

# Kashmir - problem and solution

By M. J. Audi

Kashyapmir is the proper name of that part of India called Kashmir. It has been well said that if there be a paradise on earth, it is Kashmir. Hell has been let loose in the paradise ever since the partition of India. Only poetic genius can describe the enchanting beauty of Kashmir's hills, dales and lakes; its snows, streams and shades! To prosaic students of statecraft, Kashmir's beauty lies in its geo-political location. Kashmir has borders with Afganistan, China, Pakistan and Russia. Hence, Kashmir is the key to India's security.

## Paramountcy

When Britain was forced to quit India in 1947, she invoked the doctrine of Paramountcy. It was claimed that the day British Paramountcy ended in India, Princely States became not only independent but also sovereign States. In creating legal fictions to justify its machiavellian policies, Britain has been a peerless power. Instead of rejecting this fiction with the contempt it deserved, "Guilty Men of India's Partition" - as Dr. Rammanohar Lohia called them - gullibly swallowed it and thereby created the complicated problem of so-called Princely States. Kashmir was one of them.

Initially, the Maharaja of Kashmir, Hari Singh, pleaded for a standstill agreement with India and Pakistan. Politics never stands still. Pakistan decided to grab Kashmir by force. So-called tribals from Pakistan invaded Kashmir. The Maharaja responded by signing an Instrument of Accession of Kashmir with India in October 1947 which compelled Lord Mountbatten to show his true colours. Kashmir problem is the Mischief of Lord Mountbatten. Retention of Lord

Mountbatten, the last British Viceroy, as first Governor-General of sovereign India was clearly against India's national interests. At every step, he sabotaged Kashmir's merger in India and Pandit Nehru meekly played second fiddle. Politically, any accession is never conditional nor provisional. It is always complete and final. Yet Pandit Nehru at the proddings of Lord Mountbatten announced that Kashmir's accession to India was subject to its confirmation by the people of Kashmir through "plebiscite" under the supervision of the United Nations.

When the Nehru Cabinet decided to deploy the Army in Kashmir, "within a few hours an order" was received by the Government of India from the British Government to the effect that "no British officer would accompany the troops moving into either Jammu or the Kashmir valley". This was when every unit of India's armed forces had a high percentage of English officers.

It was absolutely unnecessary for Pandit Nehru to lodge a complaint against Pakistan with the United Nations in January 1948. Thereby, he internationalised the problem and gave an opportunity to Britain and the United States of America - at whose dictates the Security Council made many attempts to establish international administration in Kashmir between 1948 and 1964. When the Indian Army was on the verge of expelling all Pakistani forces - tribals and non-tribals - from Kashmir and occupying two strategic towns on Indo-Pakistan border, Pandit Nehru signed the cease-fire agreement with Pakistan in 1949.

Between fifties and sixties, politics of Kashmir became murky thanks to the mercurial Sheikh

Andullah. Mr. Nehru glorified Sheikh Abdulla as *Sher-e-Kashmir*. The best parliamentarian produced by India so far and one of very few statesmen truly concerned with unity of India, Dr. Shamaprasad Mukkarji died in very suspicious circumstances in Kashmir prison. Mr. Nehru protected Sheikh by rejecting public investigation of facts surrounding Shamaprasadji's death. Ambitious Abdulla worked for the creation of sovereign state of Kashmir in 1953 with the blessings of the United States of America. Mr. Sheikh Abdullah's unofficial mentor was one of the American intellectuals of the fifties, Dr. Adlai Stevenson and official supporter was Mr. John Foster Dulles, the then Secretary of State. At last Mr. Abdullah's somersaults compelled reluctant Nehru to put him behind bars.

In 1962 when Chinese invasion of India cut Nehru to size, the Western god-fathers of Pakistan again pressurised Nehru to offer Kashmir to Pakistan. When they failed Pakistan again invaded Kashmir in 1965 and was thoroughly beaten by the valiant and valorous Indian Army. Nehru tried to revive Sheikh, a dead-force in India's public life. He freed Mr. Abdullah and assigned him a task to bring India and Pakistan together. As fate would have it, the assignment died with the death of the Nehru.

## Allergic

Why is India so allergic to Britain and United States of America? They know for certain that United India will be a formidable global power. India's own human and natural resources with wise and unselfish rulers can make her strong economically and militarily. That would destroy the dreams of Amer-

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ican hegemony. Whether one likes it or not, India cannot and shall not remain divided forever. The secessionists in India are delighted by the disintegration of the Soviet Union. They fail to grasp that like United States of America, the Soviet Union was an artificial Union. United India - *Akhand Hindustan* - is Nature's work. Selfish persons may tear it temporarily, but never permanently. What steps, then, are necessary to accomplish the goal of Nature? Wherein lies the final solution to Kashmir problem?

Article 370 of the Constitution, which gives special status to Kashmir, should be immediately scrapped. Article 370 has fed and is feeding the separatist and secessionist forces not only in Kashmir but also in Punjab, Assam, Mizoram and Nagaland openly and elsewhere in India covertly.

It should be made crystal clear to the secessionists within India and their financiers from without that Kashmir's integration is final, irrevocable and not negotiable. This alone would make them realize that what is true of Kashmir is true of every part of India.

A new Article should be inserted in the Constitution and should be given Number One. It should provide that any person and any organisation challenging the unity and integrity of India and working for the secession of any part of India is a traitor. It should also provide punishment for treason. Nowhere in the world today, territorial integrity of a country is a debatable and negotiable issue. Everywhere it constitutes an act of treason against the State and punishment is instant death. Only funny exception is India that is Bharat. Wording of this Article should be clear, concise and precise to prevent its misinterpretations by the learned judges assisted by more learned lawyers. History of Rule of Law in *Swaraj* shows how

Courts in India protect property of the few in the name of Equality of many; and enable "anti-national and anti-social elements" to flourish in the name of Liberty.

Kashmir and Punjab should be placed under Military Rule for five years to wipe off terrorism once and for all. India's political leadership in *Swaraj* has failed miserably to preserve the nation's unity and to protect National Interests. In *Swaraj*, India's real saviours are her Armed Forces. Unfortunately, so far whatever the military had won on the battlefields has been lost by the diplomats at the conference tables. Incidentally, India's diplomats enjoy better reputation for wining, dining and dancing at the cost of national exchequer than for ability to protect and promote National Interests. Abolition of Ambassadorships and use of money spent upon them for the Prosperity of the soldiers would definitely promote National Interests.

Pitiably, people of India do not digest the vital lesson of their History. India was never conquered by any invader with his superior strength or superior culture. She had been always victim of conquest and colonisation from the days of Alexander the Greek to the days of European marauders like the Vasco-da-Gamas and the Clives mainly because of the treachery of her own children.

The Ambis, the richands, the Man Singhs and the Sai Singhs, the Mores and the Pisals, the Timojas and the Mir Jafars exist even today mainly because of the incompetence of the powers that be. Swami Vivekanand rightly asserted that India's real mission is to be the *Cultural Guide of the World*. To fulfil that mission India has to wait till the emergence of truly great and dedicated thinkers like Chanakya and truly great and dedicated rulers like Chandragupta.