Cancellation of, 39.  
 Levant Consular Service, British, 201.  
 Lhasa, 97.  
 Liaquat Ali Khan. See: Khan, Liaquat  
 Ali.  
 Lie, Trygve, 140, 229, 284.  
 Linz, 353.  
 Listowel, Lord, 40.  
 Loch, G., Political Agent in Gilgit,  
 105, 106.  
 Lockhart, General Sir Rob, 145, 162,  
 208, 210, 217.  
 London, 12, 23, 37, 39, 47, 49, 118,  
 149, 167, 186, 202, 203, 210, 214,  
 216, 218, 225, 231, 235, 238, 241-  
 246, 269, 270, 331, 334.  
*Looking Back*, 153, 178, 207.  
 Lords, House of, 49.  
 Lorraine, 318.  
 Los Angeles, 178.  
 Lovett, Robert A., 272.  
 Lozano, Alfredo, 284, 285.  
  
 MacArthur, General Douglas, 290.  
 McCay, Lt.-General Ross, 197.  
 Machiavelli, 95.  
 McMahan Line, 281.  
 McNaughton, General A.G.L., 290.  
 Madhopur, 53, 57, 61, 125, 130, 180.  
 "Madhouse", 37.  
  
 Madras, 27.  
 Mahajan, Justice Mehr Chand, 55, 85,  
 111, 126, 127, 131, 133, 143, 151,  
 152, 153, 156, 160, 168, 169, 170,  
 174, 175, 178, 207, 235, 299.  
 Mahsuds, 134, 196.  
 Mahura Hydroelectric Power Plant,  
 142, 144.  
 Malakand, 195.  
 Malaya, 12.  
 Maldive Islands, 351.  
 Manavadar, 95.  
 Manekshaw, S., Colonel (later Field  
 Marshal), 150, 171, 172, 173, 174,  
 175, 176, 177.  
 Mangla Dam, 76.  
 Manipur, 125.  
 Manshra, 131, 134, 137.  
 Mansergh, N., 1.  
 Marathas, 5, 6, 9.  
 Marienwerder, 219.  
 Marshall, George C., 267, 269.  
 Masoodi, Maulana Mahommed  
 Sayeed, 99, 342.  
 Mathieson, Captain J., 191, 192, 239,  
 240.  
 Maurya, Chandra Gupta, 95.  
 Meerut, 347.  
 Mehtar of Chitral, 192, 194, 195, 202.  
 Menon, K.P.S., 332, 280.  
 Menon, Krishna, 161, 243, 265, 269.  
 Menon, V.P., 32, 33, 34, 35, 37, 39, 40,  
 41, 43, 44, 45, 49, 50, 55, 58, 63,  
 65, 71, 72, 75, 94, 95, 96, 101, 103,  
 107, 114, 147, 150, 151, 152, 155,  
 156, 157, 158, 159, 160, 161, 162,  
 164, 166, 167, 168, 170, 171, 172,  
 173, 174, 175, 176, 177, 178, 195,  
 208, 212, 213, 214, 220, 221, 235,  
 236, 265, 266, 268, 270, 272, 275,  
 331, 333, 334, 337, 351. Menon-  
 Patel "Conspiracy", 175, 176, 177.  
 Messervy, General Sir F., 164, 208,  
 217, 234, 240.  
 Mian Iftikharuddin. See:  
 Iftikharuddin, Mian.  
 Mian Kishore Singh. See: Singh, Mian  
 Kishore.  
 Michel, A.A., 72, 75.  
 Mill Hill Fathers, 186.  
 Ministry of Information, British, 47.

- Minnesota, 290, 353.
- Mirpur, 116, 117, 122, 123, 128, 133, 145, 179, 180, 181, 182, 215, 218, 244, 265, 268, 273, 303.
- Mirwaiz, M. Yusuf Shah, 96, 98, 99, 102.
- Mirza, Colonel Iskander, 138, 192.
- Mission With Mountbatten*, 30, 330.
- Moga, 88, 89.
- Moghuls, 2, 5, 6, 14, 88.
- Mohammad Ali Bogra, 276, 344.
- Mohammad, Justice Din, 55, 61.
- Mohammed Anwar, 132.
- Mohmands, 196.
- Montagu-Chelmsford Reforms, 9.
- Montgomery District, 44, 45, 61.
- Moon, Sir Penderel, 73.
- Moraes, Frank, 301.
- Morley-Minto Reforms, 9.
- Mosley, Leonard, 330.
- Mountbatten, Lord, 18, 20, 21, 28, 29, 30, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 54, 56, 62, 63, 65, 66, 68, 71, 72, 73, 74, 76, 77, 78, 79, 80, 81, 82, 83, 90, 91, 95, 101, 102, 103, 104, 105, 106, 107, 109, 111, 128, 129, 140, 144, 145, 146, 147, 148, 149, 150, 151, 154, 156, 158, 159, 160, 161, 162, 164, 167, 171, 173, 174, 199, 201, 202, 204, 206, 208, 209, 210, 211, 220, 222, 224, 227, 228, 229, 231, 234, 235, 236, 251, 262, 264, 265, 267, 269, 273, 295, 302, 314, 321, 329-339.
- Mountbatten-Hari Singh  
correspondence, 164, 165, 166, 167, 168, 217. Mountbatten plans, 35, 36, 37, 38, 39, 40, 43, 50, 54, 85, 86, 87, 93, 94, 103, 334. Visits Jammu & Kashmir, 106, 107, 108, 109, 110, 336.
- Mountbatten and Independent India*, 330.
- Mountbatten and the Partition of India*, 330.
- Mountbatten, Lady, 101.
- Moscow, 98.
- Moti Singh. See: Singh, Moti.
- Mudie, Sir Francis, 62, 64, 78, 82.
- Muhammad Ali, Chaudhri, 65, 69, 70, 77, 215, 216, 220, 221, 256, 259, 260, 269, 270, 273, 275, 276, 294.
- Mukerian, 74, 86.
- Mukerjee, Air Vice-Marshal, 245.
- Multan, 30, 31, 58.
- Munich, 208.
- Munir, Justice Mohammad, 55, 61.
- Murree, 182, 244. Bombed, 244.
- Muslim Conference, 96, 97, 98, 99, 100, 102, 108, 124, 132, 143, 153, 169, 220, 254, 258, 276, 285, 288, 293, 306.
- Muslim League, 9, 12, 15, 20, 22, 23, 27, 30, 32, 34, 35, 41, 45, 46, 48, 56, 60, 81, 97, 98, 99, 102, 103, 153, 158, 254, 275, 299, 304.
- Muslims, 19, 21, 23, 24, 25, 26, 30, 31, 41, 51, 53, 54, 58, 59, 60, 61, 70, 71, 75, 78, 84, 86, 87, 89, 90, 93, 95, 97, 98, 102, 106, 108, 109, 115, 116, 118, 120, 121, 127, 128, 133, 134, 137, 139, 140, 142, 146, 148, 153, 169, 181, 185, 187, 190, 191, 192, 201, 202, 207, 210, 215, 216, 217, 220, 221, 227, 233, 245, 251, 258, 260, 265, 267, 269, 275, 293, 304, 313, 315, 323, 325, 335, 340, 341, 345, 352. Ismaili, 17, 304, 305, 306. Shiah, 17, 190, 213, 304, 305, 306, 352. Sunni, 17, 71, 91, 98, 213, 304, 305, 306, 311.
- Muzaffarabad, 116, 132, 134, 135, 137, 141, 183, 189, 194, 242, 244, 257, 276, 293, 306.
- My South Block Years*, 346, 347.
- Mysore, 11, 168.
- Nagar, 16, 105, 190, 192, 194, 280, 306, 313, 323, 324. Accedes to Pakistan, 192.
- Naoshera, 181.
- Narain Singh, Lt.-Colonel. See: Singh, Lt.-Colonel Narain.
- Narayan, Jayaprakash, 343, 348.
- National Conference, 96, 97, 98, 99, 100, 106, 107, 109, 122, 129, 131, 132, 133, 143, 146, 147, 150, 151, 153, 259, 276, 285, 288, 293, 341, 342, 343.
- National Documentation Centre,

- Pakistan, 82.
- Nawaz Sharif, 351.
- Nayar, Kuldip, 349, 350, 351.
- Nedou's Hotel, Srinagar, 97.
- Neelam Deo, 347, 348.
- Neelam River. See: Kishenganga.
- Nehru: a Tryst with Destiny*, 178.
- Nehru, B.J., 100.
- Nehru Dynasty, 315, 352.
- Nehru, Jawaharlal, 15, 21, 30, 36, 40, 41, 46, 49, 67, 74, 75, 97, 98, 100, 101, 104, 106, 107, 128, 129, 132, 140, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 155, 156, 159, 163, 168, 169, 170, 172, 173, 177, 178, 195, 199, 201, 202, 203, 205, 207, 209, 211, 212, 214, 217, 218, 221, 222, 223, 224, 225, 226, 228, 229, 230, 244, 246, 254, 258, 260, 262, 263, 265, 267, 269, 270, 272, 273, 275, 276, 277, 279, 284, 285, 288, 294, 295, 299, 301, 303, 312, 314, 315, 330, 331, 333, 334, 335, 336, 338, 340, 342, 343.
- Memorandum on Kashmir, 107, 108.
- Nehru, Jawaharlal: a Biography*, 301.
- Nehru, Jawaharlal, Selected Works of*, 129, 153, 175, 275.
- Nehru Memorial Library, 349.
- Nehru, R.K., 100.
- Nehru's Emissary to Kashmir*, 182.
- Nepal, 280.
- New Delhi. See: Delhi.
- New Kashmir*, 97, 152.
- New York, 167, 178, 224, 256, 260, 299.
- New York Times*, 186.
- Nimitz, Fleet Admiral Chester W., 290, 292.
- Noel-Baker, Philip, 77, 200, 201, 204, 216, 222, 223, 235, 242, 243, 269, 279, 301, 302, 303, 310, 314, 329.
- North-West Frontier, 94, 121, 127, 131, 134, 136, 138, 143, 145, 165, 182, 189, 196, 202, 300, 335.
- North-West Frontier Province, 24, 31, 37, 58, 104, 123, 129, 133, 134, 136, 141, 146, 148, 181, 182, 185, 188, 189, 193, 196, 197, 215, 218, 237, 264, 275, 311, 329, 335. Congress Ministry in, 129, 197, 275. Government of, 133, 136, 137, 188.
- North Western Railway, 86.
- Northern Areas, 106, 107, 190, 193, 194, 213, 239, 264, 276, 284, 288, 290, 292, 293, 305, 306, 308, 309, 311, 313, 314, 315, 320, 324, 325, 326, 328, 329, 343, 344, 347.
- Northern Areas of Pakistan, History of*, 193.
- Northern Frontier of India, 57, 103, 105, 118, 326.
- Norway, 285.
- Nye, Sir Archibald, 245, 246.
- Oakley, Mrs., 185.
- Observer, Sunday*. See: *Sunday Observer*.
- Operation GULMARG, 125.
- Operation Rescue*, 159.
- Operation STAND DOWN, 163, 164, 206, 232-248, 338.
- Orava, 219.
- Order of the British Empire (MBE), 193.
- "Out of Court" settlement of Kashmir dispute, 261, 262, 295, 314, 318, 321, 339.
- Oxford, 344.
- Oxford English Dictionary, 191.
- Pagan Tribes, 21.
- Pakistan*, 158.
- Pakistan "Aggression", 2, 125, 127, 128, 142, 146, 161, 229, 250, 262, 295, 300, 319, 327, 347.
- Pakistan Air Force, 233, 239, 242, 244.
- Pakistan Army, 124, 125, 136, 137, 138, 163, 164, 183, 184, 185, 186, 189, 190, 205, 208, 214, 215, 234, 237, 240, 241, 242, 243, 286, 287, 338. Azad Kashmir Section in, 241. British officers in, 138, 233, 241, 242. Convoys to Kashmir, 186. Pakistani Regulars in Kashmir, 241, 242, 245. See also: BOs. Supreme Command of. See: Supreme Command.

- Pakistan Army Engineers, 242.  
 Pakistan Army Mountain Artillery, 242.  
 Pakistan Army, 10 Baluch, 242.  
 Pakistan, East, 3.  
 Pakistan, Flag of, 192.  
 Pakistan Foreign Secretary, 273, 296, 315.  
 Pakistan Inter-Service Intelligence.  
     See: ISI.  
 Pakistan, K in, 102, 126.  
 Pakistan, Ministry of Foreign Affairs, 126.  
 Pakistan Navy, 242.  
 Pakistan, Northern Areas. See:  
     Northern Areas.  
 Pakistan Special Train No. 1, 66, 67, 69, 73, 75, 79, 81, 83, 332.  
 Pakistan, *White Paper on the Jammu and Kashmir Dispute*, 1977. See: *White Paper*, Pakistan 1977.  
 Palam Airport, 157.  
 Palestine, 28, 29, 231.  
 Palit, Major-General D.K., 130, 183.  
 Pamirs, 308.  
 Pandits of Kashmir, 96, 99, 100, 102, 122, 142, 195, 276, 312, 315.  
 Pandu, 242.  
 Panikkar, K.M., 32, 33, 41, 57, 63, 65, 331, 333, 351, 352.  
 Paramountcy, 11, 12, 14, 16, 17, 18, 37, 77, 93, 94, 111, 112, 113, 114, 160, 190, 199, 251, 254, 302, 303, 314, 323, 335.  
 Paris, 256, 259, 269, 270, 273, 285, 311.  
 Paris Hotel, Rawalpindi, 132.  
 Partition Council, 46, 65.  
 Partition of the British Indian Empire, 1, 2, 3, 4, 15-21, 23-25, 28-33, 35-41, 43-52, 54-60, 65, 66, 72, 73, 75, 76, 82, 84, 85, 88, 126, 127, 133, 139, 155, 185, 191, 200, 201, 204, 210, 213, 216, 223, 224, 232, 251, 260, 264, 266, 267, 313, 314, 315, 318, 322, 323, 324, 330, 331, 332, 333, 335, 345, 351, 352, 353, 354.  
*Partition of the Punjab, The*, 1.  
*Pashmina*, 17.  
 Patan, 185, 186.  
 Patel, Vallabhbhai, 21, 33, 46, 67, 68, 71, 109, 128, 129, 130, 131, 132, 140, 144, 145, 148, 159, 167, 168, 169, 170, 172, 173, 176, 177, 178, 195, 201, 209, 211, 221, 226, 246, 266, 273, 276, 299.  
 Pathankot, 37, 53, 57, 74, 83, 84, 85, 86, 110, 111, 138, 180, 183, 238.  
 Pathans, 123, 129, 133, 134, 138, 141, 166, 171, 181, 182, 184, 185, 186, 187, 193, 196, 211, 222, 237, 282, 287, 300.  
 Patiala, 58, 66, 67, 78, 88, 91, 108, 130, 142, 184, 186. State Army of, 130, 131, 133, 135, 140, 142, 180, 184.  
 Patiala State Army, 91, 130, 140.  
 Patrick, Sir Paul, 219, 260, 266.  
 Peking (Beijing), 326.  
 PEPSU (Patiala and East Punjab States Union), 130, 131.  
 Perry-Keene, Air Vice-Marshal, 244, 245.  
 Peru, 47.  
 Peshawar, 182, 192, 197, 239, 241.  
 Pethick-Lawrence, Lord, 13, 23, 24, 27, 32, 33, 40, 57.  
 Philip, Prince, 39, 149, 222.  
 Pillai, P.P., 229, 230.  
 Pilots, Airline, 238, 239.  
 Pir Panjal Range, 115, 116, 121, 139, 179, 305, 306.  
 Plummer, Simon Scott, 71.  
 POK (Pakistan Occupied Kashmir), 347, 350. See also: Azad Kashmir.  
 Poland, 238, 292.  
 Poonch, 17, 115-138, 139, 140, 145, 168, 179, 180, 181, 185, 189, 187, 202, 215, 218, 241, 245, 264, 265, 268, 271, 273, 301, 303, 337.  
 Poonch City, 133, 135, 142, 179, 189, 241. Poonch Revolt, 145, 179, 182, 190, 301. Poonch Salient, 181.  
*Praja Sabah*, 100, 219, 220.  
 Prakasa, Sri, 275.  
 Prakash Singh. See: Singh, Prakash.  
 Pratap Singh, Maharaja of Jammu & Kashmir. See: Singh, Maharaja Pratap.  
 Princely States. See: Indian Princely States.  
 Princeton University Press, 285.

- Public Record Office, 252, 271.  
 Punial, 106.  
 Punjab, 1, 16, 18, 19, 21, 23, 24, 27, 30-40, 43-68, 70-76, 78-85, 87-90, 101, 104, 111, 115-118, 121, 123, 125, 128, 130, 134, 136, 137, 139, 141, 142, 145, 180, 181, 191, 197, 213, 214, 223, 233, 241, 244, 245, 251, 264, 302, 303, 305, 307, 310, 313, 314, 323, 330, 332-335.  
 Punjab Boundary Award of 8 August 1947, 53, 60, 62, 63, 66, 69, 72, 73, 76, 77, 87, 88, 89, 90.  
 Punjab Boundary Award of 12-16 August 1947, 53, 54, 59, 60, 73, 74, 75, 79, 80, 83, 111.  
 Punjab Boundary Commission. See: Radcliffe.  
 Punjab Police, 64, 125.  
 Punjab, Unionist Party in, 30.
- Qadian and Qadianis, 70, 71, 91, 92, 99. See also: Ahmadiyya Sect.  
 Qoran. See: Koran.  
 Quakers, 121, 259.  
 Queen-Empress, 6, 8.  
 Quisling, 312.  
 "Quit Kashmir" Movement, 97, 99.
- Radcliffe, Sir Cyril, 23, 38, 41, 43, 47-90, 110, 111, 131, 213, 214, 225, 314, 330, 332, 334, 336,  
 "Raiders" in Kashmir, 144, 145, 152, 153, 154, 157, 163, 196, 202, 214, 217, 221, 225, 226, 227, 283, 300.  
 Railways, 37, 53, 57, 66, 67, 69, 74, 79, 84, 86, 180, 182, 332.  
 Rajagopalachari, C., 33, 42, 343, 348.  
 Rajinder Singh, Brigadier. See: Singh, Brigadier Rajinder.  
 Rajputs, 96, 108, 115.  
 Ranbir Singh, Maharaja of Jammu & Kashmir. See: Singh, Maharaja Ranbir.  
 Ranjit Dev, 115.  
 Ranjit Rai, Lt.-Colonel Dewan, 160, 171, 184, 185, 205.  
 Ranjit Singh. See: Singh, Ranjit.  
 Rao, Shiva, 343.
- Ratandev Singh, Raja of Poonch. See: Singh, Raja Ratandev.  
 Rau, Sir Benegal, 33, 41, 57, 63, 331, 333, 351.  
 Ravi River, 44, 45, 53, 55, 56, 57, 59, 82, 88, 90, 130, 180, 238, 239.  
 Pontoon bridge over, 180, 238, 239.  
 Rawalkot, 122, 133, 179, 182.  
 Rawalpindi, 30, 57, 58, 123, 125, 127, 132, 136, 182, 189, 197, 205.  
*Reclaiming the Past*, 321.  
 Rees, General T.W., 64.  
 Riasi, 128, 180, 274.  
 Rifles, Frontier made, 125.  
 Roberts, Andrew, 71, 330.  
 Royal Engineers, 242.  
 Royal Air Force, Transport Command, 31 Squadron, 236, 237, 238, 239.  
 Royal Indian Air Force. See: Indian Air Force.  
 Royal Scots Fusiliers, 150.  
 RSS (*Rashtriya Swayamsevak Sangh*), 128, 276.  
 Rumbold, Sir Algernon, 219.  
 Russell, Lt.-General Sir Dudley, 159, 164, 189, 234, 235, 337.  
 Russia, 5, 47, 98, 101, 103, 118, 149, 192, 193, 207, 224, 225, 252, 260, 278, 280, 284, 292, 308, 319, 341, 343, 353.
- Saarland, 219.  
 Sadiq, G.M., 99, 342, 343.  
 Sadullah, Mian Muhammad, 1.  
 Safdarjang Airport, 157.  
 Saint Joseph's, Baramula, College and Convent, 185, 186. Assistant Mother Superior of, 185. See also: Shanks, Father G.  
 Salman Khurshid. See: Khurshid, Salman.  
 Salzburg, 353.  
 Sanskritic Languages, 303.  
 Saraf, Justice M.Y., 186.  
 Saraf, Shamlal, 342.  
*Sardar Patel's Correspondence 1945-50*, 129, 167.  
 Savage, Captain, 68.

- Saxe-Coburg-Gotha, Windsor, 149.  
*Scarlet Sword, The*, 185.  
 Schleswig, 219.  
 Scofield, Victoria, 157.  
 Schwartzberg, Joseph E., 353.  
 Scott, Major-General, 123, 142.  
 Security Council of the United Nations, 1, 79, 92, 101, 161, 162, 166, 169, 170, 211, 224, 225, 229, 230, 321, 249, 252, 254, 257, 263, 264, 266, 267, 269, 271, 278-297, 300, 301, 309, 310, 311, 312, 317-320, 342, 343, 351. Indian Reference to, 168, 169, 178, 222, 224, 227, 228, 229, 230, 231, 249, 262, 300, 310. Permanent Members of, 252, 280, 309. Resolutions of, general, 252, 253, 268, 270, 271, 272, 278-297, 323, 329, 344, 345, 346. Resolution of 17 January 1948 (No. 38), 279, 280, 295. Resolution of 20 January 1948 (No. 39), 281, 285. Resolution of 21 April 1948 (No. 47), 282, 283, 284. Resolution of 3 June 1948 (No. 51), 284. Resolution of 14 March 1950 (No. 80), 290. Resolution of 30 March 1951 (No. 91), 290, 291. Resolution of 10 November 1951 (No. 96), 291. Resolution of 23 December 1952 (No. 98), 291. Resolution of 24 January 1957 (No. 122), 291. Resolution of 21 February 1957 (No. 123), 291. Resolution of 2 December 1957 (No. 126), 291. Resolutions of September-November 1965 (Nos. 209, 210, 211, 214 and 215), 292. Resolution of 21 December 1971 (No. 307), 292. See also: "India-Pakistan Question"; UNCIP Resolutions.
- Selected Works of Jawaharlal Nehru*. See: *Nehru, Jawaharlal, Selected works of*.
- Sen, Lt.-General L.P., 130, 183.  
 Shah, Colonel A.S.B., 126, 138.  
 Shaharyar Khan. See: Khan, Shaharyar.  
 Shakargarh, 53, 84.  
 Shalateng, 188.  
 Shalimar Gardens, Srinagar, 119.  
 Shams-ud-Din, 116, 123.  
 Shanks, Father G., 186.  
 Shattock, J., 268, 269, 270, 272, 275.  
 Shiah. See: Muslims.  
 Shiva Saran Lal. See: Lal, Shiv Saran.  
 Shiva Rao. See: Rao, Shiva.  
 Shone, Sir Terence, 156, 164, 200, 201, 202, 203, 212, 214, 215, 222, 225, 226, 227, 229, 240.  
 Siachen Glacier, 193, 324, 326, 348.  
 Sialkot, 64, 84, 128, 180, 227.  
 Siam. See: Thailand.  
 Sikh, 1 Bn., 154, 156, 160, 171, 172, 182, 184, 191, 195, 204, 210, 234, 235, 236.  
 Sikh Army, 89, 90.  
 Sikh State, 45, 59, 66, 67, 68, 78, 81, 84, 87, 88, 91, 108.  
 Sikhs, 5, 16, 17, 21, 24, 25, 30, 33, 44, 45, 50, 51, 53, 54, 55, 58, 59, 60, 62, 65, 66, 67, 68, 69, 73, 75, 78, 79, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 96, 103, 108, 110, 115, 116, 117, 121, 123, 128, 133, 140, 141, 142, 145, 179, 181, 185, 186, 190, 191, 192, 197, 205, 215, 233, 310, 332, 334, 335, 336.  
 Sikkim, 280.  
 Silesia, 219.  
 Simla, 22, 36, 60, 65.  
 Simla Agreement of 2 July 1972, 295, 296, 315, 317, 318, 321, 326, 329, 346, 348, 350.  
 Simla Conference, 1945, 23.  
 Sind, 21, 24, 31, 37, 58.  
 Singapore, 12.  
 Singh, Amar, 118.  
 Singh, Baldev Pathania, 120.  
 Singh, Brigadier Ghansara, 140, 190, 191, 193.  
 Singh, Brigadier Rajinder, 135, 142, 144, 185.  
 Singh, Dhian, 115, 116, 117, 119, 123, 139.  
 Singh, Jawahir, 117, 118.  
 Singh, Justice Teja, 55.  
 Singh, Khushwant, 348.  
 Singh, Kirpal, 1, 55, 63, 68.  
 Singh, Lt.-Colonel Kashmir, Katoch,



- 129, 147.
- Singh, Lt.-Colonel Narain, 135.
- Singh, Maharaja Gulab, 17, 115, 116, 117, 118, 121, 144, 303.
- Singh, Maharaja Pratap, 118, 119.
- Singh, Maharaja Ranbir, 117, 118.
- Singh, Maharaja Yadavindra or Patiala, 130, 131, 140.
- Singh, Major-General Janak, 111, 130, 131.
- Singh, Master Tara, 68.
- Singh, Mian Kishore, 115.
- Singh, Moti, 117, 118.
- Singh, Prakash, 347, 348.
- Singh, Raja Baldev, 118, 120.
- Singh, Raja Jagatdev, 119, 120.  
"Spiritual Heir to Kashmir", 119.
- Singh, Raja Ratandev, 120.
- Singh, Raja Sukhdev, 118, 119.
- Singh, Ranjit, 115.
- Singh, Sardar Baldev, 67, 130, 140, 144, 151, 152, 226.
- Singh, Sardar Budh, 342.
- Singh, Sir Hari, Maharaja of Jammu & Kashmir, 70, 91, 96, 97, 98, 99, 100, 102, 103, 106, 107, 108, 109, 110, 111, 114, 115, 118, 119, 120, 122, 123, 124, 126, 127, 130, 132, 136, 138, 139, 140, 142, 144, 146, 148, 151, 152, 154, 157, 159, 164, 165, 167, 168, 169, 170, 171, 175, 178, 180, 181, 184, 186, 190, 191, 192, 194, 201, 202, 203, 204, 206, 207, 209, 213, 218, 224, 327, 254, 255, 280, 294, 297, 300, 301, 302, 304, 335, 336, 338.
- Singh, Suchet, 115, 116.
- Singh, Tavleen, 346.
- Sinha, Major-General S.K., 159, 183.
- Sinkiang, 16, 17, 18, 104, 281, 308, 309.
- Sino-Indian Boundary Dispute and 1962 War, 197, 276, 281, 306, 308, 309, 317, 322, 325, 326, 327, 328.
- Sino-Pakistani Boundary Agreement of 1963, 326.
- Siri, Ricardo, 284.
- Skardu, 191, 194.
- Sloan, Major A.M., 242.
- Smith, Sydney, 183, 186, 189.
- Sobraon, Battle of, 1846, 89.
- Sole Spokesman*, 26.
- Sopore, 99.
- Sopron, 219.
- Soviet Union. See: Russia.
- South Africa, 223.
- South Carolina, 347, 348, 351.
- Spaatz, General C., 290.
- Soz, Saifuddin, 349, 350.
- Spain, 248, 328.
- Spanish Civil War, 243.
- Spate, O.H.K., 71.
- Spens, Sir Patrick, 48.
- "Spiritual Heir to Kashmir", 119.
- Spisz, 219.
- Sri Lanka, 3, 238.
- Sri Prakasa. See: Prakasa, Sri.
- Srinagar, 17, 19, 57, 70, 96, 97, 98, 100, 105, 109, 119, 121, 122, 125, 127, 130, 131, 134, 135, 138, 141, 142, 144, 146, 147, 149, 150, 151, 152, 153, 154, 157, 158, 160, 162, 163, 171, 173, 174, 178, 180, 181, 183, 184, 186, 188, 189, 190, 194, 197, 204, 213, 214, 216, 220, 234, 236, 237, 238, 239, 345, 255, 264, 265, 273, 274, 276, 293, 304, 312, 214, 325, 330, 336, 339, 342. Airfield at, 150, 153, 154, 156, 160, 162, 163, 171, 172, 178, 182, 183, 184, 191, 193, 195, 203, 205, 210, 211, 234, 236, 237, 238, 300, 337, 353.  
Political crisis in, 1931, 122, 143, 257, 304.
- Stalin, J., 140.
- Standstill Agreements, 111, 112, 113, 114, 125, 126, 127.
- Star of Pakistan, 193.
- Stassen, Harold, 290.
- States Department. See: Indian States Department.
- States' Peoples' Conference. See: All India States' Peoples' Conference.
- Statesman*, Calcutta, 121, 158.
- Stephens, Ian, 158.
- Sterling Currency, 29, 39.
- Stetinius, E., 290.
- Story of Kashmir Yesterday and Today, The*, 299.
- Struggle for Kashmir, The*, 299.
- Suarat Hyat, Afridi Commander, 186.
- Suchet Singh. See: Singh, Suchet.

- Sudhans, 123, 124, 132, 134, 139, 287.  
 Sukhdev Singh, Raja of Poonch. See: Singh, Raja Sukhdev.  
*Sunday Observer*, New Delhi, 170.  
 Sunni. See: Muslims.  
 Supreme Command, 73, 206, 232, 233, 252. See also: Auchinleck.  
 Sutlej River, 44, 45, 55, 56, 59, 62, 65, 73, 76, 82, 87, 88.  
 Sutlej Valley Project, 61, 65.  
 Suzerainty, 106, 302.  
 Swat, 195. Accedes to Pakistan, 195. Ruler of, Miangul Abdul Wadud Badshah Sahib, 195.  
 Sweden, 291, 301.  
 Switzerland, 255, 259, 271, 285.  
 "Switzerland of Asia", 97, 122, 201, 256, 298, 304.  
 Sylhet, 33, 37, 146, 311.  
 Symon, Sir Alexander, 143, 156, 157, 159, 160, 175, 177, 207, 212, 213, 214, 266.  
 Symonds, Richard, 121, 259, 285.  
 Syria, 200, 231, 280, 284.
- Tacna, 219.  
 Taj Mahal Hotel, 119.  
 Talbot, I., 30.  
 "Tariq", General, 137, 189, 194.  
 Tarkunde, V.M., 349.  
 Tavleen Singh. See: Singh: Tavleen.  
*Telegraph*, of Calcutta, 348.  
 Teschen, 219.  
 Thailand, 144.  
*Thalweg*, 44.  
 Thana, 195.  
 Thimayya, General, 246.  
 Tibet, 16, 17, 18, 97, 197, 280, 281, 303, 306, 309, 352.  
*Times*, London, 148, 160, 162, 175.  
*Times*. See: *New York Times*.  
 Tinker, Hugh, 72, 81, 82.  
 Tithwal, 242.  
 Tiwana, Sir Khizr Hyat Khan, 30.  
*Transfer of Power*, 23, 102.  
 Transfer of Power in India, 1947, 1, 13, 15, 16, 18, 23, 32, 38, 39, 40, 45, 48, 53, 62, 64, 69, 70, 73, 74, 75, 77, 78, 87, 91, 94, 95, 96, 97, 98, 102, 103, 104, 107, 111, 112, 113, 116, 121, 122, 124, 125, 129, 131, 139, 140, 146, 155, 166, 167, 168, 190, 195, 197, 200, 202, 213, 216, 223, 232, 239, 251, 259, 260, 264, 267, 273, 300, 301, 303, 304, 305, 308, 309, 324, 329, 330, 331, 332, 333, 334, 335, 336, 339.  
*Treaties, Engagements and Sanads*, 105.  
*Tribal Repercussion to the Punjab, Kashmir and India, Intelligence Reports on*, 197.  
 Trieste, 349.  
 Truman, Harry S., 39, 140.  
 Trumbull, Robert, 186.  
 Turkey, 29.  
 Turks, 197.  
 "Two Nation" Theory, 3, 4, 20, 51, 265, 275, 294, 299, 306, 315, 322, 348.  
 Tyrol, 353.
- Udhampur, 169, 274.  
 Ujh River, 53, 55, 57, 60, 84.  
 Ukraine, 278, 280, 284.  
 Unionist Party, 30.  
 United Nations, 33, 46, 47, 79, 101, 140, 167, 168, 169, 170, 212, 213, 214, 218, 222, 223, 224, 225, 226, 227, 228, 229, 231, 232, 241, 249-297, 306, 311, 317-320, 326, 328, 338, 342, 343, 346. Charter of, 229, 230, 231, 250, 251, 252, 262, 278, 281, 285, 295, 317, 318, 319. Commission for India and Pakistan (UNCIP), 243, 246, 247, 249, 259, 260, 265, 266, 268, 269, 270, 272, 272, 274, 275, 276, 277, 282, 282, 283, 284, 285, 286, 287, 289, 290, 292, 293, 294, 295, 296, 297, 313, 319, 351; Resolution of, 13 August 1948, 286, 287, 288; Resolution of, 5 January 1949, 275, 277, 288, 289. General Assembly, 211, 229, 231, 269. Military Observer Group in India and Pakistan (UNMOGIP), 292. Plebiscite Administrator, 283, 284, 289, 290, 292. Secretary General, 225, 283, 284, 285, 289, 301. Security

- Council of. See: Security Council.
- United Provinces, 21, 189.
- United States, 29, 39, 47, 186, 192, 200, 207, 224, 238, 243, 252, 256, 260, 265, 269, 270, 271, 274, 277, 278, 279, 280, 284, 290, 295, 300, 310. Air Force, 232. State Department, 224, 252, 256, 265, 267, 269, 272, 278, 342, 351, 353.
- University of California, Los Angeles, 178.
- University of Minnesota, 353.
- University of South Carolina, 347, 353.
- Upper Bari Doab. See: Bari Doab.
- Uri, 130, 133, 134, 135, 136, 137, 141, 142, 144, 148, 179, 182, 183, 189, 193, 196, 241.
- Uruguay, 259.
- Vassall Case, 49.
- Viceroy of India, 4, 5, 8, 9, 11, 12, 14, 18, 20, 21, 23, 29, 30, 32, 33, 34, 35, 36, 37, 40, 41, 43, 46, 53, 55, 57, 63, 64, 65, 68, 69, 70, 71, 72, 74, 77, 79, 82, 90, 95, 101, 102, 103, 106, 107, 108, 174, 199, 326, 330, 331, 333, 334, 335, 336, 337.
- Viceroy's House, 34, 53, 55, 63, 64, 65, 74, 77.
- Victoria, Queen, 6, 8.
- Vigne, G.T., 116.
- Vilna, 219.
- Wainright, General Jonathan M., 290.
- Wakhan, 104, 281, 308.
- Walker, Patrick Gordon, 79, 258.
- Washington, DC, 229, 347, 353.
- Watford, Captain R.H., 242.
- Wattal, Mr., 100.
- Wavell, Lord, 18, 22, 23, 24, 26, 27, 28, 29, 32, 33, 34, 41, 43, 44, 45, 51, 55, 57, 58, 59, 71, 75, 76, 82, 85, 102, 109, 110, 330, 333, 336, 339, 351.
- Webb, Colonel W.F., 98, 99, 100, 104.
- Wedding, Royal, 1947, 149, 222, 224.
- Welles, Sumner, 290.
- Where Three Empires Meet*, 308.
- White Paper*, India 1948, 112, 145, 163, 166, 167, 176, 177, 178, 196, 202.
- White Paper*, Pakistan 1977, 114, 207.
- Why Autonomy to Kashmir?*, 349, 351.
- Widmalm, S., 301.
- Willingdon Airport, 157.
- Windsor, House of, 30, 149.
- Wint, Guy, 32, 352.
- Wirsing, Robert G., 347.
- Wisconsin, 290.
- Wolpert, Stanley, 178.
- World Bank, 16, 60, 76.
- World War I, 2, 9, 11, 118, 121, 200, 353.
- World War II, 12, 13, 22, 120, 121, 130, 139, 181, 189, 200, 233, 235, 257, 302, 351, 353.
- Xinjiang. See: Sinkiang.
- Yadavindra Singh, Maharaja of Patiala. See: Singh, Maharaja Yadavindra of Patiala.
- Yasin, 16, 105, 190, 194, 313, 323.
- York Road, New Delhi, 152.
- Yusuf Shah, Mirwaiz M. See: Mirwaiz, M. Yusuf Shah.

- Zaidi, Z.H., 1, 32.  
Zafar, Rukhsana, 1.  
Zafrullah Khan. See: Khan, Sir  
Zafrullah.  
*Zaidari* tax, 121.  
Zaman Kiani, M., 125, 135, 181.  
Ziegler, P., 173, 174.  
Zira, 61, 62, 63, 65, 66, 67, 68, 69,  
71, 72, 74, 75, 77, 81, 82, 83,  
84-92, 332, 333.  
Zoji La, 197, 245, 325.

