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INTELLIGENCE MEMORANDUM

THE KASHMIR DISPUTE

DIRECTORATE OF INTELLIGENCE

Office of Current Intelligence

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CENTRAL INTELLIGENCE AGENCY
Office of Current Intelligence
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INTELLIGENCE MEMORANDUM

SUBJECT: The Kashmir Dispute

The Kashmir dispute remains one of the bitterest legacies of the partition of British-ruled India in 1947. In the ensuing eighteen years, neither Pakistan nor India has been willing to consider a solution which would leave the other country in control of the central Vale of Kashmir, regardless of the inducements offered. Pakistan's frustration over its inability to wrest the Vale from India is still the basic emotion, pervading its entire foreign policy, which finally led to the risky decision to send infiltrators into Indian Kashmir in early August. India's Kashmir policy also rests on a foundation built on intense patriotic and communal sentiment. While each side adopts legal arguments derived from the events of 1947, when India took over the Vale, the roots of the dispute go far back into the past.

Historical Background

Kashmir is a rugged land, lying across the western invasion route from Tibet and Sinkiang into the Indian subcontinent. The heart of the country is a beautiful valley, 85 miles long by 25 miles wide and a mile above sea level. This is the Vale of Kashmir, surrounded by inhospitable mountains which include, on the north, the Karakoram, the world's highest range. Outside the Vale, the population is sparse and poverty-ridden,

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and the docile people of the main valley have long feared the more warlike tribes from the neighboring hills. Although this whole region is in dispute, it is the Vale that is the heart of the matter.

Kashmir proper has been Muslim since the 14th century, and was annexed to the Moghul Empire by Emperor Akbar in 1587. Hindu control was not re-established until 1946 when the British turned the state over to the Hindu Maharaja of Jammu as part of their efforts to improve the security of British India along its northwestern perimeter. Hindu rule was autocratic and the Muslims in the state felt themselves cruelly oppressed. Although more direct British influence improved conditions in the state, Muslim restiveness led to open agitation--in many cases associated with the efforts of the Indian National Congress further south--in the years preceding World War II.

With the partition of British India at the time of independence, the status of Kashmir, like that of the other princely states, remained to be settled. Most of the maharajas, who had the option of acceding either to India or to Pakistan, made their decisions promptly. The Hindu maharaja of Jammu and Kashmir stalled, however, in hopes of securing a substantial degree of autonomy. By October 1947 a revolt had broken out among his Muslim subjects in the Poonch region, who were soon joined by several thousand Pushtoon tribesmen from Pakistan's Northwest Frontier Province. Slaughtering indiscriminately as they swept into the Vale along the Jelum River, the Pushtoons came perilously close to Srinagar.

Unable to cope with the situation himself, the maharaja opted for India, and New Delhi immediately sent troops who drove back the tribesmen and suppressed the local Muslim agitation. India's claim to the state thus has a technically strong legal foundation in the maharaja's act of accession. The Pakistani advocates point out, however, that the basic concept of Partition was that Pakistan was to comprise the contiguous Muslim-majority areas

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of British India. They insist that Kashmir is such an area, that the Kashmiri people without question would have preferred to join Pakistan, and that they were prevented from doing so only by Hindu troops, first those of the maharaja and then those sent by New Delhi.

Subsequent mediation efforts and negotiations have not moved the parties from these positions, nor from the territory that the respective forces occupied. In 1948 and 1949, the UN Commission for India and Pakistan secured the agreement of both parties to a cease-fire, demilitarization, and a plebiscite. With minor interruptions, the cease-fire remained in effect until the new outbreak last month. The demilitarization agreement, however, was never carried out, and in 1956 India announced that it therefore no longer held itself bound to conduct a plebiscite.

Kashmir Today

Since the cease-fire, the two sides have organized their Kashmir territories along quite different lines. Pakistan controls several mountain districts comprising about one third of the total area of Jammu and Kashmir. The districts to the north had relatively tenuous ties with the old princely state and are administered as special political agencies under the Central Pakistani Government at Rawalpindi. The districts lying along the western edge of the Vale make up what is known as Azad ("Free") Kashmir, supposedly a separate, provisional government pending the settlement of the dispute, but actually under the control of Rawalpindi.

Pakistan has not attempted to make Azad Kashmir a showplace; the local administration is supported mainly by local taxation, and Pakistan's financial contribution seems to be limited to a few million dollars for agricultural extension services and food subsidies. Economic development consequently is negligible.

India's portion of Kashmir, on the other hand, includes the famous Vale and the capital city of Srinagar, by all odds the most desirable part of the

state and the traditional center of power where the "true" Kashmiri lives. Over the years the Indian government has gradually integrated Kashmir more fully into the Indian union until by now all significant constitutional distinctions have been swept away.

As part of the integration process, New Delhi has furnished a considerable amount of financial assistance to the state over the years--a contribution that has ranged as high as 60 percent of the state's revenue in some years. This support may have reduced Kashmiri resentment in some measure, but there is little question that the Kashmiri population would vote to break away from India if offered the choice.

Indian Attitudes

Although India, like Pakistan, claims the whole of the old Jammu and Kashmir state, it is in fact fairly well satisfied with the status quo. Although now adamantly opposed to any discussion of Kashmir, the Indians would have no fundamental objections to a permanent division of the state more or less along the cease-fire line. Indeed, Indian defensive arrangements in Kashmir, such as the depopulation of the 500 yard "demilitarized" zone, have treated the line as a de facto international boundary. Any proposal threatening India's complete control of the Vale, however, would meet with hostility in New Delhi.

Most Indian leaders have a deep emotional commitment to the concept of a secular and united India. It has heavy Gandhian overtones--Ghandi himself was strongly opposed to Indian acceptance of independence based on partition--and is reinforced by the remembrance of forty years of resistance to the growing influence of the Muslim League. The League, founded in 1906, aimed initially at insuring that the Muslim majority would be protected as India moved toward self government. It did so by ingratiating itself with the British Raj, which Muslims viewed as a far safer bet than the Hindu rule that might replace it. In the two decades immediately preceding independence, however, the

League took a new tack, and the concept of an independent Muslim state arose. Nehru and his Congress colleagues who were to rule India following independence grudgingly accepted partition only after an unbreakable deadlock with the League over constitutional arrangements led to serious communal rioting in 1946 and 1947.

The Chinese attack in October 1962 strengthened India's emotional resolve to hold Kashmir. After its belated discovery in 1959 of the Chinese road crossing "Indian" territory on the Aksai-Chin plateau to link Tibet with Sinkiang Province, New Delhi insisted with considerable bravado that the Chinese would be compelled to withdraw. The series of border scrapes that followed and the Indian military debacle of 1962 drove home the lesson that India must seriously attend to its Himalayan defenses. In Ladakh this means the stationing of a full infantry division, which must be supplied by an almost continuous truck convoy along the Srinagar-Leh road from the Vale.

Pakistani Attitudes

While the Kashmir dispute is only one of India's foreign policy problems, it often seems to come close to being the very *raison d'etre* for Pakistan's foreign policy. Every Pakistani leader has known that he could assure his place in national history if he could somehow bring Kashmir under Pakistani control. This is especially true of President Ayub, who has already promulgated a new constitution and would like to rival the late Mohammed Ali Jinnah as the "father" of the country. To the Pakistani, Kashmir is a blight on Pakistan's national honor and a perpetual reminder that the Pakistani Muslim, whose heritage includes the glory of the Moghul Empire, is now a citizen of a country that is weaker, poorer, less skilled, and generally inferior to its "Hindu" counterpart. Proposals aimed at saving face for Pakistan--but leaving India in control of the Vale--have no appeal in Rawalpindi, since possession of the Vale is the essence of the question.

After a decade of frustration, Pakistani leaders cast about for new means of exerting leverage on New Delhi. In 1959, Ayub first tried to capitalize on the Sino-Indian border difficulties by proposing a joint Indian-Pakistani defense of the subcontinent--obviously predicated on a Kashmir settlement. Nehru received this coolly.

Another strategy apparently was then developed: to wait until Chinese pressure on the Indian border would oblige India to secure its flank with Pakistan by offering real concessions in Kashmir. The Pakistanis believe, however, that this maneuver was upset by Pakistan's Western allies, who brought military assistance to India following the Chinese invasion in the fall of 1962 and thereby freed India from the necessity of entering serious negotiations.

Most recently, Pakistan's worry that time is on the side of Indian in Kashmir has been sharpened by Indian moves to complete the integration of Kashmir into the Indian Union. The latest steps in this process--the extension of constitutional provisions allowing for direct "President's" rule from New Delhi during emergencies and for the popular election of Kashmir's representative to the national legislature--erased the last significant distinctions between Kashmir and the other states. The declaration of Indian Home Minister Nanda on 1 July, following the signing of the Rann of Kutch agreement, that Kashmir is "not a matter for discussion" merely confirmed the obvious.

Recent Developments

The tightening of the Indian position was all the more painful to Rawalpindi since it followed an apparent easing of New Delhi's stand in early 1964--the last months of Nehru's life. In August 1963 Nehru ridded the state of the ten year old regime of Kashmiri political boss Bakshi, whose reputation for corruption had worsened the already tarnished Indian image in Kashmir. Bakshi's ouster touched off four months of political conflict between New Delhi and the Bakshi forces for control of Kashmir's political machinery. In December the

theft of a Muslim relic from a mosque near Srinagar led to the most serious outbreak of rioting the Vale had seen since independence. It has been alleged but not proven that Bakshi himself instigated the theft to provoke instability and facilitate his return to office, but regardless of the motive, the net result was a recognition in New Delhi of the need for a new deal in Kashmir.

Nehru, who suffered his first debilitating stroke shortly after the theft, sent Shastri to Srinagar to repair the damage. A regime both more honest and more amenable to New Delhi's lead was installed. A more liberal approach was ushered in by the release of Sheikh Abdullah, by far the most influential figure in Kashmir, who had been jailed ten years previously for his advocacy of an independent Kashmir. The Sheikh began a round of talks with both Nehru and Ayub, and prospects for a Kashmir settlement, while not bright, seemed improved.

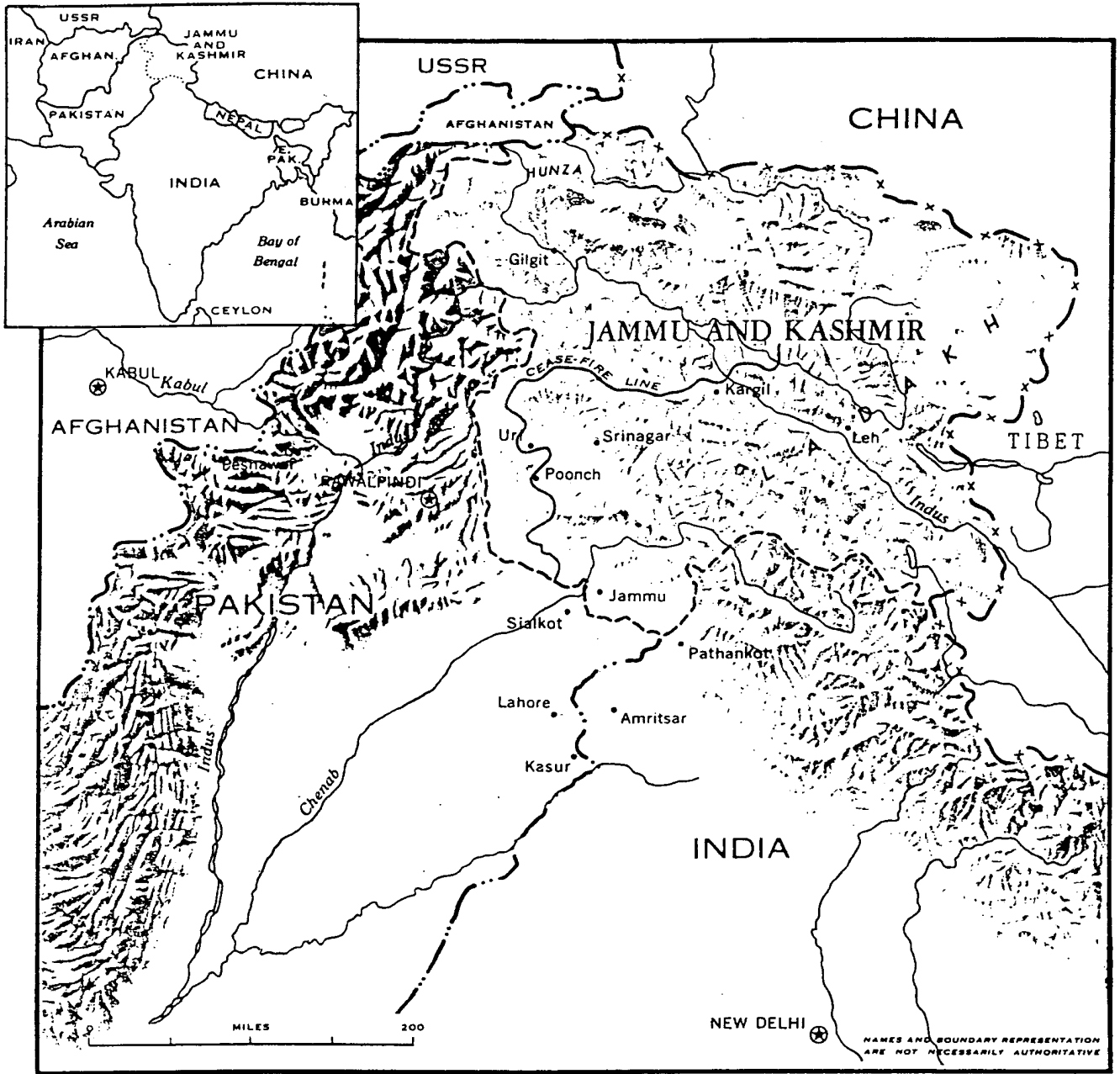
Nehru's death in May 1964 closed out any real hope of a Kashmir solution. He was the only Indian who wielded sufficient political power to sell any significant concessions to India's Hindu majority. Although Shastri initially showed an inclination to continue along the path charted by the late prime minister, he soon became so embroiled in the political conflicts that surrounded his own accession that further consideration of the Kashmir problem was shelved. In March 1965 the Sheikh was rearrested, this time for having met with Chou En-lai while both were visiting Algiers. Meanwhile, the gradually building Rann of Kutch confrontation, which had begun as early as January 1965 but did not reach crisis stage until April, had seriously strained Indo-Pakistani relations. With the last hope for a settlement fast receding and Indian armed strength growing each year, Pakistan embarked upon its guerrilla campaign designed to force the Kashmir question into the open.

Outlook

Intermittent attempts since 1947 to reach a settlement, or even to put Pakistani and Indian leaders on the road toward one, have proven consis-

tently futile. Pakistan's own ploys to exact concessions from India have been rebuffed by New Delhi or countered by circumstances beyond the Pakistanis' control. At the moment Rawalpindi's latest effort seems also destined to fall flat. Unless Pakistan is able to capture and hold for ransom a substantial section of the Indian Punjab, Pakistani bargaining power will be reduced in proportion to the amount of military hardware it expends in the current fighting. Third country and UN efforts to settle the long festering problem are likely to founder on Indian stubbornness unless major politico-economic sanctions are applied. Indeed, the Indian emotional commitment may be heightened to such a degree by the current fighting that New Delhi would accept virtually ruinous sanctions without giving ground. Thus, the prospects for a settlement even after the smoke clears do not seem bright.

On the other hand, the military outcome of the Indo-Pakistani war is still in considerable doubt, with the possibility of further escalation before it ends. If both sides fall into a frenzy of mutually destructive violence, it is conceivable that the whole political structure of the subcontinent will undergo radical changes. In such an event, the destiny of Kashmir defies prediction.



INDIA-PAKISTAN