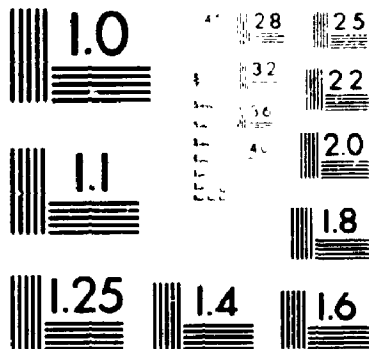


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RELUCTANT MEDIATOR: CANADA, THE UNITED NATIONS  
AND THE KASHMIR CRISIS, 1947-1949

by

E. A. KELLY B.A.

A thesis submitted to the  
Faculty of Graduate Studies and Research  
in partial fulfillment of the requirements for the degree of

Master of Arts

Department of History

Carleton University  
Ottawa, Ontario  
July 31, 1995  
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**Canada**

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By late August, the future of the province was still not settled. Fearing that their ruler might find a way to cling to power, the Moslems of Poonch in west-central Kashmir rose in an attempt by force of arms to free themselves from an oppressive government.<sup>10</sup> In the southernmost part of the province, known as Jammu, an uneasy peace between the Hindu majority and the Moslems existed as war raged in the neighbouring Punjab. But the revolt in Poonch was too much. Enraged Hindus, assisted by elements of the Maharajah's militia, decimated the Moslem population of the Jammu area of Kashmir. Pakistan received approximately 300,000 refugees from Jammu; another 200,000 were killed.<sup>11</sup> Moslem Pathan tribesmen from Pakistan's North-West Frontier Province responded by pouring into northern Kashmir, looting and murdering. Their ranks were swelled by several thousand Kashmiri Moslems and deserters from the Maharajah's army totalling about 10,000 in all.<sup>12</sup>

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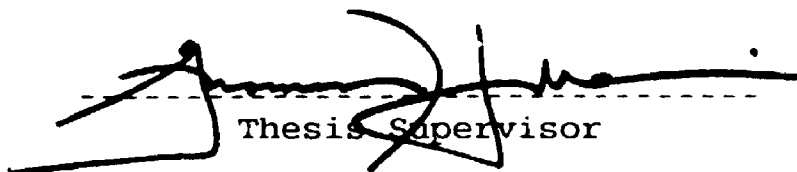
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"RELUCTANT MEDIATOR: CANADA, THE UNITED NATIONS  
AND THE KASHMIR CRISIS, 1947-1949"

submitted by

Edwin A. Kelly, B.A.,

in partial fulfilment of the requirements  
for the degree of Master of Arts

  
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Thesis Supervisor

  
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18 September 1995

## ABSTRACT

### RELUCTANT MEDIATOR: CANADA, THE UNITED NATIONS AND THE KASHMIR CRISIS, 1947-1949

In October 1947, a revolt in Kashmir led to hostilities between India and Pakistan. Bilateral negotiations in search of a settlement of the crisis were unsuccessful. Consequently, India lodged an appeal to the United Nations Security Council to order Pakistan to withdraw all support from the insurgents. Canada began a two-year period of membership on the Security Council in January, 1948, which coincided with the opening discussions on the Kashmir issue.

This thesis examines Canadian diplomatic activity during the Kashmir crisis from September 1947 to December 1949. For a long time, Canada refused to participate in the search for a settlement to the dispute. That ended in October 1949, when Secretary of State for External Affairs Lester Pearson attempted in vain to establish a leading role. Using the measurements of commitment to internationalism, influence and effectiveness, Canadian diplomacy did not score high marks during the Kashmir crisis.

## ACKNOWLEDGEMENTS

I wish to express my heartfelt gratitude to Dr. Norman Hillmer of the History Department at Carleton University for his unflagging support and encouragement as my thesis adviser. His advice was, without exception, clear, thoughtful and valuable. John Hilliker, Head of Historical Section and Deputy-Director of Corporate Communications Division in the Department of Foreign Affairs and International Trade in Ottawa exhibited considerable patience and understanding in allowing me to absent myself from the office during the final stages of the preparation of the thesis. Always accessible, John was generous with his support and advice. Greg Donaghy, also a member of Historical Section, consistently offered good ideas and expressions of confidence in my abilities. Two other colleagues, Dr. Hector Mackenzie and Mary Halloran, were special sources of encouragement for me. My co-workers in the Corporate Communications Division have all been extremely supportive, particularly the Director, Alan Darisse, as well as Lisa Svoboda, Peter Houlton, Les Cundell and Cynthia Clavering.

This study could not have been completed without the support of Patricia, my wife, who cheerfully kept the household running and her own career on track while I laboured over the computer. My son Jason and my daughter Lisa were both generous with their encouragement and understanding. In many ways the task of completing my Master's degree was a family effort and it is to my family that I dedicate this thesis.



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## INTRODUCTION

India and Pakistan gained their independence from Britain on August 15, 1947.<sup>1</sup> The partition of British India was the result of the political conflict which had developed between the Muslim League under Mohammed Ali Jinnah and the National Congress Party led by Jawaharlal Nehru, as well as the open hostilities between Hindu and Moslem which threatened to explode into a full scale civil war in northern India.<sup>2</sup> The creation of Pakistan from the Moslem majority areas of the north-east and north-west corners of former British India did not, however, bring peace between the religious communities.

Report after report of post-independence communal unrest flowed to the Department of External Affairs in Ottawa from Canada's High Commissioner to India.<sup>3</sup> J.D. Kearney personally witnessed torture and murder when the violence spread to New Delhi in September 1947. Tours through the city revealed looting, burned buildings and the rotting remains of animals and humans.<sup>4</sup>

By the end of the month, order was restored throughout the capital. In the Punjab, which had been partitioned between India and Pakistan, the situation had deteriorated into virtual civil war. There, fanatical members of the Sikh religion and Punjabi Moslems were murdering each other with unbelievable savagery. "One of the blackest pages in Indian history"<sup>5</sup> was Kearney's description of the period. "Freedom stank;" noted another observer, "not only with rotting flesh and burning buildings but with malice, hatred and lust".<sup>6</sup>

Political uncertainty contributed to the antagonism between Hindu and Moslem. At independence, the boundaries of the two countries were not settled. Under British rule, India was a patchwork of states, some controlled by the central authority in New Delhi, others under the rule of an hereditary monarch such as a Maharajah or a Nizam. At partition, the states ruled from the centre passed to the control of the new government, whether that of India or of Pakistan. Although the vast majority of the princely states did agree to join India or Pakistan,<sup>7</sup> three important provinces postponed their decision. In Junagadh, an archipelago of small territories scattered around north-western India, a Moslem ruled over a population mainly Hindu. The same situation prevailed in Hyderabad, an immense territory in central India. On the other hand, a Hindu governed the state of Jammu and Kashmir (known simply as Kashmir), which was almost 80% Moslem.

Prior to independence, the leadership in New Delhi foresaw the possibility that not all of the many rulers in India would agree to relinquish power by the August 15 deadline. Accordingly, the Political Department of the Indian Government drew up a document known as the Standstill Agreement. It provided for a delay to allow the ruler time to petition India or Pakistan or both to open negotiations for discussion of the terms of eventual accession. In brief, normal communications and commerce were to continue as usual pending a final decision.<sup>8</sup>

Located in the north-west corner of the sub-continent bordering Pakistan, India, Afghanistan, the Soviet Union, China and Tibet, Kashmir was a backward fiefdom ruled by a cruel Maharajah, Hari Singh. Three days before India and Pakistan became sovereign nations, Singh announced his intention to enter into formal negotiations with both under the terms of

the Standstill Agreement. Pakistan agreed while India's reply was non-committal.<sup>9</sup>

By late August, the future of the province was still not settled. Fearing that their ruler might find a way to cling to power, the Moslems of Poonch in west-central Kashmir rose in an attempt by force of arms to free themselves from an oppressive government.<sup>10</sup> In the southernmost part of the province, known as Jammu, an uneasy peace between the Hindu majority and the Moslems existed as war raged in the neighbouring Punjab. But the revolt in Poonch was too much. Enraged Hindus, assisted by elements of the Maharajah's militia, decimated the Moslem population of the Jammu area of Kashmir. Pakistan received approximately 300,000 refugees from Jammu; another 200,000 were killed.<sup>11</sup> Moslem Pathan tribesmen from Pakistan's North-West Frontier Province responded by pouring into northern Kashmir, looting and murdering. Their ranks were swelled by several thousand Kashmiri Moslems and deserters from the Maharajah's army totalling about 10,000 in all.<sup>12</sup>

On October 27, 1947, the Canadian High Commissioner to India advised Ottawa that Indian troops were landing at Srinagar, the summer capital of Kashmir, to confront the Moslem invaders. To facilitate legal entry of the Indian contingents, New Delhi had prevailed upon the Maharajah to sign an Instrument of Accession to India. The "Indian Government", Kearney added, "claims accession is only interim and is willing, when law and order is restored, to refer the question of permanent accession to a plebiscite".<sup>13</sup>

The Indian forces were unable to dislodge the insurgents and the fighting continued throughout November. India and Pakistan were on the brink of full-scale war. On December 8, 1947, after considerable pleading by India's Governor General, Lord Mountbatten, Prime Minister Nehru met

his Pakistan counterpart in Lahore, where they worked for seven hours in a vain attempt to reconcile their differences over Kashmir.<sup>14</sup> Mountbatten realized that a third party would have to be called upon and suggested that the United Nations had the prestige and authority to negotiate a settlement.<sup>15</sup> The Prime Minister of Pakistan, Liaquat Ali Khan, agreed immediately, but Nehru preferred to discuss it with his advisers.<sup>16</sup> On December 30, 1947, India submitted a formal appeal to the Security Council to order Pakistan's withdrawal of all assistance to the Moslem insurgents in Kashmir.

Unlike many of the problems confronting the international community, the Kashmir conflict did not directly impinge on the relations between the western allies and the Soviet bloc. Nevertheless, every dispute seemed to carry with it the potential to set off a wider conflagration as East confronted West in a perpetual showdown known as the Cold War. Historian Robert Spencer concluded that "overshadowing all international activities in these years [1946-1949] was the growing rift between East and West".<sup>17</sup>

Unease over Soviet intentions preoccupied the governments of Western Europe and North America. Most of Eastern Europe had already succumbed to Moscow's pressure, and the rest of the continent wondered which country would be next. "Fear presided: fear of the Soviets, fear of domestic communists, fear of the Americans".<sup>18</sup> Frightening scenarios included the possibility that the Soviet Union or the United States might be provoked into starting a war.<sup>19</sup>

Russia's angry rejection of the Marshall Plan for European economic recovery, the deadlocks in Korea and Germany, the fighting in Greece between communist guerillas and royalist forces and Moscow's border incursions into Iran increased the tension. It was during this year of international anxiety that Canada successfully stood for election to the

Security Council. Two days after India submitted its formal request to the Security Council to direct Pakistan to withdraw all assistance from the Moslem insurgents in Kashmir, Canada began her first two-year period of non-permanent membership on the Security Council.

The decision to stand for election to the Security Council reflected the new commitment to internationalism which had been outlined in early 1947 by Secretary of State for External Affairs Louis St. Laurent, in a major statement in Toronto on the future of Canada's role in international diplomacy. Early in his speech, he referred to those Canadians who had given their lives in World War II. "During the war in which they fought", he declared, "there was won for this nation an enviable reputation as a military power. There now rests with us the opportunity to show the same degree of competence, the same readiness to accept responsibilities, the same sense of purpose in the conduct of our international affairs".<sup>20</sup>

In their recent history of Canadian foreign policy, Norman Hillmer and J. L. Granatstein described the impact of the country's wartime experience on changing Canadian attitudes. Canada had an abundance in industry and agriculture, they explained, that "had helped to give Canada influence in wartime negotiations, as had the nation's military contribution. Canada had done its full share in fighting and winning the war. All this more than justified its claim to be a middle power".<sup>21</sup> They were also clear on the significance of the speech: "[T]here could be no doubt that St. Laurent's lecture was a call for Canada to accept its international commitments...."<sup>22</sup>

St. Laurent had support for his vision of the future of Canada's international responsibilities. The Department of External Affairs was full of eager, ambitious, intelligent officers and the public was on side. "It was Canada's role in the Second World War", suggested Kim Nossal,

"which served to catalyze thinking about the country's position in the international hierarchy. The country's war effort was sizeable for a state with a small population and limited resources. Sizeable enough, many Canadians felt, to demand a revision of the country's status in the international hierarchy".<sup>23</sup>

St. Laurent linked Canada's willingness to become a full member of the diplomatic community to his conclusion that "security for this country lies in the development of a firm structure of international organization".<sup>24</sup> For historians and observers of Canada's post-war diplomacy, St. Laurent made good on his promise. Canada embarked on what has been called the "golden age" of Canadian internationalism. In his memoirs,<sup>25</sup> a former member of the Canadian foreign service traced the "golden decade" from the announcement by Prime Minister King that he had decided to retire from public life<sup>26</sup> to the successful resolution of the Suez crisis. J. L. Granatstein agreed that the "heyday of Canadian foreign policy occurred in the dozen or so years after the end of the war".<sup>27</sup>

A former diplomat and historian of the period, John W. Holmes, also agreed that the war had changed Canadian attitudes. Up to then, he noted, "Canada's external relations were tentative and circumscribed, limited in later years not so much by colonial status as by a lingering colonial mentality... This attitude was swept away at the end of the War".<sup>28</sup> Holmes concurred with the favourable evaluation of Canadian diplomatic activity in the post-war period. "Canada went through a remarkably swift transition", he maintained, "from the status of a wartime junior partner in 1945 to that of a sure-footed middle power with an acknowledged and applauded role in world affairs ten years later".<sup>29</sup>

When Canada began to see herself as a 'middle power', that self-image helped to define a role for Canadian diplomacy. Holmes has explained that, with the advent of the stalemate in the Cold War, middle powers were often cast in mediatory positions in disputes.<sup>30</sup> Because of their relative weakness and their more localized interests, he suggested, middle powers were usually more detached from disputes than was the case with the great powers.<sup>31</sup> In reflecting on the Canadian experience, Holmes concluded that:

Having achieved some success [in the Arab-Israeli and Dutch-Indonesian disputes in the late 1940s], it [Canada] thereby got started in a pattern of diplomacy which determined its posture in world affairs. There developed an ambiguity in the term 'middle power'. It originally implied a power of medium strength but it began to develop also the connotation of a middle or mediatory position in conflicts.<sup>32</sup>

Paul Painchaud, a political scientist at Laval University, saw a clear connection between mediation and Canada's status as a middle power. He stated that our "role of mediator, for example, is the product of a profound perception of the international position of Canada in the Cold War".<sup>33</sup>

For the practice of Cold War diplomacy by the middle powers, the United Nations was an essential forum. "It is in bringing to the U.N. all possible assistance", Painchaud added, "that Canada has been able to fill the function, essential for it, of mediator. Mediation, principally within the United Nations, constitutes then for Canada an important and fundamental element of its ideology of middle power".<sup>34</sup> John Holmes endorsed that view: "It is hard to conceive, nevertheless, how this



function [mediation] of the middle powers could be performed if the United Nations did not exist".<sup>35</sup>

A forum for mediation is just that. It becomes effective when talented diplomats assemble to deal with disputes and search for solutions which have eluded bilateral negotiation. There is wide consensus that Canada fielded a powerful team of diplomats and policy analysts after the Second World War. Granatstein concluded that the "Department of External Affairs, while still small, was staffed with a dazzling array of talent..."<sup>36</sup> Political scientist Peyton Lyon identified Lester Pearson, Hume Wrong and Escott Reid, among others, whose abilities helped explain "the widely held belief that Canada had fielded one of the world's most impressive foreign services".<sup>37</sup> Much has also been said about the relationship between Pearson and St. Laurent.<sup>38</sup> From September 4, 1946, to September 9, 1948, St. Laurent was Secretary of State for External Affairs. Pearson, his Under-Secretary, took over the portfolio on September 10. On November 15, 1948, St. Laurent became Prime Minister. The 'team' stayed intact until the election in 1957 of a minority Conservative government under John Diefenbaker.<sup>39</sup>

The style of Canadian diplomacy, according to the historiography, contributed to its success. Holmes determined that Canada's part in the world panorama was "a part of some consequence, but its quality, such as it was, is to be found not in the proposing of grand designs, but in the responses, in constructive amendments and imaginative formulas, in the exploiting of occasions, and in the insistence, usually in company, on certain basic principles".<sup>40</sup> Holmes claimed that it was the use of simple common sense which brought Canadian diplomats so much respect in the United Nations. He believed that their strength was in their willingness to compromise and their ability to be inventive.<sup>41</sup>

The literature further suggests that, during the decade after the Second World War, a confluence of factors led to the "golden age". The new commitment to internationalism allowed the talented members of Canada's Department of External Affairs to exploit the opportunities for participation in the creation of post-war organizations and in the negotiation of difficult issues. The interaction of motivation, capability and opportunity produced a number of successful diplomatic initiatives and won for Canada a high level of influence well out of proportion to her population and military strength - hence, a golden age of effectiveness and commitment.

The central objective of this study is to describe Canada's involvement in the Kashmir issue and to determine whether it supports the concept of a "golden age" in Canadian diplomacy. The thesis will focus on the period from January 1, 1948 to December 31, 1949, when Canada was a non-permanent member of the Security Council; and will constitute the first account of this issue based on the relevant primary sources.

The issue confronted by this thesis is not whether Canada managed to forge an agreement that led to a final settlement. In fact, Kashmir is to this day a source of friction between the two countries and the toll in human life continues to rise.<sup>42</sup> Canadian effectiveness and commitment will be measured by how willing Ottawa was to accept the responsibility to assist in the search for a solution, by the quality of Canada's mediation efforts, by the leadership displayed from headquarters in Ottawa and by the ability of the two main diplomatic players for Canada, Kearney in New Delhi and General A.G.L. McNaughton, Permanent Head of the Canadian Delegation to the United Nations in New York, consistently to promote Canadian policy on the issue. In other words, how well and how persistently did Canada fulfil her role as mediator? How effective were Canadian diplomats? How much "influence" did Canada have?

This account of Canadian diplomatic involvement in the Kashmir issue is based on the files of the Department of Foreign Affairs and International Trade. At the National Archives, the personal papers of Lester B. Pearson, John D. Kearney, General A.G.L. McNaughton, and William Lyon Mackenzie King were of some assistance, but the Cabinet documents for 1948 and 1949 were not. The Kashmir issue received Cabinet attention on three occasions, but the submissions were in the form of reports and required no decision. The one exception was the guidance statement for McNaughton issued by Cabinet on February 12, 1948, which described the general policy that the Canadian Delegation was required to follow.

The first chapter describes Canada's reaction to the initial attempt by Karachi to involve Commonwealth countries in the India/Pakistan imbroglio. The activities of Kearney and McNaughton are documented. Following a discussion of India's submission to the Security Council on December 30, 1947, there is a review of Canada's position on involvement in the Kashmir issue. British proposals led to a draft resolution and the reaction by India and Pakistan to the proposals is briefly covered.

Chapter Two begins with McNaughton's first term as President of the Security Council under the system of monthly rotation. He attempted to advance negotiations with another draft resolution. Misunderstanding the position taken by the Canadian Delegation in New York, headquarters issued contradictory instructions to the High Commission in New Delhi relating to the status of Kashmir. The instructions were later reversed. Close attention is given to the efforts by Kearney to separate Canada from the majority trend of opinion in the Security Council. New proposals in March and April, 1948, from New York generated considerable discussion culminating in the resolution of April 21, which established a Commission to undertake the responsibility for finding a solution to the issue.

The composition of the Commission is settled in Chapter Three and its activities in the sub-continent leading to a cease-fire, effective January 1, 1949 are briefly described. In August 1949, Ottawa began its first serious evaluation of the issue. Two months later, Prime Minister Nehru of India visited Canada and offered a concession on the possibility of United Nations sponsored-mediation to settle the issue. Secretary of State for External Affairs Pearson agreed to promote Nehru's offer and found that the British, with American support, would not move from their preference for arbitration as the appropriate method for settlement. The western powers were unable to put up a united front to press for an agreed solution to the crisis.

Chapter Four opens with McNaughton again in the chair as President of the Security Council for December, 1949. With the unanimous agreement of all the major participants, the Delegate for Canada was charged with the responsibility to work out an agreement. Both India and Pakistan brought new proposals to the table but without success. Initial optimism that McNaughton's draft resolution might receive the assent of both sides was quickly dashed. Pearson intervened without success as time ran out on Canada's membership on the Security Council.

British and American attention then shifted to urging Ottawa to allow McNaughton to stay on in some capacity to continue his efforts at mediation. Pessimistic about the chances for a settlement, unhappy with the American suggestions for keeping him on, and annoyed at the lack of support he had received from Washington and Whitehall, McNaughton declined. In a belated attempt to support McNaughton's draft proposals for a settlement, Washington sent a blunt message to the Indian Prime Minister and received a bitter reply from Nehru. Indian opposition to the Canadian draft resolution was so rigid, that further participation by McNaughton in the negotiations was pointless. With Ottawa's flat refusal

to allow him to continue his efforts at mediation, Canada's involvement in the issue ended.

## NOTES

1. See Nicholas Mansergh, ed.-in-chief, *Constitutional Relations Between Britain and India: The Transfer of Power 1942-7*, Volumes I-XII (London: Her Majesty's Stationery Office, 1970-1983). The most important volume in the series relating to events described here is volume XII entitled *The Mountbatten Viceroyalty: Princes, Partition and Independence 8 July-15 August 1947*. For a more compact collection, see Nicholas Mansergh, ed., *Documents and Speeches on British Commonwealth Affairs 1931-1952*, Volume II (London: Oxford University Press, 1953), pp. 605-708. The Indian Independence Bill received Royal Assent on July 18, 1947 and became law the same day.
2. See Nicholas Mansergh, "The Partition of India in Retrospect", *International Journal* XXI, No. 1 (Winter 1965-66):1-19 for an excellent review of the complex issues which led to the acceptance of partition by the key leaders. For a contemporary view of the final days of British rule in India, see Nicholas Mansergh, *The Commonwealth and the Nations* (London: Royal Institute of International Affairs, 1948), pp. 121-146.
3. Canada did not establish a High Commission in Pakistan until 1950.
4. High Commissioner for Canada in India (HCCI) to Secretary of State for External Affairs (SSEA), no. 79, September 14, 1947, Records of the Department of Foreign Affairs and International Trade in National Archives of Canada (RFAIT), file 5 As. Approximately 2,000 died in New Delhi between September 7 and 10. See Ian Stephens, *Pakistan* (London: Ernest Benn Ltd., 1963), p. 190. For a well-balanced and convincing study of the divisions separating Hindu and Moslem within the framework of India and Pakistan's struggle for self-rule, see R. Suntharalingam, *Indian Nationalism: An Historical Analysis* (Delhi: Vikas Publishing House, 1983).
5. HCCI to SSEA, no. 79, September 14, 1947, RFAIT, file 5 As. A conservative estimate suggests that approximately 200,000 men, women and children died between August and November 1947. See H.V. Hodson, *The Great Divide: Britain-India-Pakistan* (London: Hutchinson of London, 1969), p. 418.
6. Arthur Swinson, *North-West Frontier: People and Events 1839-1947* (London: Hutchinson and Company Ltd., 1967), p. 338.
7. For a straightforward review of Viceroy of India Lord Mountbatten's activities surrounding the integration of the princely states, see Ian Copland, "Lord Mountbatten and the Integration of the Indian States: A Reappraisal", *Journal of Imperial and Commonwealth History* XXI, no. 2 (May 1993): pp. 386-408. Copland's analysis is much less laudatory than Hodson, *The Great Divide*, p. 388 or Philip Ziegler, *Mountbatten: The Official Biography* (Glasgow: William Collins Sons

- & Co. Ltd, 1985), p. 414.
8. See Hodson, *The Great Divide*, p. 370, for an explanation of the terms of the Standstill Agreement.
  9. Lord Birdwood, *Two Nations and Kashmir* (London: Roger Hale Limited, 1956), p. 45.
  10. For example, the killing of cows, sacrilege to the Hindu, was strictly enforced on the Moslems and Buddhists of Kashmir. The penalty was death.
  11. S. M. Burke, *Pakistan's Foreign Policy: An Historical Analysis* (London: Oxford University Press, 1973), p. 24.
  12. Beaudry to Prime Minister, October 30, 1947, RFAIT, file 5 As. For a description of the events in Kashmir prior to and just after the invasion from the north, see Lord Birdwood, "Kashmir", *International Affairs* XXVIII, No. 3 (July 1952): 299-309.
  13. HCCI to SSEA, no. 114, October 27, 1947, RFAIT, file 5 As.
  14. Alan Campbell-Johnson, *Mission With Mountbatten* (London: Robert Hale Limited, 1952), p. 251.
  15. *Ibid.*
  16. *Ibid*, pp. 252, 255.
  17. Robert Spencer, *Canada In World Affairs: From UN to NATO 1946-1949* (Toronto: Oxford University Press, 1959), p.1.
  18. Norman Hillmer and J.L. Granatstein, *Empire to Umpire: Canada and the World to the 1990s* (Toronto: Copp Clark Longman Ltd., 1994), p. 201.
  19. See Escott Reid, *Time of Fear and Hope: The Making of the North Atlantic Treaty 1947-1949* (Toronto: McClelland and Stewart, 1977), pp. 15-16.
  20. See Canada, An address by the Right Honourable Louis St. Laurent, Secretary of State for External Affairs, Inaugurating the Gray Foundation Lecturship at Toronto University, January 13, 1947, *Statements and Speeches* 47/2, Information Division, Department of External Affairs, Ottawa, 1948, p. 3.
  21. Hillmer and Granatstein, *Empire to Umpire*, p.181.
  22. *Ibid*, p. 193. See also Spencer, *Canada In World Affairs*, p. 2.
  23. Kim Richard Nossal, *The Politics of Canadian Foreign Policy* (Scarborough: Prentice-Hall Canada Inc., 1985), p. 10. See also David B. Dewitt and John J. Kirton, *Canada As a Principal Power: A Study In Foreign Policy and International Relations* (Toronto: John Wiley & Sons, 1983), p. 114.
  24. Canada, *Statements and Speeches*, Louis St. Laurent, January 13, 1947, p. 6.

25. George Ignatieff, *The Making of a Peacemaker: The Memoirs of George Ignatieff* (Toronto: University of Toronto Press, 1985), pp. 107-126.
26. On August 25, 1948, Prime Minister King advised his cabinet that he had decided to retire after his return from the meeting of the Commonwealth heads of government in London (October 11-22, 1948). His official withdrawal from public office was on November 15, 1948. For the life and career of the Prime Minister, see R. MacGregor Dawson, *William Lyon Mackenzie King: A Political Biography 1874-1923* (Toronto: University of Toronto Press, 1958); H. Blair Neatby, *William Lyon Mackenzie King: 1924-1932, The Lonely Heights*, vol. 2 (Buffalo: University of Toronto Press, 1970); and *William Lyon Mackenzie King: 1932-1939, The Prism of Unity* (Toronto: University of Toronto Press, 1976). Useful as an overall assessment of King's foreign policy is C.P. Stacey, *Canada and the Age of Conflict: A History of Canadian External Policies*, vol. II, *The Mackenzie King Era* (Toronto: University of Toronto Press, 1981).
27. See J.L. Granatstein, ed., *Canadian Foreign Policy Since 1945: Middle Power or Satellite?* (Toronto: The Copp Clark Publishing Company, 1969), p. 50. The quotation in the text is taken from Professor Granatstein's introductory remarks to the post-war section of the book. In another study, he has entitled a chapter "The Golden Age of Foreign Policy". See J.L. Granatstein, Irving M. Abella, T. W. Acheson, David J. Bercuson, R. Craig Brown, and H. Blair Neatby, *Nation: Canada Since Confederation* (Toronto: McGraw-Hill Ryerson Limited, 1990), pp. 427-454. Also, Dewitt and Kirton, *Canada As a Principal Power* pp. 21, 199-202. More recently, Lester Pearson's son has published a volume on his father's diplomacy from 1948 to 1957 which is described on the dust cover as the "Golden Age" of Canadian diplomacy. See Geoffrey A.H. Pearson, *Seize the Day: Lester B. Pearson and Crisis Diplomacy* (Ottawa: Carleton University Press, 1993). Escott Reid, a former senior official in the Department of External Affairs, promoted the theory, in 1967, that Canadian diplomacy had enjoyed a "golden age". He traces his decade from just after the fall of France in 1940 to the first years of the North Atlantic alliance when Canada, with the United States and the United Kingdom, created a number of post-war institutions including the International Monetary Fund, the World Bank, the Food and Agriculture Organization and the North Atlantic Treaty Organization. In his concentration on the construction of international regulatory and defence bodies and his designation of an earlier time, Reid does not share the opinion of the majority of those who believe in the "golden age". For them, it occurred in the post-war period when Canada is reputed to have played an important role in a broad range of diplomatic initiatives. See Escott Reid, *Radical Mandarin: The Memoirs of Escott Reid* (Toronto: University of Toronto Press, 1989), pp. 244-245.
28. John Holmes, "Canadian External Policies Since 1945", *International Journal* XVIII, no. 2 (Spring 1963): 137. For a review of Canadian foreign policy during the decade prior to World War II, see Robert Bothwell and Norman Hillmer, eds., *The In-Between Time: Canadian External Policy In The 1930s* (Toronto: Copp Clark Publishing, 1975). Pearson's own view of the advance of Canadian policy from the thirties to the early 1950s is in his, "The Development of Canadian Foreign Policy", *Foreign Affairs* 30, no. 1 (October 1951): 17-30.
29. Holmes, "Canadian External Policies", p. 137. He added that the change was accentuated by the passing from the political scene of King in 1948 and his replacement by St. Laurent, "a Prime Minister



less inhibited by the phobias which had prevented both nationalists and imperialists in the past from seeing Canada's place in the world clearly and confidently". *Ibid.* In addition, see John W. Holmes, *The Shaping of Peace: Canada and the Search for World Order 1943-1957*, vol. 1 (Toronto: University of Toronto Press, 1979), pp. 188, 190-191. In fairness to him, it is clear that Holmes later had second thoughts about the treatment of the middle power concept. See John Holmes, "Most Safely in the Middle", *International Journal* XXXIX, no. 2, (Spring 1984): 366-388. "It was really only after the so-called golden decade of the middle power had passed that we began to grow self conscious about it... Having been as guilty as any, in analyzing and defining this mystic role, I became worried by the mid-'sixties over the glorification and formalization of a kind of diplomacy that was really just commonsensical and not as unique as we were hinting"., pp. 367-368.

30. For a detailed interpretation of Holmes' view of Canada's development as a middle power, see John Holmes, *The Shaping of Peace: Canada and the Search for World Order, 1943-1957*, vol. II, (Toronto: University of Toronto Press, 1982), pp. 37-75. Hillmer and Granatstein explain that a "middle power was just that, smack in the middle, a nation that sought to explain antagonists to each other, that sought compromise". See Hillmer and Granatstein, *Empire to Umpire*, p. 182. See also Spencer, *Canada In World Affairs*, pp. 8-9.
31. John W. Holmes, *The Better Part of Valour: Essays on Canadian Diplomacy* (Toronto: McClelland and Stewart Ltd., 1970), p. 17 in section 3 entitled: Is There A Future For Middlepowermanship?
32. *Ibid.* Holmes also believed that a mediatory function by Canada based on ad hoc neutrality was possible and useful when the issue was not between Cold War antagonists. At San Francisco during the discussions relating to the creation of the United Nations, he concluded that Pearson acquired his reputation as conciliator, to some extent, by mediating between the Australians and the British. Additionally, suggested Holmes, Pearson played the role of conciliator in the Palestine issue in 1947 and 1956 when the British and Americans were divided and the Soviets were aligned but not allied with the United States. See Holmes, *The Shaping of the Peace*, vol. II, p. 61. Another historian noted that "Pearson had established a reputation for himself and for Canada, as an effective mediator and conciliator on Middle East questions..." See Anne Trowell Hillmer, "'Here I Am in the Middle': Lester Pearson and the Origins of Canada's Diplomatic Involvement in the Middle East" in David Taras and H. Goldberg, eds., *The Domestic Battleground: Canada and the Arab-Israeli Conflict* (Kingston: McGill-Queen's University Press, 1989), p. 139.
33. See Paul Painchaud, "Middlepowermanship as an Ideology", in J. King Gordon, ed., *Canada's Role as a Middle Power* (Toronto: The Canadian Institute of International Affairs, 1966), p. 33. See also R.A. MacKay, "The Canadian Doctrine of the Middle Powers" in Harvey L. Dyck and Peter Krosby, eds., *Empire and Nations: Essays in Honour of Frederic H. Soward* (Toronto: University of Toronto Press with the University of British Columbia, 1969), pp. 133-143, for a discussion of the concept of Canada as a middle power. Pearson's viewpoint may be found in Lester B. Pearson, "Canada's Role as a Middle Power", in Gordon, ed., *Canada's Role as a Middle Power*, pp. 195-209.

34. Paul Painchaud, "Middlepowermanship as an Ideology", in Gordon, ed., *Canada's Role as a Middle Power*, p. 31. In the same book, Chester Ronning's contribution, entitled "Canada and the United Nations", comes to the following conclusion on page 38: "Because the international policies of middle powers are influenced and sometimes determined by great powers, it is my considered opinion that a middle power like Canada can most effectively exert a Canadian influence on international affairs commensurate with Canada's standing and prestige only through the United Nations." In the same publication, Lester B. Pearson in "Canada's Role as a Middle Power" states on page 198 that Canada has "also acquired diplomatic power from a demonstrated desire and willingness to discharge our responsibilities as a member of the United Nations."
35. Holmes, *The Better Part of Valour*, Section 3, p. 20.
36. Granatstein, ed., *Canadian Foreign Policy Since 1945*, p. 50. See also J. L. Granatstein, *The Ottawa Men: The Civil Service Mandarins 1935-1957* (Toronto: Oxford University Press, 1982). In Granatstein's biography of Norman Robertson, he declared that "Norman Robertson was one of that exceptional group of civil servants who provided the advice and ideas that turned Canada into a modern nation". J. L. Granatstein, *A Man of Influence: Norman Robertson and Canadian Statecraft 1929-68* (Ottawa: Deneau Publishers, 1981), p. xi.
37. Peyton V. Lyon, "The Evolution of Canadian Diplomacy since 1945", in Paul Painchaud, ed., *From Mackenzie King to Pierre Trudeau: Forty Years of Canadian Diplomacy* (Quebec City: Les presses de l'université Laval, 1989), p. 16. A diplomat during the period under review argues that Canadian diplomats "were armed with information and expertise to a degree that was not normal at a time when free-wheeling amateurism was still a diplomatic norm". He believes that such preparation allowed them to "influence decisions well beyond what was considered normal for a non-Great Power". Arthur Andrew, *The Rise and Fall of a Middle Power* (Toronto: James Lorimer & Company, 1993), p. 26.
38. See Lester B. Pearson, *Mike: The Memoirs of the Right Honourable Lester B. Pearson*, vol. 1: 1897-1948 (Toronto: University of Toronto Press, 1972), p. 287 and in Dale C. Thomson, *Louis St. Laurent: Canadian* (Toronto: MacMillan of Canada, 1967), pp. 216-217. Also, John Hilliker and Donald Barry, *Canada's Department of External Affairs: Coming of Age, 1946-1968* (Montreal: McGill-Queen's University Press, 1995), pp. 5, 8-9, 45. Another senior participant in Canada's post-war diplomacy underlines St. Laurent's confidence in Pearson, giving the latter a broad degree of freedom in negotiations. Moreover, Pearson is described as "always ready to defend the actions of his officials, in and out of Parliament, even in the most distressing circumstances". See Arnold Heeney, *The Things That Are Caesar's : Memoirs of a Canadian Public Servant* (Toronto: University of Toronto Press, 1972), p. 98.
39. In referring to the general election of 1949, historian Hector Mackenzie noted that "the electoral outcome confirmed the partnership between St. Laurent and Pearson which had been so vital to the direction of Canada's external affairs since they were first associated as minister and deputy in September 1946". See Canada, *Documents on Canadian External Relations*, vol. 15, 1949, Hector Mackenzie, ed. (Ottawa: Minister of Supply and Services, 1995), p. xv.

40. Holmes, *The Shaping of Peace*, vol. 1, p.ix.
41. *Ibid*, p. 262.
42. As noted earlier, Canadian involvement in the Palestine issue was considered a success and it is only relatively recently that we have seen the first tentative steps to a permanent solution for that problem.

## CHAPTER ONE

### IMPASSE

The state of relations between India and Pakistan was introduced onto the international stage in September 1947, when Karachi called for a Commonwealth meeting to discuss the treatment of Moslems in India. In Ottawa, the Under-Secretary of State for External Affairs, Lester B. Pearson showed no interest in agreeing to Karachi's request. In a memorandum to Prime Minister Mackenzie King, he explained why:

This attempt of the pot to call the kettle black does not, in itself, deserve serious consideration. Nothing effective can be done to restrain the murderous fanatics who are running riot in India and Pakistan except the two governments which have taken over administration of those territories, and there is little evidence that conditions are worse on one side of the border than the other.<sup>1</sup>

Pearson recognized the delicacy of the situation. After all, the domestic policy of one of the other members of the Commonwealth was based on the refusal to grant civil rights to the non-white members of its society. "It would indeed be an ironical situation", he wrote, "if the South African Prime Minister took part in a discussion to consider the denial of fundamental human rights to Moslems by the Government of India".<sup>2</sup>

Nor did Ottawa want any part of a round of negotiations which had the potential to alienate either of the new members of the Commonwealth. The entry of India and Pakistan into the organization had raised questions about its future structure. As a matter of policy, Canada supported full and active participation by both countries. "A clash between the two new Asian Dominions", suggested two contemporary commentators, "could easily

lead to strains upon their relations with the rest of the grouping and jeopardize the prospect, already none too certain, that India and Pakistan would remain in the Commonwealth".<sup>3</sup> Moreover, India's declared intention to become a republic challenged the traditional relationship between the Crown and the dominions.<sup>4</sup>

With these considerations in mind, Canada's formal reply was that the problem appeared to be "one which must be solved, in co-operation, by the two Commonwealth governments which are directly concerned and which now administer the territories affected".<sup>5</sup> Given the circumstances, Canada's answer was appropriate. It was not clear, at any rate, why Karachi believed that resolutions emanating from a Commonwealth conference would have the desired effect.<sup>6</sup>

Ottawa's response to Pakistan's request was sent to Whitehall on October 27, 1947. That same day, J.D. Kearney, Canada's High Commissioner in India, advised headquarters that Indian troops were landing in Kashmir to oppose invasion from the north. In essence, Kearney's role as Canada's senior representative was to report on conditions in India and explain and advocate Canadian policy to Indian government officials. Nevertheless, in his zeal to bring India and Pakistan together at the conference table, and without instructions from Ottawa, he lobbied strongly for a meeting between the two Asian dominions. He put the suggestion first to Sir Girja Bajpai, Secretary General of the Department of External Affairs and Commonwealth Relations in New Delhi. Then he spoke to Zaid Hussain, Pakistan's High Commissioner to India.

Kearney suggested a *quid pro quo*. At a Round Table Conference, India could offer concessions on the Kashmir issue in return for compromises by Pakistan on the Junagadh and Hyderabad problems.<sup>7</sup> Bajpai saw little hope of this because of the close relationship between Nehru

and the *de facto* Prime Minister of Kashmir, Sheik Abdullah.<sup>8</sup> Zaid Hussain, however, put Kearney's proposal before his Prime Minister, Liaquat Ali Khan, who agreed to propose the conference. Bajpai was proved right. Nehru declined, citing pressing party matters and the opening of India's Constituent Assembly.<sup>9</sup>

Kearney was willing to take an active role in the search for solutions, in striking contrast to Ottawa's publicly-stated policy of non-involvement. Since India had earlier opposed Pakistan's request for Commonwealth intervention, there was a general reticence on the part of the United Kingdom and the dominion governments, including Canada, to get involved. Nevertheless, Kearney did not see his activities as inconsistent with Canadian policy, explaining that he was "endeavouring in an entirely unofficial way to smooth differences".<sup>10</sup>

Since it was official Canadian policy not to get involved, had Kearney exceeded his instructions? At headquarters, a departmental official analyzed his role.

With a High Commissioner less skilful and tactful than Mr. Kearney these efforts might lead to some misunderstanding of the Canadian Government's attitude towards the dispute between India and Pakistan. It seems to me, however, that Mr. Kearney has made effective use of the intimate relations which he has established for himself with Indian officials to influence the course of events in a more promising direction.<sup>11</sup>

Kearney had not gone too far, not yet. If Nehru had agreed to the meeting, however, one is tempted to speculate on how a government led by William Lyon Mackenzie King would have reacted to pressure from either India or Pakistan to participate in a Canada-inspired conference.<sup>12</sup>

Forty-five years later the son of Lester Pearson, himself a diplomat, discussed the role of Canada's senior representatives abroad. "The task of the diplomat", he explained, "is to state the policy of his or her government as precisely as that policy allows".<sup>13</sup> In the absence of any policy from Ottawa except to stay aloof, Kearney was charting his own course.

Kearney's proposal for a meeting was not accepted but, three weeks later, as the situation deteriorated in Kashmir, Nehru agreed to discussions with his Pakistan counterpart in Lahore on December 8, 1947. Seven hours of negotiations ended in stalemate.<sup>14</sup> Kearney was not available to report on these events. He had returned to Ottawa because of the illness of his wife. In his absence, Acting High Commissioner Morley Scott reported that India's Governor General, Lord Mountbatten, had managed to convince Nehru to place the dispute before the Security Council of the United Nations. New Delhi was planning to ask the Council to instruct Pakistan to deny all access to and use of Pakistan territory for operations against Kashmir and to desist from offering all other kinds of aid to the rebels that might prolong the struggle.<sup>15</sup>

Pearson agreed with Kearney and Scott that relations between India and Pakistan had deteriorated to such an extent that war seemed all too possible. Advising the Prime Minister of the seriousness of the threat, he added that India's appeal to the Security Council "would raise problems for Canada".<sup>16</sup> Pearson was preparing an already irritated Mackenzie King for future pressure on Canada to play a role in negotiations on yet another issue which held no interest for the Prime Minister. Mackenzie King's annoyance was linked to a decision taken when he was in London for the meeting of the Commonwealth Prime Ministers. Secretary of State for External Affairs Louis St. Laurent approved the recommendation by J. L. Ilesley, Minister of Justice and head of the Canadian Delegation to the

General Assembly, to agree to Canadian membership on the United Nations Temporary Commission in Korea (UNTCOK).

On his return, King refused to sign the Order-in-Council to authorize the appointment of a Canadian representative on the Commission. When American officials heard of King's decision, they decided to attempt to change his mind. On January 6, the Prime Minister received a letter from United States President Truman urging him to appoint a Canadian to the Commission. Still unmoved, King discussed his draft reply with St. Laurent that same evening. The Secretary of State for External Affairs advised King that he and Ilesley should resign since they were responsible for a commitment which the Prime Minister would not approve.

Facing a cabinet crisis, King agreed to a compromise. A member from Canada would be appointed to UNTCOK provided that the Commission concerned itself with elections throughout Korea and not just in the south which was under American control. Both officials knew that the Soviet Union would not allow the United Nations to supervise elections in Communist north Korea. The solution, therefore, was to put a Canadian on the Commission to participate in the discussions until it was clear that elections for all of Korea were impossible. Any attempt to amend UNTCOK's mandate to allow for elections solely in the south would precipitate the withdrawal of the Canadian member. This arrangement mollified King who feared any situation which threatened to place Canada in the middle of a United States/Soviet Union confrontation.<sup>17</sup>

With the UNTCOK difficulty settled, King turned his attention to the problems in the sub-continent. "[W]e should", he told St. Laurent, "keep away from the India dispute."<sup>18</sup> Effective January 1, 1948, Canada had begun a two-year period of non-permanent membership on the Security



Council.<sup>19</sup> King's instruction would be difficult to follow once deliberations began in the Security Council on the Kashmir issue.

On December 30, 1947, India submitted its formal appeal to the Security Council to request Pakistan to withdraw all support for the insurrection in Kashmir. Bajpai showed Scott a copy of India's note to the Security Council. The Acting High Commissioner voiced his regret at India's insistence that Kashmir was part of India, and that Pakistan's actions, therefore, were acts of aggression. Such a position, Scott counselled, could generate legalistic haggling which could be used as a delaying tactic by either state. In response, Bajpai expressed considerable confidence in the morality and legality of the Indian position. He was not afraid of a legal battle with Pakistan and expected that Pakistan would raise the plebiscite issue before the Council. A reference to the people would be welcome if Karachi would first help in establishing the conditions under which a plebiscite would be possible; that is, by helping to repel the invaders. Bajpai was emphatic. Until order was restored, a plebiscite was impossible.<sup>20</sup>

India's submission to the Council made it clear that India felt justified in invading Pakistan. "Ever anxious to proceed according to the principles and aims of the Charter of the United Nations", however, India requested the Security Council to ask the Government of Pakistan :

- 1) To prevent Pakistan Government personnel, military and civil, from participating or assisting in the invasion of the Jammu and Kashmir State;
- 2) To call upon other Pakistani nationals to desist from taking any part in the fighting in the Jammu and Kashmir State;
- 3) To deny to the invaders : (a) access to and use of its territory for operations against Kashmir, (b) military and other supplies, (c) all other kinds of aid that might tend to prolong the present struggle".<sup>21</sup>

The note included a statement of India's plans for the future of Kashmir:

But, in order to avoid any possible suggestion that India had utilized the State's immediate peril for her own political advantage, the Government of India made it clear that once the soil of the State had been cleared of the invader and normal conditions restored, its people would be free to decide their future by the recognized democratic method of a plebiscite or referendum which, in order to ensure complete impartiality, might be held under international auspices.<sup>22</sup>

Was India's position unassailable? International opinion, however reluctant, would soon have a chance to decide. On receipt of India's submission, the Secretary General of the United Nations sent a message to the leaders of both countries requesting that they refrain from any actions which might lead to further deterioration of the relations between them. Both agreed to comply.

Looking ahead to the coming Council deliberations, R.A. MacKay of the Second Political Division in External Affairs defended Canada's original decision against involvement. In addition to the main concern that India and Pakistan were both members of the Commonwealth, he also alluded to Kashmir's remoteness and the likelihood that Ottawa would not be able to exert much influence over either country.<sup>23</sup> Besides, European affairs, particularly in the context of the developing Cold War and other areas of potential conflict such as Palestine and Korea, preoccupied foreign policy advisors in Ottawa.

King noted in his diary that "a great mistake was being made by Canada being brought into situations in Europe and Asia of which she knew

nothing whatever, of interfering with Great Powers without realizing what consequences might be".<sup>24</sup> In his present frame of mind, there was no doubt that the Prime Minister would never consent to Canadian involvement in the Kashmir issue. Who then should carry the the responsibility to search for a solution in the Security Council discussions? China, which shared a disputed border with India? France, whose long history of colonialism was anathema to Prime Minister Nehru of India? The United States, whose leadership might attract a reaction from the Soviet Union and thus turn the Kashmir issue into another Cold War confrontation? The United Kingdom, which had only recently given up its control of the sub-continent and which, as leader of the Commonwealth, had greater reason than Canada to be reluctant to take a position favouring one side or the other? The Soviet Union, which would be delighted to exploit the opportunity to widen the gulf between India and the western democracies? Among the other non-permanent members, Syria was, like Pakistan, a Moslem country. Belgium was a former colonial power. All those that were left, were Argentina, Ukraine and Colombia.

It was up to General A.G.L. McNaughton,<sup>25</sup> the permanent head of the Canadian Delegation in New York, to defend Ottawa's policy of non-involvement. The monthly rotation of presidents of the Security Council would put McNaughton into the chair in February 1948. One of his first duties as Canada's chief representative on the Security Council was to alert headquarters to a proposal by the members of the British Delegation. They wanted Canada, on behalf of the Council, to appeal to India and Pakistan for restraint and to press the two countries to avoid doing any action which might aggravate the situation. Canada refused on the grounds that it had only just taken its seat on the Council. The President of the Security Council for the month of January 1948 was Fernand van Langenhove, the Belgian Delegate, who did not want to make the appeal himself.<sup>26</sup> He eventually relented.

The Delegation of the United Kingdom also proposed that a special commission be set up to study ways of resolving the dispute. Under-Secretary of State for External Affairs Pearson advised the British that the Canadian Government would find it inappropriate for another Commonwealth country to participate in such a commission, particularly because India could have opted for settlement through Commonwealth arbitration "but had, in fact, chosen to appeal to the Security Council presumably for the purpose of invoking a wider and more impartial intervention".<sup>17</sup>

Van Langenhove expanded on the British proposal, suggesting that a small group of three members be set up to draft a resolution in consultation with the Indian and Pakistan representatives to propose the first steps which the Council should take. For varying reasons, the President of the Security Council did not want the delegations of the United States, the United Kingdom, France, Syria, the Soviet Union or Ukraine to participate in the drafting group. Pearson was inclined to join, arguing that Canadian participation at that point might make it easier to avoid any subsequent committee established to deal with the Kashmir dispute.<sup>18</sup>

This was the sort of reasoning to which Prime Minister Mackenzie King was virtually impervious. After conferring with King, Louis St. Laurent, the Secretary of State for External Affairs, refused Pearson's request. "Because", he explained, "it is a dispute between two Dominions one of which wished it dealt with by Commonwealth representatives and the other preferred to put it up to the U.N".<sup>19</sup> Content to have an excuse to keep aloof, Ottawa was fully prepared to leave the job of deliberating and proposing solutions to the other members of the Security Council.

King's resolve not to get involved was again tested on January 14. Alexander Clutterbuck, the United Kingdom High Commissioner to Canada, asked the Prime Minister whether Pearson could be released to go to New York. The British wanted Pearson's help as did the Belgian Delegate, Fernand van Langenhove, to draft a formula for settlement of the Kashmir issue. King refused and told Clutterbuck about his reluctance to participate in the Korean Commission, confirming that he intended to adopt the same attitude toward the India-Pakistan dispute.<sup>30</sup>

The next day, the Security Council assembled to begin the discussion of the Kashmir issue. Gopalaswami Ayyangar spoke first to give India's version of the events leading up to the crisis. Mohammad Zafrullah Khan answered for Pakistan at great length even by Security Council standards. Both described the atrocities that each community had perpetrated on the other. Ayyangar concentrated on the legality of India's ownership of the province by virtue of the Maharajah's signature on the Instrument of Accession. Zafrullah Khan replied with compelling arguments to suggest that Kashmir was disputed territory.<sup>31</sup>

In responding to these presentations, Philip Noel-Baker, the British Secretary of State for Commonwealth Relations and Head of the United Kingdom Delegation to the United Nations, suggested that the Indian and Pakistan Delegates meet with the President of the Council for informal discussions in order to explore areas of possible agreement.<sup>32</sup> Van Langenhove agreed. He had, by this time, decided upon the method of election to the commission. India was to nominate one member, Pakistan the other, and the two nominees would then choose a third. Under this arrangement, Canada faced three separate possibilities of being elected to a commission on which it had no desire to serve. Ottawa would, therefore, have to advise Karachi and New Delhi that it would be inappropriate for

either of them to nominate another dominion.<sup>13</sup> This same position would have to be explained to the nominees of India and Pakistan as well.

Pearson, firmly toeing the Government's (specifically Prime Minister King's) line of non-involvement, turned his considerable talents to deciding how best to keep Canada off the planned commission. "If the two members nominated chose Canada", he suggested to St. Laurent", we might escape by pointing out that the third member of the commission chosen would likely have to be Chairman, and that it would also be not appropriate for a Dominion to be chairman of a Commission investigating a dispute between two other Dominions".<sup>14</sup>

The Under-Secretary of State for External Affairs could not, however, entirely curb his interest in participation. In a memo to Prime Minister King, Pearson made one final effort. "If we refuse a direct appeal on the part of one of these states to assist in the manner suggested", he argued, "we may give the impression that we are unwilling to help a friendly state which has specifically asked for our good offices". Nevertheless, King remained firm in his opposition to Canadian participation on the commission.<sup>15</sup> The Delegation was advised accordingly.

Three days later, van Langenhove submitted his proposals to the Security Council for the establishment of the Commission and its terms of reference. The Resolution of January 20th passed without opposition.<sup>16</sup> The following day, however, the talks proposed by Noel-Baker involving van Langenhove and the Indian and Pakistani representatives stalled. Sheik Abdullah, a member of the Indian Delegation, insisted that the Security Council needed only to order Pakistan to withdraw its forces from Kashmir. McNaughton characterized the Indian position as "uncompromising".<sup>17</sup> On January 22, the discussions resumed. After hearing the two spokesmen hurl charge and counter charge at each other, Noel-Baker decided to seek

agreement on three points. He proposed a withdrawal of forces by both sides, a neutral interim administration for Kashmir and arrangements for a plebiscite.<sup>38</sup>

The suggestions from the Head of the British Delegation showed that the Pakistan Delegation had won many of its points. By supporting withdrawal of forces by both sides and provision for a neutral interim administration, the United Kingdom was looking upon Kashmir as disputed territory, not legally a part of India which had suffered invasion. The British could hardly advise India to remove her own forces from Indian soil. The fact that the United Kingdom Delegation did not look upon Pakistan as an aggressor but simply as one of the two contending parties in the dispute was a major blow to the Indian position. India had failed to convince one of the most important members of the Security Council that Kashmir was a part of India until such time as a plebiscite was completed and that Pakistan had no status other than that of an aggressor.

The Indian defeat proved irreversible. All future major attempts to resolve the dispute would start from the basic position adopted by the British. Canada followed the British lead, in this respect, as did most of the other western nations on the Security Council.

Direct negotiations between the Indian and Pakistani Delegations resumed on January 27, 1948, but there was little progress. That same day headquarters was shocked to learn from Scott that the Indian Cabinet had selected Canada as its nominee for the U.N. Commission. The Indian Delegation in New York had neglected to advise New Delhi that Canada was not available.<sup>39</sup> Not wanting to be placed in a position of having to decline a formal invitation to serve on the Commission, Pearson, on the specific instructions of Prime Minister King, immediately directed Scott to inform the Indian Government that Canada was not available.<sup>40</sup>

While Scott was hurrying to repair the situation in New Delhi, the heated debate continued in the Security Council. Once again, the Indian Delegation found itself losing ground. On January 29, the President submitted the text of two resolutions which were designed to create a basis of discussion between the Indian and Pakistan Delegations. The first resolution was the most revealing of the approach that the Council was taking. In order to ensure complete impartiality, the plebiscite was to be organized, held and supervised under the authority of the Security Council.<sup>41</sup> The tenor of the resolution was evident. New Delhi's position that Kashmir had acceded to India was completely set aside. Kashmir was now disputed territory whose fate would be decided by a U.N.-controlled plebiscite. The second resolution extended the Commission's powers by authorizing it to seek ways to promote the cessation of hostilities.

During the discussion, McNaughton spoke in support of both resolutions. "It is the view of the delegation of Canada", he said, "that these Resolutions, taken together, when implemented will establish the basis to end the fighting, and will also act to remove the causes which have led to this fighting".<sup>42</sup> Offering only encouragement but not involvement, Canada watched from the sidelines and was carried along by the momentum of consensus in the Security Council.

In a bitter reply, the Head of the Indian Delegation refused to accept van Langenhove's proposals.<sup>43</sup> In spite of Ayyangar's arguments, the majority of the members of the Security Council had obviously agreed that the real problem was the revolt of the Kashmiri Moslems against the cruel administration of the Maharajah; the rebels would lay down their arms only if they were given assurance that the political future of Kashmir would be in the hands of the people.



Calling the Indian position 'inflexible', McNaughton reported two days later that Ayyangar had repeated his demand that the Council direct Pakistan to withdraw all support for the tribesmen. The Head of the Indian Delegation had indicated also that the plebiscite was only a secondary matter and would have to be controlled by the Maharajah's Government. Any involvement of the Security Council would have to be limited to advice and observation, since the Maharajah could not be bound by recommendations by the Council.<sup>44</sup>

The Indian Delegation was now facing a serious reversal. Van Langenhove's two draft resolutions, if brought to a vote, would likely pass in spite of India's opposition. They would then have become the basis on which the Security Council would seek a solution. Headquarters advised McNaughton that, if it was considered "necessary to put the resolution to the vote even if it is not accepted by both parties", he had the authority to vote for it.<sup>45</sup> Thus far negotiations had proven fruitless. In February, McNaughton would be President of the Security Council. If van Langenhove's example were followed, a leading role in the negotiations would be hard for the new President to avoid.

## NOTES

1. L.B. Pearson, "Memorandum for the Prime Minister", September 22, 1947, RFAIT, file 5 As.
2. *Ibid.*
3. F. H. Soward and Edgar McInnis with the assistance of Walter O'Hearn, *Canada and the United Nations* (New York: Manhattan Publishing Company, 1956), p. 104.
4. See James Eayrs, *In Defence of Canada: Peacemaking and Deterrence* (Toronto: University of Toronto Press, 1972), pp. 235-257 which traces King's initial reaction in 1947 to Indian independence up to Canada's role in the discussions in 1949 to keep India in the Commonwealth. In Escott Reid, *Envoy to Nehru* (Delhi: Oxford University Press, 1981), pp. 14-26, the author explains why he promotes the idea that there was a special relationship between India and Canada from 1947 to 1952. One of his examples also relates to Canada's successful efforts to find a way to keep republican India in the Commonwealth.
5. SSEA to Secretary of State for Commonwealth Relations, no. 187, October 27, 1947, RFAIT, file 5 As.
6. Pakistan's appeal for Commonwealth intervention was dropped due to Prime Minister Nehru's opposition and the reluctance of the other members to get involved in the dispute.
7. See p. 2.
8. HCCI to SSEA, no. 147, November 13, 1947, RFAIT, file 5 As. Nehru's attachment to Kashmir extended beyond his friendship with Abdullah. On a personal level, he felt a strong attachment for the state and its people. Nehru was himself a descendent of a long line of Kashmiri Brahmins (the highest caste) and had married a Kashmiri woman. In political terms, "the acquisition of Kashmir for India was to Nehru the validation of the pan-Indian or geographic concept of nationalism which he described as 'secular'- a concrete refutation of the 'two-nation theory' under which Pakistan had come into existence". See Neville Maxwell, "Jawaharlal Nehru: Of Pride and Principle", *Foreign Affairs* 52, no. 3 (April 1974): 637.
9. HCCI to SSEA, no. 148, November 18, 1947, RFAIT, file 5 As.
10. HCCI to SSEA, no. 147, November 13, 1947, *ibid.*
11. McKenzie, "Memorandum to the Secretary of State for External Affairs", December 5, 1947, *ibid.* Marjorie McKenzie was an official in the Second Political Division of the Department of External Affairs.

12. For a clear explanation of Prime Minister King's dislike of international entanglements, see J. W. Pickersgill and D. W. Forster, eds., *The Mackenzie King Record*, vol. 4: 1947-1948 (Toronto: University of Toronto Press, 1970), pp. 133-164.
13. Pearson, *Seize the Day*, p. xiii.
14. See Campbell-Johnson, *Mission With Mountbatten*, pp. 250-251.
15. Acting High Commissioner for Canada to India (AHCCI) to SSEA, no. 159, December 24, 1947, RFAIT, file 5 As.
16. Under-Secretary of State for External Affairs (USSEA) to the Prime Minister, December 26, 1947, *ibid.*
17. For the complete story on the political crisis surrounding Canadian participation on the Korean Commission, see Denis Stairs, *The Diplomacy of Constraint: Canada, the Korean War, and the United States* (Toronto: University of Toronto Press, 1974), pp. 9-18. Stairs refers to an interview with Jack Pickersgill, who told the author about King's "characteristic hostility towards any Canadian involvement in the affairs of the Far East". *Ibid.*, p. 9. For the Prime Minister's point of view on the UNTCOK issue, see Pickersgill and Forster, eds., *The Mackenzie King Record*, vol. 4, pp. 134-152. Dale C. Thomson also covers the issue in *Louis St. Laurent: Canadian* (Toronto: Macmillan of Canada, 1967), pp. 221-225. "The UNTCOK affair was significant" concluded Hillmer and Granatstein, "...It embodied a straight-out confrontation between King's foreign policy of non-involvement and the new era of responsible internationalism". See *Empire to Umpire*, p. 209.
18. See Pickersgill and Forster, eds., *The Mackenzie King Record*, p. 152.
19. On January 8, King told McNaughton, Canada's permanent delegate to the United Nations, that he expected the Canadian delegation to avoid a repetition of the folly such as had recently happened over participation on Commissions. He advised McNaughton to beware of the attempts by the United States to use the United Nations as an arm of American diplomacy. See Pickersgill and Forster, eds., *The Mackenzie King Record*, vol. 4, p. 153.
20. AHCCI to SSEA, no. 168, December 31, 1947, RFAIT, file 5 As.
21. See J. Bandyopadhyaya, *The Making of India's Foreign Policy* (Calcutta, 1970), pp. 237-238 for an explanation why India's submission to the United Nations under Article 35 was procedurally incorrect.
22. India's statement can be found in United Nations, Security Council, *Official Records*, Third Year (hereafter *S. C. Official Records*) Supplement for November, 1948, pp. 139-144, document S/628 (author's italics).
23. MacKay to Riddell, January 6, 1948, RFAIT, file 5 As.
24. Pickersgill and Forster, eds., *The Mackenzie King Record*, p. 134.

25. For a complete picture of the General's life and career, see John Swettenham, *McNaughton*, vols. 1-3: 1887-1939, 1939-1943, and 1944-1966 (Toronto: The Ryerson Press, 1968, 1969, 1969).
26. After the defeat of Japan in World War Two, Holland had attempted to re-establish its colonial empire in Indonesia. Indonesia resisted and the Dutch army attacked on July 21, 1947. Belgium supported the Dutch claim to Indonesia and this support enraged the rabidly anti-colonial Indian leaders. With this issue souring Belgian/Indian relations, van Langenhove wanted to let some other delegation take the lead.
27. Canadian Consul General, New York, to SSEA, no. 31, January 6, 1948, RFAIT, file 5 As.
28. Pearson to SSEA, January 9, 1948, *ibid.* Only three days had passed since the settlement of the Cabinet crisis over participation on the Korean Commission. Presumably, that was still fresh in Mackenzie King's mind.
29. *Ibid.* See marginal note.
30. Pickersgill and Forster, eds., *The Mackenzie King Record*, vol. 4, p. 155. "I did not think", King added, "the United Nations ought to interfere in that matter at all unless they could get consent of both parties to voluntary conciliation". *Ibid.*
31. In Michael Brecher's *The Struggle for Kashmir*, the author makes a convincing case to explain the Indian difficulties by documenting a great number of examples where Ayyangar and his deputy made errors of omission and commission in their speeches before the Council. On the other hand Brecher finds that Zafrullah Khan's presentations were well-argued and better tailored to the audience to which they were directed. Brecher's error is that he accounts for Pakistan's victories on the basis of how well or badly the two positions were described. A different viewpoint is described in Gupta, *Kashmir*, p. 141. "[T]o attribute the formation of unfavourable attitudes in the United Nations in 1948 to the inadequacy of the presentation of a case", suggests Gupta, "is to assume a propensity on the part of the Council to judge issues of this kind solely on the merits of their presentation".

Brecher neglects the major influence exerted by the British and the fact that the western delegations generally deferred to the United Kingdom on matters pertaining to the Kashmir issue. The problem had existed since late October and it had brought India and Pakistan to the brink of war. He does not give due consideration to the fact that the delegations were aware of the crisis long before the deliberations in the Security Council began and, as is natural, had already made a number of assumptions.

Finally Brecher should have emphasized that the Security Council is a political forum, not a court of law. The Council could never be expected to listen to the two sides and then simply pass a verdict on who was guilty which was the basis of the Indian submission. Since New Delhi's presentation was directed to the achievement of the single goal of branding Pakistan an aggressor, anything less than the attainment of this goal would be seen as a defeat.

32. S.C. *Official Records*, 230th meeting, p. 138.

33. Pearson to SSEA, January 17, 1948, RFAIT, file 5 As.
34. Pearson, "Memorandum to the Secretary of State for External Affairs", January 17, 1948, *ibid.*
35. Pearson, "Memorandum for the Prime Minister", January 20, 1948, *ibid.*
36. S.C. *Official Records*, 230th meeting, p. 140. Andrei Gromyko, the head of the Soviet Delegation, spoke against the method of selection for the members of the commission. He wanted a commission composed of members of the Security Council, but held his objections to an abstention during the voting on the Resolution.
37. Canadian Permanent Delegate to the United Nations, New York, (CPDUN) to SSEA, no. 45, January 22, 1948, RFAIT, file 5 As. The pressure from India for a single decision on Pakistan's culpability led to McNaughton's impatience with New Delhi's position.
38. CPDUN to SSEA, no. 45, January 22, 1948, *ibid.*
39. AHCCI to SSEA, no. 31, January 27, 1948, *ibid.*
40. SSEA to AHCCI, no. 22, January 27, 1948, and AHCCI to SSEA, no. 32, January 28, 1948, *ibid.*
41. CPDUN to SSEA, no. 89, January 30, 1948, *ibid.*
42. CPDUN to SSEA, no. 90, January 30, 1948, *ibid.*
43. S.C. *Official Records*, 237th meeting, p. 294.
44. CPDUN to SSEA, no. 110, February 2, 1948, RFAIT, file 5 As.
45. SSEA to CPDUN, no. 92, February 3, 1948, *ibid.*

## CHAPTER TWO

### DISCORD

Anticipating McNaughton's role as chairman, the Under-Secretary of State for External Affairs in Ottawa reported that the General could scarcely avoid taking part in the process of furthering negotiations.<sup>1</sup> Pearson's memorandum was addressed to St Laurent, but the message was for Prime Minister Mackenzie King. In his final months in power, King was becoming increasingly irascible. "In general", grumbled Pearson, "I should say that his anxiety about Commonwealth commitments has been overshadowed by his anxiety over United Nations and United States commitments. In fact, the latter anxiety has become so strong, and with some reason, that he is beginning to counsel close contact with the United Kingdom, notably at Lake Success [ site of the United Nations ], to make sure that we are not pushed too far by the United States".<sup>2</sup>

King had also refused a request by the Head of the British Delegation in New York, Phillip Noel-Baker, to allow the Canadian delegation to participate more fully in the issue and, as mentioned earlier, to send Pearson to New York to assist in the search for a solution. "We are to play", complained Pearson, "as minor a role as possible in this affair and, in fact, in all Security Council questions. That will be difficult, especially during February, when Andy McNaughton is in the chair".<sup>3</sup>

Pearson was correct. Even without direction from Ottawa, McNaughton would not be content with the role of observer.<sup>4</sup> Canada's policy of non-involvement would have left the General to deal only with procedural matters as Council President. During the meeting of February 6, McNaughton made his first important intervention. Having seen the

delegates of India and Pakistan return to their bickering, he decided on a new approach.

McNaughton revealed his plan to put the various suggestions into one comprehensive proposal which would be presented to the parties.<sup>5</sup> If agreement were not reached, the Council would have to decide on the next step.<sup>6</sup> The Canadian Permanent Delegate to the United Nations was trying to move forward in the negotiations because the resolutions advocated by the Head of the Belgian Delegation had stalled. Able to agree with F. van Langenhove's original draft proposals, Pakistan withdrew its support when India insisted on a number of amendments.<sup>7</sup> At McNaughton's request, his Belgian colleague agreed to act as Rapporteur.<sup>8</sup>

The draft resolution prepared by McNaughton and van Langenhove came to be known as the Resolution of February 10th. Even more clearly than earlier drafts, the document provided for a role in Kashmir for the army of Pakistan (as well as of India) to establish law and order, an interim administration to prepare for the plebiscite and the supervision of the plebiscite under the authority of the Security Council.<sup>9</sup>

McNaughton was able to report to Ottawa that, in its essentials, the draft had the agreement of the delegations of the United States, United Kingdom, France, and Belgium and the implied support of all other members of the Council except the Soviet Union, Ukraine and possibly China. In accordance with established practice, the Indian and Pakistan delegations were allowed to study the resolution before it was formally presented to the Security Council in session.

The General expressed his hope to the Heads of the Delegations of India and Pakistan that both parties could agree on the principles embodied in the draft as a basis for the peaceful settlement of the issue.

Zafrullah expressed no opinion for Pakistan, but the Indian Delegate, G. Ayyangar, found difficulties with the provision for a role for the Pakistan army in Kashmir and the proposal for the establishment of the interim commission.<sup>10</sup>

As the body of opinion in the Security Council continued to swing against the Indian position, R.A. MacKay of the Second Political Division at headquarters and Pearson decided that it would be best to advise the High Commission in New Delhi. "We are a little disappointed", explained MacKay in somewhat of an understatement, "with the intransigent attitude of the Indian delegation, and it may be that the Council will find itself in a position in which it will be compelled to express an opinion as to the method of solution".<sup>11</sup> MacKay was indicating that, whether India liked it or not, the resolution might be formally introduced into the Security Council for a vote. If adopted, it would become the Council's working policy document which would put extreme pressure on India.

The government in New Delhi could see for itself how the situation was developing and became alarmed. India was facing a major defeat in the Council since it was obvious how the majority would vote if the draft resolution was presented. On February 8, Ayyangar advised McNaughton that the Indian Government was requesting adjournment of the proceedings and directing its Delegation to return to India for consultation.<sup>12</sup>

Ottawa, on the other hand, did not seem to be sensitive to the significance of the McNaughton/van Langenhove proposals. The High Commission in New Delhi requested instructions on the appropriate attitude to adopt should some matter of business or official function arise, attendance at which could indicate that Canada acknowledged Kashmir as a part of India. "From your previous despatches on Kashmir and from other available information, we have received impression", Pearson advised



Scott, "that provisional accession of Kashmir to India was legally carried out, whatever may be thought of its political justification, and that doubt which Pakistan Government has attempted to cast on its legality has little substance". Pearson added that the question was still under study and that the Secretary of State for External Affairs and McNaughton were yet to be consulted. He counselled Scott to avoid situations where the question could arise. If, however, Scott found himself in a position where there was no time to cable for instructions, and he had to make a decision, Pearson's advice was that "it would be preferable tacitly to assume legality of provisional accession".<sup>13</sup>

This was a very odd position for Pearson to take, given the fact that McNaughton and van Langenhove had, only three days earlier, finished work on a resolution which did not recognize that Kashmir was a part of India. If the provisional accession had been legal, how could India be expected to welcome Pakistan troops onto Indian soil to keep the peace, to give up a part of India to an interim administration and to allow an external body, such as the Security Council, to hold a plebiscite within her boundaries? Canada's position on the status of Kashmir was not only inconsistent. It was self-contradictory.

A conference between Pearson and McNaughton settled the confusion. The "Canadian Permanent Delegate to the United Nations", stated Pearson's subsequent message to Scott, "considers that this question is under dispute before the Council, on the basis of a statement in the Pakistan submission that India obtained the accession by fraud and violence and that Pakistan has not accepted and cannot accept the accession of Jammu and Kashmir State to India". In addition, the United Kingdom was carefully avoiding any suggestion of recognition of Indian sovereignty over Kashmir because of the circumstances surrounding the accession.<sup>14</sup>

In McNaughton's view, the accession of Kashmir was not regarded as final by the Council until a plebiscite had been held. "While I am not yet entirely satisfied", affirmed Pearson, "that the status of Kashmir is to be considered *sub judice*, I think that in view of the opinion of the President of the Security Council and the attitude of the United Kingdom we must reverse the instructions sent you ...and ask you, pending further instructions, to take no action which might indicate that the Canadian Government accepted Indian sovereignty over Kashmir".<sup>15</sup> Established in New York and not in Ottawa, the Canadian position on Kashmir's status was now consistent and sympathetic to Pakistan.

For the first six weeks of Canadian membership on the Security Council, McNaughton had to function without any formal instruction at all from Ottawa. It was only on February 12, 1948, that Cabinet approved the statement of principles to guide the Canadian Delegate during Canada's two-year involvement in the affairs of the Security Council. John Holmes explained that:

[The Cabinet directives] showed little awareness of the mediatory diplomacy which was about to become a 'role'. It was noted that the General's ability to influence discussions and decisions would not be made easier by Canada's status as a middle power and in particular its special relationship with two of the permanent members, the United States and the United Kingdom. Although it was desirable for Canada to follow a policy of its own, it would 'not be easy to secure credit for independence of argument and decision.' This worthy aim of independence had to be reconciled with the hard fact that questions before the Council 'will necessarily

have to be judged not only on their merits but also with reference to the way in which the present distribution of power in the world will be affected by a decision one way or the other' and that 'on fundamental questions which may involve peace and war, we cannot afford to be on the opposite side from the United States and the United Kingdom when they are in agreement'.<sup>16</sup>

McNaughton's activities in the Council to date were consistent with the general parameters established by cabinet. But the significance of the position taken by the Canadian Delegation on the status of Kashmir was not lost on Kearney. He heard that the Governor General was trying to get Whitehall to reconsider British policy on the issue. Should Mountbatten be successful, Kearney believed that Canada ought to make alteration of its own position easier. The High Commissioner suggested that he avoid any indication to India's Secretary General of the Department of External Affairs that the Resolution of February 10th represented Canada's own position. Kearney proposed that he confine himself in his discussions with Sir Girja Bajpai "to trying to dispel the impression Canada is playing power politics in Security Council". Again stretching the limits of his role in New Delhi, Kearney suggested that Canada withdraw support for the Resolution and, in the future, vote only for proposals agreeable to both parties.<sup>17</sup>

Kearney was referring to the motive for the Indian Delegation's return to New Delhi. A resolution unfavourable to the position of the Indian Government awaited discussion in February, but in March, Tingfu S. Tsiang, the Nationalist China delegate, would replace McNaughton as President. In his interventions in the Security Council, Tsiang had shown more sympathy for India's position than the other delegations.

The Indian Government decided to keep its delegation at home until March, but also to take a more flexible approach. Bajpai told Kearney that, as long as someone else would formally suggest them, India would agree to two conditions. Two members of the Moslem opposition body in Kashmir could join the Maharajah's Council and serve with the other four members under Sheik Abdullah. Moreover, the Maharajah, if requested, would name a commission to be chosen by the Security Council to conduct a plebiscite. The commission would have executive power over the election machinery and would report to the Security Council on the fairness of the plebiscite.<sup>18</sup> This came to be known as Plan 1.

Clearly the Indian Government would have liked the Canadian Delegation to make a formal proposal in the Council for the consideration of Plan 1. But Kearney had a counter offer for Bajpai to consider. He argued that Kashmiris should first be given the opportunity to decide whether or not they preferred independence. If the answer was in the affirmative, accession to either India or Pakistan would be eliminated as an issue between the two countries. With a negative vote, the subsequent plebiscite would be simplified. Moreover, it might not be necessary to have an interim government. The existing authority under Sheik Abdullah could arrange a plebiscite on the question of independence, a less controversial issue. The High Commissioner suggested that the Security Council might simply conduct the plebiscite and report on its fairness.<sup>19</sup>

In distancing himself so substantially from the position taken by the Canadian Delegation in the United Nations, Kearney may have raised false hopes in the Indian Government that Canada might be persuaded to begin a general movement away from the pro-Pakistan trend in the Security Council. At any rate, Indian leaders must have been confused by the differing signals emanating from Canadian diplomats. The root of the problem was that Canada had fashioned no policy of its own except an

unwillingness to participate. Thus Kearney and McNaughton were simply filling the void, although with differing agendas and points of view.

"Kashmir's independence", stated Kearney, "...is something which the people of Kashmir themselves should be allowed to decide, regardless of views of India, Pakistan, or members of the Security Council".<sup>20</sup> Kearney's idea for a plebiscite on independence became known as Plan 2. Bajpai expressed interest and promised to discuss it with Nehru.

On the evening of February 29, 1948, Kearney spent over two hours with Nehru, who mentioned his disappointment in the Security Council's tendency to favour Pakistan's position. Kearney's Plan 2 appealed to the Indian leader.<sup>21</sup> Later, Bajpai confirmed that he was authorized to support a plebiscite on independence for Kashmir to be arranged along the lines of Plan 1.<sup>22</sup> In other words, the United Nations would supervise a plebiscite on sovereignty for Kashmir and two members of the Moslem opposition would serve on the Maharajah's Council. The momentum for support of Kearney's plan for Kashmir self-government seemed to be building.<sup>23</sup> He secured the backing of the Ambassadors of Belgium and China, and then approached the Governor General of India.<sup>24</sup> Since Pakistan would likely oppose Plan 2 if India sponsored it, Mountbatten suggested that Canada propose it to the Security Council. Without specific instructions and speaking personally, Kearney told the Governor General that "in view of [the] Resolution of February 10th, it would be inadvisable for our delegation to take the initiative".<sup>25</sup>

Kearney had abandoned the official Canadian policy of non-involvement, and he was also working against the Canada/Belgium resolution of February 10. Clearly, his efforts were directed toward the reversal of the distinctly pro-Pakistan trend of opinion followed by the Canadian Delegation and others in the Security Council.<sup>26</sup> According to Bajpai,

Kearney's plan for an independent Kashmir had become the official policy of the Indian Government. The reason that independence did not figure in the development of the Security Council's policy toward the dispute is that it had already been broached with and rejected by the Foreign Minister of Pakistan. "In the view of Zafrullah Khan", McNaughton had reported, "an independent Kashmir would, on account of its weakness, open the way for Soviet penetration and early absorption."<sup>7</sup>

Most of Kearney's messages from New Delhi had been passed on to McNaughton either verbatim or in paraphrased form. Pearson suggested that, after reviewing the material, McNaughton might wish to give his opinion on Kearney's reports and activities.<sup>28</sup> Addressing Kearney's preference to avoid any suggestion that the Resolution of February 10th reflected Canadian policy, McNaughton stated that the draft resolution was "a paper submitted by the President of the Security Council and the rapporteur to the delegations of India and Pakistan on 6th February 1948, and could not, therefore, be regarded as representing the attitude of the Canadian Government".<sup>29</sup> This begs the question: What then was the attitude of the Canadian Government?

Active discussion of the issue resumed on the return of the Indian Delegation to Lake Success during the first week of March. The Head of the Indian Delegation, Ayyangar, had nothing new to offer except a more conciliatory tone.<sup>30</sup> A week later, McNaughton had a chance to have a long discussion with Sir Girja Bajpai, whose presence in New York was part of India's diplomatic counter-attack. Bajpai described Plan 1 to the General and received a favourable response. On the strength of these proposals, McNaughton was able to report that the Indian Government was prepared to go considerably further than before in the search for a solution.<sup>31</sup>

McNaughton also queried Bajpai about the possibility of a plebiscite on independence for Kashmir. The Indian Delegate replied that it was better to concentrate on the question of accession and that Pakistan would probably oppose such a suggestion. Then, in a rather surprising reversal, given his discussions with Kearney in New Delhi, Bajpai alluded to the defence problems which India and Pakistan would have to face if Kashmir were an independent state.<sup>32</sup>

While Plan 1 would decide the accession, Kearney feared that a substantial minority of the inhabitants of Kashmir would not accept the outcome. He foresaw a situation in which the province could be a source of continual friction between India and Pakistan, thus providing a fertile breeding ground for communism.<sup>33</sup> The High Commissioner believed that, with a bit of prodding, Pakistan would accept Plan 2. With this in mind, Kearney again made an effort to convince headquarters to change the position of the Canadian Delegation. "[U]nless it is known in advance that Pakistan would refuse Plan No.1", he suggested, "perhaps it would be well to confront the Pakistan delegation with the two alternatives. On the other hand, if it were thought best to plump for one alternative, I would select Plan No. 2".<sup>34</sup> As long as Mackenzie King was still Prime Minister, Canada would never be so far out in front of the other delegations on this issue or, for that matter, on any other.

Kearney was trying to suggest options to avoid a diplomatic defeat for India.<sup>35</sup> In his opinion, it was Pakistan which had to bend a little and accept Plan 1 or Plan 2. From McNaughton's point of view, it was India which had to realize that no progress would be made without mutual concessions on each side. Direct talks between the delegations of India and Pakistan were continuing but no one had yet taken the initiative to sponsor either Plan.

"A useful exchange of ideas took place in these meetings", McNaughton reported. But there was no progress "because of the inflexible instructions under which the Indian delegation was operating".<sup>3</sup> According to their instructions, McNaughton complained, the Indian delegation stated and restated its position in the Council meetings with the Pakistan representative answering with rebuttals and counter-charges. "This process", he affirmed, "inevitably led to a hardening of positions".<sup>4</sup>

This was not a good time to push the Indian Government on concessions because, finally, there had been movement in India's favour in the Security Council. March had brought the Chinese Delegate to the chair. Tsiang's sympathy for the Indian position was reflected in his draft of a new resolution. McNaughton found that the proposals corresponded to the new Indian position embodying elements of Plan 1 on which he had reported earlier.<sup>5</sup> After a flat rejection by Pakistan, Tsiang requested assistance from the Western delegations to amend his resolution. The British and Americans responded, but McNaughton decided against participation.

While the Chinese Delegate was introducing a whole new dimension into the issue in New York, Kearney's idea for a plebiscite on independence was still under discussion in New Delhi. Mountbatten still supported Plan 2. Expressing disappointment with the attitude of the British Government, he questioned why Whitehall's lead was being followed in the Security Council, since it was a mistake to assume that the United Kingdom had any monopoly on determining the best solution of the issue. Since Kearney had probably been asking himself the same question, he could only reply that it was Canada's usual practice to work with the British and Americans when they were able to agree.<sup>6</sup>



Mountbatten may have believed that his constitutional position did not allow him to press the British Government. However, clearly he was not shy about making suggestions to the Canadian High Commissioner. "Lord Mountbatten", Kearney reported, "suggests that I pursue my efforts along the following lines: a) Recognize that Sheik Abdullah must remain in the Interim Government. b) Press for consideration of [a] plebiscite on independence. c) If this fails then a partition of Kashmir is the only alternative".<sup>40</sup>

Without the anchor of established Canadian policy, Ottawa's diplomatic representatives were still working at cross-purposes. McNaughton's claim that the Resolution of February 10 was not the official position of the Canadian Delegation may have been acceptable in theory, but in practice it was on the basis of this set of principles that Canada, following the British lead along with the others, was seeking agreement from the two parties to end the dispute.

In taking up Mountbatten's line, Kearney would have been working for a policy which bore no relationship to the Resolution of February 10 and which was in direct opposition to the whole trend of opinion in the Security Council, including the Chinese Delegate's proposals. The position of non-involvement established in early January left both Kearney and McNaughton without any direction. They had followed their own and, surprisingly, headquarters had done nothing to promote any consistency in the statements by Canada's advocates in New Delhi and New York.

Kearney's activities in New Delhi had not gone unnoticed by the British. Whitehall sent their High Commissioner to Canada, Sir Alexander Clutterbuck, to the Department of External Affairs to pass on a message. London wanted Kearney to "pipe down" on the subject of an independent

Kashmir. Clutterbuck made the point that the centre for discussion of the issue was New York and that new ideas from New Delhi might cause confusion.<sup>41</sup>

Three days later, R.A. MacKay met with Clutterbuck to discuss Kearney's activities. "We agreed", advised MacKay, "that it was undesirable to have the Kashmir issue canvassed along different lines of approach in New Delhi and in New York and that, since the matter was before the Security Council, we should for our part discourage discussions on any line of approach other than that now being pursued in the Security Council". During the discussion with Clutterbuck, MacKay claimed not to know whether the independence proposal had been initiated by Kearney, the Indian Government, or Lord Mountbatten. Reviewing the independence option, MacKay emphasized Kearney's point that Kashmir's accession to either country would constitute a defeat for India or Pakistan. If India were to lose, Nehru's prestige and position would suffer.<sup>42</sup> Nevertheless, agreement was reached during the meeting that Kearney would have to be told to "pipe down".<sup>43</sup>

Headquarters advised Kearney by telegram that the United Kingdom did not see independence for Kashmir as a suitable line of approach. The British feared that an independent Kashmir would be a constant source of hostility between India and Pakistan and that it could provide fertile territory for penetration by the USSR and its satellites.<sup>44</sup> A draft resolution had been submitted to the Security Council on March 18 by the current President and the British, with Ottawa's support, wanted that line of approach to be fully canvassed before any new one was offered. It was, therefore, undesirable to suggest to the Indian Government or to any of Kearney's colleagues that Canada would support any other avenue except the one being explored in the Security Council.<sup>45</sup>

A chastened Kearney sent his apology to Pearson in the form of a personal despatch. He agreed that his efforts relating to the question of independence for Kashmir would not likely be successful, but he was encouraged that his activities had helped to convince the Indian Government that Canada bore no antipathy to India. Kearney was suggesting that Canada's position at the United Nations had created this idea in the minds of the Indian officials. For them, the Resolution of February 10 was known as the Canadian Resolution. In response, Kearney attempted to convince them that McNaughton had tabled the proposals in his capacity as president of the Security Council. The Canadian High Commissioner had advised his Indian contacts that the document was designed to provide a basis for discussion, not a final resolution of the issue.<sup>46</sup> Perhaps not, but it was designed as a plan to be followed toward a permanent settlement.

One factor which had made Kearney's job somewhat easier was the understanding in New Delhi that Canada and Belgium had expressed their willingness to withdraw the Resolution of February 10 in favour of the Chinese delegate's resolution of March 18. Kearney believed that he had achieved some success in his attempts to improve Canada's reputation with Indian Government officials. While accepting Ottawa's orders to tone down his activities relating to the Kashmir issue, he did not agree that his efforts had caused confusion. He called his letter to Pearson a "long-winded apology ... for my not taking the easy course of standing up the sidelines, throughout the Kashmir discussions".<sup>47</sup> If Kearney had confined himself to "standing up the sidelines", his lack of activity would have been perfectly consistent with the Canadian policy of non-involvement.

The next day Kearney spoke to H. V. Iengar, Principal Secretary to Nehru. The Prime Minister had some information for Kearney to pass on to Ottawa: India had given some ground in order to obtain agreement on the

Chinese Resolution but, as of March 31, 1948, India would give no more. "The Indian Government", Kearney advised, now takes the position that it is useless for members of the Security Council to press India to make still further concessions, a stand which, if circumstances are as represented, I think is not, repeat not, without justification".<sup>48</sup> His general agreement with New Delhi's position offers an interesting contrast to McNaughton's complaints about Indian intransigence.

Nehru's firm stand on further concessions foresaw, perhaps, the April rotation which would bring the head of the Colombian Delegation to the chair. Alfonso Lopez, according to McNaughton, was "known to be unsympathetic with the present procedure of informal consultations with the two parties, and would prefer an outright recommendation of the terms of settlement by the Council".<sup>49</sup> The Colombian also wished to resurrect his earlier proposal to expand the Security Council Commission to five members from the present three. McNaughton added that Lopez "thought such a change was particularly necessary to offset the influence of Czechoslovakia, which has been nominated by India and in view of recent developments in Czechoslovakia there now seems to be more force in this argument".<sup>50</sup>

Pearson agreed, and described the Colombian Delegate's plan to St. Laurent. With only three members, he stated, Czechoslovakia's participation "will give the Soviet Union more direct access to the operations of the commission than anyone had originally desired". Pearson then asked whether the government still opposed Canadian membership on the Commission.<sup>51</sup>

The present position is that the delegation has indicated that Canada will not accept membership on the Kashmir commission. The circumstances have now changed, however, because of events

in Czechoslovakia, and also because of increasing evidence that the Russians are not uninterested in developments in India and South-East Asia. The delegation wishes to know, therefore, whether the instructions in connection with membership on the commission remain unaltered.<sup>32</sup>

St. Laurent saw no reason to oppose an increase in membership. He would not, however, agree to Canadian participation since the issue involved the conflicting interests of two members of the Commonwealth.<sup>33</sup> McNaughton's activities in February had shown that Canada could make a significant contribution to the negotiations. Nevertheless, the government refused further involvement.

In early April, as the Chinese Resolution continued to change with the addition of suggested amendments, the points of disagreement between India and Pakistan again hardened. When India insisted that Pakistan had to accept the original draft of the Chinese Resolution as a framework for further negotiation,<sup>34</sup> the promising bridge of agreement collapsed. McNaughton expected that the Council would have to move to a formal recommendation and believed that the March 30 version of the Chinese Resolution represented a fair basis of settlement.

A working group was set up to establish recommendations on the basis of the March 30 proposals. It consisted of the President of the Security Council, van Langenhove, McNaughton, Tsiang and the representatives from the United States and the United Kingdom. The document was ready on April 13, 1948, and was designed to be more palatable than previous resolutions. Among its terms was a provision for the Commission to proceed immediately to the sub-continent to offer its good offices to both countries in the restoration of peace and the preliminary arrangements for the plebiscite.

India was to appoint a Plebiscite Administrator, nominated by the Secretary General of the United Nations.

On April 16, Pearson reminded St. Laurent that the Resolution had to command the widest possible support in the Security Council. Without virtual unanimity among the western delegations and China, there was little hope that either party would agree to the Resolution. The working group had agreed that the Resolution would be sponsored and supported by all or none. "If the Canadian Delegate", Pearson emphasized, "does not support the Resolution, in company with his colleagues, the present approach will probably have to be abandoned".<sup>55</sup> Pearson recommended, therefore, that McNaughton be instructed to support the Resolution as long as the other members of the working group also sponsored it. "Agreed" minuted St. Laurent.<sup>56</sup>

The Canadian Delegate reported that a majority sufficient to ensure passage of the resolution was assured, except in the unlikely event of a Soviet veto. After the meeting, McNaughton obtained the reaction of the two parties. Neither of the disputants seemed likely to accept the Resolution.<sup>57</sup>

McNaughton's fears were confirmed in the April 19 meeting when both the Indian and Pakistan representatives spoke. Ayyangar referred to the original Chinese draft, calling it courageous in the way it broke away from the January/February ruts of argument and opinion. India was, however, profoundly disappointed that subsequent amendments had twisted Tsiang's proposals out of shape. As far as India was concerned, he said, practically every alteration had exacerbated India's position and so it was now impossible for him to accept the draft resolution.<sup>58</sup>

The Pakistan Delegate's speech followed. Recalling the Resolution of February 10th which provided for an interim administration commanding the full confidence of the people of Kashmir and a role for the forces of both India and Pakistan, Karachi's advocate referred to excerpts of speeches made by members of the western delegations. He then asked them whether the present resolution met their earlier criteria.<sup>59</sup> Zafrullah Khan was deftly reminding the co-sponsors of the Resolution of February 10th that there had been a change in their positions.

As far as McNaughton was concerned, Pakistan would not accept the Resolution without amendments in Karachi's favour. "Despite the stated objections to this Resolution by the two parties", reported the General, "there is no inclination evident on the part of any of its sponsors to refrain from having it go to a vote in the Council".<sup>60</sup> On April 21, the Security Council agreed to a formal vote on the resolution. After a paragraph by paragraph vote, the resolution was adopted. "In most cases", reported McNaughton, "the voting on individual paragraphs was 9 in favour, none against and 2 abstentions (the Soviet Union and the Ukraine)".<sup>61</sup>

With the resolution passed, implementation was the next step. Headquarters advised the Canadian High Commissioners in London and New Delhi that, in spite of their opposition to the Resolution, neither side had given any indication that it would not comply with the Council's recommendations. In addition, the Canadian Delegate reported that he saw "a good chance that both parties will ultimately cooperate but that for internal political reasons, they will likely feel compelled to maintain in public their opposition to [the] proposed procedure at least for a time".<sup>62</sup>

The establishment of the Commission was the next order of business for the Security Council. On April 23, France nominated Belgium and Colombia; Canada seconded the motion and it passed without dissent.<sup>63</sup> A

week later, Pakistan finally named its nominee and Argentina became the fourth member. It was left to Argentina and Czechoslovakia, India's representative, to choose the fifth and final member.<sup>64</sup>

The McNaughton/van Langenhove proposals had been abandoned in favour of an amended version of the Chinese Resolution. In New Delhi, Kearney had been told to discontinue his sponsorship of new initiatives. Canada's policy of non-involvement was again intact.



## NOTES

1. Pearson to St. Laurent, February 6, 1948, RFAIT, file 5 As. The Prime Minister had already given his instructions to McNaughton a month earlier. See Chapter 1, page 6, footnote 19.
2. Pearson to Robertson, January 29, 1948, *ibid.*
3. *Ibid.*
4. George Ignatieff, who served with McNaughton during the period under study, calls him a "pathfinder in the mediatory posture in Canadian diplomacy at the United Nations in its early days". George Ignatieff, "General A.G.L. McNaughton: A Soldier in Diplomacy", *International Journal*, Volume XXIX, No. 3 (Summer 1967), pp. 402-414. In John Swettenham, *McNaughton*, Volume 1, 1887-1939 (Toronto: The Ryerson Press, 1968) p. x, the author remarks that McNaughton "had tremendous powers of application and concentration and he was essentially a man of purpose".
5. In *Shaping of the Peace*, vol. 2, p. 121, Holmes observed that "McNaughton, on whom he [Mackenzie King] had counted to check the impetuous officials in DEA [the Department of External Affairs], was right out in front in the Security Council making proposals about Kashmir and Indonesia and atom bombs".
6. S.C. *Official Records*, 242nd meeting, p. 55.
7. *Ibid*, 240th meeting, p. 360.
8. *Ibid*, 242nd meeting, p. 54. Langenhove's earlier proposals served as a basis for McNaughton's resolution.
9. *Ibid.*
10. *Ibid.*
11. SSEA to HCCI, no. 44, February 7, 1948, RFAIT, file 5 As.
12. CPDUN to SSEA, no. 147, February 9, 1948, *ibid.* In his memoirs, George Ignatieff describes the difficult position that McNaughton was put into by the unusual request from the Indian delegation and how he resolved the problem. See *The Making of a Peacemonger*, pp. 96-97.
13. SSEA to HCCI, no. 45, February 10, 1948, RFAIT, file 5 As.
14. SSEA to HCCI, no. 48, February 14, 1948, *ibid.*

15. *Ibid.* Alastair Lamb provides a cogent argument in support of Pakistan's refusal to accept the accession of Kashmir to India. See Alastair Lamb, *Kashmir: A Disputed Legacy 1846 - 1990* (Hertingfordbury, 1991), pp. 154-155.
16. Holmes, *The Shaping of the Peace*, vol. II, p. 60 and Records of the Privy Council Office, National Archives, vol. 245.
17. HCCI to SSEA, no. 65, February 26, 1948, William Lyon Mackenzie King Papers, National Archives Canada (King Papers), vol. 438.
18. *Ibid.* Bajpai also approached the Americans and the Belgians with this proposal but did not disclose it to the United Kingdom.
19. *Ibid.*
20. *Ibid.*
21. HCCI to SSEA, no. 68, March 1, 1948, RFAIT, file 5 As.
22. HCCI to SSEA, no. 69, March 2, 1948, *ibid.*
23. Kearney did not discuss his ideas with his British counterpart since London appeared to Kearney to be influenced more by Mountbatten than by A. C. B. Symon and the latter two did not always agree. See HCCI to SSEA, no. 68, March 1, 1948, *ibid.*
24. HCCI to SSEA, nos. 76 and 79, March 3 and 4, 1948, *ibid.*
25. HCCI to SSEA, no. 79, March 4, 1948, *ibid.*
26. In an interesting contrast, Kearney did not confer with his British colleagues while, at Lake Success, the Canadian and British delegations were working closely together.
27. CPDUN to SSEA, no. 26, January 19, 1948, RFAIT, file 5 As.
28. SSEA to CPDUN, no. 254, March 3, 1948, *ibid.*
29. CPDUN to SSEA, no. 300, March 5, 1948, *ibid.*
30. S.C. *Official Record*, 266th meeting, p. 69.
31. CPDUN to SSEA, no. 312, March 10, 1948, RFAIT, file 5 As.
32. *Ibid.*
33. HCCI to SSEA, no. 70, March 12, 1948, *ibid.*
34. *Ibid.*
35. *Ibid.*
36. CPDUN to SSEA, no. 10, March 13, 1948, King Papers, vol. 440.
37. *Ibid.*

38. CPDUN to SSEA, no. 337, March 19, 1948, RFAIT, file 5 As.
39. HCCI to SSEA, no. 101, March 18, 1949, *ibid*.
40. *Ibid*.
41. Escott Reid, "Memorandum for the United Nations Division", March 20, 1948, *ibid*.
42. R.A. MacKay, "Memorandum for file", March 23, 1948, *ibid*.
43. *Ibid*. Holmes refers to another example when a senior Canadian diplomat made statements which were not in line with Canadian policy. "Rarely", he asserted, "is a Canadian diplomat reprimanded..." See *The Shaping of the Peace*, vol. II, p. 128.
44. Josef Korbel agreed. See "Danger in Kashmir", *Foreign Affairs* 32, no. 3 (April 1954): 482-490.
45. SSEA to HCCI, no. 91, March 27, 1948, RFAIT, file 5 As.
46. Kearney to Pearson, March 30, 1948, *ibid*.
47. *Ibid*.
48. HCCI to SSEA, no. 113, March 31, 1948, *ibid*.
49. CPDUN to SSEA, no. 365, March 31, 1948, *ibid*.
50. *Ibid*. This is a reference to the coup in Czechoslovakia which gave control of the government to the Communists.
51. Pearson to SSEA, April 2, 1948, *ibid*.
52. *Ibid*.
53. *Ibid*. See St. Laurent's marginal note as well as SSEA to CPDUN, April 5, 1948, *ibid*.
54. CPDUN to SSEA, no. 386, April 6, 1948, *ibid*.
55. Pearson, "Memorandum for the SSEA", April 16, 1948, *ibid*.
56. *Ibid*.
57. CPDUN to SSEA, no. 448, April 19, 1948, *ibid*.
58. S.C. *Official Record*, 285th meeting, pp. 3-5.
59. *Ibid*, p. 23.
60. CPDUN to SSEA, no. 453, April 20, 1948, RFAIT, file 5 As.
61. *Ibid*.
62. SSEA to High Commissioner for Canada in the United Kingdom, no. 591, and SSEA to HCCI, no. 111, both of April 22, 1948, *ibid*.

63. CPDUN to SSEA, no. 476, April 24, 1948, *ibid.*
64. CPDUN to SSEA, no. 508, April 30, 1948, *ibid.*

## CHAPTER THREE

### CEASE-FIRE

Canada's attitude concerning Kashmir's status was reviewed by headquarters in May 1948 at the request of the High Commission in New Delhi. Kearney had received an invitation to attend celebrations to commemorate the incorporation of Kashmir into the Indian union. According to Ottawa's general instructions, Scott assumed that he could not reply through the Indian Government. To do so would imply Canadian recognition of India's sovereignty over the state<sup>1</sup>.

The Department's legal experts offered a way out. Recognition could not be implied through general administrative arrangements such as Scott had described, and thus he was allowed to forward Kearney's regrets to the Indian authorities. A message was sent to Scott with the following caveat:

You should avoid any other official acts or congratulatory messages which would state or imply that the Canadian Government recognizes India as the *de jure* government of Kashmir since there may be some doubt as to the permanency or legitimacy of the provisional accession.<sup>2</sup>

The reply from headquarters was consistent with the instructions of February 14. Canada still did not recognize Kashmir as a part of India.

The status of Kashmir was due for a closer look when the Commission began operating. By the first week in May, New Delhi announced that India would confer with the Commission on its arrival in the sub-continent.<sup>3</sup> As for Pakistan, the proposals in the Resolution of April 21 were not

acceptable, but Karachi expressed no opposition to the Commission's plans to proceed.<sup>4</sup>

Czechoslovakia and Argentina had been unable to agree on the fifth member of the United Nations Commission. It was up to the chairman to decide. Alexandre Parodi, the delegate from France and the President of the Security Council for the month of May, chose the United States.<sup>5</sup> Washington accepted the nomination, but McNaughton learned from the U.S. Delegation that they did not wish to have an American nominated to oversee the voting in Kashmir as the plebiscite administrator.<sup>6</sup> When the United Kingdom and Pakistan expressed interest in naming a Canadian for the position, McNaughton, at headquarters' request, declined.<sup>7</sup>

While the Americans were deciding on their representative on the Commission, discussion of the issue returned to the Security Council where the two disputants took the opportunity to reiterate their opposition to the Resolution. Again McNaughton termed the Indian position "particularly uncompromising".<sup>8</sup>

During the meeting of May 28, Parodi suggested that the Commission's mandate should be extended. He wanted to include Pakistan's other complaints, mainly India's annexation of Junagadh by force, the treatment of Moslems in India and the lack of Indian compliance with existing bilateral agreements.<sup>9</sup> Less than three weeks earlier, McNaughton had stated that, "these three additional aspects of the India-Pakistan dispute are primarily matters which can best be settled by direct negotiations between the two Governments and consequently I am of the view that they are not within the proper sphere of the Council's jurisdiction".<sup>10</sup> After Parodi's speech, the Canadian Delegate spoke in support of the proposal.<sup>11</sup> There is no explanation in the documents for this reversal of position.

On June 5, the Council convened to hear that J. Klahr Huddle, Washington's Ambassador to Burma, had been chosen as the United States member of the Commission.<sup>12</sup> Council President Parodi, therefore, submitted a resolution directing the Commission, now complete, to proceed to the sub-continent without delay in order to accomplish the duties assigned to it by the Resolution of April 21.<sup>13</sup> It passed by a majority of eight votes for (including Canada), none against and three abstentions - China, Ukraine and the Soviet Union.<sup>14</sup>

The first meeting of the United Nations Commission for India and Pakistan (UNCIP)<sup>15</sup> took place in Geneva on June 15, 1948. The Commission decided to proceed to Karachi and anticipated an arrival date of July 7. UNCIP planned to pay its respects to the Government of Pakistan, and then continue on to New Delhi for India's views on the issue. A return to Karachi to confer with Pakistan officials would be followed by a trip to Kashmir for on-the-spot investigations.

Prior to the arrival of the Commission, Kearney reported that conditions did not bode well for a quick diplomatic solution of the problem. Sir Girja Bajpai, now back in the Indian capital, told Kearney that the situation had deteriorated to an undeclared war between the two dominions. The Indian diplomat warned Kearney that New Delhi was considering whether it would be preferable to withdraw the offer to hold a plebiscite and prepare to resolve the issue by the sword.<sup>16</sup> "As far as I can judge", reported Kearney, "the Indian Government has little confidence that the Security Council Commission will accomplish anything worthwhile and it is making its plans accordingly".<sup>17</sup>

Given the attitude of the Indian Government, Kearney saw little hope for a solution within the framework of the April 21 Resolution. He hoped that the Commission would seek an alternative solution. "I believe",

Kearney explained, "that the intransigent attitude of the Pakistan Government up to the present, has been due to the reliance which it places on the 24th (sic) April resolution, and its confidence that the Security Council Commission will see that it is implemented".<sup>18</sup> He was convinced that the Commission would have to find another method of solution if open warfare between India and Pakistan were to be avoided.<sup>19</sup>

Once again, Kearney was setting himself in opposition to a proposed settlement supported by a majority of the members of the Security Council, including Canada. Support for his opinion, however, would soon follow. Kearney's concern over the viability of the Resolution was based on his knowledge of the Indian Government's latest position. Having discovered that Pakistan soldiers were involved in the fighting in Kashmir, New Delhi was even less disposed to work within the April 21st Resolution<sup>20</sup>.

On July 14, the Commissioners settled on a resolution which would be presented to both governments. In order to encourage a cessation of hostilities, the Commission urged both capitals to implement any measures within their power which could improve the situation and to refrain from any statements which could aggravate it.<sup>21</sup> Virtually the same request couched in almost the same language had been made by the Security Council in January. Here is an indication of the progress achieved thus far by the Security Council.

India responded with a set of conditions for a cease-fire. On July 30, 1948, the Commission set out for Karachi to confer with Pakistani officials. The itinerary included a two-week stay in Karachi to explore the possibilities of a cessation of hostilities agreement with the Government of Pakistan. On August 13, the U.N. Commission delivered simultaneously to India and Pakistan a proposal for a cease-fire. The terms included a temporary cessation of hostilities to begin immediately;



the withdrawal of all Pakistan troops; the majority of the Indian forces to be pulled back; guarantees by India not to take over the territory evacuated by Karachi's forces; and, once hostilities ceased, the resumption of negotiations for a permanent settlement according to the wishes of the Kashmiri people.

Ten days later Pakistan replied by submitting a long questionnaire to the Commission. India requested clarification on only a few matters. Both governments had been advised that the terms of the proposal were not subject to alteration and, as Kearney understood the situation, the Commission planned to discontinue its activities in the sub-continent if the cease-fire proposal was not accepted.<sup>22</sup>

India accepted the resolution of August 13 subject to certain conditions which were designed to ensure that Pakistan would have no role in the administration of the state or the plebiscite. Pakistan's stipulations were intended to ensure retention of the gains which Karachi had won and the exclusion of all Indian influence in Azad Kashmir territory - the part of the province under Pakistani control. As far as UNCIP was concerned, Pakistan's reply was equivalent to a rejection of the resolution.<sup>23</sup> Karachi's reaction was understandable if the position taken by the Security Council in New York were compared to UNCIP's proposals.

With the negotiations in deadlock, the Commission left the sub-continent to confer in Geneva. From there UNCIP continued on to Paris, the site of the third session of the United Nations General Assembly. Bajpai and Zafrullah Khan were also in Paris, and the posturing continued unabated. Bajpai declared that India was prepared to order a cease-fire if Pakistan would accept the Commission's August 14 resolution. Zafrullah countered with a request that India agree to Articles 6 to 15 of the

Security Council's resolution of April 21 and settle the whole matter immediately.<sup>24</sup>

Here was an excellent example of the consequences of having resolutions sponsored by two different U.N. bodies. The Security Council and UNCIP had taken widely divergent views on the appropriate form of settlement. Now both India and Pakistan could clothe themselves in the respectability of the United Nations resolution which best met their position. The meeting ended without any progress but another conference was planned.<sup>25</sup>

Hoping to save the situation, UNCIP presented a revised set of proposals to each side. The draft included a reaffirmation of the August 13 Resolution and provided for negotiations on the disposal of Indian, Pakistan and Azad Kashmir troops and arrangements for insuring a free and fair plebiscite with complete freedom to campaign, stage political rallies and oversee voting procedures for all shades of political opinion in the province.<sup>26</sup> Acceptance by both sides was secured and a cease-fire was arranged to take effect at midnight, January 1, 1949. The belligerents agreed to seek a peaceful solution to the problem and to hold a free and impartial plebiscite in Kashmir to determine the final accession.

The work of the Commission was far from over. UNCIP planned an early return to the sub-continent to carry on the difficult negotiations preceding the implementation of the articles of the cease-fire accord. The Security Council, therefore, adjourned discussion of the issue *sine die*.

With the anticipated return of UNCIP to New Delhi in early February, 1949, to resume negotiations, Canada's High Commissioner evaluated India's chances in a future plebiscite. Kearney had no illusions about who would

win in an honest vote. "I have all along felt", he reported, "that the most likely and perhaps only chance India would have of being successful in the Kashmir plebiscite would be for the Indians to be in control of the election machinery".<sup>27</sup> Although he was confident in his forecast, Kearney did allow the possibility that "prophets and participants alike, again may be confounded by the sight of polls Galluping off in the unexpected direction!"<sup>28</sup>

This was one of Kearney's final messages before leaving New Delhi.<sup>29</sup> He had proven himself adept by forging excellent relationships with Nehru, Bajpai and Mountbatten. As a diplomat charged with the responsibility to promote Canadian policy, however, he had not done as well. His lobbying against the positions adopted by the Security Council and the Canadian Delegation had ultimately proven to be a source of embarrassment to Ottawa. Kearney had reacted to headquarters' unwilling and sometimes clumsy handling of the issue by developing and advocating a policy of his own and was scolded for doing so.

With Kearney's departure, one of the Department's most sympathetic voices for India's Kashmir policy was lost. By January 1949, Pakistan's point of view began to receive more attention from the mid-level echelons in the Department of External Affairs. Scott sent a letter to Escott Reid, Acting Under-Secretary of State for External Affairs. Dated September 30, 1948, the letter described Scott's conversation with an Englishman familiar with the situation in Kashmir. It was circulated by Alfred Pick of the Commonwealth Division of External Affairs.

"It [the report of the Englishman's statements] is strongly pro-Pakistan", Pick noted, "which is perhaps all to the good as we have been aware that, since we have no representation in Pakistan, we have not been receiving much of Pakistan's side of the case and have possibly been too

influenced by the Indian viewpoint". Pick, who himself confessed to favouring the Pakistan side of the issue<sup>30</sup>, was undoubtedly referring to the despatches arriving from the High Commission in New Delhi and was reflecting on the lack of detailed information on Pakistan's position which Canadian representation in Karachi would have offered. It is doubtful, however, that parallel reporting from a High Commission in Karachi would have improved headquarters' evaluation of the issue. Without direction from Ottawa, Canadian attitudes had followed the ebb and flow of opinion in the Security Council.

In fact, very little was coming out of the High Commission in New Delhi during the latter months of winter 1948 and spring 1949. Nervous attention was trained on the cease-fire, which held, although not without minor flare-ups. Clearly, the Indian Government had decided to keep its plans for Kashmir to itself since Scott was finding great difficulty in getting Bajpai to discuss the issue beyond generalities.<sup>31</sup> While UNCIP struggled to bring the two sides together, the cease-fire began to look more like a temporary armistice as both countries accelerated preparations for the next campaign.

In such an atmosphere, UNCIP was unable to negotiate a long term truce. The major disagreement centred on the disposition of the Azad Kashmir forces.<sup>32</sup> On July 26, 1949, UNCIP managed, finally, to engineer a minor breakthrough by getting the two sides to agree on a demarcation line to separate the opposing forces.

Two weeks later, H.F. Feaver of Commonwealth Division sent an extensive memorandum on the issue to the Under-Secretary. This was the first document, according to the available records, which made a serious effort to generate discussion and to settle on a Canadian position regarding the dispute. After nineteen months of aimless involvement, of

being a reluctant participant and of letting others fashion positions for Ottawa to take, the Department of External Affairs made the first step toward fulfillment of a commitment established in 1947 by Louis St. Laurent at the Gray lecture in Toronto.

The memorandum was prepared by Alfred Pick for Feaver's approval and signature. Pick had earlier confessed to some sympathy for the position of Pakistan. In this review, he explained why. Pick doubted that the Indian public felt nearly as strongly about the future of Kashmir as did the people of Pakistan. To support this contention, he referred to a recent message from Scott in New Delhi which reported that, in the latter's opinion, the Government could, with no great difficulty, convince the populace that the loss of Kashmir would be for the best. The same could not be said for the people of Pakistan.<sup>33</sup>

The memorandum then turned to the focal point of the issue—the plebiscite.

The Indians reiterate that they have every desire to have the proposed plebiscite held in Kashmir. One has the impression, however, that it might well be in India's interest to have this plebiscite delayed as long as possible and perhaps ultimately avoided. At present, most observers would, I think, agree that a free and impartial plebiscite throughout the entire state of Jammu and Kashmir would go strongly in favour of Pakistan.<sup>34</sup>

As for the strength of position of each side, Pick realized that both could make a case. New Delhi had, he suggested, shown skill during the negotiations in the Security Council<sup>35</sup> while Pakistan had lied about the presence of its troops in Kashmir, only later admitting to UNCIP that

three divisions had been deployed there. Moreover, India's legal position was solid since the Maharaja had the constitutional right to accede to India. "However", he reported, "in more fundamental matters the Pakistan case is very strong. Once the very concept of Pakistan itself, as a separate state for the Muslim majority areas in the sub-continent of India, is accepted, then it follows logically that Kashmir should be a part of that state".<sup>36</sup> Pick's memorandum also alluded to the factors of religion and geography, noting particularly that all of the state's natural communications ran into Pakistan. "The headwaters of all the rivers of Western Pakistan", he added, "including the Indus which is its very lifeline, are located in Kashmir".<sup>37</sup>

From the volumes of material, including memoranda, despatches and telegrams, Pick had synthesized, into four pages, a lucid and convincing analysis of the basic issues in the dispute. His document was very well received.<sup>38</sup> In fact, Pick's main contribution was that he had justified to the Department the policy which McNaughton had adopted with van Langenhove in the draft resolution of February 10th, and which Ottawa had followed in a most docile manner since mid-February, 1948; namely, that Kashmir was disputed territory and that a plebiscite supervised by the United Nations was necessary to decide the state's future.

There was also some movement in the sub-continent. UNCIP was, during August 1949, preparing the way for a truce. With the ending of Morley Scott's posting to India, the job of reporting fell to Richard Grew, who became Acting High Commissioner pending the appointment of a head of post. Grew was certain that both sides would express agreement, in general terms, to a conference but he feared that disagreement on the agenda might keep India and Pakistan away from the bargaining table.<sup>39</sup>

The problem centred on Indian insistence on including two items in the agenda: the disbanding and disarming of the Azad Kashmir forces and the defence and administration of the northern areas of the State. Pakistan opposed inclusion of these questions.<sup>40</sup> The Commission agreed that the positions of the two Governments were so far apart that the possibility of reaching an agreement was remote.<sup>41</sup> On August 20, Grew reported that UNCIP had decided not to convene a conference.<sup>42</sup>

In September 1949, UNCIP proposed to promote arbitration as a method for solution. President Truman of the United States and Prime Minister Attlee of the United Kingdom sent letters to Nehru and Liaquat Ali Khan urging acceptance of arbitration. Ottawa was faced with the dilemma as to whether it would be beneficial or harmful to make a similar move. A.D.P. Heeney, who had become Under-Secretary of State for External Affairs in March 1949, opposed any Canadian initiative.<sup>43</sup> Heeney feared that India would believe that there was a move to "gang up" on it, particularly because of the assumption that Pakistan would willingly accept arbitration "while India will be loath to do so as delay in the settlement of the dispute will work to the advantage of India".<sup>44</sup> Knowing how sensitive Indian leaders were on the subject, McNaughton agreed that any Canadian pressure might do considerable harm. Heeney advised his Minister to wait until Nehru's visit in October to speak personally to him.<sup>45</sup>

As expected, Pakistan accepted the proposal for arbitration, but India would not agree without pre-conditions, chiefly the disbandment of the Azad Kashmir forces. Grew reported on Nehru's fear that an arbitrator would not take into account all the questions which India might regard as substantive or, alternatively, that questions which India considered settled might be opened *de novo*.<sup>46</sup> With the failure of the proposal for settlement by arbitration, UNCIP was forced to admit defeat and began to prepare its report to the Security Council.

Officials in Ottawa would have a chance to discuss the possibility of arbitration with Nehru during his October visit to Ottawa. To prepare for his arrival, a briefing paper was drafted for the Minister. External Affairs officials saw the accession as legally valid within the terms of the 1947 partition agreement, and because India then brought the dispute to the United Nations seeking a peaceful solution, they decided that New Delhi had followed a wiser course than Pakistan.<sup>47</sup>

Khan's late admission that his country's troops were operating in Kashmir and the suspicion that the tribesmen had received considerable assistance from Pakistan during the invasion had hurt its case. Ottawa also regarded it as a retrograde step that Karachi had merged the Azad Kashmir troops with its own military forces.<sup>48</sup>

For the policy-makers, however, other factors took precedence. "Pakistan", it was agreed, "is able to base its case ...on the very principle upon which the partition of the sub-continent was based. The population of Kashmir is predominantly Moslem (about 77 per cent)". They mentioned as well that the import and export trades of Kashmir linked the state closely with Pakistan, and that Karachi was their most suitable port. Moreover, in the States of Junagadh and Hyderabad, the Indian Government used pressure to depose Moslem rulers in favour of the presumed will of the predominantly Hindu populations. Junagadh had acceded to Pakistan.<sup>49</sup>

The Department suspected that Indian enthusiasm for a plebiscite had dissipated. It was presumed that feelings about the dispute ran much higher in Pakistan than in India where it seemed that only Prime Minister Nehru and official circles in New Delhi had strong feelings about the issue.<sup>50</sup> "Canada desires", continued the briefing paper, "to see the



termination of this unfortunate dispute between two member nations of the Commonwealth and to support such a solution as will not sow the seeds of chronic conflict on the Indian sub-continent". The drafters of the memorandum expressed the fear that a war between India and Pakistan could ignite a far greater conflict.<sup>51</sup>

Pearson had a chance to voice these concerns when, on October 24, Nehru and Sir Girja Bajpai arrived in Ottawa for an official visit of three days. The Prime Minister reiterated India's position to Pearson and St. Laurent but, as Heeney reported, there was some movement. Earlier it had appeared that New Delhi had been unwilling to consider the appointment of a United Nations mediator acting under general instructions from the Security Council. Nehru now seemed more disposed to accept such a possibility. The gist of his comments also led Canadian officials to believe that he foresaw an eventual partition of Kashmir.<sup>52</sup>

The Indian leader managed to dispel Canadian suspicions about Indian desires to proceed with a plebiscite. "In spite of the depth of Mr. Nehru's feelings about Kashmir", stated Heeney, "Mr. Pearson is convinced that Mr. Nehru is entirely sincere when he states that force must be ruled out in Pakistan-India relations and that, in respect of Kashmir, mediation followed by a plebiscite should go forward as quickly as possible".<sup>53</sup>

The Canadians had not, however, been charmed beyond the bounds of objective analysis. Escott Reid reported to Grew in India the impressions which officials in Ottawa had of Nehru's attitude. "It seemed clear from our talk with Mr. Nehru", Reid advised Grew, "that he finds it difficult to apply his own principles of peaceful settlement and self-rule to Kashmir because such application would likely result in the state for which he has so much affection joining Pakistan".<sup>54</sup>

Prior to his Ottawa trip, Nehru had been in the United States. The Americans had annoyed him considerably by pressing him to agree to submit the dispute to arbitration.<sup>55</sup> This may be why he decided to offer his concession of a U.N.-appointed mediator to Canada. "In reports which I had received from Washington and New York", wrote Escott Reid", it was stated that Mr. Nehru had not been at all responsive previously to the idea of a United Nations mediator acting under general instructions laid down by the Security Council, but that he wished to have a mediator outside the United Nations. The position which he took at our discussion represents an encouraging development".<sup>56</sup> The U.S. State Department, on hearing of this opening, began to send out feelers "to bring the other members of the Security Council in line".<sup>57</sup>

Not at all disposed to be brought in line, the United Kingdom insisted on adhering to its policy of settlement by arbitration. "[The] United Kingdom made it clear", reported the Canadian High Commissioner in London, "that in its view such a procedure would be a serious setback to progress which has already been made and would undoubtedly have violent repercussions in Pakistan where suspicion might be aroused that the United States had made a 'deal' with Nehru involving United States support for India on the Kashmir issue".<sup>58</sup> As a result of the United Kingdom response, the American initiative collapsed and Washington's policy once again reverted to support for arbitration.

The British preference for arbitration may have been buttressed by a recent report from the United Kingdom Attorney General. The brief established the position that India's claim of sovereignty over Kashmir might be rejected on the grounds that the exchange of telegrams between Pakistan and the Maharajah of Kashmir constituted a standstill agreement, thus invalidating the subsequent accession of Kashmir to India.<sup>59</sup> The records do not reflect any response from Canada to the Attorney General's

findings. Ottawa's position on the accession had not changed, and so a major difference in attitude toward the issue existed between the two senior members of the Commonwealth.

Nehru's concession had, however, driven an even bigger wedge between Canada and the United Kingdom. H.F. Feaver reported on Nehru's conversation with Pearson and St. Laurent to the Canadian High Commission in New Delhi. "Mr. Nehru in fact expressed the hope", explained Feaver, "that Canada would use its good offices with our friends on the Security Council to lay the foundations of a solution on this basis [mediation under Security Council auspices]. Mr. St. Laurent and Mr. Pearson readily agreed to take action and notification of this development was immediately made to the United Kingdom and United States authorities".<sup>60</sup>

Pearson and St. Laurent had succumbed to the excitement of having obtained this special offer from Nehru to the extent of accepting diplomatic isolation in support of mediation. This was a significant departure from the practice of former Prime Minister Mackenzie King, who would never have allowed Canada to stand alone, particularly when the United States was content to follow Whitehall's lead in promoting arbitration. As the former Prime Minister told a political colleague:

[T]here was a great danger of our getting beyond our depth in some of the international obligations that we were assuming, and that we would be well-advised to have the Great Powers - the U.S. and the U.K. - accept the main responsibility for initiating matters of major and world wide significance. We would get little thanks if they succeeded but would get plenty of blame if they were a failure.<sup>61</sup>

An official in Ottawa advised a member of the Canadian Delegation that "the Minister must be kept fully informed because under the existing

circumstances the development of Canadian policy regarding Kashmir is being handled directly by him".<sup>62</sup> Pearson's support for mediation did not represent a full reversal from the pro-Pakistan position adopted by his advisors. For him, it was a procedural approach which seemed to offer a way out of the impasse.

Nehru had enjoyed a successful trip. Fearing arbitration, he had managed to separate Canada and, briefly, the United States from the United Kingdom's policy. By opening the avenue of mediation, Nehru appeared to be offering a concession which Pearson and St. Laurent continued to support, undeterred by the recent American reversal. This move puzzled the Canadian representative in London. "I also thought" reported L.D. Wilgress, "that an attempt was being made to steer away from this method of procedure [mediation]".<sup>63</sup>

The Canadian High Commissioner in London reminded Ottawa that the United Kingdom representatives were planning to oppose any attempt by India to secure mediation and any reference to the possibility of partition. Wilgress ended his despatch with the comment: "I see that our policy may differ from that of the United Kingdom on the question of mediation, I am, therefore, not taking any action unless specifically instructed to do so by you".<sup>64</sup> Nehru had won all he could have reasonably expected to and Canadian policy was now unsupported and at variance with that of the two senior western members of the Security Council.

At this point the value of Pearson's personal leadership on the formulation of Canadian policy on the Kashmir issue merited serious questioning. Issues impinging on the security of Canada and the western alliance were the major preoccupations of 1949. The Berlin situation, the formation of NATO, feverish work by the Soviet Union to build an atomic bomb and the victory of the Communist forces in China challenged western

leaders. In such a climate of uncertainty and concern for the future, it is puzzling that Pearson chose to bypass his advisers, direct Canadian policy on the Kashmir issue himself and establish a position which neither of Canada's main allies would support. Moreover, Pearson was ignoring the Cabinet directive of February 12, 1948, concerning the appropriate position for Canada to take when the United States and United Kingdom were in agreement, particularly where questions of war and peace were concerned.<sup>65</sup>

Canada had a contribution to make. Nevertheless, there had been complete agreement among the western powers on the Security Council, especially by the United States, the United Kingdom and Canada, that one policy among them would provide the iron from which a solution would be forged. Only unanimity on the terms of solution could generate the required moral pressure on the two parties to accept. As long as there was discord, diplomatic paralysis would prevail.

In New York McNaughton moved to reduce Canadian isolation and to begin a reconstruction of a united western diplomatic position. The General spoke to an American delegate who offered a bridge between the policies of Ottawa and of Washington. The Americans hoped that India and Pakistan would agree on an arbitrator; if not, then the United States would support mediation.<sup>66</sup> In a conversation with McNaughton, Philip Noel-Baker insisted that Canada should encourage the Indians to accept outright arbitration. "He [Noel-Baker] feels that they would do this if pressed", reported McNaughton, "I do not".<sup>67</sup>

McNaughton's counsel was that Canada should take on the role of spectator and let events develop. "There does not seem", he advised, "to be much more that we can do in the matter, and I suggest that we now let it develop without further intervention on our part until the Security

Council meets to discuss Kashmir in three or four weeks".<sup>68</sup> Canada's initiative in support of mediation had proved to be a disaster and the deep rift between Canadian and British policy remained unbridged.

One of the differences which was most easily laid to rest was the question of the legal status of the accession. Responding to a British report, McNaughton agreed that "it would be best if the Security Council could avoid becoming involved in the legal issues regarding Kashmir's provisional accession to India. The legality of this provisional accession appears to be a somewhat academic question in view of the subsequent march of events, and it seems that the most constructive course for the Security Council to follow is [to] concentrate its efforts on conciliating differences between the parties which have arisen regarding the implementation of the Council's own resolutions".<sup>69</sup>

A cease-fire had been won but little else. McNaughton now faced a return to chairmanship of the Security Council in December to advocate a policy unsupported by the British and Americans.

## NOTES

1. AHCCI to SSEA, no. 138, May 4, 1948, RFAIT, file 5 As.
2. SSEA to CPDUN, no. 135, May 27, 1948, *ibid.*
3. CPDUN to SSEA, no. 542, May 6, 1948, *ibid.*
4. CPDUN to SSEA, no. 549, May 8, 1948, *ibid.*
5. S.C. *Official Record*, 290th meeting, p. 8.
6. CPDUN to SSEA, no. 549, May 8, 1948, RFAIT, file 5 As.
7. CPDUN to SSEA, no. 165, May 22, 1948, *ibid.*
8. CPDUN to SSEA, no. 623, May 28, 1948, *ibid.*
9. *Ibid.*
10. CPDUN to SSEA, no. 549, May 8, 1948, *ibid.*
11. CPDUN to SSEA, no. 623, May 28, 1948, *ibid.*
12. CPDUN to SSEA, no. 649, June 5, 1948, *ibid.*
13. Parodi explained that the Resolution of January 20, 1948, was completed and clarified by the April 21 document. The earlier resolution defined, he said, the powers of the Commission in general, while the April 21 Resolution established the conditions for the plebiscite in Kashmir. S.C. *Official Record*, 312th meeting, p. 15.
14. CPDUN to SSEA, no. 649, June 5, 1948, RFAIT, file 5 As.
15. There is some merit in Michael Brecher's suggestion that the name of the Commission, ie **...for India and Pakistan**, was a victory for Pakistan in that it further entrenched Karachi's position as an equal partner in the dispute. See *The Struggle For Kashmir*, p. 90.
16. HCCI to SSEA, no. 208, June 30, 1948, RFAIT, file 5 As.
17. *Ibid.*
18. HCCI to SSEA, no. 234, July 16, 1948, *ibid.*
19. HCCI to SSEA, no. 220, July 9, 1948, *ibid.*

20. Zafrullah Khan had left New York in order to be in Karachi to meet with UNCIP and, during his presentation of Pakistan's case, he disclosed that three brigades (approximately 15,000) of Pakistan's troops had been fighting in Kashmir since May. Kearney assumed that Khan's confession was intended to undercut the impact of the eventual proof by India of the presence of Karachi's troops. See HCCI to SSEA, no. 234, July 16, 1948, *ibid*.
21. *Ibid*.
22. HCCI to SSEA, no. 305, August 25, 1948, *ibid*.
23. HCCI to SSEA, no. 227, September 7, 1948, *ibid*.
24. Canadian Delegation, U.N.O., Paris to SSEA, no. 488, November 26, 1948, *ibid*.
25. *Ibid*.
26. Attachment to Chairman, Canadian Delegation to Acting SSEA, no. 50, December 8, 1948, *ibid*.
27. HCCI to SSEA, no. 12, January 5, 1949, *ibid*.
28. *Ibid*.
29. In February, 1949, Kearney was appointed Canada's ambassador to Argentina.
30. Pick to Riddell, January 14, 1949, RF IT, file 5 As.
31. Scott to Feaver, July 1, 1949, *ibid*.
32. New Delhi had miscalculated the strength of the indigenous opposition to Indian rule in Kashmir which existed independently of the Pakistan army. When the true strength of Azad Kashmir became known, New Delhi was no longer willing to withdraw its forces to the extent understood to be appropriate for the carrying out of a fair plebiscite. See L.F. Rushbrook Williams, *The State Of Pakistan* (London: Faber and Faber, 1962), p. 83.
33. "Memorandum for the Under-Secretary", H.F. Feaver, August 5, 1949, RFAIT, file 5 As.
34. *Ibid*.
35. *Ibid*. The author cannot agree with Pick's assessment of India's success in the presentation of its side of the issue. In the author's opinion, Zafrullah Khan was never bested in debate with any of his Indian counterparts. One of the major themes in Michael Brecher's, *The Struggle For Kashmir*, is the superiority of the debating ability of Zafrullah Khan over India's delegates.
36. "Memorandum for the Under-Secretary", H.F. Feaver, August 5, 1949, RFAIT, file 5 As.
37. *Ibid*.



38. Escott Reid's notation dated August 10, 1949: "This is a very useful and interesting memorandum by Pick on the Kashmir dispute". USSEA Heeney wrote on August 22, 1949: "This is first rate. Pl. [Please] let me have a copy for [the] Minister". *Ibid.*
39. AHCCI to SSEA, no. 366, August 10, 1949, *ibid.*
40. AHCCI to SSEA, no. 213, August 25, 1949, *ibid.*
41. AHCCI to SSEA, no. 210, August 20, 1949, *ibid.*
42. *Ibid.*
43. For the complete story of his political career, see Heeney, *The Things That Are Caesar's*.
44. "Memorandum for the Minister", A.D.P. Heeney, September 2, 1949, RFAIT, file 5 As.
45. *Ibid.* Heeney's counsel was supported by United Nations Division and Commonwealth Division in the Department of External Affairs.
46. AHCCI to SSEA, no. 222, September 7, 1949, *ibid.*
47. Attachment to "Memorandum for the Minister", A.D.P. Heeney, October 13, 1949, RFAIT, file 10483-40.
48. *Ibid.*
49. *Ibid.*
50. *Ibid.*
51. *Ibid.*
52. Attachment to Heeney to High Commissioner for the United Kingdom, October 26, 1949, *ibid.*, file 5 As.
53. *Ibid.*
54. SSEA to AHCCI, no. 630, November 14, 1949, *ibid.*
55. Donald Creighton, *The Forked Road: Canada 1939-1957* (Toronto: McClelland and Stewart, 1976), p. 191.
56. SSEA to AHCCI, no. 630, November 14, 1949, RFAIT, file 5 As. See also High Commissioner for Canada in the United Kingdom to SSEA, no. 2049, October 28, 1949, *ibid.*
57. Canadian Ambassador to the United States to SSEA, no. Wa-2983, October 27, 1949, *ibid.*
58. High Commissioner for Canada in the United Kingdom to SSEA, no. 2049, October 28, 1949, *ibid.*

59. *Ibid.* Canada's High Commissioner in the United Kingdom reported on Whitehall's conclusion that "[s]ubject to any further views by the [U.K.] Attorney General the United Kingdom Government should be prepared to reject India's claim that the accession gives her sovereignty there and turns Pakistan into an aggressor". See High Commissioner for Canada to the United Kingdom to SSEA, no. 1953, October 13, 1949, *ibid.*
60. SSEA to AHCCI, no. 189, November 4, 1949, *ibid.*
61. See Pickersgill and Forster, *The Mackenzie King Record*, vol. 4, p. 427.
62. The message for CPDUN from SSEA and dated November 2, 1949, was not sent. The substance of the message was given orally to Ricciell of the Canadian Delegation during his trip to Ottawa. Pearson's direct involvement in the issue represented a material change since this was a piece of news which had to be conveyed to the Canadian Delegation.
63. High Commissioner for Canada in Great Britain to SSEA, no. 2113, November 4, 1949, RFAIT, file 5 As.
64. *Ibid.*
65. See Chapter Two, pp. 23-24.
66. CPDUN to SSEA, no. 268, November 9, 1949, RFAIT, file 5 As.
67. *Ibid.*
68. *Ibid.*
69. CPDUN to SSEA, no. 1128, November 28, 1949, *ibid.*

## CHAPTER FOUR

### FAILURE

With the arrival of December, 1949, the monthly rotation, once again, put McNaughton into the chair as President of the Security Council. At no other time had the pressure to settle the dispute been so concentrated. British and Pakistan officials told McNaughton that they held great hope that a maximum effort could be made during Canada's presidency.<sup>1</sup> On December 31, 1949, Canada's two-year membership on the Security Council would expire.

McNaughton received UNCIP's final report on December 8. All avenues for mediation, the document stated, had been explored. As long as the troops of each side remained in Kashmir, there could be no plebiscite. Moreover, the problem of demilitarization had become so intractable as to represent a major obstacle to any settlement.<sup>2</sup> Since a reference to the people was not feasible under existing conditions, UNCIP believed that its usefulness had come to an end. The report recommended settlement by arbitration since Pakistan had agreed and India had stopped short of objecting to this mechanism in principle.<sup>3</sup>

The Commissioners concluded that one official now had a better chance than a five-member body to continue the task.<sup>4</sup> "The designation of a single person", they reported, "with broad authority and undivided responsibility offers a more practical means of finding the balance and compromise necessary to advance the settlement of the dispute".<sup>5</sup> McNaughton, as President of the Security Council, was the obvious choice.

Pakistan and India agreed and so the Canadian Delegate took on the responsibility to find a settlement for the Kashmir dispute.<sup>6</sup>

On December 13, delegates from the United States, the United Kingdom and Canada met to develop a common position. McNaughton reported that, as the meeting began, the British and Americans "expressed satisfaction that Canada, during its Presidency of the Council, was prepared to make a real effort to help bring the parties together before the end of the year on a next step towards resolving their differences".<sup>7</sup>

Over two years Canadian policy relating to the Kashmir dispute had experienced a complete reversal. An unshakeable resolve not to get involved had become a firm determination to achieve a settlement. Canada had then abandoned its support for arbitration in favour of U.N.-sponsored mediation. In the face of opposition from Whitehall, that initiative collapsed.

Both the United Kingdom and the United States delegations announced that they were inclined to press India to accept arbitration. Mediation was not an option. They argued that the ground already won on the issue must not be lost.<sup>8</sup> Accordingly, on December 14, McNaughton broached the subject with Bajpai. When pressed to disclose whether India would accept arbitration for the phased withdrawal of both Indian and Pakistani troops if an agreed arrangement were already in place for the disbandment and disarmament of the Azad forces, Bajpai did not agree. However, the Canadian Delegate was encouraged that the Indian did not categorically reject the possibility either.<sup>9</sup>

Bajpai also had an offer, but one which would not be officially advanced by New Delhi. India was ready to discuss partition of Kashmir. Those areas, explained the Indian delegate, in which there was no doubt of

the outcome of a plebiscite, should be ceded to the appropriate country without a vote. For example, Poonch and Mirpur would go to Pakistan, Jammu to India. There would be a reference to the people only in the Kashmir Valley and in Baltistan, where the outcome could not be foreseen.<sup>10</sup>

That afternoon, Sir Zafrullah Khan spoke to McNaughton and explained his country's plan for a phased and synchronized withdrawal of forces on both sides of the cease-fire line. Without any reference to his morning discussion with Bajpai, the General asked whether there needed to be a plebiscite throughout Kashmir. "Zafrullah", reported the General, "made it fairly clear that Pakistan would not consider any plebiscite partition scheme whereby certain areas would automatically be ceded to India and others to Pakistan, while the remaining areas would decide by plebiscite to which state they wished to accede".<sup>11</sup>

On December 16, with the preliminary discussions behind him, McNaughton described the next step to the Indian Delegation. The Canadian Delegation planned to prepare two draft memoranda outlining the essentials of the position of both sides on the main factors in the dispute. Each party would then be given the draft pertaining to its own position for amendment where appropriate. An exchange was to follow, the memorandum explaining India's attitude to be given to the Pakistan Delegation and vice versa. McNaughton intended, subsequently, to "prepare a statement of the points at issue and from this endeavour to build a bridge towards agreement".<sup>12</sup> Presumably this would give the opportunity to Pakistan, India and Canada to search for areas of potential accord.

In a message from headquarters, H. F. Feaver, Head of Commonwealth Division, suggested that there were grounds to look for real progress in the next two weeks.

If this proves to be so, the steps already taken by you and those which you contemplate will, in our opinion, be a large contributing factor. The general instruction under which you should act in this matter is that you should explore every possibility of securing agreement between the parties concerned on some or all of the differences between them. We recognize that you will need considerable freedom to negotiate and that your negotiations should not be obstructed by the obligation to refer at each step to Ottawa for instruction. We are, however, anxious to be kept as well informed as possible of developments, and we here will be glad to assist with whatever information and guidance we can give.<sup>13</sup>

Zafrullah Khan's proposal for a concurrent withdrawal of Indian troops and disbandment of the Azad Kashmir forces had struck a chord in Ottawa. McNaughton was encouraged to regard it as a workable plan. Nevertheless, Feaver agreed that the negotiations ought to be based on the original proposals initially promoted by UNCIP for the cessation of hostilities and a plebiscite. Neither party was to be given any idea that the Council would consider a new formula for settlement because this could produce a delay in reaching the immediate objective—a firm truce agreement. The Head of Commonwealth Division was concerned that the introduction "of new proposals for partition or for mediation of the whole issue might ... detrimentally affect the attaining of this objective."<sup>14</sup> The message confirmed that headquarters had finally dropped its support for mediation. Feaver also suggested that Bajpai's partition proposals might find a home in the plebiscite administrator's future terms of reference.<sup>15</sup>

On December 17, UNCIP tabled its final report in the Security Council. Then, as planned, the Norwegian Delegate proposed that the President of the Council confer with the two parties "and examine with

them the possibility of finding a mutually satisfactory basis for dealing with the Kashmir problem".<sup>16</sup>

Two days later, McNaughton submitted to headquarters a set of principles which, he hoped, would lead toward a settlement. His draft referred first to a phased withdrawal of Indian and Pakistan forces. At the same time, the indigenous Azad Kashmir forces and the Kashmir militia were to be disarmed and disbanded. If this proposal was accepted, neither side would be able to initiate military operations against the other across the cease-fire line. The remaining forces were to represent the minimum required for the maintenance of law and order and to be so positioned that they would not be able to restrict or influence the free expression of opinion for the purposes of the plebiscite.<sup>17</sup>

McNaughton's provisions for withdrawal of forces referred to all the areas of conflict. Earlier, India had insisted on garrisoning the northern reaches for self-defence. The draft also disregarded Indian wishes in recommending that the reduction and redistribution of forces should be determined by the United Nations representative in consultation with the governments of India and Pakistan. Moreover, the U.N. appointee's terms of reference should, according to the proposals, include the power to adjudicate whatever differences might arise over interpretation of the agreement reached between the parties, specifically the implementation of the plans for the reduction and redistribution of forces.<sup>18</sup>

Without using the word, McNaughton was talking about arbitration even though Indian representatives opposed use of that form of settlement on military questions. Since his draft had three proposals that India was on record as opposing, and since there was no suggestion in his proposals which would cause Pakistan discomfort, it is fair to say that McNaughton

believed that more flexibility by India was necessary for a settlement of the issue.

In a meeting with a member of the British Delegation however, McNaughton expressed concern over pushing India too hard and emphasized the long term strategic and political importance of India as a strong factor in a very troubled area.<sup>19</sup> The United Kingdom representative replied that London, while recognizing the importance of India, considered Pakistan even more important from a strategic point of view, because of its geographic position, and the possible value of obtaining air bases there in the event of trouble. "He said", McNaughton added, "that it was not impossible that if Pakistan had reason to feel she was seriously let down, she might be driven toward a rapprochement with the Soviet Union".<sup>20</sup> Evidently Cold War factors were playing a major role in the United Kingdom's policy toward the Kashmir issue and the Canadian Delegation was being strongly encouraged to follow suit.

In fact it was the Indian delegates themselves which had made it possible for the United Kingdom, United States and Canadian delegates to expect some progress. "Indian representatives", reported Heeney to the Minister, "have intimated in secrecy to General McNaughton that, while it would be politically impossible for them to agree voluntarily to accept unfavourable terms, they would not rule out the possibility that India would bow to a decision of the Security Council, embodying unfavourable terms".<sup>21</sup>

Pearson ordered McNaughton to present his draft first to the Indian Delegation informally since New Delhi was the most likely of the two to reject it. Every effort was to be made to get agreement from both delegations before the draft was put to them formally.<sup>22</sup> Unfortunately, the records do not reveal the General's reaction to these instructions.



McNaughton's aim was to establish a firm and fair position upon which broad agreement among the Western delegations could be based. On submission of the proposals, international opinion was to play a role in pushing India to acquiesce, albeit grudgingly. It was tactically unsound to show the proposals to the Indian delegates unofficially since they then would have time to pronounce them unacceptable without any fear of an adverse public reaction. Moreover, the Minister's directive injected another step in the process. All sides had professed a hope that an agreement could be hammered out before the end of McNaughton's term. There were nine days left, fewer if the delegates took a Christmas holiday.

On December 22, McNaughton showed the draft to Bajpai and Sir Benegal Rau of the Indian Delegation. "I gave them to understand", he reported, "that in drafting my proposals I had in mind not only my duty as President of the Council but also my position as the Canadian representative and that I therefore had the advice and opinion of yourself [Pearson]".<sup>23</sup> The General also informed the Indians that his draft had the support of most of the friendly members of the Security Council. Some changes in the language of the draft were proposed by the Indian Delegates and most of them were incorporated since they did not alter the substance or objectives of the proposals. Overall, the Canadian representative was encouraged by the reaction to his text of his Indian colleagues.<sup>24</sup>

That evening, however, Bajpai and Rau again met with the Canadian Delegate. This time the Indians made a strong attempt to change McNaughton's mind on the arrangements for the northern area of Kashmir. They were unsuccessful. "Bajpai", reported the General, "then said he would convey faithfully my views to his Government, but that, in his opinion, India was not likely to accept this point in our proposal".<sup>25</sup> New Delhi went farther than that.

On December 27, McNaughton reported that the Indian Government had rejected his proposals. New Delhi returned to the charge that Pakistan was violating Indian territory by its operations in Kashmir and stated that the garrisoning of the northern area was consistent with India's responsibility for the security of the province; the Azad Kashmir forces were to be disarmed and disbanded and there was no need for dissolution of the Kashmir State militia. The reply was unequivocal in insisting that Pakistan was the aggressor and could not, therefore, be treated on an equal footing with India.<sup>26</sup> With this response India was threatening to destroy all of the progress achieved over the previous two years.

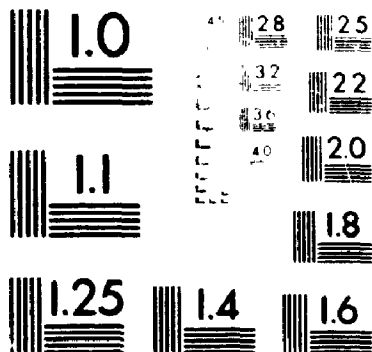
On the other hand, McNaughton was definitely encouraged by Pakistan's reply to his proposals which he received on December 28. Subject to certain drafting amendments, Karachi accepted the draft. The suggested changes did not seek to alter the substance of his draft and so the agreement of one of the two sides was secured.<sup>27</sup> In a last ditch effort to save the situation, the Canadian Delegate, with Pearson's personal blessing, appealed to Bajpai to ask his political masters to review the proposals with a view to offering changes to his draft as a basis of discussion. In order to give the Indians time to soften their unyielding reply, McNaughton re-scheduled the Council meeting to the afternoon of December 29.<sup>28</sup>

Departmental annoyance with India was reflected in a despatch to the Canadian High Commission in New Delhi.

The stiff and uncompromising attitude shown by the Indian Government ( particularly notable in the tone of their first reply [ to McNaughton's proposals ] ) occasioned surprise and disappointment, inasmuch as Rau and Bajpai took an active part in the drafting of

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the proposals which were understood to be basically acceptable to themselves personally. The Indian Delegation, for instance, suggested the phrase "progressive demilitarization" in paragraph two of the proposals and a number of other sections were recast to meet their wishes. India's rejection of the proposals in toto in her original reply and the refusal to leave her entrenched position to permit "progressive demilitarization" led us to believe that a difference of approach existed between the government of India and its delegation to the Security Council.<sup>29</sup>

India's rejection of McNaughton's proposals convinced the Department that some intervention was necessary. On December 28, Pearson made an appeal directly to Prime Minister Nehru. The Minister expressed sorrow that India was insisting that Pakistan was the aggressor and that the Security Council should tell Karachi to withdraw its forces from Kashmir. Pearson pointed out that such a position would make any agreed settlement in the United Nations practically impossible since Pakistan had also to assent to any proposals for a solution. He offered to amend certain parts of McNaughton's proposals as well, especially those dealing with demilitarization.<sup>30</sup>

In a message to his U.N. representative, Pearson referred to the telegram to Nehru and explained his thoughts on the military aspect. The Minister wanted to remove from the General's draft any impression that the Azad forces and the Kashmir militia were to be treated on exactly the same basis. He directed that a phrase be added to show that the Azad troops would be disbanded and disarmed first, the same procedure to follow for the Kashmir militia. As he reminded McNaughton, neither this nor any other measures would be likely to bring about a successful agreement as long as New Delhi refused to abandon the "guilt" concept.<sup>31</sup>

The urgency of the situation was growing. Only three full days remained in McNaughton's tenure as President of the Security Council. Not surprisingly, the General had already had suggestions from the United Kingdom and the United States and other friendly members of the Council to continue in some capacity his involvement with the Kashmir negotiations. "As I have said", he reported, "I would not wish to run away from responsibility, or do anything to jeopardize the possibility of agreement, if indeed such a possibility appears to have come into existence"<sup>32</sup>. He added, however, that he had no personal desire to maintain any responsibility in the Kashmir question after the end of December. Nevertheless, the Canadian Delegate was willing to consider continued involvement provided that the following conditions were met:

- (1) That both parties should request my continued participation;
- (2) That both parties should give me convincing evidence that they earnestly seek an early agreement and that there is a real likelihood that early agreement will in fact be obtained, and in particular, that asserted positions on legalistic issues will not be used to prevent agreement on practical procedures;
- (3) That the Security Council should, by a procedural resolution, formally request me to undertake this continued responsibility.<sup>33</sup>

The General also felt constrained to remind Ottawa "that Canadian participation in this matter involves a somewhat thankless and perhaps invidious task".<sup>34</sup> After December 31, the responsibility to deal with the dispute would remain squarely on the shoulders of the members of the Security Council. McNaughton referred particularly to the interest in the dispute which was shared by the United Kingdom and the United States.

Canada's Delegate had definite opinions on the role that these two should appropriately play.

I think we should avoid being used by these two Powers as a convenient method of shirking any of their own responsibility in this matter or evading any embarrassment which expression of views in this dispute may entail. Therefore, a fourth condition which, in my judgement should be met before any decision is made, is that we should have firm assurance that the United States and United Kingdom Governments are themselves strongly and persistently pressing both parties, publicly when necessary, to reach an early agreement.<sup>36</sup>

On the afternoon of December 28, McNaughton discussed his concerns with the delegations of the United States and the United Kingdom. The British had done some lobbying among the Western delegations in support of the Canadian representative's proposals. When asked by Ernest A. Gross of the United States Delegation what he could do to contribute, the General suggested that the Americans should press India to abandon their morally superior attitude towards Pakistan and their legalistic arguments against the proposals.<sup>36</sup>

At the same meeting, the leaders of both delegations pressed McNaughton to stay on in some capacity after December 31. As the General had told Ottawa, he would not avoid responsibility but it was not worth carrying on unless both parties showed convincing evidence that they both really wanted a settlement. He added that he personally did not want to continue, having important prior commitments elsewhere.<sup>37</sup>

Later the same day, Bajpai and Rau came to tell him that India had opened the door to negotiation on the basis of his proposals. New Delhi

would offer amendments and would not insist on a public or private denunciation of Pakistan as the aggressor. The Indian Delegate could draw up the amendments according to his instructions, but he mentioned that Sheik Abdullah also had to agree.<sup>38</sup> If the General had felt optimistic at Bajpai's opening remarks, this last condition must have deflated him completely.

During the morning of December 29, McNaughton met with Bajpai, Rau and Abdullah. Since the Sheik accompanied the Indian diplomats to the meeting, there was little hope that New Delhi's amendments to the proposals would offer any significant movement in the Indian position. Such was indeed the case. "At first glance", reported the General, "these amendments appear to be a reiteration of the previous Indian position."<sup>39</sup>

Later, in the Security Council, McNaughton made a brief speech designed mainly to avoid a full re-opening of the debate pending further informal discussion of the Indian and Pakistani amendments. A copy of his proposals was submitted to the members of the Council and McNaughton explained his activities since the last meeting. During his speech Canada's representative rarely strayed from a description of his activities but when he did, the target of his reference was clear. "In my judgement", he declared, "a legalistic and historical approach to the matter would require the examination of a complex mass of detail, the relevance of which to arranging an early plebiscite seems at least doubtful".<sup>40</sup> After an explanation of the approach which he had taken in formulating his proposals, McNaughton pointed out that not all his provisions would be agreeable to both parties. "Yet the solution of the Kashmir dispute depends, in my opinion", he emphasized, "essentially on a spirit of adjustment and it was in this view that my proposal was put forward".<sup>41</sup>

In responding to McNaughton's speech, the delegations of Norway, France, the United States, China, the United Kingdom and Pakistan all offered their support and approval and, led by Norway, expressed the hope that he would continue in some capacity to seek a settlement.<sup>42</sup> The Russian representative opposed the idea on procedural grounds.<sup>43</sup> With no conclusions drawn nor decisions taken with the exception of a tentative agreement to meet again on January 2, 1950, the meeting ended.

McNaughton was not pleased that the December 29 meeting of the Council had concentrated more on the question of the future conduct of the informal negotiations between India and Pakistan than on the substance of his proposals. The Norwegian proposal supported by the other countries was made without the General's consent. Moreover, he had obtained agreement from the delegations of the United Kingdom and the United States to avoid any action on this idea until the January meeting. "The statements supporting the Norwegian suggestion", he complained, "therefore savoured of an attempt to railroad me into a commitment which I wished neither to accept nor reject at this stage".<sup>44</sup>

McNaughton was worried about his status after December 31 if he were to continue in his role of mediator. While his friends, the British and the Americans, did not share his concern, his adversary did. The Canadian Delegate found it ironic when Yakov A. Malik of the U.S.S.R. Delegation stated that it would be unprecedented to have a non-member of the Council continue with the mediation activities.<sup>45</sup>

In reply, McNaughton stated that he appreciated the courteous proposal from Norway but, as the delegate from the Soviet Union had pointed out, such a function would have to be defined most carefully and specifically by the Council in agreement with the disputants. McNaughton reiterated that this was a job for the new Security Council in 1950.<sup>46</sup> In



a message to the Canadian High Commissioner in India, Pearson advised him confidentially that "the unfavourable reception by the Government of India to the proposal which General McNaughton put forward increases our reluctance that he should continue his present mediatory duties after Canada leaves the Council".<sup>47</sup>

There were no further meetings in 1949 on the Kashmir issue. On January 3, 1950, McNaughton reminded headquarters that Canada now had no official status in the Security Council. He wanted, therefore, to shut the door completely on any possibility that Canada would remain "involved in the dispute, later, and alone, without the public support of the United Kingdom, United States, French and other Council members..."<sup>48</sup>

Clearly, he sought more commitment from the British and Americans. "If the United Kingdom or United States wish to press us to continue . . .," he explained, "they should decide . . . what further representations, if any, they wish to make to the Governments of India and Pakistan to bring about sufficient change in their respective policies to make an agreed settlement possible".<sup>49</sup> As far as the General was concerned, he regarded himself only as a channel of communication between the two disputants without any duty to comment or make suggestions.<sup>50</sup>

The General had come to the conclusion that India was "deliberately attempting to prevent a plebiscite from being held in the hope that force of circumstance will finally lead Pakistan to accept partition".<sup>51</sup> On the other hand, Karachi was expected to insist on a state-wide plebiscite. If there was to be any progress, New Delhi had to agree to a reference to the people without a prior commitment regarding partition or Pakistan had to accept partition either before or after a plebiscite was held. Neither option seemed likely and, with Ottawa's blessing, the Canadian Delegation

continued to resist the British and Americans' efforts to convince McNaughton to stay on as mediator.<sup>52</sup>

This pressure reached all the way to Ottawa. In a message to Pearson, the United States Secretary of State, Dean Acheson, expressed serious concern that a full-scale war might break out between India and Pakistan. He wanted "General McNaughton to prepare a concise statement setting forth the points of difference which are preventing progress towards a settlement ..."<sup>53</sup>

On January 9, when Acheson met with Bajpai, Ottawa expected that he would press for movement on India's part. Pearson, in Colombo for a Commonwealth conference, approached Nehru and received his first report of the Acheson/Bajpai meeting. Nehru mentioned that his representative had suggested the appointment of a mediator. Evidently India was still trying to separate the western countries from their support for arbitration. "Acheson", reported Pearson, "did not turn it down or stand on the McNaughton proposal, but, according to Nehru, indicated that there might be something in Bajpai's idea".<sup>54</sup>

This revelation made Pearson much less disposed to take a stronger position with Nehru: "If this is the noncommittal line which the United States is taking on this matter, while giving us the impression of bringing pressure to bear on India, I think that we should be very careful about not going too far either with India or with Pakistan".<sup>55</sup> He was right. The Americans were indeed trying to stay in the background while encouraging the Canadians to take the lead. Any success by Pearson, reported the U.S. Delegation, would mean resumption by McNaughton of his

efforts at mediation and "continuation for the present of our attitude of impartiality".<sup>56</sup>

In his memoirs, Pearson reported that the British High Commissioner to India, Sir Archibald Nye, had convinced him that not much progress could be expected at the United Nations on the issue. He decided, therefore, that Ottawa should extricate itself from any special responsibility to continue the search for a solution.<sup>57</sup>

McNaughton's biographer offers a different point of view. John Swettenham states that, if India were to be induced to modify its stand, solidarity of purpose had to be demonstrated by the United Kingdom, the United States and Canada. He suggests that Pearson's attitude was not consistent with that goal.<sup>58</sup>

In all, McNaughton said, Pearson had not been helpful. To remove McNaughton, without pressing India to modify her position, could only strengthen India in her obdurate attitude. After that the Indians might well believe that they had only to reject a proposal for it to be abandoned and another substituted more favourable to themselves.<sup>59</sup>

Swettenham adds that the General had always felt that things might have been different if appropriate action had been taken at the Colombo Conference.<sup>60</sup>

The reason that Pearson was unsuccessful in Ceylon may have been due, in part, to Indian perceptions of the Bajpai/Acheson discussion. In fact, Acheson's formal reply to Bajpai's proposal was not given during the

meeting but was developed later for transmission by the American Delegation to their Indian colleagues.<sup>61</sup>

Acheson's subsequent message to Bajpai was a surprising departure from his earlier attitude. The U. S. Secretary of State indicated solid support for McNaughton's proposals and any future lines he might follow and "wld [would] in light [of] his [McNaughton's] recommendations support SC [Security Council] action necessary to overcome [the] present deadlock".<sup>62</sup> In private, Acheson advised his delegation that he saw no reason why Canada should not "continue to explore the possibilities of a combination of partition and plebiscite".<sup>63</sup>

Nehru's response to Acheson's message showed no inclination to be swayed. He found the message to be "unfriendly in tone and substance" and designed to pressure the Indian Government "under threat of consequences".<sup>64</sup> In a message to McNaughton, Arnold Heeney expressed departmental concern over the acerbity in the correspondence between the U.S. and India on Kashmir. The Under-Secretary found the American's language to be abrupt and he was not surprised that Nehru had responded by asking whether Acheson was making a threat. "While we have been anxious", explained Heeney, "that the U.S. Government should take greater initiative in discussing the Kashmir question with India, we are doubtful whether language of the kind used will do anything but stiffen the Indian resistance".<sup>65</sup>

Perhaps because he was relieved that the Americans had finally shown some firmness toward India, McNaughton did not agree with Heeney's assessment. "On the contrary", he suggested, "I feel that it might be unfortunate if the United States Government should interpret any Canadian comments in such a way as to give them a reason for withdrawing from the

firm interest and concern which they are now, but belatedly, showing in the Kashmir situation and the India-Pakistan tension".<sup>66</sup>

McNaughton did concur that Acheson's message to the Indians was not well-phrased. He had heard that the U.S. Secretary of State did not present a strong argument to Bajpai during their meeting of January 9. Acheson was preoccupied with other matters and had no time to read his briefing before seeing the Indian Delegate.<sup>67</sup> It appeared that the abrupt message to Nehru was designed to remove any inference of weakness caused by Acheson's silence during the interview with Bajpai.<sup>68</sup>

On January 25 the Americans and British again encouraged McNaughton not to disassociate himself from the negotiations on the Kashmir issue. The U. S. Delegates proposed that he serve as Rapporteur, "acting on behalf of the Council as an agent to facilitate informal discussions of the issues among members of the Council with a view to arriving at a consensus regarding the best course to be followed".<sup>69</sup> The plan was that McNaughton would not be a representative of Canada but an agent selected because of his knowledge and experience. Any progress, or the lack of it, would be the responsibility not of the Canadian Delegate, but of the Council members themselves.<sup>70</sup> It was through this approach that the State Department hoped to bypass his conditions to continue his involvement.

The source of the American initiative came to light during a meeting on January 27. In his message to Nehru, Acheson had expressed strong support for the proposals and for McNaughton's continued involvement. Ernest A. Gross of the United States Delegation, stated that, if New Delhi realized that McNaughton was not authorized by Ottawa to continue the negotiations, India would regard it as a victory and would be encouraged to remain uncompromising. Moreover, Acheson's position would be difficult given his strong language in the message to Nehru. Gross believed that

"quite unwittingly, Mr. Pearson has placed the Secretary of State in an anomalous position".<sup>71</sup> In other words, the State Department wanted Ottawa to let McNaughton stay on in order to help Acheson avoid further embarrassment. McNaughton was unmoved and reiterated his position to the Americans.

The relations between the American and Canadian delegations had reached a low point over the Kashmir issue and this was best shown in Gross' comments to McNaughton. The American suggested that the State Department might consider that Canada had pressured the United States into taking its tough stand with India. Ironically, Pearson's concern was that, if McNaughton continued his negotiations with the delegations from India and Pakistan, the Americans might return to their attitude of total impartiality.<sup>72</sup>

Late in January, the Canadian Government made its final decision. Arnold Heeney advised Pearson, who had stopped over in Tokyo after the Colombo Conference, that, with Prime Minister St. Laurent's blessing, "the General should not, repeat not, be asked to undertake further responsibilities in regard to Kashmir except under [the] conditions stated". The Under-Secretary of State for External Affairs added that Ottawa was not impressed by the distinction drawn by the U.S. between a mediator and a rapporteur. Whatever its validity, the distinction overlooked the requirement that the process had to show evidence that constructive results would follow. "We have also", Heeney advised, "commented to McNaughton and to [the] Embassy in Washington that we see no foundation whatever for criticism of our position offered by Gross".<sup>73</sup> Pearson agreed, adding that he was "getting a little impatient with the Americans blowing hot and cold on this Kashmir business".<sup>74</sup> At headquarters another officer remarked: "We had not, of course, been shown the text of this message before it was delivered, and it could not

reasonably be held that we were responsible for the line which the State Department has taken in that communication".<sup>75</sup>

McNaughton was advised by headquarters to tell the British and Americans that Ottawa hoped that, at the next meeting of the Council, they would not suggest that McNaughton carry on any mediatory role in the dispute. He complied.<sup>76</sup> "Should there be", reported Heeney to the Prime Minister, "any suggestion that General McNaughton continue to act in any capacity whatever, he will decline so to act".<sup>77</sup> This firm resolve would continue to be tested.

Throughout January 1950, the discussions focussed not on the search for a settlement but on a dialogue over the future of McNaughton's involvement. The delegations of the United Kingdom, the United States, and Pakistan wanted to keep the negotiations at the United Nations and under the General's guidance while India wished to move the talks to the sub-continent under a new negotiator with the power of mediation.

February ran much as January had. The Cuban Delegate now presided, but the efforts to keep McNaughton involved in the issue were still being exerted, although it was the United Kingdom which was pressing the Canadians. Lester Pearson, still in Tokyo, received a message from Philip Noel-Baker expressing the hope that the General would be authorized to accept a mandate by the Council to negotiate with the disputants and draft proposals for submission to the Council for action. The British Delegate articulated his concern that, if his Canadian colleague was unable to accept any further responsibility in the dispute, the United States Government would believe that it was bearing a disproportionate share of responsibility and would seek to reduce its involvement.<sup>78</sup>

The reasons for Canadian disengagement were becoming more compelling. Feaver explained Ottawa's concerns in a letter to Canada's recently appointed High Commissioner in Karachi. Both the United Kingdom and the United States had made it clear, he reported, that it was their intention to take a strong line with India.

This is the fundamental question on which the Department does not see eye to eye with our British and American friends. Mr. Pearson does not think that a Security Council resolution pinning responsibility on India will make her more likely to agree to demilitarization proposals along the lines suggested by General McNaughton. Thus, you can see that quite apart from the fact that the conditions stipulated by General McNaughton for his continuance as mediator were not fulfilled, the Department was reluctant to see him make a strong and forthright statement at the Security Council on the basis of his proposals, because it was feared that such a statement could be made the base for an attack on India by the United States and United Kingdom representatives. We felt it would be particularly unwise for us to strike out in a direction which might imply criticism of India since we had retired from the Security Council and therefore would not wish to leave with her an unfavourable impression which would be difficult to correct since we had no continuing responsibility with the Council.<sup>79</sup>

Ottawa's fears were not realized. On March 14, 1950, a resolution submitted by Cuba, Norway, the United Kingdom and the United States was adopted by a vote of eight in favour and two abstentions (Yugoslavia and India). The resolution provided for the dissolution of UNCIP and the



appointment of a single United Nations representative, acceptable to both parties, as mediator." McNaughton's demilitarization proposals, also part of the resolution, were the most substantive legacy of his efforts.

## NOTES

1. Chairman, Canadian Delegation to the United Nations General Assembly to SSEA, no. 423, December 3, 1949, RFAIT, file 5 As.
2. Since the introduction of Karachi's regular army into Kashmir, the conflict had become an undeclared war between India and Pakistan which rendered quite academic the earlier debate over which should come first, the political settlement or the ending of hostilities, since a truce had to be the primary objective.
3. CPDUN to SSEA, no. 1153, December 8, 1949, RFAIT, file 5 As.
4. Korbelt confirms that the UNCIP report was quite critical of the Indian attitude. See *Danger In Kashmir*, p. 158. For the text of the full report, see S.C. Official Record, Special Supplement, No. 7.
5. CPDUN to SSEA, no. 1153, December 8, 1949, RFAIT, file 5 As.
6. CPDUN to SSEA, no. 1155, December 10, 1949, *ibid.*
7. CPDUN to SSEA, no. 1171, December 14, 1949, *ibid.*
8. *Ibid.*
9. CPDUN to SSEA, no. 1176, December 15, 1949, *ibid.*
10. *Ibid.*
11. CPDUN to SSEA, no. 1179, December 15, 1949, *ibid.*
12. CPDUN to SSEA, no. 1187, December 16, 1949, *ibid.*
13. SSEA to CPDUN, no. 820, December 16, 1949, *ibid.*
14. *Ibid.*
15. *Ibid.*
16. CPDUN to SSEA, no. 1192, December 17, 1949, *ibid* and S.C. Official Record, 457th meeting, pp. 5-6.
17. CPDUN to SSEA, no. 1196, December 19, 1949, RFAIT, file 5 As. This was the first time that the Hindu Dogra Army and the State Militia (both pro-India) were included in a plan for disarmament. See "Memorandum for the Minister", A.D.P. Heeney, December 21, 1949, *ibid.*
18. CPDUN to SSEA, no. 1196, December 19, 1949, *ibid.*

19. CPDUN to SSEA, no. 1202, December 20, 1949, *ibid.*
20. *Ibid.*
21. "Memorandum for the Minister", A.D.P. Heeney, December 21, 1949, *ibid.*
22. Riddell to Heeney, December 22, 1949, *ibid.*
23. CPDUN to SSEA, no. 1224, December 22, 1949, *ibid.*
24. *Ibid.* McNaughton did not allow the U.N. Secretariat to issue his proposal as an official U.N. document nor did he read the text into the Security Council record.
25. CPDUN to SSEA, no. 1230, December 23, 1949, RFAIT, file 5 As.
26. CPDUN to SSEA, no. 1243, December 27, 1949, *ibid.* The American Embassy in New Delhi reported that it was highly likely that the Indian rejection of McNaughton's proposals was in part tactical and designed to push those involved into considering the partition of Kashmir. The American Ambassador was convinced that there would never be an overall plebiscite in the State unless it was carried out on India's own terms and that "India is prepared to thwart [the] U. N. rather than give way". See *Foreign Relations of the United States (FRUS)*, 1949, vol. VI, (Washington: United States Printing Office, 1977) p. 1771.
27. CPDUN to SSEA, nos. 1253, 1254, December 28, 1949, RFAIT, file 5 As.
28. CPDUN to SSEA, no. 1255, December 28, 1949, *ibid.*
29. SSEA to HCCI, no. 14, January 10, 1950, *ibid.* Pearson's observation is interesting and somewhat ironic. As shown in Chapters 1 and 2, Kearney's position on the Kashmir issue was completely different from the line of investigation followed by McNaughton in New York with headquarters' acquiescence.
30. SSEA to HCCI, no. 222, December 28, 1949, RFAIT, file 5 As.
31. SSEA to CPDUN, no. 840, December 28, 1949, *ibid.*
32. CPDUN to SSEA, no. 1263, December 28, 1949, *ibid.*
33. *Ibid.* In condition (2) the emphasis is McNaughton's. The final element of condition (2) is clearly directed squarely at India.
34. *Ibid.*
35. *Ibid.*
36. CPDUN to SSEA, no. 1267, December 29, 1949, *ibid.*
37. *Ibid.*
38. CPDUN to SSEA, no. 1264, December 29, 1949, *ibid.*
39. CPDUN to SSEA, no. 1266, December 30, 1949, *ibid.*

40. S.C. Official Record, 458th meeting, p. 5.
41. Ibid, p. 7.
42. Ibid, pp. 9-15.
43. Ibid, pp. 16-17.
44. CPDUN to SSEA, no. 1272, December 30, 1949, RFAIT, file 5 As.
45. S.C. Official Record, 458th meeting, pp. 16-17.
46. Ibid, pp. 17-18.
47. SSEA to HCCI, no. 224, December 30, 1949, RFAIT, file 5 As.
48. CPDUN to SSEA, no. 2, January 3, 1950, *ibid*.
49. *Ibid*. For an interesting account of British attempts to convince the United States to assume a leading role in the search for a solution to the Kashmir issue, see H. W. Brands "India and Pakistan in American Strategic Planning, 1947-54: Commonwealth as Collaborator", *The Journal of Imperial and Commonwealth History* XV, no. 1 (October 1986): 41-54.
50. CPDUN to SSEA, no. 2, January 3, 1950, RFAIT, file 5 As.
51. SSEA to Canadian Delegation to the Commonwealth Conference, Colombo, no. 2, January 6, 1950, *ibid*.
52. *Ibid*. See also SSEA to CPDUN, no. 8, January 7, 1950, *ibid*.
53. Canadian Ambassador to the United States to SSEA, no. Wa-42, January 7, 1950, *ibid*.
54. Chairman, Canadian Delegation to the Colombo Conference in Colombo, to SSEA, no. 7, January 13, 1950, *ibid*. Bajpai had properly reported Acheson's reaction. "I said", reported Acheson, "we wld [would] give consideration [to] his [Bajpai's] views". See *FRUS*, vol. V, 1950, (Washington: Government Printing Office, 1978), p. 1367.
55. Chairman, Canadian Delegation to the Commonwealth Conference, Colombo, to SSEA, no. 7, January 13, 1950, RFAIT, file 5 As. For Pearson's view of the final days of Canadian involvement in the Kashmir issue, see John A. Munro and Alex I. Inglis, eds. *Mike: The Memoirs of the Right Honourable Lester B. Pearson*, vol. 2: 1948-1957 (Toronto: University of Toronto Press, 1973), pp. 116-117.
56. *FRUS*, vol. 5, 1950, pp. 1363-1364.
57. Pearson did not explain the reason for Nye's pessimism. The Secretary of State for External Affairs continued on to Karachi and to New Delhi before returning home from Colombo. See Munro and Inglis, eds., *Mike*, vol. 2, p. 117.
58. Swettenham, *McNaughton*, p. 160.

59. *Ibid.*
60. *Ibid*, p. 162.
61. Canadian Ambassador to the United States to SSEA, no. Wa-93, January 13, 1950, RFAIT, file 5 As.
62. *FRUS*, vol. 5, 1950, p. 1367.
63. Canadian Ambassador to the United States to SSEA, no. Wa-93, January 13, 1950, RFAIT, file 5 As.
64. CPDUN to SSEA, no. 36, January 16, 1950, *ibid.*
65. SSEA to CPDUN, no. 40, January 18, 1950, *ibid.*
66. CPDUN to SSEA, no. 51, January 19, 1950, *ibid.*
67. *Ibid.*
68. SSEA to High Commissioner to Pakistan, no. 4, January 20, 1950, *ibid.*
69. Canadian Ambassador to the United States to SSEA, no. Wa-216, January 27, 1950, *ibid.*
70. *Ibid.*
71. CPDUN to SSEA, no. 91, January 27, 1950, *ibid.* See also *FRUS*, vol. 5, 1950, p. 1377.
72. R. G. Riddell, "Note for Mr. Heeney", January 31, 1950, RFAIT, file 5 As.
73. SSEA to Canadian Liaison Mission, Tokyo to SSEA, no. 26, January 28, 1950, *ibid.*
74. Head of Canadian Liaison Mission, Tokyo to SSEA, no. 20, February 1, 1950, *ibid.*
75. Riddell to Heeney, January 31, 1950, *ibid.*
76. SSEA to High Commissioner for Canada, Karachi, no. 9, January 31, 1950, *ibid.*
77. A.D.P. Heeney, "Memorandum for the Prime Minister", January 31, 1950, *ibid.*
78. "Text of Personal Message, Dated 31st January, 1950, From the Secretary of State for Commonwealth Relations, Mr. P.J. Noel-Baker, M.P., to the Secretary of State for External Relations, Mr. L.B. Pearson", *ibid.*
79. H.F. Feaver to David M. Johnson, February 14, 1950, RFAIT, *ibid.*
80. Memo by Commonwealth Division, "The Kashmir Dispute", and Acting CPDUN to SSEA, no. 211, March 15, 1950, *ibid.*

## CONCLUSION

Ottawa refused to accept the responsibility to take any part in the search for a solution to the conflict between India and Pakistan. So firm was the resolve to remain aloof that Canada refused to make a motion in the Security Council for a vote on an appeal to India and Pakistan to avoid any activities which might cause a further deterioration of the situation. The Delegation was directed by Ottawa to spurn any efforts to co-opt Canada into membership on any committee, including the proposed commission which had the responsibility to negotiate a cease-fire and to make the preliminary arrangements for a plebiscite in Kashmir to decide its future. The order stood even after India indicated informally that Canada was New Delhi's chosen nominee for the commission. Later, headquarters directed McNaughton to discourage any attempt to appoint a Canadian to serve as plebiscite administrator.

There is a consensus among Canadian foreign policy historians that success as a mediator provided Canada with an opportunity to exert a significant measure of influence in post-war diplomacy. Involvement in the Palestine issue and the Indonesian dispute, for example, won for Canada a reputation as an effective mediator. In the case of Kashmir, however, Ottawa denied itself an opportunity to bring the same skills and talent to a conflict between two friendly members of the Commonwealth. This refusal to act was a disavowal of St. Laurent's commitment that Canada would assume her international responsibilities.

Setting aside Ottawa's official policy of non-involvement, McNaughton, as President of the Security Council in February 1948, collaborated with his Belgian colleague to produce the Resolution of February 10. Given Ottawa's position, McNaughton had no right to expect official support from headquarters, but he was on fairly safe ground since

the document was an elaboration of the proposals put forward by the British Delegation. McNaughton was able to report that the resolution had the approval of all the western members of the Security Council. As he explained later, the document was promoted by him not in the capacity of Canada's permanent delegate to the United Nations, but as the President of the Security Council.

McNaughton did not suggest that the resolution reflected Canadian policy on the Kashmir issue. There was no policy. In refusing to participate in the negotiations, Ottawa also neglected to establish a position on the dispute. The absence of an official Canadian policy caused confusion in Ottawa over instructions for the High Commission in New Delhi. Scott requested guidance on the appropriate response if the question of Kashmir's status was raised at the official level. Ottawa's reply was that, if there was no time to cable for instructions, the members of the High Commission were authorized to act under the assumption that Kashmir was legally part of India. Those instructions contradicted the substance of the McNaughton/van Langenhove resolution, which treated Kashmir as disputed territory.

After consultations with the Canadian Delegate, headquarters reversed their orders to the High Commission. With that move, Ottawa abandoned India's arguments in favour of Pakistan's interpretation of Kashmir's status. Significantly, this was a position developed not at headquarters, but by the team in New York.

The lack of policy had even more serious consequences. While McNaughton was following the British lead in New York, Kearney, doubtless sensing a central policy vacuum, chose a separate path in New Delhi. He devised his own policy, which involved a plebiscite on the question of independence for Kashmir, and promoted it. A remarkable lack of

leadership was displayed by headquarters as the two main Canadian representatives involved in the Kashmir conflict advocated different, in fact, contradictory plans for settlement of the issue. It was not a question of oversight by headquarters, nor were Kearney's activities ignored. In early March, 1948, McNaughton was given a file containing the High Commissioner's despatches and was invited to comment on Kearney's reports. The records do not reflect any observations by Pearson or McNaughton on Kearney's open advocacy of a different plan for settlement of the issue. Canada's diplomats had no official policy to advocate and were working at cross-purposes

A humiliating episode ensued when the British High Commissioner approached a departmental official with a request from London that Kearney be told to discontinue his lobbying in support of independence for Kashmir. The Department of External Affairs could have been spared considerable embarrassment if Kearney had been content to act within his capacity as an advocate of Canadian policy. Since Ottawa had opted for non-involvement, it was Kearney's responsibility to confine his views to his reports for headquarters and to maintain strict impartiality in his discussions with Indian officials. Kearney did not show good judgement in exceeding his instructions nor did headquarters in allowing him to do so.

Although Louis St. Laurent became Prime Minister on November 15, 1948, theoretically putting an end to the isolationism of Mackenzie King once and for all, it was not until the following August that the first steps were taken to formulate policy on the issue. Prior to Nehru's arrival in Ottawa in October, 1949, departmental officials finally defined the Canadian position in a briefing paper, namely, that under the principle of the partition agreement, Pakistan had the stronger case.



They expressed concern that the Kashmir crisis could develop into a far greater conflict.

Unfortunately, the establishment of a policy did not lead to effective Canadian diplomatic involvement in the issue. On the contrary, during the Indian Prime Minister's visit, Pearson agreed to abandon support for arbitration and advocate United Nations-sponsored mediation, a method of settlement opposed by the British, the United Nations Commission for India and Pakistan and the Americans. In doing so, Pearson established a leading role but in a way which made a negotiated settlement more remote. He also ignored the Cabinet guidelines of February 12, 1948. Those directives included a statement that, on questions of peace or war, Canada could not afford to be in opposition to the United States and United Kingdom when they were in agreement.

For twenty-two months, Canada had carefully avoided any official participation in the Kashmir negotiations. After Nehru's visit, Canada's Secretary of State for External Affairs decided not only to get involved, but also to lead the search for a solution in a new direction. Pearson was not tilting towards India's position; he simply saw United Nations-sponsored mediation as a way out of the procedural impasse. Nevertheless, he did not have the influence to convince the British to abandon arbitration as the preferred method of settlement. Since the first session in the Security Council on the Kashmir dispute, Whitehall had provided leadership in the search for a solution. A new proposal from Canada, which had spent so much time and effort refusing to participate in the negotiations, was probably not a welcome offer to the United Kingdom.

Canadian advocacy of United Nations sponsored-mediation ended in December 1949 with McNaughton's draft proposals for an arbitrated settlement. It was understood from confidential discussions with the

Indian Delegation that, if the McNaughton plan was tabled for a vote and carried, there was a chance that New Delhi would accept the Security Council's decision. Curiously, Pearson directed the Canadian Delegate to show his final draft to the Head of the Indian Delegation before a vote. The Secretary of State for External Affairs explained that he did not wish to be in the position where one side accepted the proposals and the other did not. In this way, Bajpai was able to confer with his government and privately pronounce the document unacceptable without fear of an adverse reaction from public opinion. At the cost of a possible first step toward a resolution of the issue, Pearson's demarche provided India with a way to avoid international censure. Possibly, it was because he realized that India would be under considerable pressure, and he did not want the Canadian proposal to be the cause.

McNaughton's draft was developed with the assistance of headquarters, and thus represented a clear Ottawa position. This late attempt by Canada to settle the issue had little chance of success. Resolutions promoted over the last twenty-three months by the Security Council and by UNCIP, some sympathetic to India's position, others favouring Pakistan, provided justification for intransigence by both sides and only increased their mutual hostility. Pearson's questionable instructions to show the draft proposals informally to the Indian Delegation reduced that chance even further.

Because of British opposition, the Secretary of State for External Affairs' personal leadership in the promotion of United Nations sponsored-mediation was unsuccessful. McNaughton's December proposals were presented after a twenty-three month build-up of distrust and animosity between India and Pakistan. His draft resolution ignored the Indian position on the phased withdrawal of forces, the garrisoning of the

northern reaches of Kashmir and on the question of arbitration. Canadian efforts at mediation were simply ineffective.

The final days of 1949 saw attention among the Western delegations deflected from the primary task, finding a solution to the conflict. Their efforts were directed at maintaining the pressure on McNaughton to continue his work as mediator after the expiry of Canada's two-year term on the Security Council. McNaughton was not prepared to continue. India had rejected his proposals for settlement and New Delhi wanted the United Nations to appoint a mediator acceptable to both sides. Among the United Kingdom, the United States and Canada, there was disagreement on whether additional pressure on India would convince Nehru to re-evaluate McNaughton's proposals. Any residual hope for co-ordinated action by Washington, Ottawa and Whitehall was finally shattered by the friction which resulted between Canada and the United States over a clumsy message from the American Secretary of State to Prime Minister Nehru, which expressed full support for McNaughton's proposals and for any action considered necessary by the Security Council to break the current deadlock in negotiations. It was the latter remark which caused Nehru to believe that he was being threatened.

Without doubt, Canadian involvement in the Kashmir issue would have been welcomed by the Security Council much earlier. Offers to serve on the United Nations Commission for India and Pakistan were rebuffed. The persistence of the Americans and the British in their attempts to keep McNaughton involved in some capacity after the expiry of Canada's term on the Security Council, reflected a confidence in the abilities of the Canadian Delegate as well as their own desire not to be cast in a leading role in the negotiations on Kashmir.

In the Kashmir dispute, Canada resisted involvement in the issue until the last moment. Ottawa showed little leadership and poor judgement in terms of Kearney's activities and Pearson's interventions. Kearney, unable to deal with a lack of a Canadian policy on the issue, devised his own and lobbied shamelessly for it; mediation efforts by Ottawa began only in October, 1949 and they did not serve to bring a settlement any closer. Canadian involvement in the Kashmir crisis did not reflect the promise in St. Laurent's eloquent words in his 1947 Gray lecture. Measured by commitment, effectiveness and influence, Canada's role in the dispute between India and Pakistan fails to support the concept of a "golden age" of diplomacy in the post-war era.

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