

Book Review
By
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The Kashmir Dispute 1947-2012

The Kashmir Dispute: 1947-2012, in two volumes is a collection of articles written by A.G. Noorani on developments related to India-Pakistan relations in the context of the Kashmir dispute. It opens with an insightful introduction meant to fuel a vibrant discussion on the nature, history and future of the dispute and inhabitants of the scenic state of Jammu and Kashmir. The book provides a comprehensive account of the dispute and various developments that have taken place from political, diplomatic, legal and humane perspectives. It relies on in-depth research, extensive quotations from the original and archived documents and makes politically controversial revelations, aimed at forcing a rethink of traditional reading of the origin of the dispute and subsequent developments.

Noorani, a senior advocate of the Indian Supreme Court and an acknowledged constitutional expert, has written extensively over last six decades on a variety of themes including Islam, India-Pakistan relations, domestic politics of India, Kashmir dispute, Indo-Pak wars, and the constitutional history of Jammu and Kashmir.

This book is engaging and highly readable. It connects various historical events and developments that may not appear to have any relation with each other. The main message of the book is that Kashmiri Muslims have been yearning for justice since 1947. Justice should have been done to them in later years, as it was not provided to them in 1947, when Pakistan stood for the right of self-determination of the people of Jammu and Kashmir. Thereafter, India refused to meet its commitment, of determining the future of the state through plebiscite, made to the people of Kashmir, the Indian people, and the United Nations.

148-page introduction in a book of 550 pages looks unusual. But it is a thought provoking introduction of the book that is its distinctive characteristic. Along with the extensive appendices, the book brings to the fore new dimensions of the developments surrounding 68 year old dispute. This dispute led India and

Pakistan to wars twice (48 and 65), and several crises (80s and 90s) prior to their acquisition of nuclear weapons. In 1999, a year after they had demonstrated their nuclear capabilities, they were once again on the verge of a large-scale war, while Kashmir induced an intense crisis in 2001-02. Unless resolved and settled amicably, taking into account apprehensions of Indians, Pakistanis, and most importantly the aspirations of the Kashmiris, this dispute will continue to undermine stability and threaten conflict in South Asia. Noorani thinks that the India-Pakistan discord regarding Kashmir has taken the form a bilateral territorial dispute, which has overshadowed the demand of the Kashmiri people for their rights and fulfilment of their aspirations.

Noorani has laid threadbare character and political aspirations of the Muslims of Kashmir. Their idea of political freedom was different from the political movement being pursued by the Muslims in the Indian subcontinent. Kashmiris sought political freedom that could augment their Muslim identity. Kashmiris trace back the course of their miseries from the times of Mughal Emperor Akbar, when state of the Kashmir was brought under Mughal suzerainty in 1589, which was followed by Afghan and Sikh rulers. A Sikh ruler, Gulab Singh bought the beautiful state and its people for Rs.7.5 million from the British crown in 1846. A century later, as India won independence, seeds of another conflict were sown in Kashmir, as state became bone of contention between the two new states. He argues, "Were it not for the highly controversial Radcliffe Award, India would not have had any access by land to Kashmir".

Nonetheless, both India and Pakistan promised to hold a plebiscite in the state of Jammu and Kashmir at the United Nations in 1948. Noorani calls the plebiscite a democratic necessity as promised by both India and Pakistan as well as a 'moral imperative'. He accuses Indian Prime Minister Jawaharlal Nehru for lying to the people of India, the Indian parliament and Kashmiri people. He believes Nehru had engaged in political intrigues against the aspirations of Kashmiri people. He quotes speeches of Nehru at length that convey a single message: future of Kashmir will only be determined by the people of Kashmir through a plebiscite. Moved by the injustice meted out to the Kashmiri people, Noorani puts squarely, the blame on all Pakistani, and Indian leaders, the British and US governments and the United Nations for not resolving the dispute and allowing it to linger on for six and a half decades.

The book then chronicles attempts by the UN mandated commissions to resolve the Kashmir issue, notably the Dixon plan and provides bilateral context to it. The book also charts the course of various rounds of bilateral talks between political leaders, and diplomats of India and Pakistan to resolve the Kashmir dispute held from time to time. A section also narrates shifts in US policy on Kashmir issue over the decades. First, the US saw the conflict in the context of Cold War alignments, as during 1950s it advocated arbitration for settlement of the territorial dispute. In later years, the US supported the partition of the territory of Jammu and Kashmir between India and Pakistan but did not support Kashmir's accession to India. However, in recent decades, the US has treated it as a bilateral dispute. Currently, US calls on India and Pakistan to resolve the dispute through dialogue.

Coming to developments in the last decade, Noorani explores details of back-channel diplomacy by India and Pakistan to exchange ideas for a settlement focusing on a 4-point formula advocated by President Musharraf that provided 'equal autonomy' to respective parts of Jammu and Kashmir currently controlled by India and Pakistan respectively. For Noorani, the Musharraf formula is the practical way forward for settling the dispute, while preserving national interests of India, Pakistan and aspirations of people of Kashmir. But the question is, how will any movement be made towards altering the status quo without significant shifts in current power dynamics of the region?

For students, researchers, scholars of international relations and India-Pakistan relations, foreign policy makers and politicians of Pakistan this book is a must read. The book has a 116 page appendix which adds to its value. It is in fact, a treasure trove of rare documents, like the Indian and Pakistani draft texts of a no-war pact, which never materialized; the correspondence between then leaders Jinnah, Nehru, Liaquat, Patel, and Mountbatten, as developments had begun taking place in Kashmir right after the partition. It also contains archival material including several British and US government documents on Kashmir, the US proposal advocating partition of Kashmir, among others. It also gives details of 4-point Musharraf formula and the text of author's interview with President Musharraf in August 2006. By digging up rare documents and critical analysis of archival material, Noorani sheds new light on the developments that has taken place over the last six decades and provides fresh understanding of the Kashmir question.

The takeaway from the book is that author has made two important and somewhat provocative points: a) the Kashmiris aspiration have been overshadowed by the India-Pakistan differences and conflicts and b) that the Musharraf formula came close to solving the Kashmir problem or at least showed a way forward for its resolution.

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