

***Divided Kashmir: Old Problems, New Opportunities for India, Pakistan, and the Kashmiri People.* By Mushtaqur Rahman.** Boulder, CO: Lynne Rienner, 1996. 219pp.

The state of Jammu and Kashmir is presently occupied by three countries: Pakistan (35 per cent), India (45 per cent) and China (20 per cent). Ever since the accession of Kashmir to India in October 1947, India and Pakistan have fought two wars over the territory. Along the line of control in the state, a tenuous ceasefire exists between the forces of the two countries. There are occasional outbreaks of fighting involving troops from both countries. The latest was in August 1997. Described as one of the most serious outbursts of fighting along the ceasefire line in Kashmir in recent years, fifty Pakistani and three Indian soldiers were reported to have been killed. This most recent incident of fighting between the two traditional enemies of the sub-continent occurred despite an announcement in June of the formation of a joint India-Pakistan working group on Kashmir. Ostensibly, this working group is to help find a lasting solution to this long-standing dispute between the two countries. In the aftermath of this bout of fighting, officials from both countries tried to play down its seriousness and reassured world opinion that it would not affect future activities of the working group on Kashmir. However, the latest fighting has also demonstrated that anything can happen to complicate or even derail the process of reconciliation between the two countries on Kashmir. The unpredictable nature of the peace talks on Kashmir is, to a large extent, explainable by the very nature of the Kashmir dispute. The book under review, though written from a Pakistani point of view, is a very rich contribution to a deep understanding of the complex nature of the Kashmir dispute.

In Chapters 1–7, the author traces the history, geography, and demography of the state of Jammu and Kashmir, the origins of the conflict, and also, the circumstances leading to accession of the state to India in October 1947. The author identifies three personalities for sharing historic responsibility for the Kashmir dispute. They are: Mr Jawaharlal Nehru, the Prime Minister of India from 1947 to 1964; Maharaja Hari Singh, the ruler of the state of Jammu and Kashmir in 1947; and Lord Louis Mountbatten, the last British viceroy of India. There is nothing new in this line of argument. Authors, sympathetic to Pakistan's position on Kashmir, have often asserted that these three were very much anti-Pakistan personalities and they therefore made sure that the state of Jammu and Kashmir hastily acceded to India.

The author's analysis of circumstances leading to the signing of the instrument of accession merits special mention for two reasons. First, it raises the legality of the signing of the Maharaja's instrument of acces-

sion. Analysis done by the author successfully raises the point that the Indian troops were already in Kashmir before 26 October and the instrument of accession was signed by the Maharaja on 29 October 1947 (not on 26 October as commonly known). In other words, the instrument of accession was post-dated so that the presence of the Indian soldiers could be made legal. Secondly, the analysis makes it very clear that the nascent Pakistani government knew about the involvement of tribesmen and Pakistan Army deserters in the fight against Dogra rule in Kashmir.

In a brief but well-analysed section (Chapter 8), the author describes the United Nations' involvement in finding a solution to the Kashmir dispute. The author succeeds in highlighting the inability of the United Nations to solve an inter-state problem within a Cold War international milieu. Different U.N. mediation blueprints — General A.G.L. McNaughton's plans, Sir Owen Dixon's proposals, and those of Frank Graham — came to nought as both India and Pakistan refused to accept them. Each saw the plans as favouring the other. Nehru's vacillating position on the issue of the United Nations' demand for holding a plebiscite in the state of Jammu and Kashmir, the failure of the United States to commit itself to a U.N. solution, and the Soviet support for India's position on Kashmir, sealed the fate of the U.N. mediation efforts in Kashmir.

Chapters 9 and 10 analyse respectively the impact of the Indo-Pakistan wars of 1965 and 1971 over Kashmir. The author deserves kudos for shedding new light on the widely-rumoured involvement of the Pakistani military in stirring up trouble inside the state of Jammu and Kashmir that many believe had led to the outbreak of the war in 1965. In Chapter 9, the author acknowledges that in 1964, without the knowledge of the Pakistan Air Force and the Ministry of Information and Broadcasting, the Pakistan Army and the Ministry of Foreign Affairs jointly prepared a paper on this issue. The author hints at then Pakistan Foreign Minister Zulfikar Ali Bhutto's hand behind the paper, which was to be the basis of "Operation Gibraltar". Under the first phase of this plan, volunteers were recruited from Pakistani-controlled Kashmir to be sent to the state of Jammu and Kashmir to fight Indian forces. In the winter of 1964-65, groups of these "volunteers", known as the *Mujahiddens* ("freedom fighters"), began crossing into the state of Jammu and Kashmir. In July, the "volunteers" numbered about 1,000.

By the middle of July 1965, there was considerable tension in Jammu and Kashmir as a result of the disappearance of the Prophet's hair from the Hazratbal Shrine. Thus, a unique situation presented itself for these "volunteers" to create trouble for the Indian forces. The second phase of "Operation Gibraltar" was then set in motion. A

campaign to blow up bridges, and to attack police stations was carried out. In August 1965, the Voice of Kashmir went on the air to "announce the formation of a Kashmir revolutionary council to liberate Kashmir from Indian oppression" (p. 110). Tension along the ceasefire line rose in tandem with the activities of these "guerrillas". Very soon, forces of both countries were shelling each other and once the Pakistani forces, supported by Pakistan-controlled Kashmiri forces, crossed the ceasefire line on 1 September, war became inevitable. Indian forces counter-attacked on 6 September. The two sides fought until 23 September when a U.N.-arranged ceasefire came into force. This war, like the one in 1947, also resulted in a stalemate. Under the terms of the nine-point Tashkent Declaration of 10 January 1966, both parties agreed to withdraw their troops to positions held by them on 5 August 1965, and reaffirmed their obligations not to have recourse to force, and to settle the dispute through peaceful means.

In Chapter 10, the author analyses the impact of the 1971 Indo-Pakistan war (also known as the Bangladesh war) over the Kashmir dispute. It is a historical fact that the following two factors contributed much to the Indian military involvement (extending help to the *Mukti Bahini* guerrillas, and the Indian military's action in December) in former East Pakistan: the policy of genocide perpetrated by the Pakistani military on the civilian Bengalis in Pakistan's former eastern province and the influx of millions of Bengali refugees into India to avoid this massacre. The author does not mention these factors at all. Rather, he blames Sheikh Mujibur Rahman and India for the breakup of Pakistan in 1971. Nothing can be further from the truth. Pakistan broke up in 1971 neither because of the ill designs of any external power nor because of a collusion between Sheikh Mujibur Rahman and India. Bangladesh emerged in 1971 because of the failure of Pakistan's ruling élite to solve the domestic political crisis.

The Simia agreement, signed in the aftermath of the war on 3 July 1972, contributed to a growing dispute between India and Pakistan on whether the two countries should solve the issue bilaterally or refer it to the United Nations. Pakistan maintained that the Simia agreement did not preclude reference of the Kashmir dispute to the United Nations, or any other international body. On the other hand, India's position was that the Simia agreement provided only a bilateral solution to the Kashmir dispute. Whatever the merits of the respective positions on this question, the formation of a joint working group on the Kashmir dispute gives credence to the argument that both countries now subscribe to the idea of finding a bilateral solution to this vexatious issue.

In Chapter 11, the author has done a good job in tracing the developments in Jammu and Kashmir from the Simia accord to 1990. This is the period of rising political and ethnic tension in the state. The outbreak of a strong movement of armed resistance against the Indian troops in Jammu and Kashmir is also chronicled here. Like many other political commentators, the author has recorded many violations of human rights by Indian law enforcement agencies in Jammu and Kashmir.

There is no doubt that the continuing problem of Kashmir has bled the population of the state. Undoubtedly, it has also retarded India and Pakistan economically, a fact now openly acknowledged by the leaders of both countries. Clearly, a bold new initiative has to be taken to solve this problem. In Chapters 12 and 13 the author reviews a number of possible solutions and at the end offers his own idea about resolving the Kashmir conflict. His answer is to work out a solution based on the model of the Indus Waters Treaty signed on 19 September 1960. He argues that the Kashmir dispute should be defined in terms of the sharing of the waters of six river basins. Once this is done, then the principle of division should be applied — giving three river basins to Pakistan and the other three to India. If this principle is applied then the Kashmir valley and some eastern areas would go to Pakistan. India would receive parts of Jammu and Ladakh. However, some adjustments would have to be made in the Chenab basin. The author recognizes that just like their support of the Indus Waters Treaty, any such agreement on Kashmir would have to be guaranteed by the United Nations, the United States and other Western countries.

The author's suggestion for a solution to the Kashmir dispute is unworkable for two reasons. First, all parties involved in the dispute see it as one over territory. It is highly unlikely that such a position will change in future. Secondly, getting political and economic support of the United Nations, the United States and other Western countries for such a scheme is not likely to succeed because of the cost involved. Nowadays, gigantic projects like the Indus Waters are not particularly popular among aid donors.

The overall format and graphics of this book is very good. However, it should be pointed out that the third paragraph on page 18 is wrongly inserted. It more appropriately belongs to the next section on the same page.

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