October 27th: The Tyranny Continues in Kashmir
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October 27 marks the beginning of Indian Occupation of the disputed territory of Jammu and Kashmir. It is forever scarred in the collective minds of the Kashmiri people as the day they became occupied.

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The Kashmir conflict began in 1846 with the illegal, immoral and inhumane sale of the historic state of Jammu and Kashmir to a non-Kashmiri Dogra family for services rendered to the British Raj. From that point, onwards, Kashmiri’s have long for self-determination. Yet, tragically, their legitimate aspirations were crushed with the grotesque, irregular and illegal ascension, by the brutal foreign ruler Maharaja Hari Singh who did not have the consent of the people. With the arrival of Indian soldiers – the historic Black Day of Occupation begins its most recent and insidious manifestation.

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The Princely State of Jammu & Kashmir obtained independence on August 15, 1947, when British paramountcy lapsed. At that moment, under international law as understood by Indian National Congress, The Muslim League and Great Britain, sovereignty in Kashmir devolved on its peoples, not its autocratic Maharaja. Indeed, Kashmir was beset by wholesale domestic revolt against the Maharaja when independence arrived, and widened in the initial months thereafter. To save his despotism from collapse, the Maharaja requested the assistance of the Indian military on October 27, 1947, after ostensibly signing an Instrument of Accession to that nation. British Scholar, Alistair Lamb has convincingly demonstrated that the Instrument of Accession was as bogus as the Protocols of the Elders of Zion or the Donation of Constantine. An original has never been found, and there is no plausible explanation for a disappearance if an original had ever existed.

The people of Kashmir are constantly reminded of the resolution # 47, adopted on April 21, 1948 that states that the future status of Kashmir must be ascertained in accordance with the wishes and aspirations of the people of the territory. This resolution was agreed upon by both India & Pakistan, negotiated by the United Nations and accepted by the Security Council.

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Ambassador Warren Austin of the United States said it the best in the Security Council on January 24, 1948, “…When India accepted the accession of Kashmir, it made its act stand for a great principle by stating as a part of the acceptance, that it was conditional on fair plebiscite being held to determine the will of the people of Kashmir with respect to accession. I think an example was made in history at that point.”

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India, however, was soon undeceived of its delusions over Kashmir’s political yearning. Recognizing that its people would never freely vote accession to India, it contrived excuse after excuse to frustrate a plebiscite. When the United Nations proposed arbitration, a reference to the World Court, or any other method of resolving minor demilitarization quarrels, India nixed them all. After a few years, it dropped all pretense of acceding to a referendum by unilaterally proclaiming its annexation of Kashmir. India’s proclamation has never been accepted by the United Nations, which continues to list Kashmir as a disputed territory who future status is yet to be determined by its people.

History proved the British Prime Minister Clement Richard Atlee wrong when he said on November 7, 1947, “…he (Pandit Nehru) undertook that the will of the people should be ascertained, and he proposed that this should be done under the authority and supervision of the United Nations…I can’t believe that Mr. Nehru’s pledges have the sinister implications.”

India’s creepy design was also confirmed by Bertrand Russell who said in 1964 ” The high idealism of of the Indian government in international matters breaks down completely when confronted with the question of Kashmir.”

So, a false narrative was concocted by India, out of nothing more than thin air, in a vain attempt to intellectually subjugate a people. This challenge is most serious, since it resonates, even today with more vigour. How often do we hear outlandish statements like, ‘Kashmir is an integral part of India’? These statements do not exist in a vacuum. They are loaded and violent. This form of violence is more insidious, more difficult to confront, for it is attempting to indoctrinate Kashmiris about their past, their present and direct them to a future that does not belong to them. They had become the objects of history rather than the masters of it.

Another serious challenge that people of Kashmir face, when attempts are made to confine the Kashmir dispute to a bilateral matter between India and Pakistan as if Kashmiris were inconsequential. This charade of sorts represents an outrageous attempt to restrict discussions of Kashmir, to India and Pakistan to the exclusion of the most important party to the conflict – the people of Kashmir. Today, this strikingly ignorant political strategy has collapsed after the Abrogation of Article 370 & 35 A on August 5, 2019 and no longer is considered an honest initiative for resolving the Kashmir dispute. It has not achieved any of its desired objectives of bettering relations or resolving Kashmiri aspirations for self-determination. It is evident that this policy has proven a colossal failure. If, in more than 73 years, the ‘bilateral masquerade’ has produced nothing more than cheap photo opportunities, then it is better to once and for all, put this show to an end.

The world powers and the saner elements in both India and Pakistan need to realize that the bilateral talks between India and Pakistan have always remained barren. And trilateral dialogue between Governments of India, Pakistan and the leadership of Kashmir — without any precondition from any side — is the only way to resolve the issue of Kashmir once for all. Participation of Kashmiri leadership in the dialogue process is the sine qua non that will help to achieve the lasting peace and tranquility in the region of South Asia.

In fact, a ‘Kashmir Quartet’ should be established that includes Kashmir, Pakistan, China, and India. Moreover, outside intervention and mediation should include the United Nations. The chairmanship of the Kashmir Quartet mediation should be undertaken by a person of international stature, such as Kjell Bondevik former prime minister of Norway or President Mary Robinson of Ireland.

Today, the challenge before us is that a new generation in Kashmir has been raised with blood and tears for which death no longer poses a threat for what can death do that life has not done before: their suffering is freeing them from fear. Kashmiris’ fearlessness has led to the powerful protests and the largest demonstrations in recent years. The presence of hundreds of thousands of people on the streets of Srinagar, marching towards the office of the UNMOGIP, is a proof that the freedom struggle is not a terroristic movement but a movement that is indigenous, spontaneous, peaceful and popular.

Now, is the time that Mr. Antonio Guterres, the Secretary General of the United Nations brings the situation in Kashmir to the attention of the Security Council under the provision of the Article 99 of the United Nations Charter. It is here in the region of South Asia that not two but three nuclear powers have been eyeball to eyeball for the last one-year? The Article 99 authorizes the Secretary General to ‘bring to the attention of the Security Council any matter which in his opinion may threaten the maintenance of international peace and security’. If not now, then when can Article 99 be invoked to bring peace and stability to the region of South Asia.

The UN Secretary General should listen to Mr. Gross, US Ambassador to the UN who said in the Security Council on December 5, 1952, we feel that it is the role of the Security Council to assist the parties in seeking to reach agreement.

So, now is no time for complacency or temporizing. And the chilling suffering and misery of the Kashmiri people continues every day a peaceful resolution is deferred.

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