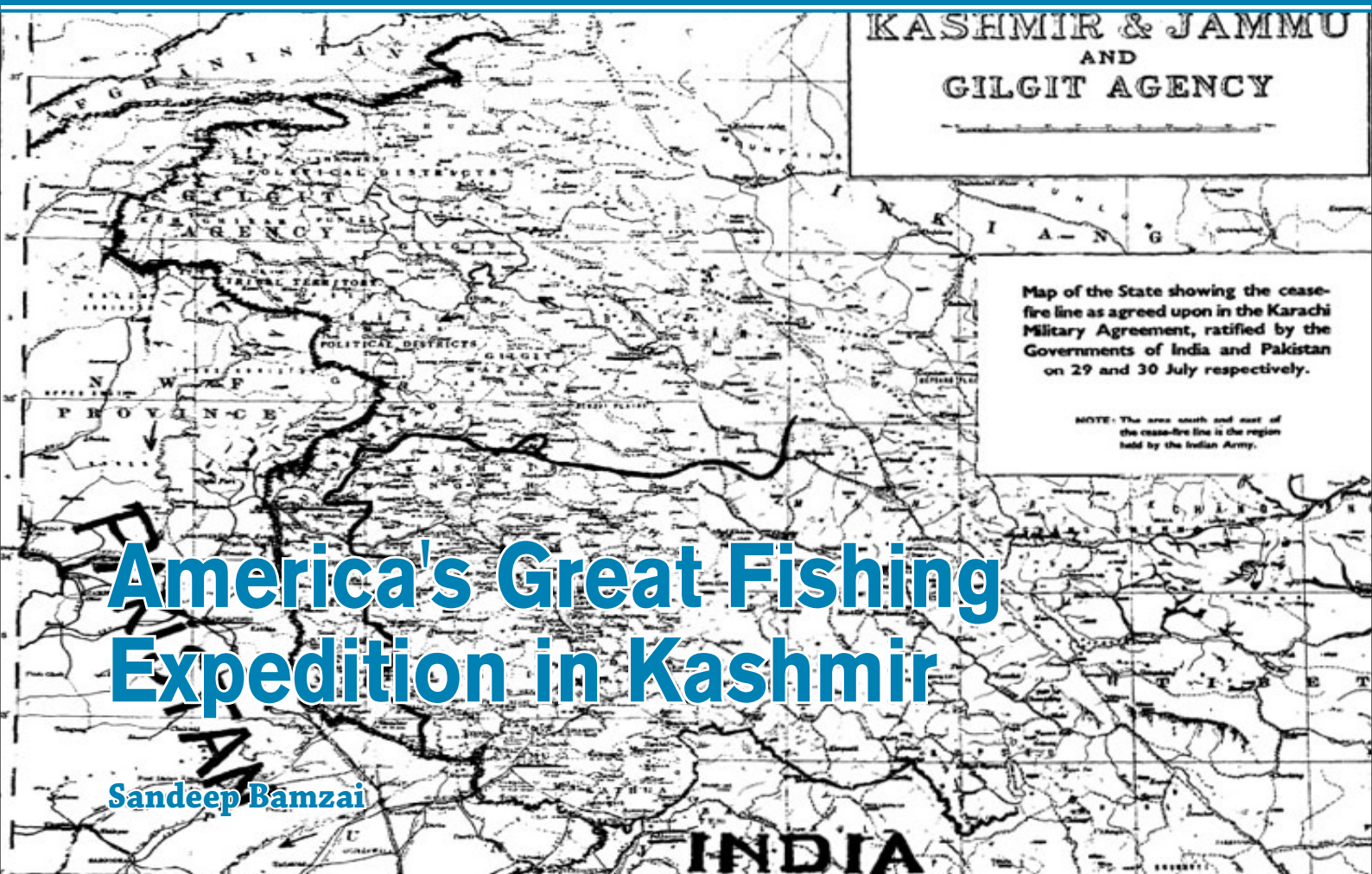


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America's Great Fishing Expedition in Kashmir

Sandeep Bamzai

*The ceasefire line, J & K.
Source: UN Repository*

ABSTRACT

India is assured of an ally in the United States on the Kashmir issue; the US—under the tenets of Westphalian sovereignty—has chosen to back India unequivocally. Yet it was not always so. There was a time soon after India's Independence that the US government, through the State Department, was actively consorting with National Conference leader and Prime Minister of

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Jammu & Kashmir Sheikh Abdullah to look for ways by which to secure a geo-strategic toehold in the area. This report is revelatory of those events, where Americans, including Ambassador to India, Loy Henderson, and his wife Elise, were in dialogue with Abdullah. It is a result of the author's research for his book-in-progress, *Nehru and Kashmir*—a book based on classified documents, confidential aide memoirs, and personal correspondence bequeathed to the author by his grandfather, who was Officer on Special Duty (OSD) to Prime Minister Jawaharlal Nehru for close to 20 years.

INTRODUCTION: WHEN THE US FISHED IN KASHMIR'S TROUBLED WATERS

Sometime in the middle of August, media reports quoted Pakistan officials as saying that the Organisation of Islamic Countries (OIC) “has expressed concern at the violations of human rights in the state.” The OIC—widely discredited for its failure to curb human rights violations by Islamists around the world—has chosen to ring its familiar apocalyptic tone on Kashmir in what may only be referred to as a complete rejection of rationalism. Instead of looking inwards and examining the extremist Islamisation taking place in the Arab world, the OIC has decided instead to dwell on the Kashmir situation and reaffirm its support for the right to self-determination of the people there.

Strangely, the OIC Secretary General, Iyad Ameen Madani, who was recently hosted by Islamabad on a three-day visit from 19 August, decided to support the Kashmiri cause of self-determination. But then Pakistan—and, as has been seen, the IS fighters in Libya and Syria—have not really bothered with such niceties. With a unique synthesis of theology, ideology and philosophy that appears most compelling to its recruits, the Islamic State may be said to be the single, most dangerous threat to world security today. So crucial is the ongoing battle in Sirte, Libya, that the 'invisible' US Special Operations teams have been tasked to fight alongside Libyan forces. A similar pattern is happening in Mosul, Iraq. There has been no real condemnation of the rights violations that have taken place in these countries—now laid to rubble by the conflict, literally and otherwise.

The OIC's recent pronouncements on Kashmir serve to prove that the organisation is being influenced by Pakistan—with whatever little leverage it still has on OIC—to highlight what it calls “rights violations” in the state. These, however, are matters that are internal to India as it has legal, moral and constitutional sovereignty over the state of J&K.

In the first flush of India becoming independent, Kashmir's geo-strategic and geo-political significance was not lost on the big powers as they positioned themselves in the emerging Cold War game. After an Allied Axis had finally overcome Fascism, they chose to become pole opposites and bitter adversaries in the reshaping of European borders. Though Kashmir was a fair distance away,

diplomats and strategists were convinced of its intrinsic value: it was India's crown jewel, after all, and it touched the international frontiers of many nations. The current US position could not be more detached from this old stance: In mid-July, US State Department spokesperson John Kirby ruled out any possibility of the US directly interfering in India's internal affairs; he made a categorical declaration that J & K was India's "internal matter".

Some 60 years ago, the US saw Kashmir in a different light—by the early 1950s, the US had realised that Kashmir should be part of its own sphere of influence. Contrary to popular perception that it was merely an India-Pakistan issue, Kashmir was highly coveted—and not only by Muhammad Ali Jinnah, the leader of the All-India Muslim League and founder of Pakistan. As it became clearer that the Cold War was only then setting in, the Soviet Union's presence was also growing larger each day in its areas of proximity. Kashmir was seen as one such prime target, given its history of strife and political instability. The US was worried that with Russia flexing its muscles in Azerbaijan, Kashmir was to become the next target for the sheer political vacuum it offered. The growth of Communism in the Valley was something that both the Americans and Indian Prime Minister Jawaharlal Nehru foresaw and were concerned about. It was at this stage that the role of the US began to be monitored in Kashmir.

INTEL REVEALS US HAND IN KASHMIR AFFAIRS

A covert US intelligence report filed in the summer of 1951 shows how key American officials had been involved in the question of Kashmir. The following are excerpts from the intelligence report:

I met Frank Collins of the State Department last night. Collins and Howard Meyers used to come from the State Department to New York every time the Security Council met to discuss Kashmir. Along with Mr Maffet, advisor on Security Council affairs to the American delegation, they were our contacts on their side. Collins and Maffet were very much alike in their attitude towards Kashmir issue – both pro Pakistan, pro Muslim, pro British and anti Indian ...Maffet being tougher than Collins, but both with a one track mind, unwilling and incapable of understanding points of view other than their own, neither having studied the Kashmir documents carefully.

In contrast, Meyers (Specialist on International Security Affairs, Office of U.N. Political and Security Affairs) showed some degree of maturity in his knowledge, judgment and approach. Collins arrived suddenly in Delhi on July 5. This morning he left by air for Calcutta where he hopes to spend a couple of days and from where he proposes to return to Bombay via Madras to catch a plane for the US. My plans to have a detailed talk with him were upset by a dinner

engagement thrown by Mr Bourne of the USIS who insisted on both of us attending it. I could not therefore find out with any certainty what had brought him to India apart from the fact that one of his objectives seemed to be to find out how the USIS was operating in India and with what degree of success.

Considering that he arrived in Delhi while Dr Frank Graham (US Senator appointed Mediator for Kashmir by United Nations) was here, I suspect that his visit may have had something to do with Kashmir also. I commented on the manner in which the Security Council decided to meet suddenly and practically without notice to consider a letter from the Pakistan Foreign Minister in which he had taken an exception to the proposal for a Constituent Assembly in Kashmir, the same Security Council ignoring our charges against Pakistan about continuous incitement to war.

To contextualise, it would bear to note what Howard Meyers wrote in a Confidential Memorandum to the Director of the Office of United Nations Political and Security Affairs on 3 January 1951.

Subject: Kashmir Dispute: Possible UK-US Courses of Action: I discussed the present status of the Kashmir question at some length with Frank Collins, SOA, with particular attention to what we might do if Prime Minister Liaquat Ali Khan of Pakistan does not attend the Commonwealth Prime Ministers Conference in London. We agreed tentatively on the following points:

Both Frank Collins and I believe that to do more than this will involve the US taking the initiative in the Kashmir dispute, contrary to our agreement that the British should assume and maintain this initiative. We do not believe that our assumption of initiative is indicated by the present situation. Liaquat's intransigence appears initially, at least, to have strengthened his position at home and that of his government. If the present Western-oriented government of Pakistan should be threatened with dismissal from power because of SC failure to consider the Kashmir question and to advance somewhat toward a reasonable solution, then we think the Department should review the situation to decide whether the US should assume the initiative from the UK in attempting to aid the parties to reach a solution...If the UK still refuses to sponsor or co-sponsor a resolution of this nature, we should attempt to secure other co-sponsorship in the SC with the US as one of the sponsors.

The UK, presumably, will still co-sponsor a resolution appointing a special representative to interpret the parties commitments and report what has been done in implementation of these commitments. Both Frank and I believe that it is important that the SC go on record as refusing to accept any blatant unilateral attempt to settle the Kashmir dispute, such as the action of the Indian-

controlled Kashmir National Conference. We have had some indication recently from New Delhi that the Indians might back down somewhat in regard to this action, if a strong stand is taken by the UN.

J&K NATIONAL CONFERENCE RESOLUTION ON CONSTITUENT ASSEMBLY

All this was happening against the backdrop of rapidly unfolding events. On 27 October 1950, the General Council of the All-Jammu and Kashmir National Conference adopted a resolution recommending that a Constituent Assembly be convened to determine the “future shape and affiliations of the State of Jammu and Kashmir.” The area from which this Constituent Assembly was to be elected was only a part of the State of Jammu and Kashmir. In a letter on 14 December 1950 addressed to the President of the United Nations Security Council, Sir Mohammed Zafarullah Khan, Minister of Foreign Affairs and Commonwealth Relations of Pakistan called attention to Indian press reports that Prime Minister Nehru had welcomed the proposed Constituent Assembly and had declared that it would “ratify the formal accession of the State to India.” Further press reports indicated that a formal proclamation to hold elections was about to be promulgated by the government of Maharaja Hari Singh of the princely state of J & K.



Sheikh Abdullah receives Jawaharlal Nehru on his arrival at Srinagar airport on September 24, 1949, to take part in the All-Jammu and Kashmir National Conference .

Source: Public.Resource.Org

Zafarullah charged that this move sought to nullify the international agreement between India and Pakistan embodied in the UNCIP Resolutions of 13 August 1948 and 5 January 1949. He called for urgent consideration of the Kashmir question by the Security Council and requested the Council to call upon India to refrain from proceeding with the proposed Constituent Assembly and from taking any other action which might prejudice the holding of a free and impartial plebiscite.

COMPULSIONS FOR A PLEBISCITE

The same intelligence report to PM Nehru on deceitful US diplomacy over Kashmir revealed more details about the US hand: The State Department's Collins had said that despite pressure from Pakistan, and in the belief that India would not welcome an early meeting, the Security Council had kept the Kashmir issue pending between September 1950 and February 1951. As for the talk about 'jehad in Kashmir' in Pakistan, the US government had tried, according to Collins, through its diplomatic channels to bring as much pressure as it possibly could to bear upon Pakistan to favour restraint.

Collins also said that the US still believed in a solution acceptable to both parties, though the US was not willing to leave the problem to the parties for settlement. He referred to Sen. Graham—appointed by the UN as mediator—as a sincere man with a high sense of integrity who, with the cooperation of India and Pakistan, “could help a great deal in holding an early plebiscite.” Parts of the intel report said:

Plebiscite would not be such a difficult thing to hold, I said if the US and UK called upon Pakistan to withdraw their tribesmen, nationals and troops and disband and disarm the Azad Kashmir Force and if the Security Council was willing to honour the assurances that had been given to India in respect of the sovereignty of the J & K Govt and India's responsibility for the defence of the State.

Collins said that under the Resolution of August 13, after Pakistan nationals and tribesmen had withdrawn and Pakistan troops had begun to withdraw, India was to begin the withdrawal of the bulk of her own forces, and the question of disbanding and disarming the Azad Kashmir forces could be taken up only during the Truce period. I replied that such a view was not in conformity with the spirit underlying the Resolutions of August 13, 1948 and January 5, 1949, since the UNCIP itself had admitted in its report that if it had known that Pakistan would use the intervening period to build up 32 battalions of the Azad Kashmir Forces, it would have dealt with this problem at a much earlier stage.

This being the case, I went on and bearing in mind the fundamental principle on which the August 13 Resolution was based, namely the complete withdrawal from the State of Pakistan troops, nationals and tribesmen, the conclusion was irresistible that the spirit of the Resolution also required the disbanding and disarming of the Azad Kashmir Forces before India could be expected to begin the withdrawal of the bulk of her own forces.

Collins referred to the word 'disposition' of Indian and State Forces in the January 5, 1949 Resolution, whereupon I answered that in the light of the assurances given to India, the word 'disposition' could have only one meaning, namely the disposition of these forces within the State. At this stage the talk was interrupted and we did not get any opportunity to resume our discussion. However, earlier, Collins asked the Indian government functionary (here the intel is referring to K N Bamzai, OSD to PM Nehru on Kashmir Affairs) to tell him what he thought of USIS services in India. To illustrate his point, the Indian govt functionary mentioned how the British who had first employed direct methods of publicity in India were gradually forced to abandon them largely on the ground that such methods had failed to prevent the INC from getting stronger and stronger. At this stage Mr Wilkins, first secretary at the American Embassy who was also present turned to Collins and remarked that direct methods were so contrary to US policy that they could never dream of employing them in India or elsewhere.

These reports reveal not only the tensions over Kashmir at that time, but also how the US, however distant, was very much invested in the issue. In the aftermath of the Second World War, many Western powers, like the US, viewed Kashmir as the next playground of “international intrigue” since it was perceived to be the last outpost of anti-Communism in the central and south Asian theatres.

HOW BAKSHI BECAME INDIA'S PIVOT

Providing ballast to these postulates was the number-two man of J&K Prime Minister Sheikh Abdullah—Bakshi Ghulam Mohammed—who aligned himself when necessary. Not only did Bakshi remain in constant contact with Delhi through PM Nehru's key intermediary, but he provided critical inputs on the ground situation in Kashmir. In many ways, India's mistrust of the way UN Observers were trying to leverage the role of power blocs in the Valley can be gauged from the note that the deputy PM wrote to Nehru on 25 June 1951, only days before the visit of Sen. Frank Graham. The note dealt extensively on the role of UN Observers:

It is clear that the UN Observers in the State don't confine themselves to their legitimate function of watching the ceasefire line, but in greater part act as

agents of Pakistan. They are obviously abusing their position as functionaries of UNO and are engaging in what appears to be spying within the State.

It has been gathered that the Observers are chiefly directing their energies towards estimating reactions of people to this government and the accession of the State to India, with a view to drawing inferences about people's real political aspirations.

Then came the bombshell, a revelation highly serious that it confirmed active US interest and intervention in Kashmir Valley at the time:

Mention may also be made of the activities of the wife of the US Ambassador in India - Mrs Loy Henderson - who has been in Kashmir for sometime. Ostensibly she is here for reason of climate, but it has been noticed that her contacts are mostly with well known Muslim Leaguers. The inference seems to be more than obvious. Pertinently, Mrs Henderson even met Sheikh Abdullah during her sojourn in Kashmir.

ABDULLAH-HENDERSON SECRET MEETING

Earlier, Sheikh Abdullah had a secret meeting with the US Ambassador Loy Henderson in Srinagar, which was reported to the State Department on 29 September 1950, through a cable. Abdullah was "vigorous in restating that in his opinion it [Kashmir] should be independent; that overwhelming majority population desired this independence ... Kashmir ... people had language and cultural background [of] their own. Their Hindus by custom and tradition widely differed from Hindus [in] India, and outlook and background; their Muslims also quite different from Muslims in Pakistan. Fact was that population Kashmir homogeneous in spite of presence of Hindu minority." But, "independent Kashmir could exist only in case it had friendship with both of India and Pakistan; in case both these countries had friendly relations with each other". He even told Henderson that some of the Azad Kashmir leaders favoured this independent status for Kashmir. Then, in May 1953, Abdullah reiterated this to American Democratic leader Adlai Stevenson in Srinagar on similar lines. Stevenson was on a round-the-world trip after his defeat in the US presidential elections. When Abdullah was finally sacked and arrested, among the charges were collusion with a foreign imperialist power—hinting at a conspiracy with the United States to make Kashmir independent of Indian control. But this, too, was contradicted by Prime Minister Nehru himself when he wrote to Vijayalakshmi Pandit, his sister and a diplomat, on 3 October 1953, "As for Adlai Stevenson, I do not think that he is to blame in any way."

Though on 5 July 1953, the *New York Times* did publish a map hinting at an independent Kashmir. But this was an age of smoke and mirrors in Kashmir; the only reality was that Abdullah was arrested later that year.

As if these comments were not damaging enough, particularly the bit about the American Ambassador's wife, Bakshi also forwarded an intercept from Commander John Cadwalader, UNO HQ, Srinagar to one Dr Francis Fisher Hart in Ambler, Pennsylvania, USA which is nothing less than explosive:

The work consists in trying by various means to prevent war between India and Pakistan from starting again, and so far this has been accomplished, but because of the stiff necked and uncompromising attitude of Nehru and the Indian govt, I don't know how much longer we can prevail. Incidents keep happening, whereupon we rush to the scene by jeep, horseback or on foot and try to pin the responsibility on someone before retaliation has time to get started. It is sometimes pretty active. Bakshi also sent Nehru an appendix of how for instance UN Observers were taking photographs of Moharra Bridge and river Jhelum. After Abdullah's removal from Kashmir Prime Ministership and his incarceration, Nehru met Pakistan PM Mohd Ali Bogra in Delhi and once again proposed a plebiscite to settle Kashmir with only one conditionality that Admiral Nimitz US envoy to UN not to be made chief plebiscite administrator because of his inherent distrust of super power mentality. But Pakistan insisted and Nehru refused.

Once the Kashmir Assembly on 15 February 1954 under Bakshi's leadership voted for Kashmir's accession to India, Nehru concluded that no plebiscite was needed as the people's representatives had spoken.

DECISIVE MOVE BY J&K ASSEMBLY

That decision of the J&K Constituent Assembly was extraordinarily bold, since it openly defied the then omnipotent Security Council of the United Nations. Some 61 months earlier, the UNSC had been manipulated by scheming Britain into passing a resolution whereby the accession of J&K to either India or Pakistan was to be decided only by a plebiscite although the State had already legally and morally acceded to India through the Instrument of Accession in terms of Britain's India Independence Act, 1947. It is noteworthy that India's case in the UN was predicated on the removal of infiltrators from J & K and not about the legality of the accession. Sheikh Abdullah himself stated at the Security Council's meeting number 241 held on 5 February 1948: "Whether Kashmir has lawfully acceded to India is not the point at issue." He appealed that the Security Council "should not confuse the issue." He also reminded the Council that when accepting J&K's accession to India, its prime minister had given the assurance that "once the

country is free from the raiders, marauders and looters, this accession will be subject to ratification by the people.”

My dear Bakshi,

We have not yet had any definite answer from the Kashmir authorities, but the Maharaja sent a telegram to Sardar Patel three days ago to say that he had written to me directly. I have not received this letter yet, possibly because of the postal strike.

I have received a telegram from Jialal Kilam stating that Baldev Sahay is away and he wants further instructions. It is exceedingly difficult to make any suitable arrangements in this short time, especially as the post and telegraph system is not working properly. I had hoped that Asaf Ali would stay in Srinagar, but apparently he has come back to Delhi. I do not know whether the case will be adjourned again or not. I can't get a senior lawyer from Bombay or elsewhere to come suddenly at a day's notice. I have, therefore, decided to send from here an able and smart young man, whom perhaps you remember as he was associated with the States Peoples' Conference some years ago - Shanti Dhawan. Dhawan is a capable barrister and is Reader of Law here at the University. Both from the legal and political points of view he will be good. The only thing lacking is a famous name. I think he is good enough to carry on and hold the fort for the present till we make other and additional arrangements if necessary. So Dhawan will go from here via Delhi. He expects to reach Delhi on the 19th early morning by train. I have asked him to meet Asaf Ali and you so that both of you might post him up. I shall show him the papers I have here. I want him to leave by air for Pindi on the 20th morning and by car from Pindi to Srinagar the same day. This will give him a clear day in Srinagar before the date fixed for the case. I have wired Jialal Kilam accordingly. Will you please make arrangements for him to go from Delhi by air to Pindi on the 20th morning and from Pindi by car to Srinagar? It will be desirable for some one to accompany him from Pindi, but this is for you to judge.

I intend reaching Delhi by air on the 19th evening at about 7 p.m. I shall probably stop at 18 Hardinge Avenue. I want to meet you and Asaf Ali and Dhawan the same night. Please fix the place between you three. We can then give final instructions to Dhawan. It is my present intention to go to Kashmir after a few days in Delhi, but this will apparently depend on the Maharaja's letter and other developments. I have written on this subject to the Viceroy also.

Yours sincerely
Jawaharlal Nehru

Shri Bakshi Ghulam Mohamad,
c/o Pandit Brothers,
Connaught Circus, New Delhi.

Nehru's letter to Bakshi Ghulam Mohammed, 16 July 1946

That ratification by the people demanded that a Constitution be drafted, not by a Maharaja (as was done through the J&K Constitution Act, 1939), but by the people, of the people, and for the people. And since Clause 7 of the Instrument of Accession of 1947 did not commit J&K to adhere to the Indian Constitution then being debated in Delhi, a J&K Constituent Assembly was set up through democratic elections that were witnessed by international observers and were

conducted on the basis of universal adult franchise—never mind that Sheikh Abdullah's National Conference party was the only one in the fray with its insignificant rival, the Praja Parishad, deciding to stay away.

A flinty Nehru—who always stood by Abdullah the nationalist and even banished Maharaja Hari Singh from the State at the behest of Abdullah so that he could have a freer hand while governing J & K—finally had to understand that Sher-e-Kashmir was at best a localist and inward-looking leader who could not see beyond the narrow prism of Kashmir Valley. Burdened with a Jammu which he seemingly could not come to grips with, he chose the easier option of engaging with a super power, namely the United States, to exercise his dream of an independent Kashmir, which shared frontiers with five nations as the crown jewel of India. In such a frame of mind, a full integration with India was clearly inimical to Abdullah. [ORF](#)

ABOUT THE AUTHOR

Sandeep Bamzai is a Visiting Fellow at Observer Research Foundation, New Delhi.



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20, Rouse Avenue Institutional Area, New Delhi - 110 002, INDIA
Ph. : +91-11-43520020, 30220020. Fax : +91-11-43520003, 23210773
E-mail: contactus@orfonline.org
Website: www.orfonline.org