

# History of Struggle for Freedom in Kashmir

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## Abstract

*After the independence of India in 1947, it got divided into two territories of India and Pakistan. Kashmir, which was a princely ruled state at that time, was in a state of confusion whether it should accede to India or Pakistan or stay sovereign. Hari Singh, the then Maharaja of Kashmir, felt it better to accede with India than Pakistan and signed the instrument of accession with India. The government of Pakistan resisted this accession as they were keen to add this region to their territory and thus started the Kashmir conflict.*

*India and Pakistan have fought for more than seventy years over Kashmir. Wars over Kashmir resulted in eleven United Nations resolutions and two peace agreements, but the problem of Kashmir remained unsolved. For more than seventy years, India and Pakistan have driven a cycle of violence, retaliation, and exploitation in Kashmir, and this dispute over Kashmir has caused at least forty-seven thousand deaths and made Kashmir one of the most militarized regions of the earth and is still a bone of contention between India and Pakistan. Kashmiris have roused many times against oppression, tyranny, and occupation. There are umpteen historical documents of earlier times, where they have challenged numerous rulers for their ugly behavior, right from 1585, at the onset of the Mughal rule.*

*This paper deals with the origin of the Kashmir conflict and historical and political background, and its effect on India and Pakistan.*

**Keywords:** conflict, accession, violence, military, territory, independence

## Origin of the Kashmir issue

The Kashmir conflict started just after the partition of India in 1947, and it was resolved that the Muslim majority provinces would constitute Pakistan, while as the majority of Hindu territory remained as India. The division forced fourteen million people on both sides to migrate across the border, caused about two million deaths, and is one of the bloodiest upheavals in human history. The supremacy was not transferred to the successor governments, but ended on August 15, 1947, making the Indian states masters of their own destiny<sup>2</sup>. They could either accede to one of the two Dominions or could remain independent. Except for Hyderabad and Junagadh, all non-Muslim majority states joined India. At the same time, Muslim majority states acceded to Pakistan. Maharaja of Kashmir was asked to join one or the other; being a Muslim majority state, most of its population wanted to join Pakistan. Maharaja Hari Singh hoped to keep Kashmir independent-, offering a “standstill agreement” for trade, communication, and other usual affairs between Kashmir,

India, and Pakistan, as in the British Raj<sup>3</sup>. Most of the Kashmiri Muslims were not happy with the decision and began a revolution, which was later joined by armed tribes from Northwest Frontier Province of Pakistan. In October 1947, Maharaja of Kashmir requested for military assistance to India<sup>4</sup>. In exchange, he signed the Instrument of Accession, but it was agreed that a vote would be held once the fighting ended. The suggested referendum would have the option either to join India or Pakistan only, but the vote never happened<sup>5</sup>.

It would be appropriate here to look over the letter which Lord Mount Batten wrote to the Maharaja of Kashmir about accepting the accession.

In the certain circumstances mentioned by your Highness, my Government has decided to accept the accession of Kashmir State to the Dominion of India. In consistence with their policy that in the case of any State where the issue of accession has been the subject of dispute, the question should be decided following the wishes of the people of the State-, it is my government's wish that, as soon as law and order have been re-established in Kashmir and<sup>6</sup> her soil cleared of the invaders, the question of the State's accession should be resolved by a reference to the people<sup>7</sup>.

### **Early History of Kashmir**

Kashmir is the northernmost geographical region in South-Asia<sup>8</sup>. Located between the Himalayas and the Pir Panjal Range, Kashmir is rich in resources and diverse history. In the first half of the first millennium<sup>9</sup>, Kashmir was the center of Hinduism and Buddhism, and in 1339 A.D., the foundations of Muslim rule in Kashmir were laid by Rinchen Shah, who embraced Islam changed his name to Sadruddin. After his death, Shah Mir became the first Sultan of Kashmir. The inception of Shah Mir on the throne of Kashmir was not the achievement of an Islamic power fighting for supremacy in the state. It was, in reality, the triumph of the freedom struggle of the people who had been groaning under the misrule of Hindu kings<sup>2</sup>. Muslim rule in Kashmir ended in 1819, the Sikh kingdom of Punjab captured the region from the oppressive Afghan Durani empire<sup>5</sup>. However, the Sikh kingdom implemented its form of oppression.

These were the Kashmiris, who first requested Ranjit Singh to conquer the valley to get rid of the Durani rule of Kashmir. Still later, they repented their action and started complaining to Ranjit Singh about the conduct of their Governors in Kashmir<sup>2</sup>. The Sikh period of Kashmir 1819-1846 is painted black by several chronicles. The Jamia Masjid [Grand Mosque of Kashmir] Srinagar remained closed for prayers for nearly 21 years on the orders of Diwan Moti Ram, the Sikh Governor<sup>3</sup>. Cow slaughter was banned in Kashmir valley by the Sikhs, and those who were accused of cow slaughter were punished to death. The Sikh governors imposed heavy taxation on the Kashmiri people, and the misery of the people further increased due to natural calamities such as untimely snowfalls, leading to famines. These famines were followed by diseases that forced thousands of people to migrate to India during those hard days, and no wonder the population of the valley came down to two lakhs from nine lakhs-. The people are in the most submissive condition, intolerably taxed by the Sikh government and subjected to every kind of extortion and repression by its officers<sup>10</sup>.

After the Anglo – Sikh war of 1845, the British East India Company annexed most of the land from the Sikhs. The Sikhs got primarily defeated because of Gulab Singh's disloyalty, a Dogra Rajput and had entered Maharaja Ranjit Singh's service as the ruler of Jammu. A defeated Sikh force agreed to the Treaty of Lahore. This treaty forced the infant ruler of Punjab, Maharaja Tulip Singh, to free his vassal lords, including Gulab Singh, left him open to negotiating his terms with the new overlords, the British. Soon Gulab Singh signed a treaty with the British that made all his independent land sovereign. He followed this up with the Treaty of Amritsar.

## **Treaty of Amritsar**

Treaty of Peace of 9th March 1846 between Sikhs and British was meant to favor Gulab Singh. The Sikhs were required to cede the provinces of Kashmir<sup>2</sup> and Hazara<sup>1</sup> to the East India Company instead of paying a security of one crore of rupees. The British and Gulab Singh signed the Treaty of Amritsar on 16th March 1846-. In this Treaty, the British, who had already taken over the Sikh Empire by the Treaty of Lahore, sold a portion of that territory, which was the valley of Kashmir and other adjoining areas, for a sum of seventy-five lakh in Nanakshahi rupees to Gulab Singh as a reward for his betrayal in the Anglo – Sikh war. Gulab Singh became the Maharaja of this newly created political entity; In return, the British were given control over the defense, foreign affairs, and communications of this newly created state of Jammu and Kashmir while Gulab Singh remained its sovereign. Maharaja Gulab Singh's purchase of Kashmir marked the end of the Sikh Empire's rule in Kashmir<sup>12</sup>.

## **Kashmir under the Dogra Dynasty**

The disaster in Kashmir began with the handing of the Kashmir valley to the Dogras. During the Dogra rule, Kashmiri Muslims were subjected to slave labor, heavy taxes, and state violence. The Dogra rulers imposed heavy taxation on the Kashmiris to raise the seventy-five lakh rupees they had paid to buy Kashmir. Under their rule, the Kashmiris were compelled to fight in all the wars of Britain and the two world wars.

Dogras were disparate from earlier rulers of Kashmir in that they were themselves vassals of another power, i.e., the British. They established a sort of Dogra imperialism in the state in which the Dogra's were elevated to the higher positions, and all non-Dogra communities and classes were placed at inferior positions<sup>10</sup>. The rule of the Dogra dynasty was probably the worst period in terms of economic extortion in the valley. The Kashmiri Muslims were subjected to harsh treatment, and this was not the case with the Hindus. The shawl weavers were compelled to produce costly gaily colored shawls and were charged an ad valorem duty of 25% on each shawl. In 1865 shawl weavers rebelled against the Dogra oppression; they launched a protest due to their hard-working conditions and excessive taxation. Still, the revolt was brutally crushed by the Dogra army.

The Dogra rulers also reintroduced the forced labor system known as the beggar. However, this system was introduced by the Sikhs but was taken to its utmost level by the Dogras. Begar existed in the Kashmir valley in many forms, but the most apparent form was the Gilgit begar. In the absence of any pucca road leading there and an inadequate transport system, peasants, particularly from the countryside, were pressed into service to transport supplies<sup>13</sup>. Besides all that, the peasants were paid no wages, and what made the journey worse was the most dangerous and risky Gilgit road. The peasants had to pass through the narrow mountainous passages, and as a result, many peasants died on their way back home, and very few returned to their homes. Though the Beggar had been abolished on the recommendations of Sir Walter Lawrence in 1893-, yet it continued in practice, and the press wrote against it even in 1920<sup>14</sup>.

When Maharaja Hari Singh ascended the throne of Jammu and Kashmir in 1925, the Kashmiris had already developed feelings of hatred towards the Dogra rule, and Kashmiris felt highly alienated. They raised their voices against the policies of Maharaja Hari Singh. These Kashmiri people were heartened by the educated class, and the most prominent among these was Sheikh Mohammad Abdullah; he, later on, played a central role in the political history of Kashmir and struggled for the rights of the Kashmiri masses. It was during Hari Singh's rule that the first signs of political awakening were seen among the depressed Kashmiri people, and they started to demand their share in government services. This concern of the Kashmiri Muslims ultimately led to the formation of a political organization in 1932 –All Jammu and Kashmir Muslim Conference by

Sheikh Mohammad Abdullah, Chaudhry Ghulam Abbas, Molvi Yousuf Shah, Gowhar Rehman, with Sheikh Abdullah as the President. The organization wished to represent all the state's Muslims in their demands for more rights, and both Jammu and Kashmir Valley contributed to composing the party leadership<sup>15</sup>.

On 13 July 1931, twenty-two Kashmiri Muslims were shot and killed at the trial of an anti-Maharaja activist. On that day, Kashmiri Muslims protesting outside the Srinagar Central Jail premises, where Abdul Qadeer was being held and tried on charges of agitation, were beaten and fired upon by the jail authorities after they refused to disperse on forcefully entering the prison premises<sup>16</sup>. After the killings, communal riots broke out in the Kashmir valley in which three Hindus lost their lives. After that, the Maharaja of the state established the Glancy Commission but was opposed by the Kashmiri Hindus. After this agitation, Maharaja Hari Singh accepted the first legislature of the state of Jammu and Kashmir in 1934, called the Praja Sabha. Still, despite a Muslim majority territory, the Muslims were given only six percent of the right to vote while 25 percent of the right to vote was given to the Non-Muslims.

In 1939 Sheikh Abdullah felt the need to change the name of the Muslim Conference to the National Conference to represent all people of the state as Sheikh Abdullah was not feeling comfortable with the communal nature of the party. Hence, he wanted to get rid of it. The conversion was supported by pro-Muslim leaders such as Choudhary Ghulam Abbas, who later parted his way with National Conference and rejoined the Muslim Conference. Still, most of the Kashmiri Muslims reacted against this decision of party conversion by Sheikh Abdullah.

On 10 May 1946, Sheikh Abdullah launched the "Quit Kashmir" movement against the Maharaja Hari Singh. To suppress the movement, the Maharaja imprisoned Sheikh Abdullah for sedition. Jawaharlal Nehru rushed to Kashmir to demand his release, but Maharaja got Nehru arrested and escorted out of the state. With the help of Jawaharlal Nehru and Mahatma Gandhi, all the cases which were filed on Sheikh Abdullah were withdrawn, for which Sheikh Abdullah supported them for the accession of Kashmir to India.

### **Accession of Kashmir to India**

In 1947 when India got independence, and it was portioned into two territories of India and Pakistan. To Kashmiris, the establishment of Pakistan was a matter of joy, who thought that they are now close to achieving their destiny, i.e., liberation from cruel Dogra rule. According to the Indian Independence Act, the princely states can either join the two dominions or stay independent. The Maharaja of Jammu and Kashmir was undecided whether he should join one of the two nations or remain sovereign. He hoped to keep Kashmir a small autonomous state. His objective was to sign a "Standstill agreement" with both India and Pakistan that did not work out because he felt being a Hindu ruler of a Muslim majority state, he needed more time to think. India and Pakistan both were keen to add Jammu and Kashmir to their territory, fearing that Maharaja would join India, some Kashmiri Muslims rebelled. The Maharaja tried to quell the uprising in which many people died. Hearing the reports of attacks on the Muslims, armed tribesmen from Pakistan's North-West Frontier invaded Kashmir. In October 1947, the Maharaja asked India for help. Pandit Jawaharlal Nehru agreed to provide Hari Singh with military assistance but on one condition that Kashmir should accede to India and the Instrument of Accession was signed.

### **The Genesis of the Kashmir Dispute**

The dispute over the Kashmir issue started just after the partition of India in 1947. After signing the Instrument of Accession with India by the Maharaja of Kashmir, a vote would be held once the fighting ended. Still, the referendum Nehru promised never happened. The Indian military was

airlifted into the Kashmir valley and forced the tribesmen from Pakistan to retreat, which sparked the first Indo-Pak war. The fighting lasted until the United Nations helped procure a peace deal known as the Karachi Agreement, which was later replaced by the LOC (line of control).

The United Nations-backed the cease-fire line. Under the cease-fire agreement, which came into effect on 1 January 1949, India and Pakistan agreed to halt hostilities and also committed themselves to accept the presence of UN military observers in Kashmir until the dispute was resolved. But the violence continued, and in 1965, another war broke out, and thousands of people were killed between the vast armies on both sides. In 1971, the third Indo-Pak war broke out, but this time, the focus was not in Kashmir but was in East Pakistan, and India helped rebels fight for Independence and dealt Pakistan a devastating defeat. This region became the new country of Bangladesh, and Pakistan lost its Eastern half. Pakistan's defeat in the Indo-Pak war made Kashmir more significant than ever.

Both India and Pakistan have battled over Kashmir for more than seventy years. It became one of the most militarized places on the Earth as India and Pakistan deployed planes, artillery, and soldiers along the Line of Control. Both India and Pakistan are claiming to have the best interests of the local population in mind. But they jointly suppressed Kashmiri voices that criticize the actions of both countries and demand independence.

## Conclusion

From the very beginning, different dynasties ruled over Kashmir. It was home to Buddhists and the Hindu Vaishnavism by the 9th century, and in the 14th century, Islam emerged as Kashmir's prominent religion. Then it comes under the Afghans, Sikhs, and lastly, under the Dogra dynasty. In 1846 after signing the Treaty of Amritsar by Gulab Singh, Kashmir was sold to Maharaja Gulab Singh for seventy lakh rupees. After the partition of British India, states were given a choice to decide whether to accede to India or Pakistan or remain independent.

Maharaja of Kashmir offered a standstill agreement with both India and Pakistan, Pakistani government agreed to the settlement. Still, India did not agree and advised Maharaja Hari Singh to send a representative to Delhi for discussion. When the tribesmen from Pakistan invaded Kashmir, and Maharaja asked India for help, the situation worsened, and Maharaja had to sign the Instrument of Accession with India.

Both India and Pakistan have fought for more than seventy years over the Indian-administered Kashmir, and that conflict has been a major international story for decades. Today, India and Pakistan claimed their own Kashmir entirely, but currently, India administers only about 45% of the central and southern part while Pakistan occupies 35% of the North-Western area. In the meantime, 20% of the North-Eastern part of the region is heavily influenced by China.

In the past few decades, Kashmir witnessed a lot of violence, exploitation, and violation of human rights, and the solution to the Kashmir problem seems in minimizing the security forces in the valley. But this may not be the ultimate solution to the issue; what Kashmir needs today is to have a dialogue and to hold a referendum, and if this could not be carried on, the solution over the Kashmir issue can never be found.

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