

## The Solution to the Kashmir Issue

**Subramanian Swamy**

I believe that the Kashmir "issue" can no more be solved by dialogue either with the Pakistanis or the ***Hurriyat***. This is because the Pakistan army has now a majority of Captains and Colonels owing allegiance to the ***Taliban***. In another five years, they will reach, by promotions, the Corps Commander level. We know that the Government in Pakistan is controlled by the seven Corps Commanders of the Army. Therefore, a ***Taliban*** Government in Pakistan is inevitable; and a ***Jihad*** against Hindustan the logical consequence. In turn, the ***Hurriyat*** is an organization that cannot go against Pakistan.

So, Hindustan has about five years to prepare for a decisive and defining War with Pakistan, and we must prepare to win it. We, therefore, have to throw out of office in the coming elections all those Hindustani politicians who crave or preen themselves on being popular in Pakistan by sounding reasonable and Secular, as also equivocating on every issue. For the survival of the ancient civilization of Hindustan, we have to win that inevitable War and recover the whole of Kashmir.

I will not blame the ***Jihadis*** for the coming War. They are, after all, programmed for that Way by Islamic theology. I will blame ourselves for not understanding the fundamentals of Islam as propounded in the ***Sira*** and the ***Hadith***. It teaches that if Muslims are in a majority, they must rule (***Darul Islam***), and then everyone else is ***adhimi*** and a ***kafir***, who do not have equal rights of worship. Thus, in Saudi Arabia, you cannot even display a picture of a Hindu God inside your own home! When Muslims are in a hopeless minority, then ***Sira*** and ***Hadith*** urge Muslims to make a deal with the majority and make no demands (***Darul Ahad***). In the US and Australia, for example, Muslims will, therefore, never ask for separate ***Shariat*** personal law. If Muslims are not hopelessly in a minority, Islam directs that true Muslims conduct subversions and act against all human values to leverage their position (***Darul Harab***) to become of defining influence in the polity, and ultimately become rulers. We saw this in Kashmir recently when the Government was made to cave in on the most humane gesture of allotting land to make Hindu pilgrims feel comfortable while on arduous journey to the Amarnath caves. And we have it on the authority of the Chief Minister of the State that the agitation against the allotment was financed by Pakistan and Saudi Arabia.

It is foolish, therefore, in the face of this reality to expound the banal sentiment that “all Muslims are not terrorists or fanatics”. Of course, that is true. Or that *Koran* is a message of peace. May be it is. However, the Islam of the cutting edge of Muslim thought propounded by leaders such as Osama Bin Laden is in *Sira* and *Hadith*, which calls on the faithful to wage war against the infidels who cannot strike back effectively and crush them.

The struggle for Kashmir by the *Jihadis* thus is not just for Independence. They, instead, want a *Darul Islam* there and for the State to become a part of the *Caliphate*. Hindus are a special target because despite Iran, Iraq, Egypt and other countries becoming majority Muslim after less than two decades of conquest and brutalization, Hindusthan after a thousand years of massacres, mayhem and rape remained dominantly Hindu. This is a living affront for the fundamentalist Muslim, and in their seminaries and *madrassas* in Iran and Saudi Arabia, they even today debate and agonize over it.

Contrary to the British imperialist propaganda, the Hindus did not just lie down and be conquered by foreign invaders. The Hindu fighting spirit had never dimmed, even if weakened, by traitors within. Periodically, the Hindus rose in revolt symbolized by the Vijayanagaram Empire (which lasted 300 years), or in Shivaji's bravery, or Guru Gobind Singh's campaigns, or the *Maratha* national onslaught.

Most of us thus remained Hindus, defiant, even if in poverty and misery, singing *Vande Mataram*. This is the true history of Hindusthan which the fundamentalist Muslim and the British imperialist historians cannot bear to acknowledge.

Accommodation and compromise with Islamic terrorists is self-defeating and suicidal. We have, instead, to fight back, for which Kashmir is the starting point. Hindu renaissance, long overdue, will be nurtured if we look for an opportunity to seize back the occupied areas of Kashmir, and make the *Jihadis* feel that in Hindusthan there can only be *Darul Ahad* for Muslims. We had opportunities earlier to demonstrate that, for example, in 1948, 1971, 1999, and 2001. But we let it go.

So, let there be no more intellectual confusion about the identity of Hindusthan as a *Hindu Rashtra* (Nation), which means a land of Hindus and those others who acknowledge proudly that their ancestors are Hindus. If Muslims acknowledge this truth, then they are welcome as a part of our family. And those who do not so

acknowledge, cannot be equal citizens in Hindusthan. Therefore, we shall not agree to any more truncation of Hindusthani territory.

We have to, therefore, disown UN Resolutions and Hindustan-Pakistan Treaties, such as signed in Simla in 1972, as unauthorized Nehruvian policy blunders. **The legality of the Instrument of Accession signed in favour of Hindusthan by the then Maharaja of J&K on October 26, 1947 has to prevail. Otherwise, it will create a plethora of legal issues, including what will become the status of the Maharaja if we abrogate this Instrument.** Will Dr. Karan Singh, the son of Maharaja Hari Singh, have then a claim to be regarded again as an independent and sovereign King of J&K? In the Junagadh issue, Pakistan had held the Instrument once signed is "final, irrevocable, and not requiring the wishes of the people to be ascertained". That is the correct position. But the Junagadh Nawab after signing the Instrument in favour of Pakistan, invaded the neighboring princely states which had acceded to Hindusthan. So when the Hindusthani Army was moved by Patel to defend these areas, the Nawab ran away to Pakistan. His subjects were mostly Hindu, who then welcomed the Hindusthani army.

**Furthermore, on what legal basis, can we now seek to ascertain the wishes of the people of J&K when the India Independence Act of 1947, passed by the British Parliament, makes no provision for the same?** After all, it was this same Act which created a legal entity called Pakistan, carved out from the united Hindusthan. Hindusthan, under the Act, was a settled and continuing entity, out of which the British Parliament made a new entity called Pakistan. Never in previous history there was ever a country called Pakistan. The concept itself was formulated only in 1947.

By what mechanism can then Pakistan today seek to amend, or even de-recognize, the Act, without unwittingly undermining the legal status of Pakistan itself? That is, if the Instrument of Accession is called into question, will not the Partition itself be subject to challenge, as without legal basis on the same consideration? I raise this question also because in the case of Beruberi in Eastern Hindusthan, the transfer of that area to Bangla Desh although agreed to, has been enmeshed in prolonged litigation in the Hindusthani Supreme Court because of Article 1 of the Hindusthani Constitution which bars de-merger of any Hindusthani territory after 1950.

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Bengali Muslims have sneaked into Hindusthan and are happily working with Hindus in Hindusthan. The Partition was agreed to by Hindus only for those Muslims who could not bear to live under Hindu hegemony. And, after getting their territory, they cannot now say that they are happy to live in Hindusthan with the Hindus.

Therefore, a *virat Hindu Rashtra* (Nation) should tell Bangla Desh to take back their Muslims, or hand over one-third of Bangla Desh territory as compensation. If they do not agree, then we must send two divisions of the Hindustani Army from Sylhet to Khulna, and annex one-third of north Bangla Desh as our due, for bearing the economic and political burden of Bangla Deshis in our country. This will make our access to Assam and the North-East much easier too. But, more strategically, it will send a powerful and salutary signal to Pakistani terrorists that Hindus will no more be passive.

These actions are possible if we gear up diplomatically for it. Today, the world is sick of the terrorism and the greed of Muslim nations to make money out of the sale of oil which they have got by sheer accident of geology. Therefore, we must make strong allies. Israel is one such country. We must find ways to make China see our interests. It can be done if we know how to come to an understanding with them. This is essential for isolating Pakistan. At present, China has begun to see the tinder box that Pakistan has become. *Uighurs* from Xinjiang have been to *madrassas* of Pakistan for training in subversion in *Urumuchi* and to sabotage the Beijing Olympics. This worries China. It should concern us, too.

Therefore, to lay the foundation for the liberation of Kashmir, we must have President's Rule for some time. Hindustan should refuse to engage in any dialogue on Kashmir in which the other side does not accept the whole of Kashmir as an integral and inalienable part of Hindustan. The people of Kashmir should be left in no doubt in their minds where the citizens of *Hindu Rashtra* stand on the future of the state: that it lies with us. Every Hindu has a claim on Kashmir. I, for one, claim it because my *Gotra* (lineage, clan) is *Kashyapa*. It was *Rishi Kashyapa* who invented Kashmir out of the Dal Lake. Hence, my claim.

We should undo the "cleansing" of the state of *Kashmiri Hindu Pandits* by sending 1 million ex-servicemen and families into the Kashmir Valley for re-settlement. Article 370 of the Constitution will have to be removed for that purpose; but according to the Constitution itself, it is supposed to be a "temporary provision" not requiring a Parliamentary two-thirds majority for amendment. It can

be erased by a Presidential Notification on the recommendation of the Union Cabinet.

Then, we await a War. We do not have to go to War with Pakistan on Kashmir because a **Talibanised Pakistan** will provide us with the opportunity. What I am advocating here is that we prepare mentally and militarily for that eventuality, and having been provided that opportunity, go for the jackpot -- to use an American slang.

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