History

In 1757 most of the region now known as Kashmir was conquered by Ahmed Shah Durrani and became part of Afghanistan. In 1819 Ranjit Singh conquered Kashmir and made it part of his Sikh empire. In 1846 the British defeated the Sikhs, annexed Punjab, and sold Kashmir to Ghulab Singh of Jammu under the Treaty of Amritsar. Ghulab Singh, who entitled himself the Maharajah, signed a separate treaty with the British that, in effect, gave him the status of an independent princely ruler of Kashmir. He added to his dominion by conquering Ladakh. Ghulab Singh died in 1857 and was succeeded by a series of descendants, the last of which was Hari Singh (1925-1949).

Islam became the majority religion in Kashmir in the 13th century, and by 1940 over 70% of the people of Kashmir were Muslims (most of the rest were Pandits, a Hindu community). Occasional revolts and protests occurred under Maharajah Hari Singh's rule. In 1932 Sheikh Abdullah formed Kashmir's first political party, which was the All Jammu & Kashmir Muslim Conference (renamed the National Conference in 1939). (This party ruled the Indian state of Jammu and Kashmir from 1949-1990, and again from 1996 to the present). In 1934 the Maharajah allowed limited democracy in the form of a Legislative Assembly.

The current struggle over Kashmir dates to the time of partition. The state of Jammu and Kashmir was one of 565 semi-autonomous princely states. Under the partition plan provided by the Indian Independence Act of 1947, the rulers of those states had the authority, in principle, to choose between joining India, Pakistan, or becoming independent. In practice, those states were pressured to choose to join one or the other as geography and demography dictated. The Maharajah preferred independence to accession to either India or Pakistan, and by the day of independence had not yet decided on a course of action.

What happened next remains contested. In October 1947, Pashtun tribesman crossed Pakistan's
Foreign Policy In Focus
Self-Determination
Regional Overview

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border with Kashmir, and there was an uprising of people living in the western region of the state who wished to join Pakistan. (India and Pakistan differ on whether the intrusion and the uprising were acts of Pakistani aggression.) The Maharajah called for Indian military assistance. India conditioned the military assistance on accession to India, and the Maharajah eventually decided to accede to India, signing over key powers to the Indian government in return for military aid and a promised referendum.

In 1948 India took the issue to the UN Security Council, leading to the first of several UN resolutions in which a referendum for Kashmir was the desired outcome. Armed hostilities between India and Pakistan over Jammu and Kashmir were suspended in 1949 and a ceasefire line was negotiated under the Karachi Agreement. With minor variations, (renamed the Line of Control (LoC) in 1972), this line has remained the boundary between Indian- and Pakistani-controlled Kashmir. The LoC divides Kashmir on a two-to-one basis: Indian-administered Kashmir to the east and south (covering Jammu, Ladakh, and the Kashmir Valley with a population of around nine million), which falls into the Indian state of Jammu and Kashmir; and Pakistan-administered Kashmir to the north and west (population around 3 million), which is labeled by Pakistan as “Azad” (Free) Kashmir. Pakistan transferred a third of the part of Kashmir it occupied to China in 1963 subject to a settlement of the issue between the two claimants. China has built a military highway on this territory and is unlikely to vacate the region.

A second, indecisive war over Kashmir occurred in 1965, followed in January 1966 by the Tashkent Agreement brokered by Moscow. In this, both sides reaffirmed their commitment to settle the Kashmir dispute through peaceful means. India and Pakistan both returned large portions of territory they had occupied during the war and the ceasefire line reverted to its original state.

After the 1971 war, which led to the breakaway region of East Pakistan to become Bangladesh, the two adversaries signed the Simla Agreement, which committed both sides to working toward a bilateral settlement of Kashmir and established the current LoC. The Simla Accord left the “final settlement” of the Kashmir question to be resolved at an unspecified future date. Since then, the Simla Accord has been the touchstone of all bilateral discussions of the Kashmir issue, even though this agreement itself left the issue of the contested region unresolved.

India’s efforts to manipulate elections in Kashmir and suppress dissent have marked Kashmir’s history since 1948, but it was not until 1986 that discontent within the state found wider popular support. In that year the state’s ruling National Conference (NC) party, widely accused of corruption, struck a deal with India’s Congress Party administration that many in Kashmir saw as a betrayal of Kashmir’s autonomy. A new party, the Muslim United Front (MUF), attracted the support of a broad range of Kashmiris, including pro-independence activists, disenchanted Kashmiri youth, and the pro-Pakistan Jama’at-i Islami (an Islamic political organization); and MUF appeared poised to do well in state elections in 1987. Blatant fraud assured a National Conference victory, which was followed by the arrests of hundreds of MUF leaders and supporters. In the aftermath, young MUF supporters joined the ranks of a growing number of militant groups who increasingly crossed over to Pakistan for arms and training. The major militant organizations were divided between those advocating an independent Kashmir and those supporting accession to Pakistan. In the late 1980s, militants of the Jammu and Kashmir Liberation Front (at the time the largest secessionist (pro-independence) armed groups and other groups stepped up their attacks
on the government, detonating bombs at government buildings, buses, and the houses of present and former state officials, and enforcing a state-wide boycott of the November 1989 national parliamentary elections. The groups began assassinating NC leaders and engaging in other acts of violence. Some groups also targeted Hindu families, and a slow exodus of Hindus from the valley began.

On January 19, 1990, the Indian central government imposed direct rule on Jammu and Kashmir, and repression deepened. The Indian government's campaign against the militants was marked by widespread human rights violations, including the shooting of unarmed demonstrators, civilian massacres, and summary executions of detainees. In the mid-1990s, Indian security forces began arming and training local auxiliary forces made up of surrendered or captured militants to assist in counterinsurgency operations. These state-sponsored paramilitary groups have committed serious human rights abuses, and human rights defenders and journalists have been among the principal victims.

In late 1993, the All Parties Hurriyat Conference (APHC), an umbrella organization of the leaders of all the political and militant organizations fighting for independence, was founded to act as the political voice of the independence movement. However, rivalries within the APHC have limited its effectiveness.

There are widespread reports that Pakistan's Inter Services Intelligence (ISI) began supporting armed militant, Islamist groups to fight in Kashmir in the 1980s, some of which were offshoots of the U.S.-backed war in Afghanistan. Officially, the Pakistani government has denied involvement in arming and training Kashmiri militants, but the claim is generally not considered credible.

In May 1996, parliamentary elections were held in Jammu and Kashmir for the first time since 1989. Militant leaders called for a boycott, however, and there were widespread reports that security forces had forced some voters to go to the polls. During state assembly elections in September of that year as well, residents again complained that the security forces had tried to counter a boycott by forcing some people to go to the polls. However, a large number appeared to have voted voluntarily. Following the election, the National Conference party formed the first state government since 1990. Farooq Abdullah (son of Sheik Abdullah, the former leader of the Indian state of Jammu and Kashmir), who, together with leaders from the Congress Party, had been responsible for rigging state elections in 1987, again became chief minister.

Tensions over Kashmir have increased since India and Pakistan tested nuclear devices in 1998. In February 1999, the prime ministers of both countries signed the Lahore Declaration in which they vowed, among other things, to renew talks on Kashmir and to alert each other of further arms tests. Later in 1999, Pakistan-supported insurgents and troops crossed the Line of Control and launched attacks on Indian troops in what is now known as the Kargil war. U.S. pressure on then-Prime Minister Nawaz Sharif to make the militants withdraw was a contributing factor in the coup later that year by General Pervez Musharraf, who is currently Pakistan's president.

The human costs of the war have been substantial. Estimates of those killed since 1989 range from 35,000 to 70,000.

**Key Actors**

**UN Military Observer Group in India and Pakistan (UNMOGIP):** The UN has maintained a presence in the disputed area since 1949. Currently, the Line of Control is monitored by the UN Military Observer Group in India and Pakistan (UNMOGIP). Their mission is “to observe, to the extent possible, developments pertaining to the strict observance of the ceasefire of December 1971.”

**All Parties Hurriyat Conference:** Founded in 1993, it is a coalition of 23 Kashmiri separatist groups that support independence for Kashmir. The members of the Hurriyat do not advocate violence as a means of achieving independence. It is based in Srinagar, in Indian-administered Jammu and Kashmir.

**United Jihadi Council:** The council is a coalition of 14 Pakistan-based groups fighting in Kashmir. It is led by Hizbul Mujahideen (Hizb) leader Syed Salahuddin (the largest of the indigenous armed groups). Besides Hizb, it includes Harkat-ul-Mujahideen and 12 other minor militant groups committed to the Deoband school of Islamic militancy. The members advocate Kashmir's integration with Pakistan.

**Jammu Kashmir Liberation Front (JKLF):** The JKLF is a secular, pro-independence movement founded in 1977 in the United Kingdom by Amanullah Khan. The original front splintered into two, however, and both use the same name, namely the Jammu and Kashmir Liberation Front. Amanullah Khan heads one group. The other is headed by Yasin Malik, and was founded in September 1995 after Malik split from Khan because of differences over strategy. Both JKLFs share the goal of self-determination for the people of Kashmir, but the Malik faction has renounced the use of violence to attain this goal. The Malik faction is a member of the All Parties Hurriyat Conference. Both JKLFs have long demanded a plebiscite in Kashmir.

**Hizbul Mujahideen (Hizb):** The Hizb was founded in 1990 and is currently the largest armed group operating in Kashmir. The Hizb advocates Kashmir's merger with Pakistan and also campaigns for the Islamization of Kashmir. It is widely believed that elements of the Pakistani security forces supported the creation of the Hizb because it is an Islamic force desiring to integrate Kashmir into Pakistan. This contrasts with the secular character of the call of the JKLFs for independence.
The Hizbul Mujahideen is very close to the Jamaat-e-Islami political movement in Kashmir and Pakistan.

Harakat ul-Mujahidin (HUM): Formerly known as the Harakat al-Ansar, the HUM is an Islamic militant group based in Pakistan that operates primarily in Kashmir. It was founded in 1985 and began military operations in Kashmir in 1990. It is based in Muzaffarabad, Rawalpindi, and several other towns in Pakistan and Afghanistan, but members conduct insurgent and terrorist activities primarily in Kashmir. Its supporters are mostly Pakistanis and Kashmiris and also include Afghans and Arab veterans of the Afghan war. HUM lost some of its membership in defections to the Jaish-e-Mohammed.

Jaish-e-Mohammed (JEM) (Army of Mohammed): The JEM is an Islamist group based in Pakistan that has rapidly expanded in size and capability since Maulana Masood Azhar, a former ultra-fundamentalist Harakat ul-Ansar leader, announced its formation in February 2000. A reported three-quarters of Harakat ul-Mujahedin (HUM) members defected to the new organization, which has managed to attract a large number of urban Kashmiri youth. The group's aim is to unite Kashmir with Pakistan. It is politically aligned with the radical, pro-Taliban political party, Jamiat-i Ulema-i Islam (JUI-F). It has been supported by several armed groups located in Azad Kashmir, Pakistan, and in India's southern Kashmir and Doda regions. Its supporters are mostly Pakistanis and Kashmiris but also include Afghans and Arab veterans of the Afghan war. It is based in Peshawar and Muzaffarabad. The JEM has close ties to Afghan Arabs and the Taliban. Usama Bin Laden is suspected of giving funds to the JEM.

Lashkar-e-Taayiba (or Lashgar-i-Tolba LT) (Army of the Righteous): The LT is the armed wing of the Pakistan-based religious organization, Markaz-ud-Dawa-wal-Irshad (MDI)—a Sunni anti-U.S. missionary organization formed in 1989. One of the three largest and best-trained groups fighting in Kashmir against India, it is not connected to a political party. The LT leader is MDI chief, Professor Hafiz Mohammed Saeed. It has several hundred members in Azad Kashmir, Pakistan, and in India's southern Kashmir and Doda regions. Almost all LT cadres are foreigners—mostly Pakistanis from seminars across the country and Afghan veterans of the Afghan wars. It is based in Muridke (near Lahore) and Muzaffarabad. The LT trains its militants in mobile training camps across Pakistan-administered Kashmir and Afghanistan. The LT maintains ties to religious/military groups around the world, ranging from the Philippines to the Middle East and Chechnya through the MDI fraternal network. It is not a member of the UJC.

Proposed Solutions
Currently, both India and Pakistan reject the option of Kashmiri independence. Pakistan's formal position is that Kashmiris should be allowed to vote in a referendum, based upon numerous UN resolutions on the issue, but that the only option should be accession to either Pakistan or India. Third-party mediation should not be excluded. India's position is that the state of Jammu and Kashmir is an integral part of the Indian Union, that the only component of the Kashmir issue legally admissible in the talks between India and Pakistan on the future status of the state pertains to Pakistan vacating the territories illegally occupied by it, and that talks between India and Pakistan in regard to the future status of the state should be held within a strictly bilateral framework and in conformity with the Simla Agreement of July 1972.

Other possibilities (although not officially discussed) could include:
- division of Kashmir at the Line of Control;
- trifurcation of Jammu and Kashmir, with Jammu and Ladakh remaining in India, 'Azad' Kashmir in Pakistan, and some innovative arrangements, either diluted Indian sovereignty or division, for the Kashmir Valley.

Within Pakistan, prospects for a peaceful settlement may depend to a large extent on how far Pakistan's president General Pervez Musharraf can resist the Islamic Right. Islamic groups are among Musharraf's key base of support. A cessation of hostilities in Jammu and Kashmir could be politically disadvantageous for both the government and the right-wing Islamic groups.

Role of the United States
U.S. involvement in the Kashmir conflict has been relatively small, until recently. Washington's stake in the conflict until 1998 was largely a derivative of the cold war. Although the U.S. had voted in favor of the UN resolutions that recommended a plebiscite, by the 1990s the U.S. had effectively come to accept the position that whatever outcome was negotiated bilaterally between Pakistan and India would be acceptable (thereby eschewing the independence option). Since 1998, however, Kashmir has become more important for two reasons. First is because of its potential as a flashpoint between two nuclear-capable states. Second is the increasing involvement of allies of Osama bin Laden in the war.

In 1999 the U.S. pressured then Pakistani Prime Minister Nawaz Sharif to withdraw Pakistani support from militants in the Kargil war, an event that contributed to coup by General Pervez Musharraf later that year. The U.S. government identified the Harakat-ul-Mujahidin (HUM) as an official terrorist organization in 1997. The U.S. State Department's 2000 Human Rights Report noted that the Indian security forces are responsible for "significant human rights abuses" in Jammu and Kashmir.
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