

*Mushahid Hussain*

## KASHMIR ISSUE : THE INTERNATIONAL DIMENSION

The uprising in Occupied Kashmir presents the first serious possibility of altering the political *status quo* in South Asia since the emergence of Bangladesh in 1971. The Kashmir uprising, coupled with a virtual state of insurgency among the Sikhs in East Punjab, provides a situation where two regions under Indian control, both having a non-Hindu majority, are in revolt.<sup>1</sup>

The Uprising in Kashmir can be viewed from three different perspectives. First, Pakistanis are pleased that unlike 1965 this time around it is a purely indigenous upsurge rooted in decades of deprivation, despotism and alienation by the rulers in Delhi.<sup>2</sup>

1. Apart from holding joint demonstrations in places like London, supporters of the Khalistan Movement and Kashmiri freedom fighters tend to derive moral and psychological sustenance from each other's struggle. When the threat of war against Pakistan was invoked early on in the Kashmir Uprising, the All India Sikh students Federation (AISSF) passed a resolution of support for the Kashmiris while also "urging Sikhs to support Pakistan in the event of a war with India". See : "AISSF faction for support to Pak" *The Times of India*, March 1, 1990; Rahul Singh "Two festering sores of India-Kashmir and Punjab back to centre stage" *Dialogue*, July 26, 1991.
2. It is generally accepted that Pakistan tried and failed to foment an uprising in Kashmir in August 1965, an event that provided the curtain-raiser for India's attack on Lahore on September 6, 1965, sparking the Second Pakistan-India War on Kashmir. For an appraisal of Pakistani motivations for the action in Kashmir and implications for Pakistan of the 1965 War, See : Mushahid Hussain *Pakistan's Politics-The Zia Years* (Progressive Publishers, Lahore : 1990), p. 5-11.

Second, in this age of self-determination, which has recently been manifested in Eastern Europe and even in the Soviet Union, Pakistan feels that its case for a plebiscite in Kashmir, which has the endorsement of the United Nations, is legally and morally strong. Pakistan bases its case for self-determination of the people of Jammu and Kashmir on the successive UN Resolutions calling for "a free and impartial plebiscite". These resolutions were passed on August 13, 1948 and January 5, 1949 — resolutions which India initially accepted but later reneged on the plea that Pakistan, by entering into a military alliance with US, had altered the region's security environment.<sup>3</sup> Since these Resolutions, Pakistan has never considered the status of Kashmir to have been settled, notwithstanding the *de facto* situation. Third, the ferment in Kashmir needs to be viewed in the context of the general unrest that is evident in the strategic "Islamic Crescent of conflict" which begins at Israel and goes through India with the Intifida in Palestine, the struggle in Lebanon and Afghanistan, the stirrings in Azerbaijan and the uprising in Kashmir. Additionally, with the unravelling of the post-World War II *status quo* in East Europe, a similar process is underway in South Asia.<sup>4</sup>

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3. As late as August 1953, when Indian Prime Minister Nehru and Pakistani Prime Minister Mohammad Ali met in New Delhi, it was reported that "Nehru had told Mohammad Ali that it should be possible to hold the plebiscite in Kashmir in April 1955 or at least between April and October 1955. The Plebiscite Administrator was to be appointed by the end of April 1954", as stated in : A. G. Noorani, *India, The Superpowers and The Neighbours* (South Asian Publishers, New Delhi : 1985), Chapter on "Nehru and his Diplomacy" p. 21; Nehru finally reneged on his commitment to a plebiscite on Kashmir in a policy speech to the Indian Parliament on March 29, 1956 when he asserted that the accession of Jammu and Kashmir, on the basis of the document of accession signed by the Ruler of the State, was "legal and constitutional".
  4. For variations of this theme, see : Charles Krauthammer "This Islamic 'arc of Crisis' Traces a Global Intifida" in *The Washington Post* reproduced in *International Herald Tribune* (IHT), February 17-18, 1990; Mushahid

The situation in Occupied Kashmir today is actually "India's Bangladesh". While Pakistan refused to accept the election results in 1971, India blatantly rigged the 1987 poll in Occupied Kashmir and the recent election in India in 1989 had no *locus standi* in Occupied Kashmir since there was hardly a 2% turnout. In both cases there is lack of legitimacy of the actions of the Central Government and the military crackdown is the inevitable result. Just as the Pakistan Army eventually ended up as an army of occupation in Bangladesh, the Indian Army clearly falls in the same category and it is behaving exactly as an army of occupation would behave. In both Occupied Kashmir and Bangladesh 1971, there was no political option left for the Central Government and in both instances, the foreign media were unceremoniously booted out in the expectation that the truth would not come out. While Bangladesh was created in December 1971 because of India's successful coordination of its political, military and diplomatic moves, the outcome of the uprising in Occupied Kashmir remains to be seen although the situation on the ground there is exactly the same as it was in the then East Pakistan in 1971.

The United States too has made known its position on this issue, which is not very helpful to the Kashmiris or to Pakistan. The American position can be summed up as follows :

- The US accepts that "Kashmir is a disputed territory and that Pakistan and India should resolve the issue between them as agreed in Simla in 1972";

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Hussain "From Israel to India : Contours of a Changing World" *The Nation*, August 12, 1990; Pakistan's success in internationalizing Kashmir is evident from the fact that the 20th Islamic Conference of Foreign Ministers, meeting in Istanbul, Turkey, during August 4-8, 1991, unanimously expressed "concern at the alarming increase in the indiscriminate use of force and gross violations of human rights committed against innocent Kashmiris" and the 48 Foreign Ministers of the Organization of Islamic Conference (OIC) also called for "the respect of their (Kashmiris) human rights including the right of self-determination".

- The US no longer supports a plebiscite in Kashmir (both these positions were enunciated by US Assistant Secretary of State for Near East and South Asia, John Kelly, during Congressional testimony in Washington on March 6, 1990);
- The US has privately conveyed to Pakistan that it is opposed to raising the Kashmir issue in the UN Security Council or even internationalizing it via such forums as the OIC;
- US accepts Kashmiris as the third party in the issue; and
- The US even threatened during April-May 1990 to cut aid to Pakistan if Islamabad was found to be supporting Kashmiri freedom fighters, as such Pakistani assistance, in the US view, would amount to "aiding and abetting state terrorism".<sup>5</sup>

Notwithstanding this diplomatic aspect of Pakistan's position of the Kashmir issue, two aspects pertaining to India can be viewed as pluses for Pakistan in the present situation. First, India can no longer be assured of solid and unstinted Soviet diplomatic or military support on the Kashmir issue as was the case 30 years ago. As it is, the Soviets have stopped looking at Pakistan through Indian eyes, a change in attitude best exemplified during Mikhail Gorbachev's visit to India in November 1986 and the subsequent

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5. For American views on Kashmir, see, "US Now Opposes Plebiscite in Valley" by Mushahid Hussain in *The Nation*, April 23, 1990; "US Considers Kashmir a Time-barred Issue" by Mowahid H. Shah in *The Nation*, April 27, 1990; "How to Help Prevent a War Between India and Pakistan" by Seling Harrison, originally published in, *The Washington Post* and reprinted in IHT, April 24, 1990; Also text of letter by US Ambassador Robert B. Oakley to Sardar Qayyum Khan, President, Azad Kashmir, November 14, 1990.

restraining role of the USSR on India during its "Exercise Brasstacks".<sup>6</sup> Second, India is today on the defensive diplomatically and its international image has been considerably dented as a consequence of its brutal suppression of the uprising in Occupied Kashmir. The international and Indian media too has tended to equate the brutality of the Indian action in Kashmir with some recent repression like that of the Israelis against the Intifida of the Palestinians or the Soviets against the people of Azerbaijan.<sup>7</sup>

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6. For Soviet views on Kashmir, See : Mushahid Hussain "Prospects of a Homespun Foreign Policy" *The Nation*, April 8, 1990; Regarding broader aspects of USSR's changed foreign policy direction and its impact on India, see : K. Subrahmanyam "Changes in Soviet Union-Impact on Indo-Soviet Relations", *The Times of India* January 19, 1990.
  7. "Human Rights in India : Kashmir Under Siege" *Asiawatch* Washington, DC, May 1991; Amnesty International has included India in that select group of human rights violators who "torture and kill their citizens", see : "Amnesty at 30", *The Guardian Weekly*, June 2, 1991, p. 7., Such violations of human rights also helped in proposing similarly-worded legislation in both houses of the U.S. Congress-Senate Resolution 91 introduced by Sen. Howard Metzenbaum and House Resolution 87 by Congressman Dan Burton-"deploring the excessive use of force against civilians in Kashmir", for text, see : *Muslim Journal*, Vol. 16, No. 30, May 17, 1991. Indian human rights organization and sections of media as well have played a commendable role in this regard : "Kashmir Imprisoned" A Report (by) Committee for Initiative on Kashmir (New Delhi) July 1990; "Kashmir Bleeds" The Human Rights Commission (Srinagar, Kashmir), December 1990; Mukhtar Ahmed "The Rape of Kunan", *Delhi Mid Day* March 18, 1991; Tavleen Singh "Double Standards in Polity" *The Daily* (Bombay) October 5, 1990; For an appraisal of Kashmiri women's role in the freedom struggle, see : "Protectors or Predators ?" *The Illustrated Weekly of India*, September 30, 1990; "Velvet Gloves, Iron Hands" *The Times of India*, September 22, 1990. For a nonofficial, but somewhat Establishment Indian view of Kashmir, see : Dileep Padgaonkar "Crisis in Kashmir-Neither Repression nor Appeasement" *The Times of India*, March 7, 1990; Harish Khare "Stalemate in Kashmir", *The Times of India*, September 4, 1990; Balraj Puri "Kashmiris-Why are they Alienated ?", *The Hindustan Times*,

Additionally, the Congress Party, the pillar of the Indian Establishment, has suffered at the hands of the Indian electorate. India's secularism stands exposed at the altar of resurgent Hindu chauvinism and like the Israelis after their failure in Southern Lebanon, the Indian Army has returned bruised from Sri Lanka, with almost one-third of the Army now engaged in suppressing popular revolts in Kashmir, East Punjab and Assam.<sup>8</sup>

In India too, an historical re-evaluation of Nehru's own role on Kashmir is apparently underway, painting the former Indian Prime Minister in a somewhat negative light as a leader whose myopic vision on Kashmir contribute to the unresolved conflict there.<sup>9</sup> Kashmir is etched as a dark stain on Nehru's rule as has partially been documented in books by the influential Director of Intelligence Bureau during Nehru's days, B. N. Mullik, in his "My years with Nehru" and M. J. Akbar in his recent study "Kashmir : Behind the Vale". The dismissal of Sheikh Abdullah and his arrest in August 1953, was nothing short of an intelligence coup engineered by Nehru and he ended up framing an old friend on

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February 13, 1990. An informed Pakistani appraisal of India's line on Kashmir is available in : Naism Zehra "Kashmir : The Indian Perspective", *Strategic Perspectives* (published by The Institute of Strategic Studies, Islamabad), Volume 1, Summer 1991 Number 1.

8. For an incisive commentary of an India in decline, see : Anita Desai "India : The Seed of Destruction", *The New York Review of Books*, Volume XXXVIII, Number 12, June 27, 1991; For an appraisal of The impact of India's growing troubles on the Indian Army, see : Mushahid Hussain "India Army's Changing Profile" *Regional Studies* (Islamabad), Vol. IX, No. 3 Summer 1991.
9. For a Pakistani view, see : Mushahid Hussain "The Nehrus' Tryst with India's Destiny" *The Frontier Post*, May 31, 1991, also an enlarged, researched piece on the same theme can be found in *Strategic Studies*, Volume XIV, Spring 1991, Number 3, under the title "The Impact of the Nehrus on India's Domestic and Foreign policy".

trumped-up charges, keeping him in prison for 11 long years. Even an unabashed admirer of Nehru's like M. J. Akbar concedes that "what Nehru lost by arresting Abdullah was the moral argument" and adds that "Nehru's incomprehensible surrender to this unmemorable Home Minister (Sardar Patel who was a bigoted anti-Muslim) is inexplicable".

Way back in 1957, in his book, "Envoy to Nehru", the Canadian diplomat Escott Reid had written that "on balance, Indian foreign policy has been a failure since India failed to achieve the most important goal of any realistic Indian foreign policy, the establishment of good relations with Pakistan. The stumbling block to the achievement of good relations between India and Pakistan is Kashmir. In order to hold Kashmir, India has sacrificed an immensely greater national interest".

Historical injustice apart, on the international front today Washington was the setting in July 1991 for the first ever international conference on the Kashmir issue to be organised in the United States. The conference brought in a varied group of scholars, writers and public figures including an American Congressman and a British Parliamentarian. The organisers were the Washington-based Kashmir American Council and the London-based World Kashmir Freedom Movement. The small but affluent Kashmiri-American community, mostly enterprising professionals, were enthusiastic supporters of this conference.<sup>10</sup>

The conference was not just significant because it was the first such successful gathering in the United States, but it also brought into focus a new perspective and fresh insights into the Kashmir

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10. For an appraisal of The Conference, see : Mushahid Hussain "International Conference on Kashmir", *The Nation*, July 21, 1991; Ludwina A. Joseph "International Conference on Kashmir" *Dialogue* August 2, 1991; S. M. Koreishi, "Journey to North America", *The Muslim*, August 3, 1991.

issue, with even Lord Avebury, Chairman of the British Parliamentary Human Rights Committee, suggesting that "the Kashmir issue should be placed before the United Nations decolonization Committee".<sup>11</sup> In effect, the Kashmir issue needs to be treated as a case in point of a territory that is continuing to suffer colonial control. The conference was particularly revealing on at least four counts, both historical and contemporary, that place the Kashmiri struggle in a qualitatively new context.

First, an important historical perspective to Kashmir was provided by a leading Kashmiri-American scholar who cited facts dating to the early and middle 19th century. In 1819 when Kashmir first came under Hindu occupation, the maiden act of the occupiers was to ban the slaughter of cows and the day the ban was promulgated, it was immediately enforced against a family hosting a bridal party which had slaughtered a cow. The host of the wedding and the bridegroom were dragged by their feet from their house in Srinagar and hung upside down for three days to set an example against cow slaughter. The Kashmiri scholar, Dr. Sayyid Syeed, then mentioned that the Indians, during the debate on Kashmir in the United Nations in the 50s, often used to proudly but erroneously proclaim that "the Kashmiris are different than other Muslims in India, they don't even eat beef".

The second fact cited by the Kashmiri scholar pertained to 1848, when the Dogra rulers took over Kashmir. He said soon after taking over Kashmir by the Dogras, all house in the state were searched and all guns and sharp-edged instruments, including knives were confiscated. No Kashmiri was than allowed to keep or use even a knife. A license was required even to sacrifice a chicken, said the scholar. Only a mullah in the Mohallah had such an authority to use a knife and the result over

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11. Lord Avebury, "Kashmir : Duplicity in Diplomacy", *The News* (Islamabad), August 22, 1991.



time, was the emergence of the myth of the "passive, meek, non-martial Kashmiris".<sup>12</sup>

The third important aspect brought to light in the historical context of Kashmir was a reference to the new book being written on the subject by the eminent British historian, Alastair Lamb. His book is scheduled to be published at the end of the year and he is said to have made two key revelations, among others, in his study. One, that the Instrument of Accession, which India has always treated as the legal basis of its occupation of Kashmir, was signed, post-dated, by the Hindu ruler of Kashmir after the Indian Army had already landed in Srinagar, and not prior to the military's landing in Srinagar, as the Indians have always made it out to be. The other aspect about Lamb's forthcoming book on Kashmir is that, in his view, the decision to retain Kashmir with India had been taken by the British colonial administration under Mountbatten since the departing British felt that Kashmir was an important buffer to the north of India against the Communist Soviet Union. Since it was a political decision taken by the colonial administration, there was, therefore, no question of allowing the future of Kashmir to be decided through the popular will of the inhabitants of that area.<sup>13</sup>

The fourth aspect on Kashmir, as discussed during the conference, pertained to the character of the contemporary struggle for freedom. Some highlights :

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12. Both these historical facts, brought out by the Kashmiri scholar Sayyid Saeed, in his presentation at the Washington Conference, have been cited in: Mushahid Hussain, *op. cit.*, p. 10.
  13. Alastair Lamb also provided this perspective during his presentation at The Seminar on Kashmir organized at Oxford University on June 23-24, 1990, which was attended by participants from Pakistan, India, UK, USA and USSR; For an evaluation of Mountbatten's role, see also : Khan Zaman Mirza "Lord Mountbatten and the Tregedy of Kashmir" *The Muslim*, August 4, 1991.

- \* The then Indian Home Minister Mohammad Saeed himself confessed in an interview in February 1990 that "all elections in Jammu and Kashmir, barring 1977, were rigged", thereby belying the old argument peddled by successive Indian governments that Kashmir's accession to India was final since it had been "legitimized" through elections;
- \* In January 1990, Srinagar witnessed the biggest ever mass demonstration when a million plus Kashmiri men, women and children turned out in the streets of Srinagar protesting against the Indian occupation, certainly the biggest such spontaneous outburst of protest and anger since the days preceding the Islamic revolution in Iran when demonstrations of such size and fervour were seen in Tehran, and this was followed by something even more unprecedented, when Srinagar and its adjoining areas had to face a curfew for a record 17 straight days without interruption;<sup>14</sup>
- \* With almost 350,000 men at arms - Army, paramilitary forces, police, etc. - to control and suppress the uprising in the Valley which has a population of 2.5 million, of which less than a million would be in the range of able-bodied young men, this would imply, without any doubt, the highest ever per capita ratio of troops per population in contemporary human history, with a ratio of one Indian armed military man for roughly every 3-4 Kashmiri youth.

These staggering statistics are instructive in providing an insight into the situation in Occupied Kashmir, which the Indians have now themselves internationalized by inviting in armed Israeli commandos whose discovery in early July 1991 indicates assistance and advice to India on how best to suppress the uprising

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14. Lord Avebury, *op. cit.*,

given Israel's own experiences in endeavouring to brutally suppress the Intifida in Palestine.<sup>15</sup>

However, the most apt summing up about the situation in Kashmir was provided during the early stages of the uprising by a prominent Indian journalist G. H. Jansen, who wrote : "Two things are clear : The Kashmiris of the valley, *en masse*, want to have done with India, and they have lost *en masse* their fear of India's security apparatus. When a people reach and pass that tip-over point between fear and non-fear, it is an awesome development which I was privileged to observe at first hand in Iran and the West Bank. It is also irreversible : once fear is lost it can never be reimposed. And it is also irresistible, once the popular will, through political mistakes, is allowed or forced to become really popular and really united.

To describe this very important new element, this sea-change in the popular will as a result of Pakistani subversion or of agitation by a small clique is, surely, to be purblind or ignorant. This means that if India tried to reimpose its will by force in Kashmir it will only provoke a guerilla war".<sup>16</sup>

Perhaps the most brutally frank comment from a prominent Indian on the situation in Occupied Kashmir came during a conversation with a visiting group of Indian intellectuals in May, 1990. Asked as to how many Kashmiri Muslims were really with

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15. For the geopolitical context of this covert cooperation, see Mushahid Hussain's review of two recent American books that provide some information regarding Israeli-Indian collaboration, namely, Victor Ostrovsky, *By Way of Deception* (St. Martin's Press : 1990) and Dan Raviv and Yosse Melman, *Every Spy a Prince*, (Houghton Mifflin : 1991), which was published in, *The Nation*, August 8, 1991 under the title "Indian-Israeli Collusion".

16. These comments of G. H. Jansen appeared in The Letters column under the title "Third Factor", *The Times of India*, March 13, 1990.

India in the valley, one of India's most well-known scholars and columnists, Bhabani Sen Gupta, promptly retorted : "Only one : Dr. Farooq Abdullah. But that doesn't mean we'll give up Kashmir".<sup>17</sup>

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17. Conversation of Bhabani Sen Gupta with the author when he visited Pakistan in May 1990 as part of a three-member group from New Delhi's prestigious think-tank, Centre for Policy Research (CPR) that included its Director, Pai Panandikar, and L. P. Singh, former Home Secretary of India, primarily to discuss defusion of tensions in bilateral relations with Pakistani intelligentsia and officials following the Uprising in Kashmir.