

Paramouncy and the prince of Jammu and Kashmir- Anglo-Dogra Relations on the eve of partition of India

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Abstract

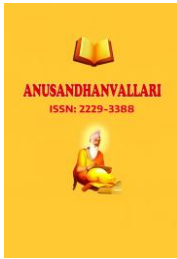
In the aftermath of the Cabinet Mission Plan, the partition of the Indian subcontinent had become an undeniable reality. Despite its best effort, the Plan Union was dropped in the run up to partition. The division of India to satisfy the demand of a separate Muslim country was twisting and turning the Imperial policies regarding disengagement. Meanwhile, the princely state of Jammu and Kashmir became a zone of political upturn, soon after the beginning of the second world war. The Maharaja of the State was picked up by the war cabinet of Winston Churchill to send the State forces into the overseas service and not yield the geo-strategic territory to the Russian coercion. Further, the visits of the Viceroy of India and other leaders to the State right before partition brought the territory into the centre of the tactical planning among Britain, India and Pakistan. The paper looks into several delicate threads maintained by the British paramount power with Maharaja Hari Singh during these years.

Keywords: Disengagement, Britain, Geo-strategy, Partition, Jammu and Kashmir State

Introduction:

During the mid 1940s, the political foundations of the British Raj had passed into a phase of an irreversible decline. After the Cabinet Mission plan of 1946 failed to bring into effect the scheme of an Indian Federation, further scope of negotiation between the Indian National Congress and the Muslim League also collapsed. While the partition narrative focusses on the transfer of power and its repercussions in various aspects, the last phase of British paramouncy has been understudied. The future of the princely states, comprising nearly two-fifths of the subcontinent was left uncertain, during this time. However, a study of the paramount power vis-à-vis the princely state of Jammu and Kashmir reveals that the legal doctrine of Paramouncy, which bound Britain with the princely states of India, was a pragmatic and politically contingent arrangement, rather than one based on unshakeable principles.¹

Among the Indian states, Jammu and Kashmir commanded a position of special geo-strategic significance. As the northernmost princely State, its territory commanded an intersection point of Central Asia, China and South Asia. The state was an important base rather than a component of the frontier zone of the North West where the British forces were maintaining the security apparatus of the empire. So, for the policymakers, the status of Jammu and Kashmir was that of a frontier zone whose control would extend British hegemony across the subcontinent. Therefore, during wartime the British anxieties were at an all-time high regarding the Soviet expansion across Afghanistan and political uncertainty in Central Asia. The Jammu and Kashmir State had become a buffer territory within the imperial strategic assessment; the territory was required to be controlled to maintain suzerainty in South Asia. A later statement of the British Foreign Secretary, Ernst Bevin with the American Secretary of State George



Marshall suggests that the British dispensation was still coveting communication routes to Central Asia through the Dogra State.ⁱⁱ

It was within this context that the Anglo-Dogra relations assumed a special consideration. The wartime urgency pushed the British strategists and policymakers into courting the State under the Dogra ruler Maharaja Hari Singh. The Maharaja, whose regime was undergoing constitutional changes as a continuation of democratic overhaul, had to step forward into the war effort as an obligation towards the British paramountcy. The exigencies of the world war had driven Britain to reinforce military cooperation and security of the frontier. Therefore, state troops were drawn into imperial military planning, in huge numbers.

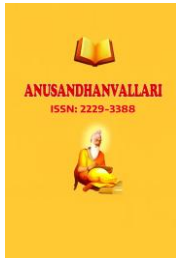
In preparation of the war, the Dogra troops were being driven into intensive training under British Commanders to guard the frontier from the tribal disturbances and maintaining frontier garrisons. In 1935, the strategic post of Gilgit, in Baltistan, had been acquired by the Government of India from the Maharaja on a lease for sixty years. Therefore, a complete control of the frontier was sought under imperial planning, in cooperation with the State troops being deployed in the North West Frontier Province of India.

Like most departments of the State, the Army was under the command of a British Chief of Staff Lt. Col. Henry Lawrence Scott. He was appointed at this position since 1936 as soon as Gilgit was acquired on lease by the British government. Scott was responsible for deputing the State troops for tribal clashes in the area of the North-West frontier. Under the British commander's control, the state troops were driven into intensive war training in anticipation of the overseas service. The Dogra soldiers of Jammu region were put under British commanders to receive training in British Military grade standard. The officers were prepared to read military manuals in English and were sent to the Indian Military Academy in preparation for the war.

Two units of the state forces, the 2 JAK and 4 JAK battalions fought in the overseas world war theatres and the rest of the forces were transferred in the North-West Frontier Province manning the borders of the Indian empire against the Russian threat and the clash of the tribal groups in this area. The Dogra troops formed the part of the Indian Infantry in the form of J&K Mountain Battery and were placed in the Middle East. In 1944, the battalion served in Iraq and then moved to Iran guarding the British railway lines and recovering loot from the tribal raiders. The Maharaja visited them in Iran and awarded a week's pay to all the soldiers. The 2 JAK received tactical training in mechanised warfare and moved to Damascus, Syria, where in addition to manning the desert patrols, the battalion was responsible for providing protection of the French citizens and property. The G.O.C. British troops in North Levant, Major General G.A. Pilleau and the local commander, Colonel FRM Morgan who complimented the highly skilled command of Lt. Col. Bhagwan Singh. The battalion upon its return in 1946 was praised highly by both British and state authorities. According to Claude Auchinleck, the Commander in Chief of the Imperial Forces in the Middle East conveyed to Viceroy Wavell, "Jammu and Kashmir Battery acquitted itself with great distinction in recent Damascus fighting. Divisional Commander commends highly its steadiness under the enemy's artillery fire and the accuracy of its own fire supporting British infantry."ⁱⁱⁱ

The 4JAK formed part of the 4th Indian Brigade, guarding the road at the frontier. By 1942, 4 JAK had carried enough operations successfully at various locations like Peshawar, Quetta, etcetera, to be considered exceptional in frontier warfare, battle drill and marksmanship that the Special Service Officer attached to the battalion, Lt. Col. Andrew MC reported that the battalion was so well trained that it was in no need of an SSO. Therefore, the 4 JAK became the only Indian State Force battalion to serve without an SSO.^{iv}

At the face of the Japanese invasion of India, this battalion was picked up in the organised Imperial scheme to defend the eastern front of India. It eventually became part of the 9th Indian Infantry Brigade for the reconquest of Burma. The Dogra forces here were asked to clear the Kennedy Peak and White Fort of the Japanese forces. After the successful operation here, the Dogra forces received special honours by Admiral Louis Mountbatten



who was then the Commander of the South East Asia Command. He wrote, “*I was impressed by the representatives I saw of 4 Battalion, Jammu and Kashmir Army, and was glad to have such a good account of them from your General.*”^v The battalion went ahead to fight the Japanese at Pegu and Magwe and returned home in late 1945, having won half a dozen laurels.

During wartime, the monetary contribution of the Dogra royalty alone comprised half of the total amount of close to ten lakh rupees which was collected under the War Aid Committee established in the State. In order to keep away the British pressure from his state, the Maharaja also extended an aid of \$40,000 to maintaining half a squadron of fighter aircrafts for the Viceroy of India in war distress. An additional amount of \$10,000 was donated for two more aircrafts. In addition to this, he also devoted fleet of eight ambulance cars in Delhi and his Lockheed aircraft for the service of the Government of India.^{vi}

As soon as Winston Churchill became the Prime Minister of England in May 1940, he started his grand plan for reinstating the diminishing imperial authority in strategic posts of the North West of the Indian empire. As an important member of the British War Cabinet, Maharaja Hari Singh was put under international surveillance and radar of the strategic imperial defence. Having acquired the tactical control of Gilgit, the British Prime Minister was fixated on also securing the state of Jammu and Kashmir, which held sovereign rights on the entire region of Gilgit-Baltistan. Therefore, the war-time exigencies put demands of tightening paramountcy on the top-most state of India.

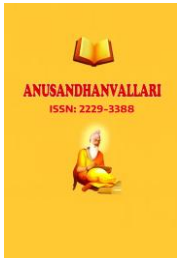
With these insecurities, the ruler of Jammu and Kashmir became an important part of the War Cabinet of Winston Churchill. An all- white war cabinet which was also dynamic in nature, held Maharaja Hari Singh as a constant. Though, his presence is not recorded in the official documented list of the members of the War Cabinet, yet his participation as a sovereign among other premiers of Commonwealth countries provides evidence of his importance in the British war strategy.

The Commonwealth Prime Ministers Conference of 1944 held in the United Kingdom invited Hari Singh as the sovereign of a separate country, Jammu and Kashmir, among the Prime Ministers of Australia, New Zealand, Canada, South Africa and Great Britain. The exclusive core meeting was as short membered as mentioned above and was a wartime initiative to guarantee support from the strategically important commonwealth countries in Churchill’s programme. The support rendered through the state since the start of the second world war redirects the analysis that the ruler of Jammu and Kashmir was made a part of the war cabinet as soon as it was formed.

Soon after the JAK forces arrived back in Jammu, the forces were deputed along the North Western borders after a short period of rest.

The period of 1946-7 was the decisive for the state of Jammu and Kashmir. During the period, the state’s major officials were shuffled frequently as the time of the partition of India approached further. The year 1946 was significant from the point of view of political activity in India as well as the princely state of Jammu and Kashmir. The Cabinet Mission Plan had failed in its aim to keep the subcontinent united and soon it became clear that the country shall be divided and Pakistan would be established to the north-west of India. Thus, the ultimate agenda of the Muslim League, since 1940, had taken shape by the end of 1946.^{vii}

During the same year, the National Conference leader Sheikh Abdullah, who had become popular in the Kashmir valley on account of religious appeal for his fellow Muslim men, launched a movement on the lines of the Quit India Movement of Mahatma Gandhi.^{viii} The major difference between the two movements was that the former was nowhere a nationalist movement against the British administrators in Kashmir but against the native prince who was declared as an oppressor of the people.^{ix} The chronic suppressed communal agitation that had been brewing since 1931 had formally taken shape at the weakest moment for the State. The colonial policy of Divide



and Rule was extended to the state of J&K.^x During the 1930s the policy was intensified by the British and was now starting to pay off.

The soon-to-be premier of the North West frontier was Jinnah, therefore Churchill did not take long to drop Maharaja Hari Singh and pick up the threads of controlling the frontier with Jinnah. To extend the British policy in the state, the British officers like the new Viceroy of India, Lord Louis Mountbatten and British individuals employed in the state including the resident were directed to negotiate terms with the Maharaja of Jammu and Kashmir.

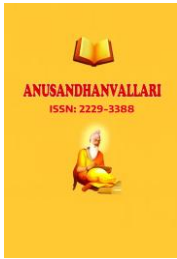
During 1946, the relations of the British Crown (via the Viceroy of India and the Political Department) with Maharaja Hari Singh were formally and legally intact under paramountcy. However, the bond was politically strained as tensions emerged amidst British support to the National Conference's demands at the time of communal upheaval in India. The British Political Department that seemed to control the political activities including foreign relations of the the Dogra darbar, took a backseat in containing the agitation. They treated it as an internal matter, while monitoring developments carefully as Kashmir had strategic importance.^{xi} Therefore, in 1946, paramountcy functioned, but it was exercising caution and political withdrawal in the face of crisis. It was the last year of British paramountcy operating in practice in J&K before its total collapse in October 1947. However, till then, the state was allowed to be as unstable internally so as to enable surrender at the outbreak of an external attack from the frontier. The major British planning and clandestine participation in the attack on Kashmir was witnessed subsequently in the future.^{xii}

The decisive year for India as well as the state of Jammu and Kashmir was 1947. Not only did both entities join each other legally but also the two wrote their future. Meanwhile, the new year had begun with widespread communal clashes and killings across India.^{xiii} The Direct Action Day of Jinnah (August 16, 1946) had pushed India into an irreversible state of violence unless a new state of Pakistan was established.^{xiv} To expedite the process, the massacres were never allowed to settle and rumours of outrage and mass killings were spread across North India.

In Jammu and Kashmir, however, there is no credible evidence of similar large-scale communal massacres after the Direct Action Day. Scholarly histories of J&K, eg. Christopher Snedden, Mridu Rai, Ian Copland, show that communal violence emerged in the state later, especially after the chaotic period of partition and invasion in late 1947. This is owed to the state control of the Dogra ruler, while allowing Sheikh Abdullah to run a campaign against his authority citing the so-called plight of the Muslim population against the Hindu ruler. The strong administrative structure of the princely state insulated it from the immediate Congress-League confrontation affecting other British Indian provinces.

Nonetheless, as soon as the India Independence Act came into force on 3rd June, 1947, Jammu and Kashmir came under spotlight of the British government. The British strategic interests and large-sale investments in the North West Frontier Province were now at stake. By now an informal understanding had been reached between Jinnah and Churchill that the new country of Pakistan shall be adjusting Britons in the territory in all administrative and military heads.^{xv} The state of Jammu and Kashmir being a Muslim majority state was expected to fall in the grand scheme like a ripe fruit at the slightest nudge.

The visit of Lord Mountbatten to Srinagar during 21-22 June, 1947 was a measure to ensure that the ruler did not accede to India. According to Alan Campbell-Johnson's account of Mountbatten's June 1947 visit to Srinagar, the Viceroy indicated that if Jammu and Kashmir acceded to Pakistan before 15 August 1947, India would not regard this as a hostile act (Campbell-Johnson, 1951). This interpretation is reinforced by Alastair Lamb (1991), though it is treated more cautiously in Indian official accounts such as V. P. Menon (1956).^{xvi} While many documented proofs exist of Mountbatten advising Maharaja Hari Singh to accede his state according to geographical and



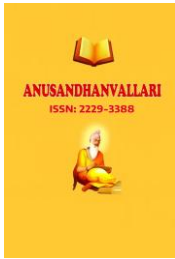
demographic contiguity (with Pakistan), no verbatim statement of Maharaja Hari Singh exists to this day which may prove his choice of remaining independent.

Nonetheless, the delay in acceding the state to India was definite and caused by logistic factors.^{xvii} The state was under relentless border raids since early September, 1947.^{xviii} The Chief of staff of the State Forces was also a British commander, H.L. Scott. Under Scott's command the state troops were dispersed along the vast border. When the Indian Army landed on the 27th October, 1947 in Jammu and Kashmir, the state had already been battling border raids for more than three months.^{xix} Amidst large-scale treachery, and supply blockade from the side of Pakistan which now controlled the routes connecting the state, the state soldiers carried the defence of the frontiers. At the most opportune time in September 1947, Scott's services were terminated by the state. Allegedly, he had been pressing for his release. However, upon his release, Scott revealed the large-scale training taking place inside Pakistan, just across the border from the state. Evidently, the trainees were being prepared to strike the state at the orders of the British Commander-in-Chief of the Armed forces of Pakistan General Frank Messervy.

Under these conditions, Maharaja Hari Singh had offered twice to accede his state to India. However, the influence exercised by Mountbatten on Nehru prevailed and Nehru rejected the offer unless Sheikh Abdullah was given entire charge of the state administration. Earlier too in August, when the ruler requested the Government of India to build a direct road link from India to Jammu, the new Indian government did not respond well. The integrated British policy at this time was ignoring the urgent calls for help coming from Jammu and Kashmir state. At the outset of the invasion of the state, the first Commander-in-Chief of India Sir Rob Lockhart maintained a negligent attitude towards the news of the outbreak. Despite having prior information about the said invasion, he reportedly withheld the news from the Indian Prime Minister and also manipulated sending help to the beleaguered state of India.^{xx} When the news of the invasion reached Nehru on 25th October through other channel, considerable damage had been inflicted on the state. During this time, the state forces under the Command of brigadier Rajinder Singh Jamwal, the new Chief of Staff, had blown up strategic bridges serving entry points to the invaders. His forces had taken defensive position to the east of Uri that bought much required time for the Maharaja to arrange the defence.^{xxi}

The General Headquarters of Pakistan Army had a designated unit for recruiting, training and providing for the invasion of Jammu and Kashmir. The lead was taken by General Akbar Khan, codenamed General Tariq, for the operation named Gulmarg^{xxii}. It is to be reinstated here that the command of the Pakistani Army wrested in the hands of a British Commander in Chief who was not only under the general command of the Supreme Commander Claude Auchinleck but was also in regular contact with the Indian Commander-in-Chief also British personnels. Therefore, to reinstate, the integrated British policy was of evading the calls of the ruler of Kashmir, manipulate Nehru into a non-negotiable attitude with the sovereign of J&K and invade the state with the purpose of assimilating it into Pakistan-a country that had pimped itself out to the British establishment as soon as it was created.^{xxiii}

As soon as Jawaharlal Nehru was faced with the news on the 25th of October, he opened negotiation with the Maharaja with the point of start being the handing over the state administration to Sheikh Abdullah. Maharaja Hari Singh signed the Instrument of Accession on 26 October, 1947 which was accepted by Lord Mountbatten much to the agony of the British establishment in London. As soon as the complaint of invasion of Jammu and Kashmir was made to the United Nations Security Council, the criticism became more pronounced than ever. The study of British policy on Jammu and Kashmir generates a prolific base of new findings on which true knowledge towards the historical gap may be built. The internationalisation of the Kashmir issue and subsequent decisions further provide insights on the policy which forms the subject matter of a different paper.



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- ⁱ Ian Copland, "The Princely States, the Muslim League, and the Partition of India in 1947," *The International History Review* 11, no.4 (1989): 729-732
- ⁱⁱ Times of India. "Kashmir & the Great Game," August 14, 2000. The statement took place in Paris on 24 October, 1948 when the two dignitaries met to discuss the coordinated Anglo-American policy before the next meeting of the United Nations Security Council.
- ⁱⁱⁱ Sharma, S.C. in M.L. Kapur's, *Maharaja Hari Singh 1885-1961*, Haranand Publications, pp. 89-90. Also see, Brahma K. Singh, *History of Jammu and Kashmir Rifles*. 1990. P. 174-179
- ^{iv} IBID.
- ^v Palit, D.K. 1972. *Jammu and Kashmir Arms*. Palit and Dutt publishers, Dehra Dun. P 139.
- ^{vi} Sharma. Op.Cit., p.94
- ^{vii} The resolution of the Muslim League in 1940.
- ^{viii} Whitehead, Andrew. 2007. *A Mission in Kashmir*. Viking publishers, New Delhi. P. 73
- ^{ix} Zutshi, Chitralekha. 2003. *Languages of Belonging: Islam, regional identity and the making of Kashmir. Permanent Black, New Delhi. P. 304*
- ^x Rai, Mridu. 2004. *Hindu Ruler, Muslim Subjects: Islam, rights and the history of Kashmir*. Princeton NJ: Princeton University Press. P. 9
- ^{xi} Whitehead. Op.cit., p.73. See also, Lamb, Alastair. 1966. *Crisis in Kashmir 1947*. Routledge and Kegan Paul UK. P. 30
- ^{xii} Dasgupta, Chandrashekhar. 2003. *War and Diplomacy in Kashmir*. Sage, New Delhi.
- ^{xiii} Wolpert, Stanley. 2006. *Jinnah of Pakistan*. Oxford University Press, New York. P. 245;
- ^{xiv} Jalal, Ayesha. 1994. *The sole spokesman: Jinnah, the Muslim League and the demand for Pakistan*. Cambridge University Press, New York. P. 161-162
- ^{xv} Wolpert. Op.Cit., 260
- Historians and archival researchers note that Churchill and Jinnah maintained informal contact during the 1940s and that Churchill's sympathies often paralleled the political aims of the Muslim League; some secondary accounts even refer to a covert communication channel established between them toward the end of 1946 — though no formal 'agreement' or pact granting Pakistan to Jinnah has been documented.
- ^{xvi} Johnson, Allen Campbell. 1951. *Mission with Mountbatten*. P 283-284; see also
- ^{xvii} Refer, Jamwal, Chahukeshi. 2019. *The Accession of Jammu and Kashmir to the Indian Union: role of the people and the prince* in Tirtha Raj Bhoi ed. "Archaeology, History and Culture of Jammu and Kashmir"
- ^{xviii} Whitehead. Op.Cit., pp.31-34; 159-160. See Also Sharma, Brij Lal. 1967. *The Kashmir Story*. Asia Publishing House. Pp 12-13
- ^{xix} Palit. Op Cit., 149
- ^{xx} Dasgupta, Chandrashekhar. 2003. *War and Diplomacy in Kashmir*. Sage publishers, New Delhi. P. 42
- ^{xxi} Subramaniam, Arjun. 2016. *India's Wars: A military history 1947-1971*. Harper Collins, New Delhi. P. 120
- ^{xxii} Khan, Akbar. 1992. *Raiders in Kashmir*. Jang Publishers, Lahore
- ^{xxiii} Jha, Prem Shankar. 1996. *Kashmir 1947: Rival versions of History*. Oxford University Press, New Delhi. P. 47