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## Jammu & Kashmir in legal perspective

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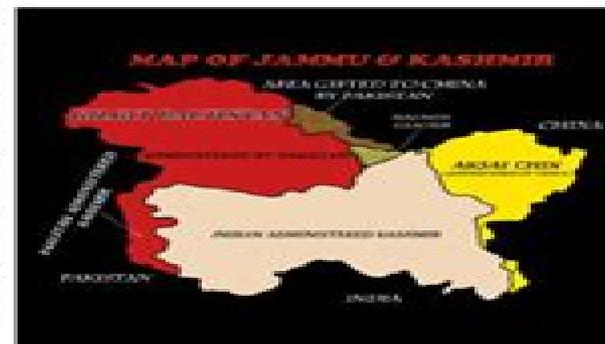
Whereas certain emotional, sentimental, cultural, ethnic and religious dimensions can be argued, this paper aims to examine the issue of the princely State of Jammu & Kashmir from a purely legal perspective.

The princely State of Jammu & Kashmir, created in 1846 under the Treaty of Amritsar signed between the East India Company and Maharaja Gulab Singh, remains divided till date. The Maharaja became the founder of the Royal Dogra Dynasty and the first king of the princely State of Jammu & Kashmir by paying 7.5 million of Nanak Shahi rupees (the ruling currency of the Sikh Empire) to the British Government and bought Kashmir Valley, Ladakh Wizarat (comprising of Baltistan, Kargil and Leh) and added it to Jammu which was already under his rule. Gilgit Wizarat (comprising of Gilgit and Pamiri areas) were conquered later in the war against Sikh rule led by Dogra Generals.

### Historical Background - Partition & Standstill Agreement

India gained independence in 1947 from the British and the same year Pakistan came into existence. 562 princely states existed in British India before the partition, which were not completely and formally part of British India; its rulers were allowed to govern internal matters like law and order, health, education and economic development. These princely states enjoyed internal autonomy, while by treaty, the British had a control over their Foreign Policy and International Relations. During partition, the State of Jammu & Kashmir was ruled by Maharaja Hari Singh under the paramountcy of British India. The British Viceroy offered individual Kings of princely states the right to accede either to India or Pakistan by executing an *Instrument of Accession* signed by the Ruler and accepted by the Governor-General of the Dominion. The decision to accede to either Dominions was an exclusive right of the ruler.

The State of Jammu & Kashmir, which was contiguous to both India, and newly formed Pakistan, initially decided to remain independent. It offered to sign Standstill Agreements with both the Dominions. Pakistan immediately signed the Standstill Agreement while India asked for further discussions on its contents. The draft of the Standstill Agreement was formulated on 3 June 1947, by the political department of the British Indian Government and stated that all the administrative arrangements that existed between the British Crown and the princely state would continue unaltered between the signatory dominions (India and Pakistan) and the State, until new arrangements were made.



# Jammu And Kashmir In Legal Perspective Sadf

**Lauren Gardner**



## **Jammu And Kashmir In Legal Perspective Sadf:**

*Modern Perspectives on Islamic Law* E. Ann Black, Hossein Esmaeili, Nadirsyah Hosen, 2013-01-01 This book presents an invaluable contribution to the debate on the compatibility of Islam and modernity. It is full of arguments and examples showing how Islam can be understood in line with modern life, human rights, democracy, the rule of law, civil society, and pluralism. The three authors come from different countries, represent different gender perspectives, and have a Shia, a Sunni, and a non-Muslim background respectively, which makes the book a unique source of information and inspiration. Irmgard Marboe, University of Vienna, Austria. This well-informed book explains, reflects on, and analyses Islamic law not only in the classical legal tradition of Sharia but also its modern contemporary context. The book explores the role of Islamic law in secular Western nations and reflects on the legal system of Islam in its classical context as applied in its traditional homeland of the Middle East and also in South East Asia. Written by three leading scholars from three different backgrounds: a Muslim in the Sunni tradition, a Muslim in the Shia tradition, and a non-Muslim woman, the book is not only unique but also enriched by differing insights into Islamic law. Sir William Blair provides the foreword to a book which acknowledges that Islam continues to play a vital role not just in the Middle East but across the wider world; the discussion on which the authors embark is a crucial one. The book starts with an analysis of the nature of Islamic law, its concepts, meaning, and sources, as well as its development in different stages of Islamic history. This is followed by accounts of how Islamic law is being practised today. Key modern institutions are discussed, such as the parliament, judiciary, dar al-ifta, political parties, and other important organizations. It continues by analysing some key concepts in our modern times: nation, state, citizenship, ummah, dhimmah, recognition of the status of certain non-Muslims in Islamic states, and the rule of law. The book investigates how, in recent times, more and more fatwas are issued collectively rather than emanating from an individual scholar. The authors then evaluate how Islamic law deals with family matters, economics, crime, property, and alternative dispute resolution. Lastly, the book revisits certain contemporary issues of debate in Islamic law, such as the burqa, halal food, riba, interest, and apostasy. *Modern Perspectives on Islamic Law* will become a standard scholarly text on Islamic law. Its wide-ranging coverage will appeal to researchers and students of Islamic law or Islamic studies in general. Legal practitioners will also be interested in the comparative aspects of Islamic law presented in this book.

*Regional perspectives on India's Partition* Anjali Gera Roy, Nandi Bhatia, 2023-05-04 This book expands the scope of understanding of the vast, albeit uneven, experience of the 1947 Partition of India by including localities and life stories from and beyond the regions of Punjab and Bengal. Building on existing research on Partition, the chapters present and analyse the consequences of Partition, displacement, and the resilience of communities in different parts of the nation. Regions discussed include the Chitmahals, Assam, Tripura, Mizoram, Hyderabad, Andaman Islands, and Jammu and Kashmir. The contributors show that the heterogeneity of people's experiences reside in spaces of the family, home, neighbourhoods, villages, towns, and cities, refugee settlements, letters, memoirs.

biographies films fiction oral histories and testimonies The book examines the Partition s complex effects in regions localities and contexts and its material and psychological ramifications This book is a unique and comprehensive contribution in enabling a more complex understanding of how Partition played out and continues to do so for groups and generations across India It will be of interest to a multidisciplinary audience including history literature comparative literature colonial and postcolonial studies modern Asian studies studies of South Asia and studies of memory and trauma

**Implementing Human Rights in the Third World** Abdulrahim P. Vijapur,2008 Contributed articles chiefly with reference to India originally presented at a seminar Mar 21 22 2007 organized by the Academy of Third World Studies Jamia Millia Islamia New Delhi

**Epilogue, Vol 4, Issue 10 , Islam in the Modern World--problems and Prospects** Āl-i-Aḥmad Surūr,1981 Papers presented at a Seminar on Islam in the Modern World Problems and Prospects held on Oct 3 8 1981

**Pakistan Annual Law Digest** ,1975

**The Routledge Companion to Journalism Ethics** Lada Trifonova Price,Karen Sanders,Wendy N. Wyatt,2021-08-24 This volume provides a comprehensive discussion of enduring and emerging challenges to ethical journalism worldwide The collection highlights journalism practice that makes a positive contribution to people s lives investigates the link between institutional power and ethical practices in journalism and explores the relationship between ethical standards and journalistic practice Chapters in the volume represent three key commitments 1 ensuring practice informed by theory 2 providing professional guidance to journalists and 3 offering an expanded worldview that examines journalism ethics beyond traditional boundaries and borders With input from over 60 expert contributors it offers a global perspective on journalism ethics and embraces ideas from well known and emerging journalism scholars and practitioners from around the world The Routledge Companion to Journalism Ethics serves as a one stop shop for journalism ethics scholars and students as well as industry practitioners and experts Chapter 45 of this book is freely available as a downloadable Open Access PDF at <http://www.taylorfrancis.com> under a Creative Commons Attribution Non Commercial No Derivatives CC BY NC ND 4 0 license

*The Bombay Law Reporter* ,1990

**Human Rights in Asia and the Pacific** James T. Lawrence,2004 The existence of human rights helps secure the peace deter aggression promote the rule of law combat crime and corruption and prevent humanitarian crises These human rights include freedom from torture freedom of expression press freedom women s rights children s rights and the protection of minorities This book surveys the countries of Asia and the Pacific and is augmented by a current bibliography and useful indexes by subject title and author

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Parlance ,1989      Selected Works of Jawaharlal Nehru Jawaharlal Nehru,1984 This volume covers the second quarter of 1953 and deals with several seminal events and crucial initiatives which on one hand marked an increase in the pace of social and economic developments within India and on the other hand showed an increasing involvement of the country in matters of outstanding significance in the world community      **Selected Works of Jawaharlal Nehru: 1 April 1953-30 June 1953** Jawaharlal Nehru,1984 This volume covers nearly eleven weeks from October 6 1948 when Nehru left India for London to attend the Commonwealth Prime Ministers Conference to December 19 when the annual session of the Indian National Congress at Jaipur concluded It collects Nehru s addresses and articles related to this stressful time in world history Among his articles are support for the causes of Indonesia and the Africans in their battles against alien rulers arguments for the continued membership of India in the Commonwealth and a piece on the importance of protecting Indian interests in neighboring countries Above all Nehru stressed the need to maintain secular values and the urgency of restructuring the economy to meet the demands of free India      Daily Report ,1991-05-02      Kashmir Vengalil Krishnan Krishna Menon,1957

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