

AB RASHID SHIEKH & ALI MOHD PIR

## Psychological Impact of the *Sale Deed*

**ABSTRACT:** This paper aims to trace the causes and effects of the Treaty of Amritsar through which the princely State of Jammu, Kashmir, and Ladakh came into being. However, the main focus of the paper is on the Valley of Kashmir. On the one hand, by dint of the Treaty of Amritsar (16 March 1846), the foundation of a new State was laid down; but on the other, the region of Kashmir was occupied with its people at psychologically most disadvantageous position, that is as a bought up commodity, while Ladakh joined as conquered territory. This varied background had deep impact on the future psyche of the inhabitants of the state. While Jammu had a sense of contentment as the power centre, Kashmiris suffered from a sense of humiliation, dispossession, and deprivation. An attempt has been made in this paper to generate a hypothesis about the structural transformation witnessed by the people of Kashmir. Therefore, what seems central to the paper is the impact of the Treaty of Amritsar which brought in its wake remarkable deprivation, destitution, and oppression — where ideas remained suppressed and traditions limit social change. Man was denied a happy existence and his deep sentiments were atrophied. The supposed level of stagnation and passivity down the social scale; the dark, unchanging world of the exploited, once associated with all peasants, was now inhibited only by an underclass.

**KEY WORDS:** Treaty of Amritsar, states of Jammu, Kashmir, and Ladakh, people of Kashmir, humiliation, dispossession, and deprivation.

### INTRODUCTION

O breeze if thy happen to go Geneva way.  
Carry a word to the nation of the world.  
Their fields, their crops, their streams.  
Even the peasants in the vale.  
They sold, they sold all alas.  
How cheap was the sale (Iqbal, 1932:640).

Towards the people of cashmere, we have committed a wanton outrage, a gross injustice, and an act of tyrannical oppression, which violates every humane and honorable sentiment, which is opposed to the whole spirit of modern civilization and is in direct opposition to every tenant of the religion we profess (Thorpe, 1870:66).

The legendary beauty of Kashmir entangled clumsily with the destitution, illiteracy, and infirmity of the vast majority of its people. Ever since March 1846, when the British

“sold” it for seventy five *lakh* of rupees to a Dogra of Jammu Gulab Singh, predominantly Muslim Kashmir together with principality of Jammu and the frontier districts, including Ladakh, experienced unmitigated autocratic rule. A succession of *Maharajas*, fostering ties with a small group of Hindu *Pandits* in the Kashmir valley and a more widespread network of Dogra kinsmen in Jammu, maliciously trampled on the rights of their subjects, but rarely succeeded in pushing an insensitive state administration to adopt even the most nominal of reforms. Extreme poverty, exacerbated by a series of famines in the second of the nineteenth century, had seen many Kashmiris fleeing to Punjab (Jalal, 2000:351).

The sale of Kashmir to the tender mercies of Gulab Singh in consideration of pecuniary

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equivalent to be his independent succession, and its sovereignty is now a source of weakness rather than strength to the great government [British government] which sold five millions of men for so many bags of silver' observed (Torrens, 1877:300). The heart rending effects that followed were upon the great section of the people of the land. The "Sale Deed" of 1846, writes P.L. Lakhanpal, "put a largely populated Muslim state under the Dogra rule which has been characterized as despotic, tyrannical, and sectarian" (Lakhanpal, 1965:16).

The Treaty of Amritsar,<sup>1</sup> consisting of ten articles didn't mention anything about the internal administration of the state and in the external domain the Dogra monarch, was protected by the British Indian government. It found several critics in the British political circles. Robert Thorpe, for instance, lamented that:

[...] by a government into whose hands British statesmen sold the people of Kashmir, by a government, therefore, whose existence is a disgrace to the British name. It is at once a memorial of that foul act, when like the arch traitor of old; we battered innocent lives, which fate placed into our hands for a few pieces of silver (Thorpe, 1870:48-49).

Evidently, *Maharaja* Gulab Singh was left completely free to deal with it as he liked. He was to be the master of his kingdom (Bazaz, 1941:34). In a similar tune, W. Wakefield criticized this British action. He wrote that the commercialism, based on *laissez-faire* which marked the economic policy of the Great Britain in those days, and ran deep into the

<sup>1</sup>The Treaty of Amritsar was the groundwork of the British relations with Kashmir which bound the *Maharaja* to do and leave undone several things which distinctly marked him as a tributary and a feudatory, and the British government was bound to defend him against external enemies. Thus, started a long period of alien rule on Kashmir, patronized and legitimized by the British apologists. See "File of Foreign Department, K.W. Political A, December 1879, Nos.250-289" in *NAI [National Archives of India]*. The Treaty of Amritsar was signed between the British government on the one part and *Maharaja* Gulab Singh of Jammu on the other, concluded on the part of the British government, by Frederick Currie, Esq., and British Major Henry Montgomery Lawrence, under the orders of the Right Honorable Sir Hennery Hardinge G.C.B, one of Her Majesty's most honorable company, to direct and control all their affairs in the East Indies, and by *Maharaja* Gulab Singh in person. See, for further information, J.D. Cunningham (1853:435).

veins of this sordid transaction in that "the huckstering spirit that so often prevails our national policy and which caused the great Napoleon to apply us the term of a nation of shopkeepers was dominant in this case" (Wakefield, 1879:86).

As such Kashmir became "the scene of vile oppression and abominable misrule and it remained trodden down and trampled" (Brinkman, 1867:10). The first essential distrust between the Centre articulated centuries later was born basically during the Mughal Rule. The first clash of cultures between Delhi and Kashmir only resulted in the former sneering at the latter and Kashmiris wishing nothing more than he be left alone to shape his identity through the native politics.

Very little changed in five hundred years. The Treaty of Amritsar was carved out at the complete alienation of the Kashmiris (Wani, 2011:22). A Kashmiri possessed of characteristic "both intellectual and moral which command respect and admiration" was transformed into "what his rulers has made him" (Thorpe, 1870:25; and Lawrence, 1891:283). A Kashmiri became alien to his own self and this self-estrangement engulfed him to such an extent that he left his own being to the mercy of the nature. A *Zenana* missionary, who once when she was once impelled, to say:

"O dear Kashmiri women, why won't you wash?". They looked towards her wonderingly, and replied, "We have been so oppressed that we don't care to be clean". That explains all. Used abominably for generations, they used each other abominably; and so where Nature is fairest, one sees sadly illustrated the pregnant phrase of Wordsworth, "What man has made of man" (cited in Petrie, 1903:111).

The region of Kashmir was annexed at psychologically most disadvantageous position, that is, as a bought up commodity; while Ladakh joined as a conquered territory. This varied background had deep impact on the future psyche of the three constituents: while Jammu had a sense of contentment as the power centre, Kashmiris suffered from a sense of humiliation, dispossession, and deprivation. The projected "rascality" of the

people during the period passed into one of the best known proverbs of India; that they were liars, cruel, and lazy, while they were so crushed down as to be incapable of lifting a hand in their own defence. But, the causes behind their vices had a different reason. Their weakness and vices were those which are naturally and indeed necessarily developed under a tyrannical and rapacious system of government.<sup>2</sup>

Men were naturally lazy when their utmost energy will do no more than secure a greater profit for the tax-farmer; they were cowardly in the presence of a bureaucracy which was so powerful and omnipresent as to exclude all the idea of resistance, and they were liars, as false hood is the last refuge and hope of the oppressed. The agricultural population was generally of the Muslim creed, while the rulers and the official's class were Hindus. The ruler was the owner and seller of all the produce of the land that no one having any surplus to sell, except *jagirdars*.

Writing about the psychological impressions of the people in 1920, traveller V.C. Scott O'Connor said as follows:

It is only of late, that the within the present generation and within past few years, that the clouds have lifted and that they have begun to raise their heads from the dust of centuries of oppression; and though they know that this change has really come and is like to stay, they can't yet in their hearts believe in its duration. Children of light and of a land beautiful beyond the dreams of ordinary men, a profound sadness is visible in their eyes; and a great fear still lingers in their hearts.

The fear is extraordinary in its manifestations; it assails men of gigantic frame and energy, and I have myself wondered to see such an one tremble all over his body [as a thorough-bred hunter may be seen quivering by the covert-side when hounds are at work on a winters morning; but with how different an emotion!] at the sound of an angry voice. Such a fear and such memories, of necessity provoke qualities of character and temperament upon which those whose past has been happier, are prone to look down with anger and a measureless contempt; but even in these respects, a marked difference is visible even to a careless eye, between the people of the fields and hamlets, and those of the city, and between the

farmer in their intercourse with each other, and in their intercourse with those who are of the state, or who come with an air of power and authority in to midst.

Beautiful also is the country; its beauty is marred by some of the habits of the people, by dirt and physical neglect. Even the beauty of the women is hidden for most part under somber and unattractive garments, as though experience had taught the race the virtue of concealment (O'Connor, 1920:180).

According to Chaudhary Ghulam Abbas, the contemporary and one of the influential leaders of the freedom struggle belonging to Jammu, said also as follows:

They were the same people who were famous throughout the world in respect of their intellect and skill, but right now they are being considered as coward and are not eligible to join the army services. They [people] of the Kashmir were considered incompetent and inefficient. For them, the doors of government employment were closed. "All this was possible because he had been ruled and enslaved. His freedom was taken away from him at the power of sword. His heart and mind, courage, bravery, and determination were snatched and smothered by force. It is ironic and shameful that the Kashmiris".

Muslim's country the "heaven on the earth" had turned more dreadful than hell. A Kashmiris fruit, flowers, sceneries, greeneries, packs; waterfalls were most beautiful in the world. Tourists and rulers of the time enjoyed and refreshed themselves with the beauties of Kashmir, but face of the Kashmiri Muslim had darkened due to famishment. For him and his country, spring had turned into autumn.

Wow! That people who lived in palaces and tall buildings had accumulated all their riches, comforts, wealth, and fortune at the cost of the toil and blood of Kashmiri farmers and labourers. Possessed by arrogance, at the helm of power he considered it the meaning of life to oppress and subjugate the poor people. Will the world never judge these people? Will their crimes and atrocities remain hidden from the eyes of the God?

In short, Muslims of the valley had become a cipher, a naught at the level of mind, character, religious, economic, and agriculture. Nature had taken away from him all the good human traits like honesty, benevolence, bravery, courage, resistance, struggle, sincerity, brotherhood, compassion, and commiseration; simply because he had chosen to grin and bear the atrocious and tyrannical rule.

Instead of trying to break the shackles of slavery and bondage he chose for himself his family and his future generation a disgraceful

<sup>2</sup>See "Note by Mr. Fanshawe on the Famine of Kashmir, Foreign Department, K.W. (Sec.-E), March 1883, File Nos.81-82" in NAI [National Archives of India].

servitude; neglecting and disregarding the Islamic legacy and the spirit of great nations. Muslims of the valley had crossed all the limbs of slavery and now the wound of his slavery was no more new. Had it been fresh his fellow Muslims would have felt the pain and given a remedy. But the wound was now worn out and is requirement of a special treatment (Ghulam Abbas, 2001:59).

However, the direct meaning of “Sale Deed” has been emphasized more ever since. But, mere “Sale Deed” makes the Treaty of Amritsar unique in political history, because such deeds have been executed in other parts of the world in different times. Whole stretches of land have been sold and bought during the colonial period in Asia, Africa, and the American continent. But in Kashmir, the Amritsar Treaty dispossessed people of their property and their ownership rights of their land, produce, creative work, cattle, and even their lives. Now, the sole proprietor of all this became the *Maharaja* of Jammu who got new title as “*Maharaja* of Jammu and Kashmir”. In fact, the *Maharaja* not only owed the title to Kashmir by the Treaty of 1846, but also the possession which he obtained in that year to the support given by the British power.<sup>3</sup>

As already discussed in the preceding chapter, this was not the first time that the valley of Kashmir was held by the “outsiders” having passed from Mughal to Afghan, and finally into Sikhs hands. However, what did change critically at the same time, as Kashmir was handed over to the Dogras, was the nature of the political world of pre-colonial India more generally and Kashmir more specifically (Rai, 2004:27).

From an earlier seamless terrain of overlapping and layered sovereignties a lesser version of which they vested in *Maharaja* Gulab Singh for their own strategic reasons, they strengthened the position of their vassal preserved by the Treaty of Amritsar. Article nine of the Treaty embodies an undertaking that the British government will give its aid to *Maharaja* Gulab Singh in protecting his territories from “external enemies”.<sup>4</sup> Towards this end, the British sought to vacate power

held in pockets in Kashmir and transferred the same to the new *Maharaja*, in whom alone a personalized sovereignty was now to vest. This under wiling of Dogra rule by the British began a process that enabled the overlooking, if not the outright exclusion, of the elementary rights of the people of Kashmir.<sup>5</sup>

This historical exclusion of the people of the land by dint of the Treaty of Amritsar has been summed by one of the contemporary of the times, Prem Nath Bazaz, in a more questioning and expressive way:

While making this transfer, the British authorities in India didn't so much ascertain the views of the people of Kashmir on the subject. They did not consult even one of their leaders. It was altogether a sordid shameful affair devoid of all sense of fairness justice and equity. Two millions of people in the valley and Gilgit were sold like sheep and cattle to an alien adventurer and the whole transaction was made behind their back. The Treaty consisting of ten articles makes no mention whatsoever of the rights, interests, or the future of the people.<sup>6</sup>

With the conclusion of the Treaty of Amritsar, the people were stabbed in the back, forced into a state of quandary, and once again

<sup>5</sup>The British understood the Treaty to transfer the rights titles and interests possessed by the *Sikh* government in the territories concerned into their own hands. These were handed over, along with territory, completely and absolutely to *Maharaja* Gulab Singh. However, before these rights interests had neither been possessed absolutely and exclusively nor transferred in the manner understood by the British. Instead, they had been arranged along a hierarchy that recognized superior and inferior rights, established and maintained as relational entities through accommodative and negotiated process. The handing over of Kashmir to *Maharaja* gave great death blow to the earlier versions of layered sovereignty [...] with a ruling structure which hardly had any affinity and interests with the rights and interests of the ruled. It was a deal between the two, as Mridu Rai argues, that an important dimension in giving symbolic content to this relationship in pre-colonial India was the symbolic act of gifting a *khilat* [literally a robe] by the suzerain and receiving *nazar* [gold coins] or *peshkash* [valuable such as horses] from a subordinate. See, for further information, Mridu Rai (2004:44-45).

<sup>6</sup>The treaty's ten clauses only communicate the interests of the British and Gulab Singh. The sale of humans in such a manner would remain a recorded act of brutality and barbarity on the part of the British under which the independence of millions was jeopardized. This was a brazen faced bribe made manifest in the Treaty of Lahore on 9<sup>th</sup> - 11<sup>th</sup> March 1846 after giving a final shape in the form of “ugly and unlawful” transaction of landed property under the treaty of Amritsar on 16<sup>th</sup> March 1846. Under the misconception that pen shall never supersede the sword and reason shall never prevail. See, for further information, Mohammad Sultan Pampori (1992:28) and Prem Nath Bazaz (2003:118).

<sup>3</sup>See “Political Department, (P-Branch), File No.182-P(S) 46, 1846” in NAI [National Archives of India].

<sup>4</sup>See “Political Department, File No.498, (Confidential Sec. of 1931)” in NAI [National Archives of India].

in their history of misfortune falling from the frying pan into the fire (Pampori, 1992:29). In the pursuit of their mercenary interests, these alien rulers tried and drained the economy of the state to fill their coffers, hence the brutal exploitation of Kashmir (Vigne, 1844:256). In fact, the Treaty of Amritsar stood on a different footing from those signed with the other Indian states in that no resident was appointed, giving full internal autonomy to *Maharaja* Gulab Singh (Rai, 2004:58).<sup>7</sup>

It was against this backdrop that Lt. Colonel Torrens Henry D'Oyley has very well said, as follows:

[...] poor Kashmiri when after so many vicissitudes of slavery to a foreign yoke, the hand of a powerful, just and merciful government acquired the territory by force of arms in fair flight, and it seemed that at least its condition was about to be ameliorated, it's old ill luck stuck by it still! That hand had an itching palm, and they were again sold into the hands of the philistines. The last state of that country was worse than the first, for Gulab Singh went far beyond his predecessors in the gentle acts of undue taxation and extortion. They had taxed heavily it is true, but he sucked the very life blood of his people, they laid violent hands on a large proportion of the fruits of the earth, the profits of the loom, and work of man's hands, but he skinned the vey flints to fill his coffers (D'Oyley, 1863:300).

An account of a traveller during the closing years of Gulab Singh's reign records the grinding oppression of that ruler and the poverty of the laboring people of Kashmir, who still harbored the hope that the British would take over and bring them relief. Mridu Rai wrote of how some men weeding in a field looked up, as he passed and called out, "Oh! *Sahib!* When is the company's reign to commence, when are we to eat a little of this we labor for?" (Rai, 2004:59). The statement of the peasant very well elucidates that how much the men of the labor were psychologically caught in a situation where they were finding difficult to free themselves and to have a sigh of relief.

By the Treaty of Amritsar, the sense of

<sup>7</sup>The most harmful aspect of the British over the state of Jammu and Kashmir was that while the inefficient administration would evoke the threat of interference from the colonial government, the causes of mal-administration wouldn't be relieved since British influence was to remain indirect.

self-estrangement among the Kashmiris got dominated day by day as is evident from the aforesaid mentioned statements. They became the strangers in their own land (Sufi, 1974:768). They lost the hope of recourse and were in search of remedy for their helplessness which they uttered who ever came to their way. It was a sort of protest which they did whenever they got, any means of vent.

Mrs. Hervey, while on a visit to Kashmir, said that when she asked the people in a village as to why [they] did not complain to Henry Lawrence, the group of people asserted that:

[they] [were] prevented by the myrmidons of the *Maharaja*. Besides, [they] added that it seemed a futile exercise as the *Maharaja* was so overpoweringly civil to Lawrence *Sahib* that it was not likely he would listen to any complaints from us-log, *kunghal* [we indigents]. Shrewdly, the Kashmiris pointed out that while the *Maharaja* declared to the "*Burra Sahib, Sub Moolk aap ka, sub dowlut aap ka*" [the whole country is yours all wealth is yours] ... He exort[ed] the last farthing from his peasant and [was] making Kashmir a desert (Hervey, 1853, II: 229-230).

From the statement, it is evident that the social perception of the *Maharaja's* rule among the Kashmir's was that it was a sort of collaboration between the *Maharaja* and the British who were grinding them under the oppression, because they were not in know till first half of nineteenth century who were the real masters as everything was done behind their back. The *Maharaja*, apprehensive as he was of British intervention in case the mal-administration was exposed; he did not allow free movement of European visitors in the Valley. They were not allowed to stay there during the winter as that was the time of revenue collection and when complaints by the Kashmiris seemed to multiply.<sup>8</sup> Andrew Wilson, then, said as follows:

Kashmiris lost in antiquity after passing into the unfortunate circumstances which demoralized them. They were having the elements of what, in more fortunate circumstances, might be a

<sup>8</sup>The visitors had to leave the country about the middle of October and strict rules were issued for their guidance when they were in the valley. Four authorized routes were for them, from where they can make their entry and were told to encamp only at the fixed stages and encamping grounds. See, for further information, Andrew Wilson (1876:356-357).

very fine character. But, they had for ages been subjected to that oppression which destroyed national hope and virtue, and kept them in the downtrodden state (Wilson, 1876:351).

Invested with the absolute authority in 1846, the Dogra regime was in power for one hundred years. This sad and stern century of servitude stultified the growth of all kinds of the subjects of the land, leaving them in the backwardness of civilization. While in British India, and even in some of the Indian states, many measures of reform were introduced to alleviate the miseries of the people in Jammu and Kashmir, the unenlightened absolutism of the rulers drove the people deeper and deeper into poverty and degradation. After the conditions became intolerable, they made determined efforts to wrest power from the hands of the ruler.<sup>9</sup>

With this Treaty of Amritsar, a specific concept of state survived throughout the period, repeatedly. The Dogra rulers often invoked the Treaty of Amritsar to establish their legitimacy and to perpetuate the notion of their superior ownership, as the Treaty conferred upon them both *de jure* and *de facto* property. This is testified by a letter of *Maharaja* Pratap Singh to his Prime Minister in which the *Maharaja* wrote:

As you are already aware of the property rights in all the lands of Kashmir belong to the ruling chief exclusively, for the simple reason that the territories of Kashmir were purchased by my late lamented grandfather, *Maharaja* Gulab Singhji, and hence any sale of such land by anyone else is illegal.<sup>10</sup>

Thus, the Treaty of Amritsar proved actually the sale of the fate of the Kashmiris (Sana-ullah Bhat, 1998:3). Subsequently, even their emigration was restricted, in fact strictly banned. In 1879, fifteen villages in the Kamraj division left their homes en masse by the Kaj Nag route, which was not carefully watched. The *wazir* of Kamraj sent horsemen after them

with orders to bring them back.<sup>11</sup> They had little hope of surviving in Kashmir, but death seemed more pleasing to them than death at Pindi or Jhelum.<sup>12</sup> The Treaty of Amritsar, therefore, uprooted demographic structure of Kashmir without any positive impact, unlike another event in its long history. The tendency of emigration bears testimony to the extent of impoverishment among the people.

With the handing over of Jammu and Kashmir to the Dogras, the people lost the hope and their lives turned absolutely apathetic. To give an instance of this, during the period of the settlement, W.R. Lawrence stated as follows:

I had hoped that the people would welcome a ten years assessment accompanied by the gift of hereditary occupancy rights, but their distrust in the administration is so great, that they all believe that my assessment will be immediately followed by some further demand from the state. [...] the worst village in the *tehsil* Kampura was assessed at Rs (*Rupees*) 984 and was utterly broken. I looked forward with pleasure to giving the good news, that the state had reduced the revenue to Rs.508, but the villagers of Kampura declined to accept an assessment.

They said they were too broken to undertake any responsibility, and begged hard to be allowed to one-half the crop. I showed them by our papers that Rs.500 which I offered to take in kind, was about one half less than a half share of the crop, and urged them, for their own and their children's sake, to take the assessment and with it occupancy rights. Their reply was that there [was] no such thing as "rights" in Kashmir, and rather than make [their] in any way responsible to the state, [they would] go to the city and work as coolies.<sup>13</sup>

Horrendous instances have been recorded. During time of famine of 1879, it is said that not a single *Pandit* died of starvation (though the observation cannot be treated at its face-value) and *Wazir* Pannu, the governor, expressed the sentiments of the *Pandits*, when he angrily informed the starving people that there was no real distress and that he

<sup>11</sup>See "File of Foreign Department, Semi-Official from F. Henvey to A.C. Lyall, Dated at Lahore on December 1879" in *NAI [National Archives of India]*.

<sup>12</sup>It was the mass impoverishment which led to mass emigration. See *ibidem* with footnote 11.

<sup>13</sup>See "File of W.R. Lawrence, Settlement Officer, Kashmir to Colonel R.P. Nisbet, Resident, Kashmir, Foreign Department, dated at the Srinagar, 13<sup>th</sup> November 1889, Semi-Official" in *NAI [National Archives of India]*.

wished that no *Musalman* might be left alive from Srinagar to Ramban. These things were not easily forgotten by the people and the Kashmiri proverb, “*Drag Tsalih Tah Dag Tsalih Nah*” which means “the famine goes, but stains remain” is full of truth.<sup>14</sup>

It was difficult to find more abject and degraded body of men in terms of economic position than the Kashmiri cultivator.<sup>15</sup> Their very intelligence and aptitude for work seems to have accentuated their degradation. They attributed their degradation to different things, but the real cause behind their moral degradation was the tyranny and want of sympathy of the officialdom (*ibidem* with footnote 15). W.R. Lawrence recorded that he had sometimes said to the villagers:

“[...] the state can't trust you, you hide government's share of the crops and would not pay even fair revenue”. They replied, “We have never had a fair chance. It has never been *Ek lafz* (one word) with us. Nothing is permanent. The *maharaja* gave us an assessment in *samavt* 1937 (1880) and the officials said the assessment would be maintained. It was increased before the end of the year” (*ibidem* with footnote 15).

<sup>14</sup>File of Foreign Department, from W.R. Lawrence, Settlement Officer Kashmir to Colonel R.P. Nisbet, Resident in Kashmir, dated at the Camp, Kashmir, on 2<sup>nd</sup> December 1889” in *NAI [National Archives of India]*.

<sup>15</sup>Though Kashmir has been extraordinarily endowed by nature, particularly in the matter of its capabilities for raising food supplies, and that, supposing the inhabitants of this favored country to be destroyed by hunger, the cause must be sought either in some unparalleled accident of weather and season, or in such external circumstances as the fiscal and commercial policy of the government, and the conduct generally of the rulers towards the ruled. The population of Kashmir was reckoned before the famine at about half a million, since no accurate census of the survivors was taken at time of the famine, but some idea of the depopulation of the country can be drawn from the below mentioned authoritative description, “No Englishmen who carefully examined the summer city [Srinagar] in 1879 with a view to guessing its population ever put the people at over 60,000 souls, but nothing can be exactly known. A number of the chief valleys to the north were entirely deserted, whole villages lay in ruins. Some suburbs of the city were tenantless, the city itself half destroyed, the graveyards were filled to overflowing, the river had been full of corpses thrown to it. It is not likely that more than two-fifths of the people of the valley now survive”. Monsieur Bigex, a French shawl merchant, notes that whereas in former times there were from 30,000 to 40,000 weavers in Srinagar, now only 4,000 remain, and that orders from France for Shawls can't be executed for wants of hands. It may be that the famine has fallen with most severity on the weaving class, but as the Persian proverb says, “A handful is a specimen of the ass-load”. See, for further information, “File of the Famine in Kashmir during 1877-78-79 by Mr. Henvey of Foreign Department, confidential K.W-No.2” in *NAI [National Archives of India]*.

Another primary source stated as follows:

In a country where the standard of comfort [was] so low, it [was] difficult to arouse a spirit of enterprise, and the form of government, which conduce[d] most to the material *bien etre* of the people, is probably not the best calculated to promote their moral and intellectual advancement.<sup>16</sup>

The Treaty of Amritsar was a baleful event, if there has been a catastrophe to hit Kashmir politically, devastate it economically, ruin it socially, and bash it psychologically, it was this Treaty (Ahad, 2013). Accordingly, E.G. Hull stated in 1903, related to bash the Kashmir psychologically, as follows:

[...] no wonder that look of helplessness is so often permanently stamped on the faces of the men and women living in such surrounding, absolutely devoid of intellectual or spiritual interest. Though Kashmir's spring has loveliness all its own when a dainty *hoopoo* comes forth from the tree hollow, and spreading his train on the young grass, with the crown erect, draws with his long bill, his special luxuries from the freshened earth, while golden aureoles fly like sunbeams through the air, calling to each other, in jubilant notes, that spring has come! Thus, winter after winter passes into spring and deep the longing grows to see a similar transformation in the dwellers in the happy valley, who, living in the midst of so much beauty, seem untouched by it even on the surface, “Come from the pour winds, *O Breath* and *Breathe* [...] that may live”.

Brushing the Kashmiri pride massively, the Amritsar Treaty was negotiated to thrust upon Kashmir by those born in alien territories and brought up in an unfamiliar ethos, the British and their cohorts who with their sharply divergent civilizational moorings and racial stocks were neither related to, nor acquainted with the helpless victims, its inhabitants. These desperate people combined together at a very critical juncture of history and to bring Kashmir to their heels, perpetrating, thereby a heinous crime the parallel of which is hardly ascertainable in the history of any nation in the universe.

The plot they hatched was outrageously so scandalous, so immoral, so wicked, so treacherous, and so disgraceful that it continues infuriating people of all shades of opinion and ideology in Kashmir even after elapsing more than a century. The Treaty of melancholy inflicted on the unfortunate people

<sup>16</sup>See “File of Foreign Department, from Colonel W.F. Prideaux, Resident in Kashmir to the Secretary of the Government of India, Confidential No.714-5118, dated at the Srinagar, on 16<sup>th</sup> October 1892” in *NAI [National Archives of India]*.

through the feudal route of Hindu autocracy that it brought in its wake to throttle the indigenous institutions of repute and the health economy beyond redemption (Hull, 1903:58).

In this way, the Treaty of Amritsar caused a psychological vacuum among the people of the land, which became noticeable when the Treaty met with reactions in the form of uprisings shortly after the establishment of the Dogra rule, “[...] which presented a unique basket of worst form of feudal exploitation, seeds of modernism and birth of people’s revolt against economic exploitation” (Dhar, 2005:55).

During the struggle for freedom, the common slogan was “*Bainamai Amritsar Tod Do Kashmir Ko Chod Do*”<sup>17</sup> [Quit Kashmir and Abrogation of the Treaty of Amritsar] defines without any question that how this historical incident shaped the political psyche of Kashmir deeply rooted in the economic oppression degradation and exploitation (Thorpe, 1870:64; and Taseer, 1968:50). At the time of the arrival of the Cabinet Mission to India to work out a constitutional formula for the transfer of power, a memorandum was presented to the Mission by the National Conference Leadership. The memorandum contained the following lines:

The question of treaty rights of the princes has become a moot point between the people and the states, the princely order and the paramount power. For us, in Kashmir, the re-examination of this relationship in its historical context is a vital matter. Nearly hundred years ago, the people of Kashmir became the victims of a commercial deal by the covetous agents of the East India Company. For the paltry consideration of seventy five *lacs* of Sikh currency [less than half million pounds sterling], the people of Kashmir, the land, and its potential wealth were sold away to the servitude of Dogra house by the British East India Company. Then, the Governor of Kashmir, Shiekh Imam-uddin, resisted the transfer but was finally reduced to subjugation with the aid of the British. This *Sale Deed* of 1846, misnamed Treaty of Amritsar, sealed the fate of Kashmiri masses.<sup>18</sup>

<sup>17</sup>The slogan very well represents the profound and pervasive effect upon the mass psyche of Kashmir.

<sup>18</sup>See “File of Political Department, Telegram from Sheikh Abdullah, President of Jammu and Kashmir National Conference to British Cabinet Mission, File No.182-P(S)/46, Srinagar, Lahore, Dated 22<sup>nd</sup> April 1946” in *NAI [National Archives of India]*.

Sheikh Abdullah, President of Jammu and Kashmir National Conference, further declared that:

[...] the “Sale Deed” confers no privileges equivalent to those claimed by state government’s treaty rights. As such, case of Kashmir stands on unique footing and people of Kashmir pressed on mission their unchallenged claim to freedom on withdrawal of British from India. We wish to declare that no “Sale Deed”, however, sacrosanct can condemn more than four million people men and women to servitude of an autocrat, when will to live under this rule is no longer acceptable to the people of the land. We are determined to mould our destiny and we, therefore, challenge the moral and political validity of the “Sale Deed”, to which people of Kashmir were never a party and which has since 1846, been the document of their bondage (*ibidem* with footnote 18).

Sheikh Abdullah also wrote in the telegram that *Sale Deed* did not have the status of a treaty and entreated the people to contribute a collection of seventy five *lakh rupees*, so that they could return the investment of the present *Maharaja’s* grandfather and buy back the independence of Kashmir (*ibidem* with footnote 18). Sheikh Abdullah, further, reiterated that, “the immensity of the wrong done to the people by virtue of the *Sale Deed* of 1846, can only be judged by looking into the actual conditions of the people. It is the depth of our torment that has given strength to our protest”.<sup>19</sup>

It is unmistakable to state that during the freedom struggle, the nature and character of the Treaty of Amritsar remained a hot debate of discussion among the leadership of Kashmir as a highly contemptible and mortifying document by which the Dogra rulers extended the era of *Sikh* oppression with new dimensions.<sup>20</sup> The Treaty of

<sup>19</sup>See “File of New Kashmir, the Political and Economic Manifesto of Jammu and Kashmir National Conference (1944), reprinted in English by Shiekh Nazir, General Secretary National Conference” in *NAI [National Archives of India]*, p.171.

<sup>20</sup>During the quite Kashmir Movement forceful speeches were made by Sheikh Mohammad Abdullah, the political leader of Kashmir. He particularly alleged that the people of Kashmir had been sold by the Treaty of Amritsar for seventy five *lacs* or seven pieces a head as slaves and people to be prepared for “bullets”. He exhorted them to “Break the Amritsar Treaty”. See, for further information, K.M. Pannikar (1930); and “File of Fortnightly Reports from 31<sup>st</sup> January to 15<sup>th</sup> May 1946, Political Department, File 13-C/46 (Top Secret, Srinagar, June 1946)” in *NAI [National Archives of India]*.

Amritsar, therefore, was from its very nature an embodiment of the policy of subordinate isolation, and manifestly contained the stipulation of non-interference in the internal affairs of the state, and this stipulation of non-interference immediately led to a gross misrule in the state subjecting the people to an extreme economic stagnation and political servility. Practically, all the accounts pertaining to late nineteenth and early twentieth centuries paint a grim picture of self-absorbed, hopelessly incompetent regime, and a Muslim subject population living in medieval conditions of poverty and oppression (Bose, 2003:16).

## CONCLUSION

The paper explored that the Treaty of Amritsar was much more than a structural change, an outburst of despair. The results that followed were unprecedented both in scale and method. It proved brutal in essence, not ethical, and it had its roots in the natural conditions which prevailed in Kashmir itself in 1947, at the time of the dethronement of the Dogra dynasty. One might argue that in shaping the history of any society, narratives of particular historical incidents go towards making the community and subject of history.

The Dogra dynasty followed the footsteps of their predecessors. During their rule, no Kashmiri, especially Muslim, was allowed to join the army. To render them submissive, the masses were led to believe that their very existence depended on the tender mercies of their political masters, the will of the ruler was a command, and its obedience was a must. The Afghans in Kashmir are known for their atrocious character, the *Sikhs* for looking upon Kashmiris with contempt, and the Dogras for their racial discrimination. They took pride in pushing the people of the land into a state of utter demoralization, dehumanization, degradation, and dispossession.

The Treaty of Amritsar changed and transformed Kashmir unlike another event in its long history. Some events have not only long lasting impact, but also in many ways go on expanding over the history it's narrative consequences and the way future events happen; and the Treaty of Amritsar had many such repercussions for the people

of Jammu and Kashmir. By virtue of the Treaty of Amritsar, the prominent source of the economy of Kashmir; the shawl and shawl weavers underwent dramatic transformation both psychologically as well as economically.

Soon after the Treaty of Amritsar, as Kashmir, on the one hand got a purchased status under the ruler ship of Gulab Singh, but on the other hand, came under the suzerainty of the British Indian colonial rule, who from the very inception; rather prior to its annexation had devoted an entire imperial machinery to gather information on the products manufactured in Kashmir. The terms of the Treaty of Amritsar give a vibrant validation to the fact that beyond the strategic significance of Kashmir to the imperial goals of the British in Northwest India and central Asia, Kashmir's importance to the East India Company lay in the ability of its people to manufacture Kashmiri shawls and as a conduit to that animal — the shawl goat — that had been the focus of intense investigation in British India and Britain since the late eighteenth century.

It was in this way that the Treaty of Amritsar brought unprecedented human sufferings. Whole population either directly or indirectly got effected by the Treaty. The Treaty of Amritsar sharply differed from other historical occurrences in the history of Kashmir. By the Treaty of Amritsar, the people felt betrayed and at a later stage they denounced the Treaty as "morally invalid". It brought in its wake the unprecedented political, social, economic, and ideological upheavals in the social discourse of Kashmir.

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