

'Unwriting' history, creating myths

Accounts from the past suggest that Sardar Patel played a key role in the incorporation of Article 370 in the Constitution



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What I like about history is that if the event is sufficiently far back in time, and we no longer remember how it happened or who did it, we can spin any story and present it as fact and most people will not be any the wiser. However, if you do it too publicly or loudly there's still a danger you could get found out. Did that happen to the Prime Minister and Home Minister on October 31 when they extolled their de-operationalisation of Article 370? Let me place the facts before you and then judge for yourself.

Patel and Article 370

Speaking in Delhi, Amit Shah said "the unfulfilled dream of Patel was realised when 370 was repealed". Narendra Modi was even more explicit. He said Patel had inspired him to take the decision to dilute Article 370 and added, "I dedicate the decision to Sardar Sahab."

Even though neither explicitly said so, it was widely inferred the two men were suggesting Vallabhbhai Patel, first Home Minister and Deputy Prime Minister of independent India, was against Article 370 and wanted it repealed. This was his unfulfilled dream. This is why the Prime Minister dedicated its dilution to him. And

remember they were speaking on October 31, Patel's birth anniversary.

Now, let's see how history records Patel's stand on Article 370. Srinath Raghavan, the author of *War and Peace in Modern India: A Strategic History of the Nehru Years* and a professor at Ashoka University, says the first meeting to draft Article 370 took place at Patel's home on May 15 and 16, 1949. More significantly, Mr. Raghavan says when N.G. Ayyangar, the minister responsible for negotiating with Jammu and Kashmir's Prime Minister (as he was then called) Sheikh Abdullah, prepared a draft letter for Nehru to send to Abdullah summarising the contours of the agreement – of which, incidentally, Article 370 was the core – he first sent it to Patel with the following note: "Will you kindly let Jawaharlalji know direct as to your approval of it. He will issue the letter to Sheikh Abdullah only after receiving your approval."

Let's ponder over that letter. It says Nehru would only tell the Sheikh they had an agreement on the Kashmir clauses, including Article 370, after Patel wrote to him to say he was in agreement with them. In effect, this gave Patel a veto. If he had said he was not happy with it Nehru presumably would not have written to the Sheikh indicating his acceptance. I assume this is why Mr. Raghavan told *The Telegraph* (August 13, 2019) that Article 370 was "Sardar Patel's formulation through and through."

Equally importantly, Mr. Raghavan says it was Patel who con-



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vinced the Congress Legislature Party to accept Article 370. Since in 1949 the CLP was the majority of the Constituent Assembly, this also means he convinced the Assembly to accept.

Special status for Kashmir

Let me now cite another source on Patel's attitude to Article 370. I shall quote from page 517 of Rajmohan Gandhi's seminal biography of Patel called *Patel: A Life*. After writing Patel "suppressed" his own opinions, it's important to focus on what Mr. Gandhi says of the decision taken by Patel "in October 1949, while Nehru was abroad, when the Constituent Assembly considered Kashmir." Read what follows carefully: "Patel, who was functioning as Acting Prime Minister, acquiesced in a special status for Kashmir, inclusive of concessions that went beyond what Jawaharlal had accepted before his departure". Mr. Gandhi writes that Abdullah pressed for these concessions "and the Sardar did not stand in the way". Patel presumed that these concessions "seemed to represent Nehru's wishes which (he) did not want to repudiate in Jawaharlal's absence".

Once again, this is very revealing. First, Patel "acquiesced in a special status for Kashmir... that went beyond what Jawaharlal had accepted." Second, he did so because he presumed this "seemed to represent Nehru's wishes which he did not want to repudiate." This clearly implies he did not strongly disagree with these concessions otherwise he would have refused to go along or, at least, done so after expressing strong dissent. But that didn't happen. So, even if he "suppressed" his own views he did not give them great importance -- certainly not priority.

To be honest, Rajmohan Gandhi also records that Patel "predicted trouble": "Jawaharlal royega", he said." Perhaps Nehru came to rue Article 370 but Patel was the one who ensured it got placed in the Constitution. He did not wait to find out whether Nehru actually wanted this. He simply assumed he did.

Does this account from history suggest repealing Article 370 was Patel's "unfulfilled dream"? And would Patel feel honoured that the repeal is being dedicated to his memory? As I said at the start, you must judge for yourself.

The case of Hari Singh

Now, while I am revealing insights gleaned from history, let me share two others. Page 517 of Rajmohan Gandhi's biography reveals that it was Patel who told Maharaja Hari Singh to leave the State. "He had agreed, when Nehru pressed him, to ask the Maharaja of Kashmir to leave the state." Mr. Gandhi quotes

the Maharaja's son, Karan Singh, in support of this. "The Sardar told my father gently but firmly... my father was stunned. He emerged from the meeting ashen-faced, while my mother was fighting back her tears."

The second insight is more telling. It comes from Pheroze Vincent's article for *The Telegraph* of August 13. It concerns Syama Prasad Mookerjee – the founder of the Bharatiya Jan Sangh, from which the BJP was born – and the decision to refer Kashmir to the United Nations, which Mr. Shah has roundly and repeatedly criticised. On August 7, 1952 this is what Mookerjee said in the Lok Sabha: "It has been said that I was a party when the decision was taken to refer the Kashmir issue to the UNO... that is an obvious fact."

So, doesn't it seem that Mookerjee, a member of Nehru's cabinet at the time, did not dissent? Otherwise in 1952, two years after he parted company with Nehru and a year after he formed the Jan Sangh, wouldn't he have said so? Instead, this is what he told the Lok Sabha: "I have no right and I do not want to disclose the extraordinary circumstances under which that decision was taken."

After all that, let me leave you with a *bon mot*. They say great men write history. One of the greatest, Napoleon, dismissed history as "a myth." Well, in India great men can also 'unwrite' history. Or, as Napoleon would have put it, they create myths.